

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

Recurring Base Funds

Once funds are added to an ISDEAA contract/compact, the amount cannot be reduced unless by Congressional action or upon agreement of the Tribe.
 25 U.S.C. 450j-1(b) (Title I);
 25 U.S.C. 458aaa-7(d) (Title V).

 This does not apply to funds specifically added on a non-recurring basis or to grants added to Title V funding agreements (discussed below in column 20).

Section 640(a)(2)(B)(ii) of the Head Start Act, 42 U.S.C. §9835(a)(2)(B)(ii), provides that Indian Head Start agencies (including Early Head Start agencies) will receive an amount equal to their “base grant,” for the prior fiscal year, as the term is defined in section 640(a)(7)(A) of the Act. Funding for a tribe under the Head Start Act can be reduced either for chronic under enrollment or on other grounds. Section 641A(h) of the Head Start Act, 42 U.S.C. §9836A(h), and 45 C.F.R. §1303.14(a).

Tribes that receive Federal TANF funds to operate their own approved Tribal TANF program have no matching or maintenance-of-effort requirement. Tribes are awarded their assistance grants in quarterly payments. They may reserve unexpended grant funds awarded, without fiscal-year limitation, to provide assistance under the Tribal TANF program in subsequent years. With certain exceptions, most families are limited to no more than 60 months of assistance (whether consecutive or cumulative) funded with Federal TANF grant funds. Tribes have the flexibility to establish time limits on receipt of assistance. They also have the flexibility to

Funding comes from separate AoA budget line items appropriating funds to the Title VI programs to provide nutrition services, supportive services and caregiver services. Funding per application is dependent on the number of eligible elders age 60+ submitted by the Tribe.

The TCE program authority does not provide for recurring base funds. The duration of a grant award may not exceed 5 years. Grantees receive awards based on, inter alia, availability of funds, and award amounts may vary yearly based on the focus of the program.

Discretionary Funds (DF) grants include a base amount of \$20,000 plus a per-child amount (\$56 per-child in FY 2006) for each Tribe or Tribal consortium with a minimum of 50 children. Tribal Mandatory Funds (TMF) are calculated solely on a per-child basis (\$96 per child in FY 2006), and do not include a base amount.

See Section 412(a) (2) of the Social Security Act. The grant amount for each Tribe equals the amount it received in fiscal year 1994 to operate its JOBS Program.

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

define the service area and population, Indian family, eligibility criteria, benefits and support services, work activities and required work hours, establish penalties, and to negotiate work participation rates. The Tribal Temporary Assistance for Needy Families (TANF) Final Rule was published in the Federal Register on February 18, 2000 (Vol. 65, No. 34). Tribal rules can be found at 45 CFR Part 286. For Tribal programs, ACF will negotiate a limitation on administrative costs for the first year of the program's operation not to exceed 35%, for the second year of the program's operation not to exceed 30%, and for the third and subsequent years of the

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

	Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process	Head Start	Temporary Assistance to Needy Families (TANF)	Grants for Native Americans and Native American Caregiver Support Program	Targeted Capacity Expansion	Child Care and Development Block Grant (CCDF)	Native Employment Works (NEW)
Lump Sum Funding	<p>Tribes are authorized to receive lump sum funding for funds awarded under an ISDEAA contract or compact. 25 U.S.C. 450j(b) (Title I); 25 U.S.C. 450j-1(g) (Title I); 25 U.S.C. 450l(c)(a)(6)(B) (Title I); 25 U.S.C. 458aaa-7(a) (Title V).</p> <p>Grants added to Title V Funding Agreements (discussed below in column 20) may also be added lump sum.</p>	Not authorized under current statute and regulations.	<p>program's operation not to exceed 25%.</p> <p>Not authorized under current statute and regulations; however, Tribes conducting their TANF programs through 477 plans may draw down funds in a lump sum, pursuant to a change in HHS policy.</p>	Not authorized under current statute and regulations	Not authorized under program statute or applicable regulations.	Current statute and regulations do not address lump sum payments; however, pursuant to a recent policy change, Tribes administering their CCDF programs under a 477 plan may draw down funding in a lump sum.	Not authorized under current statute and regulations; however, pursuant to a recent policy change, Tribes administering their NEW programs under a 477 plan may draw down funding in a lump sum.
Contract Support Costs	Tribes are entitled to Contract Support Costs ("CSC") funding. CSC is an amount for the reasonable costs of activities that Tribal contractors perform in carrying out their contracts or compacts, but that the IHS normally	Not available under grant programs.	Not available under grant programs.	Not available under grant programs.	Not available under grant programs.	Not available under grant programs.	Not available under grant programs.

