

## **Overview of ACYF-PI-CC-00-03 Document Collection**

On May 17, 2000, the Child Care Bureau sent a Dear Colleague Letter to all federally recognized Indian Tribes announcing the application and plan procedures for Indian Tribes and tribal consortia to apply for FY 2001 Child Care and Development Fund (CCDF) funds and enclosed two program instructions. This Word document contains one of them:

**ACYF-PI-CC-00-03** - contains the procedures for Tribes that elect to consolidate the CCDF program with other employment and training funding sources under an approved 102-477 plan; and includes:

Program Instruction (ACYF-PI-CC-00-03)

Attachment A: List of ACF Regional Administrators

Attachment B: FY 2001 Tribal Estimates Chart

Attachment C: Child Count Declaration

Attachment D: List of Assurances and Certifications

Attachment E: CCDF Statutory and Regulatory Requirements That  
Will Not Be Waived

Also available -- the ACYF-PI-CC-00-02 collection

## Dear Colleague Letter

Dear Colleague:

Enclosed are two Program Instructions that contain application procedures for fiscal year (FY) 2001 Child Care and Development Fund (CCDF) monies. The materials required for FY 2001 CCDF funding must be received by the Administration for Children and Families (ACF) no later than July 1, 2000.

- ACYF-PI-CC-00-02 contains the procedures that apply to most Tribes, whether they are current grantees or new applicants.
- ACYF-PI-CC-00-03 contains the procedures for Tribes that choose to consolidate the CCDF program with other employment and training funding sources under an approved P.L. 102-477 plan.

### Construction and Renovation

Tribal Lead Agencies must first request and receive approval from ACF through a separate application process before using CCDF funds for construction or major renovation (see Program Instructions ACYF-PI-CC-97-05, dated August 18, 1997, and ACYF-PI-CC-97-06, dated November 4, 1997). We would like to remind you of upcoming deadlines related to the construction and renovation procedures:

- If you plan to submit an application to use FY 2000 CCDF funds for construction or renovation, your ACF Regional Office receive your construction/renovation application prior to July 1, 2000.
- Tribal Lead Agencies with FY 1998 funds in a separate grant award for construction or renovation must liquidate these funds by September 30, 2000.

Sincerely,

Charlotte Brantley  
Associate Commissioner  
Child Care Bureau

Enclosures

# ACF

Administration  
For Children  
And Families

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration on Children, Youth and Families**

**1. Log No: ACYF-PI-CC-00-03**

**2. Issuance Date: May 17, 2000**

**3. Originating Office: Child Care Bureau**

**4. Key Words: Child Care and Development Fund (CCDF) Fiscal Year 2001 Funding; Application and Plan Requirements to Consolidate CCDF Under a 102-477 Indian Employment, Training and Related Services Plan**

**CHILD CARE AND DEVELOPMENT FUND  
PROGRAM INSTRUCTION**

**To:** Tribal Lead Agencies consolidating child care programs under P.L. 102-477. This Program Instruction only applies to Tribes currently operating or planning to operate an employment, training and related services program under P.L. 102-477.

**Purpose:** To provide information on the procedures to consolidate the Child Care and Development Fund (CCDF) program with other employment and training funding sources under a P.L. 102-477 plan.

**References:** Section 418 of the Social Security Act; the Child Care and Development Block Grant Act of 1990 (CCDBG) as amended. 45 CFR Parts 98 and 99, and the Indian Employment, Training & Related Services Demonstration Act of 1992 (P.L. 102-477).

**Background:** The Indian Employment, Training and Related Services Demonstration Act of 1992 (P.L. 102-477) 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 policy of self-determination.

In accordance with P.L. 102-477, eligible tribal applicants may choose to streamline tribal services by submitting a consolidated plan for employment, training and related services to the Bureau of Indian Affairs (BIA), Department of the Interior. Eligible applicants may include the Child Care and Development Fund (CCDF) in their 102-477 plan. The CCDF is comprised of two funding sources:

- Discretionary Funds – funding that is provided under the Child Care and Development Block Grant Act, as amended; and
- Tribal Mandatory Funds – funding that is provided to eligible Tribes and tribal organizations under Section 418 of the Social Security Act.

Tribes that elect to consolidate their CCDF funds under a 102-477 plan are still required to operate comprehensive CCDF programs. By applying for CCDF funds, a Tribe agrees to follow the provisions of the CCDBG Act of 1990, as amended, and applicable regulations at 45 CFR 98 and 99. However, in contrast to the required CCDF application and plan process, Tribes that consolidate CCDF funds under a 102-477 plan are permitted to submit abbreviated applications and plans for CCDF funding.

Tribal Lead Agencies are reminded that no more than 15 percent of the aggregate CCDF funds expended from each year's allotment may be used for administrative costs. Tribal Lead Agencies are advised to review the CCDF regulations at 45 CFR 98.52 for a discussion of administrative costs. Note: the base amount under the Discretionary Funds is not included in this calculation.

#### **CCDF Construction and/or Renovation Under a 102-477 Plan**

All Tribes receiving CCDF funds – including those with approved 102-477 plans – are required to follow ACF's construction and renovation application procedures in order to use CCDF funds for construction or major renovation projects. Tribes are advised to contact their appropriate ACF Regional Office (Attachment A) to discuss construction or renovation plans, and to request a copy of ACF's construction and renovation application procedures. If a Tribe constructs or renovates more than one facility, it must seek ACF approval for each project (even if the projects use identical plans and specifications).

#### **CCDF Eligibility:**

Pursuant to 45 CFR 98.62, a Tribe is eligible to receive CCDF funds if the Tribe is federally recognized and the tribal population includes at least 50 children under age 13.

A Tribe with fewer than 50 children under age 13 may participate in a consortium of eligible tribes. In order to be eligible to receive CCDF funds on behalf of its member Tribes, a consortium must:

- Consist of Tribes that meet the eligibility requirements for the CCDF program or that would meet the eligibility requirements if the Tribe or tribal organization had at least 50 children under age 13; and
- Adequately demonstrate it has authorization from each participating Tribe to receive CCDF funds on behalf of the Tribe.

### **Special Rule for Indian Tribes in Alaska:**

Only specified Alaska Native entities may receive Tribal Mandatory Funds. The Metlakatla Indian Community of the Annette Islands Reserve and the following Alaska Native regional nonprofit corporations are eligible to receive Tribal Mandatory Funds:

- Arctic Slope Native Association;
- Kawerak, Inc.;
- Maniilaq Association;
- Association of Village Council Presidents;
- Tanana Chiefs Conference;
- Cook Inlet Tribal Council;
- Bristol Bay Native Association;
- Aleutian and Pribilof Islands Association;
- Chugachmuit;
- Tlingit and Haida Central Council;
- Kodiak Area Native Association; and
- Copper River Native Association.

