

HB

98

HFIN

FILE

TESTIMONY
HOUSE FINANCE COMMITTEE

HB 98

March 24, 2000

By Don Shircel, Tanana Chiefs Conference/ Director of Family Services

Mr. Chairman ... Committee members. My name is Don Shircel. I have been the Director of TCC's Family Services for the past sixteen (16) years. I hold a Master of Science degree in Behavioral Disabilities and administer approximately \$8 million of the total \$35 million dollar TCC annual budget of state and federal health and social service programs.

As a social service professional and program planner, I strongly support HB 98. In a state, of our unique size, it makes a lot of sense to regionally design and administer temporary assistance programming. HB 98 is consistent with the same rationale from which state and federal Welfare Reform emerged. Programs closest to the people are more responsive, relevant, effective and efficient than large centrally operated "one size fits all" programs planned and administered outside the community.

This January we completed our first year of operating of a Regional Native Family Assistance pilot program. While it is still too early to fully assess the overall success of the project, some of the preliminary statistics indicate that we're headed in the right direction.

In January of 1999 when the state fully transitioned the program to TCC there were 440 cases. This January, a year later, our monthly caseload was 356 families. Like the state's temporary assistance program our monthly caseload is the lowest it's been in the past three years. Villages in the interior feel we're headed in the right direction. Our preliminary statistics also indicate that more Native families receiving temporary assistance - particularly those who live in rural communities of the interior - are working for the check they receive. Village leaders feel really good about that.

Alaska's rural communities through their Regional Non-profit Corporations have been designing programs to better fit the needs of their families. Many have also been developing local and regional infrastructures that now rival the state's capacity to provide a comparable level of local service delivery, especially in rural remote areas.

Villages in the TCC service area feel good about our partnership with the state on this pilot project – but they feel that they could do more and get a still bigger bang out of their buck if they were allowed to incorporate other regional variations within the temporary assistance programs administered by the Regional non-profits. HB98 would allow Native family assistance programs the degree a flexibility needed to do more with the same program dollar.

For example; the state's plan finances One Stop Centers with a wide range of services to help people to get off of welfare. But the state plan finances such centers only in a handful of Alaska's urban centers.

Over the course of the first six months of the TCC pilot program we developed a community based service delivery infrastructure that included 37 existing community based offices and assigned staff located in one stop centers in each of the communities of the service area created through shared funding from state and federal program funds. These shared staff and facilities were funded through the combined resources of other federal programs to minimize administrative cost and maximize the level of collaboration with other support services needed by families seeking to enter the labor market. These small community based service centers serve as locally accessible, culturally appropriate single points of entry for families needing assistance and also as the single points of contact for a regional service providers and employers seeking to get information about their services and employment opportunities to potential clients.

The small size of each of these village one stop service centers allows for personal attention, individualized planning, and services tailored to the needs of each family as well as the accurate, timely and ongoing monitoring of each client's progress. The TCC Regional Native Family Assistance program incorporates a service delivery infrastructure in which people are working

with people...not paper! They know each other and regularly interact as members of the same community and work together toward a common goal to move on to work and to be more self-sufficient in providing for the needs of their family.

Under HB98 the TCC Native family assistance program could impose the following standards not permissible under current state statute. 1) All applicants would be required to undergo alcohol and substance abuse evaluations and follow the recommendations of their evaluation or lose a percentage of their benefit (for those who comply with the evaluation recommendation within six months -- their benefits would be restored and the percentage of their benefit which was withheld would be returned to them upon successful completion of their treatment). With the enabling legislation of HB98 we'd not only be able to provide benefits for an indigent family, we'd be more able to assertively approach the problem of alcohol and substance abuse and even create bonus incentives for parents who comply ... all on the same dollar.

Under HB98 TCC's Native Family Assistance Program could require all parent's receiving benefits to attend their children's parent teacher conferences and include their children in regular health screenings and immunizations made available in their community. Failure to do so would result in a small but noticeable reduction in their benefits for that month. With the enabling legislation of HB98 we'd be able to promote better parenting by encouraging increased involvement in their children's school work and increased vigilance regarding their children's immunization and general health ... and once again we'd be doing it all on the same dollar that we currently receive. Our program cannot impose such sanctions under current state statute.

