



**NOW LEGAL DEFENSE
AND EDUCATION FUND**

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TANF Reauthorization:
Side by Side

FUNDING			
Current Law	Mink Bill (HR 3113)	Cardin Bill (HR 3625)	Administration's Plan
<p>The basic federal block grant is authorized at \$16.5 billion per year. It contains a TANF Supplemental Grant and a TANF Contingency Fund.</p>	<p>Maintains current block grant amounts but also provides for uncapped federal matching for any state spending in excess or required maintenance of effort levels. Does not address CCDGB Reauthorizes the TANF Supplemental Grant at current levels. Reauthorizes and improves the Fund by lifting the \$2 billion cap.</p>	<p>Adjusts for inflation in future years (increasing annual block grant to \$18.7 by 2007) and increases CCDBG by 11.25B over 5 years. Reauthorizes the TANF Supplemental Grant at current levels Reauthorizes and improves the Contingency Fund by lifting the \$2 billion cap.</p>	<p>Level Funds TANF - does not adjust for inflation. Level Funds CCDGB Reauthorizes the TANF Supplemental Grant at current levels Reauthorizes the Contingency Fund without lifting the cap.</p>
Time Limits			
<p>5 year federal time limit. States may set shorter limits. States may exempt 20% of caseload.</p>	<p>5 year limit maintained but clock stops for compliance. States may not set shorter limit.</p>	<p>5 year limit but clock does not run in any month a family has earnings above a state specified level.</p>	<p>Maintains current law.</p>

Work Participation Rates			
Current Law	Mink Bill (HR 3113)	Cardin Bill (HR 3625)	Administration's Plan
Single Parents Families 50% Two Parent Families 90% But rates reduced based on the percentage reduction in the cash assistance caseload.	Retains current rates	Modifies so that participation rates for single and two-parent families is 50% Replaces Caseload Reduction Credit with an Employment Credit	Modifies so that participation rates for single and two-parent families is 70% Strikes Caseload Reduction Credit but does not offer an alternative credit to reward states for employing individuals
WORK HOURS Single Parents must work 30 hours (20 hours for single parents with children under age 6); Two-Parent families must work 35 hours. Allows states to exempt parents with children under 12 months from work requirements.	Retains current work requirements	Retains current work requirements	Increases work requirements to require all individuals to work 40 hours (24 hours direct work activities/16 hours participation requirements). Removes reduced work requirements for parents with children under age 6. Continues to allow states to exempt parents with children under 12 months from direct work requirements, but requires those parents to engage in 16 hours of participation requirements

EDUCATION AND TRAINING			
Current Law	Mink Bill (HR 3113)	Cardin Bill (HR 3625)	Administration's Plan
Caps number of people in high school or vocation education whom a state can count as engaged in a work activity at 30% of all those engaged in a work activity	Removes 30% cap	Removes 30% cap	30% cap remains
Limits Time vocational education counts to 12 months	Removes 12 month time limit	Replaces with a 24 month limit	12 month time limit remains

<p>Higher Education not included as a work activity and thus states who have allowed individuals to engage in higher education have done so by creating own state system</p>	<p>Explicitly allows all kinds of education (GED, ESL, Post-secondary education) to count as a work activity</p>	<p>Allows ESL to count towards federal work participation requirements for 10 of the 30 hours required (as education directly related to employment does now)</p>	<p>Increases work requirement from 30 hrs/wk to 40 hrs/wk: 24 hrs/wk in “work”.</p> <p>Allows work related training to count towards the 24 hrs for a max. of 3 months - apparently would allow ed. or training to count towards 16 hrs - but very unlikely in practice given that this plan would necessitate a major shift in resources away from those activities.</p> <p>Creates an opportunity for states to seek waivers for integrating funding and program rules -- including for education.</p> <p>Does not stop the clock</p>
<p>Time Clock does not stop for education activities</p>	<p>Stops the clock for compliance with rules - and thus for time engaged in education/training</p>	<p>Does not stop the clock for education/training (labor market participation only)</p>	

CHILD CARE AND CAREGIVING			
Current Law	Mink Bill (HR 3113)	Cardin Bill (HR 3625)	Administration's Plan
<p>Protections. Provides protection against sanction for single parents who cannot comply with work requirement due to a lack of childcare for child under age 6.</p>	<p>Emphasizes parent's choice about quality care for child</p> <p>Retains protection up to age 6 and adds protections for:</p> <ul style="list-style-type: none"> ● lack of care for a child with disability/ significant health problem ● lack of after-school/ summer care for child over age 6 	<p>Extends protection for individuals who cannot comply with work requirements due to lack of childcare to children up to age 13.</p>	<p>Appears to retain current level of protection for single custodial parents who have a child under age 6 but who cannot obtain child care.</p>

