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Polson, MT



Welfare Peer Technical Assistance Network

Strengthening Tribal/State Collaborations: Opportunities for Future Direction

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CONFERENCE OVERVIEW

In efforts to promote family health and stabilization, the Confederated Salish and Kootenai Tribes of the Flathead Reservation of Montana (CSKT) contacted the Welfare Peer Technical Assistance (TA) Network for technical assistance on strategies to improve Tribal Temporary Assistance for Needy Families (TANF) program services through Tribal/State collaboration. Therefore, in partnership with CSKT and the Administration of Children and Families (ACF) Region VIII, the Welfare Peer TA Assistance Network sponsored a 2-day workshop entitled “Strengthening Tribal/State Collaborations: Opportunities for Future Direction” in Polson, Montana on September 25th and 26th 2002. This peer-to-peer event was intended for personnel who are administering Native Employment Works (NEW), Tribal TANF programs, and State TANF programs. It was designed to provide direct peer technical assistance from Tribes and States operating TANF/NEW programs. In addition, this workshop facilitated the sharing of experiences that will potentially help other Tribes enhance the quality and effectiveness of services received by American Indians through the TANF and NEW programs. Participants included Federal and State representatives and the following Tribes :

- Blackfeet
- Northern Cheyenne
- Confederated Salish & Kootenai
- Ft. Belknap
- Chippewa Cree
- Eastern Shoshone
- Ft. Peck
- Northern Arapaho
- Crow

This event was the first time the TA Network brought together Tribal, State, and Federal constituents to share their TANF/NEW views and experiences as well as other welfare issues affecting American Indians. Recommendations for enhancing Tribal capacity within Montana and Wyoming, enhanced service provision, and the severe lack of employment on reservations were among the discussion topics. Ultimately, this was a working meeting for Tribal and State officials to improve their relationships and work toward providing enhanced Tribal services. It is anticipated that these enhanced services will lead to improved family health and stabilization for the Montana and Wyoming Tribal populations.

II. BACKGROUND

BACKGROUND

On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) was signed into law. The first title of this new law (Pub. L. 104-193) establishes a wide-ranging welfare reform program that historically changed the nation's welfare system. The new program was titled the Temporary Assistance for Needy Families (TANF) due to its focus on moving recipients into work and time-limiting assistance. It replaced the existing welfare program known as Aid to Families with Dependent Children (AFDC), which provided cash assistance to needy families on an entitlement basis. Likewise, the Job Opportunities Basic Skills Training program (JOBS) and Emergency Assistance (EA) were replaced as well.

PRWORA provides federally recognized Indian tribes, or consortia of such Tribes, the opportunity to apply for funding under section 412 of the Social Security Act, as amended by PRWORA, to operate their own TANF programs beginning July 1, 1997. The law gives States and federally recognized Tribes the authority to utilize Federal welfare funds “in any manner that is reasonably calculated to accomplish the purposes” of the new program. These purposes or goals are: (1) To provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives; (2) to end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage; (3) to prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and (4) to encourage the formation and maintenance of two-parent families.

Indian Tribes that have chosen to administer a Tribal TANF program have broad flexibility to determine their TANF eligibility rules and to decide what benefits are most appropriate for their service areas and populations. Tribes who assume the responsibility for administering a TANF program are expected to assist recipients making the transition to employment. Tribal TANF grantees are also expected to meet work participation rates and other critical program requirements in order to avoid penalties and maintain their Federal funding.

Tribes need to examine the needs of their service areas and service populations, identify the causes of long-term underemployment and dependency, and work with families, communities, businesses, and other social service agencies in identifying and addressing employment barriers. TANF gives Tribes the flexibility needed to respond to family needs individually while providing appropriate services for needy families. PRWORA offers States and Tribes an opportunity to try new strategies that can respond more effectively to the needs of families in their own unique environments. It also redefines the Federal role in administration of the Nation's welfare system by limiting Federal regulatory and enforcement authority, but gives the Federal government new responsibilities for tracking the performance of States and Tribes.

In addition to establishing the Tribal TANF program, PRWORA authorizes funding to former Tribal JOBS grantees “to make work activities available” through the

Native Employment Works (NEW) program. Tribes are encouraged to focus the NEW Program on work activities and on services which support participation in work activities. In addition, Tribes are encouraged to create and expand employment opportunities when possible.

PRWORA not only provides Tribes with new opportunities as in the case of the TANF program and continued responsibilities as in the case of the NEW Program, but it also considerably impacts intergovernmental relationships and collaboration. It encourages Federal, Tribal, State and local governments to foster positive changes in the United States welfare system. Moreover, it transforms the way agencies function by requiring them to engage in genuine partnerships with each other, community organizations, businesses, and needy families.

III. WELCOME AND INTRODUCTIONS

WELCOME AND INTRODUCTIONS

The workshop opened with a prayer presented by Patrick Pierre, Tribal Elder of the Confederated Salish & Kootenai Tribe (CSKT), followed with a welcome extended by Teresa Wall-McDonald, Human Resources Development Director of the CSKT. She provided an overview of the CSKT Tribal TANF program, which started welfare reform with 180 cases. To date, they have served approximately 611 TANF cases. She recognizes, as other tribes, CSKT has challenges such as substance abuse and a 41 percent unemployment rate. Furthermore, of those who are employed, 48 percent continue to access poverty based services. She believes this event was a wonderful opportunity to collect information needed to formulate strategies that positively impact Indian families and address the diverse needs of CSKT families.