TCC's original Native Family Assistance program plan included a provision to more assertively approach the issue of domestic violence. That plan provided that in two parent households in which domestic violence is a problem -- the perpetrator would be required to leave the home and receive counseling -- by court order if necessary. He/she could receive a portion of the household benefit only if they continued counseling outside the home. Such sanctions and incentives (none of which incur any additional cost to the program) are not possible without the enabling legislation of HB98.

getting people off
and

In regards to getting people off of welfare *and* on to work, there are many different ways to accomplish these goals. There are many good ideas in Alaska. HB98 simply allows these two realities to merge and to do so in each of the diverse regions of the state. "What works in Alabama doesn't necessarily work in Alaska—and the way they do it in Anchorage doesn't always make sense to the people in Angoon. HB98 is about more local control and getting a bigger bang for the same buck.

Villages in the interior continue to support the recommendations of the Alaska Native Commission especially those related to local control, decreasing dependency, encouraging self-sufficiency and developing jobs and local economies. Our experience to date, we feel indicates that we're headed in the right direction. We hope you do too. Thank you for your time and this opportunity to testify.

*We hope that you'll
consider moving this
bill out of committee
& support its passage
by the house.*

(11)

HOUSE COMMITTEE REPORT

Date Referred to Committee: March 3, 2000

FURTHER REFERRALS:

Date of Committee Action: 3/24/00

The FINANCE Committee considered:

HB 98

HOUSE BILL NO. 98

PUB.ASSISTANCE:PROGRAMS/GRANTS/CONTRACTS

"An Act relating to contracts for the provision of state public assistance to certain recipients in the state; providing for regional public assistance plans and programs in the state; relating to grants for Alaska tribal family assistance programs; and providing for an effective date."

recommends it be replaced with the following committee substitute CS HB 98 (HES) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Type) _____ APPROVES PREVIOUS: (Dept/Date)

fiscal note(s) _____ fiscal note(s) _____

zero fiscal note(s) Rev zero fiscal note(s) HES 3-3-00

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
<i>Gene Theriault</i>	Theriault			X	
<i>Clay Mulder</i>	Mulder	✓			
<i>Clay Bunde</i>	Bunde	✓			
<i>Ben Grussendorf</i>	Grussendorf	✓			
<i>Ray E Moses</i>	Moses	X			
<i>Ray E Moses</i>	DAVIS	X			
<i>[Signature]</i>	Foster	X			

CHAIR'S SIGNATURE

Gene Theriault *Don Wild*

FISCAL NOTE

No: 2

STATE OF ALASKA
2000 LEGISLATIVE SESSION

Bill Version: CSHB 98 (HES)

(H) Publish Date: 3/3/00

Revision Date/Time (Note if correction): _____
Title: Native Family Assistance Programs

Dept. Affected: Health and Social Services

BRU: Public Assistance

Component: Tribal Assistance

Sponsor: Rules Committee

COMPONENT SERIAL NO. 2336

Requestor: House (CRA)

See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	0.0	0.0	0.0	0.0	0.0	
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	
CAPITAL EXPENDITURES						
CHANGES IN REVENUES ()						

FUND SOURCE

(Thousands of Dollars)

	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
1002 Federal Receipts	0.0	0.0	0.0	0.0	0.0	
1003 GF Match						
1004 GF	0.0	0.0	0.0	0.0	0.0	
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	

Estimate of any current year (FY2000) cost: _____

\$0.0

POSITIONS:

	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS:

(Attach a separate page if necessary)

Under federal law, 12 Alaska Native regional non-profits and the village of Metlakatla are authorized to receive federal funds for the administration of tribal family assistance programs. This legislation provides appropriations, in addition to the federal funds, for the operation of tribal family assistance programs. Tribal family assistance programs will provide temporary assistance and supportive services to recipients living in regions served by the regional non-profits and the village of Metlakatla. The legislation also provides for approval of regional public assistance programs, serving both Native and non-Native families, designed to achieve administrative efficiency and cost effectiveness.

Passage of this legislation will have profound impacts both on the delivery of temporary assistance and supportive services to needy Alaskan Natives and others served by regional assistance programs and on general DPA operations. (Continued)

Prepared by: _____
Division: _____

Jim Nordlund
Public Assistance

Phone: 465-2680

Date/Time: 2/7/00 2:08 PM

Approved by Commissioner: _____
Agency: _____

Karen Perdue, Commissioner
Department of Health & Social Services

Date: 2/7/2000

PREPARER TO PROVIDE ALL DISTRIBUTION COPIES TO GOVERNOR'S LEGISLATIVE OFFICE

For further distribution information, call the Governor's Legislative Office

COMMITTEE COPY

Title: Native Family Assistance Programs
Bill No.: CSHB 98 (CRA)
Sponsor: Rules Committee

Analysis Continued

Effects will be felt in various areas of DPA program administration and operation. Fiscal impacts, however, are contingent upon which organizations actually pursue implementation of Native assistance programs and the approval of regional public assistance programs.

