

PARTNERING FOR CHILDREN: COLLABORATION BETWEEN TRIBAL TANF and TRIBAL CHILD SUPPORT WEBINAR TRANSCRIPT

July 17, 2013

WELCOME

Felicia Gaither: Greetings, and welcome to the *Partnering for Children's Collaboration Between Tribal TANF and Tribal Child Support* Webinar. Again, I am Felicia Gaither and I am the Director of the Division of Tribal TANF Management in the Office of Family Assistance, with the Administration for Children and Families. The Office of Child Support Enforcement and the Office of Family Assistance Division of Tribal TANF Management have worked together to create this Webinar for the purpose of providing technical assistance and guidance on the collaboration of Tribal TANF and Tribal Child Support programs. Both offices previously asked existing Tribal TANF and Tribal Child Support program staff, in an effort to identify topics of interest, what your interests were. We thank you for your input, and this is the first in a series of Webinars we are planning to work together to develop and present to you. We hope that today's presentations will increase your knowledge of Tribal TANF and Tribal Child Support. Our goal is to provide information that will assist you in your efforts to work collaboratively, enhance your current partnerships, and provide you with information that will maximize program resources and provide more streamlined services to the families being served by your programs. You will have an opportunity at the end of the Webinar to ask questions, and you will also receive contact information for our Regional Office staff that can provide further information and assistance on your detailed and specific program questions.

PRESENTERS

Felicia Gaither: Presenting today are Ruth Miller, Family Assistance Program Specialist in the Division of Tribal TANF Management; Paige Hausburg, the Tribal Coordinator for the Office of Child Support Enforcement; and Michelle Butler, Training Specialist in the Office of Child Support Enforcement as well. We also are joined today by Tribal Program staff from the Winnebago Tribe of Nebraska. Amy Painter will be presenting with her colleagues. And then we have Maria Huynh from the Port Gamble Tribe of Washington State. We hope that you enjoy the presentation. Please do listen in and ask questions. Next, I will hand it over to Paige Hausburg.

Paige Hausburg: Welcome, and thank you for participating in our first joint Webinar between the Temporary Assistance for Needy Families and the Office of Child Support Enforcement. As Felicia said, I am the Tribal Program Coordinator for the Office of Child Support Enforcement. The Office of Child

Support Enforcement has encouraged Tribal Child Support programs to work collaboratively with Tribal members and stakeholders to develop and administer their programs. Today's Webinar demonstrates how we at the federal level are collaborating to strengthen the technical assistance and guidance that we provide to you. This will be one of many joint technical assistance opportunities provided by Tribal TANF and the Office of Child Support Enforcement. We hope that today's presentation will increase your knowledge of TANF and Child Support, and inspire you to establish new or build upon existing partnerships. Now I am going to turn it over to Ruth.

Ruth Miller: Thank you, Felicia and Paige. Hello, everybody. It is a pleasure to be here with you today. We will start things off by giving you a brief background of Tribal TANF programs, then we will talk some about the benefits of having your Tribal TANF and Child Support Enforcement programs in collaboration with each other. So let us get started.

LEARNING OBJECTIVES

Ruth Miller: After today's presentation, we would like you to leave this Webinar with a good understanding of both the Tribal TANF and the Child Support Enforcement programs; the differences between State and Tribally administered programs; as well as the benefits of having your TANF program and your Child Enforcement programs collaborate. Next slide.

TANF OVERVIEW

Ruth Miller: So let us talk a little bit about TANF history. Next slide.

TRIBAL TANF BACKGROUND

Ruth Miller: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, also known as PRWORA, repealed the longstanding welfare program which was known as Aid to Families with Dependent Children, or AFDC, and created the Temporary Assistance for Needy Families, or the TANF program. The Act created a yearly \$16.5 billion federal block grant available to States, Territories, and federally recognized Tribes. The TANF program provides time limited assistance to families with children when the parents or other relatives cannot provide for the family's basic needs. The Act also gave federally recognized American Indian Tribes the authority to operate their own TANF programs. Next slide.

Ruth Miller: Funding levels for States and Tribes are based on state/county expenditures for Native American families under AFDC for the year of 1994. Both States and particularly Tribes, as you will see throughout this presentation, have broad flexibility to design and carry out their programs. There are currently 68 Tribal TANF programs across the country. These programs represent 299 of the 565 federally-recognized Tribes and Alaska native villages in the U.S., providing services on reservations, in native villages, and in 122 counties. So we have all come a long way in the last decade and a half working together. Current Tribal TANF annual funding is approximately \$183 million of the \$16 billion annual budget. Next slide.

GOAL OF TANF

Ruth Miller: The goal of TANF is straightforward. It is to provide temporary support and financial assistance to needy families, while aiming to get people off of that assistance, primarily through employment. Next slide.

FOUR PURPOSES OF TANF

Ruth Miller: The Personal Responsibility and Work Opportunity Reconciliation Act, PRWORA, established TANF and it also established the four statutory purposes of TANF. These purposes form the basis for decisions about who is eligible for what kinds of TANF help. I am going to read them to you because it is critical to the rest of this presentation.

Ruth Miller: The first purpose is to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives.

Ruth Miller: The second purpose is to end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage.

Ruth Miller: The third one is to prevent and reduce the incidence of out-of-wedlock pregnancies.