### **Exempt and Non-Exempt Tribal Grantees:**

Tribal Lead Agencies with CCDF allocations equal to or greater than \$500,000 for a fiscal year are considered non-exempt grantees; therefore: 1) no less than 4 percent of the aggregate CCDF funds expended for a fiscal year must be used for quality activities; and 2) the Tribal Lead Agency must operate a certificate program that offers parental choice from a full range of providers (i.e., center-based, group home, family and in-home care).

### **Funding Estimates And Allocation Formulas**

ACF estimates that \$74,993,440 in FY 2001 CCDF funds will be available for tribal grantees on October 1, 2001 (\$23,653,440 in Discretionary Funds and \$51,340,000 in Tribal Mandatory Funds).

Grants from Discretionary Funds will include a base amount of \$20,000 plus a per child amount (approximately \$29 per child in FY 2000) for each Tribe or tribal consortium with a minimum of 50 children. Grants from Tribal Mandatory Funds are calculated solely on a per-child basis (approximately \$101 per child in FY 2000) and do not include a base amount.

Since the per-child amount for both Discretionary and Tribal Mandatory Funds depends upon the total number of children in all participating Tribes, ACF cannot calculate in advance the exact per-child amount. However, Tribes and tribal organizations may use the FY 2001 Tribal Estimates Chart (See Attachment B) as a guide. A new applicant should use the base amount plus approximately \$29 per child to estimate its allotment for Discretionary funding, and should use

approximately \$101 per child to estimate its allotment for Tribal Mandatory funding.

A tribal consortium should estimate its allotment for Discretionary funding for each of its members by calculating a portion of the base amount that is equivalent to the ratio of the number of children in each member Tribe to 50, plus the additional per child amount. For example, a Tribe with 49 children is allotted 49/50ths of \$20,000, or \$19,600. The per child amount is then multiplied by 49 and added to the \$19,600 base amount.

Important: These amounts are provided for the purpose of estimating the allotments that will become available on October 1, 2000 and may increase or decrease when updated data become available before the final grant awards are issued.

The Administration's budget for FY 2001 contains a comprehensive child care initiative that includes a proposed \$817 million increase in the CCDF. The estimates shown in Attachment C do not reflect this proposed increase, which would require congressional action. Tribes would receive 2 percent of any FY 2001 funding increase for CCDF.

**Discretionary  
Earmark**

The appropriations law for the Department of Health and Human Services (P.L.106-113) stipulated that a portion of FY 2001 Discretionary Funds be used (or earmarked) for child care resource and referral and school aged child care activities.

School-age child care is a critical service for working parents. A safe and productive environment before and after school is important for both the peace of mind of working parents and the well-being of their children.

Resource and referral is also a key support, since it is a vital link for all working families who seek appropriate child care, providing critical consumer education to parents and outreach to the child care community.

The Tribal Estimates Chart (Attachment B) shows the estimated earmark requirement for FY 2001. The column labeled "Discretionary Earmark" shows the estimated amount that must be spent on resource and referral activities and school-age care. The column labeled "Discretionary after Earmark" is the amount of Discretionary Funds remaining after the earmark that can be spent on any allowable CCDF activities (assuming quality expenditure, administrative cost, and other Federal requirements are met). The earmark for resource and referral activities and school-age care is based on a \$500 amount per Tribe plus a per child amount. Amounts in the FY 2001 Tribal Estimates Chart (Attachment B) are estimates that may increase or decrease when final grant awards are issued.

**Note to Non-Exempt Tribal Lead Agencies:** The earmarked funds are to be used in addition to the “not less than 4%” required to be spent on activities that improve the quality and availability of child care.

**Self-Certification  
of Child Counts**

For funds that become available on October 1, 2000, ACF will calculate grant awards based on the number of children under age 13. A Tribe must submit a declaration that certifies the number of Indian children, as defined in the 102-477 plan, under age 13 who reside on or near the reservation or tribal service area. The declaration must be included as an attachment to the 102-477 application and/or plan.

The Tribal Lead Agency should use the “Child Count Declaration” format at Attachment C. The declaration must be signed by the governing body of the Tribe or a person authorized to act for the applicant Tribe or organization.

**PLEASE BE ADVISED:** The Tribal Lead Agency *may not count* any children who are included in the child count of another CCDF Tribal Lead Agency. To ensure unduplicated child counts, a Tribal Lead Agency is **required** to confer with **all** other CCDF Tribal Lead Agencies that have overlapping or neighboring service areas.

Tribal Lead Agencies are reminded that CCDF funds are allocated based on child counts of children from Federally recognized Indian Tribes, consistent with the Child Care and Development Block Grant Act’s definition of Indian Tribe.

Tribal Lead Agencies are also advised that ACF will not accept declarations based on child counts that were conducted prior to July 1 of the previous year. For FY 2001 funding, the child count of children under age 13 must be completed no later than June 30, 2000 and no earlier than July 1, 1999.

If a Tribal Lead Agency chooses not to provide a self-certified child count, ACF will calculate the Tribe's grant award for funds that become available in FY 2001 using the same number of children used to determine the FY 2000 grant award. New Tribal Lead Agencies (that did not receive funds in FY 2000) must provide a self-certified child count. All Tribes will be required to provide a self-certified child count for funding that becomes available in FY 2002.

**Special Note for Tribal Consortia:** A tribal consortium must submit individual self certified child count declarations signed by the governing body of the Tribe, or an individual authorized to act for the Tribe, for each of its members

participating in the consortium. Also include a summary section listing each member's name and child count, and the total child count for all members.

Because of the statutory "Special Rule for Indian Tribes in Alaska" under Tribal Mandatory Funding, some Alaska Native Regional Nonprofit Corporations will have to provide a separate child count certification for Discretionary Funding purposes. This count will consist of its self certified Tribal Mandatory Funding count, minus the child count number for any Alaska Tribal grantee in its Region which applies directly for Discretionary Funding. In instances where a Regional Corporation has separate child counts for Discretionary and Tribal Mandatory Funds, both counts may be reported on the declaration (see format at Attachment C).

**Application Requirements:**

Although 102-477 plans cover multi-year periods, applicants **must** apply annually for CCDF funds – this includes new and current 102-477 grantees. To receive CCDF funding under a consolidated 102-477 plan, all tribal grantees and tribal applicants must:

- Be eligible to receive CCDF funding (see Eligibility Section of this Program Instruction);
- Have submitted a consolidated 102-477 plan to BIA that includes the CCDF program; and
- Submit an annual application to BIA requesting CCDF program funds.

