TRIBAL CHILD SUPPORT ENFORCEMENT SYSTEMS WORKGROUP

Final Report

February 11, 2003

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1. INTRODUCTION

This report summarizes the results of a series of meetings and associated training workshops of the Tribal Child Support Enforcement (CSE) Systems Workgroup. The workgroup was established to address key issues related to the automation of tribal CSE systems.

1.1   SCOPE

The Tribal CSE Systems Workgroup met four times on the following dates at the following locations:

- August 27-28, 2002 in Chicago, Illinois;

- October 28-29, 2002 in Tampa, Florida;

- November 19-20, 2002 in Herndon, Virginia (Washington Metro area), and

- December 10-11, 2002 in Albuquerque, New Mexico.

1.2   PARTICIPANTS

Key representatives from the Administration for Children and Families (ACF), Office of Child Support Enforcement (OCSE); tribal organizations and tribal grantees; and state technical and program staff were in attendance. State Information Technology Consortium (SITC) staff supported attendee travel and meeting accommodations, facilitated meeting discussions, and led SITC-developed training workshops as part of two of the meetings. The following individuals attended at least one of the meetings.

1.2.1   TRIBAL REPRESENTATIVES

All named tribes sent at least one representative to every meeting.   Participants are listed in alphabetical order by tribe:

- Jerry Sweet, Chickasaw Nation

- Tami Lorbecke, Lac du Flambeau

- Cari Giese, Menominee Tribe of Wisconsin

- Tina Gouty-Yellow, Menominee Tribe of Wisconsin

- Jess Robley, Menominee Tribe of Wisconsin

- Flora Henderson, Navajo Nation

- William Nez, Navajo Nation

- Ellamae Williams, Navajo Nation

- Melody Bidtah, Port Gamble S'Klallam

- Marilyn Olson, Port Gamble S'Klallam

- Linda Tresaugue, Puyallup Tribe of Indians

- Emma Grey Bull, Sisseton-Wahpeton Sioux

- Martha Renville, Sisseton-Wahpeton Sioux

- Don Shircel, Tanana Chiefs

- Deborah McCarter, Tanana Chiefs

- Jesse Fogleboch, Tanana Chiefs

1.2.2 STATE REPRESENTATIVES

The following individuals attended the meetings to provide the "state" perspective on CSE automation issues affecting the tribes:

- Richard Quillin, New Mexico

- Dave White, Wisconsin

1.2.3 FEDERAL

The following individuals provided a Federal perspective in one or all of the meetings:

- Jay Adams, HHS/ACF, OCSE

- Paige Biava, HHS/ACF, OCSE

- Joseph Bodmer, HHS/ACF, OCSE

- Maiso Bryant, HHS/ACF, Office of Grants Management

- Kate Christnot, HHS/ACF, OCSE

- Arnold Jacobson, HHS/ACF, Division of Mandatory Grants

- Jan Jensen, HHS/ACF Region X

- Gary Kimble, HHS/ACF, OCSE

- Sally Kolanowski, HHS/ACF Region V

- Sherri Larkins, HHS/ACF Region VII

- Joseph Lonergan, HHS/ACF, Division of Mandatory Grants

- Camille Loya, HHS, Office of the General Counsel

- Carolyn Meier, HHS/ACF Region VI, Dallas

- Roy Nix, HHS/ACF, OCSE

- Carl Rich, HHS/ACF, Region VI

- Harold Taylor, HHS/ACF, TANF

1.2.4 SITC REPRESENTATIVES

These individuals performed the following roles for the workgroup:

- Paula Cottrell, Scribe

- Vicki Davis, Scribe

- Sheila Drake, Event Planner

- Jim Marple, Trainer

- Christi Oakley, SITC Project Manager

- Barbara Phillips, Trainer

- Suzanne Poe, Discussion Facilitator

1.3 PROCESS

The workgroup was chartered to identify issues, concerns, opportunities and barriers to automating tribal child support programs. Critical to this workgroup mission was the express desire by the Federal workgroup chairs that a primary outcome be one of educating Federal representatives regarding tribal program automation needs, requirements, and limitations. In addition, the workgroup was chartered to recommend guidelines to maximize the benefits of automating tribal CSE programs while limiting the fiscal impact associated with design, development, and implementation of automated systems. Finally, the workgroup was asked to define at a high-level, specific minimum operational capabilities for tribal systems.