	Ensures notice of rights before sanction		
<u>Child Care Availability</u>	Does not address CCDGB (focused on TANF program only) Adds a child care guarantee for TANF recipients and for welfare leavers	Increases CCDGB grant by 11.25 billion over 5 yrs.	Maintains CCDGB funding at current levels
<u>Caregiving</u> provides states the option to exempt single parents with a child under age 1 from work requirements	Counts caregiving by parent for a child under age 6 or disabled as a work activity (which would in turn stop the clock).	Maintains current law	Claims to retain states' right to choose to exempt parent with child under age 1 from work requirements, but now would require some participation for this group.

PROTECTIONS FOR THOSE WITH WORK BARRIERS

<u>Current Law</u>	<u>Family Violence Option (FVO)</u> State discretion to implement the Family Violence Option (FVO) to: screen for domestic or sexual violence, provide referral to services, waive program requirements that were unfair or unsafe. Promised confidentiality		
<u>Mink Bill (HR 3113)</u>	Requires all states to address Barriers (including domestic and sexual violence) as explained below (in essence, expand FVO to all states and improves)	<u>Cardin Bill (HR 3625)</u> Maintains current FVO	<u>Administration's Plan</u> Maintains current FVO

<p>Other Barriers No screening or provision of services requirement</p>	<p>Requires • trained caseworkers to screen for barriers</p> <ul style="list-style-type: none"> • Qualified professionals assess individuals and refer for appropriate services • Collaborate to provide comprehensive services • Ensure confidentiality • Waive requirements which unfairly penalize the individual or make the individual unsafe 	<p>Requires screening but does not require provision of services</p>	<p>Does not require screening or provision of services</p>
<p>Sanction Protections were not built into law</p>	<p>Provides notice of rights and pre-sanction conciliation process</p>	<p>Requires reconciliation process pre-sanction that considers what affect the barrier may have had on non-compliance</p>	<p>Provides no sanction protections</p>
<p>Does not Count as Work - current law does not address barriers or count any services as work, does allow states to exempt up to 20% of its caseload from time limits based on “hardship”</p>	<p>Counts services to address barriers as work activity, stops the clock</p>	<p>Counts services to address barriers as work activity for <u>up to 6 months</u>, does not stop clock</p>	<p>Counts participation in substance abuse treatment, rehab services to work and work-related training as work requirement - for up to <u>3 consecutive months</u> within any 24-month period. Does not stop the clock</p>

REPRODUCTIVE RIGHTS AND FAMILY PRIVACY

Current Law	Mink Bill (HR 3113)	Cardin Bill (HR 3625)	Administration’s Plan
<p>Purposes 3 of 4 purposes focus on the problem of births outside of marriage:</p> <ul style="list-style-type: none"> • To end dependence of needy parents on government benefits by promoting job preparation, work, and marriage. • To prevent and reduce the 	<p>Replaces current purposes with a poverty reduction focus and removes family formation policies from law</p>	<p>Retains current purposes and most of family formation policies in current law</p>	<p>Amends current purpose: “to encourage the formation and maintenance of healthy two parent married families and responsible fatherhood” and includes “improving child well-being”</p> <p>Retains all of family formation except Illegitimacy Bonus, and adds additional</p>

<p>incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies.</p> <ul style="list-style-type: none"> ● To encourage the formation and maintenance of two-parent families. 			<p>programs (see below)</p>
<p>Illegitimacy Bonus offers states a financial incentive to reduce out-of-wedlock childbearing by all women in the state regardless of age or income level through an annual \$100 million “illegitimacy bonus” to reward the five states that achieve the greatest reduction in out-of-wedlock births without increasing the number of abortions.</p>	<p>Eliminates Illegitimacy Bonus</p> <p>Replaces it with Poverty Reduction Bonus</p>	<p>Eliminates Illegitimacy Bonus</p> <p>Replaces it with a fund to promote best practices with respect to: promoting the formation for 2-parent families, reducing teenage pregnancy, increasing the ability of non-custodial parents to support and be involved with their children.</p> <p>Does not explicitly include marriage promotion.</p> <p>Does not reauthorize Abstinence-only funding</p>	<p>Eliminates Illegitimacy Bonus</p> <p>Replaces with a \$100 M per year fund to conduct research and demonstration projects, and provide TA primarily focusing on family formation and healthy marriage activities</p>
<p>Abstinence-only programs funded \$250 million over 5 years (w/ state match)</p>	<p>Does not reauthorize Abstinence-only funding</p>		<p>Reauthorizes abstinence only money at \$50 million per year</p>

