

### **U.S. Department of Justice**

Office of the Chief Information Officer

Washington, D.C. 20530
Federal Bureau of Investigation     Date:
Dear martine and the second
The Department of Justice (DOJ), CJIS Systems Officer (CSO) is submitting a request on behalf of the <b>Section</b> – Human Resources Department to be granted an Originating Agency Identifier (ORI) by FBI CJIS. I have reviewed the below documentation and believe it is sufficient to grant the issuance of a limited access ORI under the legal authority of Public Law 101-630, 25 U.S.C. §3207. This ORI will be used specifically for the fingerprint based background screening of employees, prospective employees, and volunteers in a position that involves regular contact with or control over Indian children.
To support this request, please find the attached documentation as submitted by the the <b>experiment</b> – Human Resources Department
<ul> <li>Attachment 1 - Resolution #2017-110 Indian Business Council Adoption and Implement the Tribal Access Program when Conducting Background Checks with the Attachment #2 - Resolution #1013-54 Adoption of Amendments to Section 706 Background Checks of Indian Business Council Human Resources Personnel Policy Manual</li> <li>Attachment #3 - Tribal Policy 706-Background Checks</li> </ul>
– Human Resources Department contact information:
, Employee Relations Officer
Phone: Email:

Upon issuance of the ORI, please provide the ORI number to me in an official communication. Should you have any additional questions, please contact and at tribalaccess@usdoj.gov.

Respectfully,

Michael Roosa Assistant Director, Law Enforcement Services CJIS Systems Officer Department of Justice/JMD/OCIO



## Department of Justice *Tribal Access Program* DOCUMENT SUBMISSION Indian Business Council Human Resources Department

# All Non-Criminal Justice Agencies:

Attachment #1	List of Agency Users-Human Resources Department
Attachment #2	Resolution #2017-110 Indian Business Council Adoption and Implement the Tribal Access Program When Conducting Background Checks within the
Attachment #3	HR role Statement letter regarding employment Background Checks
Attachment #4	Resolution #2013-054 Adoption of Amendments to Section 706 Background Checks of the <b>Example</b> Indian Business Council Human Resources Personnel Policy Manual.
Attachment #5	Proof that the tribe receives funds under the Indian Self Determination and Education Assistance Act, Title 25, United States Code (U.S.C.), Section 450 et seq. or the Tribally Controlled Schools Act of 1988, 25 U.S.C. 2501 et seq. 2005-007 Resolution 2005-007 Tribal Government and Indian Education Policy
Attachment #6	Tribal Policy- Screening Requirements for Individuals Users Accessing Criminal Justice Information through the US DOJ CHI
Attachment #7	Proof that the agency is an official tribal governmental agency Multi Year Funding Agreement for 2016-2020 between The and the United States of America
Attachment #8	Tribal Access program Check Off List

Attachment 1 - Resolution #2017-110 Indian Business Council Adoption and Implement the Tribal Access Program when Conducting Background Checks with the

# **RESOLUTION #2017-110 OF THE INDIAN BUSINESS COUNCIL**

TITLE: Adopt and Implement the Tribal Access Program When Conducting Background Checks within the

WHEREAS, the Indian Business Council ( is the duly constituted governing body of the by the authority of the Constitution and Bylaws, as amended, of the Tribe of the ; and

WHEREAS, Article VI, Section 1, of the **Constitution** grants the **Constitution** grants the **Constitution** the authority to adopt resolutions regulating tribal officials and to negotiate with the Federal government; and

WHEREAS, it is the mission of the "To Preserve, Promote and Protect our Sche Lang en" (Resolution #2012-025); and

WHEREAS, Title 9 of the Code of Laws (code requires the Chief of Police to be responsible to the code and to coordinate with Federal officials whenever appropriate in promoting law enforcement on the reservation; and

WHEREAS, LCL Title 5 requires the Chief of Police to register and assess the threat level of sex offenders; and

WHEREAS, the Child Welfare Service is required to conduct background checks of all persons caring for a child who is temporarily or court ordered to be in the care of the and

WHEREAS, the has established this background criteria by the adoption of Human Resources Policy 706 (Category 3) pursuant to Resolution 2013-054, that requires all employees in or applicants for positions that involving regular contact with, or control over, Indian Children meet the Indian Child Protection and Family Violence Prevention Act of 2016 and Federal background check requirements of the PL 101-630 codified as 25 USC 3207; and

WHEREAS, the US Department of Justice is offering a small number of federally recognized tribes the opportunity to qualify for participation in their Tribal Access Program, to receive federal crime data on individuals; and

WHEREAS, the programs are required by federal laws and regulations to conduct background checks on employees and other individuals with control over Indian Children.