Ruth Miller: And finally, the fourth is to encourage the formation and maintenance of two-parent families. Next slide.

TANF CHART

Ruth Miller: Here we have created this graphic that looks a little complicated at first glance, but we are going to break it down and, hopefully, it will be useful in explaining the TANF program and how it works. So at the top of the graphic, of course, is TANF. Then it moves down into the four purposes, which I just read from the previous slide. From there we identify the two populations that the TANF program serves; those are Needy Families and Other Eligible Families. By Needy Families, we mean those families who meet the income and resource limits established by the Tribe in their TANF plan. Other Eligible Families means those families that meet other objective criteria, not financial, established by the Tribe in their TANF plan.

Ruth Miller: At the bottom of the graphic you will see two categories of services provided under the TANF program. The first one is Assistance, which falls under Purposes 1 and 2. The second type of service is referred to as Support Services. Assistance includes cash payments, vouchers, and other forms of benefits designed to meet a family's ongoing basic needs, i.e. food, clothing, shelter, utilities, that kind of thing. Only needy families, as defined by the Tribe, are eligible for assistance. As stated above, needy families must meet income standards to be eligible, and there are work requirements that the family must satisfy as well. There is also a lifetime limit of 60 months or 5 years on how long a family can receive assistance, unless the Tribe can show that the unemployment rate is 50 percent or over. At that point, the Tribe can choose to exempt needy families from this limitation for as long as the unemployment rate remains at 50 percent or over. Support Services can include things like providing job search, job placement, subsidizing wages, transitional services, case management, transportation, and child care, to name just a few. Both needy families and other eligible families are eligible for these services, and there are no work

requirements associated with them, nor is there any statutory time limit on the receipt of these support services. And the Tribe has the flexibility to specify how long these services will be provided.

Ruth Miller: Now I will turn the mic over to Paige to talk about Tribal Child Support Enforcement program.

POLL QUESTION #1

Paige Hausburg: Before we do that, let us go to a polling question. So if you could just answer that question that you see on your screen. That is just gathering some information as we go through this Webinar to help us see what is happening out there. Then I am going to actually let Michelle give us an overview of the Tribal Child Support Enforcement program. Go ahead, Michelle.

TRIBAL CHILD SUPPORT OVERVIEW

Michelle Butler: Thank you, Paige. The Child Support Enforcement program was established in 1975, under the Title IV-D of the Social Security Act. It provides States with the authority to deliver child support services. In 1996, the Personal Responsibility and Work Opportunity Reconciliation Act, PRWORA, was passed and provided direct funding of Tribes and Tribal organizations for operating child support programs. On March 30, 2004, the final rule on the Tribal Child Support Enforcement program was published, and the regulation accommodated the unique situations of Tribes and provided them with the flexibility to tailor their Child Support programs to effectively meet Tribal needs.

Michelle Butler: The goal and purpose of child support is to ensure both parents financially and emotionally support their children. Child support programs provide services to locate noncustodial parents, establish paternity, establish and enforce support orders, and collect child support payments from noncustodial parents.

TRIBAL CHILD SUPPORT ELIGIBILITY

Paige Hausburg: Thank you, Michelle. There are four ways parents can obtain child support services: through a direct application; a referral from the TANF program, foster care, or Medicaid program; through an intergovernmental case; or a case transfer. Next slide.

STATE AND TRIBAL CHILD SUPPORT PROGRAM DIFFERENCES

Paige Hausburg: There are many differences between State and Tribal Child Support programs. In general, the Tribal Child Support programs have less prescriptive regulations and greater flexibility and discretion to administer their programs based on the needs of their Tribal members. For example, unlike State Child Support programs, Tribes are not required to have a TANF program. Also, Tribes are permitted to accept non-cash child support payments, and Tribes also receive a federal match of 90 percent for the first 3 years of operation of their program, and 80 percent thereafter.

POLL QUESTION #2

Paige Hausburg: How about another polling question? So again, if you could take just a couple of seconds to answer this question, these two questions for us. Just checking in to see what different Tribes are doing with their programs. Then, in a few seconds, we are going to turn it back over to Ruth and she is going to tell us about the differences between State and Tribal TANF programs.

STATE AND TRIBAL TANF DIFFERENCES

Ruth Miller: Thank you, Paige. Where TANF is concerned, PRWORA required all States to have a Child Support Enforcement program prior to assuming TANF. It is also required that these two programs collaborate. It is required of State needy families that in order to receive TANF assistance, the family needs to assign the right to receive child support over to the State TANF program. This money is then used to help fund additional State TANF services.

Ruth Miller: With Tribes this is not the case. Tribes can assume their own TANF programs without having a Child Support Enforcement program. And even if a Tribe has both programs, there is no requirement that the two must work together. However, there are benefits to collaborating, as we will discuss shortly. Next slide.

CONDITION OF ELIGIBILITY AND ASSIGNMENTS OF RIGHTS

Ruth Miller: So the question becomes, if you want to bring your two programs into collaboration, how do you get started? With respect to TANF, the first step is to include some important information in your TANF Family Assistance Plan (TFAP). You will need to include procedures for ensuring that the assigned child support collections in excess of the amount of Tribal TANF assistance payments received by the family will not be retained by the Tribe. And you will also need to include a description of how any amount generated under an assignment and retained by the Tribe will be used to further the Tribe's TANF program.