Judy Galloway, Acting Regional Administrator for Region VIII, thanked participants for supporting the need for a State/Tribal dialogue and the services they provided to children and families. She appreciated the opportunity presented by this TA event to share in discussions with the Tribes and recognized the efforts of Montana and Wyoming State partners. She also believed this event would provide the Region with information needed to develop strategies that address the emerging challenges of welfare reform.

John Horejsi, Federal Project Officer for the Welfare Peer TA Network began his opening remarks by thanking Region VIII representatives and CSKT for their support in coordinating this TA event. He defined the Peer TA Network as a Federal initiative aimed to highlight the good work of other States, Tribes and counties and provide them with opportunities to learn from one another. He explained this peer-to-peer learning as the sharing of information from State to State, Tribe to Tribe, and community to community. It is hoped that this type of information sharing and learning exhibited through this workshop can be replicated with other Tribes.

Harry Day, Project Director for AFYA's Welfare TA Network, welcomed participants and thanked them for their support of this TA event. Additionally, he thanked the Confederated Salish and Kootenai Tribe and the Denver ACF Regional Office for their efforts in the coordination of the workshop. Upon outlining the expectations of the event, he reiterated the availability of AFYA staff to assist participants with their logistical needs.

IV. WORKSHOP SESSIONS

WORKSHOP SESSIONS

1. Meeting the Welfare Reform Challenge: Building Tribal/State Federal Relationships

*Dr. Eddie Brown, Associate Dean for Community Affairs
Director, Buder Center for American Indian Studies
Washington University, St. Louis, MO*

This session began with a historical overview of Federal Indian policy:

1. **Treaty Period** – During this time Tribes were recognized as separate distinct Indian nations. Therefore, treaties were required if an agreement was needed between Tribes and the Federal government.
2. **Removal Period** – European settlers and Tribes were unsuccessfully living together and began fighting. As a result, new Federal policies were enacted to move Tribes westward, thus opening more land for additional western settlers.
3. **Reservation Period** – Policy period that allowed Indians to reserve land for themselves. The goal was to protect Indians; however, government controlled more and Indians lost land.
4. **Land Allotment Period** – Policy period that enabled Indians to become full citizens and acquire land (160 acres).
5. **Indian Reorganization Period** – The Indian Reorganization Act was developed which permitted Tribes to operate their own governments.
6. **Termination Period** – Following World War II, Indians returned to poor conditions on the reservations. As a result, many Tribes were relocated. Shortly after, the Termination Bill of 1950 was enacted which terminated several Tribes. This bill was later abolished.
7. **Self-Determination Period** – The Indian Self-Determination Act of 1975 enabled tribes to receive Federal dollars and operate a full government and programs.

Currently, Tribes and States find themselves in another period – The Devolution Period. Dr. Brown informed Tribes that this period of transferring power or authority from a central government to a local level creates positive and negative consequences for Tribal governments. While Tribes, States and localities have created new structures for collaboration and agreements, the primary impact of this period is the Federal/State belief in devolution, but not Tribal authority or sovereignty. As an effort to help States understand Tribal sovereignty, while embracing the growing inevitable interdependency between Tribes and States, Tribes were urged to seek opportunities to educate and build positive relationships with States. However, Dr. Brown noted, Tribes and States need to examine the following barriers to effective Tribal/State relationships:

- outdated perceptions of Indian Tribes;
- the assumption that Tribal governments lack the capacity or jurisdiction for a government-to-government relationship;
- little understanding of both Tribes and States as functioning governments; and

- tribes are hesitant to work with States.

In order to have effective Tribal/State relationships, the above-mentioned barriers must be addressed and met with the guiding principles outlined below:

- the commitment to cooperation;
- mutual understanding and respect;
- regular and early communication;
- process and accountability for addressing issues; and
- the institutionalization of relationships – things need to be institutionalized to better ensure positive progress, outcomes, processes and relationships.

Dr. Brown provided participants with examples of Tribal/State collaborations that are working to achieve better outcomes for Indian families. For example, within the States of Alaska and North Dakota, case management and employment training services are contracted to the Tribes. In addition, the White Mountain Apache and the Pascua Yaqui Tribes have contracts with States to report and issue benefit checks. Participants interested in formulating collaborative partnerships of any variety were advised to begin early by developing a plan for the future of their Tribe. Dr. Brown challenged tribes to think toward the future, to set appropriate goals and work toward achievement.

During this session, Tribes were asked to rate their current relationships with the States of Montana or Wyoming. Interestingly, their responses varied. Whereas some Tribes reported a positive relationship with their State, others asserted the need for major improvements. Surprisingly, this variation existed with many of the Tribes who reside within the same State. Tribal leadership and the lack of continuity were indicated as primary reasons for the dissimilarity in responses. Also, it became increasingly apparent through this discussion that the Tribes in attendance possess unique issues that shape their individual relationships with their State. As a solution, Dr. Brown urged these Tribes and the appropriate State to take time and revisit the guiding principles he outlined earlier in his presentation. The structures that permit the implementation of effective Tribal/State relationships must be set in place. “We must do it because children and families are at stake—We must do it,” he explained. He reminded Tribes that challenges are expected and far from removed. Education is critical on both the part of the Tribes and the States.

