Understanding Funding Sources For Substance Abuse Treatment For Welfare Recipients

CSAT Welfare Reform
Technical Assistance Network

Caliber Associates

CSAT WELFARE REFORM TECHNICAL ASSISTANCE PROJECT

UNDERSTANDING FUNDING SOURCES FOR SUBSTANCE ABUSE TREATMENT FOR WELFARE RECIPIENTS

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INTRODUCTION

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 brought profound changes to Federal welfare policy, making welfare assistance temporary and work a necessity. While national welfare caseloads have decreased substantially since the passage of PRWORA, those individuals remaining on welfare assistance are likely to be the hardest-to-serve and employ. Among the barriers to employment, substance abuse is recognized as one of the most common barriers among hard-to-employ recipients. Prior research estimates the prevalence of substance abuse rates among welfare recipients to range between 6.6 and 37 percent nationally and as high as 60 percent locally. Due to the requirements and restrictions under Federal welfare policy, substance abuse treatment and counseling services are becoming a necessity for any public assistance program attempting to move recipients from welfare to work.

This document is designed to serve as a reference tool, providing information on two specific Federal funding sources—Temporary Assistance for Needy Families (TANF) and Welfare to Work (WtW) funds—which can be targeted at supporting substance abuse treatment for the welfare population. The *Resource Packet* is broken down into five sections. The **first section** provides a brief Synopsis of the TANF program—funding requirements, allowable activities, restrictions and penalties. Also as a part of this section, contact information including name, agency and address is provided, along with a chart depicting funding levels for each State through second quarter Fiscal Year 1999. The **second section** focuses on the Welfare to Work program, and provides a brief Synopsis of the Welfare to Work program—funding requirements, allowable activities, and funding restrictions. Also as a part of this section, contact information including name, agency, and address is provided, along with charts detailing the 1998 and 1999 Formula and Competitive Welfare to Work grants awarded to the States. The **third section** describes the tribal TANF and Welfare to Work programs and highlights the tribal TANF plans and Indian and Native American WtW grants that have been approved to date. The **fourth section** provides background information on the Workforce Investment Act of 1998. The **fifth section** is a *Lexicon*, which provides a glossary of terms frequently used within the TANF and WtW program regulations.

Users of this document should be aware that additional sources of funds are available for funding substance abuse services. Other potential funding streams include the Substance Abuse and Performance Partnership Block Grant, Medicaid, Title XX Social Services Block Grant, and Title IV-B of the Social Security Act Subpart I (i.e., Child Welfare Formula Grants).

SECTION 1:

TANF SYNOPSIS

FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) PROGRAM

1. PROGRAM OVERVIEW

On August 22, 1996, the President signed into law the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), otherwise known as the new "welfare reform law." PRWORA replaces the Aid to Families with Dependent Children (AFDC), Emergency Assistance, and Job Opportunities and Basic Skills (JOBS) programs with the Temporary Assistance for Needy Families (TANF) program. The TANF program is a Federal block grant program allocated to States to provide services to needy families and children. PRWORA provides States with $16.38 billion in funding for FY 1997 - FY 2003. The goal of the program is to move TANF recipients into work and self-sufficiency through time-limited assistance. **The new law gives States increased flexibility in how to design and operate their TANF programs. For example, States can use Federal TANF funds to provide non-medical substance abuse treatment services for eligible TANF recipients.** States are also required; however, to meet Federal requirements to maintain their block grant funding.

2. DEFINITION OF ASSISTANCE

- Assistance includes cash, payments, vouchers, and other forms of benefits designed to meet a family's on-going basic needs (i.e. food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).
- Assistance excludes short-term non-recurrent benefits work subsidies, supportive services for employed families, Earned Income Tax Credit, counseling and case management services, and transportation benefits.

3. STATE REQUIREMENTS

To avoid penalties and maintain the full amount of the block grant, States must:

- *Submit a State plan*. The State plan must identify criteria for the delivery of benefits and to determine eligibility and must explain how it will provide opportunities for recipients to receive benefits.
- *Meet work participation rate*. Must have 25 percent of families working within the first year of the new law, 50 percent by 2002. For two-parent families, the rate rises to 75 percent in first year and 90 percent by 1999.
- *Meet Maintenance of Effort (MOE).* States must match Federal block grant funding with 80 percent of their FY 1994 spending on AFDC and related programs. It is

important to note that MOE dollars do not have the same restrictions placed on their use as TANF dollars. For example, MOE funds can be spent on medical portions of substance abuse treatment.

- *Comply with data reporting.* States are required to fulfill all Federal reporting requirements including the tracking of clients. States must submit two quarterly reports and two annual reports.

- *Enforce time limits*. States must set a time limit (maximum of 5 years) for recipients to become self-sufficient and leave the program. States must require recipients to be engaged in work activities within a 2-year time frame.

4. EXPENDITURE RESTRICTIONS

Federal TANF funds many not be used to provide assistance to:

- A family that does not include a minor child
- A family or adult who has received 60 months of assistance
- Families that have not assigned rights to child support
- Unmarried parents under age 18 not attending high school/obtaining GED, and living in a supervised adult setting
- Individuals convicted of a drug-related felony, unless the State has opted out of or modified the ban through legislation
- Fugitive felons
- Pay for medical services, except pre-pregnancy and family planning
- An individual for 10 years following conviction of fraud.

Furthermore, administrative expenditures cannot exceed 15 percent of grant amount.

5. PENALTIES

- *Work participation rate penalty*. Reduction in Federal grants by 5 percent for the first year and the penalty increases by 2 percent points for each successive year that the State does not meet the participation rates. The total work participation penalty, however, cannot exceed 21 percent of the State's adjusted grant amount.

- *Maintenance of Effort (MOE) penalty.* Reduction in the following year's TANF grant by the shortfall in MOE spending. In addition, if the State received Welfare to Work grant funds for the year, the Secretary must reduce the following year's TANF grant by the amount of those Welfare to Work funds.

- *Data report penalty*. Reduction of 4 percent in TANF grant for the next year, to be rescinded if the State submits the report before the end of the next fiscal quarter.

- *Five-year time limit penalty*. Reduction of 5 percent in the TANF grant for the next fiscal year.

- *Misuse or intentional misuse of funds penalty*. Reduction in the TANF grant equal to the misused amount for the next fiscal quarter. Intentional misuse results in an additional 5 percent reduction in the adjust TANF grant for the next fiscal quarter.

6. BONUSES

PRWORA makes $1 billion available over a 5-year period (FY 1999 - FY 2003) for States that achieve high performance levels in the following areas:

- *Employment placement*

- *Job retention*

- *Earnings progression.*

The first round of welfare high performance bonuses was awarded on December 4, 1999 to 27 states.

There is also a $100 million annual appropriation for bonuses to states for achieving the *largest reductions in out-of-wedlock births*. This bonus is available annually to as many as five states with the largest reduction in the proportion of out-of-wedlock births to total births. The first round of bonuses was awarded on September 13, 1999 to Alabama, California, the District of Columbia, Massachusetts and Michigan for achieving the nation's largest decreases in out-of-wedlock births between 1994 and 1997. Each state will receive $20 million in bonuses.

7. ELIGIBILITY REQUIREMENTS FOR RECIPIENTS

PRWORA gives States and Counties (in County-administered systems) the flexibility to determine recipients' eligibility for the TANF program, including the amount of cash assistance allocated to each recipient. In general, however, to be eligible for benefits, recipients must:

- *Sign and abide by a personal agreement contract or personal responsibility contract*. Under the contract, recipients can be required to cooperate with child support enforcement and meet employment goals which may include: attending school, keeping school-aged children in school, immunizing children, attending parenting and money management classes, and participating in treatment.

- *Engage in work-related activities*. Activities can include subsidized and unsubsidized employment, community service, work/study, and training.

- *Assign rights to child support and cooperate with paternity establishment efforts*. Individuals who fail to cooperate with paternity establishment will have their monthly benefit payments reduced by at least 25 percent.

- Teen parents must live in an adult supervised setting and must attend high school or be working towards receiving a Graduate Equivalency Degree (GED).

8. SANCTIONS FOR RECIPIENTS

The flexibility provided to States under the new law allows States to establish their own penalties for recipients who fail to comply with their TANF requirements (i.e., penalties vary by State). In general, however, recipients who fail to comply with their requirements may be sanctioned in the following manner:

- Reduction in their TANF benefits

- Termination of benefits for the individual

- Termination of benefits for the entire family.

9. DATA COLLECTION AND REPORTING

States are required to submit three quarterly reports (i.e., TANF Data Report, Separate State program MOE Data Report, and TANF Financial Report) and an annual report, which includes:

- Program characteristic information

- State domestic violence service strategies and procedures

- Procedures for handling displacement complaints

- Activities to reduce out-of-wedlock pregnancies

- Activities to promote the formation and maintenance of two-parent families

- Information on diversion programs, childcare disregards, and MOE programs.

10. OTHER REQUIREMENTS UNDER THE LAW

- Does not prohibit States from performing drug tests on recipients or from sanctioning those who test positive. Forty-four States report that they do not require drug testing and ten States (FL, KS, MN, NV, NY, NC, OH, PA, SC, WI) indicate that they test or screen under certain circumstances.[1]

- Individuals convicted of drug-related felonies are prohibited for life from receiving benefits under TANF and Food Stamp programs. Currently, 35 States report that they do not provide services to individuals convicted of drug felonies and 20 States have opted out of or modified the exclusion (AK, AR, CO, CT, FL, HI, IA, LA, MI, MN, NH, NY, OK, OR, RI, TX, UT, VT, WA, WI).[2]

- States may not provide services—utilizing Federal TANF funds—to an alien who is not a *qualified alien*.

- States can choose to exempt certain individuals from work requirements. These may include domestic violence victims, clients with mental health problems, developmentally disabled clients, and physically handicapped clients.