NOW, THEREFORE BE IT RESOLVED, the herby finds that ensuring the safety of Children, Elders, and the community is essential to the security of the safety and will be enhanced by the security of the Police Department's participation in the Tribal Access Program; and

BE IT FURTHER RESOLVED, that the Chief of Police and Office of Reservation Attorney are directed to complete the application process to seek permission of the US Department of Justice to participate in the Tribal Access Program; and

BE IT FURTHER RESOLVED, that the Chief of Police and General Manager are designated as the Primary and Secondary point of contact, respectively, for the US Department of Justice, and both are delegated the responsibility to develop policies for the and the rest of the government, and to ensure that the and all and all entities comply with the regulations and policies for receiving and disseminating federal criminal background information; and

BE IT FURTHER RESOLVED, that the Treasurer is directed to allocate funds for payment of fees associated with ongoing access and maintenance of the Tribal Access Program terminal; and

BE IT FURTHER RESOLVED, that the Chairman (or Vice Chair in his absence) is hereby authorized and directed to execute the necessary agreements with the Federal Bureau of Investigation Criminal Justice Information Services Division, to gain access for the Tribal Access Program; and

BE IT FINALLY RESOLVED, that the Chairman (or Vice Chair in his absence) is hereby authorized and directed to execute this resolution and any documents connected therewith, and the Secretary (or the Recording Secretary in his absence) is authorized and directed to execute the following certification.



## CERTIFICATION

As Secretary of the Indian Business Council, I hereby certify that the above Resolution #2017-110 was adopted at a Regular/Special Meeting of the Council held on the 22<sup>nd</sup> day of August, 2017, at which time a quorum of 11 was present by a vote of 10 for, 0 against, and 0 abstention(s).



# To be completed by Originator:

Clearances	Initial	Date	Comments	Resolution # 2017-110 Agenda Date: 8/22/17			Date: 8/22/17	
Originator	۸Å	5/16		Title: To Adopt and Implement the Tribal Access Program When Conducting Background Checks Within the				
Res. Attorney				Name of Presenter:				
Department Director		8/21		Financial impact (if yes please attach Executive Summary):Budgeted item: Y# of Pages Attached 3			Attached: 3	
Cultural Department			5 81	Distribution (departments or individuals who will need a copy of the certified resolution Circle all that apply):				eed a copy of
CBC Chairperson		8/211		Planning		onomic elopment	Natural Resources	Education
General Manager		Stri		Human Resources	2 V	ervation orney's	CFO	Council Officers
Treasurer (	1	8721		Seneral Manager	Othe 11.T	Cam <u>miss</u>	s~ N	lelfare
Chair or Vice Chair	K	8/21		Date / Name of Person Dropping Off at C.O.		J J-		
Please give a b	rief nari	rative o	fyour agenda item: <u>Ta</u> 1 Access Progra	s obtain.	acc	ass to	the D	epertment
			leted the Action form assuri tions also; "Sign here" tabs f					
Signature of Department: Date & Time 8/22/17 Signature Received by: Date & Time 8/22/17								
Signature Recei	ved by			Date & Time_	8	122/1	7	
To be complet	ted by Co	ouncil O	perations staff:					
Council Follow	v Up							
Specifically:				Datasstately				
Timeline:			·····	Delegate(s):				

Attachment #2 - Resolution #1013-54 Adoption of Amendments to Section 706 Background Checks of Indian Business Council Human Resources Personnel Policy Manual

### **RESOLUTION #2013-054 OF THE**

### INDIAN BUSINESS COUNCIL

TITLE: Adoption of Amendments to Section 706 Background Checks of the Indian Business Council Human Resources Personnel Policy Manual.

