**APPENDIX D: TRIBAL INTERVIEWS**

 **Aleutian Pribilof, Alaska**—**FY 2011 funding: $351,628; households served: 170**

Tribal memberships are used for primary identification, along with SSNs for the head of the household. Local field staff from 13 small communities gathers applicant information that is faxed to the main office in Anchorage where a program manager reviews it.

The tribe doesn’t cross check SSNs with state databases; officials are concerned that searches of the state databases, which contain information on other programs, might violate HIPPA laws.

The tribe requires documentation of income for the prior 12 months (pay stubs or other records) or tax returns from the previous year. Seasonal work from the fishing industry, some paid off the books, makes it difficult to account for all income.

Benefit payments are sent to the vendors and the clients are notified that payments have been made on their account. There are only one or two vendors in each of the communities. Vendors file W-9 forms and enter into a contract with the tribe.

Program fraud hasn’t been a big problem. Field staff knows most of their clients and their living arrangements, which helps with identity, and prevention of duplicate benefits.

 **Chippewa Cree, Oklahoma**—**FY 2011 funding: $379,139; households served: 530-550**

The tribe requires tribal enrollment and SS cards for LIHEAP application.

The tribe does not use any third-party databases for verification. The Indian Health Service (IHS) is contacted for SSN verification when clients are in emergency situations and can’t find documents. IHS requires SSNs for registration, and nearly all enrolled Native Americans are registered.

The tribal LIHEAP office has a very good relationship with the SSA field office and has called it to verify SS income, especially for elderly tribal members who have no other income.

Three people work on intake during the busy part of the LIHEAP enrollment season and have developed an effective system to double-check each other’s work. The process came about after an audit showed some errors in figuring income and has been in place for about three years.

The reservation Housing Authority has maps with names and addresses that help prevent duplications. The LIHEAP staff knows the small community very well.

The tribal council has been considering developing a hotline to report fraud of LIHEAP and other benefits. The office has an open-door policy about fraud; most of the calls are from people who don’t understand the process − for example, they’re upset that a neighbor gets more benefits.

Most LIHEAP clients use propane and are customers of the tribe’s propane company, which makes billing an in-house process. Other vendors are required to have a vendor agreement.

The tribe has an internal auditor who provides oversight and help on preparing budgets, but not on client services.

 **Choctaw, Oklahoma**—**FY 2011 funding: $654,492; households served: 3,000-4,000**

The Choctaw Tribe has a well-established database that the tribe paid $14,000 to develop about 10 years ago. It’s used for other tribal benefits as well, such as child-care assistance, child support enforcement, and higher-education benefits. It includes names, mailing and service addresses, SSNs, and phone numbers.

Tribal officials say it does a good job of preventing duplications of benefits because it shows categories such as the same address for more than one person. A growth in demand led to the decision to invest in the database.

The LIHEAP program has a two-person intake staff. Applications are sent each year to current clients over the age of 60. In the past, the information on the application was filled out for them with data from previous years. The practice was stopped this year because it increased the risk for fraud.

There is no third-party verification of information. If needed, the tribe has a number of community health workers who work with the clients to verify their information.

The cost of third-party database verification is considered a barrier and the tribe questioned the value of the expense saying it only determines that the SSN is active, not whether the number belongs to the person who is attempting to use it.

The tribe doesn’t have a dedicated hotline or email address to report suspected fraud. For FY 2012, the tribe put fraud reporting information on LIHEAP applications and sent letters to vendors and clients but said it hasn’t generated any reports of fraud.

The tribal LIHEAP office doesn’t report suspected cases of fraud but does report losses to the appropriate law enforcement. The office works with clients to repay overpayments; future benefits may be canceled.

The LIHEAP director said she could only remember two cases where people actually got benefits they weren’t entitled to, so it hasn’t been worth the effort to develop any sort of tracking system for the types of problems they see. If they see a problem or potential problem, such as the possibility for duplication with more people coming into the system or people using filled-out applications sent to 60-plus clients, they try to adopt policies to address it.

Payments are sent to vendors, regulated and unregulated, that must have signed vendor agreements. The tribe sends a letter to vendors stating that accepting money from LIHEAP implies agreement to ethical billing practices and to non-discriminatory business practices.

 **Citizen Potawatomi Nation, Oklahoma**—**FY 2011 funding: $36,584; households served: 250**

For identification, the tribe relies primarily on tribal enrollment, which requires original documentation. A spreadsheet of social-service clients is checked against tribal enrollment rolls; this system works well for

smaller programs such as LIHEAP. Beginning in 2012, the tribe requires SSNs and photo IDs for all household members.

