



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240



March 28, 2006

Memorandum

To: Tribal Self-Governance Coordinators

From: Acting Director, Office of Self-Governance *Ken Reinfeld*

Subject: Welfare Assistance Analysis of Funds Report for 2006

On November 23, 2005, a copy of the Fiscal Year 2006 Welfare Assistance Guidance received from the Acting Principal Deputy Assistant Secretary – Indian Affairs was transmitted to you by the Office of Self-Governance (OSG) for your information and use. Another copy of this memorandum is being provided to you.

This guidance indicates that in fiscal year 2006 there will be two national distributions of welfare assistance funds. The first distribution is an amount equal to approximately 75 percent of the welfare assistance distribution for FY 2005. The final distribution is expected to be made on/or about June 21, 2006, and will be based upon your mid-year analysis of funds report and prior year unliquidated balances (carryover funds).

It is important to note that there is a possibility that the undistributed balance of welfare assistance funding for 2006 will not be sufficient to cover the entire estimated need for 2006 welfare assistance funds nationwide as reported by the mid-year analysis of funds reports for all BIA and tribally operated programs. If this occurs, IT MAY BE NECESSARY FOR THE SECOND NATIONAL DISTRIBUTION TO BE REDUCED PRO RATA SO THAT ALL WELFARE ASSISTANCE PROGRAMS, INCLUDING THOSE OPERATED BY BIA AND TRIBES, RECEIVE FUNDS AT THE SAME PERCENTAGE LEVEL OF ESTIMATED NEED.

It is my strong suggestion that you plan for this possibility so you can avoid or reduce problems that would arise should a pro rata reduction of welfare assistance funding become necessary. Programs which must be terminated because of the unavailability of funds must adhere to 25 CFR Part 20.604 by providing appropriate written notice to recipients whose services are being terminated.

I am also transmitting a copy of the welfare assistance analysis of funds report form to be used by self-governance tribes/consortia to report 2006 welfare assistance need. PLEASE SUBMIT YOUR MID-YEAR ANALYSIS OF FUNDS REPORT TO ME BY NO LATER THAN APRIL 30, 2006. Please also let me know that you received a copy

of the form and identify the name and phone number of a contact person who will be responsible for coordinating the completion of the form.

Due to budgetary shortages in welfare assistance, the Disaster Assistance program remains unfunded in FY 2006. Tribes and agencies are advised to seek other services, including state, Federal Emergency Management Agency, and Red Cross assistance, if a natural or unforeseen disaster should occur.

In order to facilitate the processing of 2006 welfare assistance funding requests, I am asking that you include an explanation of any significant changes from last year which are reported on the welfare assistance analysis of funds form. In column (f) marked "FUNDS ALLOTTED BY OSG", please identify welfare assistance funds already allotted by OSG to the Tribe in 2006, as welfare assistance funds allotted by OSG to the Tribe but not expended in 2005 (carryover funding).

Please do not hesitate to contact me if you have any questions or would like some technical assistance when completing the form. I can be reached by telephone at (202) 208-5734 or telefax at (202) 219-1404.

2006 WELFARE ASSISTANCE ANALYSIS OF FUNDS REPORT

TRIBE/CONSORTIUM: _____

DATE OF REPORT: _____

	(A) ACTUAL		(B) ACTUAL		(C) ESTIMATED		(D) ESTIMATED		(E)=(A)+(B)+(C)+(D) ESTIMATED		(F) FUNDS ALLOTTED BY OSG* (\$)	[(F) - (E)] SURPLUS (+) OR DEFICIT (-) (\$)
	FIRST QUARTER	SECOND QUARTER	THIRD QUARTER	FOURTH QUARTER	FULL YEAR	AVERAGE MONTHLY CASELOAD (PERSONS)	AVERAGE MONTHLY CASELOAD COSTS (\$)	AVERAGE MONTHLY CASELOAD (PERSONS)	AVERAGE MONTHLY CASELOAD COSTS (\$)	(E) / 4		
GENERAL ASSISTANCE												
Regular GA												
TWEP												
Adult Care Assistance												
CHILD ASSISTANCE												
Foster Care												
Residential Care												
Adoption Subsidies												
Guardianship Subsidies												
Special Needs												
MISCELLANEOUS ASST												
Burial Assistance												
Emergency Assistance												
SERVICE ONLY - CASES												
IIM Accounts												
Other												
TOTAL												