WHEREAS, the Indian Business Council is the duly constituted governing body of the Indian Reservation by the authority of the Constitution and By-laws of the Tribe of the Indian Reservation by the authority of the Constitution and By-laws of the Indian Reservation by the authority of the Constitution and By-laws of the Indian Reservation by the authority of the Constitution and By-laws of the Indian Reservation by the authority of the Constitution and By-laws of the Indian Reservation by the Indian Reservation by the authority of the Constitution and By-laws of the Indian Reservation by the Indian Reservation

WHEREAS, under Article VI Sec. 1 of the Constitution, the base has the power and duty to protect and promote the health and education of the people; and

WHEREAS, under Article VI Sec. 1 of the Constitution, the has the power and duty to administer all tribal property and assets; and

WHEREAS, in Resolution 2004-150, the LIBC directed the Human Resources Director to form a committee to review the Indian Business Council Human Resources Personnel Policy Manual and work within a consensus model to recommend changes to the Indian Business Council Human Resources Personnel Policy Manual; and

WHEREAS, the review committee formed by the Human Resources Director has reviewed and drafted amendments to Section 706 Background Checks; and

WHEREAS, the committee hereby recommends to the state adoption by the state of the attached proposed amendments to Section 706 Background Checks of the state Indian Business Council Human Resources Personnel Policy Manual.

NOW THEREFORE BE IT RESOLVED, that the the hereby adopts the attached proposed amendments to Section 706 Background Checks of the **section** Indian Business Council Human Resources Personnel Policy Manual to be effective the date this Resolution is approved; and

**BE IT FINALLY RESOLVED**, that the Chairman (or Vice Chair in his absence) is hereby authorized and directed to execute this resolution and any documents connected therewith, and the Secretary (or the Recording Secretary in his absence) is authorized and directed to execute the following certification.



### CERTIFICATION

As Secretary of the solution. Indian Business Council, I hereby certify that the above Resolution #2013-054 was adopted at a Regular/Special Meeting of the Council held on the 7<sup>th</sup> day of <u>May</u>, 2013, at which time a quorum of <u>10</u> was present by a vote of <u>9</u> for, <u>0</u> against, and <u>0</u> abstention(s).





### To be completed by Originator:

Clearances	Initial	Date	Comments	Resolution # 2013-054 Agenda Date: 4/2/13			)ate: 4/2/13	
Originator		3 27		Title: Adoption of Amendments to Section 706 Background Checks of the Indian Business Council Human Resources Personnel Policy Manual.				
Res. Attorney		5 21 3		Name of Presenter:				
Department Director		3/27		Financial impact (If yes please attach Executive Summary):       Budgeted item: Y <n< td="">       # of Attachments:         Distribution (departments or individuals who will need a cop of the certified resolution Circle all that apply):</n<>				
Cultural Department		3.27B						
CBC Chairperson				Planning	Economic Development	Natural Resources	Education	
General Manager		balis		Human Resources	Reservation Attorney's	CFO	Council Officers	
Treasurer		4613		General Manager	Other:			
Chair or Vice Chair								

Please give a brief narrative of your agenda item:

Human Resources Personnel Policy revisions on Section 706 Background Checks

By signing below, I have completed the Action form assuring that there is approval from all listed parties before submitting it to Council Operations also; "Sign here" tabs have also been placed in all areas in need of signature.

Signature of Department

Signature Received by:

naital ....

Date & Time\_C P01:43

Date & Time\_\_\_

To be completed by Council Operations staff:

Council Follow Up	
Specifically:	
Timeline:	Delegate(s):

Resolution 2013-054

Attachment #3 - Tribal Policy 706-Background Checks

## 706 Background Checks

Effective Date: 05/06/08

Applicants and employees within the subject to background checks in order to protect the people and assets of the subject to background checks in

All positions within the **state** shall be placed into one of the following categories which determines whether a background check is necessary, what information in a background check would disqualify someone from potential or ongoing employment and how often the background check shall be conducted. If **state** agencies licensed by other jurisdictions have employment criteria more restrictive than those detailed in this policy, the more restrictive criteria shall apply to employees working within these agencies.

Categories:

- 1. Warrants and outstanding debt check
- 2. Driving Required
- 3. Public Trust
- 4. High Public Trust
- 5. Regular Contract or Control Over Children
- 6. Law Enforcement

An applicant must undergo a background check prior to being hired into any position for which such a check is required. Such checks shall also be performed periodically during ongoing employment based on the category requirements. If a pre-employment background check shows that the applicant is not eligible for the position, they may not be hired. If a pre-employment background check shows that the applicant check shows that the applicant has criminal charges pending, a decision regarding their suitability for employment shall be made on a case-by-case basis by the Department Director and the Human Resources Director.

