



OFFICE OF
INDIAN SERVICES

Annual Meeting
of Federal and
Tribal PL477
Workgroup

SEPTEMBER 12, 2022

- Opening Prayer, Remarks and Introductions
- Remarks by the representative of the President
 - Bryan Newland – Assistant Secretary for Indian Affairs, DOI
 - Kathryn Isom-Clause – Deputy Assistant Secretary for Policy and Economic Development, DOI
- Remarks by the representative of the participating Indian Tribes
 - Margaret Zientek – 477 Tribal Workgroup-Co Chair, Contiguous 48
- Roll Call

AGENDA

- I. Status of New Memorandum of Agreement
- II. Plan for Publicizing new Memorandum of Agreement
- III. Status of Labor Force Report
- IV. Summary Status of Participating PL477 Tribes (FY2022)
- V. Tribal Recognitions
- VI. 2022 Report(s) from Federal Partners
- VII. Miscellaneous
- VIII. Adjourn



I. Status of New Memorandum of Agreement Office of Indian Services

- As of September 12, 2022, the new Memorandum of Agreement (MOA) has been signed or is in the signature process for all 12 agencies.
- We are targeting September 30, 2022, as the deadline for all agencies to sign the MOA.



Office of Indian Services

II. Plans for Publicizing New MOA

- The BIA will distribute and publicize the new MOA beginning on its effective date including, but not limited to, the following:
 - Posting the new MOA on its web site.
 - Distributing the new MOA via a “Dear Tribal Leader Letter” that will include web links for additional information about PL477 together with contact information for requesting PL477 technical assistance from the Division of Workforce Development.
 - Distributing the new MOA to all Tribal and Federal persons on the negotiation email list.
 - Issuing a press release announcing the new MOA and including links to the BIA web site.



Initial MOA Implementation Meeting

Office of Indian Services

- Consistent with Assistant Secretary – Indian Affairs Newland's commitment, on the date of the final MOA signature BIA will schedule an initial Implementation Meeting among the Federal Partners that will be held within 14 days.
- The preliminary agenda for the initial MOA Implementation Meeting will include:
 - Identification of PL477 Point of Contact (POC) for each Federal Partner.
 - Identification of each Federal Partner's unified email address for proposed 477 Plan distribution.
 - Transferring funds for program integrated under approved 477 Plans to BIA.
 - Other Concerns or Questions



III. Status of Labor Force Report

Office of Indian Services

American Indian Population and Labor Force Report (AIPLFR) Status

Annual Meeting of Federal Partners and Tribal 477 Workgroup Under Indian Employment, Training and Related Services Act of 2017

September 12, 2022

History of AIPLFRs

- Between 1982 and 2013, Bureau of Indian Affairs (BIA) produced 13 reports on the individuals eligible for services under Interior (i.e., federally recognized tribes) who lived on or near tribal lands
- In 2017, authority for reports was transferred to DOL under law (PL 115-93). The law also required consultation with tribes, Census and the Department of the Interior.
 - ▶ Published an Issues Paper: <https://wdr.doleta.gov/research/details.cfm?q=&id=2697>
- In February 2022, responsibility transferred from the Employment and Training Administration (ETA) to the Bureau of Labor Statistics (BLS)

Requirements for AIPLFRs

- Reports must provide population and labor force data at multiple levels:
 1. National
 2. State
 3. BIA service area
 4. Tribal Level

Requirements for AIPLFRs

- As per the law, the reports must present information in regard to:
 1. Total service population
 2. Service population under age 16 and over age 64
 3. Population available for work (including those not considered to be actively seeking work)
 4. Employed population, including those with annual earnings below poverty line
 5. Number employed in private and public sector positions

Challenges to Resolve re: Future AIPLFRs

- **Definitional issues** - who is to be counted in the “service population,” at the tribal level, i.e., those living on or near tribal areas?
- **Population and Labor Force Data Elements**, i.e., conform strictly to the 2017 law, or be aligned with BLS terms and definitions?
- **Scope**: include other data elements such as educational attainment, health, disability and poverty status?
- **Data Quality/Data Sources**: level of accuracy/precision needed, privacy/data security -- consistent with federal standards?
- **Content and Format**: include analyses or just data tables? present in an interactive database?