- States can spend their MOE funds on certain activities not allowed through the Federal TANF funds. Expenditures on these activities can occur through the TANF program or through separate State programs that serve families eligible for the TANF program. Additionally, States can spend their MOE funds on "qualified activities" without triggering certain TANF requirements, such as time limits. States can utilize their MOE funds to provide services to aliens who are not *qualified aliens* and to teen parents who do not meet the *teen parent provisions*.

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1 Source: National Governors' Association, Center for Best Practices Web site (http://www.nga.org/Welfar/TANF1999.PDF). Round Two of Selected Elements of State Programs for Temporary Assistance for Needy Families, March 14, 1999.

2 Ibid.

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TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) FUNDING STREAMS
FEDERAL AWARDS, TRANSFERS, AND EXPENDITURES THROUGH 2ND QUARTER, FY 1999

	THROUGH 2ND QUARTER OF FISCAL YEAR 1999							
	Total Available Federal TANF Grant Funds Through 2nd Quarter FY 99*	Federal TANF Grant Transferred to CCDF	Federal TANF Grant Transferred to SSBG	Total Federal Funds Available for TANF	Total Federal TANF Expenditures Through 2nd Quarter FY 99	Total State Maintenance of Effort (MOE) Expenditures Through 2nd Quarter FY 99**	Unliquidated Obligations Through 2nd Quarter FY 99	Unobligated Balance Through 2nd FY 99
Alabama	$112,321,432	$9,598,667	$3,250,000	$99,472,765	$26,961,236	$16,269,821	$0	$72,511,102
Alaska	$44,070,386	$5,818,627	$0	$38,251,759	$24,479,783	$21,567,094	$13,771,976	$0
Arizona	$196,821,799	$13,092,058	$0	$183,729,741	$67,680,870	$43,079,814	$40,379,885	$71,647,806
Arkansas	$57,468,723	$0	$0	$57,468,723	$21,690,949	$7,413,180	$35,777,774	$0
California	$3,337,892,101	$0	$0	$3,337,892,101	$1,614,067,011	$832,744,330	$1,198,474,225	$525,350,863
Colorado	$130,268,736	$0	$0	$130,268,736	$39,492,027	$42,461,117	$90,776,709	$0
Connecticut	$123,352,504	$0	$11,992,516	$111,359,988	$111,727,944	$85,735,844	$0	-$367,956
Delaware	$17,128,440	$0	$0	$17,128,440	$17,120,339	$8,907,188	$5,218	$0
District of Columbia	$90,883,017	$9,260,980	$4,630,490	$76,991,547	$38,840,468	$30,011,915	$8,232,808	$31,764,224
Florida	$695,334,399	$59,907,070	$61,494,445	$573,932,884	$163,699,607	$191,500,381	$92,910,233	$317,323,043
Georgia	$244,417,810	$15,897,640	$10,621,051	$217,899,119	$103,843,884	$30,163,970	$37,356,542	$76,698,693
Hawaii	$57,535,858	$5,942,332	$500,000	$51,093,526	$49,092,163	$35,273,846	$843,933	$1,114,748
Idaho	$44,562,952	$0	$1,347,417	$43,215,535	$0	$5,861,377	$0	$43,215,535
Illinois	$292,528,480	$60,545,385	$8,800,000	$223,183,095	$223,215,798	$187,973,997	$0	$0
Indiana	$298,719,405	$112,078,000	$6,000,000	$180,641,405	$30,785,132	$55,932,891	$149,856,273	$0
Iowa	$94,975,078	$3,784,961	-$754,986	$91,945,103	$53,177,498	$39,723,613	$38,767,605	$0
Kansas	$123,547,668	$712,677	$0	$122,834,991	$26,061,445	$43,227,556	$0	$96,773,546
Kentucky	$130,191,341	$23,133,000	$14,600,000	$92,458,341	$61,442,006	$34,551,795	$0	$31,016,335
Louisiana	$152,229,744	$59,189,629	$0	$93,040,115	$43,139,832	$30,833,709	$0	$49,900,283
Maine	$33,950,176	$3,756,183	$1,250,000	$28,943,993	$28,943,993	$23,896,745	$0	$0
Maryland	$261,456,349	$0	$0	$261,456,349	$79,491,725	$67,441,159	$26,039,075	$155,925,550
Massachusetts	$229,685,558	$45,483,064	$8,139,468	$176,063,026	$100,604,045	$167,681,032	$75,458,981	$0
Michigan	$491,059,346	$77,535,286	$36,856,517	$376,667,543	$110,139,322	$163,314,958	$14,122,039	$252,406,182
Minnesota	$270,302,314	$0	$791,000	$269,511,314	$89,985,050	$95,780,082	$0	$179,526,264
Mississippi	$105,199,049	$0	$13,015,136	$92,183,913	$14,977,817	$5,647,963	$39,331,651	$48,457,571
Missouri	$171,768,200	$0	$21,705,174	$150,063,026	$38,135,092	$64,064,413	$111,927,934	$0
Montana	$52,460,034	$0	$0	$52,460,034	$13,827,594	$7,555,582	$38,632,466	$0
Nebraska	$65,754,919	$0	$0	$65,754,919	$61,098,589	$15,207,729	$0	$4,656,330
Nevada	$37,728,789	$0	$0	$37,728,789	$22,065,576	$12,305,045	$8,876,742	$6,786,471
New Hampshire	$25,233,527	$0	$0	$25,233,527	$10,458,544	$16,057,550	$0	$14,774,983
New Jersey	$319,381,208	$32,699,968	$20,201,742	$266,479,498	$33,469,564	$150,080,004	$0	$233,009,934
New Mexico	$135,134,489	$4,773,457	$0	$130,361,032	$55,725,335	$18,334,584	$4,924,817	$69,710,880
New York	$1,910,520,630	$81,600,000	$0	$1,828,920,630	$880,717,040	$783,272,560	$178,959,313	$769,244,277
North Carolina	$253,073,401	$35,361,517	$2,540,805	$215,171,079	$115,170,300	$74,012,700	$0	$99,998,990
North Dakota	$20,258,097	$0	$0	$20,258,097	$10,203,948	$6,018,585	$0	$10,054,149
Ohio	$648,463,254	$0	$145,593,652	$502,869,602	$58,298,222	$212,320,558	$444,570,956	$0

TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF) FUNDING STREAMS
FEDERAL AWARDS, TRANSFERS, AND EXPENDITURES THROUGH 2ND QUARTER, FY 1999
COMBINED SPENDING FROM ALL FEDERAL TANF GRANTS FOR FY 1997, 1998 AND 1999 (CONT.)

	THROUGH 2ND QUARTER OF FISCAL YEAR 1999							
	Total Available Federal TANF Grant Funds Through 2nd Quarter FY 99*	**Federal TANF Grant Transferred to CCDF**	**Federal TANF Grant Transferred to SSBG**	**Total Federal Funds Available for TANF**	**Total Federal TANF Expenditures Through 2nd Quarter FY 99**	**Total State Maintenance of Effort (MOE) Expenditures Through 2nd Quarter FY 99****	**Unliquidated Obligations Through 2nd Quarter FY 99**	**Unobligated Balance Through 2nd Quarter FY 99**
Oklahoma	$183,784,922	$5,355,519	$5,200,000	$173,229,403	$41,065,085	$32,651,201	$0	$132,164,316
Oregon	$219,465,666	$0	$0	$219,465,666	$50,519,976	$41,124,914	$168,945,690	$0
Pennsylvania	$642,674,250	$33,368,000	$0	$609,306,250	$374,292,202	$189,018,223	$82,750,684	$152,263,364
Rhode Island	$61,943,764	$0	$0	$61,943,764	$41,476,619	$41,044,224	$0	$20,467,145
South Carolina	$84,710,273	$0	$4,384,067	$80,326,206	$28,972,806	$19,141,339	$0	$51,353,400
South Dakota	$22,540,874	$0	$0	$22,540,874	$6,221,709	$4,815,028	$3,365,964	$12,953,201
Tennessee	$244,348,409	$15,900,869	$0	$228,447,540	$56,690,069	$26,283,079	$36,911,784	$134,845,687
Texas	$427,790,112	$0	$10,052,759	$417,737,353	$199,088,001	$125,720,402	$218,649,352	$0
Utah	$54,610,112	$0	$0	$54,610,112	$21,292,683	$12,645,274	$0	$33,317,429
Vermont	$34,776,002	$3,244,022	$2,367,659	$29,164,321	$15,863,900	$13,681,816	$0	$13,300,422
Virginia	$88,562,524	$0	$0	$88,562,524	$56,519,729	$52,627,682	$32,042,796	$0
Washington	$325,703,671	$0	$0	$325,703,671	$157,777,448	$134,276,139	$0	$167,926,193
West Virginia	$135,805,587	$10,000,000	$9,000,000	$116,805,587	$8,359,501	$22,186,948	$0	$108,446,085
Wisconsin	$476,610,952	$7,836,989	$15,950,000	$452,823,963	$49,932,713	$69,875,288	$166,107,641	$236,783,609
Wyoming	$42,166,562	$0	$0	$42,166,562	$652,911	$5,951,320	$41,513,631	$0
Total	**$14,321,172,893**	**$735,875,900**	**$419,528,912**	**$13,165,768,081**	**$5,548,555,100**	**$4,417,267,564**	**$3,400,284,697**	**$4,225,320,654**
Percentage of Total					**42%**	**34%**	**26%**	**32%**

*** The amounts reported under this column include the grant awards the States received for the first two quarters of FY 99 plus any carryover unobligated or unliquidated balances from prior years.**

**** States must maintain a level of effort at 75% of FY 1994 expenditures if they meet participation rate requirements and 80% of FY 1994 expenditures if they do not meet participation rate requirements**

These figures have also been adjusted for Tribes operating TANF programs within given states.

