



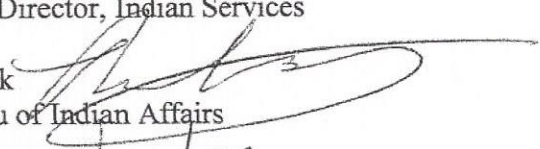
# United States Department of the Interior

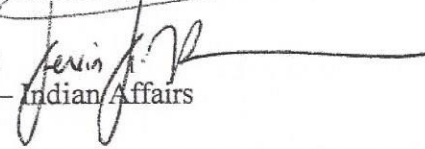
OFFICE OF THE SECRETARY  
Washington, DC 20240

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## Memorandum

To: All Regional Directors  
Director, Office of Self-Governance  
Deputy Bureau Director, Indian Services

Through: Michael S. Black   
Director, Bureau of Indian Affairs

From: Kevin K. Washburn   
Assistant Secretary – Indian Affairs

Subject: Guidance: Welfare Assistance Funding Distribution Methodology

The 2015 Financial Assistance and Social Service Report (FASSR) is the only report that Bureau of Indian Affairs (BIA) agencies and tribes operating under Indian Self-Determination and Education Assistance Act (ISDEAA) Title I Contracts, ISDEAA Self-Governance Funding Agreements, and Public Law (Pub. L.) 102-477 (477) Plans will be required to submit for the Welfare Assistance Program. The term tribes is inclusive of tribal consortia.

The BIA Regional Offices, Office of Self Governance (OSG), and the Office of Indian Services (OIS), Division of Workforce Development (DWD) are responsible for collecting, certifying, and submitting Financial Assistance and Social Services Report (FASSR) to the OIS, Division of Human Services (DHS). The DHS is responsible for distributing Welfare Assistance funds to tribes and BIA agencies based on the approved methodology as described in this memorandum and in accordance with each tribe's approved ISDEAA contract, Self-Governance funding agreement, and/or approved 477 plan. Tribes and BIA agencies must submit the 2015 FASSR in order to receive a final distribution of Fiscal Year (FY) 2016 Welfare Assistance Funds. The FASSR is available on the BIA website at:

<http://www.bia.gov/WhoWeAre/BIA/OIS/SocialServices/index.htm>

The memorandum dated July 13, 1993, "Authorized Use of Welfare Grant Assistance Funds" (attached), was rescinded in the 2014 Welfare Assistance Distribution Methodology signed on May 3, 2014. Specifically, the BIA Regional and Agency offices are not authorized to reallocate surplus grant assistance funds available in tribally contracted, compacted, or BIA-administered programs to other programs when shortfalls occur. Consistent with 25 U.S.C. § 13d, no appropriations (except trust funds) to the BIA may be used directly, or by contract, for general or other welfare assistance (except child welfare assistance) payments except for essential needs specifically identified in Departmental regulations. All offices will be responsible for distributing Welfare Assistance funds based on the approved methodology outlined in this

memorandum. If you have questions regarding the rescission of the July 13, 1993 memorandum, please call Babette Herne, Program Manager, DHS at (202) 513-7608.

## **Welfare Assistance Funds Distribution Methodology**

### *The Initial Distribution of Welfare Assistance Funds*

At the beginning of FY 2016, October 1, 2015, the BIA will use actual expenditures reported in the 2014 FASSR submitted by each tribe and BIA agency, adjusted for carryover, to calculate the estimated need for each tribe and BIA agency. The BIA defines the estimated need as actual 2014 expenditures reported on the 2014 FASSR, subject to carryover adjustments and fixed amounts for Tribal Redesign Plans for General Assistance consistent with 25 CFR §20.202 to 20.210.

In a year when Congress enacts a full year appropriation by the start of the FY, October 1, the initial distribution of Welfare Assistance funds is intended to meet 75 percent of a tribe's or BIA agency's estimated need for that year. For FY 2016, Congress enacted Public Law 114-53 [H.J.Res.61] into law on September 30, 2015 which is a continuing resolution to provide appropriations through December 11, 2015. The distribution of Welfare Assistance funds will be made by the OIS, DHS prorating the funding based on the calculated 75 percent of a tribe or BIA agency's 2016 estimated need. The BIA Regional offices, OSG, and DWD are responsible for allocating funds directly to each tribe and BIA agency based on the tribe's or BIA agency's operating year, FY or Calendar Year (CY).