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

does not perform or relies on other resources to provide.
25 U.S.C. 450j-1(a)(2) (Title I);
25 U.S.C. 458aaa-15(a) (Title V).

All carryover funds are available until expended for the purpose for which they were originally appropriated, contracted, or granted.
25 U.S.C. 13a (provides 1 year carryover authority and the IHS annual appropriation authorizes “available until expended”) (Title I);
25 U.S.C. 458aaa-7(i) (Title V).

Tribes are entitled to use its savings to provide additional services under an ISDEAA contract or compact.
25 U.S.C. 450j-1 (Title I);
25 U.S.C. 13a (Title I);
25 U.S.C. 458aaa-7(i) (Title V).

Not available under current statute and regulations

Not available under current statute and regulations

Tribes may reserve unexpended grant funds awarded, without fiscal year limitation, to provide assistance under the Tribal TANF program in subsequent years.

Not available under current statute and regulations.

Not available under current statute and regulations.

Not available under current statute and regulations.

Grantees may only charge to the award costs resulting from obligations incurred during the funding period. Program funds are one-year funds.

Not available under program statute or applicable regulations.

Tribal CCDF funds are available in the fiscal year in which they are awarded or in the succeeding fiscal year. Unliquidated obligations as of the end of the second fiscal year must be liquidated within one year.
45 CFR 98.61(e).

Not available under current statute and regulations.

Not available under current statute and regulations.

Not available under current statute and regulations.

Carryover

Savings

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

	Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process	Head Start	Temporary Assistance to Needy Families (TANF)	Grants for Native Americans and Native American Caregiver Support Program	Targeted Capacity Expansion	Child Care and Development Block Grant (CCDF)	Native Employment Works (NEW)
Interest	Tribes can retain interest earned on any funds paid under a compact or funding agreement to carry out governmental or health purposes. 25 U.S.C. 450j(b) (Title I); 25 U.S.C. 458aaa-7(h) (Title V).	Not available under current statute and regulations	Not available under current statute and regulations; however, Tribes conducting their TANF programs through 477 plans may collect interest on funds drawn down in a lump sum, provided that the interest is used to provide services under TANF, pursuant to a change in HHS policy.	Not available under current statute and regulations	Not available under program statute or applicable regulations.	Not available under current statute and regulations; however, pursuant to a recent policy change, Tribes administering their CCDF programs under a 477 plan may earn interest on lump sum funds.	Not available under current statute and regulations; however, pursuant to a recent policy change, Tribes administering their NEW programs under a 477 plan may earn interest on lump sum funds.
Income	Any income generated by a Tribe in carrying out its ISDEAA contract or compact may be kept by the Tribe so long as it is used to further the general purposes of the contract or compact. 25 U.S.C. 450j-1(m) (Title I); 25 U.S.C. 458aaa-7(j) (Title V).	Program income must be reinvested in the Head Start program.	Program income must be reinvested in the TANF program.	Program income must be reinvested in the program.	Program income shall be deducted from total allowable costs to determine the net allowable costs and used for current costs, unless otherwise authorized by the agency. When authorized by the agency, program income may be added to the grant program funds to be used for the purposes and under the conditions of the grant program.	Program income must be reinvested in the CCDF program.	Program income must be reinvested in the NEW program.
Allowable Uses	Tribes are authorized to	Grantees designated as a	Tribes have broad	Tribes have the flexibility	The TCE program is	CCDF is available to	NEW grants are for the