Source: Department of Health and Human Services, Administration for Children and Families

SECTION 2:

WELFARE TO WORK SYNOPSIS

WELFARE TO WORK PROGRAM

1. PROGRAM OVERVIEW

The Balanced Budget Act of 1997 provided $3 billion in Welfare to Work (WtW) grants to States and localities for Welfare to Work activities in fiscal years 1998 and1999. While the use of WtW funds should occur within the larger framework of the TANF program in each State, these funds have a purpose that is distinct from that of the TANF program. The primary purpose of WtW is to provide transitional assistance to move hard-to-employ welfare recipients living in high poverty areas into self-sufficiency and lasting unsubsidized employment. Welfare to Work funds can be used for drug screening and testing, as well as substance abuse treatment (*not including medical services*) and transportation to drug treatment facilities, where existing resources are not otherwise available to the participant. Determination of whether a potential WtW participant is suffering from a substance abuse condition that acts as a barrier to employment can be established using either formal or informal mechanisms at the discretion of the State/local areas. However, in order to meet the criteria, it must be determined that the individual does not just have a substance abuse problem but requires substance abuse treatment for employment.

At the Federal level, the Department of Labor (DOL) administers the Welfare to Work program and distributes the WtW funds to the States. Once at the State level, the State agencies pass the majority of the WtW monies down to private industry councils (PICs) or Workforce Development Boards (WDBs), who administer the program at the local level. The Department of Health and Human Services (DHHS) is responsible for evaluation of the program. Six States (Idaho, Mississippi, Ohio, South Dakota, Utah, and Wyoming) elected not to receive the WtW formula grant dollars in both FY 1998 and 1999. An additional three states (Arizona, Delaware and North Dakota) elected not to receive the WtW formula grant dollars in FY 1999.

Title VIII of H.R. 3424, enacted as part of the Consolidated Appropriations Act for FY 2000, contains the *Welfare to Work and Child Support Amendments of 1999*. **Signed into law on November 29,1999, the *1999 Amendments* make several significant changes to the WtW program, most notably loosening the program eligibility requirements and adding vocational education and job training (up to 6 months) as a separate allowable activity under WtW.** Detailed information on these changes is reflected in the allowable activity and eligibility requirements sections of the document.

2. WELFARE TO WORK FUNDING

The Welfare to Work funds are distributed in three distinct processes—formula grants, competitive grants, and special set-asides. The three funding mechanisms are outlined below in more detail.

2.1 Formula Grants

Of the WtW funds, 75 percent of the funds are distributed to States according to a formula set by WtW statute. Formula grants equally consider the State's share of the national number of poor individuals and the adult recipients of assistance under TANF. In order to receive formula grants, States are responsible to spend $1 of non-Federal funds for every $2 received in WtW Federal funds. Matching funds include those State and local dollars <u>in excess</u> of funds spent to meet the TANF MOE requirement when those funds are spent on WtW eligible individuals and activities.

Of the 75 percent distributed in formula grants, the States must distribute at least 85 percent of these funds to local Private Industry Councils (PICs or Workforce Development Boards), which oversee and guide job training programs in geographical jurisdictions called service delivery areas (SDAs). The 85 percent of formula funds passed down to the SDAs must be distributed based on the following formula basis. Half of the funds must be based on the SDA's population in high poverty areas (7.5 percent or more). Not more than half may be distributed based on two additional factors: (1) the number of adults receiving TANF assistance for 30 months or longer and (2) the number of unemployed in the SDA.

States can use the remaining 15 percent of the formula funds to operate their own WtW projects or to provide additional support for projects operated by the PICs.

2.2 Competitive Grants

Twenty-five percent of WtW funds are distributed through a competitive process as grants to local communities, PICs, political subdivisions, and private entities. Applicants are not required to match Federal dollars but must indicate the resources to be contributed to their projects. At present, DOL has awarded three rounds of competitive grants equaling nearly $700 million.

2.3 Special Set Asides

A small amount of the FY 1998 and FY 1999 WtW appropriations are set aside for special purposes:

- 1 percent for Indian Tribes
- 0.8 percent for program evaluation
- $50 million for performance bonuses.

3. ALLOWABLE ACTIVITIES

Grantees have great flexibility in designing WtW strategies. Although a variety of services are authorized, program services need to be viewed overall as employment-based developmental steps to help individuals get and keep unsubsidized employment. Allowable activities for WtW funding include:

- *Job readiness* activities financed through vouchers or through contracts with public or private providers.
- *Employment* activities, which may consist of: *community service* programs, *work experience* programs, *job creation* through public or private sector *employment wage subsidies*, and *on-the-job training*.
- *Job placement* services financed through job vouchers or through contracts with public or private providers.
- *Post-employment* services financed through job vouchers or through contracts with public or private providers (provided after individual is placed in subsidized or unsubsidized employment). Services may include: basic educational skills training, occupational skills training, English-as-a-Second Language, and mentoring.
- *Job retention and support services* include substance abuse treatment (WtW funds may not be used for medical treatment), transportation assistance, child care assistance, emergency or short-term housing assistance, and other supportive services. Job retention and support services may be funded *with WtW dollars only if such services are not otherwise available to the participant*. Therefore, if support services are located within the SDA but are currently at full capacity, it would be acceptable to use WtW funds for additional services. Furthermore, job retention and support services can only be provided *after* an individual is placed in a job readiness activity, an employment activity, or any other subsidized or unsubsidized job.

- *Vocational Education or Job Training* for up to 6 months[3].
- *Individual development accounts*.
- *Intake, assessment, eligibility determination, ISS, case management*.

4. FUNDING RESTRICTIONS

A 15 percent administrative cost limitation is applied to usage of WtW funds.

Neither Federal WtW funds **nor** the State WtW matching dollars may be used for medical expenditures.

The preamble of the WtW regulations discusses the distinction between medical and nonmedical services in regard to substance abuse identification and treatment. Basically, services performed by a member of the medical profession are considered medical services. However, services performed by those not in the medical profession, such as counselors, technicians, social workers and psychologists, and services not provided in a hospital or clinic, including 24-hour care programs, may be considered non-medical. The restriction on provision of all medical services applies to all WtW funds.

The responsibility for determining what WtW activities count as cash assistance under TANF and how this affects participants' time clock rests with the State/local TANF agency. WtW providers can not make this determination.

5. ELIGIBILITY REQUIREMENTS

There are two methods by which individuals can qualify for assistance under the Welfare to Work program. Seventy percent of the grant funds must be spent to benefit those recipients deemed 'hard to employ.' The additional 30 percent of funds may be spent on those individuals exhibiting long-term welfare dependence characteristics.

5.1 70 Percent Eligibility Criteria - Funds Targeting "Hard to Employ"

Under the old requirement, at least 70 percent of the WtW grant had to be expended to provide services to long-term TANF recipients who met two of the three specified barriers to employment. These barriers included (1) No high school degree or GED and has low skills in

[3] The 1999 WtW Amendments added vocational education and job training as a separate allowable activity under WtW.

reading or math, (2) Requires substance abuse treatment for employment, and/or (3) Poor work history (worked no more than 3 consecutive months in past 12 calendar months).

The eligibility requirements to qualify for these funds have recently been changed under the 1999 WtW Amendments. The1999 amendments remove the requirement that long-term TANF recipients must meet additional barriers to employment in order to be eligible for WtW. Now, TANF recipients are eligible under the 70 percent criteria as ‘hard-to-employ’ if they meet **one** of the following criteria:

- Received TANF (or AFDC) for at least 30 months (not required to be consecutive)
- Will become ineligible for assistance within 12 months due to Federal or State-imposed time limits
- Exhausted their receipt of TANF due to time limits

In addition, noncustodial parents are now eligible if they meet **all** of the following criteria:

- Unemployed, underemployed, or have difficulty paying child support obligations
- Their minor children are eligible for TANF benefits, receive TANF benefits, received TANF benefits during the preceding year, or are receiving/eligible for assistance under the Food Stamps program, the Supplemental Security Income program, Medicaid, or the Children’s Health Insurance Program
- Enter into a personal responsibility contract under which they commit to cooperating in establishing paternity and paying child support, participating in services to increase their employment and earnings, and supporting their children

5.2 Funds Targeting Individuals with “Long-Term Welfare Dependence” Characteristics

Up to 30 percent of grant funds may be spent on recipients who have characteristics that are predictive of long-term welfare dependence. In order to qualify for services under these funds, the individual must meet **both** of the following criteria:

- Is receiving TANF assistance
- Has characteristics associated with long-term welfare dependence, such as

– Being a school dropout

– Teenage pregnancy

– Poor work history

– Significant barriers to self-sufficiency under criteria established by the PIC

– Youth aged 18 to 25 whom have ‘aged out’ of foster care[4]

The 30 percent eligibility requirement may also include individuals who meet the ‘long-term welfare dependence’ characteristics listed above but are no longer receiving TANF assistance due to the Federal or State-imposed time limits. Furthermore, the 1999 WtW Amendments also included custodial parents with incomes below the poverty line (regardless of whether or not they are or have been a TANF recipient) as eligible under the 30 percent criteria.

WtW Competitive grantees may implement the new eligibility criteria and begin serving under these criteria on January 1, 2000. Competitive grantees may also provide vocational education and job training immediately (i.e., November 29, 1999). Formula grantees, on the other hand, may implement the new eligibility criteria and begin serving under these criteria, and providing vocational education and job training, as of July 1, 2000 (except that Federal funds may not be expended for these purposes until October 1, 2000). All applicable provisions are effective immediately (i.e., November 29, 1999) for Indian and Native American grantees.

[4] The 1999 WtW Amendments added the following two characteristics associated with long-term welfare dependence to the 30 percent eligibility criteria: significant barriers to self-sufficiency under criteria established by the PIC and Youth aged 18 to 25 who have ‘aged out’ of foster care.

