

## **XI. TRIBAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AND NATIVE EMPLOYMENT WORKS**

Federally-recognized American Indian Tribes and Alaska Native organizations may elect to operate their own TANF programs to serve eligible Tribal families. As of Fiscal Year (FY) 2002 year's end, 36 Tribal TANF plans were approved to operate on behalf of 175 Tribes and Alaska Native villages.

Each eligible Tribe or Alaska Native organization that wants to administer its own TANF program must submit a Tribal TANF Family Assistance Plan (TFAP) to the Department of Health and Human Services (HHS) for review and approval. Although no specific format is required, a TFAP must contain elements specified in the law and regulations, such as how Tribes will promote work, the stability and health of families, work activities and support services, time-limited assistance, sanctions for non-compliance with work requirements, and personal responsibility. Unlike State TANF plans, which are reviewed to certify only that they are complete, Tribal TANF plans must be approved by HHS. In addition, Tribes who were Tribal Job Opportunities and Basic Skills Training (JOBS) Program grantees under the former AFDC program are eligible to administer Native Employment Works (NEW) program grants, which support employment services.

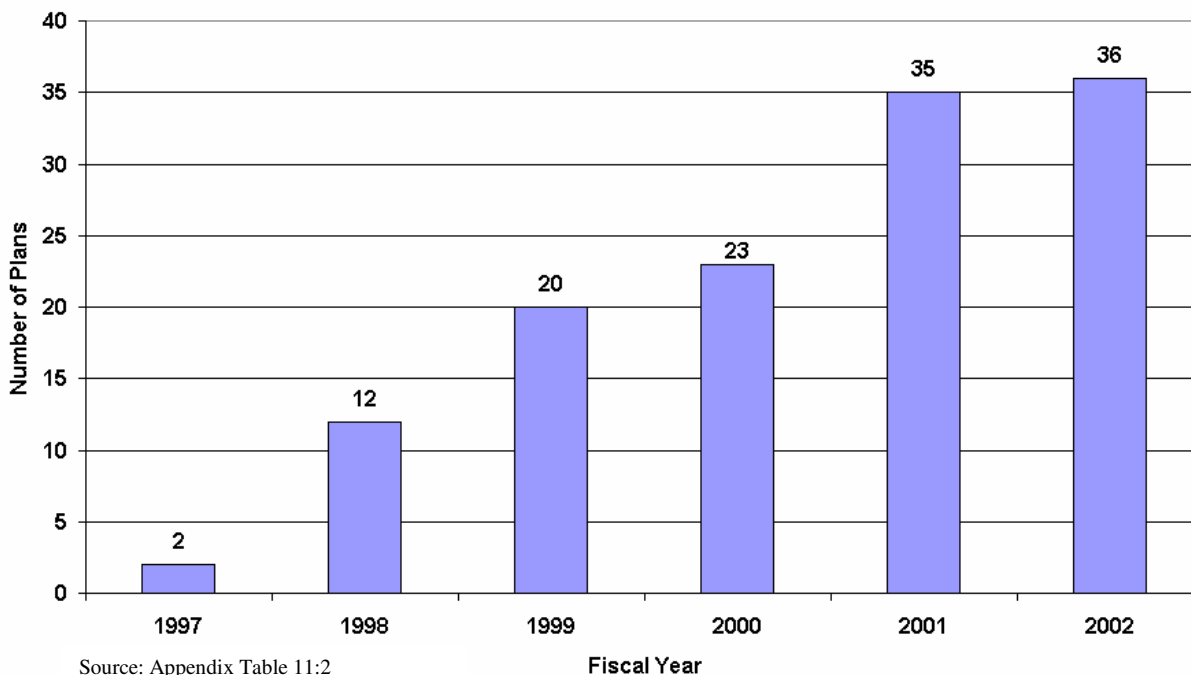
Tribes administering their own TANF program have great flexibility in program design and implementation. They can define such elements of their programs as the service area, service population (e.g., all Indian families in the service area or only enrolled members of the Tribe), time limits, benefits and services, the definition of "family," eligibility criteria, and work and work activities. Tribes have the ability to establish, through negotiation with HHS, program work participation rate targets and required work hours. Also, they can establish what benefits and services will be available and develop their own strategies for achieving program goals, including how to help recipients move off welfare and become self-sufficient.