Ruth Miller: Another flexibility Tribes have is that they can determine the amount of child support payment that is collected by the Tribal TANF program, and how much of the payment will "pass through" – that is an important word that will come up later – that will pass through or be returned to the family. You will hear more about "pass through" later in the presentation.

Ruth Miller: In addition, if necessary, the Tribe can also establish good cause exemptions, making it unnecessary for a family to work with Child Support Enforcement to collect child support. For example, in situations involving things like domestic violence. Next slide, please.

TRIBAL CHILD SUPPORT DISTRIBUTION REGULATIONS

Paige Hausburg: Tribes are responsible for meeting the distribution requirements described in our regulations at 45 CFR 309.115. Next slide.

GENERAL TRIBAL DISTRIBUTION RULES

Paige Hausburg: There are four general rules that Tribes must consider when distributing child support payments. First, Tribes must satisfy current support obligations, except in cases of Federal income tax refund offset. They must pay any excess to the family, unless the family is a current or former TANF recipient with an assignment of rights, or when there is an intergovernmental case. Next slide, please.

Paige Hausburg: Tribes must also apply Federal income tax refund offsets to arrearages. And lastly, they must send all collections to the State or another Tribe in intergovernmental cases with no assignments.

POLL QUESTION #3

Paige Hausburg: Let us pause for a minute and do a polling question. So again, these questions are: What information do you share? Do you have data sharing agreements?

KEY TRIBAL DISTRIBUTION QUESTIONS

Paige Hausburg: All right, we are on slide 22 now. Here are three questions that Tribes should consider when there are issues about how to distribute child support payments. Is there a request to collect from another jurisdiction? Is there an assignment to the Tribe? Is the case a current Tribal TANF case? You should use these questions in a decision tree manner and refer to the regulation in Section 309.115 to help clarify any distribution issues and questions. Next slide, please.

TRIBAL CHILD SUPPORT ASSIGNMENT OF RIGHTS

Paige Hausburg: Tribes have the option to condition Tribal TANF eligibility on the assignment of child support. If a Tribe opts to condition Tribal TANF eligibility on the assignment of child support, then the Tribe must decide whether to retain all or a portion of the support that is collected. In intergovernmental cases where there is an additional assignment of support to a State or another jurisdiction, the Tribe may be collecting child support for three different parties. Next slide.

RETENTION AND PASS-THROUGH OPTIONS

Paige Hausburg: Where appropriate, Tribes have the discretion to apply the following distribution options. They can pass-through 100 percent. They can retain 100 percent up to the amount of Tribal TANF. Or they can pass-through some or a percentage and retain the excess. Next slide, please.

INFORMATION SHARING

Paige Hausburg: To effectively deliver services, child support programs have access to a variety of information, such as Social Security numbers, and in situations where there is an agreement with the State, income tax return data.

TRIBAL CHILD SUPPORT INFORMATION SHARING REGULATIONS

Paige Hausburg: There are several regulations that Tribes must follow to ensure adequate safeguards are in place to protect confidential information. These regulations specify data security and access requirements and sanctions that must be applied for improper use or disclosure of confidential information. Issues related to national security and domestic violence impose additional safeguarding requirements and data sharing limitations. Next slide.

TRIBAL CHILD SUPPORT INFORMATION SHARING POLICY GUIDANCE

Paige Hausburg: The Office of Child Support Enforcement has issued guidance to help Tribes understand the information sharing and safeguarding requirements. This slide shows a number of policy issuances that you can refer to for questions on safeguarding. Next slide, please.

CHILD SUPPORT INFORMATION SHARING WITH TANF AND KINSHIP CARE

Paige Hausburg: Tribes are permitted to share information with the appropriate parties and in the manner described in the regulations. For example, when appropriate, Tribes may share with TANF and Kinship Care any information related to address changes for the custodial parent, child support collected, and custody and living arrangements. Next slide.

AUTHORITY FOR STATE CHILD SUPPORT AGENCIES TO RELEASE INFORMATION TO NON-CHILD SUPPORT FEDERAL AND STATE PROGRAMS, AND TO CHILD SUPPORT TRIBAL PROGRAMS

Paige Hausburg: The following tables are taken from the Appendices in the Final Rule on Safeguarding Child Support Information. The table helps you to easily identify what information can be shared and with whom.

Paige Hausburg: Now we are going to move to Ruth for benefits of collaboration.

BENEFITS OF TRIBAL TANF AND CHILD SUPPORT PROGRAMS COLLABORATION

Ruth Miller: Slide number 32. There are three main benefits to having your Tribal TANF and Child Enforcement programs work together. First, collaboration provides a more efficient and holistic approach to providing TANF assistance and child support enforcement. Second, it provides an additional source of income to fund TANF program expansions and improvements. And thirdly, it provides support and encouragement for Tribes to design programs that meet the needs of the families being served. Next slide, please.

REGIONAL PROGRAM MANAGERS

Ruth Miller: If you need any assistance in beginning new TANF or Child Support Enforcement programs, or if you need help bringing your two programs into collaboration, please call your regional Health and Human Services (HHS) staff contacts found here. This list is on our Office of Family Assistance (OFA) web site. It will be posted in this PowerPoint presentation on the Welfare Peer TA web site, and all of you who are participating today will be receiving an e-mail copy of this PowerPoint presentation for your convenience.