*Includes 2005 Carryover Funds

2006 WELFARE ASSISTANCE ANALYSIS OF FUNDS REPORT

TRIBE/CONSORTIUM: _____

DATE OF REPORT: _____

	(A) ACTUAL		(B) ESTIMATED		(C) ESTIMATED		(D) ESTIMATED		(E)=(A)+(B)+(C)+(D) ESTIMATED		(F) FUNDS ALLOTTED BY OSG* (\$)	[(F) - (E)] SURPLUS (+) OR DEFICIT (-) (\$)
	FIRST QUARTER	AVERAGE MONTHLY CASELOAD (PERSONS)	SECOND QUARTER	AVERAGE MONTHLY CASELOAD (PERSONS)	THIRD QUARTER	AVERAGE MONTHLY CASELOAD (PERSONS)	FOURTH QUARTER	AVERAGE MONTHLY CASELOAD (PERSONS)	[(E) / 4] AVERAGE MONTHLY CASELOAD (PERSONS)	(E) COSTS (\$)		
GENERAL ASSISTANCE												
Regular GA												
TWEP												
Adult Care Assistance												
CHILD ASSISTANCE												
Foster Care												
Residential Care												
Adoption Subsidies												
Guardianship Subsidies												
Special Needs												
MISCELLANEOUS ASST												
Burial Assistance												
Emergency Assistance												
SERVICE ONLY - CASES												
IIM Accounts												
Other												
TOTAL												

*Includes 2005 Carryover Funds



United States Department of the Interior

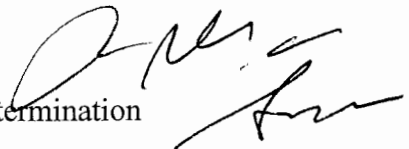
OFFICE OF THE SECRETARY
Washington, DC 20240



November 23, 2005

Memorandum

To: Tribal Self-Governance Coordinators

From: Director, Office of Self-Governance and Self-Determination 

Subject: Fiscal Year 2006 Welfare Assistance Guidance

For your information, I am providing you with a copy of Fiscal Year 2006 Welfare Assistance Guidance received by the Office of Self-Governance and Self-Determination (OSG&SD) from the Acting Principal Deputy Assistant Secretary - Indian Affairs.

As indicated in the guidance, there will be two national distributions of welfare assistance funds in FY 2006. The first distribution will be an amount equal to approximately 75 percent of the welfare assistance distribution for FY 2005. The final distribution of welfare assistance funds will be made on/or about June 21, 2006.

Your final distribution will be based on estimated need for the year as indicated in your analysis of funds report. All carry-over amounts available from previous years must be used first to meet FY 2006 welfare assistance need when a tribal redesign plan is not being operated. The analysis of funds report is to be submitted to the Central Office of OSG&SD (Ken Reinfeld) during the month of April 2006 so that the OSG&SD will be able to meet its reporting deadline of May 26, 2006. A copy of the welfare assistance analysis of funds report to be used by self-governance tribes will be sent to you during the second quarter of the fiscal year.

The memorandum gives notice that there may be insufficient welfare assistance funds for FY 2006 to meet the full need of tribes nationwide. In this case, it would be necessary to pro rate the final distribution so that the BIA, contracting tribes, and compacting tribes receive the same percentage level of estimated full year need. The memorandum therefore provides the actions necessary to accommodate the potential shortfall in welfare assistance funding. Programs which must be terminated because of the unavailability of funds must adhere to 25 CFR Part 20.604 by providing appropriate written notice to recipients whose services are being terminated.

Due to budgetary shortages in welfare assistance, the Disaster Assistance program will remain unfunded in FY 2006. Tribes and agencies are advised to seek other services, including state, Federal Emergency Management Agency, and Red Cross assistance, if a natural or unforeseen disaster should occur.