If a background check on a current employee shows that the employee is not eligible for the position they occupy, they shall be terminated immediately (unless accommodation can be reached by amending job duties). If an employee is arrested or charged with a criminal offense during employment, they shall report the arrest or charges in writing to their immediate supervisor who shall then forward this notice to the Department Director and the Human Resources Department. Failure to report a criminal charge shall be cause for termination. Further, if the Human Resources Department has good cause to believe an employee has a criminal charge or conviction which the Human Resources Department does not have documented, the Human Human Resources Department shall conduct a background check outside of the normal timeframes.

Depending on the position applied for or held, background checks may include any federal, state or tribal records including, but not limited to: both adult and juvenile

(where applicable) criminal histories, as well as vulnerable population abuse and neglect reporting records. Minor applicants or employees shall be subject to this policy's requirements if they work with children, in law enforcement or in the "High Public Trust" category. Further, adults 28 years of age or younger who work with children, in law enforcement or in the "High Public Trust" category shall have their juvenile records examined as part of any background check. Juvenile records that are sealed or otherwise held confidential shall not be examined in any background check. Adults over 28 years of age shall not have any juvenile records examined.

In addition to the automatic disqualifiers from employment, applicants for positions requiring background checks shall also be screened for "suitability." A suitability screening will be based on an applicant's background check and may determine that an applicant is not suitable for a position even if they are not automatically disqualified. Suitability screening shall be performed with objective screen worksheets. This criteria shall be supplied to applicants upon request.

If an applicant or employee is determined to be ineligible or unsuitable due to criminal history, and the ineligibility is not mandated by law, the direct supervisor, the Department Director and the Human Resources Director may agree to amend the position's job duties to accommodate the applicant or employee.

## Background Check Categories and Criteria for Employees

### Category 1: Warrants and Outstanding Debt Investigation

All employees shall be subject to a background check as to whether they have any outstanding warrants (from any jurisdiction) or past-due debt to the **Section** Outstanding warrants and past-due debt to the **Section** shall disqualify an individual from employment until the warrants are cleared or the debts eliminated or payback arrangements made. The warrant and outstanding debt check shall be performed in addition to any other background checks required.

### Category 2: Driving Required

A. <u>Driving Required Regularly</u>: Applicable to all employees in positions where driving is required on a regular basis.

Applicants and employees whose position is in the Driving Required Regularly category will be disqualified from employment if they have been convicted, plead guilty or plead "no contest" to driving under the influence (DUI) or been found responsible for "implied consent" within the previous five (5) years.

B. <u>Driving Required Occasionally</u>: Applicable to all employees in positions where driving is required occasionally.

### **Current Policy**

Applicants and employees whose position is in the Driving Required Occasionally category will be disqualified from employment if they have been convicted, plead guilty or plead "no contest" to driving under the influence (DUI) or been found responsible for "implied consent" within the previous two (2) years.

Any applicant or employee whose position requires either occasional or regular driving must be eligible for driving insurance under the **second** s insurance policy.

### Category 3: Public Trust

Applicable to employees with access to non-medical or juvenile justice related confidential records; employees with access to tribal financial data; employees who operate heavy machinery as part of their job duties.

Applicants and employees in the Public Trust category shall not be eligible for employment if they have been convicted, plead guilty or plead "no contest" within the previous two (2) years of any crime of moral turpitude or any drug related crime. An employee's background will be checked at the time of hire and every five (5) years thereafter.

### Category 4: High Public Trust

Applicable to employees who have access to cash (or cash equivalents) or checks; prescription drugs; medical records; children's/juvenile records; or who have regular contact with elders or vulnerable adults.

Applicants and employees in the High Public Trust category shall not be eligible for employment if they have been convicted, plead guilty or plead "no contest" within the previous ten (10) years to a felonious crime against a person, a crime of moral turpitude or a drug offense more serious than possession, or if they have been convicted, plead guilty or plead "no contest" within the previous five (5) years to a misdemeanor crime against a person, a crime of moral turpitude or any drug related crime.

Applicants and employees who work with vulnerable adults may not have had a founded report of abuse or neglect within an adult protective services system within the previous five (5) years.

An employee's background will be checked at the time of hire and every three (3) years thereafter.

# <u>Category 5: Regular Contact or Control over Children</u> Applicable to all employees who have regular contact or control over children (this includes law enforcement officials).