2. A Framework for Understanding Poverty

*Linda Anderson
aha! Process, Inc.
Highland, TX*

As a luncheon speaker, Ms. Anderson gave a presentation on the dynamics of situational/generational poverty based on the research of Ruby K. Payne, Ph.D, founder of aha! Process, Inc. Her research examines poverty and its impact on individual behavior patterns. This is a study of behavior focusing solely on economic factors.

According to her findings, the norms, behaviors and practices of those living in poverty are unique and differ from those of other economic classes. Behavior is impacted by an individual's economic class and often motivates their decision making. The financial resources of an individual influences choices in friends, values, the establishment of goals and behavior patterns.

This session also highlighted several resources that many living in poverty possess. While finances are limited, there are additional resources often overlooked or minimized within this economic group. They are:

- **Emotional** – The ability to choose and control emotional responses, particularly to negative situations, without engaging in self-destructive behavior.
- **Mental** – Possessing the mental abilities and acquired skills to deal with daily life.
- **Spiritual** – Believing in divine purpose and guidance.
- **Physical** – Having physical health and mobility.
- **Support Systems** – Having friends, family, and backup resources available to access in times of need.
- **Relationships/ Role Models** - Have frequent access to adult(s) who are appropriate, who are nurturing to the child and who do not engage in self-destructive behavior.
- **Knowledge of Hidden Rules** – Knowing the unspoken cues and habits of a group.

Participants referenced the need to consider the importance of culture when interpreting behavior patterns. In many instances, cultural traditions explain the behaviors, family structure and decision making of many Indian families living in poverty more so than class. In the Indian culture, family and spirituality are identified as valuable resources and have major bearing on behavior. Participants agreed that cultural factors must be examined and understood when working with low-income Tribal families and interpreting their behaviors.

3. Preparing for Change: Opportunity for Change

Charley Hare

American Indian/Alaska Native Collaboration Director

This session was an interactive overview of current Federal goals and the implications on Indian Country as stated by Mr. Hare. Both Tribal and State participants were given an opportunity to discuss each initiative and their views. A summary of responses is listed below:

Goal I:

- “To prevent disease and illness by reducing the major threats to the health and well-being of Americans.”

Response:

- “If you ask the average Tribal person about this goal, they will mention the disparity in the amount of dollars spent on healthcare for the major American society in comparison to the amount spent on Indian health...it’s not even close!”
- “We (Tribes) are doing treatment, but no *prevention* is taking place in Indian Health Services.”
- “We must let the Federal government know that we don’t receive prevention. Indians need to be more vocal to the Federal government about what this goal means in Indian Country.”

Goal II:

- “To protect our homeland and enhance the ability of the Nation’s healthcare system to effectively respond to bioterrorism and other public health challenges.”

Response:

- “This will impact the delivery of Indian services and programs, if we go to war. For example, gas prices will rise which raises budgetary concerns for our programs that provide transportation services. It is a real threat to our delivery of human services.”

Goal III:

- “To increase the percentage of the Nation’s children and adults who have access to regular healthcare and expand consumer choices.”

Response:

- “Tribal health benefits are slowly shifting from a trust responsibility to a poverty issue. You must be eligible or poor to receive healthcare benefits.”
- “The States, including Montana, are struggling with the same issues surrounding Medicaid and eligibility. This is a problem for everyone.”
- “Medicaid funding is an issue throughout the States; therefore, Tribes and States must work together to ensure the implementation of this goal.”

Goal IV:

- “Enhance the capacity and productivity of the Nation’s health science research enterprise.”

Response:

- “Indian Health Services don’t possess adequate data and stats to support Indian healthcare.”
- “Historically, research has been an issue for Indian Health Services. This is further impacted as review boards struggle with what constitutes human research now.”

Goal V:

- “Improve the quality of healthcare services.”

Response:

- “Indian Country would love a Patients Bill of Rights to ensure access to quality health care for Indians rather than determining services based on finances.”

Goal VI:

- “Work toward interdependency to improve the economic and social well-being of individuals, families, and communities, especially those most in need.”

Response:

- “The Federal government is now focusing on faith-based entities to meet this goal. Indian Country must clearly define “faith based” for the current administration. We (Tribes) have “faith-based” organizations that don’t have non-profit status.”

According to Mr. Hare, the success of some Tribes can be attributed to their long practice of interfacing and partnering with States. Regardless of the diversity of the Tribes in Montana and Wyoming, they were urged to advocate and work together with their States during this opportunity for change in formulating strategies specific to their Tribal needs. Tribes must keep in mind that States are also affected by current Federal initiatives, and also grappling for resources, strategies and solutions; therefore, collaboration is imperative.

