

April 15th, 2014

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RE: Comments on PL 102-477 Proposed Changes

The Kodiak Area Native Association (KANA) believes PL 102-477 embodies the ideas of self-governance and self-determination. It has proven successful for over 20 years and demonstrates how tribes can effectively consolidate limited funding to address the unique needs of their tribal members and accomplish their individual tribal goals. The Office of Management and Budget gave the 477 Program the highest rating of any program in the DOI/DHHS, which documents the success and past performance of the 477 Program. These successes can be attributed to streamlined funding through ISDEAA allowing flexibility for tribes to integrate separate programs into one consolidated Plan organized in a manner that best meets the unique local needs of their respective communities.

KANA respects and acknowledges the efforts of the PL 102-477 Tribal Workgroup and our federal partners to meet the reporting needs of the individual programs while preserving the intent of PL 102-477. The compromise positions of the PL 102-477 Tribal Workgroup are reflected in the updated financial, statistical, and narrative forms and instructions that the Department of Interior published for comment. If KANA is to use these forms and instructions, the following are specific issues or areas of concern with the proposed changes:

1. Overall implementation
 - a. Clarifying the timeline of these changes is paramount. If the new forms and functional categories are to be implemented at the beginning of each Tribal entity's next plan cycle, KANA will have a limited timeline in which to prepare – October 1st, 2014. To limit the burdens of reporting at the time of transition, we suggest Tribal entities have the flexibility to report carry over funding expenses on either current 477 forms or the proposed form.
 - b. Directly prior to implementation of the proposed forms, KANA strongly suggests regional Technical Assistance training be provided.
2. The document titled *A Reporting System for Public Law 102-477, Indian Employment, Training, and Related Services Demonstration Act*:
 - a. Under the Financial Expenditure Report, we recommend that this section explain the reporting methodology by Plan Period. For example: An Annual Report shall be prepared and submitted for each Plan Period until all of the funds available for the Plan Period have been fully expended and reported. When the funds for a Plan Period are fully expended, the funding closeout process will be a final report for the Plan Period submitted with Total Unexpended Funds equal to zero.

3. The Statistical Report :
 - a. Section II.A.4. asks for the Average Adult Earnings Gain. We recommend adding specific guidance that would clarify whether an Adult or Cash Recipient who entered unsubsidized employment and then received child care services to retain that employment would be reported in this row. The current guidance for the Average Adult Earnings Gain does not accurately capture this type of success as this type of terminnee would not be reported until after overall 477 program termination.

4. Statistical Report Instructions:
 - a. Instructions should specify that the age of the participant is determined at time of application, for both total participants and total terminnees. (If the participant was 22 or older at time of application, the participant should be counted in the first column labeled, "Adult", except for persons receiving cash assistance.)
 - b. Instructions for Terminnee Outcomes need to clarify that terminnees can be counted once in each category. (i.e. Employment Objective, Education/Training Objective, and Miscellaneous Objective Achieved).

5. Annual Financial Expenditure Report and Instructions:
 - a. The Program Income is not identified on this form, which is inconsistent with the SF425 Federal Financial Report. There are no instructions as to how to report (or not report) Program Income.
 - b. Under item 5. Final Report, we suggest "Specify if this is the final financial report for the Plan Period. Mark "No" if this financial report includes funds that are unexpended. When the funds for the Plan Period have been full expended, a final report shall be submitted that notes the Total Unexpended Funds are zero." in order to clarify the reporting methodology by each individual Plan Period.

6. Combined Functional Cost Categories:
 - a. Administrative Cost document under the Guidance section - the last bullet point is incomplete. It states, "*Other costs for goods and services required for administration, including rental or purchase of equipment, utilities, and office supplies; and-*"
 - b. Administrative Cost document under the Guidance section - we recommend guidance language regarding administrative cost caps to allow Tribal entities to use their federally negotiated indirect rate.

Thank you for the opportunity to provide comments on these proposed changes to the PL102-477 Initiative.



Andy Teuber
President and CEO

AT:ks