Department of Social and Health Services

Olympia, Washington

**EAZ Manual**

 Revision # 943

Category TANF/SFA Time Limits: Indian Country Disregard

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**Summary**

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| Added the updated 2103 BIA report information and eligible Indian Country Disregard zip codes.See below for edited text:

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Indian Country Disregard

**Revised October 1, 2016**

[WAC 388-484-0010](http://app.leg.wa.gov/wac/default.aspx?cite=388-484-0010) How does the five-year (sixty-month) time limit for TANF, SFA and GA-S cash assistance apply to adults living in Indian country?

* [Clarifying Information](https://www.dshs.wa.gov/esa/tanfsfa-time-limits/indian-country-disregard#388-484-0010CI) and [Worker Responsibilities](https://www.dshs.wa.gov/esa/tanfsfa-time-limits/indian-country-disregard#388-484-0010WR)

Clarifying Information - [WAC 388-484-0010](http://app.leg.wa.gov/wac/default.aspx?cite=388-484-0010)

1. Federal welfare reform law requires states to exempt adults who live in Indian country from the 60-month TANF time limit. This policy recognizes the ties American Indian and Alaskan Native families have to their land and culture and the difficulty in finding employment on their land. The policy also recognizes that these families should not have to leave their reservations or other areas of Indian Country in order to find employment once they have used 60-months of cash assistance.
2. This policy, however, does **not** exempt them from participation requirements. Qualifying recipients must still participate in WorkFirst activities even though a month of cash assistance does not count toward their 60-month clock.
3. All of the following conditions must be met for months **not** to count where cash assistance was received:
	1. The parent, co-parent, spouse or adult relative caretaker lives in “Indian Country.” "Indian Country" includes all lands within the limits of any reservation, allotment (also known as “trust” land), and dependent Indian communities. Living near reservation areas, or in areas next to reservations, are **not** considered Indian Country, unless they are also allotted land or within a dependent Indian community. There are no dependent Indian communities in Washington at this time.
	2. The percentage of Indian adults in the area of Indian Country that are not employed is at least 50 percent or greater. (See 1997 Not Employed Rates, 1999 Not Employed Rates, 2001 Not Employed Rates tables, and 2013 Not Employed Rates tables.)
4. Different mailing and residential addresses.

**EXAMPLE:**

The adult lives in a qualifying area of Indian Country but has a mailing address outside of Indian Country. Can the adult still receive the Indian Country exemption?

Yes. The requirement only applies to where they are living. The exemption is not affected by the mailing address. ACES will read the residential address only.

**EXAMPLE:**

The adult lives outside of the qualifying area of Indian Country but has a mailing address on the reservation. Can the adult still receive the Indian Country exemption?

No. The adult must live in a qualifying area of Indian Country in order to get the exemption.

1.
2. Automated tracking of adults living in Indian Country:

Effective September 2001, the process of not counting the months of cash assistance for adults living in qualifying Indian country will be automated.

1. When State and Tribe have different counts of months on assistance:

It is possible that a Tribal TANF program may have a different count of months on assistance for a family than DSHS.  In this situation the State and the Tribal office are each obligated to accept the other's count.  If a family has exhausted its months on assistance in a Tribal TANF program, and no extensions are available under that program, the family may still be eligible for a post-60 months extension under the State TANF program.

Worker Responsibilities -  [WAC 388-484-0010](http://app.leg.wa.gov/wac/default.aspx?cite=388-484-0010" \t "_blank)

Ask clients if they are American Indians or Alaskan Natives. We do not require verification papers because each Tribe has different qualifications for membership or enrollment. If clients choose to report a change and now state that they are American Indians or Alaskan Natives, accept their declaration. **NOTE:**

A client’s Indian heritage is totally self-reported.

1. Enter the Race and Native American Tribe fields on the ACES [DEM1 screen](https://www.dshs.wa.gov/esa/automated-client-eligibility-system-aces/interview),
2. Effective September 2001, the process of not counting the months of cash assistance on the ACES [TICS screen](https://www.dshs.wa.gov/esa/interview/screen-descriptions-t-through-z)  for adults living in qualifying Indian country will be automated.
3. This process of not counting months under the Indian country disregard includes adjusting the count of months from August 1, 1997 to the present.
4. For some clients, ACES will not be able to tell if the client was living in Indian country because the address was not standardized (could not be found), the client was homeless, used a post office box / rural route address and did not have a residential address, or was in the [Address Confidentiality Program](https://www.dshs.wa.gov/esa/confidentiality/confidentiality-address-confidentiality-program-acp-domestic-violence-victims).   For these clients either:
	1. Ask the client whether they live in Indian country.  Once the Indian country code is entered, the disregard of months will be automated for future months until the client moves.
	2. [Standardize the address](https://www.dshs.wa.gov/esa/tanfsfa-time-limits/indian-country-disregard).  Once the address is standardized, the disregard of months will be automated for future months until the client moves.