PORT GAMBLE S'KLALLAM TRIBE

Felicia Gaither: Thank you, Ruth, Paige, and Michelle for your presentations. We will now turn it over to our Tribal partner, Port Gamble, and we have Maria Huynh who is presenting with Stacy Mills.

Maria Huynh: Hi, everybody. This is Maria Huynh, and I work for the Port Gamble S'Klallam Tribe.

Stacy Mills: And this is Stacy Mills. I work for the Port Gamble S'Klallam Tribe in the TANF department.

Maria Huynh: We apologize in advance if we are talking too fast because we are both very fast talkers. So here we go.

PORT GAMBLE S'KLALLAM HISTORY

Maria Huynh: Okay, just a little bit of history about the Port Gamble S'Klallam Tribe. What is unique about

Port Gamble is we have a reservation and it is not checkerboard, so we can provide better service to our families. We have about 1,341 acres and right now there are over 1,200 Tribal members, so we are a really small Tribe. Approximately 350 of those Tribal members are children who are under 18. About half of the Tribal members live off the reservation, so we serve pretty much a lot of families in Kitsap County. Did I tell you where we are located? We are located in Washington State, so you kind of have to take a ferry to get here.

Maria Huynh: We are also part of the Point-No-Point Treaty of 1855. This reservation was formed in 1934 as part of the Indian Reorganization Act.

Maria Huynh: So what is kind of unique about Port Gamble is that our Child Support program and our TANF program, we are all under one department. So I know with a lot of other Child Support programs, some are under court or some are under different departments, so it makes it a little bit harder to try to collaborate TANF and Child Support. So what is unique about us is we have a lot of Child and Family Services. Child support is one of the departments, TANF, Wellness Programs, we have a Family Preservation, an Elders Program, a Youth Program, an Indian Child Welfare Program, and foster care. So those programs all make up the Children and Family department.

Maria Huynh: We have two Directors, actually. Jolene Sullivan who is Director and she mainly handles the Wellness portion of it and Family Preservation. And we have Cheryl Miller who handles the TANF, the Child Support, and the Indian Child Welfare.

Stacy Mills: And we also have our own department attorney, which is really helpful that both of our programs go through, so she is very knowledgeable with all of our programming and our day-to-day interactions.

TRIBAL TANF

Stacy Mills: And our Tribal TANF program, we began operating our own Tribal TANF in October of 1998. We were the 13th Tribe in the Nation, and we serve both Tribal families in Kitsap County that are included, enrolled members of Port Gamble S'Klallam Tribe, and also all Native American Indian families living on the reservation, that is our service area.

Stacy Mills: We also do collaborate a little bit with other service providers in the area. There is a consortium out of our county that operates as well, so we do have to coordinate services with them a little bit, too. And our Tribal TANF provides benefits for children placed in relative care as well as with families with one or two parents. So we do child-only grants as well as family grants. Relative caregivers have to be approved by Indian Child Welfare (ICW) before TANF will pay out any benefits. So what we did was in our policies, their households, we have some strict compliance factors for households to be able to receive TANF assistance.

TRIBAL CHILD SUPPORT

Maria Huynh: So I do not know if you guys know about how Port Gamble first started child support. We have been operating even before we even got IV-D funding. So in 1980, the Tribe was issuing child support orders, but in 2002 is when we became federally funded for IV-D services. That means that the

Feds are now footing the bill instead of the Tribe. Our program is pretty much agreement based and what we try to do is we try to have families cooperate and participate as much as possible, and try to reach an agreement regarding child support amounts.

WHY ASSIGN CHILD SUPPORT

Maria Huynh: So why would you guys want to assign your child support? At Port Gamble, we have an assignment, so TANF participants who sign on to TANF, they have to cooperate with child support and they have to assign child support over to us. And that helps us because we can actually retain more money to help TANF families. Because child support payments are very unreliable, this creates more reliability of TANF grants, so the TANF grant does not fluctuate because child support is not affected by it.

WORKING TOGETHER FOR TRIBAL CHILDREN AND FAMILIES

Maria Huynh: We created policies so TANF clients have to cooperate with child support, but there are exceptions to that. There is exception if there is a domestic violence concern or any other factors. We meet with them individually and TANF clients, they meet with us and let us know what those factors are if they do not want to establish child support. The TANF program is really good about referring clients over to us. They contact us, what, twice a month?

Stacy Mills: Yes, generally.

Maria Huynh: Yes, because you guys pay twice a month, right?

Stacy Mills: We do checks twice a month here, we do a manual check system so we give checks twice monthly, and folks can get on at either interval. So we always give the proper information at any case opening.

Maria Huynh: So by providing checks twice a month, TANF clients are then asked to come talk to Child Support afterwards, if they have not met with us earlier. So that actually helps in communicating and providing better service to families. One thing that is unique about Port Gamble is we do what is called a TANF "pass through" up to \$100. So if the paying party pays child support of, let us say, \$200, we can give an additional amount of \$100 on top of the grant. The Child Support program is also responsible, because we have done the assignment, we are responsible for tracking TANF dates, assigning the support, distributing the payments, and doing a total versus total. This is a little bit more work if you guys want to assign the child support, but in the long run I think it will be better for the families because there is more money retained that the Tribe can keep to spend on TANF purposes.