Not all tribal members live on their “home” reservations so the tribe and state LIHEAP routinely fax each other if anyone on an application is from a different tribe or is a nontribal member. This helps ensure that there is no duplication of benefits.

Several years ago, the tribe attempted to negotiate access to the Oklahoma Economic Security Commission database as part of a Department of Labor Workforce Investment Act. The effort was abandoned because it would have been slow compared to the tribal LIHEAP fax network.

The tribe considered third-party verification through the state Taxpayer Identification Number program, but decided it would be costly to implement and check each request. The tribe also felt the information wasn’t that valuable because it believes the SSN and the associated name don’t ensure the applicant is the person in question.

Returning clients are well known to LIHEAP staff. Tribal social programs including LIHEAP are administered through the same office and use the same enrollment data that can be crosschecked if the applications are done at different times.

The tribe requires income verification including pay stubs, SS benefit notices, SNAP and child-support history.

The tribe has used the same propane and electric vendors for many years, paying them directly after a bill or estimate is received. The utility companies are very familiar with the program and do a good job of notifying the tribe if an account seems to be getting duplicate payments or there are other problems. A new policy requires W-9 forms from vendors.

 **Colville, Washington**—**FY 2011 funding: $19,412; households served: 1,000**

Applicants provide tribal enrollment ID and, in response to the program integrity assessment, the tribe recently began requiring SSNs for everyone in the household, including children. Some clients have objected.

The tribe doesn’t have access to any third-party databases for identity or eligibility verification. In addition to the high cost, the tribe is concerned about information sharing and privacy issues.

LIHEAP has a simple database to keep records that doesn’t have the capability of flagging duplicate information. A better database would be cost-prohibitive.

The tribe does non-database verification with the county LIHEAP program and other tribal agencies, especially for duplication issues. They also communicate with staff in the local BIA and state DHSH office if necessary. The tribe has a good rapport with the electric vendors who will call them if they see a client getting what appears to be a duplicate payment.

The majority of the clients are rural households that use wood for heating. All vendors must enter into a contract with the tribe and are paid directly once an invoice is received and verified. Clients are then contacted about the amount that has been applied to their account.

There have been a few cases of duplicate benefits, but the emphasis is on prevention. There is no mechanism to track fraud or attempted fraud. The tribe notes if there is a problem but doesn’t prosecute or cut benefits because there are generally other people, including children, in the household.

The tribe has a two-person staff for LIHEAP intake, and doesn’t have training outside of the annual conference. The LIHEAP manager noted there used to be more of a “tribal track” at the conference.

 **Eastern Shawnee, Oklahoma**—**FY 2011 funding: $4,000; households served: 20-100**

The primary identification for LIHEAP is tribal IDs, which contain name, enrollment number, and birth date and can be checked in a tribal enrollment database. If the client is in the enrollment database but doesn’t have an ID card, other photos IDs such as drivers’ licenses are requested.

SSNs are required for all household members, a change for FY 2012. Previously, only the applicant and spouse were required to provide SSNs. Social Security numbers aren’t checked against third-party databases.

Most vendors are long-term businesses. The tribe investigates any unknown vendors or unregulated vendors through telephone contacts, the Internet, the Better Business Bureau, etc.

There haven’t been any cases of fraud recently. Potential fraud is referred to tribal police to investigate. The procedure is included in the employee handbook that is available to the public at tribal complexes.

Most of the time, application intake is a one-person operation.

 **Grand Traverse Band of Ottawa and Chippewa Indians, Michigan**—**FY 2011 funding: $89,302; households served: NA**

Tribal IDs are the primary source of identification for LIHEAP application. SSNs and/or state-issued photo identification are required for household members who aren’t tribal members. Tribal offices double-check enrollment by email if there is a question about tribal identification.

The tribe doesn’t cross check SSNs against outside databases. It is developing a public services database that will contain nonmedical information – address, SSNs, driver’s licenses, etc. – to help prevent fraud and track household members who move frequently.

Income is verified through pay stubs and SS or unemployment documentation. The tribe is considering changing the way income is calculated because some officials feel that the current method of averaging pay is inaccurate.

The information for application is gathered at satellite offices and sent to the tribal LIHEAP office to process. Payments are made to a few vendors and the client is notified that a payment has been made. Electric bills are checked against the previous month’s bill to ensure that there was no duplication. The vendors are required to file W-9 forms.

Propane companies or the client submit a receipt from a delivery showing actual gallons delivered and tank percentages of being full before and after the delivery.

Applications have a statement that says fraud makes the client ineligible for benefits and may be cause for prosecution. The tribal newspaper carries ads about fraud and the public sometimes reports suspected fraud. Alleged intentional misrepresentation or other fraud is referred to a tribal court prosecutor who decides if it merits prosecution. If the fraud amount is too small to prosecute, the tribe still tries to get the funds back.