Key Considerations for Future AIPLFRs

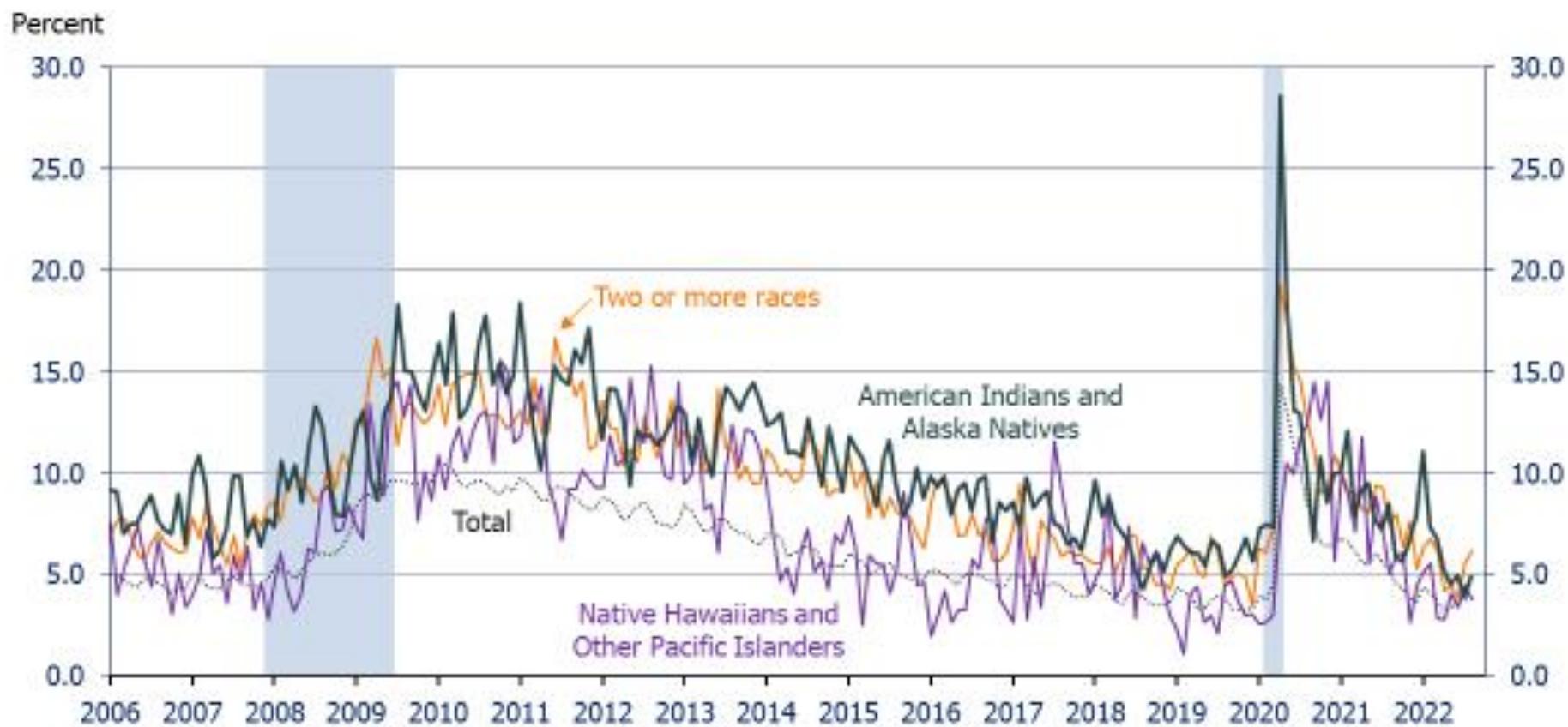
- Most critical issue: the data source(s) for the tribal level (ACS, program or membership data, or a new data collection)
- Need to recognize concerns raised by tribes and respect for tribal sovereignty, as per comments at the tribal consultations
- At the same time, future reports must be consistent with federal standards on data, scientific methods, and privacy as found in law and OMB guidance
- Expanding data elements, coverage, and analysis in future reports might generate interest and more use of future AIPLFRs by tribes and other audiences

Recent BLS Activities

- Continue to engage with DOL-ETA on the transfer of responsibilities
- Met with Census staff (Population Estimates Program and American Community Survey) concerning data availability
- Participated in a workshop at the National Indian and Native American Employment and Training Conference
 - ▶ ETA and BLS presented together on the AIPLFR
- Participating in the inter-agency Indian Country Data Working Group
- Plan to fill a vacancy to research plans for the AIPLFR

Unemployment rates by race

Not seasonally adjusted, 2006–2022



Note: Seasonally adjusted data are not available for these race groups. Shaded areas represent recessions as determined by the National Bureau of Economic Research (NBER). Data online at https://data.bls.gov/timeseries/LNU04000008&series_id=LNU04092154&series_id=LNU04035553&series_id=LNU04035243.
Source: Bureau of Labor Statistics, Current Population Survey, September 2, 2022.