An important factor in successful administration of Tribal programs has been communication, collaboration, and coordination with States and locally administered programs. In addition, Tribes can enter into partnerships with States and local governments to ensure that Tribal families continue to receive the support services necessary to become self-sufficient, such as food stamps and Medicaid. New relationships are being forged and existing ones are being strengthened. Research conducted by the Washington University School of Social Work and funded by HHS found that Tribal TANF implementation on reservations has "strengthened coordination, communication, and collaboration at all levels – among Tribal social service providers, between Tribes and States, and Tribes and the Federal government."

In addition to serving their own on or near reservation populations, several programs are also serving significant non-reservation Indian populations in adjacent urban and suburban areas. In

California, for example, the Torres Martinez TANF Consortium is serving the non-reservation Indian population of Los Angeles County and near reservation towns in Riverside County, and the Owens Valley Career Development Center Program is serving the non-reservation Indian population of Kern, Inyo, and Tulare counties. All together Tribal TANF programs are serving approximately 25,000 assistance units or families. The number of approved Tribal TANF Programs from FY 1997 through FY 2002 is displayed in Figure A.

**Figure A**  
**Number of Approved Tribal TANF Programs, FY 1997-2002**



Source: Appendix Table 11:2

American Indian and Alaska Native families not served by Tribal TANF programs continue to be served by State TANF programs. State governments in FY 2002 served about 27,000 American Indian families, up from 17,000 in FY 2001.

Tribes administering TANF programs have the option to administer their programs utilizing Pub.L. 102-477, which authorizes the integration of various employment, training, and related services provided by Indian Tribal governments under a Bureau of Indian Affairs approved 477 plan. Currently, 11 of the 36 Tribal TANF programs are administered under this program. The Tribes that utilize this option do so to integrate and consolidate their TANF programs (and where applicable, Native Employment Works (NEW) programs) with other related and complementary support programs. This allows Tribes to simplify their budgeting, operating, and reporting systems, while maximizing their resources and service delivery capabilities. Financial reporting relating to the TANF program has been integrated to the maximum extent possible, while still meeting the minimum statutory requirement for ensuring proper expenditure of TANF funds. Performance reporting must of necessity be maintained separately in order to meet minimum statutory and regulatory reporting requirements.

### Current HHS – Supported Studies

HHS is currently supporting three major studies on the impact of welfare reform, including the impact of TANF programs, on Indian Tribes and American Indian families.

#### **Welfare to Work: Monitoring the Impact of Welfare Reform on American Indian Families with Children**

The Washington University School of Social Work (St. Louis, Missouri) has recently completed the final year of a five-year longitudinal study of the implementation of State and Tribal responses to TANF in Arizona, and the impact on Indian families and reservations. The overall purpose of the project is to monitor and document the implementation process, and also to assess the impact of welfare reform on American Indian families and reservations in Arizona taking into account evolving State and Tribal responses to TANF. This study was completed in September 2003, and it provides information of interest to Tribes, States, and Federal agencies, including extensive demographic, contextual, and socio-economic data, as well as policy and programmatic implications. The final report was released in March 2004.

*Working Paper 3* of this ongoing study was issued in September 2001. This paper compares the findings from two rounds of surveys conducted with American Indian families who were current or former welfare recipients. Based on data collected from the subject study groups, preliminary findings reported in this paper indicate marginal improvements in employment and hardship-related statistics:

- Employment rates of American Indian respondents in the research sample increased from 11 percent to 15 percent, compared with employment rates for all TANF recipients of 23 percent nationally and 39 percent for the State of Arizona from 1999 to 2000.
- The lack of job experience among respondents dropped from 46 percent to 42 percent, and the percentage of respondents participating in education or job training increased from 57 percent to 67 percent.
- Respondents in the research sample who could not afford to buy food dropped from 49 percent to 45 percent, and the percentage of these respondents receiving welfare benefits, including TANF, food stamps, Supplemental Security Income (SSI), and Tribal General Assistance, dropped from 93 percent to 88 percent.

#### **Experience of TANF Programs: Problems, Solutions, and Lessons Learned**

Support Services International Inc. conducted this multi-year (1999 – 2003) study to develop national-level information on the experience of Tribes with TANF programs and families affected by TANF. This study was completed in October 2003, and the information provided by this study should be useful to all Tribal governments, States, and Federal agencies concerned with the successful implementation of Tribal TANF programs. The final report and Tribal Handbook were completed in April 2004.