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WELFARE TO WORK FORMULA GRANTS
FY 1998 AND 1999

STATE	WTW FORMULA GRANT FY 1998	WTW FORMULA GRANT FY 1999	TOTAL WTW FORMULA GRANTS
Alabama	$13,977,955	$13,016,958	$26,994,913
Alaska	$2,926,500	$2,708,771	$5,635,271
Arizona	$9,000,000		$9,000,000
Arkansas	$8,490,290	$7,931,847	$16,422,137
California	$190,417,247	$177,227,536	$367,644,783
Colorado	$9,878,865	$9,213,801	$19,092,666
Connecticut	$12,005,943	$11,183,704	$23,189,647
Delaware	$2,761,875		$2,761,875
District of Columbia	$4,646,445	$4,326,723	$8,973,168
Florida	$50,756,512	Not yet available	$50,756,512
Georgia	$28,409,496	$26,489,122	$54,898,618
Guam	$585,252	$545,520	$1,130,772
Hawaii	$5,085,523	$4,718,609	$9,804,132
Idaho			
Illinois	$48,662,838	$45,234,088	$93,896,926
Indiana	$14,552,407	$13,600,000	$28,152,407
Iowa	$8,331,799	$7,778,836	$16,110,635
Kansas	$6,668,399	$6,202,330	$12,870,729
Kentucky	$17,722,913	$16,520,839	$34,243,752
Louisiana	$23,707,338	$22,112,662	$45,820,000
Maine	$5,156,417	$4,804,389	$9,960,806
Maryland	$14,940,556	$13,914,682	$28,855,238
Massachusetts	$20,692,295	$19,260,350	$39,952,645
Michigan	$42,226,331	$39,345,466	$81,571,797
Minnesota	$14,503,409	$13,537,096	$28,040,505
Mississippi			
Missouri	$19,767,398	$18,431,857	$38,199,255
Montana	$3,194,443	Not yet available	$3,194,443
Nebraska	$4,021,585	$3,763,041	$7,784,626
Nevada	$3,384,072	$3,384,072	$6,768,144
New Hampshire	$2,761,875	$2,600,000	$5,361,875
New Jersey	$23,257,092	$21,708,979	$44,966,071
New Mexico	$9,715,600	$9,058,956	$18,774,556
New York	$96,886,094	$90,323,582	$187,209,676
North Carolina	$25,332,173	Not yet available	$25,332,173
North Dakota	$2,761,875		$2,761,875
Ohio			
Oklahoma	$11,741,519	$10,920,120	$22,661,639
Oregon	$8,636,930	$8,000,000	$16,636,930
Pennsylvania	$44,295,711	$41,300,000	$85,595,711
Puerto Rico	$34,566,095	$32,200,000	$66,766,095
Rhode Island	$4,419,858	$4,109,483	$8,529,341
South Carolina	$12,006,432	Not yet available	$12,006,432
South Dakota			
Tennessee	$21,643,975	$20,214,627	$41,858,602
Texas	$76,058,852	$70,934,274	$146,993,126
Utah			
Vermont	$2,761,875	$2,574,375	$5,336,250
Virginia	$16,548,621	$15,400,000	$31,948,621
Virgin Islands	$553,501	$515,924	$1,069,425
Washington	$22,674,526	$21,100,000	$43,774,526
West Virginia	$7,000,000	$9,143,422	$16,143,422
Wisconsin	$12,885,951	$12,032,182	$24,918,133
Wyoming			
TOTAL	**$1,022,982,658**	**$857,388,223**	**$1,880,370,881**

In 1998, six states declined year one WtW formula grant funding. The states were ID, MS, OH, SD, UT & WY.
In 1999, nine states declined year two WtW formula grant funding. The states were AZ, DE, ID, MS, ND, OH, SD, UT & WY.
DOL has not yet posted 1999 financial amounts for FL, MT, NC & SC. Some additional grant amounts have been rounded.

Welfare to Work Competitive Grants Rounds I, II, and III				
STATE	**WtW COMPETITIVE GRANT ROUND I**	**WtW COMPETITIVE GRANT ROUND II**	**WtW COMPETITIVE GRANT ROUND III**	**TOTAL WtW COMPETITIVE GRANTS**
Alabama	$4,997,966	$3,723,620	$8,273,418	$16,995,004
Alaska		$1,279,499	$123,810	$1,403,309
Arizona	$5,000,000	$3,180,776	$3,191,955	$11,372,731
Arkansas	$5,000,000		$2,396,865	$7,396,865
California	$37,490,329	$24,882,810	$14,052,465	$76,425,604
Colorado	$1,460,864	$4,920,740	$3,053,968	$9,435,572
Connecticut	$5,000,000	$3,923,750	$1,856,395	$10,780,145
Delaware				
District of Columbia	$1,965,601	$5,000,000	$963,322	$7,928,923
Florida	$3,160,396	$11,570,000	$1,832,910	$16,563,306
Georgia	$10,000,000	$6,291,375	$2,324,726	$18,616,101
Guam				
Hawaii		$4,200,000	$3,366,000	$7,566,000
Idaho				
Illinois	$10,739,506	$10,000,000	$9,792,500	$30,532,006
Indiana	$10,000,000	$5,000,000	$2,183,497	$17,183,497
Iowa		$2,118,235		$2,118,235
Kansas		$1,999,917	$3,767,968	$5,767,885
Kentucky	$4,999,898	$2,833,736		$7,833,634
Louisiana		$5,000,000	$9,878,761	$14,878,761
Maine		$3,212,516	$2,291,225	$5,503,741
Maryland		$8,306,453	$3,044,457	$11,350,910
Massachusetts	$4,082,065	$3,924,818	$1,544,699	$9,551,582
Michigan	$5,255,013			$5,255,013
Minnesota		$4,959,779	$7,259,618	$12,219,397
Mississippi		$3,294,191	$1,565,330	$4,859,521
Missouri		$7,855,859	$1,904,689	$9,760,548
Montana		$2,542,700		$2,542,700
Nebraska			$2,581,222	$2,581,222
Nevada				
New Hampshire		$1,000,000		$1,000,000
New Jersey	$9,914,297	$9,119,582	$3,098,695	$22,132,574
New Mexico	$1,351,541	$5,000,000	$5,000,000	$11,351,541
New York	$9,837,904	$14,859,625	$19,349,294	$44,046,823
North Carolina	$2,638,601	$8,728,134	$1,086,006	$12,452,741
North Dakota				
Ohio	$5,000,000	$8,147,614	$8,769,028	$21,916,642
Oklahoma		$2,848,115	$5,899,249	$8,747,364
Oregon				
Pennsylvania	$6,217,707	$4,449,928	$8,469,800	$19,137,435
Puerto Rico		$5,000,000		$5,000,000
Rhode Island		$3,859,284		$3,859,284

WELFARE TO WORK COMPETITIVE GRANTS ROUNDS I, II, AND III (CONT.)				
STATE	**WtW COMPETITIVE GRANT ROUND I**	**WtW COMPETITIVE GRANT ROUND II**	**WtW COMPETITIVE GRANT ROUND III**	**TOTAL WtW COMPETITIVE GRANTS**
South Carolina			$6,762,015	$6,762,015
South Dakota		$2,293,326		$2,293,326
Tennessee		$9,016,694	$7,082,698	$16,099,392
Texas	$10,000,000	$9,254,864	$19,427,852	$38,682,716
Utah		$3,000,000	$1,667,476	$4,667,476
Vermont	$3,132,517	$3,120,140		$6,252,657
Virginia	$7,634,272	$6,083,775		$13,718,047
Virgin Islands				
Washington		$9,619,684	$3,172,132	$12,791,816
West Virginia		$4,934,876		$4,934,876
Wisconsin	$4,262,054		$4,164,320	$8,426,374
Wyoming				
MultiState	$31,643,270	$32,931,336	$45,244,827	$109,819,433
TOTAL	**$200,783,801**	**$273,287,751**	**$226,443,192**	**$700,514,744**

Round I multistate projects have sites in the following: AK, AL, AZ, CA, CT, DC, FL, GA, IL, MD, MN, MO, NC, ND, NV, NY, OH, OR, PA, SC, TN, TX, VA, WA, WI, & WV.
Round II multistate projects have sites in the following: AK, AZ, CA, CO, CT, DC, FL, GA, IA, IL, IN, KY, LA, MA, MD, ME, MI, MN, MO, NC, NJ, NV, OH, OR, PA, RI, TX, & VA.

SECTION 3:

TRIBAL SYNOPSIS

TRIBAL PROGRAMS

1. TANF PROGRAM OVERVIEW

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) provides Indian Tribes with block grant funding to serve the needs of children and families. **The law gives Tribes the option of operating their own TANF program and determining eligibility and the benefit levels and services to provide to needy families. For example, Tribes can use Federal TANF funds to provide medical and non-medical substance abuse treatment services for eligible TANF recipients.** In addition, substance abuse treatment can be determined a work activity. Tribes also have the option of forming partnerships with their States to serve the needs of families and children eligible for the TANF program. In instances where Tribes choose to partner with their State, the State is responsible for determining eligibility and benefit levels and meeting the Federal requirements under the law. To date, 19 Tribes have chosen to operate their own TANF program (see attached document). Tribes that choose to operate their own TANF programs must abide by the following requirements:

2. TRIBAL REQUIREMENTS

- *Develop and submit a TANF plan*. The plan must be for a maximum of 3 years and must indicate whether the welfare-related services will be provided by the Tribe or through agreements or contracts with other entities. Funding for Tribal TANF plans will be withdrawn from the State's TANF grant and is equal to the dollar amount of the Federal funds that the State spent for AFDC and related programs for the designated population in FY 1994.

- *Establish and meet participation rate*. Tribes are required to specify the minimum work participation requirements for Tribal TANF recipients. Tribes are held accountable for their proposed rate(s).

- *Meet data collection requirements*. On a quarterly basis, Tribes must file the TANF Data Report and the Tribal TANF Financial Report.

- *Set time limits*. Tribes are required to set time limits for the receipt of welfare-related services. Time limits should reflect the unique circumstances of each service area and service population. A Tribe must count towards an adult's time limit, all prior months of TANF assistance funded with TANF block grant funds.

