

Statement by
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Mr. Chairman and members of the Committee, thank you for providing me the opportunity to testify today. As director of the Office of Community Services, the office within the Administration for Children and Families that administers the Tribal Temporary Assistance for Needy Families program and the Native Employment Works program, I am pleased to discuss with you these important Native American programs as we look to reauthorization of welfare reform. As requested, my testimony also addresses the programs administered by the Administration for Native Americans (ANA), within the Administration for Children and Families. While I am not responsible for administering these programs, I am happy to discuss their important work.

TRIBALLY ADMINISTERED TANF AND NEW PROGRAMS

Background

The Tribal Temporary Assistance for Needy Families (TANF) and Native Employment Works (NEW) programs were created, along with the TANF program for the States, as part of welfare reform by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). PRWORA represents a major change in Federal welfare policy. It ended the entitlement to public assistance for poor families with children and established work requirements and time limits for receiving cash assistance for most adults. It focused efforts on moving families from cash assistance to work and self-sufficiency. Under TANF, there is increased flexibility to design welfare programs that promote work and strengthen families.

The TANF program replaced the Aid to Families with Dependent Children (AFDC) program.

While Indian Tribes were not eligible to operate their own AFDC programs, welfare reform gave Tribes the opportunity to operate their own TANF programs in order to meet the unique needs of tribal families in moving to work and self-sufficiency. Tribes have the option to receive direct Federal funding to independently design and operate TANF programs, or they may choose to rely upon States to provide TANF services to tribal families.

Tribal TANF

Although States operated family assistance programs for 60 years, operating TANF is a new responsibility for Tribes. Tribal, Federal, and State governments have worked in partnership as Tribes have taken on this major new responsibility. Since PRWORA was enacted, HHS has provided assistance to Tribes – through conferences and meetings, technical assistance, and information exchange – as Tribes consider whether to administer TANF programs themselves, and as they operate their own Tribal TANF programs.

The number of Tribal TANF programs continues to increase each year. The first two Tribal TANF programs began in July 1997 with annual Federal TANF funding to Tribes totaling almost \$600,000, and an estimated caseload of about 110 families. Currently, there are 36 approved Tribal TANF programs in 15 States encompassing 174 Tribes and Alaska Native villages. Current Federal TANF funding to Tribes totals \$96.3 million. These programs serve a combined caseload of approximately 23,000 families, with an estimated 65,000 individuals. In addition to

servicing nine Tribes in its service area, the Torres Martinez Tribal TANF Consortium also serves the non-reservation Indian population of Los Angeles County, California, with an estimated caseload of about 4,300 families.

Currently, an additional eight Tribal TANF plans are pending. These pending plans involve 12 Tribes with an estimated caseload of 6,000 families and as many as 20,000 individuals. We continue to receive inquiries and requests for TANF planning packages, indicating that there is significant interest in establishing many more Tribal TANF programs.

There is no separate funding source for Tribal TANF programs. Each Tribe's TANF funding is taken from the appropriate State's TANF block grant, based on fiscal year 1994 AFDC caseloads for Indian families residing in the service area identified by the Tribe. In addition, most of the 15 States in which Tribes are administering their own TANF programs have chosen to provide funding and/or in kind supports to further tribal efforts. Thirteen of the States in which Tribes are administering their own TANF programs-- Alaska, Arizona, California, Idaho, Minnesota, Montana, Nebraska, New Mexico, Oklahoma, Oregon, Utah, Washington, and Wyoming--are providing additional funding assistance to the Tribes, and are claiming these expenditures to meet their TANF "maintenance of effort" (MOE) requirements. Several of them also are providing additional resources such as computers, staff training, reporting support, and access to the State reporting systems. Many of them are working in collaboration with Tribal TANF programs in referrals, information exchange, and eligibility assessment and determination for other programs such as food stamps and Medicaid. Some States co-locate and out station State

employees with tribal programs to provide intake and assessments in a convenient “one-stop” operation.