4. Best Practices Impacting Indian Family Well-Being

*Dr. Eddie Brown, Associate Dean for Community Affairs
Director, Buder Center for American Indian Studies
Washington University, St. Louis, MO*

Dr. Brown shared findings from research conducted by the Kathryn M. Buder Center for American Indian Studies at Washington University. This study is the only longitudinal study examining the impact of welfare reform on American Indian families and children. Dr. Brown and his colleagues tracked 400 TANF recipients with surveys to determine their well being over a 5-year time period. Participants were from the following Arizona Tribal groups:

- Salt River Tribe (Urban Tribe);
- San Carlos Apache Tribe (Rural Tribe); and
- Navajo Tribe (Isolate Tribe).

His presentation entailed an overview of the major challenges found through his research in moving Tribal members from welfare to work. Best practice examples were also given to illustrate the creative approaches many Tribes are implementing to meet the needs of their TANF families. In addition, workshop participants were asked to share current practices within their State that were aimed to address each of the identified challenges. The key findings are listed below:

Major Challenges in Moving Tribal Members from Welfare to Work

I. Transportation

- 69% of respondents did not own an automobile.
- Due to a lack of transportation:
 - 36% had difficulty getting to work;
 - 54% had difficulty seeing a doctor;
 - 25% had difficulty going to their childcare provider;
 - 48% had difficulty getting to the welfare office; and
 - 58% had difficulty going to the grocery store.
- Best Practices
 - In Alaska a car repair program was counted as a TANF work activity.
 - A training program with car dealerships for TANF participants.
- Montana/Wyoming Practices
 - Case managers will take clients to work.
 - Supportive services money is used for car repair.
 - Vans transport clients.

II. Child Care

- 86% of respondents had children under the age of 13; and
- Only 2 of the 376 families with children under the age of 13 utilized a formal child care provider.
- Best Practices
 - Certify TANF recipients as child care providers;
 - Tribal/State dual eligibility; and
 - Provide child care during odd hours.
- Montana/Wyoming Practices
 - Certify TANF recipients as child care providers.

III. Educational Attainment

- 73% of respondents lacked a high school diploma or GED;
- 20% of respondents earned a high school diploma; and
- 7% of respondents completed post-secondary education.
- Best Practices
 - Welfare reform program and community college engage in joint efforts; and
 - Special education/training programs are coordinated with Tribal economic development.
- Montana/Wyoming Practices
 - A computer literacy training program for Tribal TANF recipients; and

- A developed “temp pool” so TANF recipients can get skills and training acting as temporary workers.

IV. Jobs

- 46% of respondents were not working and had never worked at a regular paying job;
- 39% of respondents were not working, but had previous work experience; and
- 11% of respondents were currently employed,

- Best Practices
 - Hiring TANF recipients as community liaisons,
 - Apprenticeships in native art; and
 - Microenterprises

- Montana/Wyoming Practices
 - None identified

V. Adequate Housing

- 36% of respondents had broken windows;
- 30% of respondents had problems with mice, rats and roaches;
- 25% of respondents had plumbing that did not work;
- 20% of respondents had a leaky roof or ceiling; and
- 15% of respondents had a non-dependable heating system.

- Best Practices
 - IDA programs; and
 - A TANF construction training program.

- Montana/Wyoming Practices
 - Carpentry training program for TANF recipients.

VI. Health Care

- Indicated health care concerns were:
 - alcohol and substance abuse;
 - domestic violence;
 - depression;
 - children with health care needs; and
 - Medicaid eligibility and access.

- Best Practices
 - screening instruments for health care needs at intake;
 - strong coordination with and referral to Tribal mental health and behavioral health services; and
 - Co-location of Tribal TANF and State Medicaid and food stamp services.

- Montana/Wyoming Practices

- Co-location of services

Dr. Brown concluded by referring to three vital components in moving Tribal families from welfare to work. Education/training, economic development/job creation, and support services must operate together to benefit Tribal families. Furthermore, Tribes can meet the challenges of welfare reform by looking at these best practices and remaining creative.

5. The Role of Child Support in Family Stabilization

The Honorable B. J. Jones
Chief Judge of the Sisseton-Wahpeton Sioux Tribal Court

Wesley Martel
Councilman
Eastern Shoshone Tribe

Pat Bergie
Special Projects Manager
Eastern Shoshone Tribe

Judge B.J. Jones, of the Sisseton-Wahpeton Sioux Tribe, began his presentation by identifying the issue of child support as the last of all the Federal entitlement programs to enter Indian Country. Historically, child support was left to the mother or custodial parent. Prior to 1997, only States could operate federally funded child support programs. Furthermore, the lack of cooperative agreements between Tribes and States and the Tribal need to protect sovereignty further delayed the onset of this Federal program. In 1992, a Federal court decision (*Howe v. Ellenbecker*, 796 F. Supp. 1276 (D.S.D. 1992), aff'd 8 F.3d 1258 (8th Cir. 1993)) stated that Indian children were entitled to child support collection services just as children living off Indian reservations. However, Tribes such as the Sisseton-Wahpeton Sioux, were not given the option to operate their own child support program until Congress enacted legislation 5 years later.