Contact Information

Patrick Carey
Assistant Commissioner,
Office of Current Employment Analysis
www.bls.gov
(202) 691-6414
Carey.Patrick@bls.gov



IV. Summary Status of Participating 477 Tribes (FY2022)

Office of Indian Services

- A. 477 Programs Approved for Integration
- B. Fiscal Year 2022 Fund Transfers
- C. Annual Reports – Annual Report Roll Up Statistical
- D. Discussion of OMB Form 1076-0135 for 477 Plan Reporting



Office of Indian Services

A. 477 Programs Approved for Integration

U.S. Department of Education

Native American Career and Technical Education Program (NACTEP)

U.S. Department of Health & Human Services

Child Care and Development Fund – Mandatory

Child Care and Development Fund – Discretionary

Community Services Block Grant (CSBG)

Temporary Assistance for Needy Families (TANF)

Native Employment Works (NEW)

U.S. Department of Justice

Alcohol and Substance Abuse Program

Mno Bmadzejek – Re-entry and Diversionary Program

Tribal Youth Program Combatting School to Prison Pipeline



A. 477 Programs Integrated

Office of Indian Services

U.S. Department of the Interior

Bureau of Indian Affairs – Job Placement & Training

Bureau of Indian Affairs – General Assistance

Bureau of Indian Affairs – Burial Assistance (one Tribe by a 90-day deemed approval)

Bureau of Indian Affairs – Emergency Assistance (one Tribe by a 90-day deemed approval)

Bureau of Indian Affairs – Adult Services (one Tribe by a 90-day deemed approval)

Bureau of Indian Affairs – Custodial Care of Adults – Homemaker Services

Bureau of Indian Education – Higher Education

Bureau of Indian Education – Adult Education

Bureau of Indian Education – Johnson O'Malley



A. 477 Programs Integrated

Office of Indian Services

U.S. Department of Labor

National Health Emergency Phase Two Disaster Recovery - National Dislocated Worker Grants to Address the Opioid Crisis" NHE

Workforce Innovation & Opportunity Act – Adult Comprehensive

Workforce Innovation & Opportunity Act – Supplemental Youth Services

COVID-19 Employment Recovery Dislocated Worker Grant



Office of Indian Services

B. Fiscal Year 2022 Fund Transfers to Date

As of September 9, 2022

| U.S. Department of Education | Fund Transfer Amounts |
|---|-----------------------|
| Native American Career and Technical Education Program (NACTEP) (FY2021 fund transfer dtd 9/24/2021) | \$ 1,219,750.92 |
| Native American Career and Technical Education Program (NACTEP) (FY2021 funds transfer dtd 12/06/2021) | \$ 238,849.00 |
| Native American Career and Technical Education Program (NACTEP) (FY2022 funds transfer dtd 9/28/2022) | \$ 1,458,926.00 |
| Total | \$ 2,917,525.92 |



B. Fiscal Year 2022 Fund Transfers to Date

Office of Indian Services

As of September 9, 2022

| U.S. Department of Health & Human Services | Fund Transfer Amounts |
|--|-----------------------|
| Child Care and Development Fund – Mandatory | \$ 36,069,051.00 |
| Child Care and Development Fund – Discretionary | \$ 131,210,979.00 |
| Child Care and Development Fund – GY21 Reallotted ARPA Stabilization Funds | \$ 7,269,778.00 |
| Child Care and Development Fund – GY21 Reallotted CRRSA funds | \$ 22,565.00 |
| Child Care and Development Fund – GY21 Reallotted Discretionary Funds | \$ 447,292.00 |
| Community Services Block Grant (CSBG) | \$ 2,262,371.00 |
| Temporary Assistance for Needy Families (TANF) | \$ 53,978,447.00 |
| Native Employment Works (NEW) | \$ 3,070,327.00 |
| Total | \$ 234,330,810.00 |