Tribes have broad flexibility in designing their programs and, like States, are making varied choices to meet their own unique circumstances. Time limits on receipt of benefits vary: 32 plans allow for the same 60 months of benefits as States, with the remaining four plans allowing 24 months within an 84 month period, comparable to the State in which they are located. Under the work requirements, participation rates and the number of hours of work required per week also vary from plan to plan. The 32 Tribes that adopted the full 60 months time limit exercised their option to negotiate their own participation rates and required hours of work, adopting a fairly wide range of requirements. On the other hand, the four Tribes that adopted their State’s time limits also adopted the same participation rates the law requires of States (25 percent in the first year, increasing to 50 percent by the fifth year for all families, and 75 percent in the first year, increasing to 90 percent in the third year for two-parent families). Also, they adopted the same minimum work requirements to which participants in State programs are subject.

Like work activities and benefits, support services vary greatly from one Tribe to another, with Tribes tailoring them to fit the unique needs of their service populations. Using the flexibility afforded them, Tribes have designed TANF programs to fit their individual tribal structures and respond to their unique social, cultural, economic, and geographic situations. This includes designing program administrative functions, infrastructure, and service delivery systems with a variety of strategies that respond to the unique circumstances of reservations and, in some circumstances, to individual communities within reservations or service areas.

Tribes have taken the initiative to improve service accessibility and delivery systems through their TANF programs. I'd like to share a few examples:

- In one program, the Mille Lacs Band of Ojibwe in Minnesota used tribal casino revenues to build an “Independent Life Skills Center” to house the Tribal TANF program. This center provides classrooms, a computer learning lab, a secure records facility, office space, and a children’s play area for use by TANF recipients. The center also provides office space for selected State programs so that tribal members can be served in a central location by a variety of human and social service programs.
- The Tanana Chiefs Conference in Alaska, with joint funding provided by the TANF program and the Bureau of Indian Affairs, provides “one-stop,” “single point of contact” service centers in multiple villages for applicants requesting assistance and maintains a toll free 24-hour voice mail service that can be utilized by TANF recipients and service providers alike in serving recipients living in remote areas.
- Using its TANF program as a catalyst for change and innovation, the Southern California Tribal Chairmen’s Association helped create a transportation network linking the 19 Tribes in its service area, and with a multi-million dollar grant from a major computer company is developing a computer based communication and education/training system.
- The Confederated Salish and Kootenai Tribes of the Flathead Reservation in Montana have developed a comprehensive service delivery system that has become a model not only for other Tribes, but for State programs as well.
- The Navajo Nation, whose reservation covers several thousand square miles, is establishing a network of outreach centers in remote communities throughout the reservation. Coupled with

this, the program, with financial as well as developmental assistance from the Navajo Nation's government, has developed and is implementing a satellite-based communications system among the field offices and the central TANF program office to facilitate communications, client intake, reporting and record keeping, and coordination of client services.

In many circumstances, Tribal TANF programs have become a catalyst for reevaluating and improving existing tribal social services administrative systems, coordination, and infrastructure development. In addition, these programs have become an unexpected catalyst for developing and improving communications, collaboration, and cooperation between Tribes and States.

Native Employment Works

The Native Employment Works (NEW) program replaced the Tribal Job Opportunities and Basic Skills Training (JOBS) program. The NEW program provides funding for Tribes and inter-tribal consortia to design and provide work activities to meet the unique employment and training needs of their populations, to help tribal service populations become self-sufficient.

The statute restricts eligibility for the NEW program to Tribes and Alaska Native organizations that operated a JOBS program in FY 1995. Currently, all 79 eligible Tribes and organizations receive NEW program funding. The statute sets each Tribe's annual NEW funding level at the Tribe's FY 1994 JOBS funding level. Annual NEW grant amounts range from just over \$5,000 to \$1.75 million. Total funding for NEW programs is \$7.6 million per year.

NEW program grantees have broad flexibility to choose the work activities and related services that best meet the needs of their service populations. NEW programs help Tribes provide a more comprehensive, holistic range of services to prepare families for employment and self-sufficiency.

