

APA-1

TRANSMITTAL SHEET FOR NOTICE
OF INTENDED ACTION

Control: 475

Department or Agency: Alabama Indian Affairs Commission

Rule No.: Chapter 475-X-2

Rule Title: Grants to State-Recognized Tribes

Intended Action New

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? No

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

.....

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Charles B Mask

Charles Barrett Mask

Date

Friday, July 24, 2026

REC'D & FILED

JUL 31, 2026

LEGISLATIVE SVC AGENCY

ALABAMA INDIAN AFFAIRS COMMISSION

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Indian Affairs Commission

RULE NO. & TITLE: Chapter 475-X-2 Grants to State-Recognized Tribes

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:
Rules and procedures relating to State Funded Grants to Tribes

TIME, PLACE AND MANNER OF PRESENTING VIEWS:
771 S. Lawrence St. Suite 106 Montgomery, Alabama 36106
charles.mask@aiac.alabama.gov 334-240-0998

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Friday, October 9, 2026

CONTACT PERSON AT AGENCY:
Charles B. Mask 334-240-0998

Charles B Mask

Charles Barrett Mask

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

**ALABAMA INDIAN AFFAIRS COMMISSION
ADMINISTRATIVE CODE**

**CHAPTER 475-X-2
GRANTS TO STATE-RECOGNIZED TRIBES**

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475-X-2-.01 Findings.

The Alabama Indian Affairs Commission finds and declares that providing grants to State-recognized tribes, whether as a passthrough in the case of Legislature-directed grants, or as an affirmative program of the Commission in the form of AIAC-approved grants, is consistent with the Commission's purpose.

Author: AIAC

Statutory Authority: Alabama Code 41-9-708

History: New Rule: Published _____; effective _____.

Penalty: None

475-X-2-.02 Types of Grants.

(1) *Legislature-directed grants.* The Commission will provide a grant to a State-recognized tribe when the Alabama Legislature provides for the grant as a line item in the Commission's budget. This type of grant is a Legislature-directed grant.

(2) *AIAC-approved grants.* When the Commission has funds in its budget available for grants to State-recognized tribes that have not been directed by the Legislature, the

Commission may make grants to the State-recognized tribes. This type of grant is an AIAC-approved grant.

Author: AIAC

Statutory Authority: Alabama Code 41-9-708

History: New Rule: Published _____; effective _____.

Penalty: None

475-X-2-.03 Legislature-Directed Grants.

(1) Based on the Legislature's direction, the Executive Director shall facilitate payment pursuant to the applicable grant procedures set out in Rule 475-X-2-.08. No grant proposal or vote of the Commission is needed.

(2) Legislature-directed grants shall be in the amount set by the Alabama Legislature, except in the event of proration. If, pursuant to Ala. Code § 41-4-90, the Governor declares proration before the grant is paid, the Executive Director shall reduce the grant amount in compliance with the Governor's declaration. Each Tribal Grant Agreement shall contain a provision consistent with this directive.

Author: AIAC

Statutory Authority: Alabama Code 41-9-708

History: New Rule: Published _____; effective _____.

Penalty: None

475-X-2-.04 AIAC-Approved Grants: Grant Proposal Forms.

(1) Any State-recognized tribe that seeks an AIAC-approved grant shall submit a Tribal Grant Proposal Form to the Executive Director.

(2) The current Tribal Grant Proposal Form shall be made available on the Commission website at aiac.alabama.gov. Requests for copies of the forms may be directed to the Commission at (334) 240-0998.