**The ZIP Codes Which Contain Some Indian Country As Of October 1, 2016**

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| --- | --- | --- | --- | --- | --- | --- |
| 98002 | 98022 | 98023 | 98092 | 98108 | 98221 | 98223 |
| 98226 | 98232 | 98241 | 98244 | 98247 | 98248 | 98257 |
| 98264 | 98270 | 98271 | 98273 | 98284 | 98292 | 98331 |
| 98342 | 98346 | 98350 | 98357 | 98363 | 98370 | 98371 |
| 98381 | 98382 | 98391 | 98392 | 98404 | 98421 | 98422 |
| 98424 | 98443 | 98513 | 98526 | 98548 | 98552 | 98568 |
| 98579 | 98584 | 98587 | 98591 | 98613 | 98619 | 98620 |
| 98635 | 98672 | 98673 | 98812 | 98813 | 98831 | 98840 |
| 98841 | 98903 | 98920 | 98932 | 98933 | 98935 | 98948 |
| 98951 | 98952 | 99001 | 99013 | 99040 | 99109 | 99116 |
| 99119 | 99122 | 99124 | 99129 | 99138 | 99140 | 99155 |
| 99166 | 99180 |  |  |  |  |  |

**NOTE:**

* These are the only zip codes which contain Indian Country.
* If the zip code is not on the list, then it does not contain Indian Country.
* Not all land in the listed zip codes is Indian Country. Many zip codes contain a mix of Indian and non-Indian Country.

**1997 Not Employed Rates- Automated in ACES - Provided For Information Only**

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| **"Not employed" rates for Washington Tribes -1997 BIA Labor Force Report Indian country disregard for TANF time limits** |
| Covers the period from August 1997 through May 2001 |
| **Tribe** | ***% Adults Not Employed*** | **Tribe** | ***% Adults Not Employed*** |
| Yakama | 86.0 | Quinault | 57.5 |
| Nooksack | 81.2 | Shoalwater | 56.2 |
| Nisqually | 78.4 | Port Gamble S'Klallam\* | 55.9 |
| Quileute | 78.0 | Makah | 54.4 |
| Puyallup | 78.0 | Chehalis | 52.2 |
| Hoh | 77.6 | Stillaguamish | 52.1 |
| Lummi | 74.1 | Colville | 49.1 |
| Sauk-Suiattle | 69.6 | Suquamish | 47.5 |
| Skokomish | 69.3 | Tulalip | 43.7 |
| Upper Skagit | 67.4 | Jamestown S'Klallam | 45.6 |
| Kalispel | 66.7 | Squaxin Island | 39.2 |
| Lower Elwha\* | 66.1 | Swinomish | 34.5 |
| Spokane | 65.5 | Muckleshoot | 32.1 |
| **Source:** 1997 Indian Service Population and Labor Force Estimates Report, and amended data provided by the tribes\*Tribe operating Tribal TANF program.  Tribe applies exemption for those months under Tribal TANF. |

**1999 Not Employed Rates- Automated in ACES - Provided For Information Only**

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| **Rates for Washington Tribes 1999 BIA Labor Force Report Indian country disregard for TANF time limits** |
| Covers the period from June 2001 Through November 2005 |
| **Tribe** | **% Adults Not Employed** | **Tribe** | **% Adults Not Employed** |
| Yakama | 79.8 | Muckleshoot | 52.0 |
| Quileute\* | 72.7 | Port Gamble; Klallam\* | 51.6 |
| Hoh | 72.4 | Stillaguamish | 50.7 |
| Puyallup | 72.2 | Tulalip | 49.6 |
| Nisqually | 68.2 | Quinault | 48.8 |
| Lummi | 65.2 | Makah | 46.1 |
| Spokane | 64.9 | Chehalis | 45.9 |
| Skokomish | 64.8 | Shoalwater | 44.4 |
| Nooksak | 63.1 | Suquamish | 42.3 |
| Lower Elwha\* | 58.7 | Jamestown;Klallam | 35.2 |
| Kalispel | 57.6 | Squaxin Island | 32.3 |
| Sauk-Suiattle | 57.1 | Swinomish | 26.8 |
| Upper Skagit | 57.0 | Colville | 21.2 |
| **Source:** 1999 Indian Service Population and Labor Force Estimates Report.\*Tribe operating Tribal TANF program. Tribe applies exemption for those months under Tribal TANF. |

