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**COMMUNITY SERVICES  
BLOCK GRANT PROGRAM**

U.S. Department of Health and Human Services  
Administration for Children and Families  
Office of Community Services  
Division of State Assistance  
330 C Street, Southwest, 5<sup>th</sup> Floor  
Mail Room 5425  
Washington, DC 20201

**Information Memorandum**

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**Transmittal No. 146**

**Date: June 10, 2016**

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**TO:** Tribes or Tribal Organizations proposing to include the Community Services Block Grant (CSBG) in a Public Law (P.L.) 102-477 demonstration project.

**SUBJECT:** CSBG Tribal Application Process for including CSBG funds in a P.L. 102-477 demonstration project beginning Fiscal Year (FY) 2017.

**RELATED REFERENCES:** The Community Services Block Grant Act, 42 U.S.C. 9901 *et seq.* and the Indian Employment, Training and Related Services Demonstration Act of 1992, as amended (P.L. 102-477) (25 U.S.C. 3401 *et seq.*).

**PURPOSE:** To provide instructions, outline procedures for the application process, and expectations for reporting to Tribes or Tribal Organizations applying to include a Community Services Block Grant (CSBG) in a P.L. 102-477 demonstration project.

**BACKGROUND:** The Indian Employment, Training, and Related Services Demonstration Act of 1992 (P. L. 102-477), as amended, was enacted to:

- Demonstrate how Indian tribal governments can integrate the employment, training, and related services they provide in order to improve the effectiveness of those services;
- Reduce joblessness in Indian communities; and
- Serve tribally-determined goals consistent with the policies of self-determination.

The lead Federal agency for this inter-Departmental demonstration is the Bureau of Indian Affairs within the U.S. Department of the Interior (DOI/BIA).

CSBG, with its aims of self-sufficiency and moving families off of public assistance and its explicit authorization of funds to be used for employment and training activities, can be understood to support the employment-oriented purposes of the 477 Act. Participation in P.L. 102-477 initiative is completely voluntary.

**CRITERIA:**

To participate in a P.L. 102-477 demonstration project, a Tribe or Tribal Organization must:

- Be a Federally-recognized Tribe or Tribal Organization with an existing direct Federal CSBG grant from the Administration for Children and Families (ACF) Office of Community Services (OCS);
- Have at least two programs eligible for incorporation into P.L. 102-477 plans; and
- Have operated a direct CSBG grant for at least one year; and
- The auditor’s report in conformance to OMB requirements of A-133 federal programs must have an Unmodified/Unqualified opinion for the past three years.

Prior to submitting an application to include CSBG in a P.L. 102-477 demonstration project, current Tribal CSBG contacts should consult with the OCS Division of State Assistance (DSA) to confirm that the Tribe or Tribal Organization meets the minimum criteria for participation. State-recognized Tribes or Tribal Organizations are not eligible to submit CSBG plans under the authority of P.L. 102-477.

**WAIVERS:**

All applicable CSBG program statute, regulations, and policy continue to apply (unless ACF grants a waiver) to CSBG funds approved to be included in a P.L. 102-477 demonstration project. Section 7 of P.L. 102-477, as amended, authorizes the Secretary of the Department of Health and Human Services to waive any statutory provision, regulation, policy, or procedures requested by a Tribe, as long as the waiver is consistent with the purpose of P.L. 102-477 or with provisions of the CSBG Act.

**DEADLINES:**

All applications to include CSBG funds in a P.L. 102-477 demonstration project for employment, training, and related services must be submitted to the U.S. Department of Interior, Bureau of Indian Affairs no later than July 1, 2016.

**An original application and 1 copy should be mailed to:**

Office of Indian Services  
Division of Workforce Development  
1849 C Street, NW  
Mail Stop 4513-MIB  
Washington, DC 20240  
Telephone: (202) 208-3710

**An additional copy should also be sent via email to:**

Office of Community Services  
Division of State Assistance

Attn: CSBG Program Operations Branch  
[CSBG Tribes@acf.hhs.gov](mailto:CSBG Tribes@acf.hhs.gov)

After October 1, 2016, CSBG Tribes or Tribal Organizations may submit P.L. 102-477 plans at any time within the year. Please note that CSBG is administered on an annual basis with awards beginning on October 1 within a given fiscal year. For P.L. 102-477 plans submitted after July 1 of any year, plans will be reviewed; however, CSBG funding may not be awarded until the next fiscal year.

**APPLICATION  
REQUIREMENTS:**

CSBG funding may be incorporated into a P.L. 102-477 Plan that covers multi-year periods. (Plan Requirements: Attachment 1) If an applicant elects to include CSBG in a consolidated 102-477 Plan, the following CSBG requirements must be included:

- 1) **Letter of Intent:** This is a brief statement of intent to administer the CSBG under a P.L. 102-477 Plan (Letter of Intent: Attachment 2)
- 2) **SF 424 M:** This is a standard federal form required for use as a cover sheet for submission of the CSBG application.
- 3) **Programmatic Assurances:** The plan should include the CSBG programmatic assurances signed by the Chief Executive Officer (CEO) of the Tribe or Tribal Organization, which contain language precisely as it appears in subsections 676(b)(1)(A) through (C) of the CSBG Act, 42 U.S.C. 9908(b)(1)(A). Assurances must show original signatures and be signed by the CEO. If the CEO has delegated this responsibility, a written confirmation of such a delegation signed by the CEO must be submitted with the application. (CSBG Assurances: Attachment 3)
- 4) **CSBG Narrative:** The narrative should include: (1) the selection of at least one program assurance for implementation by the Tribe or Tribal Organization; (2) annual goals and objectives planned to carry out implementation of the selected assurance, including the Tribe's strategy to identify the employment opportunities, education, training and related services to be provided to Indian workers; (3); description of the proposed activities to be implemented with CSBG funding to carry out the selected programmatic assurance(s); and (4) description and projected number of individuals to be served with CSBG resources. (Narrative Plan Outline: Attachment 4)
- 5) **Public Inspection/Public Hearing:** The application must show evidence that the CSBG Tribal Plan was made available for public review and comment in conjunction with development of the plan as

required by Section 676(a)(2)(B) of the CSBG Act, 42 U.S.C. 9908(a)(2)(B).