A new component has been added to the DPA budget that will accommodate the inclusion of Native family assistance programs and regional assistance programs in the agency's planning process. In the future, agency budget requests will reflect the financial impact resulting from the development and implementation of these programs.

FISCAL NOTE

**STATE OF ALASKA
2000 LEGISLATIVE SESSION**

BILL NO. CS HB 98 (HESS)

Revision Date/Time (Note if correction) _____	Dept. Affecte	Department of Revenue
Title _____	Public Assistance: _____	BRU _____
	Programs/Grants/Contracts _____	Component _____
Sponsor _____	Rules Committee _____	
Requester _____	Finance Committee _____	Component I 111

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS:

(Attach a separate page if necessary)

The Child Support Enforcement Division receives incentive funding from the federal government based on the agency's collections in public assistance cases. That incentive funding covers about 15% of the child support agency's annual operating budget, reducing the need for state funds. The original version of this legislation would have resulted in reduced federal incentive funding as public assistance collections were converted to tribal assistance collections -- which are not eligible for incentive funding to the states. However, a new federal funding formula that started phasing in for FY2000 depends less on public assistance collections and more on the child support agency's general performance. Therefore, we expect this legislation will not materially affect incentive funding for FY2001 and 2002.

Prepared by: _____	Barbara Miklos, Director	Phone _____
Division _____	Child Support Enforcement Division	Date/Time 3/22/00 2:08 PM
Approved by Commissioner _____	Wilson L. Condon	Date 03/23/2000 _____
Agency _____	Revenue	

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TONY KNOWLES
GOVERNOR



P O Box 110001
Juneau, Alaska 99811-0001
(907) 465-3500
Fax (907) 465-3532

STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

February 18, 1998

The Honorable Brian Porter
Speaker of the House
Alaska State Legislature
State Capitol
Juneau, AK 99801-1182

Brian
Dear Speaker Porter:

The bill I transmit today continues Alaska's efforts to implement effective and responsible welfare reform, particularly in rural areas. This bill builds on the provision in federal welfare reform law that allows regional non-profit Native corporations to develop and implement independent welfare programs promoting local responsibility for program success by tying program assistance to local economic and social conditions. Under this bill, the Department of Health and Social Services (DHSS) will be able to award grants to regional Native organizations operating tribal family assistance plans that differ from the Alaska Temporary Assistance Program plan because they are designed to meet regional circumstances.

The federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 provided that specifically named Alaska Native organizations could propose to operate tribal temporary assistance plans, independent of the state plan, to serve the Alaska Native and Indian populations within a specific geographical region. A state- and federally-approved tribal family assistance plan will receive, directly from the federal government, a portion of Alaska's allocation of the Temporary Assistance for Needy Families block grant money. The federal money, however, is only about half of the money that has historically been appropriated to serve this population. This bill establishes clear statutory standards under which the state would provide grants to Alaska Native organizations with federally-approved tribal plans that differ from the state's plan.

As of October 1, 1998, Tanana Chief's Conference, Inc. (TCC) received approval from the federal government to operate its own tribal temporary assistance program for needy families. The DHSS developed a plan with TCC to serve tribal program recipients.

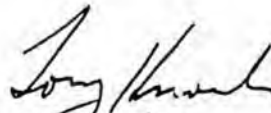
The Honorable Brian Porter
February 18, 1999
Page 2

Under current state law, however, the program must be identical to the state's temporary assistance program. As a consequence, the state loses the opportunity to shape regional programs to meet regional conditions. This bill will make it possible for regional programs to be designed to specifically address local circumstances.

Regional tribal plans are expected to be custom designed to meet the economic conditions and needs of the region. This bill also would allow the DHSS to adopt a regional plan for non-tribal members if such a plan appears more suitable to address regional conditions. Therefore, program standards under a regional plan could differ from some otherwise generally applicable standards of the state's plan, but would always contain specifically identified program elements.

This bill will contribute to making our public assistance programs more effective by considering regional conditions in plan developments. I urge your support of this measure.