There is no required format for the application. However, the application must be signed by the tribal chairperson (or his/her designee) and **must** include the following information:

1. Funds Requested

The amount of CCDF funds requested, based on the estimated CCDF amount for each applicant (see Attachment B “FY 2001 Tribal Estimates Chart”).

2. Child Count Declaration

A signed declaration that certifies the number of Indian children, under age 13 for FY 2001 funding, who reside on or near the reservation or other tribal service area. The Tribal Lead Agency should use the Child Count Declaration format at Attachment C. Note: The child count self-certification process is explained under the “Funding Estimates and Allocation Formulas” section of this Program Instruction.



By applying for FY 2001 CCDF funds a Tribe agrees to follow the provisions of the Child Care and Development Block Grant Act of 1990, as amended, and applicable regulations at 45 CFR Parts 98 and 99.

Current grantees that apply for FY 2001 funds continue to be required to meet the assurances and certifications provided in the 102-477 plan for the remainder of the plan period. A **new** tribal applicant must include the required assurances and certifications as part of its plan submittal (see Attachment D).

**Plan  
Requirements**

The CCDF program may be incorporated into a P.L. 102-477 plan that covers multi-year periods. If an applicant elects to include CCDF in a consolidated 102-477 plan, the following CCDF requirements must be included in the 102-477 plan:

1. A statement of intent to administer the CCDF program under a P.L. 102-477 consolidated plan.
2. A description of the way CCDF services will be integrated and delivered with the employment and training programs included in the 102-477 plan, and the results expected.
3. The agency or agencies of the tribal government (or tribal consortium) to be involved in the delivery of CCDF services under the plan. Note: if the CCDF Lead Agency changes during the approved plan period, the grantee must submit a written notification of this change to the BIA.
4. A description of the results of the Tribal Lead Agency's coordination activities with agencies responsible for health (including the agency responsible for immunizations), education, employment services or workforce development, and the State TANF agency and/or tribal TANF agency – if the Tribe is operating its own TANF program.
5. A description of the public hearing process held to provide the Tribe (or member Tribes in the case of a tribal consortium) an opportunity to comment on the proposed CCDF activities under the consolidated 102-477 plan.
6. A copy of a sliding fee scale that provides for cost sharing by families and is based on income and family size. A grantee may waive contributions from families whose incomes are at or below the poverty level for a family of the same size, or may apply different sliding fee scales.
7. Definitions for 1) Indian Child; and 2) Indian Reservation or Tribal Service Area. Tribes have broad latitude in defining these terms that are used to determine eligibility. An applicant's child count declaration -- required in the annual CCDF application -- is based on the definition of these terms.

8. Any regulations, policies, or procedures that the Tribe requests to be waived.
9. A consortium must submit a demonstration (e.g., a tribal resolution) from each member Tribe that authorizes the consortium to receive CCDF funds on its behalf for the duration of the plan period.

**Waivers:**

Section 7 of P.L. 102-477 authorizes the Secretary of the Department of Health and Human Services to waive any regulation, policy, or procedures requested by a Tribe, as long as the waiver is not inconsistent with the purpose of P.L. 102-477 or with provisions of the Child Care and Development Block Grant Act, as amended. P.L. 102-477 does not provide authority to waive any statutory provisions.

To obtain a waiver, the 102-477 plan **must:**

- Identify the specific regulation, policy or procedure;
- Justify the need for the waiver; and
- Explain what the Tribe will use to replace the existing regulation, policy or procedure, if applicable.

Waivers will be granted or denied on a case-by-case basis for each plan. Blanket waiver requests are not acceptable. See Attachment E for a list of statutory and regulatory requirements that will not be waived.

**Deadlines:**

All CCDF applications (and plans, if applicable) must be postmarked or hand delivered to the BIA no later than July 1, 2000. Any applications and plans postmarked after that date will not be accepted. Faxed copies will not be accepted.

**Submitting the Materials:**

The original and 1 copy of the application (and plan, if applicable) must be mailed or hand-delivered to the:

Bureau of Indian Affairs  
Office of Economic Development  
Division of Job Placement and Training  
1849 C Street, NW  
Mail Stop 4660 MIB  
Washington, D.C. 20240

An additional copy must also be sent to the:

Administration on Children, Youth and Families  
Child Care Bureau  
Room 2046  
330 C Street, S.W.  
Washington, D.C. 20447

**Technical Assistance:**

Tribes should refer to the “Preparation of Tribal Plans, Pursuant to Public Law 102-477, PROPOSED GUIDANCE FOR TRIBAL DOCUMENTS” in completing a consolidated 102-477 plan. To obtain a copy of this document, or for questions related to overall operation of P.L. 102-477, please contact:

Lynn Forcia  
Chief, Division of Job  
Placement and Training  
Bureau of Indian Affairs  
(202) 219-5270

**OR:**

Bonnie DeWeaver  
477 Technical  
Assistance  
Coordinator  
(888) 469-5978

Questions related to the CCDF program should be directed to the appropriate ACF Regional Office (Attachment A).

**Reporting Requirements:**

CCDF Tribal grantees with an approved 102-477 plan will receive their CCDF funding through the BIA. Therefore, program and financial reporting of CCDF funds awarded under a 102-477 consolidated plan will be made to the BIA. However, the expenditure and obligation of all CCDF funds awarded prior to a 102-477 plan approval will continue to be reported to ACF on the ACF-696-T financial reporting form. Similarly, program data on CCDF funds awarded prior to a 102-477 plan approval must be reported on the ACF-700 form.

**Paperwork Reduction Act:**

The Paperwork Reduction Act of 1980, as amended, requires that OMB approve all reporting and record keeping instruments. The information required to respond to this Program Instruction is approved under OMB Number 0970-0198 (expires 05/31/02).