3. ALLOWABLE TRIBAL ACTIVITIES

- Tribes have the option of determining what penalties to impose on individuals who fail to comply with Tribal TANF requirements

- Tribes are not required to cooperate with Federal child support enforcement requirements

- Tribes have the option to propose one work participation rate for all families or two separate rates for one-parent families and two-parent families

- Tribes can exempt families from participating in work activities

- Tribes have the flexibility of identifying—and providing—additional activities that they consider acceptable and necessary in helping families move towards self-sufficiency (e.g., substance abuse treatment)

- Tribes have the flexibility of deciding whether their TANF programs will serve all Indian families within the service area or solely the enrolled members of the Tribe

- Tribes are not required to set a single time limit for a service area; based on economic conditions, Tribes can set different time limits by geographic areas

4. RESTRICTIONS ON TRIBAL TANF

TANF administrative expenditures during any grant period may not exceed 20 percent of a Tribal TANF grant.

5. ADDITIONAL FUNDING

Tribes can also receive Federal funding through the Native American Employment Works (NEW) program (formerly the Tribal JOBS program that was not eliminated under PRWORA) to administer Tribal work activities programs in FY 1997 - FY 2002. Tribes are encouraged to focus the NEW program on work activities and on services which support participation in work activities. While Tribes are not required to meet participation rates, set time limits or impose penalties against individuals who fail to comply with NEW requirements, they are required to develop and submit a NEW plan.

6. INDIAN AND NATIVE AMERICAN (INA) WELFARE TO WORK (WTW) PROGRAM

The Employment and Training Administration's Division of Indian and Native American Programs (DINAP) has been designated to administer the Indian and Native American (INA) Welfare to Work (WtW) Program. The INA WtW program assists Tribal communities and Native Americans (Alaska Natives) who are receiving public assistance under the TANF program to transition from public assistance to unsubsidized work. The INA WtW program has been funded $30 million ($15 million per year) for FY 1998 and FY 1999 to be allocated by formula. The INA WtW grantee must expend all allotted funds within 3 years after the effective date that funds are provided. To date, there have been 95 INA WtW grantees in FY 1998 and FY 1999 (see attached document).

By law, INA WtW grant funds can only be awarded to Federally recognized tribes meeting at least one of the following criteria: (1) a tribe operating a TANF program; (2) a tribe operating a Native Employment Works (NEW) program; or (3) other Federally recognized tribes meeting the 'substantial services' criteria. The "substantial services criteria refers to those Tribes operating employment programs which demonstrate that: (1) 20 percent of those served were public assistance recipients during the most recent program or fiscal year; and (2) employment services have been provided to a minimum of 50 public assistance recipients over the last two program or fiscal years.

Tribal TANF Plans			
TRIBE	**STATE**	**APPROVAL DATE**	**IMPLEMENTATION DATE**
Confederated Tribes of Siletz Indians*	Oregon	9/29/97	10/1/97
Forest County Potawatomi Community	Wisconsin	6/30/97	7/1/97
Klamath Tribes	Oregon	5/15/97	7/1/97
Osage Tribe*	Oklahoma	4/3/98	5/4/98
Pascua Yaqui Tribe	Arizona	10/21/97	11/1/97
Red Cliff Band of Lake Superior Chippewa Indians	Wisconsin	9/29/97	10/1/97
Sisseton-Wahpeton Sioux Tribe*	South Dakota	9/29/97	10/1/97
Sokaogon Chippewa Community	Wisconsin	9/29/97	10/1/97
Southern California Tribal Chairman Association[1]	California	2/24/98	3/1/98
Stockbridge-Munsee Band of Mohican Indians	Wisconsin	9/29/97	10/1/97
White Mountain Apache	Arizona	10/24/97	11/1/97
Northern Arapaho Tribe	Wyoming	6/3/98	7/1/98
Lower Elwah Klallam	Washington	9/17/98	10/1/98
Port Gamble S'Klallam*	Washington	9/17/98	10/1/98
Tanana Chiefs Conference	Alaska	9/17/98	10/1/98
Confederated Salish & Kootenai Tribes	Montana	12/14/98	1/1/99
Salt River Rima-Maruciopa Indian Community	Arizona	12/14/98	6/1/99
Nez Perce Tribe	Idaho	12/14/98	1/1/99
Mille Lacs Band of Chippewa Tribe	Minnesota	12/14/98	1/1/99
PENDING PLANS			
Association of Village Council Presidents	Alaska		
Central Council Tlingit and Haida Indian Tribe	Alaska		
Navajo	Arizona, New Mexico, and Utah		

* Denotes a Tribe that will consolidate its Tribal TANF program into a Public Law 102-477 plan.
[1] Consortium of eight Tribes in San Diego County and one Tribe in Santa Barbara County.

SOURCE: Administration for Children and Families, Office of Community Services Division of Tribal Services Web site: http://www.acf.dhhs.gov/programs/dts/track.htm, January 10, 2000.

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370 L'Enfant Promenade
Washington, DC 20447
(202) 401-9214

INDIAN AND NATIVE AMERICAN WELFARE-TO-WORK (INA WTW) GRANTEE LISTING FY 1998 AND FY 1999			
TRIBE	**LOCATION**	**INA WTW FY 98**	**INA WTW FY 99**
Aleutian/Pribilof Islands Associations	Anchorage, Alaska	$13,098	$13,914
Association of Village Council Presidents	Bethel, Alaska	$480,176	$510,045
Bristol Bay Native Association	Dillingham, Alaska	$88,589	$94,100
Central Council of Tlingit and Haida Tribes	Juneau, Alaska	$155,117	$164,767
Chugachmiut/Copper River Native Association	Anchorage Alaska	$24,130	$25,630
Cook Inlet Tribal Council	Anchorage, Alaska	$421,230	$447,433
Kawerak, Incorporated	Nome, Alaska	$118,924	$126,321
Kodiak Area Native Association	Kodiak, Alaska	$27,921	$29,658
Maniilaq Manpower, Incorporated	Kotzebue, Alaska	$98,241	$104,352
Metlakatla Indian Community	Metlakatla, Alaska	$17,925	$19,040
Tanana Chiefs Conference	Fairbanks, Alaska	$192,346	$183,074
Cocopah Indian Tribe	Somerton, Arizona	$7,239	$9,689
Gila River Indian Community	Sacaton, Arizona	$111,685	$123,474
Hualapai Tribe	Peach Springs, Arizona	$11,720	$14,815
Inter-Tribal Council of Arizona	Phoenix, Arizona	$72,473	$70,884
The Navajo Nation	Window Rock, Arizona	$2,294,364	$2,530,161
Pascua Yaqui Tribe	Tucson, Arizona	$74,112	$95,273
Salt River/Pima-Maricopa Indian Community	Scottsdale, Arizona	$95,828	$105,944
Tohono O'odham Nation	Sells, Arizona	$217,854	$231,406
White Mountain Apache Tribe	Whiteriver, Arizona	$252,670	$240,088
California Indian Manpower Consortium, Incorporated (NEW)	Sacramento, California	$1,035,845	$1,177,533*
California Indian Manpower Consortium, Incorporated (Substantial Services)	Sacramento, California	$123,249	Combined into 1 grant*
Coeur D'Alene Tribe	Plummer, Idaho	$5,516	$7,858
Nez Perce Tribe of Idaho	Lapwai, Idaho		$49,966
The Shoshone-Bannock Tribes	Fort Hall, Idaho	$74,663	$30,024
Kickapoo Tribe of Indians	Horton, Kansas	$38,607	$41,009
Penobscot Tribe of Maine	Old Town, Maine	$34,471	$36,615
Sault Ste. Marie Tribe of Chippewa Indians	Sault Ste. Marie, Michigan	$853,837	$906,950
Leech Lake Band of Chippewa	Cass Lake, Minnesota	$231,987	$246,418
Mille Lacs Band of Chippewa	Onamia, Minnesota	$85,142	$90,439
Minnesota Chippewa Tribe	Cass Lake, Minnesota	$547,049	$581,077
Red Lake Band of Chippewa	Red Lake, Minnesota	$228,195	$267,288
White Earth Band of Chippewa	White Earth, Minnesota	$265,424	$281,934

INDIAN AND NATIVE AMERICAN WELFARE-TO-WORK (INA WTW) GRANTEE LISTING FY 1998 AND FY 1999			
TRIBE	**LOCATION**	**INA WTW FY 98**	**INA WTW FY 99**
Mississippi Band of Choctaw Indians	Philadelphia, Mississippi		$57,485
Assiniboine and Sioux Tribes	Philadelphia, Mississippi	$174,422	$185,271
Blackfeet Tribe	Browning, Montana	$179,592	$190,763
Chippewa-Cree Tribe Stone Child College	Box Elder, Montana	$34,126	
Confederated Salish & Kootenai Tribes	Pablo, Montana	$72,389	$76,891
Crow Tribe of Montana	Crow Agency, Montana	$79,971	$84,946
Fort Belknap Indian Community	Harlem, Montana	$54,851	$45,769
Northern Cheyenne Tribe	Lame Deer, Montana	$73,078	$77,623
Omaha Tribe of Nebraska	Macy, Nebraska	$41,709	$44,304
Winnebago Tribe of Nebraska	Winnebago, Nebraska	$23,095	$24,532
Inter-Tribal Council of Nevada, Incorporated	Reno, Nevada	$110,262	$187,834
Eight Northern Indian Pueblos	San Juan Pueblo, New Mexico	$80,445	$17,941
Mescalero Apache Tribe	Mescalero, New Mexico	$19,648	$20,871
Pueblo of Zuni	Zuni, New Mexico	$81,351	$86,411
Seneca Nation	Irving, New York	$37,918	$40,276
Eastern Band of Cherokee Indians	Cherokee, North Carolina	$137,883	$146,459
Spirit Lake Sioux Tribe	Fort Totten, North Dakota	$66,873	$71,033
Standing Rock Sioux Tribe	Fort Yates, North Dakota	$96,518	$106,707
The Three Affiliated Tribes	New Town, North Dakota	$59,634	$84,580
Turtle Mountain Band of Chippewa	Belcourt, North Dakota	$272,663	$283,533
Cherokee Nation of Oklahoma	Tahlequah, Oklahoma	$938,012	$209,437
Cheyenne-Arapahoe Tribes of Oklahoma	Concho, Oklahoma	$77,214	$99,226
Chickasaw Nation of Oklahoma	Ada, Oklahoma	$102,723	$120,097
Choctaw Nation of Oklahoma	Durant, Oklahoma	$447,057	$95,565
Citizen Potawatomi Nation	Shawnee, Oklahoma	$39,317	$102,888
Comanche Indian Tribe of Oklahoma	Lawton, Oklahoma	$95,828	$101,789
Inter-Tribal Council of N.E. Oklahoma	Miami, Oklahoma	$31,023	$49,430
Muscogee (Creek) Nation	Okmulgee, Oklahoma	$548,353	$155,613