Sincerely,



Tony Knowles
Governor



Teleconference Participants

TCN: 10598

Participant Lists

View List for

ALL



Testifiers



Go >>>

Close Window

Participants

Unidentified Testifiers: 0

Unidentified Observers: 0

ANCHORAGE (ANC)

1 Name: Ms. Diane Wendlandt Ans ?s Phone:
 Address: Affiliation: A G. offi
 City /St /Zip: Type: Testifier
 Bill: HB 98: PUB.ASSISTANCE:PROGRAMS/GF/ANTS/CONTRACTS

2 Name: Bob Lohr Ans ?s Phone:
 Address: Affiliation: Div Insura
 City /St /Zip: Type: Testifier
 Bill: HB 418: INSURANCE AND OCCUPATIONAL LICENSE FEES

OFF-NET TELECONFERENCE PARTICIPANTS

Name: John Mallonee
Location: Anchorage
Affiliation: Child Support Enforcement
Bill: HB 98

Alaska State Legislature
HOUSE OF REPRESENTATIVES
Committee on Finance

Room 519 Capitol Building
1:30 P.M. (unless otherwise indicated)

March 24, 2000 – Friday

1:30 p.m.

HB 18-APPROP: EARNINGS RESERVE TO
PERM FUND

HB 98-PUB.ASSISTANCE:PROGRAMS/
GRANTS/CONTRACTS

HB 418-INSURANCE AND OCCUPATIONAL
LICENSE FEES

Bills previously heard/scheduled.

HB 290-STRANDED GAS PIPELINE CARRIERS

HB 350-CRIMES PROSECUTED IN OTHER
JURISDICTIONS

deems necessary to produce statistically valid estimates of the performance of State programs funded under this part. The Secretary may develop and implement procedures for verifying the quality of data submitted by the States.

"(2) REPORT ON USE OF FEDERAL FUNDS TO COVER ADMINISTRATIVE COSTS AND OVERHEAD.—The report required by paragraph (1) for a fiscal quarter shall include a statement of the percentage of the funds paid to the State under this part for the quarter that are used to cover administrative costs or overhead.

"(3) REPORT ON STATE EXPENDITURES ON PROGRAMS FOR NEEDY FAMILIES.—The report required by paragraph (1) for a fiscal quarter shall include a statement of the total amount expended by the State during the quarter on programs for needy families.

"(4) REPORT ON NONCUSTODIAL PARENTS PARTICIPATING IN WORK ACTIVITIES.—The report required by paragraph (1) for a fiscal quarter shall include the number of noncustodial parents in the State who participated in work activities (as defined in section 407(d)) during the quarter.

"(5) REPORT ON TRANSITIONAL SERVICES.—The report required by paragraph (1) for a fiscal quarter shall include the total amount expended by the State during the quarter to provide transitional services to a family that has ceased to receive assistance under this part because of employment, along with a description of such services.

"(6) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to define the data elements with respect to which reports are required by this subsection.

"(b) ANNUAL REPORTS TO THE CONGRESS BY THE SECRETARY.—Not later than 6 months after the end of fiscal year 1997, and each fiscal year thereafter, the Secretary shall transmit to the Congress a report describing—

"(1) whether the States are meeting—

"(A) the participation rates described in section 407(a); and

"(B) the objectives of—

"(i) increasing employment and earnings of needy families, and child support collections; and

"(ii) decreasing out-of-wedlock pregnancies and child poverty;

"(2) the demographic and financial characteristics of families applying for assistance, families receiving assistance, and families that become ineligible to receive assistance;

"(3) the characteristics of each State program funded under this part; and

"(4) the trends in employment and earnings of needy families with minor children living at home.

affairs

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12



612. "SEC. 412. DIRECT FUNDING AND ADMINISTRATION BY INDIAN TRIBES.

"(a) GRANTS FOR INDIAN TRIBES.—

"(1) TRIBAL FAMILY ASSISTANCE GRANT.—

"(A) IN GENERAL.—For each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002, the Secretary shall pay to each Indian tribe that has an approved tribal family assistance plan a tribal family assistance grant for the fiscal

year in an amount equal to the amount determined under subparagraph (B), and shall reduce the grant payable under section 403(a)(1) to any State in which lies the service area or areas of the Indian tribe by that portion of the amount so determined that is attributable to expenditures by the State.