/s/

Patricia Montoya  
Commissioner  
Administration on Children, Youth  
and Families

Attachments:

- A - ACF Regional Administrators List
- B - FY 2001 Tribal Estimates Chart
- C - Child Count Declaration
- D - List of Assurances and Certifications
- E – CCDF Statutory and Regulatory Requirements That Will Not Be Waived

**Attachment B**

**FY 2001 CCDF TRIBAL ESTIMATES CHART**

<b>TRIBE</b>	<b>FY 2001 MANDATORY ALLOCATION ESTIMATE</b>	<b>FY 2001 ESTIMATED DISCRETIONARY ALLOCATION ESTIMATE</b>	<b>FY 2001 ESTIMATED DISCRETIONARY EARMARK ESTIMATE</b>	<b>FY 2001 DISCRETIONARY ESTIMATE AFTER EARMARK</b>	<b>TOTAL FY 2001 ESTIMATED CCDF FUNDING</b>
<b>ALABAMA</b>					
Poarch Band of Creeks	45,563	31,276	725	30,551	76,839
<b>ALASKA</b>					
Agdaagux Tribal Council	-	25,111	602	24,509	25,111
Akaichak Native Community	-	25,787	616	25,171	25,787
Akiak Native Community	-	23,191	564	22,627	23,191
Aluetian/Pribilof Island Association, Inc.	37,368	102,449	685	101,764	139,817
Arctic Slope Native Association	165,316	173,505	1,169	172,336	338,821
Association of Village Council President, Inc.	932,678	927,868	3,415	924,453	1,860,546
Bristol Bay Native Association	195,255	415,125	1,466	413,659	610,380
Chugachmiut	40,537	102,433	700	101,733	142,970
Cook Inlet Tribal Council, Inc.	693,171	249,701	3,595	246,106	942,872
Copper River Native Association	29,611	67,041	617	66,424	96,652
Hoonah Indian Assoc.	-	22,163	543	21,620	22,163
Kawerak, Inc.	259,721	427,880	1,784	426,096	687,601
Kenaitze Indian Tribe IRA	-	35,004	640	34,364	35,004
Kivalina IRA Council	-	22,867	557	22,310	22,867
Kinik Tribal Council	-	45,123	1,002	44,121	45,123
Kodiak Area Native Association	151,549	149,108	1,249	147,859	300,657
Kugpagmiut, Inc	-	50,438	709	49,729	50,438
Maniilaq Manpower, Inc	239,944	256,119	1,629	254,490	496,063
Metlakatla Indian Community	60,095	34,874	797	34,077	94,969
Mt. Sanford Tribal Consortium	-	23,487	530	22,957	23,487
Native Village of Point Hope	-	27,410	648	26,762	27,410
Ninilchik Traditional Council	-	25,030	601	24,429	25,030
Orutsararmuit Native Council	-	77,979	1,658	76,321	77,979
Sitka Tribe of Alaska	-	38,308	866	37,442	38,308
Tanana Chiefs Conference, Inc.	561,726	622,627	3,278	619,349	1,184,353
Central Council Tlingit & Haida Tribes of Alaska	381,331	315,204	1,923	313,281	696,535
Yakutat Tlingit Tribe	-	22,109	542	21,567	22,109

## FY 2001 CCDF TRIBAL ESTIMATES CHART

<u>TRIBE</u>	FY 2001 MANDATORY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY EARMARK ESTIMATE	FY 2001 DISCRETIONARY ESTIMATE AFTER EARMARK	TOTAL FY 2001 ESTIMATED CCDF FUNDING
Organized Village of Kwethluk	-	28,221	664	27,557	28,221
<b>ARIZONA</b>					
Cocopah Indian Tribe	20,542	25,084	602	24,482	45,626
Fort McDowell Mohave-Apache	21,525	25,328	606	24,722	46,853
Gila River Indian Community	415,531	122,844	2,555	120,289	538,375
Hopi Tribe	259,611	84,253	1,784	82,469	343,864
Hualapai Tribal Council	152,751	57,806	1,255	56,551	210,557
Havasupai Tribal Council	18,793	24,652	593	24,059	43,445
Navajo Nation	9,586,387	2,392,618	47,910	2,344,708	11,979,005
Pascua Yaqui	311,293	97,045	2,039	95,006	408,338
Quechan Indian Tribe	164,661	60,753	1,314	59,439	225,414
Salt River Pima-Maricopa	218,965	74,194	1,583	72,611	293,159
San Carlos Apache Tribe	313,588	97,612	2,051	95,561	411,200
Tohono O'Odham	237,540	78,791	1,675	77,116	316,331
White Mountain Apache Tribe	499,664	143,666	2,971	140,695	643,330
Yavapai-Apache Tribe (Camp Verde)	26,879	26,653	633	26,020	53,532
<b>CALIFORNIA</b>					
Bear River Band of Rohnerville (Rohnerville Rancheria)	16,499	24,083	582	23,501	40,582
Bishop Paiute Tribe	43,706	30,817	716	30,101	74,523
California Indian Manpower, Inc	108,608	251,281	1,037	250,244	359,889
California Rural Indian Health Board	46,328	71,466	729	70,737	117,794
Campo Consortia	32,888	81,340	663	80,677	114,228
Mechoopda Indian Tribe of Chico Rancheria	26,442	26,544	631	25,913	52,986
Chukchansi Tribe of Picayane	38,024	29,411	688	28,723	67,435
Cloverdale Rancheria	13,330	23,299	566	22,733	36,629
Cortina Indian Rancheria	6,774	21,677	534	21,143	28,451
Dry Creek Rancheria	19,449	24,814	596	24,218	44,263
Enterprise Rancheria	18,029	24,462	589	23,873	42,491
Fort Mojave Tribe	34,200	28,464	669	27,795	62,664
Hoopa Tribe (Hoop Valley)	118,005	49,206	1,084	48,122	167,211
Hopland Band of Pomo Indians	11,473	22,839	557	22,282	34,312
Inter Tribal Council of California	189,901	391,801	1,439	390,362	581,702

## FY 2001 CCDF TRIBAL ESTIMATES CHART

<u>TRIBE</u>	FY 2001 MANDATORY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY EARMARK ESTIMATE	FY 2001 DISCRETIONARY ESTIMATE AFTER EARMARK	TOTAL FY 2001 ESTIMATED CCDF FUNDING
Karuk Tribe	100,086	44,771	995	43,776	144,857
La Jolla Band of Indians	12,675	23,137	563	22,574	35,812
Lytton Rancheria	9,943	22,461	549	21,912	32,404
Mooretown Rancheria	27,753	26,869	637	26,232	54,622
North Fork Rancheria	16,717	24,137	583	23,554	40,854
Pala Band of Mission Indians	22,399	25,544	611	24,933	47,943
Pauma Band of Mission Indians	5,900	21,461	529	20,932	27,361
Pinoleville Indian Community	12,019	22,974	559	22,415	34,993
Pit River Tribe	59,658	34,765	795	33,970	94,423
Pechanga Indian Reservation	25,131	26,220	624	25,596	51,351
Potter Valley Little Lake	5,463	21,353	527	20,826	26,816
Quartz Valley Indian Commun.	8,523	22,109	542	21,567	30,632
Redding Rancheria	237,431	78,764	1,674	77,090	316,195
Rincon San Luiseno Band	20,869	25,165	603	24,562	46,034
Round Valley Indian Tribe	124,998	50,937	1,118	49,819	175,935
Scotts Valley Band of Pomo	5,682	21,407	528	20,879	27,089
Shingle Springs Rancheria	8,195	22,028	541	21,487	30,223
Soboba Band of Mission Indians	33,107	28,193	664	27,529	61,300
Southern California Tribal Chairmen's Association	14,860	46,878	573	46,305	61,738
Susanville Rancheria/Lassen	32,779	28,113	662	27,451	60,892
Table Bluff Rancheria	9,069	22,245	545	21,700	31,314
Torres Martinez Desert Cahuilla	11,582	22,867	557	22,310	34,449
Tyme Maidu Berry Creek Rancheria	15,297	23,786	576	23,210	39,083
Yurok Tribe	120,846	49,909	1,098	48,811	170,755
<b>COLORADO</b>					
Southern Ute	75,720	38,740	874	37,866	114,460
Ute Mountain Ute Tribe	55,615	33,765	775	32,990	89,380
<b>FLORIDA</b>					
Miccosukee Corporation	22,508	25,570	611	24,959	48,078
Seminole	101,616	45,150	1,003	44,147	146,766
<b>IDAHO</b>					
Coeur d'Alene Tribes	109,592	47,124	1,042	46,082	156,716