Office of Indian Services

B. Fiscal Year 2022 Fund Transfers to Date

As of September 9, 2022

| U.S. Department of the Interior | Fund Transfer Amounts |
|---|------------------------------|
| Bureau of Indian Affairs – Job Placement & Training | \$5,602,046.00 |
| Bureau of Indian Affairs – General Assistance | \$3,907,163.00 |
| Bureau of Indian Affairs – Consolidated Tribal Government Programs | \$16,754.00 |
| Total | \$9,525,963.00 |
| U.S. Department of the Interior – Bureau of Indian Education | Fund Transfer Amounts |
| Higher Education | \$2,064,112.00 |
| Adult Education | \$443,248.00 |
| Johnson O'Malley | \$680,606.00 |
| Total | \$3,187,966.00 |



Office of Indian Services

B. Fiscal Year 2022 Fund Transfers to Date

As of September 9, 2022

| U.S. Department of Labor | Fund Transfer Amounts |
|--|-----------------------|
| Dislocated Worker Grants | \$4,191,460.85 |
| Workforce Innovation & Opportunity Act – Adult Comprehensive | \$13,533,802.00 |
| Workforce Innovation & Opportunity Act – Supplemental Youth Services | \$5,182,566.00 |
| Total | \$22,907,828.85 |



B. Fiscal Year 2022 Fund Transfers to Date

Office of Indian Services

As of September 9, 2022

| Federal Agency | Total Fund Transfer Amounts |
|--|-----------------------------|
| U.S. Department of Education | \$ 2,917,525.92 |
| U.S. Department of Health & Human Services | \$ 234,330,810.00 |
| U.S. Department of the Interior | \$ 9,525,963.00 |
| U.S. Department of the Interior – Bureau of Indian Education | \$ 3,187,966.00 |
| U.S. Department of Labor (Pending WIOA transfer) | \$ 22,907,828.85 |
| Total Fiscal Year 2022 Fund Transfers to Date | \$ 272,870,093.77 |



C. Annual Reports – Annual Report Roll Up Statistical

Office of Indian Services

| FY-21 67 Statistical Reports of 72 contracts reporting | Total Participants | Entered Unsubsidized Employment | Positive Education/Training Outcomes | Veteran |
|--|-----------------------|---------------------------------------|--|---------|
| Adults | 10,024 | 1,023 | 1,191 | 194 |
| Youth | 11,599 | 146 | 2,496 | 8 |
| Cash Assistance | 9,393 | 623 | 643 | 50 |
| CCDF Families | 6,180 | | | |
| CCDF Children | 8,913 | | | |
| CCDF Providers | 9,316 | | | |
| Jobs Created | 586 | | | |
| Native American / Alaska Native Employed | 753 | | | |
| Businesses Assisted | 1,488 | | | |



D. Discussion of OMB Form 1076-0135 for 477 Plan Reporting

Office of Indian Services

- OMB Form 1076-0135 is used for 477 Plan reporting (OMB Form)
- Use of the current OMB Form has been extended to November 30, 2024
- Some Federal Partners have expressed interest in revising the OMB Form
- After the new MOA becomes effective, BIA will begin working with OMB, Federal Partners and 477 Tribal Workgroup leadership to schedule an initial meeting to discuss updating the OMB Form