"(B) AMOUNT DETERMINED.—

"(i) IN GENERAL.—The amount determined under this subparagraph is an amount equal to the total amount of the Federal payments to a State or States under section 403 (as in effect during such fiscal year) for fiscal year 1994 attributable to expenditures (other than child care expenditures) by the State or States under parts A and F (as so in effect) for fiscal year 1994 for Indian families residing in the service area or areas identified by the Indian tribe pursuant to subsection (b)(1)(C) of this section.

"(ii) USE OF STATE SUBMITTED DATA.—

"(I) IN GENERAL.—The Secretary shall use State submitted data to make each determination under clause (i).

"(II) DISAGREEMENT WITH DETERMINATION.—If an Indian tribe or tribal organization disagrees with State submitted data described under subsection (I), the Indian tribe or tribal organization may submit to the Secretary such additional information as may be relevant to making the determination under clause (i) and the Secretary may consider such information before making such determination.

DISPUTE

"(2) GRANTS FOR INDIAN TRIBES THAT RECEIVED JOBS FUNDS.—

"(A) IN GENERAL.—The Secretary shall pay to each eligible Indian tribe for each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002 a grant in an amount equal to the amount received by the Indian tribe in fiscal year 1994 under section 482(i) (as in effect during fiscal year 1994).

"(B) ELIGIBLE INDIAN TRIBE.—For purposes of subparagraph (A), the term 'eligible Indian tribe' means an Indian tribe or Alaska Native organization that conducted a job opportunities and basic skills training program in fiscal year 1995 under section 482(i) (as in effect during fiscal year 1995).

"(C) USE OF GRANT.—Each Indian tribe to which a grant is made under this paragraph shall use the grant for the purpose of operating a program to make work activities available to members of the Indian tribe.

"(D) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$7,638,474 for each fiscal year specified in subparagraph (A) for grants under subparagraph (A).

"(b) 3-YEAR TRIBAL FAMILY ASSISTANCE PLAN.—

"(1) IN GENERAL.—Any Indian tribe that desires to receive a tribal family assistance grant shall submit to the Secretary a 3-year tribal family assistance plan that...

N.L.W.?

3yr Plan

"(A) outlines the Indian tribe's approach to providing welfare-related services for the 3-year period, consistent with this section;

"(B) specifies whether the welfare-related services provided under the plan will be provided by the Indian tribe or through agreements, contracts, or compacts with intertribal consortia, States, or other entities;

"(C) identifies the population and service area or areas to be served by such plan;

"(D) provides that a family receiving assistance under the plan may not receive duplicative assistance from other State or tribal programs funded under this part;

"(E) identifies the employment opportunities in or near the service area or areas of the Indian tribe and the manner in which the Indian tribe will cooperate and participate in enhancing such opportunities for recipients of assistance under the plan consistent with any applicable State standards; and

"(F) applies the fiscal accountability provisions of section 5(f)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450c(f)(1)), relating to the submission of a single-agency audit report required by chapter 75 of title 31, United States Code.

"(2) APPROVAL.—The Secretary shall approve each tribal family assistance plan submitted in accordance with paragraph (1).

"(3) CONSORTIUM OF TRIBES.—Nothing in this section shall preclude the development and submission of a single tribal family assistance plan by the participating Indian tribes of an intertribal consortium.

"(c) MINIMUM WORK PARTICIPATION REQUIREMENTS AND TIME LIMITS.—The Secretary, with the participation of Indian tribes, shall establish for each Indian tribe receiving a grant under this section minimum work participation requirements, appropriate time limits for receipt of welfare-related services under the grant, and penalties against individuals—

"(1) consistent with the purposes of this section;

"(2) consistent with the economic conditions and resources available to each tribe; and

"(3) similar to comparable provisions in section 407(e).

"(d) EMERGENCY ASSISTANCE.—Nothing in this section shall preclude an Indian tribe from seeking emergency assistance from any Federal loan program or emergency fund.

"(e) ACCOUNTABILITY.—Nothing in this section shall be construed to limit the ability of the Secretary to maintain program funding accountability consistent with—

"(1) generally accepted accounting principles; and

"(2) the requirements of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

"(f) PENALTIES.—

"(1) Subsections (a)(1), (a)(6), and (b) of section 409, shall apply to an Indian tribe with an approved tribal assistance plan in the same manner as such subsections apply to a State.

