

# Citizen Potawatomi Nation



## **477 LEGISLATIVE UPDATE**

# P.L. 102-477- What is it?



- **Combines Indian Employment & Training Programs**
- **Form of Self-Governance**
- **Unified Plan of Services**
- **More Services, Less Paperwork**
- **Interagency Partnerships**
  
- **2017- 65 Tribes operate 477 Programs**

# 477 Amendments (H.R. 288)



- expands the Acts goals to include reducing administrative, reporting and accounting burdens on Tribes and tribal organizations
- expands the kinds of programs that can be pulled into a 477 Plan
- expands the 477 initiative to ten additional agencies, (DOJ, USDA, DOC, DOEd, DOE, DHS, HUD, DOT, VA)

# 477 Amendments (H.R. 288)



- **Section 6- Changes to Section 5/Programs Affected**
  - (a)-1, B: ...programs integrated...shall be only programs...under which an Indian tribe or members of an Indian tribe
    - (i) are eligible to receive funds
      - (I) under a statutory or administrative formula making funds available to an Indian tribe; or
      - (II) based solely or in part on their status as Indians under Federal law; or
    - (ii) have secured funds as a result of a noncompetitive process or a specific designation.

# 477 Amendments (H.R. 288)



- **Section 6- Changes to Section 5/Program Auth.**
- (b) Program Authorization. The Secretary shall, in cooperation with the Attorney General, the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Education, the Secretary of Energy, the Secretary of Health and Human Services, the Secretary of Homeland Security, the Secretary of Housing and Urban Development, the Secretary of Labor, the Secretary of Transportation, and the Secretary of Veterans Affairs, after the Secretary approves a plan submitted by an Indian tribe or tribal organization under section 8, authorize the Indian tribe or tribal organization, as applicable, to coordinate, in accordance with the plan, federally funded employment, training, and related services programs and funding in a manner that integrates the programs and funding into a consolidated and comprehensive program.

# 477 Amendments (H.R. 288)



- Section 7-
- “(d) Waiver authority.—
- Provides tribes ability to request waivers
  - statutory
  - regulatory

# 477 Amendments (H.R. 288)



- **SEC. 8. Plan review; waiver authority; and dispute resolution.**

# 477 Amendments (H.R. 288)



- “SEC. 10. Employer training placements....
- “(2) to pay the participants a training allowance or wage for a training period of not more than 24 months, which may be nonconsecutive.
- “(a) In general.—Notwithstanding any other provision of law, not later than 30 days after the date of apportionment to the applicable Federal department or agency, the head of a Federal agency overseeing a program identified in a plan approved under this Act shall transfer to the Director of the Bureau of Indian Affairs for distribution to an Indian tribe any funds identified in the approved plan of the Indian tribe.



# 477 Amendments (H.R. 288)



- “(a) In general.—Notwithstanding any other provision of law, not later than 30 days after the date of apportionment to the applicable Federal department or agency, the head of a Federal agency overseeing a program identified in a plan approved under this Act shall transfer to the Director of the Bureau of Indian Affairs for distribution to an Indian tribe any funds identified in the approved plan of the Indian tribe.
- Definition “notwithstanding’...’in spite of’

# 477 Amendments (H.R. 288)



## SEC. 14. Administration of funds.

...

**“(2) SEPARATE RECORDS AND AUDITS NOT REQUIRED.—**

...

**“(c) Indirect costs.—Notwithstanding any other provision of law, an Indian tribe shall be entitled to recover 100 percent of any indirect costs incurred by the Indian tribe as a result of the transfer of funds to the Indian tribe under this Act.”; and**

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**“(c) Indirect costs.—Notwithstanding any other provision of law, an Indian tribe shall be entitled to recover 100 percent of any indirect costs incurred by the Indian tribe as a result of the transfer of funds to the Indian tribe under this Act.”; and**

**“(e) Matching Funds.—Notwithstanding any other provision of law, any funds transferred to an Indian tribe under this Act shall be treated as non-Federal funds for purposes of meeting matching requirements under any other Federal law, except those administered by the Department of Labor or the Department of Health and Human Services.**

# 477 Amendments (H.R. 288)



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# 477 Amendments (H.R. 288)



- **Final Considerations**
  - 477 Program will evolve
  - New MOUs with Secretaries
  - Report Changes Possible
  - Tribal 477 Programs will also evolve

# 477 Amendments (H.R. 288)



- **Final Considerations**

- ✦ **With changes to 477 law, how can tribes enhance their workforce?**
  - DOL/DOJ Reintegration grants
  - VA- Veteran Work programs
  - DOC- Economic Development
  - And ??????