## Evaluation of the Tribal Welfare-to-Work Grant Programs

This study, conducted by Mathematica Policy Research Inc. and its subcontractors, the Urban Institute and Support Services International, Inc., is an evaluation of the Tribal programs in the Department of Labor's (DOL) Welfare-to-Work (WtW) grants program. A component of HHS's larger evaluation of the WtW program, the study focuses on the policy context for WtW, the special circumstances of Tribes, the program framework for WtW implementation, the nature of the program services, and lessons learned. The Tribal study touches on other programs with which WtW grantees coordinate, including HHS's TANF and NEW programs. The most recent reports published under this ongoing project include *Evaluation of the Tribal WtW Grants Program: Initial Implementation Findings* (2001) and *Operating TANF: Opportunities and Challenges for Tribes and Tribal Consortia* (2003). This latest report, based on in-depth visits to ten diverse Tribal WtW grantees, found that:

- For most Tribes, the decision to assume responsibility for TANF is a critical one.
- Study sites found that developing a sound TANF plan is central to success. Cooperation with the State can smooth the transition to a successful Tribal TANF program.
- Despite challenges, the Tribal grantees in this study developed successful strategies for the transition to Tribal program operation. Most made a gradual transition, with continued State involvement in program operations for an interim period.
- The lack of unsubsidized employment on reservations is the greatest threat to the success of Tribal TANF programs. One of the Tribes' greatest concerns is that the 60-month lifetime limit on TANF benefits will be reached before enough jobs become available.

An upcoming report will focus on WtW Tribal grantees' experiences with economic development. A final report for the entire WtW evaluation, which will include findings from the Tribal component of the project, is due to be completed by late 2004.

### Tribal TANF Background Data

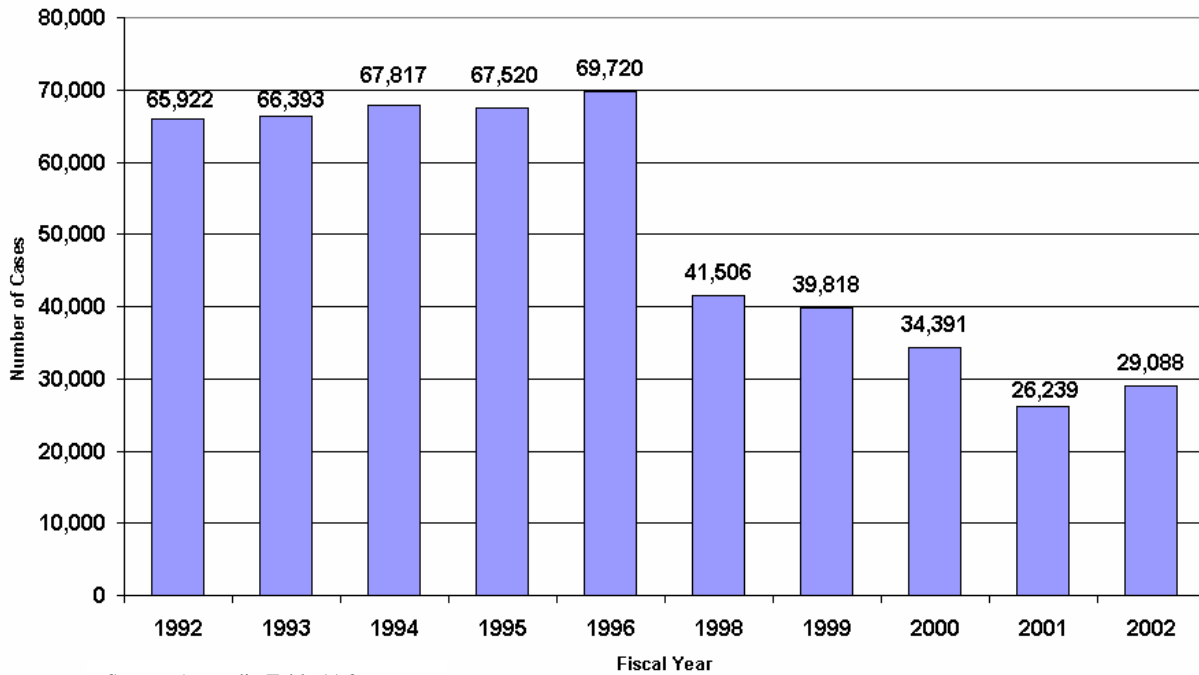
Table 11:1 in the Appendix shows grant amounts awarded to American Indian entities for the TANF and NEW programs. FY 2002 funds awarded to Tribes with approved TANF plans totaled \$101,383,376; this was the prorated portion of the approved Tribal TANF grants, which totaled \$101,739,418 annually. This prorating occurred because not all Tribal TANF programs were operational for the full fiscal year. The amount of the approved grants is based on American Indian families served under State Aid to Families with Dependent Children (AFDC) programs in FY 1994 in the Tribal grantee's service area.