Please do not hesitate to contact Ken Reinfeld at (202) 208-5734 if you have any questions about the guidance.



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

NOV 14 2005

Memorandum

To: All Regional Directors
Deputy Director, Office of Policy and Economic Development

Through: Director, Bureau of Indian Affairs

From: **ACTING** Principal Deputy Assistant Secretary – Indian Affairs

Subject: Fiscal Year (FY) 2006 Welfare Assistance Guidance

This memorandum provides the Bureau of Indian Affairs (BIA) regional offices and the Office of Policy and Economic Development with general guidance for the use and distribution of FY 2006 welfare assistance funds. In addition, this memorandum gives notice that based on the FY 2005 Mid-Year Analysis there may be insufficient welfare assistance funds for FY 2006 to meet the full need of tribes nationwide if the case loads do not decrease. This memorandum therefore provides the actions necessary to accommodate the potential shortfall in welfare assistance funding.

Due to the budgetary shortages in welfare assistance through FY 2005, the Disaster Assistance program will remain unfunded in FY 2006. All the BIA and Assistant Secretary – Indian Affairs offices should continue to advise the tribes and agencies to seek other services including state disaster assistance, Federal Emergency Management Agency, and Red Cross, if a natural or unforeseen disaster should occur.

The remaining welfare assistance programs will still operate according to 25 CFR 20. The Payment Standards for Tribal Work Experience Program (TWEP), Burial Assistance, Emergency Assistance, and Adoption and Guardian Subsidy will remain in effect at the rates established by the Assistant Secretary - Indian Affairs on December 12, 2000, (See Attachment 1 Memorandum, December 12, 2000.). The General Assistance Payment Standard will continue to be the same as the Temporary Assistance for Needy Families Payment Standard that exists in the state or service area where the applicant or recipient resides.

The Central Office will continue to distribute available welfare assistance funds to each program based on reported caseloads and expenditures. However, it is necessary for all tribes and agencies operating the social service program to continuously identify actions to reduce expenditures and set priorities for management of case loads. These actions are essential both for accountability and planning purposes.

There will be two national distributions of welfare assistance funds in FY 2006. The initial distribution will be an amount equal to approximately 75 percent of the distribution for FY 2005. The final distribution of welfare assistance funds will be made on/or about June 21, 2006. This distribution will be based upon submission and analysis of the FY 2006 Mid-Year Analysis of Funds reports for all the BIA operated programs, tribal contractors/compactors, and an analysis of all locations in terms of prior year unliquidated balances and/or carry-over amounts. If there are carry-over amounts available from previous years, they should be used "first" to meet FY 2006 welfare assistance need when an approved tribal redesign plan is not being operated.

If the nationwide Mid-Year Analysis of Funds Reports indicates that the undistributed balance will not be sufficient to cover the entire estimated need for welfare assistance, this amount will be distributed pro rata, so that all programs, the BIA, contractors, and compactors, receive funds at the same percentage level of reported need.

The regional offices are responsible for collecting reports and distributing funds to all the BIA offices and tribes, operating programs within their jurisdiction, with the exception of self-governance tribes. The regional offices will consolidate the data including the expenditures and caseloads into one report for the entire region. The self-governance tribes will continue to submit their reports through the Office of Self-Governance and Self-Determination (OSG & SD) in Washington, D.C. and request technical assistance, if needed, from the OSG & SD contact Ken Reinfeld at (202) 208-5734. The Public Law 102-477 tribes will submit their reports to the Division of Workforce Development in Washington, D.C. and request technical assistance, if needed from Mary Nephew at (202) 208-5826. Those locations which do not submit their consolidated reports will not receive additional funds.

The regional offices and the OSG & SD will submit the consolidated reports (See Attachment 2 Mid-Year Analysis of Funds Report.) with all individual tribes and agency reports to the Central Office, Division of Human Services by **close of business, May 26, 2006**. Welfare Assistance funds may be insufficient to meet full year needs; therefore, it is important that technical assistance is provided and tribes are encouraged to complete the form in a timely manner. Although the Mid-Year Analysis of Funds Report is the only report required, all locations are encouraged to complete the Analysis of Funds Report on a quarterly basis to better manage available funds.

