Who Runs the Clinic?

Tribal self-government and federal programs

USG.C.3.6.C "Explain how Tribal governments exercise powers of self-government and participate in federal programs through legislation that allows Tribes to contract or compact with the federal government to administer services and programs..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline decisions the Tribal government can make, and circle the federal government's continuing roles. Use your marks to trace how both governments participate in the program.

A Clinic Run by the Tribe

1. Imagine a clinic where patients ask for evening appointments because many work during the day. The clinic serves members of a Tribal nation, a government with authority to make decisions for its community. The Indian Health Service, a federal agency, has long provided health services to many Tribal communities. But a federal agency does not have to run every local program itself. Under federal law, a Tribal government can take responsibility for operating certain federally funded services. That shift changes who makes many day-to-day decisions, even though the services remain connected to a federal program.

2. The Indian Self-Determination and Education Assistance Act provides a way for Tribes to do this. A Tribe may enter a contract with the federal government to administer a program the agency otherwise would run. Under self-governance provisions of the law, eligible Tribes may instead negotiate compacts and related funding agreements for broader control of covered programs. The agreements set out the work and federal funds involved. For a clinic program, the Tribal government might decide staffing and appointment hours to meet local needs. The Tribe is not simply offering advice to an agency. It is exercising governing authority by managing services.

3. Operating a program does not mean that the federal government disappears. It provides funding under the agreement and retains responsibilities under federal law, including its trust responsibilities to Tribes. The Tribe must use program funds according to the agreement and applicable law. Suppose the Tribal government extends the clinic's hours after hearing from patients. That choice shows self-government in action: local leaders direct how a public service operates. The contract or compact also shows participation in a federal program: federal resources support services administered by the Tribe. Both roles can exist at the same time.

2 ANSWER WITH EVIDENCE

Use the passage

1. How does a contract change the Tribal government's role in a program a federal agency otherwise would run?

2. What option does the law give eligible Tribes that can provide broader control than a contract?

3. Why would changing the clinic's hours be an example of self-government?

4. A person says, "If the Tribe runs the clinic program, it is no longer part of a federal program." How does the passage challenge that claim?

3 YOUR TURN

Your own words

A Tribal community wants a federally funded education program previously run by a federal agency to offer weekend tutoring. In 4 to 5 sentences, explain how the Tribal government could take a role in running the program, what decision it might make, and what federal role would remain.

ANSWER KEY

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HIGH SCHOOL · USG.C.3.6.C

PART 1 · READ AND MARK

Underline decisions the Tribal government can make, and circle the federal government's continuing roles. Use your marks to trace how both governments participate in the program. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How does a contract change the Tribal government's role in a program a federal agency otherwise would run?	**The Tribe takes responsibility for administering the program and makes operating decisions rather than only advising the federal agency.**
2	What option does the law give eligible Tribes that can provide broader control than a contract?	**Eligible Tribes may negotiate self-governance compacts and related funding agreements for broader control of covered programs.**
3	Why would changing the clinic's hours be an example of self-government?	**Tribal leaders would be directing how a service operates in response to patients' local needs.**
4	A person says, "If the Tribe runs the clinic program, it is no longer part of a federal program." How does the passage challenge that claim?	**The federal government still provides funds under the agreement and retains legal responsibilities. The Tribe administers the service while following the agreement and applicable law.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

Under the Indian Self-Determination and Education Assistance Act, the Tribal government could seek a contract to administer an eligible education program that a federal agency previously ran. Tribal leaders could schedule weekend tutoring in response to families' needs. The federal government would provide funds under the agreement and keep its legal responsibilities. The Tribe would manage the service while following the agreement and applicable law.

Accept a contract or, if the student notes eligibility, a self-governance compact. Responses should distinguish a Tribal decision about services from the federal government's continuing funding and legal roles.