"(2) Section 409(a)(3) shall apply to an Indian tribe with an approved tribal assistance plan by substituting 'meet minimum work participation requirements established under section 412(c)' for 'comply with section 407(a)'

(c) →
4 to Tribes
city

(a)(6), (b)
reword
comply with
107(a)

"(g) DATA COLLECTION AND REPORTING.—Section 411 shall apply to an Indian tribe with an approved tribal family assistance plan.

Sec 4
Appl:
Tribe

"(h) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA.—

"(1) IN GENERAL.—Notwithstanding any other provision of this section, and except as provided in paragraph (2), an Indian tribe in the State of Alaska that receives a tribal family assistance grant under this section shall use the grant to operate a program in accordance with requirements comparable to the requirements applicable to the program of the State of Alaska funded under this part. Comparability of programs shall be established on the basis of program criteria developed by the Secretary in consultation with the State of Alaska and such Indian tribes.

Comparison

"(2) WAIVER.—An Indian tribe described in paragraph (1) may apply to the appropriate State authority to receive a waiver of the requirement of paragraph (1).

waiver

"SEC. 413. RESEARCH, EVALUATIONS, AND NATIONAL STUDIES.

42 USC 613.

"(a) RESEARCH.—The Secretary shall conduct research on the benefits, effects, and costs of operating different State programs funded under this part, including time limits relating to eligibility for assistance. The research shall include studies on the effects of different programs and the operation of such programs on welfare dependency, illegitimacy, teen pregnancy, employment rates, child well-being, and any other area the Secretary deems appropriate. The Secretary shall also conduct research on the costs and benefits of State activities under section 409.

"(b) DEVELOPMENT AND EVALUATION OF INNOVATIVE APPROACHES TO REDUCING WELFARE DEPENDENCY AND INCREASING CHILD WELL-BEING.—

"(1) IN GENERAL.—The Secretary may assist States in developing, and shall evaluate, innovative approaches for reducing welfare dependency and increasing the well-being of minor children living at home with respect to recipients of assistance under programs funded under this part. The Secretary may provide funds for training and technical assistance to carry out the approaches developed pursuant to this paragraph.

"(2) EVALUATIONS.—In performing the evaluations under paragraph (1), the Secretary shall, to the maximum extent feasible, use random assignment as an evaluation methodology.

"(c) DISSEMINATION OF INFORMATION.—The Secretary shall develop innovative methods of disseminating information on any research, evaluations, and studies conducted under this section, including the facilitation of the sharing of information and best practices among States and localities through the use of computers and other technologies.

"(d) ANNUAL RANKING OF STATES AND REVIEW OF MOST AND LEAST SUCCESSFUL WORK PROGRAMS.—

"(1) ANNUAL RANKING OF STATES.—The Secretary shall rank annually the States to which grants are paid under section 403 in the order of their success in placing recipients of assistance under the State program funded under this part into long-term private sector jobs, reducing the overall welfare caseload, and, when a practicable method for calculating this information becomes available, the Secretary shall

Opportunity Reconciliation Act of 1996) shall not apply with respect to the State before the expiration (determined without regard to any extensions) of the waiver to the extent the amendments made by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 are inconsistent with the waiver.

"(B) NO EFFECT ON NEW WORK REQUIREMENTS.—Notwithstanding subparagraph (A), a waiver granted under section 1115 or otherwise which relates to the provision of assistance under a State program funded under this part (as in effect on September 30, 1996) shall not affect the applicability of section 407 to the State.

"(b) STATE OPTION TO TERMINATE WAIVER.—

"(1) IN GENERAL.—A State may terminate a waiver described in subsection (a) before the expiration of the waiver.

"(2) REPORT.—A State which terminates a waiver under paragraph (1) shall submit a report to the Secretary summarizing the waiver and any available information concerning the result or effect of the waiver.

"(3) HOLD HARMLESS PROVISION.—

"(A) IN GENERAL.—Notwithstanding any other provision of law, a State that, not later than the date described in subparagraph (B) of this paragraph, submits a written request to terminate a waiver described in subsection (a) shall be held harmless for accrued cost neutrality liabilities incurred under the waiver.

"(B) DATE DESCRIBED.—The date described in this subparagraph is 90 days following the adjournment of the first regular session of the State legislature that begins after the date of the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

"(c) SECRETARIAL ENCOURAGEMENT OF CURRENT WAIVERS.—The Secretary shall encourage any State operating a waiver described in subsection (a) to continue the waiver and to evaluate, using random sampling and other characteristics of accepted scientific evaluations, the result or effect of the waiver.

