

THE 2010 REAUTHORIZATION OF WELFARE REFORM COULD RESULT IN IMPORTANT CHANGES

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The welfare reform law of 1996 is widely regarded as one of the most important pieces of social legislation since the enactment of Medicare and Medicaid in the mid-1960s. Although the 1996 law is known primarily for its radical reforms designed to help, cajole, or force welfare mothers to seek self sufficiency through work, there were important changes in several other means-tested programs as well.¹ These included reorganization and expansion of child care programs, termination of Supplemental Security Income (SSI) benefits for drug addicts and alcoholics, tightening of the definition of disability for children on SSI, sweeping reforms in the child support enforcement program, major restrictions on means-tested benefits for noncitizens, creation of an abstinence education program, and others. Most of these provisions of law are scheduled to be reauthorized by Congress in 2010. My purpose here is to discuss, based primarily on interviews with officials, advocates, and scholars who are well acquainted with the politics of welfare reform, what actions Congress seems likely to take during reauthorization. This reauthorization is of great importance because it will be the first reauthorization conducted when Democrats, many of whom were strongly opposed to the 1996 reforms,² have control of Congress and the presidency since the reforms were enacted. Thus, many senior Democrats might be expected to try to refashion the welfare reform law they strongly rejected in 1996. Any major provision of the 1996 law that survives the 2010 reauthorization seems likely to continue indefinitely.

Republicans intended to use the 1996 law to require as many people as possible to leave welfare programs in search of self sufficiency. Thus, Republicans believed that too

many welfare mothers were not doing enough to join the labor force and avoid welfare; that noncitizens who came to America for opportunity should not be allowed to receive welfare until they become citizens except under emergency circumstances; that no able-bodied adults who became addicted to drugs or alcohol should receive public cash benefits specifically because of their addiction; and that too many children were qualifying for SSI with mental conditions that involved little more than acting out in school or having a learning disability. Democrats were opposed to many of the provisions Republicans enacted to achieve their vision of self sufficiency, but once President Bill Clinton agreed to sign the bill in July 1996 there was little they could do to stop the Republican-Clinton train. After Clinton announced he would sign the bill, half the Democrats in the House and Senate voted for the bill and Clinton signed it into law on August 22, 1996. Now, political conditions are reversed. Democrats control the House, Senate, and Presidency and might want to repeal – or at least modify – some of the reforms.

It is impossible to know what will happen during reauthorization, but for politicians, advocates, reporters, and scholars interested in the fate of the 1996 reforms, getting an understanding of the reforms that seem the most likely to be repealed or modified before the reauthorization debate begins will provide the basis for both intellectual and lobbying action for or against the possible changes. Arguably the best way to find out which provisions might be vulnerable is to ask congressional and state staffers, administration officials, advocates, and scholars who are steeped in welfare law, the ebb and flow of congressional and administration activity, and research on welfare what they think might happen during reauthorization.

Interview Methods

I interviewed twenty such welfare experts between September 23 and October 23, 2009. About half of the experts I interviewed were Democrats and half Republicans, along with a few more or less middle-of-the-road types from congressional agencies. Interviewees included congressional staffers (including those in congressional agencies), administration officials, state officials, advocates, and scholars. At the beginning of the interview, I informed the experts that I was going to ask them whether they “strongly agree,” “somewhat agree,” “somewhat disagree,” or “strongly disagree,” with whether several selected major provisions of the 1996 law – plus a few new provisions that some Democrats might want to

insert into the law – would be an object of “serious reform attempts” during the reauthorization debate. If they weren’t sure or had no idea, they could respond “not sure.” I made it clear to the experts at the beginning of the interview that, with two exceptions, I was not interested in whether Congress would be successful in changing these provisions of law; rather, I wanted them to tell me the extent of their agreement (using the categories just named) that there would be a “serious attempt” to change the respective provisions. At this point in the interview, we had a brief discussion about what “serious attempt” meant.³ There is undoubtedly some lack of precision in the meaning of this term, but in the discussion I characterized the meaning of “serious attempt” with phrases such as “on the table,” “supported by important leaders or a determined group of members or outside advocates,” “the object of lobbying efforts,” or “mentioned frequently in the media.”