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process	Head Start	Temporary Assistance to Needy Families (TANF)	Grants for Native Americans and Native American Caregiver Support Program	Targeted Capacity Expansion	Child Care and Development Block Grant (CCDF)	Native Employment Works (NEW)
<p>expend funds, without the approval of the IHS, to provide services identified in the ISDEAA, to the extent the expenditure of the funds is supportive of the contracted program and consistent with federal appropriations principles. 25 U.S.C. 450j-1(k) (Title I); 25 U.S.C. 458aaa-15(a) (Title V).</p>	<p>Head Start agency receive financial assistance for a period of 5 years for the planning, conduct, administration and evaluation of a Head Start program focused primarily upon children from low-income families between 3 years of age and the age of compulsory school attendance. Early Head Start agencies are also funded for 5 years and provide services to children from primarily low-income eligible families from birth to age 3 and pregnant women. Grant awards to Head Start and Early Head Start grantees include technical assistance and COLA funding to support development of quality program services. In addition, funds are available through grants, contracts and cooperative</p>	<p>flexibility to use funds in any manner that meets the purposes of the program, including providing low-income households with assistance, monthly grants, in various forms, designed to meet a family's ongoing basic needs (i.e., for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses), and providing supportive services.</p>	<p>to use the grant funds in any manner that meets the purposes of the program, including nutrition services, supportive services and caregiver services.</p>	<p>designed to address gaps in treatment capacity by supporting rapid and strategic responses to demands for substance abuse (including alcohol and drug) treatment services in communities with serious, emerging drug problems as well as communities with innovative solutions to unmet needs. The purpose of this program is to expand and/or enhance the community's ability to provide a comprehensive, integrated, and community-based response to a targeted, well-documented substance abuse treatment capacity problem and/or improve the quality and intensity of services. The program and/or the population(s) of focus may vary in any</p>	<p>provide child care assistance to families who are receiving Temporary Assistance to Needy Families (TANF); families who are attempting through work activities to transition off TANF; families who are at-risk of becoming dependent on TANF; and low-income working families. Grantees receiving more than \$500,000 in a fiscal year must spend at least 4% on quality activities. Not more than 15% of the aggregate CCDF funds expended in each fiscal year's allotment shall be used for administrative costs. The Discretionary Fund's (DF) base amount may be used for any activity consistent with the purposes of the CCDF</p>	<p>purpose of making work activities available. Allowable work activities include:</p> <ol style="list-style-type: none"> 1. Educational activities, including support for GED, remedial, vocational, post-secondary, and alternative education; 2. Training and job readiness activities, including job skills training, job readiness training,, on-the-job training, entrepreneurial training, and management training; and 3. Employment activities, including job

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

agreements for the provision of training, technical assistance, collaboration and partnership initiatives as well as evaluation and assessment of American Indian/Alaskan Native Head Start Grantees.

year the program is announced.

Allowable costs are determined according to the detailed cost principles in OMB Circular A-87 (State, Local, and Tribal Governments).

and is not included in the administrative cost calculation.

search, job development and placement, community work experience, community service programs, traditional subsistence activities, and subsidized and unsubsidized public and private sector work experience and employment.

Supportive and job retention services that enable clients to participate in the program and find and retain employment also may be provided. Allowable activities also include labor/job