"(d) CONTINUATION OF INDIVIDUAL WAIVERS.—A State may elect to continue 1 or more individual waivers described in subsection (a).

"SEC. 416. ADMINISTRATION.

"The programs under this part and part D shall be administered by an Assistant Secretary for Family Support within the Department of Health and Human Services, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall be in addition to any other Assistant Secretary of Health and Human Services provided for by law, and the Secretary shall reduce the Federal workforce within the Department of Health and Human Services by an amount equal to the sum of 75 percent of the full-time equivalent positions at such Department that relate to any direct spending program, or any program funded through discretionary spending, that has been converted into a block grant program under the Personal Responsibility and Work Opportunity Act of 1996 and the amendments made by such Act, and by an amount equal to 75 percent of that portion of the total full-time equivalent departmental management positions at such Department that bears the same relationship to the amount

appropriated for any direct spending program, or any program funded through discretionary spending, that has been converted into a block grant program under the Personal Responsibility and Work Opportunity Act of 1996 and the amendments made by such Act, as such amount relates to the total amount appropriated for use by such Department, and, notwithstanding any other provision of law, the Secretary shall take such actions as may be necessary, including reductions in force actions, consistent with sections 3502 and 3595 of title 5, United States Code, to reduce the full-time equivalent positions within the Department of Health and Human Services by 245 full-time equivalent positions related to the program converted into a block grant under the amendment made by section 2103 of the Personal Responsibility and Work Opportunity Act of 1996, and by 60 full-time equivalent managerial positions in the Department.

"SEC. 417. LIMITATION ON FEDERAL AUTHORITY.

"No officer or employee of the Federal Government may regulate the conduct of States under this part or enforce any provision of this part, except to the extent expressly provided in this part."; and

(2) by inserting after such section 418 the following:

"SEC. 419. DEFINITIONS.

"As used in this part:

"(1) ADULT.—The term 'adult' means an individual who is not a minor child.

"(2) MINOR CHILD.—The term 'minor child' means an individual who—

"(A) has not attained 18 years of age; or

"(B) has not attained 19 years of age and is a full-time student in a secondary school (or in the equivalent level of vocational or technical training).

"(3) FISCAL YEAR.—The term 'fiscal year' means any 12-month period ending on September 30 of a calendar year.

"(4) INDIAN, INDIAN TRIBE, AND TRIBAL ORGANIZATION.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the terms 'Indian', 'Indian tribe', and 'tribal organization' have the meaning given such terms by section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(B) SPECIAL RULE FOR INDIAN TRIBES IN ALASKA.—The term 'Indian tribe' means, with respect to the State of Alaska, only the Metlakatla Indian Community of the Annette Islands Reserve and the following Alaska Native regional nonprofit corporations:

"(i) Arctic Slope Native Association.

"(ii) Kawerak, Inc.

"(iii) Maniilaq Association.

"(iv) Association of Village Council Presidents.

"(v) Tanana Chiefs Conference.

"(vi) Cook Inlet Tribal Council.

"(vii) Bristol Bay Native Association.

"(viii) Aleutian and Pribilof Island Association.

"(ix) Chugachmuit.

"(x) Tlingit Haida Central Council.

"(xi) Kodiak Area Native Association.

"(xii) Copper River Native Association.

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organizations, and incorporated and unincorporated businesses operating within the state that meet the requirements established by the department in regulation. (§ 7 ch 107 SLA 1996)

Sec. 47.27.055. Agency collaboration. [See effective date of chapter note.]

(a) The department shall coordinate with other state agencies that provide assistance, benefits, or services to applicants that are eligible for and to participants in the Alaska temporary assistance program in order to facilitate the application for and delivery of assistance, benefits, or services to promote family self-sufficiency. Subject to appropriations, state agencies may locate their facilities and operations near each other in order to improve service delivery.

(b) The department may provide information received under this chapter to other state agencies in order to facilitate the delivery of services. Information received from an applicant for or participant in the Alaska temporary assistance program shall be treated as confidential by all state agencies that share the information under this section and is not open to public inspection or copying under AS 09.25.110 — 09.25.125. Misuse of public assistance lists or information is punishable as a violation of AS 47.05.030.