 **MaChis, Alabama**—**FY 2011 funding: $12,687; households served: 100-200**

The tribe requires tribal identification for LIHEAP application and will start replacing current tribal identities with photo IDs. SSNs are required as a result of integrity assessments, but some members have been reluctant to comply. The LIHEAP coordinator questioned how effective it is to require SSNs and verify that someone isn’t an illegal alien.

The LIHEAP program has access to tribal enrollment rolls but does not have access to Alabama’s state database for social services, new hires, etc.

The tribe is looking into checking SSNs through the SSA database but doesn’t have enough administrative funds to justify the cost.

The tribal LIHEAP sends a checklist of needed information and eligibility requirements to all tribal members each year. Program requirements and fraud information are discussed at tribal meetings.

The tribe checks applications with the state corrections department but has no way of doing the same with county jails.

Pay stubs are collected for income verification and forms are sent to employers for verification but many don’t reply.

Sometimes it is hard to verify who is living in a household because of tribal tradition of passing along “granny’s house.” One generation will move in and pay the taxes after the previous generation has passed away.

Utility companies are regulated and submit vendor agreements; almost all electric clients use the same
co-op.

 **Navajo, Arizona: FY 2011 funding, $1,884,060; households served, 10,000**

The Navajo reservation is the largest geographically, covering 29,000 square miles. The tribe has two main offices, one in Window Rock and one in Tuba city, and five regional offices. The regional offices administer the accounts from their own regions. All social service benefits go through the tribal finance office where documents and records are maintained. An audit found the tribe didn’t have adequate procedures in place to effectively review expenditures

Clients are required to show a certificate of Navajo Indian blood and original SS card for each household member and an original birth certificate for newborns. The Navajo do not check SSNs against any third-party databases. The tribe has worked with the SSA to try to develop a way to use SSA databases but cost and staff are barriers.

Original copies of income documents are required at the time of the application. The tribe is considering developing a database to share income information. Clients also supply original utility billing statements with account numbers and vendor addresses.

Unregulated and regulated vendors are required to provide SSNs, sign a W-9 form and provide receipts to LIHEAP recipients. Because of the large size of the reservation, the tribe is unable to verify private wood and coal vendors who do small amounts of business, other than obtaining names and addresses.

The Navajo Nation has a confidentiality policy for all of its employees that requires written consent for sharing information. Confidential materials are under lock and key and are password protected.

The tribal public assistance department is working with its white-collar crime division to develop a system for the public to report fraud and to establish fraud training for social service workers.

Regional directors are required to do five test case verification evaluations each quarter. The tribe is working on a process that requires program managers to review an eligibility checklist.

LIHEAP officials don’t have the training or time to determine whether an incorrect client application constitutes fraud. If there is suspected fraud, tribal law enforcement is notified.

 **Northern California Indian Development Council (NCIDC)**—**FY 2011 funding: $720,825; Households served: NA**

Identity is based primarily on tribal enrollment. Proof of tribal identity varies among tribes and includes documentation such as a driver’s license or SSN. The tribe doesn’t check SSNs against a third-party database, citing costs and staff as barriers. The tribe is concerned about legal issues concerning use of the SSA database.

Income eligibility is based on client documentation. Most employment on the reservation is with the tribes or tribal businesses. Databases such as the state directory of new hires would not be an effective way to verify income since tribal jobs aren’t reported to the state employment data system.

NCIDC maintains a database of information gathered from applications for other services, such as TANF, SNAP, SSI or Veteran or Survivor pensions. Those who qualify for the other services are eligible for LIHEAP. Using the applicant’s name and address, the database checks for duplicate benefits.

Benefit duplication is the most common problem and happens three or four times a year. Most often, it is unintentional fraud where the applicants don’t understand the rules.

Tribal coordinators choose unregulated vendors and local vendors. Vendors must supply SSNs or tribal employer ID numbers. Signatures from vendors and clients are required for non-regulation vendor payments such as wood.

Vendors are sent letters on behalf of clients with the client’s energy account number and the one-time LIHEAP benefit amount. The vendor is paid once the client receives a delivery or account credit. In a crisis, the client must provide verification of the shutoff or a notice of required prepayment from the utility and the vendor receives the payment.

Clients that reside in mobile home parks where utilities are often included in rental agreements provide an itemized list that details the portion that goes to utility payments.

Tribal coordinators are trained to watch for anything fraudulent and to report to the council. In FY 2011, NCIDC provided fraud-reporting materials to the tribes and required them to post the information in public places.