**6) Tribal Resolution:** A Tribal Organization representing more than one Indian Tribe will be eligible to receive block grant funds on behalf of a particular Tribe(s) only if the Tribe(s) has by resolution authorized the organization's action (45 C.F.R. 96.44(b)). The tribal resolution submitted must be current.

**7) Required Certifications:** The plan must include the following signed certifications regarding:

**1.Lobbying**

**2.Debarment and Suspension**

**3.Drug-Free Workplace**

**4.Environmental Tobacco Smoke**

(Certifications: Attachments 5a – 5d)

NOTE: Tribes or Tribal Organizations that have previously submitted a two-year CSBG plan, are currently in the first year of an accepted CSBG two-year plan cycle and are transitioning to P.L. 102-477 will only be required to submit an Annual Report covering the previous fiscal year's activities and the SF- 424M to DOI/BIA for the CSBG application.

**PLAN REVIEW:** Applicants should provide a complete plan to DOI/BIA consistent with existing BIA instructions and procedures. After an initial review, DOI/BIA will transmit P.L. 102-477 plans to OCS for review. The review and final determination on the CSBG Tribal Plan documents will occur no later than 90 days of plan submission.

Based on the review for applicants that meet the minimal criteria, OCS will either:

- Accept the plan; or
- Return the plan for additional information or clarification.

OCS may return a plan to BIA if it does not include required information, assurances, certifications, or narrative information and request through BIA that a Tribe or Tribal Organization provide missing information prior to final acceptance.

Applications that do not meet the minimum criteria will not be reviewed and OCS will provide BIA with an explanation (*e.g.*, Tribe does not have at least one year of successful implementation experience in CSBG).

## **REPORTING**

**REQUIREMENTS:** Tribes and Tribal Organizations must report on the use of CSBG funds as part of the annual 477 report submitted to DOI/BIA. Pursuant to Section

678E of the CSBG Act, CSBG Tribal grantees shall provide an annual accounting on how funds were spent on the direct delivery of local services and provide information on the number and characteristics of the clients served.

The Annual Report is a single financial, statistical, and narrative report required annually by the BIA. The report shall, at minimum, contain a description of how the grantee met its CSBG goals and objectives and must provide information on the types of projects supported with CSBG funds. The report should contain descriptions of activities and accomplishments achieved with CSBG funding during the past year. The report must also contain outcome data that addresses the implementation of the national goals.

For accepted P.L. 102-477 Plans, Tribes may use the BIA Annual Report form and are not required to submit a separate Annual CSBG report. Current P.L. 102-477 reporting forms will be updated to include specific CSBG information.

#### **WITHDRAWAL**

**FROM P.L. 102-477:** If a CSBG Tribe or Tribal Organization decides to withdraw CSBG from a P.L. 102-477 demonstration project, the Tribal Chief/ Chairman must submit a letter to the “477” Lead Agency at DOI, with a copy to the Office of Community Services (OCS). The letter must indicate that the Tribe/Tribal Organization has decided to withdraw its CSBG funds from the existing 102-477 plan and must also specify the approved Plan period. The withdrawal will not become effective until the beginning of the following fiscal year. (For CSBG, the fiscal year begins October 1<sup>st</sup> of a given year and ends on September 30<sup>th</sup> of the following year)

**Re-submission for CSBG funding:** To apply for re-submission of direct CSBG Tribal or Tribal Organization funding from OCS, the Tribal Chief, Chairman, or CEO must submit a letter requesting re-submission to OCS, as well as a completed CSBG application and plan for the requested fiscal year no later than 30 days prior to the beginning of the first fiscal year covered by the new plan.

#### **ADDITIONAL INFORMATION:**

Since 2011, OCS has supported a training and technical assistance initiative to strengthen Tribal and Tribal Organizations’ administration of CSBG and to provide information on issues such as regulatory requirements, program administration, and communication to eligible Tribal entities. This initiative continues through consultation with Tribal representatives and the ongoing development of technical assistance guidance.

**TRAINING:** OCS will provide technical assistance to interested Tribes and Tribal Organizations on P.L. 102 – 477 application procedures. If you have questions or need additional information, please contact DSA via email at [CSBGTribes@acf.hhs.gov](mailto:CSBGTribes@acf.hhs.gov) or (202) 690-7884.

Thank you for your continued commitment to our collaborative work to address poverty in Indian Country.

\_\_\_\_\_/s/\_\_\_\_\_  
Jeannie L. Chaffin  
Director  
Office of Community Service

**Attachments:**

1. Plan Requirements
2. Sample Letter of Intent
3. CSBG Assurances
4. Narrative Plan Outline
5. Federal Certifications
  - a) Lobbying
  - b) Debarment and Suspension
  - c) Drug-Free Workplace
  - d) Environmental Tobacco Smoke