The tribal participants represented a broad perspective on automation issues. Some tribes have been using automation in CSE programs for several years, while other tribes work within a primarily manual system. Although the tribal representatives were conscious of their inability to speak for all of the roughly 450 tribes/sovereign nations, they were focused on providing an opinion and viewpoint that considered the entire tribal community.

A set of issues was suggested in the written charter for the workgroup. At the first meeting the entire group then altered and augmented this list and grouped issues into a logical sequence for discussion. The workgroup agreed that these issues were key to achieving workgroup goals.

The group then strove for consensus, from all tribal representatives, on each issue and its associated sub-issues. Although several tribes, or tribal consortia, sent more than one representative, if a vote were necessary to determine a majority view, only one vote per tribe was permitted.

The minutes of each meeting were transcribed, and key points were captured on flip charts. The Chicago meeting was also audiotaped. Before the next meeting, the full transcription and flip chart content was distributed to all attendees. If any workgroup member was unfamiliar with an automation or CSE-related term, the term was defined and captured on a running list. This list was distributed with the final meeting's minutes (see **Section 2.6** of this report).

Two days of the eight meetings were devoted to training workshops relevant to automation issues. The workgroup selected these workshops from a list of courses developed by SITC.

As the meetings progressed, a List Serve was established by OCSE to foster ongoing dialogue among workgroup participants.

2. MEETING SUMMARIES

2.1   KEY ISSUES

Key issues for discussion were listed in the workgroup's charter as:

- Cost containment challenges;

- Coordination of tribal CSE programs with tribal courts;

- The level at which requirements should specify system functionality;

- Tribal CSE systems certification process;

- Tribal acquisition of applications, operations and maintenance services;

- Roles and responsibilities in tribal automation efforts;

- Funding process;

- Extent of Federal monitoring and technical assistance, and

- Model tribal systems.

At the beginning of the first meeting, other related topics were suggested by attendees. By the end of the first meeting, consensus was reached on the following overarching issues of concern to the group:

- Executive Commitment

- Sovereignty

- Organizational Realities

- Interfaces

- Security/Confidentiality

- Technologies

- Systems Design

- Standards

- Resources Required

- Funding

- Federal Oversight

The workgroup agreed to focus on one or more issues at each of the meetings and to attempt to cover all the issues by the end of the meetings. The meeting summaries that follow briefly touch on the results of these discussions by issue. Highly detailed meeting minutes were also documented.

2.2   MEETING #1

This session began with attendees discussing their individual objectives for the meeting(s). For the most part, the tribal representatives were interested in learning what types of funding and support were available to improve their CSE programs and communications with states; the state representatives intended to provide experience and guidance as needed; and the Federal representatives hoped for a better understanding of tribal needs and their intersection with existing state and Federal systems.

As mentioned above, the discussion moved to listing and describing the issues that could affect successful tribal CSE automation efforts. The group agreed to defer a discussion of how each of these issues should be handled, until they had detailed and agreed on what the issues were.

The group further agreed to defer detailed discussion of the systems design and Federal funding and oversight issues until the meetings in Tampa, Herndon and Albuquerque, so that additional invitees with technical and grant-giving expertise could attend, and so that Federal systems design documentation could be reviewed before this discussion.

2.2.1   EXECUTIVE COMMITMENT

The group acknowledged that tribal government endorsement was key to successful implementation of any new tribal CSE automation effort. Achieving commitment would involve:

- Communicating with and educating Tribal Councils. Tribal representatives stressed face-to-face (as opposed to videoconference) communication. "Templates" for tribes to provide automation system planning documentation are needed to communicate Federal expectations and funding requirements.

- A mechanism for ensuring trust and commitment between the Federal government and the tribes.

- State assurances to tribal and Federal governments regarding data conversion efforts.

- Potentially gaining commitment from established tribes to assist tribes that are new to automation as well as new to the program.

2.2.2   SOVEREIGNTY

The need to honor the sovereignty of individual tribes and to interact with tribes as sovereign nations was discussed in the context of automating CSE information. Since no authority exists to require intergovernmental information sharing, solutions need to be found to encourage automated information exchange across tribes, states and the Federal government. Currently, some states and tribes are opposed

to sharing CSE information with each other. The Federal government was advised to allow states and tribes more time to develop information-sharing agreements and to not assume that this issue is always a problem.