Applicants and employees with regular contact or control over children shall not be eligible for employment if they have been found guilty of, or entered a plea of no contest or guilt to, any felonious offense, or any two (2) or more misdemeanor offenses under Federal, State, or Tribal law involving crimes of violence; sexual assault, molestation, exploitation, contact or prostitution; crimes against persons; or offenses committed against children (25 U.S.C. 3207(b)).

Applicants and employees with regular contact or control over children will be ineligible for employment if they have had a founded report of abuse or neglect within a child protective services reporting system within the previous five (5) years.

An employee's background will be checked at the time of hire and on an annual basis.

Category 6: Law Enforcement Officials Applicable to all commissioned or certified law enforcement officials.

Law Enforcement Officials shall be disqualified from employment:

- if they have been convicted in any court of a crime punishable by imprisonment for a term exceeding one (1) year;
- (2) if they are a fugitive from justice;
- (3) if they are an unlawful user of or addicted to any controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));
- (4) if they have been adjudicated as a mental defective or who has been committed to a mental institution;
- (5) if they are an alien
  - (A) who is illegally or unlawfully in the United States; or
  - (B) except as provided in subsection (y)(2), who has been admitted to the United States under a non-immigrant visa (as that term is defined in section 101(a)(26) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(26));
- (6) If they have been discharged from the Armed Forces under dishonorable conditions;
- (7) If, having been a citizen of the United States, has renounced citizenship;
- (8) if they are subject to a court order that

## Current Policy

- (A) was issued after a hearing of which such person received actual notice, and at which such person had an opportunity to participate;
- (B) restrains such person from harassing, stalking, or threatening an intimate partner of such person or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child;
- (C) (i) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or (ii) by its terms explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury

(9) If they have been convicted in any court of a misdemeanor crime of domestic violence.

(All of the above disqualifiers are mandated by the "Brady Bill" -18 U.S.C. §922)

An Employee's background will be checked at the time of hire and every three (3) years thereafter.

### Juvenile Background Checks

- A. Juveniles who work with other juveniles, vulnerable adults, or in law enforcement shall have their entire juvenile history reviewed and shall be subject to the same disqualifying criteria as adults working in these fields.
- B. Juveniles who do not work with other juveniles, vulnerable adults or in law enforcement shall not be subject to either pre-employment or ongoing background checks.
- C. Adults who work with vulnerable adults, children or in law enforcement shall have their juvenile records included in all background checks until they reach 28 years of age.

### **Emergency Hiring**

Temporary employees normally shall be subject to background checks prior to beginning employment. However, in exceptional circumstances, temporary employees may be hired on an emergency basis without a background check being performed with written approval from the Human Resources Director and the **Sector** General Manager. No individuals who work in law enforcement or who work with children or vulnerable adults are eligible to be hired on an emergency basis.

## **Initial Implementation**

All provisions of this policy will be immediately effective upon its adoption. If, however, an initial background check on an individual employed prior to this policy's adoption reveals information that would otherwise make them ineligible or unsuitable for employment, their eligibility and suitability for employment shall be examined on a case-by-case basis by their Department Director, the state General Manager and the Human Resources Director. However, there shall be no exceptions allowed regarding the policy's eligibility rules related to children, vulnerable adults and law enforcement.

## **Highlight of Changes**

## 706 Background Checks

- Went from 5 categories to the 4 categories below:
  - Category 1 Warrant, Driving and Debt Check
    - This section all we added was the driving (and it is only checked it if is required). And added that the background will be checked at the time of hire and every 3 years thereafter.
  - o Category 2 Public Trust (split into 2 levels):
    - (A) requires the public to trust you
      - Went from 10 years of a felony crime and 5 years of a misdemeanor crime to 2 years of a theft, crime of dishonest, theft or any drug crime.
    - (B) requires regular contact with the public
      - Went from 10 years of a felony crime and 5 years of a misdemeanor crime of moral turpitude and drug crimes to 5 years of a felony crime and 3 years of a misdemeanor
        - Crime of violence
        - Crime against a person
        - Crimes of dishonesty
        - Theft
      - Still includes drug related crimes
    - Included that if working with elders or vulnerable adults they cannot have a founded report in an adult protect services agency in the last 5 years.
  - Category 3 Regular Contact w/Children
    - Most of this section remained unchanged due to Public Law 101-630. Only added that you cannot have any misdemeanor drug related crime in the last 3 years or one misdemeanor crime of violence/crime against a person in the last 3 years.
  - Category 4 Law Enforcement
    - This section remained unchanged due to the Brady Bill.
- Juvenile Checks
  - Changed to require that juveniles working with children, elders or vulnerable adults and in law enforcement get their background checked same as adults.
  - If they don't work with children, elders or vulnerable adults or in law enforcement they may only be subject to the Category 1 check.
- Adding an Appeals Board Process