After clarifying the meaning of “serious attempt,” each expert was asked to predict whether the President and Democratic leadership in Congress would actually make a serious attempt to reauthorize the 1996 law in 2010 (Congress could avoid a full-blown reauthorization debate by simply extending current law for a year or more) and, if they did, whether they would be able to pass a bill. Following these two questions, I asked the experts to make their predictions for each potential change on my list of 18 possibilities. Following each response, interviewees were asked to comment on why they gave the response they gave.

The responses to each question were scored by assigning points to the answers: with 4 for a “strongly agree,” 3 for a “somewhat agree,” 2 for a “somewhat disagree,” 1 for a “strongly disagree,” and 0 for “not sure.” By averaging the scores across each question for all 20 interviewees (while dropping respondents who received zero scores for a given question from the denominator), I obtained a measure of the likelihood that there would be a serious attempt to modify each provision, with higher scores indicating a stronger likelihood of a serious attempt to change the provision. The average scores for all questions are presented in Table 1.

Table 1
Likelihood that Various Welfare Provisions Will be a Target for
Change during the Welfare Reform Reauthorization Debate

Issue or Provision	Score
<u>Will the Reauthorization Debate Occur in 2010?</u>	
Likelihood of Debate	3.00
Will Bill Pass?	2.25
<u>Provisions Other than TANF</u>	
SSI for Addicts	1.88
SSI for Children	2.11
Child Care	3.45
Welfare for Noncitizens	2.94
Child Support Enforcement	3.67
Marriage Education	3.44
Fatherhood Programs	3.78
EITC for Childless Workers	3.65
<u>Possible Changes to TANF Provisions</u>	
End of Cash Entitlement	2.00
Work Requirement	3.80
Education	4.00
Sanctions	2.35
Time Limit	2.00
Contingency Fund	3.89
<u>Potential New Provisions</u>	
Inflation Adjustment	3.10
Floundering Mothers	2.90

Note: Higher Scores indicate stronger agreement that the provision will be a target for change during the reauthorization debate. Maximum score is 4.00.

Will the Reauthorization Debate Occur in 2010?

Congress determined the last time it reauthorized the 1996 welfare reform law in 2005 that it had to be reauthorized again by 2010. But it is not unusual for Congress to delay reauthorization debates by use of a simple procedure called an extension. Under this procedure, the law is usually extended for one year – although it could be more or less than one year – and all the terms of the current law continue for another year. Crucially, all authorization levels and automatic appropriations are continued at their current level. In short, things can continue exactly as they are until Congress decides to undertake a general reauthorization debate. Less frequently, Congress can avoid a general reauthorization debate and pass an extension that includes a few additional provisions, usually bipartisan in nature, that amend the law being reauthorized. Perhaps the two most frequent reasons for delaying a reauthorization debate – a decision made by the majority party in both Houses of Congress –

is that the majority has a crowded schedule of other legislative action and that the majority expects political problems with a particular reauthorization that could complicate passage of other items on their agenda.

I asked the twenty experts whether they agreed that Democrats would initiate a general reauthorization debate next year. The average agreement score of 3.00 shows that there was some doubt whether Democrats would actually undertake the debate next year.⁴ I also asked the experts if they thought Democrats could pass a bill if they brought one to the floor. Again, a score of 2.25 indicates even more doubt about whether a bill could pass. Thus, the general opinion was that Democrats would likely bring a reauthorization bill to the floor and pass it, but our experts judged both possibilities to be far less than certain.

Provisions of the 1996 Welfare Reform Law that Might Be Changed

Both in the interview and in this report, the possible changes in current law were organized into three categories. These include provisions of the 1996 welfare reform bill other than those related to the Temporary Assistance for Needy Families (TANF) program, provisions of the TANF program itself, and new provisions that might be added to the TANF program.

Provisions Other than TANF

Abstinence Education. The abstinence education provision provides \$50 million per year to states to establish programs that aim to reduce teen pregnancy by promoting abstinence education. The provision includes a famous definition of abstinence education. Popularly known as the “A through H” definition, it amounts to as tight a definition of abstinence education as could be imagined.⁵ The statute and subsequent regulations written by the second Bush administration made it clear that the abstinence education money could not be used to provide family planning curriculum involving instruction in use of birth control methods.