Table 11:2 in the Appendix shows the Tribal TANF programs, the number of Tribes served, the date the program started, the Federal grant amount, the estimated monthly caseload in FY 1994 (the caseload which was used to establish the funding level for the Tribe's Family Assistance Grant), and the receipt or non-receipt of State match.

Table 11:3 in the Appendix shows the number of American Indian families served by State TANF programs from FY 1992 through FY 2002. Figure B illustrates the national trend over

that period of time. These figures do not include the number of families served by Tribal TANF programs.

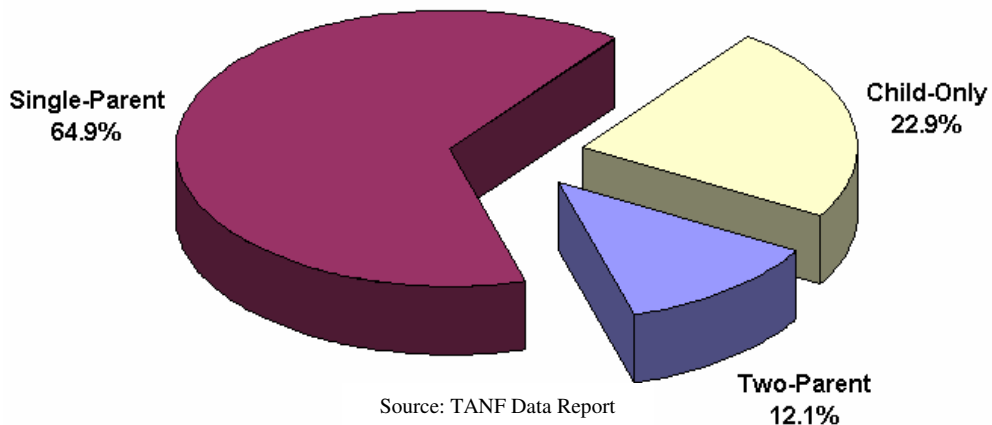
**Figure B**  
**American Indian Families Served by State TANF Programs**  
**FY 1992-2002**



Source: Appendix Table 11:3

Figure C indicates that of the 9,983 Tribal TANF families reported, 6,483, or 64.9 percent were single parent families and 2,291 or 22.9 percent were child-only cases.

**Figure C**  
**Tribal TANF Families, FY 2002**  
**Number of Parents in Family**



Source: TANF Data Report

## **Tribal TANF Recipient Characteristics and Work Participation Rates**

Tables 11:4 through 11:9 in the Appendix provide general Tribal TANF characteristic data for the Tribes reporting. The data are for FY 2001 and should be considered preliminary.

Table 11:4 in the Appendix shows that 2,280 adult TANF recipients were reported as engaged in work activities. Although the total is unduplicated, some of the participants were engaged in more than one work activity. Within this limitation, Table 11:4 also shows that almost 50 percent of these adults were working in unsubsidized employment, while about 9 percent had unpaid work experience and roughly 14 percent were doing job search and job readiness activities.

Table 11:5 in the Appendix shows that, of the total 7,815 adult TANF recipients reported, 2,645 or 33.8 percent were required to work. An additional 2,168 or about 28 percent were exempt from work, and about 4 percent were either disregarded or deemed working.

Table 11:6 in the Appendix shows that almost 83 percent of the adult TANF recipients were the heads of their households, and slightly more than 11 percent were the spouse of the head of the household.

Table 11:7 in the Appendix shows that about 33 percent of the families being served had three or more children. The average family had 2.0 children.