INFORMATION TANF PROVIDES TO CHILD SUPPORT

Stacy Mills: So when a client comes onto TANF, we actually have in our application packet a couple of different things. In our general application sheet that every client must sign, they sign over the assignment of child support to our Child Support program. And then we also have a general release form which gives a release of information to and from the TANF and Child Support programs, so we kind of have our bases covered on all ends as far as the information we can share. And they must sign off on this at the time of application for TANF before we disperse any funds or anything. And we give a monthly report of who our cases are, how much they received, if they are a child-only grant or a family grant, and

the number of persons in the household. And like we were saying, this is done usually a couple of times a month at those check days.

Stacy Mills: We also have the benefit of we are under the same umbrella, but also we are in the same building, so we work pretty closely together. We do a case staffing about once a month usually to make sure we have not missed anyone. And also, Child Support sends back notification to the TANF program when they are or are not in cooperation, as they are required by our TANF policies.

WHY DOES TANF NEED TO SHARE INFORMATION WITH CHILD SUPPORT?

Stacy Mills: And it is really just important for TANF to share information with Child Support. It does prevent some double dipping. It does make sure that they are getting the proper TANF pass-through. We are able to help better locate the folks, custodial parents and non-custodial parents. It helps for distribution of payments to clients. The total versus total can be done by the Child Support program and can be accurate and, like Maria mentioned, really sometimes be able to retain some funds for our families and programs. We have also had lots of cases that have come in where Child Support has been able to assist us with establishing paternity and establishing cases for child support that otherwise people may have missed.

COLLABORATION – WHY IT WORKS AT PORT GAMBLE

Stacy Mills: So we do work pretty closely together, like I said, we are in the same building, we have the same boss, we have a real teamwork approach here, and we communicate almost daily just because we are so close to each other. And that is why Maria and I are in the same office rather than in two separate offices, because we are across the hall from each other.

BENEFITS TO OUR CLIENTS

Stacy Mills: So we work really closely and it does benefit our clients. Because we are in this main Tribal campus area, there is lots of access to many different services within the same Tribal campus. We have an open door policy, so during the day we have walk-in times. Anyone can stop by. They can stop in for both TANF and Child Support services generally on the same day at the same time. And our workers are all available to see clients face to face, which is really a preference in this community. I even have folks, even if they live locally, they will call, ask if we are available, and then they come right down to our office. They would rather do business in person and they really appreciate that personal contact. You get to know your case workers much better and have a much better relationship, and they are more apt to really be in cooperation and share the proper information with both programs.

WHAT HAPPENS WHEN TRIBAL TANF CLIENTS PREVIOUSLY RECEIVED STATE TANF?

Maria Huynh: So we do have a government to government relationship with the State of Washington. We know that the State of Washington is going to have cases where there are Tribal members who are going to go on State of Washington's TANF instead of ours. And so we do have an agreement with the State of Washington Child Support Division, and it is pretty much case by case basis. So we look at: Is there a child support order? Who is better at collecting the support? Will the State send us a referral? Will the Tribe send the State a referral? And who will do the work? So we work that out case by case. I know it sounds kind of cumbersome and tiresome, but what is unique about the Washington State Division of Child Support is they have a Tribal Liaison, the one person that we go to for all of our Port Gamble cases, and

we work out who is better able to handle the case, to enforce it.

AGREEMENT WITH DEPARTMENT OF SOCIAL AND HEALTH SERVICES (DSHS)

Stacy Mills: Also on the TANF end of it and client assistance, we are unique also in that we have a pilot project with the State of Washington and we do Medicaid and basic food benefits here. So not only does our Child Support program have read only access to the State system, our TANF program actually has full access to the State system just so that even those clients who are on State TANF cases, we can look up and determine what their household is comprised of, who, and the income, and different things. So we can always collaborate with Child Support, even on those State cases a little bit, to sometimes assist in further locating the proper information to share with the Tribal Liaison at the State Child Support Department.

Maria Huynh: One of the most confusing things about, I guess, being on a Tribal TANF is that everybody who is on Tribal TANF is eligible for Medicaid. So all those families who are Tribal TANF, even though child support is assigned to the Tribe, the State also opens up a child support case for the medical. So you are going to be working parallel cases. So we worked it out with the State of Washington also to provide both services to a family, and the State of Washington will close their case regarding those medical supports.

Maria Huynh: We also work with the State of Washington and have an agreement for IRS intercept, and that has been working out pretty well. And also, another good one was employment security. We needed to get information on wages and match new hires, especially on non-custodial parents who are non-Tribal who live off the reservation, it is hard for us to get that information. So that was a really great agreement.

WHY OPERATE A TANF OR CHILD SUPPORT PROGRAM?

Stacy Mills: So some reasons why programs may want to operate their own TANF or Child Support program. It exercises the rights of Tribes and their sovereignty, such as Port Gamble S'Klallam Tribe. There are many different resources to the community that can be offered through operating these programs that are specific for the needs of our direct community here. The programs are operated to reflect the value and culture of the Tribe's community, and it really stays within the Tribe's mission of how to better serve its Tribal members, and I think we do a pretty good job of that.