Applications require that applicants acknowledge that giving false information could result in prosecution and denial of any public assistance. NCIDC and the tribes do not keep track of what kind of problems most often occur.

 **Nez Perce, Idaho**—**FY 2011 funding: $189,791; households served: 364**

Tribal IDs, including photos, and SSNs are required. The LIHEAP office doesn’t have access to state computer systems for ID and SSN verification. The tribe is the major employer and identification and income can be verified through them.

Tribal and state LIHEAP offices have good relationships and check with each other if something suspicious occurs. The tribe also has good relations with the power companies that call if an account gets more than one payment.

There is no set policy for reporting suspected fraud to law enforcement; it is handled on a case-by-case basis. It takes $10,000 before the federal government will get involved in a fraud case.

Clients are requested to pay back overpayments or benefits may be withheld.

LIHEAP workers know their small community and cases of fraud haven’t been numerous enough for the tribe to formally track.

Training and a track for tribes at the annual conference would be helpful.

 **Penobscot, Maine**—**FY 2011 funding: $452,301; households served: 200**

The tribe requires SSNs, tribal identification and income verification from employers for the prior 12 months. The tribe requires leases from landowners to verify who is living in their properties.

The tribe doesn’t verify SSNs through the SSA since a change in SSA policy a few years ago would make it too expensive.

When the applicant claims unemployment benefits, the tribe checks with the state unemployment office for confirmation. If the client claims no income, the tribe checks with the state general assistance office and requires a client statement about why there was no income. They also check with TANF and other programs if there appears to be a problem. State workers process these requests.

Intake workers have a check and balances system−one person does intake, another informally checks employment, another checks all documents and the business manager reviews applications before benefits are sent.

If someone deliberately gets benefits they aren’t entitled to, they are required to pay the benefits back and may no longer be eligible for any benefits. That policy is stated on applications.

Vendors sign agreements and are long-standing businesses. Payments are sent to the vendors and applied to the clients’ accounts. The vendors are aware of the program’s expectations and keep in contact concerning any red flags that arise with accounts.

 **Quileute, Washington**—**FY 2011 funding: $62,557; households served: 130**

The tribe started requiring SSNs in FY 2011 in response to the LIHEAP integrity assessment; primary identification is the tribal photo ID.

The tribal LIHEAP staff, who also administers other benefit programs, know the small client base.

Household membership is hard to track – sometimes children move from house to house − and extra income from fishing is almost always paid in cash.

Beginning in FY 2011, the tribe got “viewing” access to the state ACES database that has client information for Medicaid, SNAP, and TANF, as well as links to letters sent to clients, appointments, benefit levels, etc. There was no up-front cost other than training time for staff.

The tribe also has a tribal-benefit database that contains much of the same information. The LIHEAP staff said they plan to use the state ACES system not as a standard verification step but when questions arise.

There is a possibility they will also have access to the state child support system, but that’s still in negotiation between the state and the tribe.

Most vendors are propane vendors, who sign agreements.

The tribe doesn’t have resources to investigate suspected fraud. Most LIHEAP clients also receive some state benefits. They let the state know if there are problems and let them handle any enforcement.

Applications state that false information can lead to the loss of state and federal benefits.

 **Seneca, New York**—**FY 2011 funding, $170,236; households served, 616**

The tribe requests a tribal ID and requires another form of ID including SS cards, birth certificate, marriage certificates, court orders, school records and tribal enrollment certification records.

In 2011, the tribe started requiring SS cards or verification letters from all household members. Applicants who don’t provide a SSN are told that it will be a requirement the next time they apply for assistance, as a way of easing into the requirement. The LIHEAP office will print SS applications and help clients obtain SS cards if they don’t have them.

The tribe crosschecks manually with tribal enrollment and other tribal aid programs to verify identification and employment. They don’t use other agencies’ databases to check SSNs and question the legality of doing so for clients who haven’t signed a release of information with the SSA.

The tribe employs many people on the reservation and the payroll department can verify their employment and income levels. The tribe also has relationships with the New York Department of Labor for checking unemployment benefits, local offices of SSA and the State Department of Social Services to check income if there is a question. If the client isn’t listed with these agencies, his or her employer is contacted directly to verify income.

All vendors are required to complete a vendor agreement. Nearly all clients are customers of three regulated energy utilities. Benefit payments go directly to the vendor and clients are notified of the amount applied to their accounts.

The relationship the tribe has developed with the utility companies is one of the most effective means for preventing fraud or accidental payment. The utilities are well aware of the LIHEAP benefits clients can get and notify the tribe of duplicate benefits.

The state government has annual training for tribal LIHEAP workers and vendors.