(3) The Tribal Grant Proposal Form is substantially as follows, though dates, contact information, and the like may be updated without revising this Rule:



TRIBAL GRANT PROPOSAL FORM

PLEASE ATTACH ALABAMA DISCLOSURE STATEMENT

Alabama Indian Affairs Commission

771 S. Lawrence St. Suite 106

Montgomery, AL. 36130

334-240-0998 www.aiac.alabama.gov



2025-2026 FY

TOTAL AMOUNT REQUESTED :		DATE:
Tribe Legal Name:		
Address:		
Email:		Phone:
Chief's Name:	State of Alabama STAARS Vendor Code:	
Application Prepared by:		
Name:	Title:	Phone:
Address:		Email:
Purpose of Grant		
☐ Arts/Cultural Fair	☐ Tribal Facilities or Grounds	☐ Tribal Infrastructure
☐ Health Fair	☐ Tribal Festival/ Pow Wow	☐ Economic Development
☐ Educational	☐ Tribal Housing	☐ Tribal Community Technology
☐ Youth	☐ Other	
General Narrative of Need for the Grant: (attach estimates, budgets,etc)		
Date and Location of Event , Project and or Estimated Completion Date:		
Date:	Location:	Completion Date:
AIAC BOARD RECOMMENDATION: DATE: _____		
☐ Approved	☐ Denied (state reason below)	☐ Need Further Info
Tribe must sign " Tribal Agreement" which will be sent by AIAC		
Executive Director Signature: _____		DATE: _____

Author: AIAC

Statutory Authority: Alabama Code 41-9-708

History: New Rule: Published _____; effective _____.

Penalty: None

475-X-2-.05 AIAC-Approved Grants: Criteria and Approval Process.

(1) AIAC-approved grants are for State-recognized tribes only. To be eligible for an AIAC-approved grant in a given Fiscal Year, a State-recognized tribe must have State recognition (by the State of Alabama) both on October 1 of the Fiscal Year and on the date of the award. Grants will not be awarded to any other groups or to individuals.

(2) AIAC-approved grants will be approved only when they would serve a public purpose, including, but not limited to, tribal arts/ cultural fairs, health fairs, educational purposes, tribal facilities or grounds, tribal festivals/ Pow Wows, tribal housing, tribal infrastructure, economic development, tribal community technology, and youth activities.

(3) Grant proposals should be submitted to the Executive Director at least 14 days before the Commission meeting at which they will be considered. As soon as possible after a grant proposal is submitted, the Executive Director shall review the proposal and notify the State-recognized tribe of any issues so that the tribe may make adjustments before the Commission meeting at which the grant proposal will be considered.

(4) At each meeting of the Commission, the Executive Director shall provide the Commissioners with copies of any new grant proposals that have been received.

(5) A grant proposal may be amended during the meeting so long as the tribe requesting the grant agrees with the amendment either through the Commissioner representing it or any

authorized officer of the tribe who is permitted to address the Commission.

(6) Commissioners will consider and vote on grant proposals in open meetings. It is the policy of the Commission that Commissioners should not move for approval of a grant proposal, and should not vote on a grant proposal, that concerns the State-recognized tribe the Commissioner represents. Commissioners are reminded of their obligations under Alabama's ethics laws and encouraged to seek an opinion of the Alabama Ethics Commission before acting on such a grant in any way.

(7) Once the Commission has approved a grant proposal, the Executive Director shall facilitate payment of the grant pursuant to the grant procedures at Rule 475-X-2-.08.

Author: AIAC

Statutory Authority: Alabama Code 41-9-708

History: New Rule: Published _____; effective _____.

Penalty: None

475-X-2-.06 AIAC-Approved Grants: Waiver.

(1) All State-recognized tribes are presumed to want the maximum amount of grant funds available to them. Nonetheless, in any given Fiscal Year, any State-recognized tribe may waive its option to request some, or all, of an AIAC-approved grant. Waivers inform the Commission sooner rather than later that a State-recognized tribe will not be seeking some, or all, of the available funds.

(2) To be effective, waivers must be made in writing. A written waiver shall be directed to the Executive Director, shall clearly state the Fiscal Year to which it applies, and shall be signed by the State-recognized tribe's representative on the Commission or by the Chief or other authorized official of the tribe. The Executive Director shall maintain a file for original written waivers.

(3) If a State-recognized tribe waives its option to seek some, or all, of an AIAC-approved grant, then the waived funds become available for grants to other State-recognized tribes that Fiscal Year.

Author: AIAC

Statutory Authority: Alabama Code 41-9-708

History: New Rule: Published _____; effective _____.

Penalty: None

475-X-2-.07 AIAC-Approved Grants: Grant Amounts.