### *Final Distribution of Welfare Assistance*

The final distribution of Welfare Assistance funds in FY 2016 will be based on expenditures reported in the 2015 FASSR. In order to receive funds in the final distribution, all FY tribes, CY tribes, and BIA agencies must submit the 2015 FASSR, according to the due dates (see page 4), to the appropriate office, either the BIA Regional office, OSG, or DWD, using the 2015 FASSR form. Self-Governance tribes operating the General Assistance program under an approved 477 plan should submit their 2015 FASSR to the OSG with a courtesy copy submitted to the DWD. Tribes operating an approved 477 plan through an ISDEAA contract should submit their 2015 FASSR directly to the DWD.

The methodology for the final distribution will use FY 2015 reported *actual expenditures* to adjust the estimated need to meet the actual need for FY 2016. The final distribution is subject to shortfall and carryover adjustments and to fixed amounts for Tribal Redesign Plans for General Assistance consistent with 25 CFR §20.202 to §20.210.

For FY 2016, the final distribution is expected to be made by the DHS to the BIA Regional offices, OSG and DWD by Friday June 3, 2016.

If the FY2016 Appropriation Act caps the amount of Welfare Assistance funding that can be distributed and the national Welfare Assistance need, as determined by expenditures reported on the 2015 FASSRs, is greater than the capped Welfare Assistance amount, the following will

occur: The DHS will use a pro rata distribution based on the final calculated actual need for all tribal and BIA agencies operating Welfare Assistance programs. A pro rata distribution will be used to ensure that the total distribution of funds remains within the limit of the capped Welfare Assistance appropriation funding amount enacted by Congress.

The following Welfare Assistance categories are funded in FY 2016 at the rate established by the Assistant Secretary – Indian Affairs: Child Assistance (state rate), General Assistance (state Temporary Assistance for Needy Families rate), Adult Care Assistance (state rate), Burial Assistance (a maximum of \$2,500 per burial), and Emergency Assistance (a maximum of \$1,000 per household). The Disaster Assistance Program and the Tribal Work Experience Program (TWEP) are not authorized and will remain unfunded in FY 2016.

#### *Shortfall of Funding – Request for Additional Funding*

If a tribe or BIA agency projects a potential shortfall in Welfare Assistance funds for FY 2016, it must coordinate with its BIA Regional office, OSG or DWD before submitting a *Request for Additional Funds* (RAF) form. The RAF must show how the level of need for the 2016 funding year is expected to be greater than the tribe's or BIA agency's reported expenditures on the 2015 FASSR. Additionally, the RAF must describe what would happen if the tribe or BIA agency were to experience a shortfall in funding for FY 2016, as appropriate. Tribes and BIA agencies operating on a FY or CY basis must submit supporting documentation (i.e., financial reports or other budgetary documents) with actual expenditures to support a RAF.

All tribes and BIA agencies must use the approved RAF form. The BIA Regional office, OSG, or DWD has the responsibility to analyze the information in a tribe's or BIA agency's RAF and all supporting documentation before submitting the RAF to DHS. The BIA Regional office, OSG, and DWD must provide a written recommendation in a memorandum to the DHS and attach the documents provided by the tribe or BIA agency. The BIA Regional office, OSG, and DWD may submit the memorandum via email to the DHS. The written recommendation with the RAF and supporting documentation must be submitted to the DHS by the due date identified below in order for the DHS to consider the RAF before the final distribution of Welfare Assistance. *No RAFs will be accepted after the due date and no RAFs will be accepted without an accompanying memorandum from the appropriate Regional office, OSG, or DWD.*

The DHS will approve or disapprove requests for additional funding based on the information and recommendation of the BIA Regional office, OSG or DWD before the final distribution of Welfare Assistance funds is determined. Approval of the RAF does not guarantee the requested increase in funding. If a Tribe or BIA agency's RAF is approved and the need is adjusted to the higher level requested, the tribe or BIA agency request is still subject to a prorata distribution (if applicable).

This methodology is being utilized in an effort to be fair and equitable to all potential recipients of Welfare Assistance funds; to address shortfalls in funding; and to avoid the shutdown of one or more Welfare Assistance programs.

