



July 24, 2015

The Honorable Charles Boustany, Chairman
The Honorable Lloyd Doggett
Subcommittee on Human Resources
U.S. House of Representatives
Washington DC 20515

Re: Comments on the TANF Reauthorization Draft

The Child Welfare League of America (CWLA) appreciates the opportunity to send our recommendations on the draft Temporary Assistance for Needy Families (TANF) reauthorization.

As a child welfare organization we recognize the role that the TANF block grant plays in funding child welfare services in most of the states and jurisdictions. We know that surveys over the past fifteen years have consistently shown that states have drawn approximately 20 percent of their total federal child welfare funds from the TANF block grant.

While the link between child welfare and welfare assistance is clear in financial terms we also recognize that the TANF block grant is vital in another significant way that is sometimes overlooked. TANF is significant in its role to assist some of the most vulnerable families in our country, especially those families in poverty and deep poverty. This is important if we are to make continued progress in reducing child maltreatment and in increasing permanency for the more than 600,000 children who experience out of home placements during the year.

As recently highlighted in a 2014 *Child Welfare Journal* article, ***Child Maltreatment Entrenched by Poverty; How Financial Need is Linked to Poorer Outcomes in Family Preservation:***

“Departments of Social Services and localities that may not be adequately supporting families in reducing the risk of maltreatment may be able to better serve those families most at risk by implementing more structurally-focused policy and services that alleviate poverty, addressing those families’ material and economic need.”

CWLA sees the TANF block grant as vital to addressing child welfare issues beyond the use of TANF as a source of federal funds for child welfare services but also as a critical tool to provide basic cash assistance and related supports including child care and work supports.

CWLA supports a strong safety net for our most vulnerable families and their children. This TANF reauthorization offers Congress the ability to reassert the TANF block grant as a key source of financial support and as a tool to help alleviate the impact of poverty. Although there are a number of actions we support in relationship to the reauthorization of TANF including the need to increase the TANF block grant above the current \$16.5 billion (because it has lost more than 30 percent of its value due to inflation) and the need to increase the mandatory child care fund (which would leverage matching state child care funds), for the most part we focus our remarks on provisions you have included in the draft legislation:

Individual Opportunity Plans

This section of the bill sets up a process for evaluation and goals for the individual adult receiving cash assistance. We suggest that as part of “C” under content of the assessment plan that directs states to describe state assistance and services to be provided to the adult, states also outline how the agency will coordinate with other agencies the family may be involved with including the child welfare and the child protection agencies.

In this same section of the draft bill under “E” where the obligations of the individual are outlined including specific benchmarks to be met by the adult that the state also outline a similar set of measurable benchmarks and service the state will meet as part of the individual plan. This is intended to address any potential support services that may have waiting lists or are not available.

Again under this same section of the draft bill under “H” and more generally in regard to the issue of substance use. We suggest that any state that requires drug testing as a part of the assessment or as part of overall eligibility determination, be required to provide any required or needed treatment services. Substance use can be a significant factor in child welfare cases but if needed treatment is not available we are failing to provide key services that will assist adults in obtaining and keeping a job or families staying together.

Elimination of Caseload Credit

We support elimination of the caseload credit because it has placed too much emphasis on reduction of cash assistance caseloads since 1996. The overall goal of TANF should include not just assisting adults to find permanent and productive work but it must also include the provision of needed assistance for vulnerable families. Incentives that reward decreasing caseloads in times of great need as was the case during the recession of 2008-09 should not be a goal but in such instances the main goal must be to assist and protect families. We recognize the interaction this caseload reduction credit has on state work targets but caseload reduction in and of itself is a false test of success for this human service program.

Improved Counting Hours/Work

We support improvements in how and what qualifies as work. We support allowing states to count as partial work credits for adults who may not be able to meet the full number of hours but who are working. We also support the broader definition of work that a state may be able to count.

As part of this we support the expanded way in which states can count vocation education as meeting the work requirements, the extension to 26 for adults seeking their GED or high school degrees and we suggest that a cap on how many adults are counted under the vocation education provisions be removed.

Penalty Provisions

We believe that any penalties assessed on states should be redirected into program improvement plans. If a state is failing to successfully move adults into work or failing to meet their targets, revenue from penalties assessed would be better utilized in working with that state in developing more effective strategies around assistance and work.

