

**RESOLUTION OF THE GOVERNING BODY OF  
THE THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD RESERVATION**

**WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

**WHEREAS,** The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

**WHEREAS,** PL 102-477 The Indian Employment, Training and Related Services Demonstration Act of 1992 was passed to demonstrate how Tribal Governments can improve the effectiveness of their employment and training services, reduce employment and advance tribally determined objectives by combining the program services they now offer under a variety of separate federal programs; and

**WHEREAS,** Participation in this "integrated services approach" is entirely voluntary on the part of each Tribe; and

**NOW, THEREFORE, BE IT RESOLVED, BE IT FURTHER RESOLVED,** that the Tribal Council of the Three Affiliated Tribes hereby authorizes Leo Cummings, Employment Training Department Administrator to develop and submit a plan that the Three Affiliated Tribes may more fully participate in this demonstration of PL 102-477,

**FURTHER, BE IT RESOLVED,** That specific tribal programs to be integrated into the consolidated program are:

1. WIA – Comprehensive
2. WIA – Supplemental Youth
3. BIA – Job Placement programs (AUT/DE)
4. BIA – TWEP
5. HHS – CCDF (Child Care Development Fund Program)
6. HHS – NEW
7. Tribal Vocational Rehabilitation Program
8. BIA – Johnson O'Malley (JOM)
9. BIA – General Assistance