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

Prompt Pay	Prompt payment is required for all funds owed a Tribe under an ISDEAA contract or compact, either within 10 calendar days of apportionment or within ten calendar days after final decisions on distribution methodologies by IHS and other decisions regarding payment of those funds have been made by IHS. 25 U.S.C. 450(c)(a)(6) (Title I); 25 U.S.C. 458aaa-7(g) (Title V).	Not available under current statute and regulations	Not authorized under current statute and regulations; however, Tribes conducting their 477 plans may draw down funds in a lump sum, pursuant to a change in HHS policy.	Not authorized under current statute and regulations	Not available under program statute or applicable regulations.	Not available under current statute and regulations; however, pursuant to a recent policy change, Tribes administering their CCDF programs under a 477 plan may draw down funds as soon as they are available.	market assessments, job creation, and economic development leading to job creation. Not available under current statute and regulations; however, pursuant to a recent policy change, Tribes administering their NEW programs under a 477 plan may draw down funds as soon as they are available.
Redesign Authority	Under Title I of the ISDEAA Tribes can propose to redesign programs under contract in order to meet local geographic, demographic, economic, cultural,	Head Start grantees may select from one of several program options, including alternative options designed to meet the unique needs of communities. 45 C.F.R.	Not available under current statute and regulations, although Tribal grantees have broad flexibility in using funds to meet the purposes of the	Not available under current statute and regulations	Not available under program statute or applicable regulations.	Not available under current statute and regulations. As a block grant, grantees have the ability to design and amend the plan they submit for ACF approval	Not available under current statute and regulations

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

health, or institutional needs of its members. Under Title I, the IHS either accepts the proposal, or declines based on one of the limited declination criteria identified below. 25 U.S.C. 450j(j) (Title I).

Under Title V of the ISDEAA, Tribes have unilateral discretion to redesign programs under compact so long as the redesign program is within the agencies authority to carry out under 25 U.S.C. 458aaa-4(b)(2). 25 U.S.C. 458aaa-5(e) (Title V).

§§ 1306.31-1306.36.

program.

within the parameters set by the CSBG statute.

Rebudget Authority

Tribes may rebudget with respect to allocations within the approved budget of its contract or compact to meet contract or compact requirements so long as the act would not have an adverse effect

Tribes have limited authority to rebudget under 45 C.F.R. §92.30, which is applicable to grants under the Head Start Act.

Not available under the current statute and regulations

Not available under the current statute and regulations

Not available under program statute or applicable regulations. Grantees must obtain prior approval for a proposed change in scope. A change in scope includes proposals

Not available under current statute and regulations. Tribes may submit budget amendments.

Not available under the current statute and regulations

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

on the performance of the contract.
25 U.S.C. 450j-1(o) (Title I);
25 U.S.C. 458aaa-5(e) (Title V).

to change the objective, aims, or purposes identified in the approved applications and budget changes that cause a project to change substantially from that which was approved.

FTCA Coverage

Tribes operating programs under an ISDEAA contract or compact are extended FTCA coverage.
25 U.S.C. 450f(c) (Title I);
25 U.S.C. 459aaa-15(a) (Title V);
25 C.F.R. 900.180-900.210 (Title I);
42 C.F.R. 137.220 (Title V).

Not available under the current statute and regulations

Not available under the current statute and regulations

Not available under the current statute and regulations

Not available under program statute or applicable regulations.

Not available under the current statute and regulations

Not available under the current statute and regulations

Grants added to Title V ISDEAA compacts and funding agreements are extended FTCA coverage.
42 C.F.R. 137.72.

Matching or Cost Participation Requirements

ISDEAA funds may be used to meet matching or cost participation

Grantees must provide a match of 20% of the total project budget, subject to

None; TANF funds may not be used to meet matching or cost

None; Caregiver Support Program funds may not be used to meet

The agency has discretion to implement matching or maintenance

None; CCDF funds may not be used to meet matching or cost

None; NEW funds may not be used to meet matching or cost

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

requirements under other Federal and Non-Federal programs. 25 U.S.C. 450j-1(j) (Title I); 25 U.S.C. 458aaa-12(d)(Title V).

being reduced or waived, as provided under Section 640(b) of the Head Start Act, 42 U.S.C. § 9835(b).

participation requirements under other Federal and non-Federal programs.

matching or cost participation requirements under other Federal and non-Federal programs.

of effort requirements.

participation requirements under other Federal and non-Federal programs.

participation requirements under other Federal and non-Federal programs.

In the comments to the feasibility study, Tribes unanimously asked for waivers of matching or cost participation requirements.