For the tribes, the crux of the issue is that no entity other than a tribe has sovereignty over an individual as a member of that tribe. Some information retained in tribal CSE programs on members is useless outside of the tribe. However, the need for and acquisition of "Read Only" access to state systems is a problem for tribes. Likewise, the willingness of tribal programs to allow "Read-Only" access to state programs was deemed as problematic at best.

Suggestions for accommodating sovereignty through technology included the use of:

- Table-driven designs that support flexibility and ease of change.

- Systems that are not hard-coded.

- Rules engines.

Finally, the tribal representatives were opposed to imposing "consortia" on groups of tribes in order to create economies of scale for system development. These consortia should be allowed to form at the will of the tribes themselves.

2.2.3   ORGANIZATIONAL REALITIES

The unique and varied organizations of tribes, the tribal community and their CSE programs was detailed by workgroup participants. These "social, programmatic, and geographical realities" contribute to the complexities of implementing automated systems. The group acknowledged that:

- Each tribe is unique in terms of its current level of automation and its automation needs. A balance must be struck between addressing unique requirements and leveraging existing systems, and thus the potential for economies of scale in development and by extension, in costs.

- Some tribes have already formed consortia to address CSE and other family support program operations for economies of scale. Other tribes are considering possible consortia. Some consortia have Tribal Councils; others do not. The group envisioned a likely scenario, five years hence, of fifty to one hundred rather than 450 individual tribal entities addressing the CSE program.

- Some tribes will never permit establishment of a tribal CSE program.

- Tribes vary widely in terms of size, both in terms of membership (and thus of caseload) and geography. There are sub-issues involved with urban versus rural tribes. Internet access can be a challenge. A "one size fits all" system is an unlikely solution.

2.2.4   INTERFACES

The group discussed desirable interfaces between tribal child support systems and state and Federal systems, as well as potential intra-tribal and inter-tribal system interfaces. Again, for tribes, enrollment and membership information is privileged. Before automatic interfaces can be accomplished, the tribes

need reassurance regarding the security of this kind of information and of financial reporting information. For some tribes, native language considerations will also affect any automatic interfaces. Interfaces to perform the "Locate" function in CSE can be problematic as, for example, some Navajo do not have mailing addresses, post office boxes or zip codes. Most sub-issues regarding Interfaces were deferred until the group's Systems Design discussion (see **Section 2.3, Meeting # 2**, below).

2.2.5 TECHNOLOGY

The group briefly touched on technology options for tribal CSE automation, but deferred more detailed discussion of this issue until the meeting on Systems Design. To provide a sense of the dimensions of this issue, the Federal CSE Systems Certification Guide for States was promised for pre-meeting reading to all attendees. In the past, some tribes have developed system prototypes together with other tribes. Too much Federal scrutiny during systems development was not favored. However, justification (for funding of systems) was understood as a necessary hurdle. Federal representatives emphasized their role was both "fiduciary", in monitoring the reasonableness of Federal expenditures, and "advisory", in delivery of technical and programmatic consultation, in the systems development and implementation process.

2.3 MEETING #2

The group spent both days of this meeting focused on the Systems Design issue. They focused on gaining consensus about what they wanted the potential tribal CSE automation system(s) to do.

2.3.1 SYSTEMS DESIGN

Using the certification guidelines outlined in the <u>Automated Systems for Child Support Enforcement: A Guide for States</u>, as a means to discuss desirable requirements of potential tribal CSE systems, the workgroup surfaced differences and similarities between their objectives for the systems and the Federal government's objectives for current state CSE systems. Every data element contained in certified state systems was considered. Often, where an objective/requirement was to be performed "automatically", the group was willing to consider a system with a similar, though more manual capability. Those data elements requiring further research were designated. Since the tribal CSE program would not be subject to regulation-imposed timeframes for accomplishing CSE worker tasks (to the extent that state systems were), timeframe requirements for a tribal system were considered to be a discretionary part of a potential tribal system.