Today, child support is a necessity in Indian Country due to several factors including the breakdown of Indian families and the importance of paternity establishment. Unknowingly, kids are dating relatives; therefore child support programs and paternity establishment is critical, Judge Jones asserted. He informed Tribes interested in starting child support programs to talk to the Federal government regarding incentives to get parents to comply. The advantages are vast. Children, custodial parents and absent parents all benefit from child support enforcement, as well as the State and Federal government.

There are several mechanisms for Tribes wishing to implement child support. They include: a cooperative agreement or purchase of services contract with Office of Child Support Enforcement (OCSE) State offices, direct funding from the Federal government to operate a child support program, and Tribes providing services without

State or Federal dollars. Judge Jones recommended that Tribes utilize the new opportunities benefiting Indian children and families.

Next, Wesley Martel with the Shoshone Business Council in Wyoming, outlined the following concerns when his Tribe decided to provide child support enforcement services:

I.	<p>Impact of Policy Making</p> <ul style="list-style-type: none"> ▪ how will the community be affected?; ▪ will families be strengthened and the Indian culture and traditions be protected?; ▪ what political barriers impede policy/program implementation?; ▪ will the Tribal Council endorse child support enforcement?; and ▪ will these policies uphold tribal authority and sovereignty?
II.	<p>Legal Considerations</p> <ul style="list-style-type: none"> ▪ separation of powers; ▪ tribal court system; ▪ Federal guidelines and regulations; and ▪ legal resources, barriers and incentives—Does your Tribal court system need to be upgraded?
III.	<p>Technical Considerations</p> <ul style="list-style-type: none"> ▪ the need for good data tracking and management system; ▪ genetics—The need to educate workers on genetic testing and establishing paternity; ▪ ability to transfer enrollment data to other offices; and ▪ confidentially and security systems.
IV.	<p>Administrative Considerations</p> <ul style="list-style-type: none"> ▪ type of personnel and qualifications needed; ▪ development and training dollars; and ▪ office space and tools needed (computer, phones, etc.).

Pat Bergie, Special Projects Manger with the Eastern Shoshone Tribe, concluded the session by providing participants with an update on her work to establish a child support enforcement office within the Eastern Shoshone Tribal Government. Since March 2002 she has been gathering data, attending conferences, and meeting with the State of Wyoming’s Child Support Office. In addition, Tribal/State collaboration has been key to this establishment process. The State Child Support Office has supported the Shoshone Tribe by permitting Pat to visit their office and review their automated child support enforcement system. In addition, State staff shared their child support enforcement experiences and state program costs, which she commented, were extremely beneficial as the Tribe moves forward in its efforts. Ms. Bergie informed participants that she is very optimistic and believes the Shoshone Tribe goal to operate a child support enforcement program is very close.

6. Tribes and TANF

Ray Apodaca
Tribal TANF Leader
Administration for Children and Families

Ray Apodaca opened with an overview of the four basic goals of TANF and urged Tribes to begin examining innovative methods to achieve these goals. Tribes often limit themselves regarding TANF implementation because they forget the broad nature of the goals. Since the goals are so broad, Mr. Apodaca does not find TANF or Tribal TANF to be the traditional programs administered by Tribes. He believes that TANF is extremely important to Tribes because it is through this program that Tribes help determine the future of their children, the character of families and the make-up of their communities. In addition, Tribes are able to define their own support services, sanction systems and methods of assistance. This program is the ultimate in self-determination and self-governance, he further explained.

Currently, there are 36 approved and functioning Tribal TANF programs. These 36 programs are serving 175 Tribes and Alaska Native Villages. PROWRA regulations outline separate eligibility guidelines for Alaskan Native Villages; therefore, these villages do not have the opportunity similar to the Tribes in the lower 48 to apply individually. As a result, their TANF programs are administered regionally. There are 3 regions in Alaska, all serving different clusters of villages. These regions operate their programs in a format similar to a consortium of Tribes, while individual Tribes operate programs and some large consortiums in the lower 48 States. These Tribes have developed creative methods for providing TANF services. Some Tribes are serving their reservations only, while others are serving portions of the reservation, areas near the reservations, and/or preferred towns and counties with selected Indian populations.

The largest TANF program in terms of federal funds is the Navajo Nation. Navajo Nation receives 31.7 million Federal TANF dollars. However, if what they receive from New Mexico, Utah and Arizona are added together as a state match, they are receiving approximately 38 million dollars to provide services. State matching funds are a critical part of the Tribal TANF program. When Tribes have a significant state match in funds, they are able to do a variety of things such as hiring qualified staff to head their programs and enhancing their services.

Mr. Apodaca concluded with an overview of factors related to Tribal TANF implementation. They include:

- equitable access to services – What is this? There is no clear definition in the statute. What's *equitable* to one Tribe is different from another because Tribes vary in size, location, and etc.
- proper vs. improper uses of TANF funds for services – Funds can be used to purchase services such as child care, housing and transportation, if the services are being purchased to assist *TANF eligible individuals*.
- education and training – Tribal TANF has no prohibitions on education. Moreover, post secondary education is permissible if it is intended to lead to employment for the individual.

- job readiness – Tribes have a six-week job search/job readiness time limit within a calendar year unless the unemployment rate in their service area is 50% greater than that of the United States. In such circumstances, a Tribe can extend job search/job readiness to a twelve-week time limit. If job search/ job readiness are ancillary to other work activities, there is no limit.