Reporting Requirements

Tribes are required to submit a Single Agency Audit Report. 25 U.S.C. 450d(f) (Title I); 25 U.S.C. 458aaa-5(c) (Title V).

Annual reports as required by Section 644(a)(2), 42 U.S.C. §9839(a)(2), plus monthly enrollment reports as required under Section 641A(h)(2), 42 U.S.C. §9836A(h)(2). Grantees must also submit audit management letters and audit findings to the Secretary under Section 647(c)(2) of the Head Start Act, 42 U.S.C. §9842(c)(2).

Tribes operating their own Tribal TANF programs are required to collect and report to the Secretary on a quarterly basis case record information on the families receiving assistance. They are also required to report administrative costs and overhead expenditures on programs for needy families, participation by noncustodial parents in work activities, and transitional services to

The Title VI program has two required reports, the Program Performance Report (PPR), which covers both the Part A/B and Part C programs and the Standard Form 425, Financial Report. Reports are due annually.

Independent audits are required by regulation and must be conducted in accordance with the Single Audit Act and revised OMB Circular A-133. Grantees must submit performance reports and financial status reports.

As specified in 45 CFR 98.70 & 98.71, States must report to the Administration on Children and Families on an annual basis aggregate data on families, children in care, providers, payment methods, and consumer education. Quarterly case-level reports are required to provide data on families, children, and providers, and payment information. Tribes must

The annual program report includes a narrative report in which grantees summarize their activities, achievements, and barriers during the report period, and a statistical report in which grantees report on clients they served during the report period. Grantees must submit SF 425 (Federal Financial Report) annually. Performance

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

former recipients. They may be required to report child poverty information annually in accordance with the methodology the Secretary has established by regulation. No cash reports, progress reports, or performance reports are required. Grantees must submit quarterly financial reports.

also provide an annual count of children and families served through CCDF; average hours of service per child by type of care; average monthly payment and co-payments per child; number of children served by income; and supplemental narratives. No cash reports are required. No progress reports are required. States must also submit quarterly expenditure reports. Territories are required to report estimates and expenditures for the Discretionary Fund only on a quarterly basis. States, DC, and Puerto Rico are required to measure, calculate, and report improper authorizations for payments as well as

monitoring and cash reports are not applicable.

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

	Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process	Head Start	Temporary Assistance to Needy Families (TANF)	Grants for Native Americans and Native American Caregiver Support Program	Targeted Capacity Expansion	Child Care and Development Block Grant (CCDF)	Native Employment Works (NEW)
Limitation on Cost Disallowances	Any right of action or other remedy (other than fraud) relating to any disallowance of costs are barred 365 days after the Secretary receives the annual single agency audit report. 25 U.S.C. 450j-1(f) (Title I); 25 U.S.C. 458aaa-15(a) (Title V).	None	None	None	None. A disallowance decision is appealable to the Departmental Appeals Board under procedures set forth in 45 C.F.R. Part 16.	identify strategies for reducing future improper authorizations for payments. One-third of the 50 States, DC, and Puerto Rico must report annually on a three-year cycle. Tribes report expenditures for the Tribal Mandatory, Discretionary, and Construction/Renovation funds. Monitoring is in accordance with 45 CFR 98.90.	None
Limitations on suspended, withholding	The Secretary is limited to suspended, withholding	Appeals of terminations and suspensions proceed	None	None	None.	None	None

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

or delaying payment of funds

or delaying payment of funds provided under ISDEAA contracts for 30 days. 25 U.S.C. 450j-1(l).

This limitation does not apply to grants added to Title V ISDEAA compacts and funding agreements as the underlying award instrument controls. 42 C.F.R. 137.71

under Section 646 of the Head Start Act, 42 U.S.C. §9841, and 45 C.F.R. Part 16 and 45 C.F.R. Part 1303.

Contract Disputes and Claim

Tribes have the right to challenge any civil actions or claims under the ISDEAA through administrative remedies or in the US district courts. The Contract Disputes Act also applies to ISDEAA contracts and compacts. 25 U.S.C. 450m-1 (Title I); 25 U.S.C. 458aaa-10(a) (Title V).