CHALLENGES

Stacy Mills: There are some challenges to operating. So right now our TANF program uses Eaglesun systems, which I know a lot of TANF programs in the Nation do. The Child Support program, of course, does not have a system, so I think that would be really helpful if we could get. Right now we are working towards getting a system and, ideally, it would be the same one. Eaglesun I know is working to develop something. It is just a matter of funding and finalizing that. But that would really be helpful because then we would be able to have direct input and have an electronic way for us to exchange and share any pertinent information. So right now, the information we share between programs is all via manual, you know, paper trails for everything. So we are keeping copies basically in both the TANF file and the Child Support file. So it is a little cumbersome but we are working to work that out. And because we are so small and we work so close together, it is not too terrible. If we were to get too much bigger, it could be a little tougher, but so far we are doing pretty well with it, but it adds one more challenge.

Maria Huynh: So this is a quote from Rose E. Purser, Tribal Elder, and I always love to use it because I think about why have a Child Support program. “The most important thing about child support is that a child knows his parents care.” That is really important to families knowing that. Oh, my dad pays support, I get a pass-through, yea, I get to go buy shoes with it. So I just want to leave you with that quote.

MORE INFORMATION

Maria Huynh: I do not know if you have any more questions or information. It is kind of hard to do a Webinar because I cannot see your faces or see what kind of questions you may have. But our Director, Cheryl Miller, I have left her information right there. And Stacy Mills is the one who was just speaking earlier, and then myself. So feel free to e-mail us or call us if you have any questions. Thank you very much.

Felicia Gaither: Thank you very much for your presentation, Stacy and Maria. Actually, we want to remind people that if you do have questions that are not a part of our polling questions, that you can submit those in the Q&A section on your screen. Just type in your question and we will see it, and we will be able to respond to it at the conclusion of the Webinar, or before concluding the Webinar.

POLL QUESTION #4

Felicia Gaither: Next we have another polling question that we have created for you, and so we are going to take a few seconds to have you answer the question.

Felicia Gaither: Okay, thank you for answering our polling question. Next up is the Winnebago Tribe of Nebraska and I will turn it over to Amy Painter. Amy?

WINNEBAGO TRIBE OF NEBRASKA TRIBAL TANF PROGRAM

Amy Painter: The Winnebago Tribe TANF program started in 2001, with the goal of the TANF program to promote strong families. To achieve these goals TANF will: discourage dependency by assisting each family to develop a plan to reduce dependency and to assure each family works to the best of their ability; provide funds and services to families at risk of welfare dependence; encourage all participants to complete at least a high school education; and discourage unwed pregnancies, especially among teens.

Amy Painter: A strong partnership between the two Tribal programs are essential to meet the needs of Native Families. There has to be open communication between the two programs to be able to help the families in the community. This is done through direct phone contact and monthly meetings.

TANF PROCESS

Amy Painter: In the TANF process, the applicant will fill out an application for TANF and provide all documentation that is necessary, including the Child Support application. The TANF program directs the client to fill out an application with the Child Support office. Once the Child Support application is finished and has all that is required, the Child Support case manager will call and inform the TANF case manager of all that has been submitted. During this time, TANF will open the case and enter all data on TAS, send a referral to the Child Support office to start their process. This is where the two programs must continue to communicate with one another to give help to the families in need.

Amy Painter: In our office, we have two separate offices but it is just a walk, just a building over from where we are, and most of our contact is through the telephone or by e-mail.

Patrice Bass: Because of that, we are a larger Tribe than Port Gamble. We have almost 5,000 members. Of those, how many are children? Close to 50 percent?

Amy Painter: Yes.

Patrice Bass: Close to 50 percent are under the age of 18. And we have departments, so I am the Human Services Director, so underneath me is the TANF program. Then we also have a Tribal Court system, and underneath the Tribal Court system is the Child Support Enforcement. And I do not know – do they have an electronic computer system?

Amy Painter: They are looking at that. MTS, the Model Tribal System.

Patrice Bass: So right now, all the information shared between the two is phone calls and paper, right?

Amy Painter: Correct.

Patrice Bass: That's all.

Felicia Gaither: Thank you very much, Patrice and Amy.

QUESTIONS?

Felicia Gaither: So we have had a couple of questions to come in, and I think we will start with the questions. Some of these questions might be for the Federal staff or for the Tribal staff, and we will be sure to try to say when it makes sense for who, or sometimes it may be for both to answer. The first question we have is for the Tribes. How does the Tribe define needy family for TANF?

Amy Painter: They have to meet the income guidelines, the poverty guidelines.

Patrice Bass: Well, first, for the Winnebago Tribe, we operate in two states. So we operate in the State of Nebraska and the State of Iowa. So we honor the same, we use the same standards that are used in the State of Nebraska for Dakota and Thurston County, and then we use the same standards that the State of Iowa uses in Iowa for our Iowa cases in Woodbury County. And then we use the federal poverty guidelines, which both States use also.

Felicia Gaither: Port Gamble, did you have another response? Thank you to the Winnebago Tribe. Okay, next question. Who would the custodial parent file the Child Support application with if the absent parent is residing on another reservation? In the instance of Port Gamble or for Winnebago, this is a question that is coming in to us.