## FY 2001 CCDF TRIBAL ESTIMATES CHART

<u>TRIBE</u>	FY 2001 MANDATORY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY EARMARK ESTIMATE	FY 2001 DISCRETIONARY ESTIMATE AFTER EARMARK	TOTAL FY 2001 ESTIMATED CCDF FUNDING
Nez Perce Tribe	88,722	41,958	939	41,019	130,680
Northwestern Band of Shoshoni Nation	17,264	24,272	585	23,687	41,536
Shoshone-Bannock Tribes	260,923	84,578	1,790	82,788	345,501
<b>KANSAS</b>					
Kickapoo	28,409	27,031	640	26,391	55,440
Prairie Band of Potawatomi	45,782	31,331	726	30,605	77,113
<b>LOUISIANA</b>					
Chitimacha Tribe	31,905	27,897	658	27,239	59,802
Coushatta Tribe	17,264	24,272	585	23,687	41,536
Tunica Biloxi	8,304	22,056	541	21,515	30,360
<b>MAINE</b>					
Aroostook Band of Micmac Indians	28,955	27,166	643	26,523	56,121
Houlton Band of Maliseet Indians	10,052	22,488	550	21,938	32,540
Indian Township Passamaquoddy	33,872	28,384	668	27,716	62,256
Penobscot Nation	44,252	30,952	719	30,233	75,204
Pleasant Point Passamaquoddy	51,573	32,764	755	32,009	84,337
<b>MASSACHUSETTS</b>					
Wampanoag of Gay Head	8,523	22,109	542	21,567	30,632
<b>MICHIGAN</b>					
Bay Mills Indian Community	32,888	28,140	663	27,477	61,028
Grand Traverse Band of Ottawa/Chippewa	43,487	30,763	715	30,048	74,250
Hannville Indian Community (Potawatomi)	28,409	27,031	640	26,391	55,440
Keweenaw Bay Indian Community	26,551	26,571	631	25,940	53,122
Lac Viex Desert	15,188	23,759	575	23,184	38,947
Saginaw Chippewa Indian Tribe	55,725	33,792	776	33,016	89,517
Sault St. Marie Tribe of Chippewas	332,709	102,345	2,145	100,200	435,054
<b>MINNESOTA</b>					
Bois Forte Reservation (Nett Lake)	65,449	36,199	824	35,375	101,648
Fond Du Lac Tribal Council	264,856	85,552	1,810	83,742	350,408
Grand Portage Reservation Tribal Council	11,145	22,758	555	22,203	33,903
Leech Lake Band	431,265	126,738	2,633	124,105	558,003
Mille Lacs Band of Chippewa	82,494	40,417	908	39,509	122,911
Red Lake Band	268,680	86,498	1,829	84,669	355,178

## FY 2001 CCDF TRIBAL ESTIMATES CHART

	FY 2001	FY 2001	FY 2001	FY 2001	TOTAL	FY
	MANDATORY	ESTIMATED	ESTIMATED	DISCRETIONARY	ESTIMATED	2001
<u>TRIBE</u>	<u>ALLOCATION</u>	<u>ALLOCATION</u>	<u>EARMARK</u>	<u>AFTER</u>		<u>CCDF</u>
	<u>ESTIMATE</u>	<u>ESTIMATE</u>	<u>ESTIMATE</u>	<u>EARMARK</u>		<u>FUNDING</u>
Shakopee Mdewakanton Sioux Community	21,962	25,435	609	24,826		47,397
Upper Sioux Community	9,287	22,298	546	21,752		31,585
White Earth Reservation Tribal Council	348,443	106,239	2,223	104,016		454,682
Lower Sioux Indian Tribe of Minnesota	22,399	25,544	611	24,933		47,943
Prairie Island Indian Community of Minn.	32,561	28,059	661	27,398		60,620
<b>MISSISSIPPI</b>						
Ms. Band of Choctow	282,229	89,851	1,896	87,955		372,080
<b>MONTANA</b>						
Blackfeet Nation	297,417	93,611	1,971	91,640		391,028
Chippewa-Cree Tribe (Rocky Boys)	126,309	51,262	1,125	50,137		177,571
Confederated Tribes of Salish & Kootenai	367,892	111,053	2,319	108,734		478,945
Crow Tribe	431,921	126,900	2,636	124,264		558,821
Fort Belknap Community Council	296,324	93,340	1,965	91,375		389,664
Fort Peck Assiniboine & Sioux	330,196	101,723	2,133	99,590		431,919
Northern Cheyenne Tribe	211,317	72,300	1,545	70,755		283,617
<b>NEBRASKA</b>						
Omaha Tribe	74,081	38,335	866	37,469		112,416
Ponca Tribe of Nebraska	26,114	26,463	629	25,834		52,577
Santee Sioux Tribe	22,727	25,625	612	25,013		48,352
Winnebago Tribe	105,877	46,204	1,024	45,180		152,081
<b>NEVADA</b>						
Ely Shoshone Duck Water Tribe	10,380	36,569	551	36,018		46,949
Fallon Paiute-Shoshone Tribe	46,874	31,601	732	30,869		78,475
Fort McDermitt Paiute-Shoshone Tribe	28,299	27,004	640	26,364		55,303
Inter Tribal Council of Nevada	57,910	133,132	786	132,346		191,042
Las Vegas Paiute	126,418	51,289	1,125	50,164		177,707
Pyramid Lake Paiute Tribal Council	49,387	32,223	744	31,479		81,610
Reno-Sparks Indian Colony	33,981	28,410	668	27,742		62,391
Shoshone-Paiute Tribe of Duck Valley	63,482	35,712	814	34,898		99,194
Walker River Paiute Tribe	30,594	27,572	651	26,921		58,166
Lovelock Paiute Tribe	7,976	21,975	539	21,436		29,951
<b>NEW MEXICO</b>						
Eight Northern Indian Pueblos	165,207	180,889	1,317	179,572		346,096