NEW programs provide work activities and supportive and job retention services to more than 10,000 clients a year. NEW work activities include education, training, and job readiness activities and employment activities (such as job search, job development and placement, community work experience, and subsidized and unsubsidized public and private sector employment). Some NEW programs also provide job market assessments, job creation, and economic development leading to job creation. NEW supportive and job retention services include transportation, child care, and other pre- and post-employment services.

NEW programs coordinate with local schools and colleges, including tribal colleges, and with local employers. NEW programs also complement and coordinate with TANF and other programs and services to help Tribes provide more seamless and comprehensive services for their clients. Many NEW grantees coordinate services in “one-stop” centers. At these centers, staff perform evaluations for participants to determine the need for services and programs, including TANF, NEW, Workforce Investment Act (WIA) programs, child care, and food stamps, and develop and implement comprehensive services plans. Most NEW clients receive TANF and/or other public assistance, such as Bureau of Indian Affairs General Assistance.

Challenges for the Future

Tribal TANF and NEW programs are addressing the needs of tribal service populations and have enabled clients to move to unsubsidized employment. However, there is much more that needs to be done. Tribal members – especially those in rural areas – continue to face major barriers to self-sufficiency. Unemployment is high in most tribal communities, and those employed often earn poverty-level incomes. Tribal members often have low levels of education and job skills and lack transportation and child care. Helping these families leave welfare for work requires that special attention be given to providing effective job preparation and supportive services, and realistically addressing the prospects for job opportunities on reservations.

HHS is funding on-going research to monitor and evaluate the impact of welfare reform on Indian families, including a Washington University study on how families are faring under welfare reform in Arizona. Published results to date from this study (July 2000 and September 2001) address the special circumstances of tribal families. Despite the gains in tribal employment resulting from Tribal TANF and NEW that I mentioned earlier, the study finds that rapid decline in caseloads at the national and regional level, nevertheless, will not automatically result in similar caseload declines on many Indian reservations. This is due to the characteristics of the welfare caseload on reservations, where education, job preparation, supportive services, and employment opportunities are lacking. Additional job opportunities must be created on many reservations as the next generation of tribal members enters the job market.

As part of eight TANF reauthorization discussions held throughout the country, HHS held a Tribal TANF listening session in San Francisco in October 2001, where Tribes shared their experiences and perspectives on TANF programs. To plan the tribal listening session, HHS worked with a variety of tribal organizations, such as the National Congress of American Indians, the National Indian Health Board, the National Indian Child Welfare Association, and the Tribal Self-Governance Advisory Committee, as well as individual tribal government representatives.

The tribal listening session and other tribal input show that Tribes see the Tribal TANF and NEW programs as valuable resources to help meet tribal needs and support self-sufficiency for tribal families. Tribes support the continued option for Tribes to operate their own TANF programs and to have funding for work and job training programs. Tribes also support continuing the flexibility within these programs, and they indicated the need for technical assistance to better serve their TANF populations.

The Tribal TANF and NEW programs are authorized through fiscal year 2002. Reauthorization of TANF – including Tribal TANF – and NEW is included in the President’s FY 2003 budget. The President's budget maintains the high level of Federal commitment to TANF at \$16.5 billion in block grant funding, with total Tribal TANF funding dependent upon which Tribes operate their own TANF programs. The President's budget also seeks level funding of the NEW program.

Tribal TANF programs will benefit from the changes proposed in the Administration's plan for reauthorizing the TANF program. For example, Tribes will be the beneficiaries of technical assistance provided under proposed new research, demonstration and technical assistance funds. The Administration proposes to provide technical assistance to Indian Tribes to identify and disseminate promising program models and other research information. This approach will help Tribes design and implement more effective TANF programs and family formation activities in tribal lands. Additionally, Tribes will benefit from the proposed demonstration and research projects that are intended to promote family formation and healthy marriages, and they also can benefit from the Administration's matching grant program to promote healthy marriages and reduce out-of-wedlock births. Tribal TANF and NEW programs also will have the added flexibility granted to States to use reserved funds for more than basic "assistance" needs.