As shown in Table 11:8 in the Appendix, the average age of children served was 8.2 years, and almost one-third of the children were less than five years old.

Table 11:9 in the Appendix shows that work participation rates for FY 2001 for Tribes that were required to report averaged roughly 21 percent for all families, 19 percent for single parent families, and 28 percent for two-parent families.

## **The Native Employment Works (NEW) Program**

The statutory purpose of the Native Employment Works (NEW) program is to make work activities available to grantee service populations. The NEW program complements TANF programs by preparing participants for employment and self-sufficiency. While NEW programs are not required to serve TANF participants, the majority of NEW participants also are Tribal TANF or State TANF participants. Thus NEW is an important partner with both Tribal and State TANF programs in the TANF initiative.

The NEW program was authorized by section 412(a)(2) of the Social Security Act, as amended by Public Law (P.L.) 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The NEW program began July 1, 1997, replacing the Tribal Job Opportunities and Basic Skills Training (JOBS) program. Federal regulations for the NEW program are found in 45 CFR Part 287.

By law, eligibility to administer NEW programs is limited to federally-recognized Tribes, Alaska Native organizations, and Tribal consortia that operated JOBS programs in FY 1995. As of June 30, 2002, there were 79 NEW grantees, 17 of which also operated Tribal TANF programs.

Annual NEW program amounts are set by law at the FY 1994 Tribal JOBS funding levels for each eligible Tribe/organization. Total annual funding is \$7,633,287.

NEW programs provide work activities and supportive and job retention services to help clients prepare for and obtain permanent, unsubsidized employment. NEW grantees have the flexibility to design their programs to meet their needs, to select their service population and service area, and to determine the work activities and related services they will provide. In designing their NEW programs, Tribes consider the unique economic and social conditions in their communities and the needs of individual clients. Clients generally have low levels of education and job skills, and often face serious shortages of job opportunities and support services. Working with related programs, NEW programs help Tribes address these problems, bridge service gaps, and provide coordinated employment, training, and related services. Primary coordination linkages are with Tribal and State TANF programs, other employment and training programs (for example, the Department of Labor's Workforce Investment Act program), Head Start and child care programs, Tribal and community colleges, and local businesses.

NEW work activities include (but are not limited to):

- Educational activities, including remedial, post-secondary, and alternative education;
- Training and job readiness activities, including job skills training, on-the-job training (OJT), entrepreneurial training, and management training; and
- Employment activities, including job search, job development and placement, unsubsidized and subsidized public and private sector employment, and community work experience.

NEW program supportive and job retention services are work and family self-sufficiency-related services that enable a client to participate in the program. They include transportation, child care, counseling, medical services, and services such as providing eyeglasses, equipment, tools, and uniforms needed for jobs. NEW program activities also may include labor/job market assessments, job creation, and economic development leading to job creation.

#### *NEW Programs in Program Year 2001-2002*

Seventy-nine Indian Tribes, Alaska Native organizations, and Tribal consortia operated NEW programs during Program Year (PY) 2001-2002 (July 1, 2001 – June 30, 2002). Of this total, 27 grantees included their PY 2001-2002 NEW funding in demonstration projects under P.L. 102-477, the Indian Employment, Training and Related Services Demonstration Act of 1992. P.L.102-477 gives Tribes the option to operate demonstration projects that integrate federally-funded employment, training and related services programs and consolidate administrative functions for these programs. These grantees reported to the lead agency for P.L. 102-477 projects, the Bureau of Indian Affairs (BIA) in the Department of the Interior. The remaining 52

NEW grantees did not include their NEW funding under a P.L. 102-477 project in PY 2001-2002. These grantees reported directly to HHS on their NEW programs.