For AIAC-approved grants, the following apply.

(1) Each State-recognized tribe which has not waived its option to seek AIAC-approved grants may request an equal share of the available funds. In assessing such an equal share, each Fiscal Year is evaluated on its own terms, independent of any awards, waivers, or other financial considerations from prior years and independent of any expectations for any financial considerations of any kind for future years. AIAC-approved grants are also determined independent of any Legislature-directed grants.

(2) If, pursuant to Ala. Code § 41-4-90, the Governor declares proration, the following apply:

a. Grants that have already been paid are not impacted.

b. For any grant that has been approved by the Commission but not yet paid, the Executive Director shall reduce the grant amount in compliance with the Governor's declaration. Each Tribal Grant Agreement shall contain a provision consistent with this directive.

c. For any grant that has not yet been approved by the Commission, the Commission will approve the grant, if at all, only for an amount that is reduced in compliance with the Governor's declaration.

d. It is the policy of the Commission that each State-recognized tribe shall be able to request AIAC-approved grants in an amount as nearly equal to the amount available to each other State-recognized tribe in the same Fiscal Year as may be possible under the facts and circumstances of the Fiscal Year during which proration was declared.

Author: AIAC

Statutory Authority: Alabama Code 41-9-708

History: New Rule: Published _____; effective _____.

Penalty: None

475-X-2-.08 Grant Procedures.

(1) All State-recognized tribes awarded grants must sign a Tribal Grant Agreement before any funds will be paid.

(2) The Executive Director or, in the absence of the Executive Director then the Chair or Vice Chair, shall be the signatory on Tribal Grant Agreements for the Commission.

(3) Grants, and interests in them, may not be transferred (whether by assignment or novation) to a third-party, including a different State-recognized tribe or any financial institution. Grants are to be spent by the State-recognized tribe to whom they were awarded for the benefit of the tribe. This provision does not prevent one State-recognized tribe from agreeing to spend grant money on the facilities, grounds, or infrastructure of another State-recognized tribe where the former has a relationship with the latter to use those facilities, grounds, or infrastructure for its own events or joint events. AIAC is not a party to any such agreements and will not resolve any disputes that arise from them.

(4) *AIAC-approved grants:* All AIAC-approved grants are to be paid to the State-recognized tribe and spent by the tribe in a single Fiscal Year.

(5) The State-recognized tribe shall not begin spending the grant funds until the grant has been paid to the tribe. The Commission is not responsible for paying any debts that the tribe may incur based on the expectation of the grant. Notwithstanding the foregoing, it is appropriate for a Grant to be awarded to reimburse a Tribe for an expenditure already made, so long as the expenditure was made within the last twelve months and documentation of the same, including receipts and, when applicable, photographs, flyers, training materials and similar, is provided.

(6) *AIAC-approved grants:* For AIAC-approved grants, if the tribe does not spend the entire grant awarded to it, the tribe shall return the remaining funds to the Commission within three weeks of completing the project/activity for which the grant was awarded. Moreover, each State-recognized tribe shall return all unspent AIAC-approved grant funds as of the end of the Fiscal Year to the Commission by October 21 of the following Fiscal Year.

(7) All State-recognized tribes awarded grants must register for the State of Alabama Accounting and Resource System (STAARS), or any successor program, before any funds will be paid.

(8) All State-recognized tribes awarded grants shall promptly provide copies of receipts documenting how grant funds are being spent. In addition, the tribes shall submit photographs, flyers, training materials, and similar documents, when applicable, to document how grants funds are being spent.

(9) All State-recognized tribes awarded grants shall keep records in accordance with general accounting standards for, at least, the time periods set out in the Tribal Grant Agreement,

and they understand that they are subject to audit and oversight as set out in the Tribal Grant Agreement.

(10) If required by Ala. Code § 41-16-82, all State-recognized tribes receiving grants shall provide a properly completed Disclosure Statement to the Commission and to the Alabama Department of Examiners of Public Accounts before the grant is paid.

Author: AIAC

Statutory Authority: Alabama Code 41-9-708

History: New Rule: Published _____; effective _____.

Penalty: None