Finally, Tribes can take advantage of the Administration's proposed approach for maximizing self-sufficiency through work and additional constructive activities. As you know, our proposal for TANF reauthorization includes the creation of a new universal engagement requirement that includes planning activities and services, and monitoring participation and progress. We know that it is especially important to Tribes with significant challenges to combine services with work programs in creative ways. Tribes will continue to have the flexibility to negotiate customized programs that are compatible with our proposals on case management, work, and services to meet the needs and challenges of their own communities and economic circumstances.

I would like now to turn to the second set of ACF programs about which you were interested in receiving testimony, the programs of the Administration for Native Americans.

ADMINISTRATION FOR NATIVE AMERICANS

Through a number of unique programs, the Administration for Native Americans provides financial assistance to Tribes and Native communities to support efforts to achieve their social, economic and governance objectives. ANA is authorized under the Native American Programs Act of 1974, as amended, for which the appropriations authority expires at the end of FY 2002. The President's budget seeks a straight line reauthorization of this important program.

ANA serves over 550 federally-recognized Tribes (including over 220 Alaska Native tribal governments), about 60 Tribes that are State-recognized or seeking Federal recognition, Indian and Alaska Native organizations, Native Hawaiian communities, and Native populations in Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

The Social and Economic Development Strategies (SEDS), Environmental Quality, and Native Languages Preservation programs under the Native American Programs Act play a vital role in supporting Indian and Native American self-determination and the development of economic, social and governance capacities of Native American communities. In FY 2001, ANA awarded a total of 296 grants, including special projects.

I will now turn to the three program areas ANA administers.

Governance and Social and Economic Development

In FY 2001, ANA awarded 160 new grants for governance, social and economic development projects under the SEDS program. These grants support the expansion and creation of businesses and jobs; youth leadership and entrepreneurship projects; tourism enterprises; diversified agricultural projects; cultural centers; fisheries; energy and natural resource management; and fish and wildlife preservation -- a vital necessity to support the traditional lifestyle and economies of the Tribes.

ANA provided grants to 45 Tribes to conduct status clarification projects to re-establish their trust relationship with the United States, along with funding for various time sensitive projects. For example, ANA funded three information dissemination and strategy development grants relating to the deregulation of electricity, as it affects Indian Tribes and other Native American communities. Such an effort enabled Tribes to make informed decisions relating to participation in new energy relationships as both a potential supplier and consumer. Tribal applications to the Western Area Power Administration and Bonneville Power Administration were a direct result of this effort.

Native Languages Preservation and Enhancement

Native languages are one of the crucial cultural resources by which tribal peoples identify themselves. Preserving language and culture reduces alienation often experienced by youth, resulting in the reduction of substance abuse, violence and other self-destructive behavior. It also is significant to note that Tribes who observe traditional ways have much lower rates of alcoholism and other forms of substance abuse.

Since many Native languages are in danger of being lost completely as dwindling groups of elders are the only speakers, ANA funded 62 new grants for a total of \$5.5 million for Native Languages in FY 2001. Projects include research on current Native language use; development of specialized curricula; Native language training programs; language immersion camps for youth; master apprentice programs; transcribing or recording on audio and video tapes; oral narratives that will be used to develop or revise dictionaries and curricula; and incorporating a Tribe's language into Tribal Head Start and child care programs.

Environmental Regulatory Enhancement

Tribes and Alaska Native village governments are operating 17 new environmental regulatory enhancement projects that build professional staff capacity to monitor and enforce Tribal environmental programs; develop Tribal environmental statutes and establish community environmental quality standards; and conduct the research needed to identify sources of pollution and determine the impact on existing environmental quality. The projects also help Tribes and village governments to meet Federal environmental requirements.

CONCLUSION

I hope that I have conveyed to you the vital role that Tribal TANF, NEW and the ANA programs play in implementing a "living" model of government-to-government relationship with Tribes and Alaska Native villages. I am pleased to have provided you with updates on these ACF programs that are vitally important to Native Americans. We look forward to working with the

Congress in reauthorizing each of these programs. If you have questions, I will be happy to try to answer them at this time.