Office of Indian Services

V. Tribal Recognitions

- DWD Specialist Awards



Aleutian Pribilof Island Association



Lummi Tribe of the Lummi Reservation

THE OSAGE NATION
ଓସାଜେ ନେଶନ



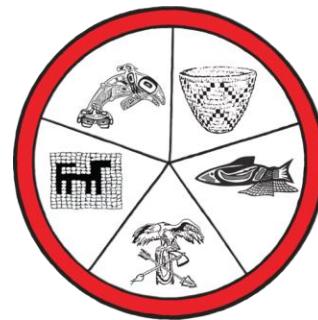
The Osage Nation



Office of Indian Services

V. Tribal Recognitions

- DWD Specialist Awards



South Puget Intertribal Planning Agency



Standing Rock Sioux Tribe of North & South Dakota



Pueblo of Taos



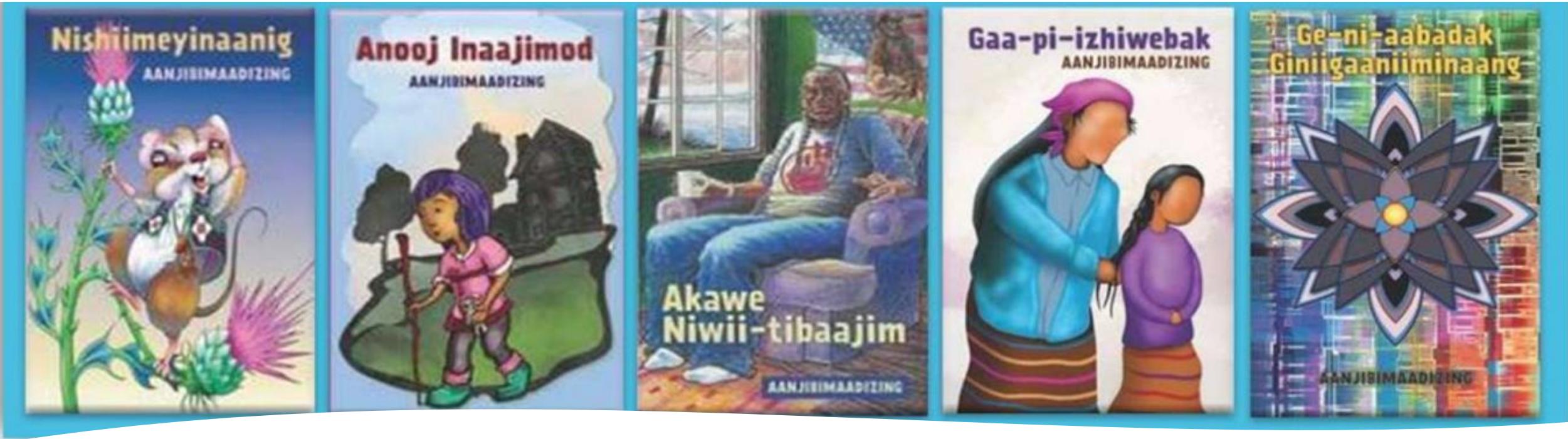
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V. Tribal Recognitions

Division Chief Award



Mille Lacs Band of Ojibwe



Ojibwe Culture & Language

Aanjibimaadizing developed and published 5 books in partnership with the Minnesota Historical Society And partnered with Rosetta Stone to create a language learning program for their Ojibwe language



Office of Indian Services

VI. 2022 Report(s) from the 12 Federal Partners

PL477 Participating Federal Partners

Department of Agriculture

Department of Housing and Urban Development

Department of Commerce

Department of the Interior

Department of Education

Department of Justice

Department of Energy

Department of Labor

Department of Health and Human Services

Department of Transportation

Department of Homeland Security

Department of Veterans Affairs

Department of Education

The U.S. Department of Education (Department) is pleased to provide the following annual report on activities related to the implementation of 477 programs. The Department remains committed to advancing Tribal sovereignty and ensuring meaningful dialogue that supports the successful and lawful integration of 477 programs. The following plan(s) are currently integrated and supported:

1. **Citizen Potawatomi Nation**, Native American Career and Technical Education Program (ALN 84.101A)
2. **Cook Inlet Tribal Council, Inc.**, Native American Career and Technical Education Program (ALN 84.101A)
3. **South Puget Intertribal Planning Agency**, Native American Career and Technical Education Program (ALN 84.101A)

The following plan is currently in review:

1. **Pascua Yaqui Tribe**, Native American Career and Technical Education Program (ALN 84.101A)

The Department is eager to sign and reaffirm our commitment to the new Memorandum of Agreement and awaits further scheduling details to share with the Secretary's Office. Strengthening our Nation-to-Nation relationship remains a steadfast priority as we support 477 plans and academic excellence for all Native communities. Comments or questions are welcome and can be emailed to 477@ed.gov.

Department of Health and Human Services

Office of Family Assistance

Table showing the number of tribal grantees that have integrated Temporary Assistance for Needy Families (TANF) and/or Native Employment Works (NEW) in 477 plan and the corresponding funding level:

| Program | Total FY 2022 Funding Level | Total FY 2022 Number of Awards | 477 FY 2022 Funding Level- (represents portion of the TOTAL TANF or NEW funding level) | 477 FY 2022 Number of Awards |
|---|-----------------------------|--------------------------------|--|------------------------------|
| Temporary Assistance for Needy Families | \$208,033,090 | 75 | \$53,978,448 | 24 |
| Native Employment Works | \$7,535,110 | 78 | \$3,070,327 | 39 |

- Legislative updates: NA
- Grant opportunities: NA
- Any announcements:
 - **Pandemic Emergency Assistance Fund (PEAF):** The initial project period for GY 2021 TANF PEAF awards is ending September 30, 2022. A reminder about spending and reporting requirements was just sent to 477 grantees.