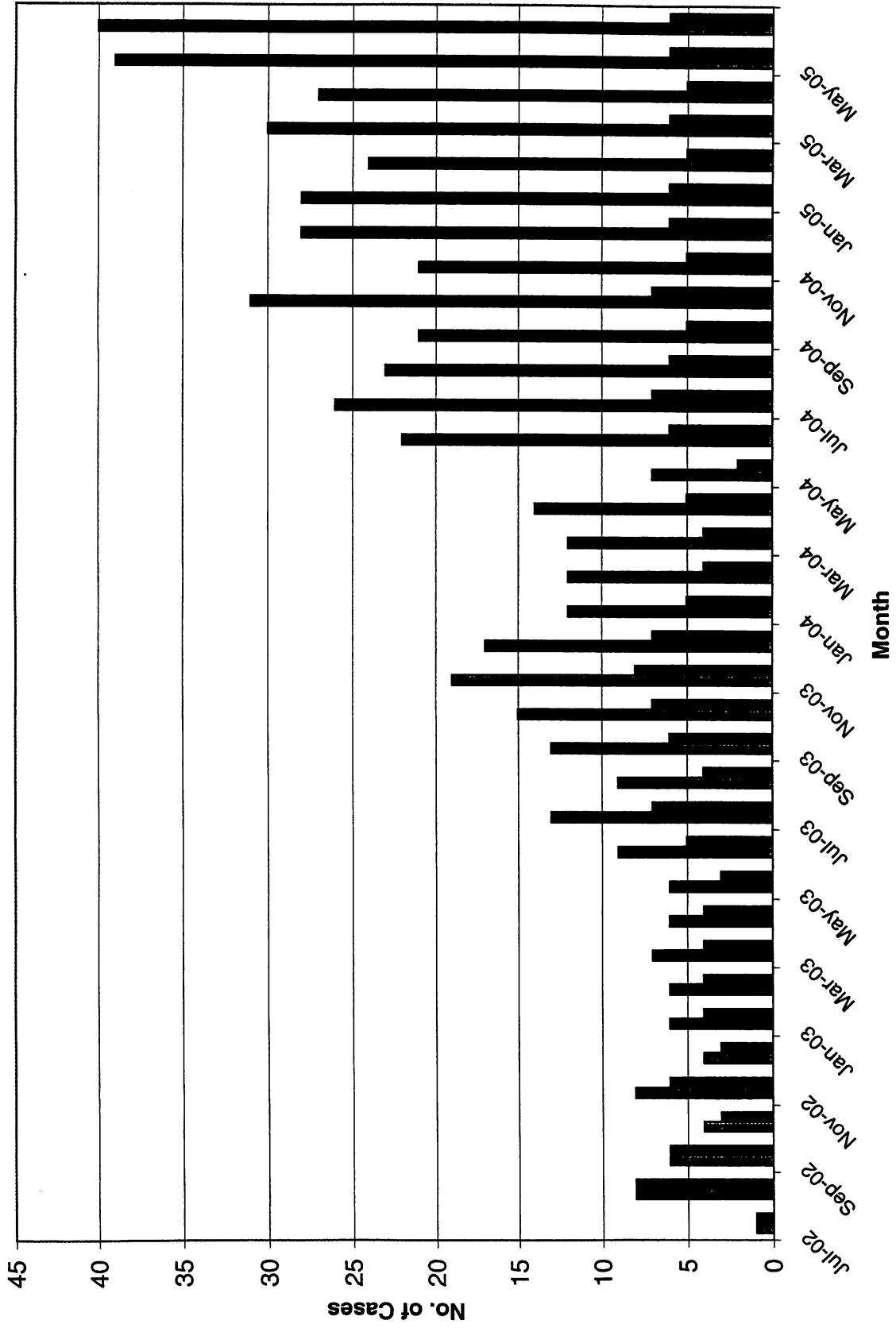
*Concerns  
to  
Jim*

## Summary of TANF reauthorization, 5-30-2002

- **House Bill 4737 is the House TANF reauthorization bill. It is very similar to the Administration's proposal and was approved in the House on pretty much a party line vote. Rep. Pomeroy did cross party lines and voted for the bill.**
- **H. R. 4737 would keep TANF funding at the same level it is now.**
- **H. R. would increase Child-Care funding by about \$2 billion over five years.**
- **H. R. 4737 would authorize TANF for another 5 years. The work requirements for adults in TANF families would be 40 hours a week. 24 hours would have to be in direct work activities and 16 hours would be in other approved activities such as training or education.**
- **Starting in fiscal year 2003, 50% of the caseload would have to be engaged in 40 hours activities per week. This will increase 5% per year until 70% of the caseload would have to work 40 hours a week. Presently 50% of the caseload has to be engaged in 30 hours a week of activities and those with a child under 6 have to be engaged in 20 hours a week of activities.**
- **The provision to allow 1 year of vocational education was dropped in H. R. 4737. In its place, 3 months of activities, including education and training may be allowed in a 2-year period. Training and education activities may also be allowed in the 16 hours a week of other activities.**
- **There is a renewed focus on marriage in this legislation. Grants to states are available for programs that encourage marriage or work to preserve marriages. There is also money available for fatherhood initiatives.**
- **H. R. 4737 will not be the final version of TANF reauthorization. There are numerous proposed bills and initiatives in the Senate to modify this bill. Some of the topics being discussed include;**
  - **Numerous proposals are being discussed to increase the Child-Care grant.**
  - **There are some proposals to increase the TANF block grant.**
  - **There is a feeling among some that the work requirements as far as hours worked in a week should remain at 30 hours**
  - **There is bipartisan agreement that the percentage of TANF clients meeting the work requirement should increase to 70% of the caseload.**
  - **There are some initiatives to maintain the year allowance for vocational education and some are advocating for an allowance of 2 years of vocational education.**
  - **There is a Senate bill that proposes significant Tribal TANF changes, primarily in how these programs would be funded. There isn't an expectation that this bill will pass in its present form, but sections may be added to other legislation. In general, there is very little on Tribal TANF or special considerations to Tribes, or to States with significant American Indian populations.**

