

**Office of Family Assistance, ACF, HHS**

**§ 287.1**

102-477 plan is required to comply with the TANF data collection and reporting requirements of this section.

(b) A Tribe that consolidates its Tribal TANF program into a Public-Law 102-477 plan may submit the Tribal TANF Data Reports and the Tribal TANF Financial Report to the BIA, with a copy to us.

**PART 287—THE NATIVE EMPLOYMENT WORKS (NEW) PROGRAM**

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AUTHORITY: 42 U.S.C. 612.

SOURCE: 65 FR 8554, Feb. 18, 2000, unless otherwise noted.

**Subpart A—General NEW Provisions**

**§ 287.1 What does this part cover?**

(a) The regulations in this part prescribe the rules for implementing section 412(a)(2) of the Social Security Act (the Act), as amended by the Personal

## § 287.5

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Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Pub. L. 104-193) and the Balanced Budget Act of 1997 (Pub. L. 105-33).

(b) Section 412(a)(2) of the Act, as amended, authorizes the Secretary to issue grants to eligible Indian tribes to operate a program that makes work activities available to “such population and such service area or areas as the tribe specifies.”

(c) We call this Tribal work activities program the Native Employment Works (NEW) program.

(d) These regulations specify the Tribes who are eligible to receive NEW Program funding. They also prescribe requirements for: funding; program plan development and approval; program design and operation; and data collection and reporting.

### § 287.5 What is the purpose and scope of the NEW Program?

The purpose of the NEW Program is to provide eligible Indian tribes, including Alaska Native organizations, the opportunity to provide work activities and services to their needy clients.

### § 287.10 What definitions apply to this part?

The following definitions apply to this part:

*ACF* means the Administration for Children and Families;

*Act* means the Social Security Act, unless we specify otherwise;

*Alaska Native organization* means an Alaska Native village, or regional or village corporation, as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 *et seq.*), that is eligible to operate a Federal program under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450);

*Consortium* means a group of Tribes working together for the same identified purpose and receiving combined NEW funding for that purpose.

*Department* means the Department of Health and Human Services;

*Division of Tribal Services (DTS)* means the unit in the Office of Community Services within the Department’s Administration for Children and Families that has as its primary responsibility the administration of the Tribal family

assistance program, called the Tribal Temporary Assistance for Needy Families (TANF) program, and the Tribal work program, called the Native Employment Works (NEW) program, as authorized by section 412(a);

*Eligible Indian tribe* means an Indian tribe, a consortium of Indian tribes, or an Alaska Native organization that operated a Tribal Job Opportunities and Basic Skills Training (JOBS) program in fiscal year 1995 under section 482(i) of the Act, as in effect during that fiscal year;

*Fiscal year* means the 12-month period beginning on October 1 of the preceding calendar year and ending on September 30;

*FY* means fiscal year;

*Indian, Indian tribe, and Tribal organization*—The terms Indian, Indian tribe, and Tribal organization have the meaning given such terms by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b);

*Native Employment Works Program* means the Tribal work program under section 412(a)(2) of the Act;

*NEW* means the Native Employment Works Program;

*Program Year* means, for the NEW Program, the 12-month period beginning on July 1 of the calendar year and ending on June 30;

*PRWORA* means the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193;

*Public Law 102-477* refers to the Indian Employment, Training and Related Services Demonstration Act of 1992, whose purpose is to provide for the integration of employment, training and related services to improve the effectiveness of those services;

*Secretary* means the Secretary of the Department of Health and Human Services;

*State* means, except as otherwise specifically provided, the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa;

*TANF* means the Temporary Assistance for Needy Families Program;

*Temporary Assistance for Needy Families Program* means a family assistance grant program operated either by a