Department of Health and Human Services

Child Care and Development Fund Overview of Grantees and Funding Levels

OCC currently has 265 Tribal Lead Agencies (TLAs) offering child care services; 46 of these have consolidated CCDF services into a Public Law 102-477 Plan.

| Program | Total FY 2022 Funding Level | Total FY 2022 Number of Awards | 477 FY 2022 Funding Level- (represents portion of the TOTAL TANF or NEW funding level) | 477 FY 2022 Number of Awards |
|---------------------------------|-----------------------------|--------------------------------|--|------------------------------|
| Child Care and Development Fund | \$467,919,900 | 265 | \$167 million (Grant awards range from \$107,000 to \$160 million) | 46 |

The [GY2022 CCDF Tribal Allocations](#), based on Appropriations, are available on the OCC website.

- Legislative Updates: N/A
- Grant opportunities: NA

Department of Health and Human Services

- **Child Care and Development Fund Overview of Grantees and Funding Levels (Cont.)**

- Any announcements:

- **Child Count Declarations** – TLAs, including those who have consolidated their CCDF program into an approved Plan under PL477, were required to submit the triennial child count declaration form, definitions of Indian Reservation or Service Area and Indian Child, and the optional Tribal Early Learning Initiative (TELI) appendix by July 1, 2022 to receive funds. **477 Tribes were not required to submit their definition of Indian Child and Service Area. OCC is completing its review so that child counts can be accepted by September 30, 2022 so FY2023 funds can be awarded in early FY2023.*
- **Tribal Construction** – The CCDBG Act allows Tribal Lead Agencies to use funds for construction or major renovation of child care facilities. Since October 1, 2021, the Office of Child Care has approved applications for eight 102-477 Tribes with new or amended construction or major renovation projects or amendments from previous applications. Approval of these applications enables Tribal Nations to construct or renovate facilities to ensure they are child focused and culturally appropriate to meet the needs of children and families in Indian Country. Requests for GY 2022 construction funds were submitted on July 1st. OCC received partial applications from ten 102-477 Tribes.
- **National conferences or Trainings** – OCC's director will be providing remarks at the upcoming National Indian Child Care Association conference. The conference will be 9/13-15th <https://www.nicca.us/2022-academy>

Department of Health and Human Services

Office of Community Services

Table showing the number of tribal grantees that have tribal have Community Services Block Grant recipients in 477 plan and the corresponding funding.

| Program | Total FY 2022 CSBG Funding Level | Total FY 2022 Funding Level- Total for CSBG Direct Funded Tribes | 477 FY 2022 Funding Level- Total for CSBG Direct Funded Tribes | 477 FY 2022 Number of Awards |
|--------------------------------|---|---|---|---|
| Community Services Block Grant | \$755,000,000 | 114 | \$1,303,099 | 11 CSBG Tribes |

- Legislative Updates: N/A
- Grant Opportunities: N/A
- Any announcements: N/A

Department of Transportation

- Percentage of 477 Tribes – DOT has no 477 Tribes
- Total of Funds obligated to 477 Tribes – DOT has no funds obligated to 477 Tribes
- Legislative updates – None
- Grant opportunities – See attachment on DOT grant opportunities.
- Any announcements
 - Tribal Consultation dates – None to report
 - National conferences or Trainings – None to report



VII. Miscellaneous

Office of Indian Services

- A. 2023 Tribal-Federal Annual Meeting Date and Time
- B. Upcoming PL477 Training Opportunities:
 - WIOA – Western Region Training – November 7-11, 2022, at Gila River Indian Community's Wild Horse Pass Hotel & Conference Center, Chandler, AZ
 - BIA Providers Conference – November 29 – December 1, 2022, at Dena'ina Civic & Conference Center, Anchorage, AK
 - 43rd National Indian and Native American Employment and Training Conference, April 30 – May 4, 2023, at the Mashantucket Pequot Tribe's Foxwoods Hotel and Conference Center, Mashantucket, CT



VIII. Adjourn

Office of Indian Services

Thank you