INDIAN AND NATIVE AMERICAN WELFARE-TO-WORK (INA WTW) GRANTEE LISTING FY 1998 AND FY 1999			
TRIBE	**LOCATION**	**INA WTW FY 98**	**INA WTW FY 99**
Osage Nation	Pawhuska, Oklahoma	$78,023	$27,461
Kiowa Tribe of Oklahoma	Carnegie, Oklahoma	$97,937	$98,128
Sac & Fox Nation	Stroud, Oklahoma		$63,710
Seminole Nation of Oklahoma	Wewoka, Oklahoma		$56,753
Confederated Tribes of the Grand Ronde	Grand Ronde, Oregon	$88,244	$93,734
Confederated Tribes of the Siletz Reservation	Siletz, Oregon	$73,078	$32,953
Klamath Tribe of Oregon	Chiloquin, Oregon	$48,948	$32,953
Cheyenne River Sioux Tribe	Eagle Butte, South Dakota	$73,767	$123,855
Lower Brule Sioux Tribe	Lower Brule, South Dakota	$13,444	$16,280
Oglala Sioux Tribe	Pine Ridge, South Dakota	$265,424	$382,998
Rosebud Sioux Tribe	Rosebud, South Dakota	$192,001	$312,115
Sisseton-Wahpeton Sioux Tribe	Agency Village, South Dakota	$41,709	$54,922
Confederated Tribes of the Colville Reservation	Nespelem, Washington	$230,608	$244,953
Lower Elwah Klallam Tribe	Port Augeles, Washington		$43,938
Nooksack Indian Tribe	Deming, Washington	$60,668	$64,442
Port Gamble S'Klallam Tribe	Kingston, Washington		$45,769
Confederated Tribes and Band of the Yakema Nation	Toppenfish, Washington	$293,000	$311,226
Lummi Tribe	Bellingham, Washington	$75,835	$80,553
Makah Tribal Council	Neah Bay, Washington	$33,437	$35,516
Puyallup Tribe of Indians	Tacoma, Washington	$155,117	$164,767
South Puget Intertribal Planning Agency	Shelton, Washington	$113,753	$120,829
Swinomish Tribal Community	La Conner, Washington	$23,785	$25,264
Tulalip Tribes	Marysville, Washington	$59,634	$63,344
Upper Skagit Indian Tribe	Sedro-Wolley, Washington	$25,851	$27,461

INDIAN AND NATIVE AMERICAN WELFARE-TO-WORK (INA WTW) GRANTEE LISTING FY 1998 AND FY 1999			
TRIBE	**LOCATION**	**INA WTW FY 98**	**INA WTW FY 99**
Western Washington Indian E&T Program	Tacoma, Washington	$66,922	$131,813
Ho-Chunk Nation of Wisconsin	Black River Falls, Wisconsin	$206,824	$219,689
Lac Courte Oreilles Band of Lake Superior Chippewa	Hayward, Wisconsin		$80,553
Menominee Indian Tribe	Keshena, Wisconsin	$174,421	$185,271
Oneida Tribe of Wisconsin	Oneida, Wisconsin	$26,887	
Red Cliff Band of Lake Superior Chippewa	BayField, Wisconsin	$17,236	$18,308
Sokaogon Chippewa Community of the Mole Lake Band of Chippewa	Crandon, Wisconsin	$26, 543	$28,193
Shoshone and Arapahoe Tribes	Ft. Washakie, Wyoming	$161,322	Tribe Split into 2**
Eastern Shoshone Tribe (Wind River Reservation)	Ft. Washakie, Wyoming	$0**	$83,078
Northern Arapahoe Tribe (Wind River Reservation)	Ft. Washakie, Wyoming	$0**	$91,537

* In FY 1998, the California Indian Manpower Consortium, Incorporated was issued two separate grant numbers for the INA WtW Program - NEW and Substantial Services Tribes. During FY 1999, these grants were combined into one.

** In FY 1998, the Shoshone-Arapahoe Tribes Joint Business Council applied for the INA WtW funds as a P.L. 102-477 grantee. In FY 1999, the tribe split and two different grantees were funded - Eastern Shoshone Tribe (Wind River Reservation) and the Northern Arapahoe Tribe (Wind River Reservation).

SOURCE: The Employment and Training Administration's Division of Indian and Native American Programs (DINAP). Web site: http://www.wdsc.org/dinap/dinapw2w/pdf/grantee.pdf, January 10, 2000.

SECTION 4:

WIA SYNOPSIS

THE WORKFORCE INVESTMENT ACT (WIA) OF 1998

1. PROGRAM OVERVIEW

On August 7, 1998, President Clinton signed into law the Workforce Investment Act (P.L. 105-220), also known as WIA. The new law changes the way employment and training services are delivered at the local level. WIA amends the Wagner-Peyser Act that established the Job Training Partnership Act (JTPA) and consolidates the summer and year-round youth programs now operated under JTPA. **In addition, the new legislation requires that the Private Industry Councils (PICs), which are the recipients of the Welfare to Work competitive grants to serve the needs of the harder-to-serve population of welfare recipients, be replaced by local Workforce Investment Boards**.

The legislation gives States and localities flexibility to implement innovative and comprehensive workforce investment systems to meet the needs of their labor market. It creates a new governance structure consisting of State and local Workforce Investment Boards, streamlines one-stop delivery systems, and replaces local contracting with Individual Training Account/vouchers to deliver training services. WIA requires that Employment Service/Job Service activities become part of the one-stop delivery systems where customers/applicants will have access to job training, education, and employment services.

1.1 State Requirements

States are required to engage in the following activities to receive the funding under WIA:

- *Establish a workforce investment board*. The Board must have a majority of business representatives and include representatives from other sectors such as education providers, labor organizations, community-based organizations, economic development agencies, and “One-Stop” center partners. The board will be responsible for developing the State’s plan and administering the program at the local level.

- *Develop a five-year strategic plan.* The plan is to be submitted to the Secretary of Labor for approval between April 1, 1999 and April 1, 2000. The plan must describe workforce development activities, how the State will implement the key requirements of the Act, and how special populations will be served. The plan must also incorporate the State plan under the Wagner-Peyser Act relating to the delivery of employment services; **how the State will serve the employment and training needs of individuals with multiple barriers to employment.**

- *Coordinate and collaborate*. State and Local Boards are required to coordinate and collaborate with other service agencies, including TANF agencies, transportation agencies and providers, metropolitan planning organizations, child care agencies, nonprofit and community partners, and other providers who work with youth. While the legislation only requires States and Boards to enter into MOUs with their required partners, States and Boards have the flexibility to enter into partnerships with other entities that carry out a human resource program in the State. **These entities may include substance abuse treatment providers.**

- *Provide required services.* The new law establishes the provision of a number of services to assist the targeted population enter the workforce and the employment system. Among these services are one-stop delivery systems, summer jobs, youth services, and adult and dislocated worker services.

- *Meet performance indicators*. States must meet the performance indicators established for all programs. These indicators include placement, retention, earnings, and skill attainment.

1.2 Targeted Population

The populations targeted under WIA include adults (age 18 and over), dislocated workers, and youth. **The new law does not target Temporary Assistance for Needy Families (TANF) recipients but specifies that priority for intensive services must be given to recipients of public assistance and other low-income individuals.**

1.3 Funding

The new law includes percentage earmarks for specific categories of national activities. The law sets forth State and sub-state shares of funding and State reserves, interstate allocation and sub-state allocation formulas. The following are the State and sub-state shares of funding:

- Adult
  - 85 percent allocated to local areas
  - 15 percent reserved for statewide activities
  - Not more than 5 percent may be used for administration
- Dislocated workers
  - 60 percent allocated to local areas
  - 40 percent reserved by State

- 15 percent for statewide activities
- 25 percent for rapid response activities

- Youth
  - 85 percent allocated to local areas
  - 15 percent reserved for statewide activities.

States can also merge their 15 percent reserve amounts from each stream to increase services to one of the three target populations. In addition, with the approval of the Governor, local areas may transfer 20 percent between adult and dislocated workers funding streams.

1.4 Provision of Services and Allowable Activities

Most adults and dislocated workers will be provided services through One-Stop systems and will use their individual training accounts to determine which training program and training provider fit their needs. **In providing services, States and Boards have the option of testing participants for use of controlled substance or sanctioning participants who test positive.** However, if the testing is conducted, participants must have the opportunity to appeal testing results and sanctions. The law does not specify at what point testing is to occur but gives States and Boards the flexibility to design their programs.

All participants will receive core services with **no eligibility requirements**. These services include:

- Job search and placement assistance
- Labor market information
- Initial assessment of skills and need
- Information about available services
- Follow-up services to help customers keep their jobs.

Intensive services will be provided to unemployed individuals who cannot obtain employment through core services. **If funds are limited, the legislation requires that welfare recipients and low-income individuals receive priority in the delivery of intensive services.** Among these services are:

- Comprehensive assessments
- Development of individual employment plans
- Group and individual counseling
- Case management
- Short-term pre-vocational services.