# 477 Amendments (H.R. 288)



- **Additional 477 Program Information and Legislative Discussion**

**National Indian & Native American Employment & Training Conference (NINAETC)– 477 Joint Annual Meeting :**

**38th NINAETC/ Public Law 102-477 Training**

**Weaving Native Pathways to Success**

**Los Angeles, California**

**May 21-26, 2017**

**Sheraton Gateway Los Angeles**

**<http://ninaetc.net/conference2017.html>**

# 477 Amendments (H.R. 288)



## Contact!

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**CITIZEN POTAWATOMI NATION'S  
477 PROGRAM**



**ECONOMIC  
DEVELOPMENT**

# 477 & Economic Development



## 477 Program

- provides tribal governments with flexibility to design employment, training, & economic development plans that:
  - utilize funding from several federal programs
  - best meet the needs of their local communities

# 477 & Economic Development



- CPN's 477 Program Goals:

- Integrate employment, training, and related services in order to improve the effectiveness of those services.
- Increase self-sufficiency among Indian people within communities in the service area.
- Serve tribally-determined goals consistent with the policy of self-determination and self-governance.
- Reduce the effects of poverty on the Tribal Service Area population



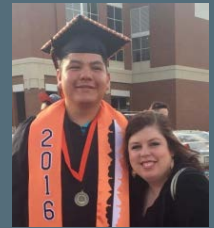
- CPN's Economic Development Goals:

- Enhance Employment Opportunities
- Increase the Tribe's Revenue and Tax Base
- Create a Healthy and Balanced Community and Improve Quality of Life
- Ensure Economic Stability and Long-Term Self-Sufficiency

# 477 & Economic Development



- 477 - Economic Development Intersect:



- Facilitate the growth of tribal business, investments, employment opportunities, economic development, and other community-building activities
- Address the needs of Indian families residing in the service area who have demonstrated a dependency on public assistance programs to receive the education and training they need to become self-sufficient
- Stimulate and nurture entrepreneurship and small business by leveraging tribal government resources
- Improve ability to educate, train, and retain quality workforce
- Support specialized education and training for CPN Pipeline

# 477 & Economic Development



- CPN's Economic Development



- Phase I-Establish Economic Development & Demonstrate Success
- Phase I-Develop Partnerships and Outside Ownership
- Barriers & Solutions

Rules uncertain or unknown = Strong Constitution & Universal Commercial Codes

Don't trust rules will be followed = Stable Gov't; History of Fair Dealing & Credibility

Question forum of disputes = Tribal/Federal Court OR Waiver of Sovereign Immunity

Social Issue/Workforce Concerns = Support, Scholarships, Employment, Training

Lack of Physical Infrastructure = Invest in Roads, Utilities, Sewer, Water, Telecom

Interaction with Federal Gov = Adopt New Authorities- TERO, HEARTH Act

Timeliness of Decision-Making = Implement & Follow Tribal Regulations

Access to Markets = Locations-Determine Best Location to Maximize Market Access

Access to Capital = Provide Access to Capital (Loan vs Bond)

# 477 & Economic Development



## IRONHORSE INDUSTRIAL PARK

- 400 Acre Industrial Park on Trust Property and under Tribal Regulatory Authority
- Planning and Infrastructure development 8 years in the making with Tribal and Federal funds {477, IRR, EDA, USDA)
- Located on the national rail line network and equipped with a transload facility
- One freight rail car = four trucks and consume 1/3<sup>rd</sup> less fuel than trucks per ton mile
- Foreign Trade Zone 106 (Magnate Site)
- Encourages US activity by reducing or eliminating duty payments on foreign merchandise
- Estimated Job Creation = 321
- Total Economic Impact= \$76.9M



# 477 & Economic Development



## Citizen Potawatomi Nation's 2015 Economic Impact

### **ECONOMIC IMPACT**

Citizen Potawatomi Nation is the largest Shawnee-based employer with 2,245 employees. Wages and benefits for 2015 totaled \$82 million and had a \$173 million effect on the local economy.

In 2015, Citizen Potawatomi Nation spent \$193.5 million on goods and services. Those purchases have a \$340.5 million impact on the economy.

**\$173.0 MILLION**

**+**

**\$340.5 MILLION**

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**\$513.5 MILLION**

# 477 & Economic Development



- CPN's Keys to Success

- Barriers & Solutions- Build Physical, Legal, Social Infrastructure
- Intratribal Needs Communication-477 Workforce Program + Bus. Development
- Incorporate New Authorities
- Expect to Address Business Issues as Economic Development Phases evolve
- Responsible decision making parties plus transparent and fair process
- Rules are not as important as following the rules: Businesses need certainty
- Support tribal successes: Reputations are built on successes of all tribes
- Expect and prepare to defend sovereignty





# 477 & Economic Development



## Contact Me!

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# 477 & Economic Development