Purposes of the Act

CWLA supports the inclusion of poverty reduction as one of the purposes of the act as we did more than a decade ago. We feel this is an important step in helping to focus TANF on assistance for poor families.

CWLA also suggests that in addition to adding to the purposes that states being rewarded for increasing the number of poor families (or at least the number of families in deep poverty) receiving assistance. When AFDC was converted into the TANF block grant in 1996 over 65 percent of poor families were receiving cash assistance through AFDC. In recent years that percentage has shrunk to approximately 26 percent of poor families receiving cash assistance.

Individuals Convicted of a Drug Related Crime

In response to your request for comment we suggest that the current blanket prohibition on assistance to anyone with a past conviction of a drug related crime should be eliminated. In the ongoing bipartisan efforts to review past legislative mandates in the criminal justice system we feel this ban should also be viewed in the same light. If we are to offer assistance to people, adults and families in the greatest need we must recognize the need for second chances.

Open Issue of Minimum Spending on Child Care, Cash Assistance and Work

Activities

CWLA supports a minimum level of TANF funds for core services originally covered under TANF, i.e. cash assistance, child care and work support activity as it relates to eventual employment.

We do not know what that proper level of funding would be but could be based on earlier historic spending levels in a specific state along with a review of what percentage of poor families are receiving cash assistance. Clearly if a state is using very little or no funding

for cash assistance they are not provide a key part of the safety net for vulnerable families.

CWLA knows that TANF can be a key source of flexible funds for child welfare but child welfare agencies and more importantly families are not helped if a set of fragile families are pushed into the child welfare system because they were not able to access a crucial part of the human services safety net.

Elimination of Marriage Penalty

We support the elimination of the separate and often times too rigorous work requirements and standards for married families. The current work requirements have often failed to take into account the challenges that many of these families experience due to the areas of the country they live in or because of some of the personal challenges that these families may be living with.

Improving Opportunities Funds

We support these demonstration projects. We also propose that such case management coordination specifically include how case coordination will involve child welfares services (including child protection) substance abuse services and housing services if the adult and/or family are involved with those human service agencies. Eligibility and other restrictions such as child welfare directives on the termination of parental rights, eligibility requirements connected to eligibility for housing subsidies and other program requirements can sometime create cross purposes and goals between these services and agencies.

Grants to Improve Child Well-Being By Supporting Two Parent Married Families and Responsible Fatherhood

We urge the Committee to increase the amount available to tribal governments and consortia to at least \$5 million, more than doubling the total now permitted. Many of these governments and consortia are of very limited financial resources and \$2 million for an important initiative such as for prevention of child abuse and neglect, the provision of supportive services to children in out-of-home care and improved case management are too important to be underfunded.

Under the section that promotes responsible fatherhood we urge the committee to also allow the funding of activities that promote fatherhood involvement in child welfare cases. Some initial work has been conducted in this area and we need to extend the outreach to fathers and the father's family when a child is in state custody and such involvement is appropriate.

Additional Concerns:

In regard to data collection we suggest that states, through TANF in coordination with the child welfare agency collect data on the number of children in child only families that are in state custody while receiving child-only grants. In addition the state should indicate if these children are also counted as part of their AFCARS data as in the out-of-home care category.

We also propose that under the TANF program, if a state also has a Title IV-E subsidized guardianship program that families be informed of their options including the options available under Title IV-E, the supports available and the benefit levels provided under TANF compared to Title IV-E. Information is required under Title IV-E but not under the TANF program.

We also propose that the law assure that work and other requirements do not apply to kinship placements and that states specify in state TANF plans the treatment of kinship caregivers, including: kinship caregiving definitions (relative, fictive kin, and caregiver); detailing the caseworker training related to kinship caregivers; and how relative caregivers' benefits are affected by the temporary presence of the biological parent.

We appreciate this opportunity to offer these comments to the subcommittee and look forward to working with Subcommittee members. If you need additional information feel free to contact John Sciamanna at jsciamanna@cwla.org.

Sincerely,

A handwritten signature in cursive script that reads "Christine James Brown".

Chris James-Brown
President and CEO