Disallowance appeals before the Departmental Appeals Board under 45 C.F.R. Part 16.

Grant disputes may be heard by the Departmental Appeals Board. 45 C.F.R. 96.51-96.52.

Grant disputes may be heard by the Departmental Appeals Board.

The Departmental Appeals Board has jurisdiction to review appeals of certain types of decisions under the grant program. The Board may review disputes regarding disallowances, terminations, denials of non-competing continuation awards, and voiding of awards.

Grant disputes may be heard by the Departmental Appeals Board.

Grant disputes may be heard by the Department Appeals Board.

Equal Access to Justice (EAJA)

EAJA is applicable to ISDEAA contract or compact disputes and

There is no specific statement in the Head Start Act about

There is no specific statement in the TANF statute about application

There is no specific statement in the Older Americans Act about

There is no specific provision in the authorizing legislation

There is no specific statement in the Child Care and Development

There is no specific statement in the Social Security Act about

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

	provides for the award of attorney's fees to Tribes if certain conditions are met. 5 U.S.C. 504; 28 U.S.C. 2412; 25 C.F.R. 900.177 and 900.216.	application of EAJA to grantee disputes.	of EAJA to grantee disputes.	application of EAJA to grantee disputes.	concerning the application of EAJA to grantee disputes.	Block Grant Act about application of EAJA to grantee disputes.	application of EAJA to grantee disputes.
Effect of Circulars, Policies, Manuals, Guidance, and Rules	Except in limited identified situations, or expressly agreed to by Tribes, Tribes are not subject to any agency circulars, policies, manuals, guidance or rules adopted by the Indian Health Service. 25 U.S.C. 450/(c)(a)(11) 25 U.S.C. 458aaa-16.	Governed by applicable circulars, policies, program manuals, guidance, and rules.	Governed by applicable circulars, policies, program manuals, guidance, and rules.	Governed by applicable circulars, policies, program manuals, guidance, and rules.	Governed by applicable circulars, policies, program manuals, guidance, and rules.	Governed by applicable circulars, policies, program manuals, guidance, and rules.	Governed by applicable circulars, policies, program manuals, guidance, and rules.
Grants Added to ISDEAA Agreements	Grants can only be added to Title V FAs, not Title I; Grants are added lump sum after the grant is awarded; Tribes may earn interest on the grant funds; Grant funds may not be reallocated unless permitted by the grant	Not available under current statute and regulations	Not available under current statute and regulations; however, Tribes administering TANF under a 477 plan use ISDEAA contracts to transfer those funds through the Department of the Interior. Provisions of ISDEAA do not apply to 477 grant	Not available under current statute and regulations	Not available under program statute or applicable regulations.	Not available under current statute and regulations; however, Tribes administering their CCDF programs under a 477 plan receive their funds from the Department of the Interior through addition to their ISDEAA	Not available under current statute and regulations; however, Tribes administering their NEW program under a 477 plan use ISDEAA contracts to transfer those funds through the Department of the Interior.

Tribal Self-Governance Expansion Comparison Chart

Indian Health Service (IHS) Indian Self-Determination and Education Assistance Act (ISDEAA) Funding Process

Head Start

Temporary Assistance to Needy Families (TANF)

Grants for Native Americans and Native American Caregiver Support Program

Targeted Capacity Expansion

Child Care and Development Block Grant (CCDF)

Native Employment Works (NEW)

award; Grant funds may not be redesigned unless permitted by the grant award; Reporting requirements of the grant award govern; The Secretary and the Tribe may develop separate reporting requirements; FTCA applies to grants added to funding agreements; No provisions of Title V apply to grants added to funding agreements.

Subpart F- 42 C.F.R. 137.60-137.73

funds that are disbursed to the Tribes through these ISDEAA funding agreements.

contracts.

Provisions of ISDEAA do not apply to 477 grant funds that are disbursed to the Tribes through these ISDEAA funding agreements.