(c) Departments in the executive branch shall cooperate in fulfilling the purposes of this chapter, including, subject to appropriations, the establishment of temporary positions that will provide job opportunities for families participating in the Alaska temporary assistance program. Temporary positions established for this purpose are in the exempt service under AS 39.25.110 but are not subject to AS 39.25.195. An individual participating in the Alaska temporary assistance program who holds a temporary position established for purposes of this subsection is not a public employee for purposes of AS 23.40.070 — 23.40.260. (§ 7 ch 107 SLA 1996)

Sec. 47.27.060. Job development. [See effective date of chapter note.] The department may establish cooperative agreements with the Department of Labor, Department of Community and Regional Affairs, Department of Education, and Department of Commerce and Economic Development, and with other public or private sector organizations for the purpose of developing job, training, and educational opportunities for families eligible for assistance under this chapter. (§ 7 ch 107 SLA 1996)

Sec. 47.27.065. Federal-state cooperation. [See effective date of chapter note.] In the administration of this chapter, the department shall cooperate with the Secretary of the United States Department of Health and Human Services and shall take actions necessary to comply with the requirements of federal law to obtain public assistance block grants or other federal assistance available for the purposes of this chapter. The department shall make reports in the form and containing the information required to the Secretary of the United States Department of Health and Human Services. The department may cooperate with federal agencies charged with the administration of the federal public assistance block grants and other financial assistance. (§ 7 ch 107 SLA 1996)

Sec. 47.27.070. Alaska native organizations' family assistance programs. [See effective date of chapter note.] (a) The department may coordinate only with the following Alaska Native organizations, as designated under federal law, in the development of family assistance programs:

- (1) Arctic Slope Native Association;
- (2) Kawerak, Inc.;
- (3) Maniilaq Association;
- (4) Association of Village Council Presidents;
- (5) Tanana Chiefs Conference;

(6) Cook Inlet Tribal Council;
(7) Bristol Bay Native Association;
(8) Aleutian and Pribilof Island Association;
(9) Chugachmiut;
(10) Tlingit Haida Central Council;
(11) Kodiak Area Native Association;
(12) Copper River Native Association; and
(13) Metlakatla Indian Community of the Annette Islands Reserve; however, the department may cooperate with the Metlakatla Indian Community under this chapter only if the community waives any claim to sovereign immunity with respect to matters involved with the family assistance program.

(b) The department may cooperate with the Alaska Native organizations named in (a) of this section to propose program criteria to the Secretary of the United States Department of Health and Human Services in order to promote programs comparable to the state program in the same area.

(c) Notwithstanding other provisions of this section, the department may coordinate with an Alaskan Native organization under (a) of this section only if, for purposes of this chapter, the Alaska Native organization incorporates a nonprofit entity under state law and the nonprofit entity is active and in good standing, as determined by the Department of Commerce and Economic Development. (§ 7 ch 107 SLA 1996)

Sec. 47.27.075. Emergency account established. [See effective date of chapter note.] There is established within the general fund the Alaska temporary assistance program emergency account. The account consists of appropriations that were made by the legislature from federal money available for assistance under this chapter, including lapsing money that was previously appropriated from federal money for the Alaska temporary assistance program, but that were not expended or obligated in the fiscal year for which they were appropriated. (§ 7 ch 107 SLA 1996)

Sec. 47.27.080. Appeals; dispute resolution. [See effective date of chapter note.] (a) An applicant or participant who receives a determination from the department that denies, limits, or modifies the assistance or services provided under this chapter may request a hearing before the department or a representative of the department appointed for that purpose. If a representative is appointed, the representative shall conduct the hearing under the regulations adopted by the department. The appeal is not subject to AS 44.62.330 — 44.62.630.

(b) The department may require an applicant or participant to participate in an informal dispute resolution process before a formal hearing. The department may adopt regulations establishing the informal dispute resolution process. (§ 7 ch 107 SLA 1996)

Sec. 47.27.085. Sanctions; recovery of costs. [See effective date of chapter note.] (a) The department shall penalize an Alaska temporary assistance program applicant or participant who, without good cause, fails to comply with a condition of the family self-sufficiency plan or who fails to participate in work activities required as a part of the Alaska temporary assistance program by disregarding that person as a member of the family for purposes of determining the amount of assistance given to the family. The period of time during which the department shall disregard the noncomplying person for purposes of determining the amount of the family's assistance is

(1) until the person is in compliance under this subsection if the person has not previously been disregarded under this subsection;

(2) the longer of six months or until the person is in compliance under this subsection if the person has previously been disregarded under (1) of this subsection;

(3) the longer of 12 months or until the person is in compliance under this subsection if the person has previously been disregarded under (2) of this section.