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### **Responsibility of Tribes and BIA Agencies**

FY tribes, CY tribes, and BIA agencies must submit the 2015 FASSR, according to the due dates below. If the tribe or BIA agency does not submit a 2015 FASSR, it will not receive funding in the final distribution of Welfare Assistance. The reports are to be submitted to the BIA Regional office, OSG, or the DWD. The 2015 FASSR contains both a data section and a narrative section. Reports that do not include a narrative will not be considered complete. Further guidance is provided below on the completion of the FASSR.

*Due Dates for Tribes and Agencies to submit the 2015 FASSR:*

FY Tribes/ BIA Agencies:	30 Calendar Days from the Date of this memorandum
CY Tribes:	Due by COB Monday, February 1, 2015

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### **Responsibilities of the BIA Regional Offices, OSG, and DWD**

The BIA Regional offices, OSG, and DWD are to *review* each report for completeness & accuracy, *certify* and *submit* the 2015 FASSR for each Tribe and/or BIA agency to the DHS, Central Office, according to the due dates below.

*Due dates for BIA Regional office, OSG, or DWD to submit the 2015 FASSR to DHS:*

For Reports by FY Tribes/ BIA Agencies:	60 Calendar Days from the Date of this Memorandum
For Reports by CY Tribes:	Due by COB Thursday, March 3, 2016

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### **Due Dates to Submit a Request for Additional Funds to the DHS:**

BIA Regional Offices, OSG, and DWD: *No later than Friday, May 6, 2016*

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The BIA Regional offices, the OSG, and the DWD will also be responsible for:

1. Distributing the BIA 2015 FASSR form to tribes and BIA agencies.
2. Providing technical assistance to tribes and agencies in partnership with the BIA Central Office, for the accurate completion of reports, using the BIA FASSR form.
3. Collecting reports from tribes and BIA agencies within their region or program.
4. Verifying *accuracy* and certifying the *completeness* of all reports.  
A FASSR form will be certified when:

- a. The report is in the required Microsoft Excel format (handwritten reports and PDF reports **will not be accepted, no exceptions**);
- b. The report is signed by an agency representative and/or tribal representative. An electronic signature is an electronic acknowledgement by the tribal representative or agency representative that the information submitted on the FASSR to the respective BIA Regional office, OSG, or DWD is complete and accurate. The BIA Regional office, OSG and DWD must also electronically sign the excel form. All FASSRs must be signed using this method prior to submission. To electronically sign the form, tribes and BIA-Agency representatives can type their name into the excel report in the correct signature field.
- c. The report contains both the data and narrative sections of the form. **Reports that do not include a narrative will not be considered complete.** The narrative section of the report provides the “story” of your program and supports the data. It is an opportunity to inform policy makers of the particular circumstances being faced by the program.
- d. The allocations, expenditures, and carryover amounts/shortfall information reported are accurate. Each tribe and agency must identify previous year(s) carryover funds into FY 2016 in the narrative portion of its report as well as in Column Q in the data portion of the report. Column Q should be the sum of the FY 2014 carryover into FY 2015 plus the total amount of funding the BIA agency or Tribe received in FY 2015. This amount reflects the total available funding the tribe or BIA agency had to spend in FY 2015. This amount must be reported in Column Q, Amount Allocated. FY 2015 carryover/shortfalls into FY 2016 from FY 2015 should be identified in the data section of the FASSR (Column R).
- e. Only electronically certified FASSRs with both the data and narrative reports will be accepted.

The BIA Regional Social Worker, OSG, and DWD representative will then be responsible for submitting all tribal and BIA agency reports electronically via email or Google Drive to Babette Herne, Program Manager, DHS at [babette.herne@bia.gov](mailto:babette.herne@bia.gov) or, in her absence, to Evangeline Campbell, Division Chief, DHS at [evangeline.campbell@bia.gov](mailto:evangeline.campbell@bia.gov)

If you have any questions regarding the information in this memorandum, you may contact Evangeline M. Campbell, Chief, DHS, at [evangeline.campbell@bia.gov](mailto:evangeline.campbell@bia.gov) or Babette Herne, Program Manager, DHS at [babette.herne@bia.gov](mailto:babette.herne@bia.gov) or call the main Human Services number at (202) 513-7642.

#### Attachments

- 07/13/1993 Memorandum – Authorized Use of Welfare Grant Assistance Funds
- 1A 2015 BIA Financial Assistance and Social Services Report (FASSR)
- 2A 2016 Request for Additional Funds Form
- 3A 2016 RAF BIA Financial Assistance and Social Services Report (FASSR)
- 4A 4A Instructions for Completing the FASSR and Narrative Report