The group decided that, preliminarily, the data elements that would need to be added to those found in state systems guidance document were: tribe name; tribal enrollment number (depending upon the tribe's preference), and a narrative (notepad) capability associated with the "Locate" function and/or a default address capability for tribal members without unique addresses or zip codes.

The group was then given a view of a potential lifecycle for development of a "typical" child support system, from planning through implementation. Throughout the meetings, some tribal representatives were concerned about needing a system "now". Typical timeframes for Federal approvals, proposal evaluation and the multiple complexities of large information system design and development were thoroughly explored.

The remainder of the meeting was spent crafting potential scenarios for how a system(s) could be rolled out across the tribes. A small, medium and large system effort (for small, medium and large caseload tribes/tribal consortia) was explored. The need for a voluntary steering committee and a larger users' group to oversee systems development and implementation was explained. An initial model system, built for and with the Chickasaw, was postulated. Potential existing prototypes and resources to support tribal efforts were discussed. Necessary decisions, such as whether to use contractors for any stage of development, were outlined. Federal perspectives concerning proprietary application software, open architectures and industry standards were shared. The group agreed to finalize a system(s) design "Next Steps" as part of their last meeting in December.

2.4   MEETING #3

The first day of this meeting was spent discussing the Federal Monitoring and Federal Funding issues. The second day was devoted to training in project management principles. Federal representatives from the Office of Grants Management joined the group on Day #1, to provide funding-related detail.

2.4.1   FEDERAL MONITORING AND FUNDING

Throughout the discussion, the concepts of Federal funding and monitoring intertwined. The following topics were covered though neither consensus nor final determinations were achieved:

- The nature of Federal technical assistance to tribal systems projects. The group viewed a higher level of ongoing involvement by Federal technical assistance as a way to streamline the project reporting process; that is, if the Federal government were involved throughout the design and development process, then less written justification would be needed for system costs and implementation timeframes. The Federal role was clarified as one of a consultant or advisor (as opposed to a building or installing) role.

- The types of project reporting and documentation requirements that could be expected. Sections of the project management plan, required by the Federal government of states' projects, were used to convey some sense of the topics of interest to the Federal government. Additional ways to streamline the project reporting process, including the establishment of a web-based mechanism, were considered. The concept of Feasibility Studies and Alternatives Analyses, required by states for funding purposes, was introduced and explored. Some tribal representatives felt that an examination of alternatives, such as building a system from "scratch", "transferring" and modifying an existing system or maintaining the status quo, was a "given" analysis that the tribes were already conducting. Federal representatives stressed the need to document such efforts.

- The feasibility of "self-certification" for tribes. The group grappled with balancing the sovereignty of tribes with the desirability of Federal oversight to keep systems projects on track. If a tribe installed a potential "model" system, developed with Federal oversight, "self-certification" might be an option. Some tribal representatives felt Tribal Council written assurance, combined with reporting, should be sufficient proof of system viability. The tribal representatives agreed to take the issue of Federal versus self-certification back to their respective tribes and defer a discussion of preference until the final meeting in December.

- The group also touched on the Federal view of the needs for competitive procurements, cost/benefit analyses and grants management.

Throughout the meeting, discussion diverted to questions about the rationale for a single, model system for tribes and the feasibility of building a scalable system for multiple tribes versus the costs, risks and viability of unique systems in all tribal programs. Concerns about delays in a final regulation addressing tribal automated systems causing delays in the tribes ability to obtain funding for automated systems were repeatedly expressed.

This meeting ended after a discussion of the group's goals and desired agenda for the final meeting in December 2002. At that meeting the group planned to revisit all of the key issues.

2.5   MEETING #4

The first day of this meeting was devoted to training on the topic of "Planning and Managing the Technical Evolution". Prior to this meeting, this topic had been selected from a list of SITC courses by the workgroup. However, as the training progressed, the group decided a course entitled "Principles of Contract Management" would be more relevant. This topic was covered in the afternoon session of the first day.

On the second day, the group revisited the **Systems' Certification** issue raised in November. Some tribal representatives had wished to solicit input from their tribe before committing to a preference for self-certification or Federal certification. The general consensus was to explore ways to tie tribal reporting of systems activity to the regular reporting requested of tribes and to eliminate the need for formal certification. The Federal representatives agreed to discuss reporting requirements with the Federal Grants Management Office and to advise the group via the issuance of technical development guidelines, an Action Transmittal or some similar advisory vehicle.