7. TANF Reauthorization

Sarah Hicks

Welfare Reform Program Director

National Congress for American Indians

Sarah Hicks, with the National Congress for American Indians (NCAI), began this session on TANF reauthorization highlighting the need for Tribal involvement in the reauthorization process. Involvement is important because the reauthorization process gives Tribes an opportunity to look at issues in a comprehensive manner. Welfare reauthorization offers Tribes the opportunity to creatively rethink the delivery of support services on Indian reservations. Furthermore, welfare reform has impacted the U.S. in several ways including a decrease in the number of welfare cases and an increase in employment. More employment barriers among families and the number of jobs paying below the poverty level are all issues associated with welfare reform.

There are several major reauthorization issues generating a great deal of debate, research and advocacy. They are indicated below:

- do States and Tribes need additional funds?;
- the purpose of TANF;
- the “time clocks”;
- the definition of assistance;
- are TANF funds flexible enough?;
- can Tribes and States adequately meet the needs of the entire range of clients with the current funding restrictions set in place?;
- what types of work support should be available?;
- what kind of program evaluations should Tribes and States conduct?;
- for what other programs should Tribes receive direct funding and operate at the Tribal level?; and
- what range of programs and services should be federally funded?

With so many of these issues directly impacting Tribes, various Tribal bodies such as NCAI, have been coordinating and organizing to develop responses to each of these issues. Both TANF and non-TANF Tribes have been vocal in providing policy recommendations. National, regional, State and local organizations are working together to yield a consensus and present a uniform voice to Congress. This is critical because of the possible impact of welfare reauthorization on Tribes and Tribal families.

Below are provisions outlined in recent congressional bills impacting Tribes and Tribal welfare reform:

H.R. 4737 (*Passed in May 2002*)

- tribal TANF and NEW would be reauthorized under current funding formulas;
- mutual consultation (Tribal and State) on TANF plans would be required;
- tribes would become eligible for TANF high performance bonus (renamed “employment achievement bonus”) with the same criteria as states;
- tribes can compete for healthy marriage grants;
- tribal TANF funds can be carried over and used for the entire range of benefits and services rather than simply cash assistance; and
- \$10 million over five years for demonstration projects on the coordination of TANF and child welfare services.

Senate WORK Act

- a set-aside of two percent of mandatory, discretionary and child care funding for Tribes;
- department of Health and Human Services would promulgate final Tribal Child Support Enforcement regulations one year after the passage of the WORK Act;
- a “Tribal TANF Improvement Fund” funded at \$75 million for the support of Tribal capacity grants for human services infrastructure, tribal development to provide TA to improve reservation economies (\$35 million), and Tribal TANF TA and feasibility studies (\$5 million);
- \$25 million of the TANF Contingency Fund set aside for Tribes;
- \$37 million a year for a new Tribal Employment Services Program that would replace NEW and WtW grants;
- require State and Tribe consultations for developing State plans. In addition, certify that States are providing equitable access to Tribal members who are not served by Tribal TANF;
- require Tribes to consult with each state in their Tribal Plan service area and certify the provision of equitable access to each member served by the plan;
- Disregard of months of assistance received by an adult while living on a reservation in which 20% or greater adults are jobless, but requires recipients to comply with program rules (exception in Alaska);
- \$2 million in FY 2003 for research on Tribal welfare program and poverty among Indians;
- require state quarterly reports to include demographic and caseload characteristics of Indians served by the state program;
- maintain current provisions that treat Alaskan Tribes uniquely;
- require a GAO Study on the demographics of Indians residing on reservations—Information regarding their economic and health status and access to public benefits;
- permit States authority comparable to the authority of Tribal TANF programs in finding work activities for recipients who live in Indian Country areas of high joblessness;
- allow Tribally licensed homes to qualify for title IV-E maintenance payments

in lieu of requiring State licensed homes (exception in Alaska); and

- provide direct Tribal access to title IV-E foster care funding under the same provisions that apply to state IV-E programs (Exception in Alaska).

Tribal Governments were urged to mobilize and encouraged to support Tribal provisions, including additional funding and flexibility for Tribal programs. Tribes must continue conversations with their State about welfare reform implementation and the need for ongoing collaboration. Lastly, sharing best practices and networking with other Tribal and State program staff is necessary. This type of collaboration and partnering will impact the reauthorization process tremendously.

8. Meeting Wrap-Up and Lessons Learned

*Dr. Eddie Brown, Associate Dean for Community Affairs
Director, Buder Center for American Indian Studies
Washington University, St. Louis, MO*

Dr. Brown closed the workshop by declaring peer-to-peer as a wonderful approach. The Tribal/State dialogue accomplished through this event was an ideal beginning. He urged Welfare Peer TA staff, ACF Region VIII, and the Tribal participants to continue building upon the progress achieved. He also outlined recommendations for future Tribal events. They include:

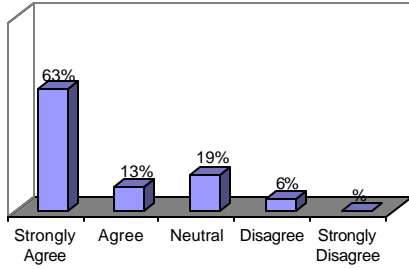
- the need for a “strengths perspective” highlighting what is working for the Tribes and States with TANF implementation;
- the need to encourage greater capacity;
- empowerment—Empower Tribal governments, States, etc.;
- need for evidence based material—More data, outcomes, etc.; and
- identify strategies for increased Tribal/State participation.