Paige Hausburg: This is Paige Hausburg. I guess it depends on whether the Tribe on the reservation in which the absent parent is residing has a Child Support program, or whether where the custodial parent lives has a Child Support program. So if they each have a Child Support program, you could actually apply for services at both of them because applications have to be accepted from all-comers, so there is nothing

that says you cannot apply for services at two Tribes, but there is also nothing that says you cannot apply for services with the State and the Tribe, or with two States. Now, whether you want to do that or not is another question. So if there is not a Child Support program with the Tribe in which the absent parent is residing, or reservation, they might want to either apply for services with the State or contact the Tribal Court directly and find out if they do private child support cases.

Felicia Gaither: Thanks, Paige. We have another question. Sorry, was someone else going to say something?

Stacy Mills: This is Stacy from Port Gamble. I am hoping I got the whole question correct because...

Felicia Gaither: I can repeat it if you need me to.

Stacy Mills: Okay, please.

Felicia Gaither: So who does the custodial parent file the Child Support application with if the absent parent is residing on another reservation?

Stacy Mills: In our TANF application agreement that the parent coming on to TANF signs is that they assign child support to Port Gamble S'Klallam Tribe. And we are agreement based, the family would have to enter the agreement, so they have to come see our Child Support program and assign child support rights to Port Gamble S'Klallam Tribe. So it wouldn't go through any other – it could, but generally it would go through our program here.

Maria Huynh: So what would happen would be that custodial parent will have an application with the Child Support program here at the Tribe, and the Tribe would have to research if that reservation where the absent father is at, if he is enrolled there or if they have a IV-D program. Or if that father is enrolled there but maybe he lives not on the reservation but somewhere else, then we could either enter it in our court or their court or even a State court. So there could be many jurisdictions involved depending on – it would be very case by case basis, so depending on if the father consented to the Port Gamble S'Klallam Tribe jurisdiction, then we could take jurisdiction over him. But if he does not consent, then that is going to be a little bit harder and we might have to refer to – if the other Tribe where the absent father is at has a IV-D program, we can refer it to that Tribe. But if the other Tribe does not have a IV-D program, we can ask that court to enter an order, or we can go to the State to see if the State can enter an order.

Stacy Mills: So as long as the client for TANF is in cooperation with whatever needs to happen for the child support case, then they are meeting the policy to be in cooperation.

Felicia Gaither: So the next question we have is: Can one of the Tribal program staff explain when Tribal TANF is involved in the Child Support Enforcement interaction is between the Tribe and the State, because you have an agreement with the State for their child support services?

Amy Painter: Can you repeat that?

Felicia Gaither: Yes. So can you explain when you have your Tribal TANF program, however you have an agreement with the State for the Child Support interaction, what that process looks like for you?

Patrice Bass: In the Winnebago Tribe's case, because TANF and Child Support are not under the same department, the Tribal Child Support is the one that gets the information from the State of Nebraska and then shares with our TANF program. They have the agreement and they are not here right now. We are all TANF workers.

Maria Huynh: This is Maria at Port Gamble. I work in the Child Support department, and we do not have a formal agreement with the State of Washington about cases or how that involves the state. But what we do have that we work with the State of Washington is a 701 Plan, and we meet on a government to government – we have a governmental relationship and we meet quarterly and we work out the kinks in what is working and what is not working. And we actually type it up in a plan and that gets approved. So it is a pretty good process. I hope I answered the question.

Felicia Gaither: We will see if we get a follow up on that. If we do not, we will assume that the question is answered for now. I will remind folks that actually you heard that the transcript will be posted on the Welfare Peer TA web site. That means these questions and answers will also be included there as well. So thank you. Next question, and the question is more of a clarification that needs to be provided based on something that was presented. The question is: If understood correctly, a person could be on TANF for life as long as they meet Tribal guidelines? And no, that is not correct. So there are two things that were explained in the Webinar. The first is there is a 60 month lifetime limit for TANF assistance, that's the federal rule. The Tribe has the flexibility to determine if they are going to be more restrictive with that and lower that time limit, but no one is supposed to receive more than 60 months of assistance. The flexibility also with the Tribes is for those Tribes that have reservations with 50 percent or more total adult unemployment rates, non-employed rates, there are exemptions to the 60 month lifetime limit. And so for those instances where the Tribe has provided the justification and the documentation to our office and it is in their Tribal TANF Plan that they are going to essentially have two clocks, then for those Tribes with individuals that live within the boundary of that reservation with 50 percent or more not employed total adult population, the 60 month limit does not apply, because there is the recognition that there are no jobs or because of the economic conditions within that reservation boundary. Please send another question if that did not fully give you clarification. But no one is supposed to be on TANF for life.

Felicia Gaither: Okay, additional questions we have received. What is your case load? This is for the Tribal programs. What is your case load for both TANF and Child Support, and how many cases intersect? Because we recognize with Child Support you could have where you are providing services to individuals who are not on the TANF case load.

Stacy Mills: At Port Gamble I think right now for TANF, we are, like we said, a really small Tribe, but for both our child only and our family grant, I think I run about 35 to 40 cases a month of TANF. Now, for Child Support, your case count?

Maria Huynh: It is anywhere between 400 to 500, depending on the month or when someone goes on and off TANF, it varies throughout the year.