Attachment #4 - Proof that Tribe receives funding pursuant to P.L 93-638

### MULTI-YEAR FUNDING AGREEMENT FOR 2016 - 2020

### BETWEEN

AND

### THE UNITED STATES OF AMERICA

### Section 1

**Negotiated Agreement** - Pursuant to Title IV of P.L. 93-638 as amended, the **Secretary** (herein referred to as Tribe), and the United States of America, through the Secretary of the Interior (herein referred to as the Secretary) have negotiated the following Agreement for the assumption of responsibilities by the Tribe for the various programs, services, functions, and activities (PSFAs) as specified in this Agreement. This Agreement includes programs which are funded by or flow through the Bureau of Indian Affairs (herein referred to as BIA) for the benefit of the Tribe.

#### Section 2

**Programs, Services, Functions, and Activities Assumed By the Tribe** - The Tribe agrees to assume responsibility for the implementation of the programs identified in the attached REPROGRAMMING REQUEST for which funds are transferred to the Tribe. The Tribe's Budget Categories listed below specify the programs for which program responsibilities are assumed. The Tribe has broad authority to consolidate and redesign the programs and to reallocate funding between programs without further approval from the Secretary unless otherwise indicated in this Agreement.

A. Government and administration

- 1. Administrative Direction
- 2. Tribal Courts
- 3. Aid to Tribal Government
- 4. Law Enforcement
- 5. Corrections
- B. Business and Economic Development
  - 1. Tribal Business Enterprise Development

- C. Natural Resource Development
  - 1. Forestry Management
  - 2. Fisheries management/Enforcement
  - 3. Fisheries/Aquaculture Production
  - 4. Habitat Protection
  - 5. Water Resources
  - 6. Wildlife Management
- **D. Social and Human Services** 
  - 1. Social Service Management
  - 2. Social Service Programs
  - 3. Welfare Assistance
  - 4. Education (Scholarships, Adult Education)
  - 5. Employment
  - 6. Housing

### Section 3

**Special Projects or Earmarked Programs, Services, Functions, and Activities** - The Tribe is not authorized to redesign or to reallocate funds provided through this Agreement for PSFAs which are subject to special restriction imposed by statute or which are awarded to the Tribe based on a competition or a special identified need. The amounts identified for these special projects or earmarked PSFAs are the best estimates at the time of negotiation and are subject to adjustment based on actual award, selection of project, or distribution methodology used by the Secretary, provided self-governance Tribes, other Tribes, and BIA agencies are treated similarly. Non-recurring PSFA funds are provided on a one-time basis for this year only.

The BIA's Reprogramming documents and OSG's Authority to Obligate (ATO) award documents will identify funds that are awarded on a one-time-only basis and are not guaranteed to be funded in subsequent fiscal year(s). The following programs which meet this criteria are included in this Agreement:

Specific Construction Projects Wildland Fire Preparedness Litigation Support Water Management, Planning and Pre-Development Tribal Transportation Program (Indian Reservation Roads) Tribal Transportation Planning

Other funds not identified in this section may be separately negotiated and included in this Agreement as provided for in Section 8.

### Section 21

**Reporting Requests** – The Tribe agrees to provide applicable data and information to the BIA Northwest Regional Office pursuant to the Government Performance and Results Act of 1993 (P.L. 103-62). Before providing such information, the Tribe will work with its respective Regional Office GPRA Coordinator to determine applicable data and information needed to meet the requirements pursuant to the Act.

### Section 22

**Programs Involving Contact With Children** – As mandated by the Indian Child Protection and Family Violence Prevention Act (P.L. 101-630), prior to being authorized to perform services, functions and activities that involve regular contact with or control over Indian children, Tribal program staff and volunteers must be favorably screened and a final favorable suitability determination issued. Minimum standards of character must be established and implemented in accordance with 25 CFR Part 63.