For those individuals that cannot obtain employment through intensive services, the one-stop system will offer training services directly linked to job opportunities in their local area. Services include:

- Occupational skills training
- On-the-job training
- Entrepreneurial training
- Skill upgrading
- Job readiness training
- Adult education and literacy activities in conjunction with other training.

1.5 Eligibility Requirements

To be eligible to receive services under WIA, youth must be low-income, age 14 through 21, and must face one or more the following challenges:

- School dropout
- Basic literacy skills deficiency
- Homeless, runaway, or foster child
- Pregnant or a parent
- An offender
- Need help completing an educational program or securing and holding a job.

The law also allows for up to 5 percent of youth that are not low-income to receive services if they face certain barriers to school completion or employment. At least 30 percent of local youth funds must help those who are not in school.

1.6 Performance Bonuses

States will have the opportunity to apply for performance grants under WIA. The law establishes national incentive grants to be awarded to States that exceed the State adjusted levels of performance for the following categories:

- Workforce investment
- Adult education
- Vocational education.

Incentive grants will range in value between $750,000 and $3 million.

Section 5:

Lexicon

Lexicon

AFDC

Aid to Families with Dependent Children.

Established in 1935, AFDC was a social entitlement program providing States with unlimited Federal matching funds to aid impoverished families with children. In 1996, the AFDC program was replaced with the TANF program.

Assistance

The Federal government defines assistance as payments directed at ongoing, basic need to families receiving TANF. Assistance includes every form of support provided to families under TANF *except:*

- Services without monetary value (counseling, case management, etc.)
- One-time, short-term assistance
- Child care, transportation and supports to employed families
- IDAs, EITCs and work subsidies

Families receiving assistance face requirements such as time limits, child support assignments, work requirements, and data collection reporting.

The Balanced Budget Act of 1997

The Balanced Budget Act of 1997 enacted a new program of 'Welfare to Work' grants and addresses a set of issues including minimum wage requirements, access to vocational educational training, and family violence provisions. Under the Act, the Department of Labor provides $3 billion in Welfare to Work grants in order to help move the 'hardest to employ' recipients from welfare to work.

CCDF

Child Care and Developmental Fund (formerly Child Care and Development Block Grant [CCDBG]).

Originally authorized in 1990 (and now re-authorized under PRWORA), the CCDF program provides funding for child care services for low-income families, as well as for activities intended to improve the overall quality and supply of child care for families, in general. Under PRWORA, States may transfer up to 30 percent of TANF grants to CCDF and SSBG, but no more than 10 percent to SSBG.

Child-Only Case

TANF cases where the primary recipient is a child.

Co-mingled State Expenditures

Expenditures of State and Federal TANF funds into one program aiding each eligible family with a combination of these funds. These expenditures may count towards a State's MOE and Contingency Fund MOE but give States less flexibility in the activities or services that can be provided to TANF recipients. By commingling State and Federal TANF funds, the usage of both the Federal and State MOE dollars are subject to Federal restrictions and prohibitions (i.e., time limits, allowable activities) under the welfare law.

Contingency Fund

Established under PRWORA, the contingency fund provides a limited amount of Federal assistance (a total of $2 billion between FY 1997 - FY 2001) to States during difficult economic times. To qualify, States must have a high and increasing unemployment rate or a significant increase in their food stamp caseload.

Furthermore, contingency funds are available to a State only if State spending on its TANF program exceed the State's historic State expenditures in FY 1994. If a State does not meet this MOE requirement it must remit all contingency funds paid to it for a fiscal year.

County-Administered TANF Program

TANF programs where the administrative locus of control resides with the County. In County-administered programs, the funding for program operation is provided to the State by the Federal government and then allocated to the Counties by that State. Counties have the option of operating and designing their individual TANF programs but must report to the State. The State is held responsible for meeting the Federal requirements under the law.

Diversion

(Also known as up-front diversion.)

Assistance payments provided to TANF eligible families with short-term needs.

The intent of diversion payments are to give up-front aid (cash or vendor payment) to those eligible families with short-term needs to avoid the need for continued welfare assistance. By accepting the diversion payment, the family generally cannot re-apply for cash assistance under TANF for a specified period of time.

Eligible Family

Under TANF, a State may give cash TANF benefits to a family it finds needy (State-defined) if it includes: (1) a minor child (under age 18 or under age 19 if a full-time student in a secondary school or the equivalent level of vocational or technical training) who lives with his/her parent or other caretaker relative; or (2) a pregnant person.

Ineligible persons to receive Federal TANF assistance include: (1) unwed mothers under 18 (and their children) unless they live in the home of an adult relative or in another adult-supervised living arrangement; (2) unwed mothers under 18 without a high school diploma unless they attend school; (3) aliens who enter the United States after August 22, 1996; they are barred from TANF for 5 years, after which TANF eligibility is a State option. TANF benefits for aliens legally in the United States on August 22, 1996 are a State option; (4) a child who has been (or is expected to be) absent from home for 45 consecutive days or, at State option, for 30-180 days. States may make “good cause’’ exceptions to this rule; (5) persons convicted after August 22, 1996 of a drug-related felony (unless State opts out by State law); and (6) for 10 years, persons who fraudulently misrepresented residence to obtain food stamps, TANF, SSI, or Medicaid in two or more States.

Employability Plan

(Also known as Personal Responsibility Plans or Individual Development Plans.)

In order to reinforce and reward work, State/local TANF agencies have the option of requiring recipients to develop a personal employability plan identifying employment-related activities and other activities leading to self-sufficiency. The employability plan is similar to entering into a work and training agreement/contract with the goal of promoting employment. Failure to meet this requirement may result in loss of benefits for the recipient.

Exemption

Criteria by which States have the option to exclude certain families from the time limit.

Exemptions typically apply for a limited time period in which the family meets one or more of the State-defined exemption criteria. Examples of exemption criteria include disability or illness of parent/caretaker, caring for a disabled person, caring for a young person, any month in which family lives on Indian reservation or Alaskan native village with unemployment above 50 percent, high local unemployment, or being a victim of domestic violence.

Extension

Criteria by which States have the option to allow a non-exempt family that has exceeded the time limit to continue receiving assistance for an extended period.

Under an extension, families that are subject to and have reached a time limit are provided ongoing aid if they meet certain State-defined criteria. Extensions may be based on hardship circumstances particular to a family at the time the time limit is reached or on external circumstances, such as high unemployment in a local area.

Family Violence Option

The Family Violence Option is a TANF provision which gives States the option to waive or extend certain program requirements (e.g., work participation rates, time limits, and child support cooperation) for certain victims of domestic violence. The provision envisions that States would screen and identify victims of violence, develop temporary safety and service plans, and explore avenues for overcoming dependency.

Maintenance of Effort

Maintenance of Effort requires States to spend a minimum amount of their own funds every year for qualified expenditures on behalf of eligible families. In order to receive the total TANF Federal block grant, each State must spend at least 80 percent of what it spent in FY 1994 if it does not meet the minimum work participation rates; or it must spend at least 75 percent of what it spent in FY 1994 if it meets the minimum work participation rates.

Non-Medical Substance Abuse Treatment Services

Federal TANF and WtW funds can be used for drug and alcohol abuse treatment services to the extent that such services are not medical. However, services performed by those not in the medical profession, such as counselors, technicians, social works, and psychologists, and services not provided in a hospital or clinic, including 24-hour care programs, may be considered non-medical substance abuse treatment services.

One-Stop Systems

A full service center where citizens and industry have access to job training, education, and employment services at one location.

The WIA legislation requires the establishment of a One-Stop in each local area in order to promote a seamless delivery system.

One-Time, Short-Term Assistance

Assistance paid no more than once in any 12-month period, paid within a 30-day period, covers needs that do not extend beyond a 90-day period.

Penalties Against States

In order to ensure States comply with the statutory requirements under TANF, the Federal government has strictly defined circumstances under which States may demonstrate reasonable cause or receive a penalty reduction in their TANF block grant. The penalties included are for:

- Use of the grant in violation of the statute, including an increased penalty for intentional violations
- Failure to submit required reports
- Failure to meet minimum participation rates
- Failure to participate in the Income and Eligibility Verification System (IEVS)
- Failure to enforce penalties on recipients who are not cooperating with the State Child Support Enforcement Agency
- Failure to repay a Federal loan for State welfare programs
- Failure to meet the appropriate level of historic effort in the operation of the TANF program
- Failure to comply with the 5-year limit on Federal funding of assistance

- Failure of a State receiving amounts from the Contingency Fund to maintain 100 percent of historic effort
- Failure to maintain assistance to an adult single custodial parent who cannot obtain child care for a child under age six
- Failure of a State to expend its own funds to replace a reduction to its grant due to the assessment of penalties
- Failure to maintain historic effort during a year in which the State receives a Welfare to Work formula grant
- Failure to reduce assistance for recipients refusing without good cause to work.

Performance Bonus

PRWORA makes $1 billion available over a five-year period (FY 1999 - FY 2003) to reward States that achieve high performance levels under the TANF program. In July 1997, DHHS indicated that it was considering four performance measures: employment, job retention, earnings progression, and birth rates of females aged 15-17.

On December 4, 1999, 27 states were awarded the first high performance bonuses. The bonuses totaling $200 million were given to the states with the best records in moving parents on welfare into jobs and their success in the workforce.

PICs

Private Industry Councils.

PICs oversee and guide job training programs in geographical jurisdictions called service delivery areas. PICs are the primary entities administering the Welfare to Work grants.

PRWORA

Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

On August 22, 1996, PRWORA reformed the nation's welfare system by replacing the Aid to Families with Dependent Children (AFDC), Job Opportunities and Basic Skills (JOBS), and Emergency Assistance programs with the Temporary Assistance for Needy Families (TANF) program. PRWORA shifts the focus from welfare to work.

PRWORA also gives Federally recognized Indian Tribes (defined to include certain Alaska Native organizations) the option to design and operate their own cash welfare programs for needy children with funds subtracted from their State's TANF Block Grant.