**2001 Not Employed Rates- Automated in ACES - Provided For Information Only**

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| **"Not employed" rates for Washington Tribes 2001 BIA Labor Force Report Indian country disregard for TANF time limits** |
| COVERS THE PERIOD FROM DECEMBER 2005 UNTIL THE NEXT BIA REPORT IS AVAILABLE |
| **Tribe** | **% Age 16 and Up Not Employed** | **Tribe** | **% Age 16 and Up Not Employed** |  |
| Yakama | 86.0 | Upper Skagit | 64.5 |  |
| Quileute\* | 80.7 | Samish | 61.9 |  |
| Nooksak\* | 79.5 | Suquamish | 61.8 |  |
| Nisqually\*(SPIPA) | 79.0  | Port Gamble S'Klallam\* | 57.9 |  |
| Sauk-Suiattle | 78.5 | Quinault\* | 57.5 |  |
| Spokane\* | 78.4 | Tulalip\*  | 55.8 |  |
| Puyallup | 77.9 | Stillaguamish | 52.1 |  |
| Hoh  | 77.6 | Lummi | 50.2 |  |
| Shoalwater | 71.6 | Jamestown S'Klallam  | 47.7 |  |
| Makah | 71.5 | Swinomish | 41.6 |  |
| Skokomish\*(SPIPA) | 67.7 | Muckleshoot | 41.0 |  |
| Colville\* | 67.3 | Squaxin Island\*(SPIPA) | 39.2 |  |
| Kalispel | 66.7 | Chehalis | 35.5 |  |
| Lower Elwha\* | 66.6 | Snoqualmie | 32.6 |  |
| **Source:** Bureau of Indian Affairs, 2001 Indian Population and Labor Force Report (except for Upper Skagit data reported separately). \*Tribe operating a Tribal TANF program or participating in a Tribal TANF program consortium, such as the Tribal TANF program operated by the South Puget Intertribal Planning Agency (SPIPA). The Tribe will determine when to apply the Indian Country disregard while an adult is receiving benefits from their Tribal TANF program. |

**2005 Not Employed Rates- Automated In Aces - Provided For Information Only**

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| **"Not employed" rates for Washington Tribes 2005 BIA Labor Force Report Indian country disregard for TANF time limits** |
| COVERS THE PERIOD FROM JANUARY 2013 UNTIL THE NEXT BIA REPORT IS AVAILABLE |
| **Tribe** | **% Age 16 and Up Not Employed** | **Tribe** | **% Age 16 and Up Not Employed** |
| Puyallup (SPIPA)\* | 84.3 | Snoqualmie | 48.2 |
| Nisqually (SPIPA)\* | 79.0 | Jamestown 'Klallam  | 47.7 |
| Spokane\* | 78.4 | Port Gamble 'Klallam\* | 44.5 |
| Hoh | 74.3  | Lummi\* | 43.7 |
| Nooksack\* | 71.3 | Muckleshoot  | 41.0 |
| Shoalwater Bay | 70.2 | Squaxin Island (SPIPA)\* | 39.2 |
| Skokomish (SPIPA)\* | 67.7 | Kalispel | 39.0 |
| Upper Skagit\* | 67.1 | Swinomish | 35.4 |
| Lower Elwha Klallam\* | 66.6 | Tulalip\* | 29.2 |
| Sauk-Suiattle | 66.5 | Makah | 25.7 |
| Suquamish | 61.8 | Chehalis | 14.4 |
| Quinault\* | 57.5 | Colville\* | 0.0 |
| Yakama | 55.0 | Cowlitz | 0.0 |
| Stillaguamish | 52.1 | Quileute\* | 0.0 |
| Samish | 52.1 |  |  |
| **Source:** Bureau of Indian Affairs, 2005 Indian Population and Labor Force Report. Some Tribes show zero unemployment due to not reporting any data under the categories of not available for work and not employed.\* Tribe operating a Tribal TANF program or participating in a Tribal TANF program consortium, such as the Tribal TANF program operated by the South Puget Intertribal Planning Agency (SPIPA). The Tribe will determine when to apply the Indian Country disregard while an adult is receiving benefits from their Tribal TANF program. |

**2013 Not Employed Rates- Automated In Aces - Provided For Information Only**

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| **"Not employed" rates for Washington Tribes 2013 BIA Labor Force Report Indian country disregard for TANF time limits** |
| COVERS THE PERIOD FROM OCTOBER 2016 UNTIL THE NEXT BIA REPORT IS AVAILABLE |
| **Tribe** | **% Age 16 and Up Not Employed** | **Tribe** | **% Age 16 and Up Not Employed** |
| Puyallup\* | 61.2 | Snoqualmie | 45.9 |
| Nisqually\* | 65.4 | Jamestown 'Klallam  | 52.9 |
| Spokane\* | 68.5 | Port Gamble 'Klallam\* | 56.5 |
| Hoh | 50.9 | Lummi\* | 59.6 |
| Nooksack\* | 57.1 | Muckleshoot  | 60.1 |
| Shoalwater Bay | 70.6 | Squaxin Island \* | 74.0 |
| Skokomish \* | 64.7 | Kalispel | 80.9 |
| Upper Skagit\* | 68.5 | Swinomish | 73.4 |
| Lower Elwha Klallam\* | 61.1 | Tulalip\* | 59.8 |
| Sauk-Suiattle | 50.9 | Makah | 57.5 |
| Suquamish | 52.3 | Chehalis | 45.9 |
| Quinault\* | 62.9 | Colville\* | 56.1 |
| Yakama | 62.7 | Cowlitz | 59.9 |
| Stillaguamish | 44.3 | Quileute\* | 62.9 |
| Samish | 50.9 |  |  |
| **Source:** Bureau of Indian Affairs, 2013 Indian Population and Labor Force Report. \* Tribe operating a Tribal TANF program or participating in a Tribal TANF program consortium, such as the Tribal TANF program operated by the South Puget Intertribal Planning Agency (SPIPA). The Tribe will determine when to apply the Indian Country disregard while an adult is receiving benefits from their Tribal TANF program. |