Participants also shared the following lessons learned as a result of this 2-day workshop:

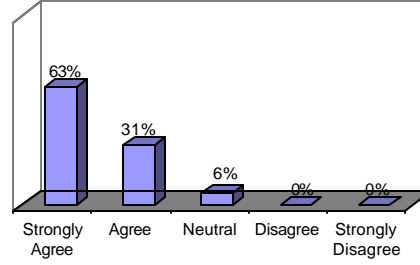
- identification of existing resources to help assist families;
- increased understanding of issues impacting Tribes and States;
- the need for more dialogue with States;
- identification of innovative TANF services and implementation strategies; and
- the need to spend more time with Tribal leaders in discussions regarding the needs of Tribal members.

V. WORKSHOP EVALUATIONS

Adequately prepared you for meeting

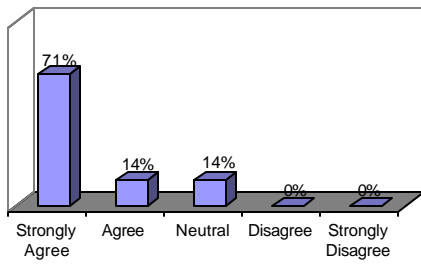


Handled the preparation, arrangements and scheduling effectively

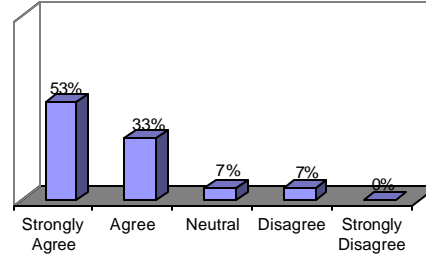


Speakers...

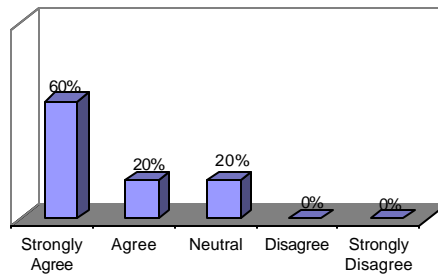
Were thorough in the subject areas



Engaged the audience and facilitated discussions



The information presented will be useful in developing new approaches to my organization



Written Comments:

What did you find most useful about attending this technical event (e.g., any immediate or long-term benefits to you/your staff that you anticipate as a result of attending this even, etc)?

- Excellent current information/update.
- How the other tribes are administering and utilizing funds
- The practices of other tribes, innovative strategies of various tribal programs and the reauthorization of PROWRA
- Information regarding welfare reform
- Child support, welfare reauthorization update and history
- Meeting people in charge, child support presentation, innovative practices and hearing what other Tribes are doing
- A lot of different points of view re: TANF, services and other aspects of tribal involvement
- Best practices ideas and sharing of information
- Informational handouts from presenters and child support information
- Update on TANF—Challenges to Tribes and TANF reauthorization
- For those of us who work in the “field” a meeting of this type is essential to help us regain perspective and to rekindle the fire. It helps very much to participate with one immediate neighbor who experiences common impacts.
- Update on welfare reauthorization
- Immediate benefits to the strategy of refining TANF services from Ray Apodaca. Super information (up to date, current) from Sara Hicks in regard to reauthorization and simply what is in PRWORA. Interesting presentation on child support. Good dialogue and good program examples!

What issues would you like to have had more discussion about during this event?

- Economic development and TANF linkages
- NEW and WtW program information—All of the various titles and parts of the PROWRA and the roles of the Tribes, States Federal officials in each part
- Infrastructure and economic development—I’m new to social services, so it is all good.
- Different venues, Tribes and programs can take to make their programs (TANF) more rewarding and successful
- Policy/procedures—More input from State officials. Also, more information on acquiring State dollars or services for clients on reservations. Problem-solving and small group discussion would have been helpful.
- More Tribal leaders to hear the updates

- More information on specifics of child support, [e.g.,] “Child Support 101”. More information on TANF and 477 departmental “scuffs” why we seem to have a problem with HHS & BIA in recognizing 477

Is there anything you can think of that would have made this event more valuable to you (e.g., how could this technical assistance have better met your needs, etc.)?

- More State representation and interaction. It was great that Montana was here—Would have liked more State/Tribal discussion.
- More specificity regarding success stories
- Consultation
- Personal contacts and facilitated small group discussions—Time to problem solve within States/Tribes, exchange ideas, and build on strengths
- Have area TANF clients come in and tell us what they are getting out of the TANF program; ask them what else our program can offer.
- More specifics on economic development efforts with TANF funds and 477

Additional comments

- Excellent presentation and valuable information
- Good job
- Need for site to be more centrally located. Next steps? Opportunities?
- Maybe next time identify topics; do roundtable discussions with diverse Tribes to discuss and come back together as group to share main points of topics
- I have been impressed with the *organized* approach to the logistics of this meeting—Please pass my compliments on to staff!