To provide the group with a sense of how one state system looks and navigates, Dave White, from the State of Wisconsin Child Support program, gave a detailed demonstration of their automated system (aka KIDS). Of particular interest to the group were the system's capabilities to address security; the nature of system navigation; the participant history; court order entry screens, and experiences training workers on the system.

The group then moved on to another open-ended issue from previous meetings. Consensus on the issue of "**Interfaces"** (see **section 2.2.4**, above), that is, the core group of systems with which tribal automated systems should communicate, had been deferred from the earlier meeting on "Systems Design". Consensus was reached on the immediate need to explore interfaces with Federal systems, such as the Federal Parent Locator Service (FPLS), first. Then consideration should be given to intra-tribal interfaces with other tribal programs. Beyond the need to investigate prioritization of these two initial interfaces no further consensus was reached.

After reviewing the list of key issues created by the workgroup at their first meeting, the group decided to determine "Next Steps". Until guidelines or a final regulation on tribal CSE systems could be accomplished, the tribal representatives felt their actions were limited to planning for a system(s). In the interim, the Federal representatives would continue to update members via the List Serve created for the

group. The possibility of adding a "Systems Day" to the tribal grantee meeting in Washington, D.C. in May was also considered.

2.6   LIST OF COMMON VOCABULARY

Throughout the meetings the group captured terms/acronyms, requiring a common understanding. The terms are listed in the order in which they were discussed. The definitions are as defined by the workgroup.

Web-based Technology   In the context of these discussions, tools for building a model system.

RFP   Request for Proposals

RFI   Request for Information

ITB   Invitation to Bid

JAD Sessions   Joint Application Development Sessions

CMM   Capability Maturity Model

FIPS Codes   Federal Information Processing Standards five-digit identifier for locating state geographies

UIFSA   Uniform Interstate Family Support Act

P.L. 280 Tribes   Tribes for which states have concurrent jurisdiction. There are seven such tribes.

Open Architecture   A system framework enabling the use of non-proprietary products

IV&V   Independent Validation and Verification

3. LOGISTICS AND LESSONS LEARNED

The following logistical considerations are intended to assist in the planning of future meetings with similar workgroups. They are based on workgroup member observations and attendee evaluations.

3.1   ENHANCING COMMUNICATION

Since some tribal representatives use English as a second language, and since some representatives need to consult Tribal Councils and leadership before speaking for their tribes, agendas should be provided to workgroup members two to three weeks prior to each meeting. Meeting minutes from the previous meeting should be distributed with the upcoming agenda.

Any individuals responsible for facilitation or training of similar groups should be made aware of language issues, should be made aware of cultural differences and sensitivities in the Indian community, and should have a basic understanding of the complexities and terminology of child support enforcement.

Also, since reliable and consistent Internet access may be a problem for some tribal representatives, alternatives to email may be necessary for communication and distribution. At the beginning of any follow-on efforts, attendees should be polled to ensure special communication needs are accommodated.

Before initiating the next phase of this effort, and prior to each individual meeting, the Federal task leader, meeting facilitator and recorder should meet to discuss the goals and structure of each meeting and the management of attendee expectations. In addition, these individuals should work together to clarify the process and responsibility for distributing meeting minutes and materials, preparing agendas, and the like.

3.2   ACCOMMODATIONS

When selecting the physical location for meetings, the proximity of the majority of meeting attendees should be considered. Meetings were held in Chicago, Tampa, near Washington, D.C. and in Albuquerque. Due to accessibility to Indian Country, Denver, Minneapolis, Tulsa, Phoenix and Seattle could be other potential sites.

A single point of contact for any logistics involving travel and accommodations is advised. Ideally, this individual would be available on-site (at the meetings) to handle individual travel and accommodation issues and to interface with hotel event staff. This individual should be sensitive to any unique financial and dietary concerns of attendees. Some tribal attendees requested expedited reimbursement, as cash advances were not available to them through their tribes. Although attendees were polled for dietary restrictions/preferences, hotel staff understood/accommodated these to varying degrees. Awareness of such issues is advised. Generally, serving a full breakfast to attendees is not advised. However, working lunches, especially on the final day of meetings, did work well.