Qualified Alien

Under PRWORA, States are not allowed to provide TANF services to recipients who are not qualified aliens. The Federal government defines qualified aliens as follows:

- An alien who is lawfully admitted for permanent residence
- An alien who is granted asylum
- A refugee who is admitted to the US
- An alien who is paroled into the US for a period of at least 1 year
- An alien whose deportation is being withheld
- An alien who is granted conditional entry prior to April 1, 1980.

Segregated State Funds

State funds expended within the TANF program which are not commingled with Federal funds. By financing through segregated funding streams, the program aids some families exclusively with MOE dollars and other families with Federal funds. Segregated State expenditures may count toward both the State's TANF MOE and Contingency Fund without being subject to Federal restrictions and prohibitions under welfare law.

Separate State Programs

States can operate programs outside of the TANF program to provide services to needy families and children. Expenditures made in separate State programs may count towards a State's TANF MOE if the expenditures are made on behalf of TANF eligible families. Additionally, expenditures in separate State programs are not subject to Federal rules.

SSBG

Title XX Social Services Block Grant.

Established in 1975, SSBG is a capped Federal entitlement program ($2.38 billion FY 1998 - FY 2002; $2.8 billion FY 2003+) given to States, without State matching requirements, to help them achieve a wide range of social policy goals. SSBG funds may be used to provide services directed toward one of the following five goals: (1) to prevent, reduce or eliminate dependency; (2) to achieve or maintain self-sufficiency; (3) to prevent neglect, abuse, or exploitation of children and adults; (4) to prevent or reduce inappropriate institutional care; or (5) to secure admission or referral for institutional care when other forms of care are not appropriate.

Under PRWORA, States may transfer up to 30 percent of TANF grants to CCDBG and SSBG, but no more than 10 percent to SSBG. TANF funds transferred to SSBG may only be spent on children or families with income below 200 percent of poverty.

State-Administered TANF Program

TANF programs where the administrative locus of control resides with the State. In State-administered programs, the funding for program operation is directly provided to the State. States are responsible for designing and operating the TANF program as well as meeting all Federal requirements.

State Match

The Federal government requires States to spend a certain level of funding to provide services to families and children under the TANF and WtW programs. States operating the TANF program are required to spend $.80 of non-Federal funds for every $1 received in Federal funds. States applying for WtW Formula Grants must spend $1 of non-Federal funds for every $2 received in Federal funds.

State Waivers

Prior to TANF, under Section 115 of the Social Security Act, States were granted waivers to operate their AFDC program utilizing new approaches in welfare. In order to obtain welfare waivers, States were required to conduct rigorous evaluations of their welfare approaches.

TANF

Temporary Assistance for Needy Families Program

TANF is a block grant program designed to make dramatic reforms to the nation's welfare system by moving recipients into work and turning welfare into a program of temporary assistance. TANF's basic block grant entitles the 50 States, the District of Columbia and the US territories to a total of $16.5 billion annually through fiscal year 2002. Each State's basic grant equals Federal payments received for AFDC, EA, and JOBS in recent years.

The purpose of TANF is to increase State flexibility in operating programs designed to: (1) aid needy families so that children may be cared for in their homes or those of relatives; (2) end dependence of needy parents upon government benefits by promoting job preparation, work, and marriage; (3) prevent and reduce out-of-wedlock pregnancies and establish goals for preventing and reducing their incidence; and (4) encourage formation and maintenance of two-parent families.

Teen Parent Provision

A State may not use Federal dollars to provide benefits for:

- Unwed mothers under 18 (and their children) unless they live in the home of an adult relative or in another adult-supervised living arrangement

- Unwed mothers under 18 without a high school diploma unless they attend school.

Time Limits under TANF

Time limits refer to a period of cash assistance receipt, after which a family will no longer be able to receive the full benefit amount.

(1) Under PRWORA, States may not use TANF funds to provide assistance to a family who has received welfare assistance for 5 cumulative years (or less at State option). States are permitted to exempt up to 20 percent of their average monthly caseload from the time limit, and States may use their own funds to provide assistance to families after 60 months. State grant reduced by 5 percent for failure to comply with time limit.

(2) Families must be engaged in work activities after 2 years (or less at State option) of welfare assistance.

Tribal TANF

PRWORA gives recognized Tribes and Tribal organizations the option to operate TANF programs in their service areas. A Tribe's grant equals Federal AFDC payments to the State for fiscal year 1994 attributable to Indians in its service area, and Tribal grant funds are subtracted from the State's grant containing the Tribe's service area. Tribes, in conjunction with the Secretary of DHHS, establish work participation rules, time limits for benefits, and penalties for each Tribal family assistance program.

Unliquidated TANF Obligations

The amount of Federal TANF funds that a State has committed to spend but has not yet spent.

TANF funds are usually classified as an unliquidated obligation when either (1) the State has contracted a service from a private service provider, but the TANF funds are not expended until the service has actually been provided; or (2) the contracted service has already been provided but the State is still in the midst of processing the payments.

Unobligated Federal TANF Funds

The amount of Federal TANF funds that States have neither spent nor committed to spend as of a given date.

These unspent TANF dollars are also referred to as 'Rainy Day' funds due to the fact that each year's TANF allocation is available until expended. Since these funds can be accessed and spent in future years, States may decide to ensure they have sufficient resources in the event of a future need or an economic downturn.

Wage Supplements

In the interest of getting TANF recipients to achieve self-sufficiency through on-the job training, States have the option of entering into cooperative agreements with employers to get TANF recipients employed. As part of this agreement, States may choose to subsidize or supplement the wage amount provided by the employer.

Welfare to Work (WtW) Grants

The Balanced Budget Act of 1997 authorizes the US Department of Labor to provide a total of $3 billion in Federal Welfare to Work (WtW) grants to States and local communities to create additional job opportunities for the hardest-to-employ recipients of TANF. The BBA of 1997 also set aside 1 percent of funding ($30 million over 2 years) for the Indian and Native American Welfare to Work (INAWtW) program. Unlike State WtW programs, INAWtW programs do not require any State matching funding.

Programs and services funded using WtW grants must focus on helping individuals obtain and maintain unsubsidized employment. Services may include: job readiness, community service/work experience, job creation, job placement, employment wage subsidies, on-the-job training, post-employment services, job retention, and supportive services (if such services are otherwise not available).

Welfare to Work (WtW) Amendments/Reauthorization

The reauthorization of WtW program, under Title VIII of H.R. 3424 enacted as part of the Consolidated Appropriations Act for FY 2000, was signed into law on November 29,1999. The *1999 WtW Amendments* make several significant changes to the WtW program, most notably loosening the program eligibility requirements and adding vocational education and job training (up to 6 months) as a separate allowable activity under WtW.

Welfare to Work (WtW) Competitive Grants

Twenty-five percent of WtW grant funds will be distributed through a competitive process to PICs, political subdivisions, and private entities. A State match is not required but applicants must indicate the resources they will be contributing to the project.

Welfare to Work (WtW) Formula Grants

Seventy-five percent of the total WtW funds will be distributed as formula grants to States. States must spend $1 of non-Federal funds for every $2 received in Federal funds. WtW formula grants equally consider the State's share of (1) the national number of poor individuals and (2) the number of long-term welfare recipients and number of unemployed in the service delivery area.

States must distribute at least 85 percent of the formula funds to local Private Industry Councils (PICs) and/or Workforce Development Boards. States can use the remaining 15 percent of the formula funds to operate their own WtW projects or provide additional support to PICs.

Welfare to Work (WtW) Allowable Work Activities

Activities allowable under Welfare to Work grants include job readiness activities, employment activities (community service programs, work experience programs, job creation through wage subsidies; and on-the-job training), job placement services, post-employment services, job retention and support services, and vocational education and job training (up to 6 months) if not otherwise available to the participant.

WIA

The Workforce Investment Act of 1998.

Signed into law August 7, 1998, WIA amends the Wagner-Peyser Act that established the Job Training Partnership Act (JTPA) and consolidates the summer and year-round youth programs now operated under JTPA legislation. WIA gives States and localities flexibility to implement innovative and comprehensive workforce investment systems to meet the needs of their labor market. It creates a new governance structure consisting of State and local Workforce Investment Boards, streamlines one-stop delivery systems, and replaces local contracting with Individual Training Accounts/vouchers to deliver training services

WIB

Workforce Investment Board

Local WIBs are established in each local workforce area. The WIB Chair must be a representative from the private business sector. Membership includes representatives of businesses, local educational entities, labor organizations, community-based organizations, economic development agencies, all One-Stop partners, and other entities determined by local officials. The role of the WIB is to select the local One-Stop operators, identify eligible providers of training services, youth activities and intensive services, provide oversight, ensure effective connecting and coaching activities to assist employers, and coordinate activities with economic development and employers.

Work Activities Under TANF

Activities that count towards a State's work force participation requirement.

Work activities include subsidized and unsubsidized employment, work experience, on-the-job training, job searches, job readiness assistance, community service programs, vocational educational training, and job skills training and education directly related to employment.

Work Force Participation Requirements Under TANF

(1) Individuals in work activities must participate 20 hours per week increasing to 30 hours by 2000.

(2) 25 percent of single-parent families and 50 percent of two-parent families must be participating in a work activity by 1997, increasing to 50 percent and 90 percent by

2002, respectively. There are graduated penalties for each consecutive failure to meet the work participation standard (5% first year, increasing by 5% for each additional year). If a State falls short of the required participation rate for a fiscal year, its TANF Block Grant for the next year is to be reduced by 5 percent (first failure to meet the standard). For subsequent years of failure, annual penalties rise by 2 percentage points with a maximum penalty of 21 percent in any one year.

Work Sanctions Under TANF

Under TANF, States are required to reduce the amount of assistance payable to the family "pro rata" for each month an individual receiving funds under TANF refuses to engage in work activities, subject to good cause and other exceptions set by the State.