

part 97. Alaska Native regional nonprofit corporations shall follow OMB Circular A-110, as codified by the Department at 29 CFR part 95. General principles of cost allowability may be found in OMB Circulars A-87 (for tribes) and A-122 (for nonprofits). The audit requirements of OMB Circular A-133 [issued in the FEDERAL REGISTER on June 30, 1997] shall apply to both tribes and nonprofits.

§ 646.115 What are the definitions which apply uniquely to the INA WtW program?

The definition of “substantial services” is only applicable to Indian and Native American Welfare-to-Work programs (see § 646.215 of this part).

Subpart B—Eligibility to Receive INA WtW Grants

§ 646.200 What entities are eligible to receive INA WtW grants?

The three categories of Federally-recognized Indian tribes or Alaska Native regional nonprofit corporations eligible to receive INA WtW funds, as described at section 412(a)(3)(B) of the amended Social Security Act, are those which: Operate a tribal TANF program; operate a NEW program; or operate an employment program funded through other sources under which substantial services are provided to recipients of assistance under a program funded under Part A of title IV of the Social Security Act. The term “substantial services” is defined at § 646.215 of this part.

§ 646.205 What entities are eligible to receive INA WtW grants in Alaska?

The twelve Alaska Native regional nonprofit corporations, along with the Metlakatla Indian Community of the Annette Islands Reserve, are the only entities in Alaska eligible to apply for INA WtW grants. These nonprofit corporations are listed in section 419(4)(B) of the amended Social Security Act [42 U.S.C. 619(4)(B)].

§ 646.210 Can a consortium composed of tribes which do not operate TANF or NEW programs still receive an INA WtW grant?

Yes, although the consortium must collectively meet the “substantial services” criteria outlined at § 646.215 below. Refer to subpart C of this part for more information on consortium requirements.

§ 646.215 How does a tribe document that it is currently providing “substantial services” to public assistance recipients?

Tribes which currently operate employment programs funded through other sources, such as those under the Job Training Partnership Act (JTPA) or Employment Assistance (EA) under the Bureau of Indian Affairs (BIA), must provide verifiable documentation that: At least twenty percent (20%) of those served in such an employment program were public assistance recipients during the most recent program or fiscal year; *and* employment services have been provided to a minimum of fifty (50) public assistance recipients over the last two program or fiscal years.

§ 646.220 What criteria apply to TANF/NEW tribes regarding the provision of “substantial services”?

None. Tribes which operate TANF or NEW programs do not need to meet the criteria for providing “substantial services” to public assistance recipients.

§ 646.225 If a tribe is awarded an INA WtW grant, is the tribe required to participate in an evaluation of the program?

Yes. The Act specifies that each INA WtW grantee “must agree to negotiate in good faith with the Secretary of Health and Human Services with respect to the substance and funding of any evaluation * * * and to cooperate with the conduct of any such evaluation.” [42 U.S.C. 612(a)(3)(B)(iv)]