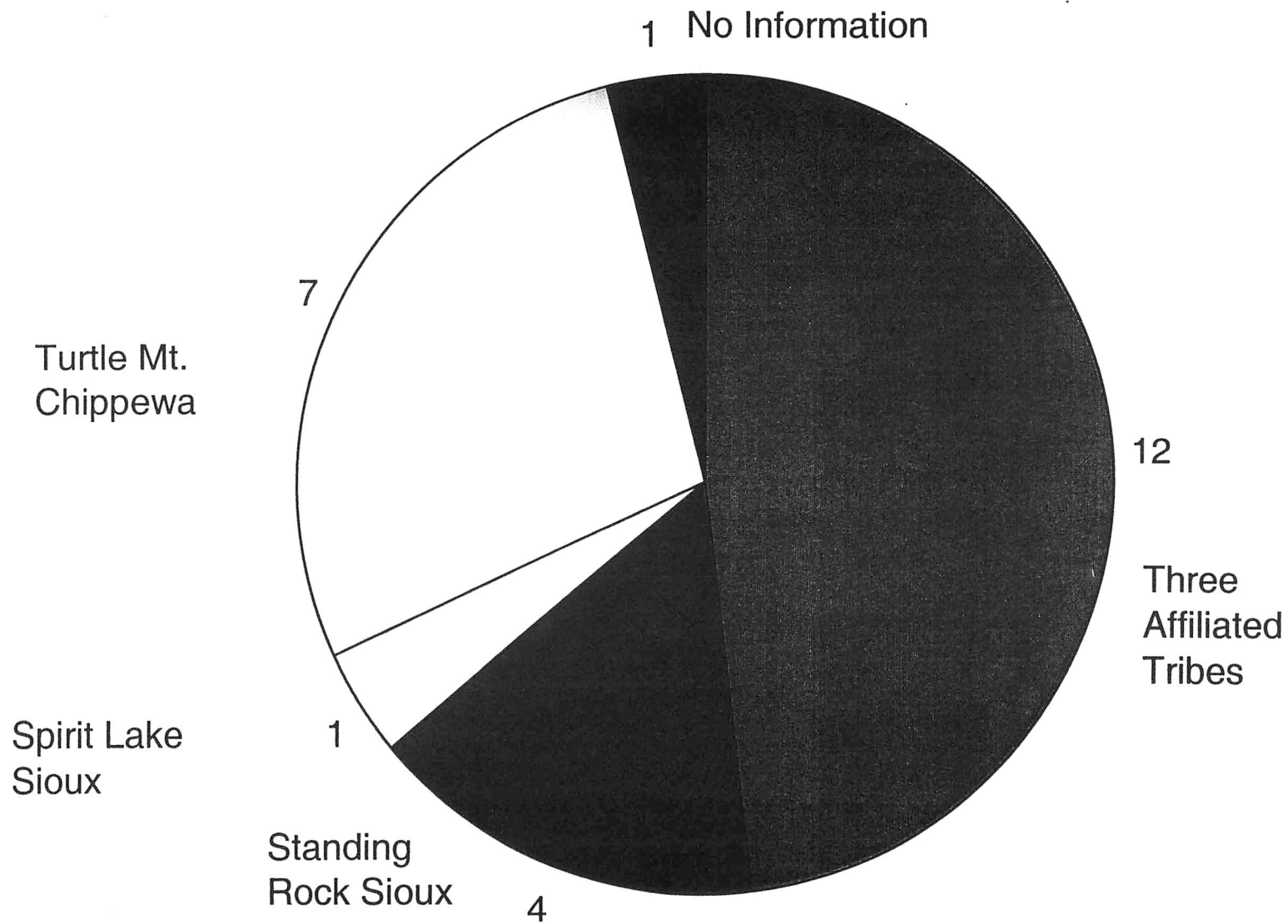
North Dakota supports TANF having a strong work emphasis, but we are concerned with the added costs associated with a longer workweek and increased participation targets. We advocate Child-Care and TANF funding to recognize the increased costs associated with the increased requirements.

# TANF Cases Reaching 60-Month Lifetime Limit



■ As of 4/30/02 ■ With Normal Case Closings

# Indian Cases 50 Months and Over by Tribe





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**CC :** <kfunk@hsdwdc.com>, <rdjohnstongovaffairs@hotmail.com>, "McGhee, Robert R." <robert.mcghee@troutmansanders.com>, <Jsushm;  
**Subject :** Update on Finance Committee WORK Act  
**Date :** Tue, 23 Jul 2002 17:30:38 -0400

The bill language for the Senate Finance "Work, Opportunity, and Responsibility for Kids (WORK) Act of 2002" (H.R. 4737), has been posted on the Finance Committee website. You can access the PDF version of it at: <http://www.senate.gov/~finance/leg/leg062602lan.pdf>. (The bill is 398 pages long.)

In early September, the WORK Act, passed by the Senate Finance Committee on June 26, 2002, is expected to proceed to a floor vote in the full Senate. Building on many of the provisions contained in Senator Max Baucus' (D-MT) American Indian Welfare Reform Act (S. 2484), the Senate Finance WORK Act contains a separate Tribal Title (Title VI), which addresses many Tribal TANF related issues. The bill also adds tribal provisions in assorted other titles.