<p>High Performance Bonus States compete for a portion of a \$200 million annual bonus designed to reward states for achieving the goals of welfare reform. Starting in 2002, a \$10 million “family formation” measure will reward the ten states with the largest percentage point increase in the number of children who reside in married, two-parent families</p>	<p>Does not modify with respect to family formation</p>	<p>Does not modify with respect to family formation</p>	<p>Eliminates High Performance Bonus. Redirects half of the funds to create a competitive \$100 M grant program to a limited number of states to develop innovative approaches to promoting healthy marriages and reducing out-of-wedlock births. (1:1 State Match. Ok for states to use Fed TANF \$ for state match)</p>
<p>Marital Status the current law contains purposes and policies designed to modify women’s private child bearing and marriage choices Federal Law permits stricter eligibility requirements for two-parent families</p>	<p>Adds non-discrimination based on marital status - which would prohibit discrimination based on single parents, cohabitating parents, and married parents</p>	<p>Eliminates separate work participation rates for 2 parent families, conforms to the single parent requirement (50%) Prohibits states from imposing stricter eligibility criteria for two-parent families, unless they pass legislation to opt out</p>	<p>Eliminates Separate 2-parent family Participation Rates, makes a new 70% participation rate for all families Requires states to describe marriage promotion efforts in state plan including (1) explicit descriptions of their family formation and healthy marriage efforts; (2) numerical performance goals; (3) annual reporting of state achievement and description of efforts to provide equitable treatment of two-parent <u>married</u> families</p>
<p>Family Cap Federal law permits family cap. 23 states deny assistance to children born to a woman on welfare</p>	<p>Prohibits Family Cap</p>	<p>Does not prohibit Family Cap.</p>	<p>Does not prohibit Family Cap</p>

<p>Child Support An individual must cooperate in establishing paternity for her child, in obtaining and enforcing a child support order and in agreeing to turn over to the state, all child support owed to her</p> <p>Barring a good cause exception to the rule, refusal to cooperate must result in either a reduction in benefits or total denial of any assistance. States are no longer required to pass through any portion of that child support to the child.</p> <p>Most states keep the money as a way to finance their welfare system</p>	<p>Eliminates requirement that TANF recipients establish paternity and cooperate with child support enforcement or face serious sanctions.</p> <p>Reforms child support enforcement to:</p> <ul style="list-style-type: none"> •Ensure appropriate levels of obligation for non-custodial parents •Ensure that families on welfare receive a substantial amount of the money paid by non-custodial parents •Disregard child support payments passed through to the family receiving benefits •Ensure that families that have transitioned off welfare receive all child support they are owed before the state reimburses itself for past assistance 	<p>Retains paternity establishment and child support cooperation requirements</p> <p>Reforms child support enforcement:</p> <ul style="list-style-type: none"> •Modifies assignment of child support to cover just that amount of support which would accrue during the period the family is on assistance -- and which is not to exceed the amount paid out to the family in assistance. •Federal support if a state chooses to pass child support through to a family who <i>has been on TANF for less than 5 years</i> •States must pay families <u>formerly on welfare</u> amounts collected to cover current and past due support, federal support given if state chooses to pass through the entire amount •Ban on recovery of Medicaid Costs for Certain Births State option to discontinue assignments in effect upon the passage of PRWORA. •Passed through amount can be counted as a qualified state expenditure 	<p>Retains paternity establishment requirements but reforms current system to:</p> <ul style="list-style-type: none"> •Federal matching for states to provide the greater of \$100 /mo or \$50 more than current pass thru - if pass thru and disregard •Give states option to give welfare leavers full amount of child support collected on their behalf (federal cost sharing). •Require regular review and adjustment of child support orders for families on TANF (every 3 yrs). •Collect \$25 annual user fee from families that have never received welfare when collections are successful. •Lower threshold for passport denial to \$2,500 in past due support from \$5,000. •Withhold limited social security benefits
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IMMIGRANTS

<u>5-year ban</u> imposed on access to TANF for legal immigrants entering after 1996	Removes 5-year ban, puts legal immigrants on the same footing as US citizens	Removes 5-year ban, puts legal immigrants on the same footing as US citizens	Does not restore or extend protections to legal immigrants
<u>Deeming</u>	No deeming	Removes ban on SSI Requires a sponsor's income be deemed available to the non-citizen for first 3 years in US. (5 years for SSI)	

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