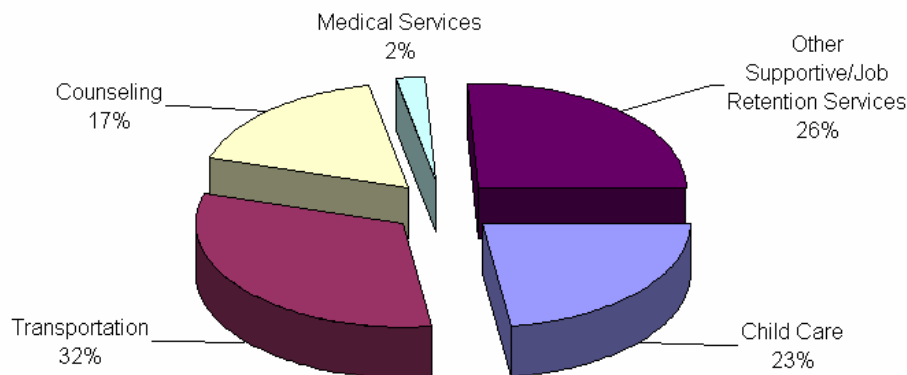
The following statistics were reported for PY 2001-2002 by the 52 NEW grantees that did not include their NEW programs in P.L. 102-477 projects. Data reported by these grantees are provided in more detail in Tables 11:10 through 11:14 in the Appendix.

Appendix Table 11:10 indicates that these 52 grantees served a total of 4,779 participants during PY 2001-2002. Appendix Table 11:12 shows that of these clients, about 76 percent (3,611 clients) were female, and about 24 percent (1,168) were male. About 92 percent (4,383 clients) were adults, and about 8 percent (396) were teen parents. Most NEW program participants also received TANF assistance. About 63 percent of NEW participants (3,000 clients) received TANF cash assistance and/or other TANF services through Tribal or State TANF programs.

Appendix Table 11:11 shows that during PY 2001-2002, about 15 percent of NEW program participants (695 clients) completed the program by entering unsubsidized employment. Of those who entered unsubsidized employment, about 63 percent (436 clients) were TANF recipients.

The most frequently provided NEW program activities were job search, classroom training, and work experience as reported in Appendix Table 11:13. In PY 2001-2002, about 38 percent of participants (1,829 clients) engaged in job search, 28 percent (1,342 clients) participated in classroom training, and 27 percent (1,278 clients) participated in work experience. Appendix Table 11:14 shows that the most frequently provided supportive and job retention services were transportation and child care. Of those who received services, about 32 percent of participants (1,536 clients) received transportation assistance, and about 23 percent of client families (1,104 client families) received child care services from the NEW program. Figure D contains a more detailed breakdown of these supportive and job retention services.

**Figure D**  
**Supportive and Retention Services Provided to NEW**  
**Program Clients, July 1, 2001 - June 30, 2002\***



\*Some clients received more than one service  
 Source: Appendix Table 11:14



Tribes participating in P.L. 102-477 projects did not report separate data on the NEW program. Instead, they reported combined data for all of the programs included in their P.L. 102-477 projects. According to BIA summary information, during PY 2001-2002, the 27 NEW grantees that included their NEW programs in P.L. 102-477 projects served a combined total of 44,176 clients under all of the programs in their P.L. 102-477 projects, and of these clients, about 17 percent (7,599 clients) entered unsubsidized employment during this period.

NEW programs coordinated education, training, work experience, job search, and job referral with other Tribal programs and with local educational institutions and employers. They provided intensive case management, behavioral and health counseling, and life skills training. Many Tribes with NEW programs located training, employment, and social services in “one-stop” centers where staff assessed clients’ needs and then provided targeted activities and services to meet those needs. Information/resource centers and learning centers containing resource materials, classrooms, and computer labs provided job preparation services, including individual needs assessments, case management, and classroom instruction.

Many NEW grantees helped clients achieve educational goals to prepare for employment, such as receiving their GED or AA degree. Grantees provided GED preparation classes and enrolled clients in nearby colleges, including Tribal colleges, where the clients took courses in nursing, child care, accounting, business, management, etc. Grantees helped clients take vocational courses to pursue careers as certified nursing assistants, office workers, fire fighters, auto mechanics, bus drivers, construction workers, and more.

NEW programs established OJT and work experience placements for clients and helped them locate and apply for permanent employment. They provided vans and other transportation to take clients to classes and training, to help with work experience and job search, to purchase clothing and equipment needed for employment, to pay bills, and for other necessary situations. They provided child care and other needed supportive and job retention services and they operated programs to help clients overcome barriers including substance abuse and domestic violence.

Lack of jobs is a major problem for NEW programs, which usually are located on isolated, rural reservations. However, seven grantees were able to place 50 percent or more of their NEW clients in permanent, unsubsidized employment in PY 2001-2002.