

Eligibility Criteria for Self-Governance

Title III, Self-Governance Demonstration Project (from 1994 to 2000)

- 1) "a tribe that successfully completes a Self-Governance Planning Grant ..."
- 2) (A) Tribal Resolution;
 (B) "shall have operated two or more mature contracts";
 (C) "shall have demonstrated, for the previous three fiscal years, financial stability and financial management capability as evidenced by such tribal have no significant and material audits exceptions in the required annual audit of such tribe's self-determination contracts."

Title V, Tribal Self-Governance Program (2000 to current)

- A) Tribal Resolution:
- B) Planning Statement:
- C) Financial management capability and financial stability:

Statute: "For purposes of this subsection, evidence that, during the 3-year period referred to in paragraph 1(C), an Indian tribe had no uncorrected significant and material audit exceptions in the required annual audit of the tribe's self-determination contracts or self-governance funding agreements with any Federal agency shall be conclusive evidence of the required stability and capability".

"uncorrected" - Title V does not include terms 'clean audit' or 'mature contract'

"audit exceptions" - usually, from the Tribe's Auditor in the audit

"self-determination contracts or self-governance funding agreements with any Federal agency" - it does not include Casino findings, HUD findings, DHHS/Child Care grant findings; the review only looks at BIA and IHS P.L. 93-638 contracts/compacts findings, except for cross-cutting centralized functions.