



United States Environmental Protection Agency
Washington, DC 20460

**Office of
Administration
And Resources
Management**

April 15, 2015

Dear Honorable Leader,

The U.S. Environmental Protection Agency (EPA) is initiating consultation and coordination with federally-recognized Indian Tribes on a proposed Tribal grant condition addressing cybersecurity requirements. Developing this grant condition is part of an overall EPA strategy to strengthen cybersecurity awareness and protect Information Technology systems.

The proposed grant condition is enclosed with this letter. It contains two provisions. The first provision condition, Section (a), would require a Tribal recipient, when collecting and managing environmental data under the grant, to follow applicable Tribal law cybersecurity requirements.

The second provision, Section (b), addresses cases where a Tribal recipient's network or information system connects, or proposes to connect, to EPA networks, **and the connection does not go through the Environmental Exchange Network or EPA's Central Data Exchange**. In that situation, the Tribal recipient would be required to contact, and work with, the EPA Project Officer to ensure that the connection meets EPA security requirements, including entering into any necessary Interconnection Service Agreements with the agency.

Please note that Section (b) requirements would not be triggered if the Tribal recipient is manually entering data into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

Subawards

Additionally, should the Tribal recipient make subawards, the recipient would have a monitoring obligation to ensure that a subrecipient meeting the conditions in Section (b) has contacted the EPA Project Officer.

This consultation and coordination process will be conducted in accordance with the *EPA Policy on Consultation and Coordination with Indian Tribes* (www.epa.gov/tribal/consultation/consult-policy.htm). EPA invites you and/or your designated consultation representative(s) to participate in this process. EPA's anticipated timeline for the consultation and coordination period is expected to be from April 20, 2015 to June 20, 2015. Written comments can be submitted directly to the EPA via EPA's Tribal Consultation Opportunities (TCOTS) web page at <http://tcots.epa.gov>, by email or by regular mail to the addressee listed below.

EPA will be hosting two national conference calls to answer any questions you may have about the proposed grant condition and provide opportunity for discussion and feedback. Specific dates and times for these conference calls are detailed in the enclosure.

The official EPA contact for this consultation and coordination process, including comment submissions, is Kysha Holliday of the Office of Grants and Debarment, who can be reached by phone at (202) 564-1639 or by email at holliday.kysha@epa.gov.

I look forward to hearing from you on this important matter.

Sincerely, _____

Howard F. Corcoran

Howard Corcoran
Director, Office of Grants and Debarment

Enclosure

Tribal Consultation and Coordination Process and Timeline

**National Conference Calls: Tribal Consultation on EPA's Proposed Cybersecurity Grant
Conditions**

Date	Time	Phone Number
May 7, 2015	2:00PM EST	1-866-299-3188 Access Code: 202-564-5392
May 19, 2015	2:00PM EST	1-866-299-3188 Access Code: 202-564-5392

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Cybersecurity Requirements

(a) The recipient agrees that when collecting and managing environmental data under this assistance agreement, it will protect the data by following all applicable Tribal law cybersecurity requirements.

(b) (1) EPA must ensure that any connections between the recipient's network or information system and EPA networks used by the recipient to transfer data under this agreement, are secure. If the recipient's connections do not go through the Environmental Information Exchange Network or EPA's Central Data Exchange, the recipient agrees to contact the EPA Project Officer (PO) no later than 90 days after the date of this award and work with the PO to ensure that the connections meet EPA security requirements, including entering into Interconnection Service Agreements as appropriate. This condition does not apply to manual entry of data by the recipient into systems operated and used by EPA's regulatory programs for the submission of reporting and/or compliance data.

(2) The recipient agrees that any subawards it makes under this agreement will require the subrecipient to comply with the requirements in (b)(1) if the subrecipient's network or information system is connected to EPA networks to transfer data to the Agency using systems other than the Environmental Information Exchange Network or EPA's Central Data Exchange. The recipient will be in compliance with this condition: by including this requirement in subaward agreements; and during subrecipient monitoring deemed necessary by the recipient under 2 CFR 200.331(d), by inquiring whether the subrecipient has contacted the EPA Project Officer. Nothing in this condition requires the recipient to contact the EPA Project Officer on behalf of a subrecipient or to be involved in the negotiation of an Interconnection Service Agreement between the subrecipient and EPA.