Tribal provisions in the WORK Act would:

- Preserve the set aside of both the mandatory and discretionary child care funding for tribes, solidifying the current 1-2% set aside at 2% for FY 2003- 2007 (*p. 165 of the PDF version of the bill*);
- Require DHHS to promulgate final Tribal Child Support Enforcement regulations one year after the passage of this Act (*p. 280*);
- Create a "Tribal TANF Improvement Fund" funded at \$75 million (for FY 2003- 2006) to: support tribal capacity grants for the development of tribal human services infrastructure (\$35 million), for tribal development grants to provide technical assistance in improving reservation economies (\$35 million), and for TANF technical assistance, including peer learning initiatives and Tribal TANF feasibility studies (\$5 million) (*pp. 286-293*);
- Set aside \$25 million of the TANF Contingency Fund for tribes (*pp. 294-296*);
- Provide \$37 million a year (for FY 2003- 2007) for a new Tribal Employment Services Program to replace NEW and Welfare-to-Work grants (in Alaska, only the 12 regional Native non-profits and Metlakatla can apply for these funds) (*pp. 296-309*);
- Continue to require states to consult with tribal governments on their State TANF plan and to certify that they are providing equitable access to each member of an Indian tribe who is domiciled in the state and is not eligible for assistance under a Tribal TANF plan (*pp. 309-310; p. 327*);
- Require tribal governments to consult with each state in which their Tribal TANF service area is located on the Tribal TANF plan and certify that they are providing equitable access to each member of the population to be served by the plan (*pp. 309 and 311*);
- Require the disregard of months of assistance received by an adult while living in an area in which 20% or greater of adult TANF recipients are jobless but requires recipients to comply with program rules (an exception for Alaska requires villages to have 50% or greater joblessness for this exemption to apply) (*pp. 311-312*);
- Allow states authority comparable to the authority of Tribal TANF programs in defining work activities for recipients in State TANF programs who live in Indian Country areas of high joblessness (*p. 313*);
- Maintain the current PRWORA provisions applying to Alaska (limiting the eligibility of TANF funding to the 12 regional Native non-profits and Metlakatla instead of allowing direct tribal program administration and requiring Alaska Tribal TANF programs to be comparable to the State's TANF plan);
- Require DHHS to convene an advisory committee on the status of non-reservation Indians and requires the DHHS Office of Faith-Based and Community Initiatives to convene an advisory committee of Indians expert in social services and the spiritual aspects of traditional Indian cultures and develop a best practices report (*pp. 313-315*);
- Require a GAO study on the demographics of Indians not residing on reservations, with information about their economic and health status and their access to public benefits (Alaska Natives are excluded from this study) (*pp.315-316*);
- Beginning in FY 2004, provide direct tribal access to Title IV-E foster care funding under the same provisions applying to state IV-E programs (in Alaska, only the 12 regional Native non-profits and Metlakatla can apply for these funds) (*pp.316- 321*);

- Allow tribally licensed homes to qualify for Title IV-E maintenance payments in lieu of requiring state licensed homes (except for Alaska, where state licensed homes are required) (*p.318*);
- Require State TANF quarterly reports to include information on the demographics and caseload characteristics of Indians served by the State program (*pp. 322- 323*) and require this information to be included in the Annual Report to Congress (*p. 323*); and
- Provide \$2 million for FY 2003 for research on tribal welfare programs and poverty among Indians (*pp. 343- 344*).

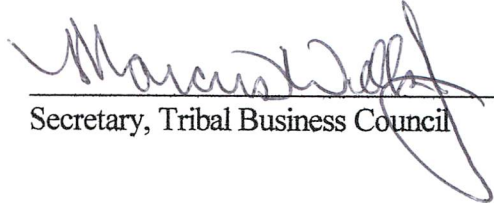
Please contact Sarah Hicks at NCAI at (202) 466-7767 x210 or via email at [shicks@ncai.org](mailto:shicks@ncai.org) with any questions.



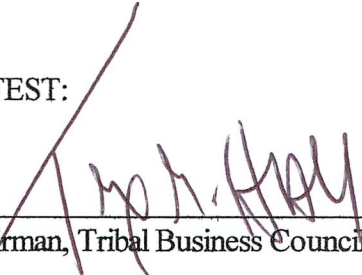
**CERTIFICATION**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 8 day of August 2002; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 1 members abstained, 1 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 8 day of August, 2002.

  
Secretary, Tribal Business Council

ATTEST:

  
Chairman, Tribal Business Council