## FY 2001 CCDF TRIBAL ESTIMATES CHART

	FY 2001	FY 2001	FY 2001	FY 2001	TOTAL	FY
	MANDATORY	ESTIMATED	ESTIMATED	DISCRETIONARY	ESTIMATE	2001
<u>TRIBE</u>	<u>ALLOCATION</u>	<u>ALLOCATION</u>	<u>EARMARK</u>	<u>AFTER</u>	<u>CCDF</u>	<u>ESTIMATED</u>
	<u>ESTIMATE</u>	<u>ESTIMATE</u>	<u>ESTIMATE</u>	<u>EARMARK</u>	<u>FUNDING</u>	
Mescalero Apache	125,763	51,126	1,122	50,004		176,889
Pueblo of Acoma	129,150	51,964	1,139	50,825		181,114
Pueblo of Cochiti	35,183	28,708	674	28,034		63,891
Pueblo of Isleta	109,701	47,151	1,042	46,109		156,852
Pueblo of Jemez(Jemus Pueblo)	72,333	37,902	858	37,044		110,235
Pueblo of Laguna	175,150	63,349	1,366	61,983		238,499
Pueblo of Sandia	11,910	22,948	559	22,389		34,858
Pueblo de San Felipe	95,060	43,527	970	42,557		138,587
Pueblo of Zia	19,230	24,759	595	24,164		43,989
Pueblo of Zuni	317,958	98,694	2,072	96,622		416,652
Santa Ana Pueblo	14,532	23,597	572	23,025		38,129
Santo Domingo Pueblo	127,948	51,667	1,133	50,534		179,615
Taos Pueblo	74,737	38,497	870	37,627		113,234
<b>NEW YORK</b>						
St. Regis Mohawk Tribe	129,041	51,938	1,138	50,800		180,979
Seneca Nation	126,637	51,342	1,126	50,216		177,979
<b>NORTH CAROLINA</b>						
Eastern Band of Cherokee Indians	306,704	95,909	2,017	93,892		402,613
<b>NORTH DAKOTA</b>						
Spirit Lake Nation	308,015	96,234	2,023	94,211		404,249
Standing Rock Sioux Tribe	369,968	111,566	2,330	109,236		481,534
Three Affiliated Tribes	220,276	74,518	1,589	72,929		294,794
Trenton Indian Service Area	71,568	37,713	854	36,859		109,281
Turtle Mountain Band of Chippewa Indians	529,603	151,076	3,119	147,957		680,679
<b>OKLAHOMA</b>						
Absentee Shawnee Tribe	47,421	31,736	735	31,001		79,157
Alabama-Quassarte Tribal Town	62,936	35,577	811	34,766		98,513
Apache Tribe of Oklahoma	63,482	35,712	814	34,898		99,194
Caddo Indian Tribe of Oklahoma	32,779	28,113	662	27,451		60,892
Central Tribes of Shawnee Area, Inc.	340,467	104,265	2,184	102,081		444,732
Cherokee Nation	4,165,910	1,051,057	21,101	1,029,956		5,216,967
Cheyenne & Arapaho Tribes	350,519	106,753	2,233	104,520		457,272

## FY 2001 CCDF TRIBAL ESTIMATES CHART

<u>TRIBE</u>	FY 2001 MANDATORY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY EARMARK ESTIMATE	FY 2001 DISCRETIONARY ESTIMATE AFTER EARMARK	TOTAL FY 2001 ESTIMATED CCDF FUNDING
Chicksaw Nation	786,045	214,545	4,387	210,158	1,000,590
Choctaw Nation	1,987,403	511,879	10,328	501,551	2,499,282
Cit Band Potawatomi	1,114,712	295,889	6,012	289,877	1,410,601
Comache Tribe of Oklahoma	148,053	56,643	1,232	55,411	204,696
Delaware Tribe of Indians	535,394	152,510	3,148	149,362	687,904
Delaware Tribe of Western Oklahoma	21,853	25,408	608	24,800	47,261
Eastern Shawnee Tribe	395,317	117,841	2,455	115,386	513,158
Fort Sill Apache Tribe	10,926	22,705	554	22,151	33,631
Iowa Tribe of Oklahoma	109,920	47,205	1,044	46,161	157,125
Kaw Nation of Oklahoma	125,872	51,153	1,122	50,031	177,025
Kialegee Tribal Town	6,556	21,623	532	21,091	28,179
Kickapoo Tribe of Oklahoma	69,929	37,308	846	36,462	107,237
Kiowa Tribe	225,412	75,789	1,615	74,174	301,201
Miami Tribe of Oklahoma	445,688	170,307	2,704	167,603	615,995
Modoc Tribe of Oklahoma	190,884	67,243	1,444	65,799	258,127
Muscogee-Creek Nation	2,599,173	663,291	13,353	649,938	3,262,464
Osage Nation	555,608	157,512	3,248	154,264	713,120
Otoe-Missouria Tribe	55,506	33,738	774	32,964	89,244
Pawnee Nation	36,931	29,140	683	28,457	66,071
Ponca Tribe	83,259	40,607	912	39,695	123,866
Quapaw Tribe	252,837	82,577	1,750	80,827	335,414
Seminole Tribe of Oklahoma	244,751	80,575	1,710	78,865	325,326
Seneca Cayuga Tribe of Oklahoma	346,586	105,780	2,214	103,566	452,366
Thlopthlocco Tribal Town	17,482	24,327	586	23,741	41,809
Tonkawa Tribe	41,193	30,195	704	29,491	71,388
Wichita and Affiliated Tribes	68,618	36,983	839	36,144	105,601
Wyandotte Tribe	346,586	105,780	2,214	103,566	452,366
<b>OREGON</b>					
Burns Paiute Tribe	7,976	21,975	539	21,436	29,951
Confederated Tribes of Coos, Lower Umpaqua, Siuslaw	18,029	24,462	589	23,873	42,491
Conderated Tribes of Grande Ronde	143,573	55,534	1,210	54,324	199,107