V. APPENDIX A: AGENDA



Strengthening Tribal/State Collaborations: Opportunities for Future Direction

Welfare Peer Technical Assistance Network

September 25 - 26, 2002

Wednesday, September 25, 2002

7:30 a.m. - 8:30 a.m.

Registration and Continental Breakfast

8:30 a.m.

Prayer

Tony Incashola, Director, Salish Culture Committee

8:45 a.m. - 9:30 a.m.

Welcome and Introductions

Judy Galloway, Acting Regional Administrator

John Horejsi, Administration for Children and Families

Harry Day, AFYA, Inc.

9:30 a.m. - 10:45 a.m.

Building Institutional Capacities – Challenges to Tribes

Dr. Eddie Brown, Associate Dean for Community Affairs

Director, Buder Center for American Indian Studies

Washington University, St. Louis, MO

During this session, Dr. Brown will explore with participants the elements of creating organizational structures to handle increased Tribal responsibilities associated with welfare reform.

10:45 a.m. - 11:00 a.m.

Break

11:00 a.m. - 12:00

Tribes and States Working Together

Dr. Brown will facilitate an interactive discussion on effective working relationships. In addition, participants will be given an opportunity to gather information and recommendations for developing strategies that strengthen Tribal and State relationships.

12:00 - 2:30 p.m.

Working Lunch: “A Framework for Understanding Poverty”

(Sponsored by the State of Wyoming)

Linda Anderson, aha! Process, Inc.

This session will provide participants with an understanding of the dynamics of situational/generational poverty based on the research and book, “A Framework for Understanding Poverty” by Ruby K. Payne, Ph.D. and founder of aha! Processes, Inc. This session will also offer insight useful to program development and planning.

2:30 p.m. - 4:00 p.m.

Tribal/State Child Care

Charley Hare, American Indian Alaska Native
Collaboration Director
AI/NAN

This session is a presentation of what's hot nationally regarding child care and the importance of tribal/state collaborations and partnerships.

4:00 p.m. - 4:15 p.m.

Break

4:15 p.m. - 5:15 p.m.

Best Practices Impacting Indian Family Well-Being

Dr. Eddie Brown

Dr. Brown will share his recent research of best practices impacting the well-being of Indian children and families in terms of application to the Tribes of Montana and Wyoming. Specific attention will be directed to the challenges of self-sufficiency and family stabilization in remote and rural settings.

Thursday, September 26, 2002

8:00 a.m. - 9:00 a.m.

Continental Breakfast

9:00 a.m. - 10:30 a.m.

The Role of Child Support in Family Stabilization

The Honorable B. J. Jones, Chief Judge of the Sisseton-Wahpeton Sioux Tribal Court
Wesley Martel, Councilman, Eastern Shoshone Tribe
Pat Bergie, Special Projects Manager, Eastern Shoshone Tribe

This session will highlight the importance of child support in maintaining healthy and stable Tribal families.

10:30 a.m. - 10:45 a.m.

Break

10:45 a.m. – Noon

Update: Tribes and TANF

Ray Apodaca, Tribal TANF Team Leader
Division of Tribal Services, Administration for Children and Families

This session will provide participants with information regarding the move of the Division of Tribal Services (Tribal TANF and NEW) from the office of Community

Services to the Office of Family Assistance in the central office of the Administration of Children and Families (ACF) in Washington, DC. Participants will also be presented with an update on matters including: The number of Tribes that currently has TANF, letters of intent and new trends in Tribes selecting service areas outside of reservation lands. In addition, Mr. Apodaca will discuss the impact of TANF reauthorization on Tribal TANF/NEW grantees.

Noon - 1:00 p.m.

Lunch on Your Own

1:00 p.m. - 2:00 p.m.

“NTTYD” (Neat Things That You Do)

During this interactive session, participants will share with one another innovative strategies, programs and service methods utilized to assist families.

Participants will also have an opportunity to engage in an open discussion on their own lessons learned and identified best practices.

2:00 p.m. - 3:30 p.m.

TANF Reauthorization

Sarah Hicks, Director, Welfare Reform Program
National Congress of American Indians

This session will highlight current federal welfare initiatives that will impact Indian Country and the well-being of Indian children and families. NCAI will also discuss their position as an organization regarding welfare reform, their congressional interactions and possible alternatives to TANF reauthorization.

3:30 p.m. – 3:45 p.m.

Break

3:45 p.m. – 4:15 p.m.

Vision for the Future of Indian Families

This interactive session involves a discussion on meeting highlights and a vision for the future of Indian families in the Twenty First Century.

4:45 p.m. – 5:00 p.m.

Meeting Wrap –Up

Teresa Wall-McDonald
Human Resources Development Director
Confederated Salish Kootenai Tribe

5:00 p.m.

Closing

VI. APPENDIX B: PARTICIPANT LIST



Strengthening Tribal/State Collaborations: Opportunities for Future Direction

Welfare Peer Technical Assistance Network

September 25 - 26, 2002

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