The respective offices should develop plans jointly with tribes and the BIA agencies in their jurisdiction to ensure that welfare assistance funds are utilized effectively. The plans should include program compliance and quality assurance reviews of existing programs, and if applicable, evaluation of adult and children's placements. In addition, Bureau Line Officers and the regions should be closely reviewing the approval and redetermination of placements for children in residential care facilities, and adults in adult care facilities.

Moreover, it is imperative to evaluate the provision of services to make sure that there is no duplication of service. It is the Bureaus' policy that assistance under this part is secondary and can only be provided to eligible Indians when comparable financial assistance or social services are either not available or not provided by the state, tribe, counties, and local governments or other federal agencies. The BIA and compacting/contracting tribes have the responsibility to work with other primary service providers to ensure that clients are referred to appropriate sources to meet their needs.

Tribes who have never operated social service programs previously, and are in the process of negotiating a social services contract under Public Law 93-638, must first establish a service area and then enter into a contract and submit a budget. Due to limited funds, these tribes would only receive a pro rata share calculated for the calendar or fiscal year the program is in operation and based upon the caseload and associated costs that meet the criteria in 25 CFR 20.

In general, waivers of 25 CFR 20 should not impact the distribution of welfare assistance funds. Programmatic waiver requests that impact the distribution of welfare assistance funds will not receive positive treatment. In those instances where a waiver is not prohibited by law and is granted, it will be approved with the condition that no additional funding above the payment and eligibility levels contained in 25 CFR 20 will be forthcoming from the FY 2006 budget. Individual waiver requests which are justified as needing special attention will be considered. For Public Law 93-638 contracts, they will not be approved unless they have the positive recommendation of the BIA line official and Regional Director. For Self-Governance Funding Agreements, they will not be approved unless they have the positive recommendation of the Director, OSG & SD.

Programs which must be terminated because of the unavailability of funds must adhere to 25 CFR 20.604 by providing appropriate written notice to recipients whose services are being terminated. In addition, recipients should be referred to other resources that may be utilized for continuation of service. If you have any questions please contact Larry Blair at (202) 513-7621.

Attachments



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

Social Services
MS-4660-MIB

DEC 12 2000

Memorandum

To: All Regional Directors
All Central Office Directors
Director, Office of Self Governance

Through: Deputy Commissioner of Indian Affairs

From: Assistant Secretary - Indian Affairs

Subject: Social Services Payment Standards for Programs in 25 CFR 20 and Transition Actions

Effective as of this date the following maximum payment standards in accordance with the 25 CFR Part 20 Social Services Regulations (§ 28.100 Bureau Standard of Assistance) are established and supercede any previous standards: (1) TWEP: \$115.00 per person per month, (2) Burial: \$2,500.00 per burial, (3) Emergency and Disaster: \$1,000.00 per household and, (4) Adoption and Guardian Subsidy: 75 percent of the state regular family Foster Care rate for the age group of the child in the state where the child resides. Only the regular family Foster Care rate may be used and this does not include treatment and specialized services.

To effect a smooth transition from the previous regulations to the revised regulations effective November 20, 2000, the following actions are authorized:

(1) Individuals aged 18-21 who previously were served under the old regulations § 20.1(h) Child Welfare Assistance and who are ineligible under the new definition of Child in § 20.100 may continue to be served through May 30, 2001. This will allow sufficient time to place those individuals in facilities appropriate to meet their needs and to seek waivers in situations where there are extenuating circumstances.

(2) Placement in tribal facilities for Child Assistance and Adult Care Assistance require the facilities to be licensed or certified pursuant to 25 CFR 20.502, 25 CFR 20.507, and 25 CFR 20.334. Because of the time involved in developing licensing and certification standards, tribes already operating the facilities are given a period not to exceed March 20, 2001, to develop these standards. If the physical plant for these facilities have deficiencies, tribes should correct the deficiencies or develop a justification for a waiver that would be time limited.

Please advise all Bureau of Indian Affairs offices and tribes of this action and adjust contracts and compacts accordingly. If you have any questions regarding these payment standards, please contact Larry Blair at (202) 208-2479.