## FY 2001 CCDF TRIBAL ESTIMATES CHART

<u>TRIBE</u>	FY 2001 MANDATORY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY EARMARK ESTIMATE	FY 2001 DISCRETIONARY ESTIMATE AFTER EARMARK	TOTAL FY 2001 ESTIMATED CCDF FUNDING
Conf. Tribes of Siletz Indians	59,877	34,819	796	34,023	94,696
Confederated Tribes of Umatilla Indian Reservation	52,447	32,981	759	32,222	85,428
Conf. Tribes of Warm Springs	121,720	50,126	1,102	49,024	171,846
Coquille Indian Tribe	12,347	23,056	561	22,495	35,403
Cow Creek Band Of Umpqua Tribe	13,549	23,354	567	22,787	36,903
Klamath Tribes	107,188	46,528	1,030	45,498	153,716
<b>RHODE ISLAND</b>					
Narragansett Indian Tribe	55,615	33,765	775	32,990	89,380
<b>SOUTH CAROLINA</b>					
Catawba Indian Nation	93,530	43,149	963	42,186	136,679
<b>SOUTH DAKOTA</b>					
Cheyenne River Sioux Tribe	339,920	104,129	2,181	101,948	444,049
Crow Creek Sioux Tribe	118,770	49,395	1,087	48,308	168,165
Flandreau Santee Sioux Tribe	46,437	31,493	730	30,763	77,930
Lower Brule Sioux Tribe	52,775	33,061	761	32,300	85,836
Oglala Sioux Tribe	1,436,822	375,611	7,605	368,006	1,812,433
Rosebud Sioux Tribe	641,489	178,767	3,672	175,095	820,256
Sisseton-Wapheton Sioux Tribe	139,421	54,507	1,189	53,318	193,928
Yankton Sioux Tribe	193,507	67,892	1,457	66,435	261,399
<b>TEXAS</b>					
Alabama-Coushatta Tribe	23,164	25,733	615	25,118	48,897
Ysleta Del Sur Pueblo	22,727	25,625	612	25,013	48,352
<b>UTAH</b>					
Paiute Indian Tribe	18,575	24,597	592	24,005	43,172
Ute Indian Tribe	161,055	59,861	1,296	58,565	220,916
<b>WASHINGTON</b>					
Confederated Tribes of Colville	134,395	53,263	1,165	52,098	187,658
Confederated Tribes of Yakima Indian Nation	566,425	160,189	3,301	156,888	726,614
Jamestown S'Kallam Tribe	111,340	47,557	1,051	46,506	158,897
Kalispel Tribe of Indians	8,632	22,136	543	21,593	30,768
Lower Elwha Tribal Council (Elwha)	110,794	47,421	1,048	46,373	158,215
Lummi Indian Nation	133,084	52,938	1,158	51,780	186,022
Makah Tribal Council	63,701	35,766	815	34,951	99,467

## FY 2001 CCDF TRIBAL ESTIMATES CHART

<u>TRIBE</u>	FY 2001 MANDATORY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY EARMARK ESTIMATE	FY 2001 DISCRETIONARY ESTIMATE AFTER EARMARK	TOTAL FY 2001 ESTIMATED CCDF FUNDING
Muckleshoot Indian Tribe	123,905	50,666	1,113	49,553	174,571
Nooksack Indian Tribe	41,302	30,222	704	29,518	71,524
Port Gamble S'Kallam Tribe	25,021	26,193	624	25,569	51,214
Puyallup Tribe of Indians	821,447	223,307	4,562	218,745	1,044,754
Quileute Tribal Council	19,121	24,732	595	24,137	43,853
Quinault Indian Nation	53,430	33,223	764	32,459	86,653
Samish Indian Tribe	10,489	22,596	552	22,044	33,085
Sauk Suiattle Indian Tribe	6,447	21,597	532	21,065	28,044
Skokomish Indian Tribe	50,808	32,574	751	31,823	83,382
South Puget Intertribal Planning Agency	238,851	139,115	1,681	137,434	377,966
Spokane Tribe of Indians	70,912	37,551	851	36,700	108,463
Stillaguamish Tribe	54,086	33,386	767	32,619	87,472
Suquamish Tribe	31,250	27,735	655	27,080	58,985
Swinomish Tribal Community	25,677	26,355	627	25,728	52,032
Tulalip Tribes	138,438	54,263	1,185	53,078	192,701
Upper Skagit Indian Tribe	18,029	24,462	589	23,873	42,491
<b>WISCONSIN</b>					
Bad River of Lake Superior Band	42,067	30,411	708	29,703	72,478
Forest County Potawatomi (Potawatomi Community)	48,076	31,898	738	31,160	79,974
Ho-Chunk Nation (Winnebago)	82,385	40,391	907	39,484	122,776
Lac Court Orielles	102,490	45,366	1,007	44,359	147,856
Lac Du Flambeau Chippewa	67,525	36,712	834	35,878	104,237
Menominee Indian Tribe of Wisconsin	179,958	64,539	1,390	63,149	244,497
Oneida Tribe	301,022	94,503	1,989	92,514	395,525
Red Cliff Band of Chippewas	56,708	34,035	780	33,255	90,743
Sokaogan Chippewa Community	11,801	22,921	558	22,363	34,722
St. Croix Chippewa Tribe	63,155	35,630	812	34,818	98,785
Stockbridge-Munsee Tribal Council	23,601	25,841	617	25,224	49,442
<b>WYOMING</b>					
Eastern Shoshone Tribe	73,862	38,281	865	37,416	112,143
Northern Arapaho Tribe	259,284	84,172	1,782	82,390	343,456

## FY 2001 CCDF TRIBAL ESTIMATES CHART

<u>TRIBE</u>	FY 2001 MANDATORY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY ALLOCATION ESTIMATE	FY 2001 ESTIMATED DISCRETIONARY EARMARK ESTIMATE	FY 2001 DISCRETIONARY ESTIMATE AFTER EARMARK	TOTAL FY 2001 ESTIMATED CCDF FUNDING
Other Tribal Organizations	-	2,000,000	-	2,000,000	2,000,000
<b>TOTALS</b>	<b>51,340,000</b>	<b>23,653,440</b>	<b>382,400</b>	<b>23,271,040</b>	<b>74,993,440</b>

\* The estimates in this chart are based on child counts used to determine FY 2000 awards. The final allocations, which will be based on updated FY 2001 child counts will be different.

\* The discretionary earmark is the amount of FY 2001 funds required to be spent on resource and referral and school-age care activities.