Stacy Mills: And we usually have intersecting, how would you say, two dozen or so cases that are...

Maria Huynh: Not all of your TANF (unclear).

Stacy Mills: Well, all of them, but we have some two parent families that would not be required to pay child support. So there are like a handful of ones that we would not share, but for the most part, we share a lot of our cases.

Maria Huynh: I think it is about 90 percent.

Stacy Mills: 90 percent or so.

Patrice Bass: For the Winnebago Tribe we have approximately 120 TANF cases, and they have over a hundred, I am not sure of the exact number, and that is probably close to a hundred of their Child Support cases are also TANF. I do not know what percentage that is.

Felicia Gaither: Okay, thank you. We have another question related to, let us see. Many Tribes have Tribal TANF but not all Tribes have Tribal Child Support Enforcement programs. This is for the Tribes. Can you help us to know if the States honor Tribal assignment of child support and confirm that the Tribal TANF applicant is cooperating with the State?

Patrice Bass: Yes.

Felicia Gaither: Okay, let us see, next question. So there is a follow up to the 60 month limitation. The question is: So if the 60 month limitation does not apply on a reservation due to the 50 percent unemployment or not employed, how long can an individual be on TANF? The goal of TANF is short term assistance and no longer than 60 months, and so the goal is always to be engaging those clients and those customers that are receiving TANF, whether the clock is ticking or the clock is not ticking. So the hope is that they are still engaged in an education and training program or doing some work related activities that will still lead them to self-sufficiency. So that is our federal rule. I think it might be good for you to hear from our Tribal program staff about some of the activities that they work with individuals when they do have the difference between those that live on reservation and have the 50 percent exemption there versus those that are living off reservation. But, again, the goal is always to be engaging those clients and ensuring that they are doing some type of work activity that leads to self-sufficiency. We know that in our Tribal communities that could mean cultural work activities, because that is one of the flexibilities of Tribal TANF and is allowable for individuals. And so what we have come to learn as federal program staff is that when Tribes offer the cultural work activities as one of their allowable accountable activities is that sometimes that leads individuals into work or educational activities and components that then lead them off of assistance. Would any of the Tribal staff also have examples?

Patrice Bass: That was really long. Was that the whole question?

(laughter)

Patrice Bass: Okay, so for the Winnebago Tribe, our TANF program is operated by county. So the participants may live on the reservation and some may live in the surrounding counties. So we serve both on-reservation and off-reservation. The 50 percent, we do not have 50 percent on-reservation, so it is the same whether they are on or off-reservation. But what we do have, and it is only for two of the counties we serve, so if people have reached their lifetime limit, underneath our department we also have an employment and training program and we refer them to still work with someone to develop their skills and, hopefully, gain employment or enter a training program. So that is what we do when people meet the limit.

Felicia Gaither: Thank you.

Stacy Mills: At Port Gamble, so we currently – our months count on-reservation and off-reservation toward that 60 month lifetime limit currently. However, I know by the way that our plan is drafted, the plan that we have currently, they would still need to be actively participating and meeting the required participation hours, whether their months were counted or not, just like you were saying, in the employment and training program or GED or culturally appropriate activities. One of the approved activities for the individual responsibility plan. And if they were not in compliance, they would still follow the same sanctioning policies that we have, even if their months were not counting toward their 60 month lifetime limit. So they are still held accountable to be working toward self-sufficiency, whether their months count or not. And then we do also have – that is the other thing we wanted to say about the benefit of collaborating with Child Support is that if they assign child support, sometimes we are able to get folks off of TANF to save, reserve some of their 60 lifetime months if they can get a reliable child support grant rather than be on TANF and use their months. And also a lot of times, not a lot, but depending on the non-custodial parent's income, the child support grant may be a better way to go for the child support payment instead of being on TANF and using your months. So we kind of advise the client on a case by case basis with that.

Felicia Gaither: Thanks. We will give it about another 30 seconds for any additional questions that come in.

Felicia Gaither: Okay, I would like to thank our presenters for what they have provided information on today. And I would also like to thank all of you for participating in our Webinar. We have another Webinar that is coming up on July 31 for Tribal TANF that will be focused on the letter of intent to administer a Tribal TANF program. That is also posted at the Welfare Peer TA web site. We would love to hear your feedback on today's Webinar. You can provide it to your regional office contact or even through the Welfare Peer TA listserv process. Again, we thank you for your participation. There will be a transcript and copy of the Webinar posted on the Welfare Peer TA site, and if you have additional questions please feel free to reach out to the regional office staff. You have their contact information. So we thank you, have a wonderful afternoon, and that concludes our Webinar for today.

[End.]

ADDITIONAL QUESTION:

Question: Non needy caregivers (grandparents, aunt/uncle)—are they eligible for subsidized employment under support services?

Answer: Subsidized employment isn't defined as a supportive service in our regulations. Subsidized employment programs are designed with the goal of assisting TANF and other TANF *eligible* participants with gaining self-sufficiency by moving off the TANF roles or preventing individuals from coming onto TANF roles. Tribes have the flexibility to design programs and develop eligibility criteria/ set the standards for what qualifies participants to be eligible for subsidized employment programs. I encourage you to review your current approved plan and work with the Regional staff to determine whether or not the type of program you would like to design for caretaker relatives is considered allowable under our program rules and regulations.