**Attachment C**

**CHILD COUNT DECLARATION**

Name of Tribal Lead Agency

\_\_\_\_\_

This certifies that the number of Indian children under age 13 (as defined in the CCDF section of the 102-477 plan) who reside on or near the reservation or service area (as defined in the CCDF section of the 102-477 plan) is: \_\_\_\_\_. (number)

This count shows the number of Indian children under age 13 as of \_\_\_\_\_. (date)

\_\_\_\_\_  
Signature of Person Authorized to Act for  
Tribal Lead Agency

## Attachment D

### Assurances and Certifications

The applicant Tribe or tribal consortium assures that:

- (1) Upon approval, it will have in effect a program that complies with the provisions of the Plan printed herein, and is administered in accordance with the Child Care and Development Block Grant Act of 1990, as amended, Section 418 of the Social Security Act, and all other applicable Federal laws and regulations. (658D(b), 658E(a), 98.15(a)(1))
- (2) The parent(s) of each eligible child within the Tribe or tribal service area who receives or is offered child care services for which financial assistance is provided is given the option either to enroll such child with a child care provider that has a grant or contract for the provision of the service or to receive a child care certificate. (658E(c)(2)(A)(i), 98.2, 98.30, 98.15(a)(2)) **[Exempt Tribal Lead Agencies are not required to operate certificate programs.]**
- (3) In cases in which the parent(s) elect(s) to enroll the child with a provider that has a grant or contract with the Lead Agency, the child will be enrolled with the eligible provider selected by the parent to the maximum extent practicable. (658E(c)(2)(A)(ii), 98.15(a)(3), 98.30)
- (4) The child care certificate offered to parents shall be of a value commensurate with the subsidy value of child care services provided under a grant or contract. (658E(c)(2)(A)(iii), 98.15(a)(4), 98.30) **[Exempt Tribal Lead Agencies are not required to operate certificate programs.]**
- (5) The Tribe, or tribal consortium, will coordinate, to the maximum extent feasible, with the Lead Agency(ies) in the State(s) in which the child care programs or activities will be carried out. (98.12, 98.14(a)&(b), 98.81(b)(3)(i), 98.82)
- (6) Tribal Child Care and Development Fund programs and activities will be carried out for the benefit of Indian children on an Indian reservation (except for Programs located in Alaska, California, or Oklahoma). (98.81(b)((3)(ii), 98.83(b)).
- (7) With respect to State and local regulatory requirements (or tribal regulatory requirements), health and safety requirements, payment rates, and registration requirements, State or local (or tribal) rules, procedures or other requirements promulgated for the purpose of the Child Care and Development Fund will not significantly restrict parental choice from among categories of care or types of providers. (658E(2)(A), 98.15(a)(5), 98.15(p), 98.30(e)&(f), 98.40(b)(2), 98.41(b), 98.43(d), 98.45(d))

The applicant Tribe or tribal consortium also certifies that:

- (1) It has procedures in place to ensure that providers of child care services for which assistance is provided under the Child Care and Development Fund afford parents unlimited access to their children and to the providers caring for their children during the normal hours of operation and whenever such children are in the care of such providers. (658E(c)(2)(B), 98.15(b)(1), 98.31)
- (2) It maintains a record of substantiated parental complaints and makes information regarding such complaints available to the public on request. (658E(c)(2)(C), 98.15(b)(2), 98.32)
- (3) It will collect and disseminate to parents of eligible children and the general public, consumer education information that will promote informed child care choices. (658E(c)(2)(D), 98.15(b)(3), 98.33)
- (4) There are in effect licensing requirements applicable to child care services provided within the State (or area served by the tribal Lead Agency), pursuant to §98.40. (98.15(b)(4), 98.40)
- (5) There are in effect, under tribal, local or State law, requirements designed to protect the health and safety of children; these requirements are applicable to child care providers that provide services for which assistance is made available under the Child Care and Development Fund. (658E(c)(2)(F), 98.15(b)(5), 98.41)
- (6) Procedures are in effect to ensure that child care providers that provide services for which assistance is provided under the Child Care and Development Fund comply with all applicable health and safety requirements. (658E(c)(2)(G), 98.15(b)(6), 98.41)
- (7) Payment rates under the Child Care and Development Fund for the provision of child care services will be sufficient to ensure equal access for eligible children to comparable child care services in the Tribe or tribal service area that are provided to children whose parents are not eligible to receive assistance under this program or under any other Federal or State child care assistance programs. (658E(c)(4)(A), 98.15(b)(7), 98.43)



## Attachment E

### CCDF Statutory and Regulatory Requirements That Will Not be Waived

The following are the Child Care and Development Fund (CCDF) statutory and regulatory requirements that will not be waived under a consolidated 102-477 plan.

- Grantees will coordinate, to the maximum extent feasible, with the Lead Agency(ies) in the State(s) in which the child care programs or activities will be carried out. (658O(c)(2)(A), 98.12, 98.14(a)&(b), 98.81(b)(3)(1), 98.82)
- Grantees must describe the results of the Lead Agency's coordination activities with agencies responsible for health (including the agency responsible for immunizations), education, employment services or workforce development, and the State TANF agency and/or tribal TANF agency – if the Tribe is operating its own TANF program. (98.14(a), 98.16(d))
- With the exception of applicants located in Alaska, California, or Oklahoma, CCDF programs and activities will be carried out for the benefit of Indian children on Indian reservations. (658O(c)(2)(B), 98.81(b)(3)(ii), 98.83(b))
- Applicants must demonstrate the administrative capability to successfully administer the proposed program in their initial plan. (658O(c)(3)(B))
- Grants and/or contracts are limited to a period of no more than 3 years. (658O(c)(4))
- Funds may not be used for the purchase or improvement of land. (658F(b)(1), 98.54(b)(1))
- Funds may not be used to pay for tuition or to contract for sectarian activities including worship or instruction. (658M, 98.54(c)&(d))
- Applicants must assure they will comply with provisions regarding a drug-free workplace, nondiscrimination, section 504 of the Rehabilitation Act of 1973, Education Amendments, and Age Discrimination Act of 1975, as amended at 45 CFR part 91. (98.13(b)(5))

Note: Since these certifications and assurances are required as part of the consolidated 102-477 plan, they do not need to be submitted with the CCDF application.

- At least one public hearing must be held by Tribes to allow for public comment. (98.14(c))
- Grantees shall establish, and periodically revise a sliding fee scale(s) that provides for cost sharing by families, and is based on income and family size. Grantees may waive contributions and may apply different sliding fee scales. (658E(c)(5), 98.42)
- There are in effect, under tribal, local or State law, requirements designed to protect the health and safety of children that are applicable to child care providers of services for which CCDF assistance is provided. These requirements shall include the prevention and control of infectious diseases (including immunizations); building and physical premises safety; and minimum health and safety training appropriate to the provider setting. (98.41(a))

- Grantees must submit a request to the Secretary of the Department of Health and Human Services to use funds for construction and renovation purposes. (658O(c)(6)(C), 98.84(a)&(b))
- Grantees are not permitted to use amounts for construction or renovation purposes if such use will result in a decrease in the level of services provided by the grantee in the preceding fiscal year. (658O(c)(6)(C), 98.84(b)(3))