In 1997, Republican leaders in the House included a provision in budget legislation that called for an evaluation of the abstinence education program. The evaluation, based on a longitudinal, random-assignment study of four programs conducted by Mathematica Policy Research, found that the programs did not reduce either sexual activity or teen pregnancy.⁶ Although advocates for abstinence education argued that other studies show that abstinence education can reduce both sexual activity and teen pregnancy rates,⁷ there seems to be

widespread agreement among scholars that abstinence education does not produce major impacts.⁸ This perception, combined with the hostility Democrats felt toward the abstinence education provision from the beginning and growing opposition from the states, rendered it quite likely that Democrats would substantially change the provision when they got the chance.⁹ To make matters worse for advocates of abstinence education, by 2008 about half the states were turning down the abstinence education money, often on the grounds that it was wrong not to inform adolescents about how to at least partially avoid sexually transmitted diseases and pregnancy by use of condoms if they did have sex. Provisions in the 2010 Obama administration budget and the health care reform legislation passed by the House in 2009 would end abstinence education. On the other hand, the Senate Finance Committee retained the \$50 million abstinence education program (on a vote of 12 to 11), although the program seems vulnerable on the Senate floor and in the House-Senate conference. Democrats are now poised to end the entire provision and to replace it with a program that provides states with funds to create and implement comprehensive programs that include both abstinence education and instruction in the value and proper use of various methods of family planning. I did not ask the experts about abstinence education because it appears likely (but not certain) that the issue will be settled by the end of 2009.

SSI for Drug Addicts and Alcoholics. Another target of the Republican drive to conform the nation's welfare policy to personal responsibility rather than dependency was the SSI provision that, prior to reform, provided a mandatory cash benefit and health insurance to anyone who could prove they were addicted to drugs or alcohol. Republicans simply repealed this provision, not just in SSI but also a similar provision in the Social Security Disability Insurance program. As a result, more than 100,000 adult addicts lost their benefits from the two programs combined and hundreds of thousands of others were prevented from joining the rolls in the future. Though the reform saved about \$1 billion over 5 years, many Democrats did not support it because, among other things, they believed that eliminating these recipients from cash benefits meant that some of them would fall into destitution and homelessness.¹⁰ Unfortunately, there has been little research since 1996 trying to establish what happened to the adults who were forced off the rolls, although one study showed that many of the former recipients were working and few were homeless.¹¹ This provision has not been amended since 1996, so 2010 will provide a major test of its sustainability.

Our group of experts saw little prospect that there would be any major changes in the provision. Of the 20 experts, only 2 “strongly agreed” that the provision would change, and both of them thought Democrats would restore the SSI benefit, at least to some addicts and alcoholics. The average score across all 20 respondents was 1.88, between “somewhat disagree” and “strongly disagree” that Democrats would try to change the provision. This represented the lowest score in the survey and nearly half of the respondents said they “strongly disagreed” that there would be a serious attempt to change the provision. Most of the experts held that restoring benefits for drug addicts in an election year was too politically risky and Democrats would be unlikely to try.

SSI for Children. The intent of the SSI provision on children in the original 1996 law was to create a more rigorous definition of disability and to require that all children on SSI be reevaluated under adult disability criteria when they reached age 18. Although many Democrats were fiercely opposed to these reforms in 1995 and 1996, once Republicans introduced their SSI provision in the Ways and Means Committee in early 1995, several subsequent Democratic bills contained a similar provision. In addition, the Clinton administration did not attack the provision and the President did not mention it when he signed the bill in August 1996 although he strongly criticized another provision with which he did disagree.

Interestingly, after the welfare reform legislation passed in 1996, political appointees and career officials in the Clinton Social Security Administration consulted closely with congressional Republicans as they wrote regulations to implement the new definition of childhood disability. SSI enrollment data show that, as intended by the legislation, the enrollment of SSI children did decline after 1996. A study by the Rand Corporation, based on statistical modeling, estimated that by 2005 the SSI child caseload would be reduced by 26 percent, or 310,000 cases, compared to its size without the 1996 reforms.¹²

The 2010 reauthorization will provide an opportunity for Democrats to alter or even repeal the 1996 SSI children’s reforms to which many of them so strongly objected. However, our experts did not think it very likely that Democrats would undertake a serious attempt to reform the provision. The average score was only 2.11, somewhat higher than the score for the SSI reform on drug addicts, but still very close to a “somewhat disagree” that the provision would be the object of a serious reform attempt.

Child care. One of the most surprising things Republicans did in the 1996 legislation was to end several child care programs and combine the funding into a single block grant – the Child Care and Development Block Grant created by legislation in 1990. This action was surprising both because Congress rarely ends programs and also because the programs involved in creating the block grant were under the jurisdiction of three committees in both the House and the Senate, thereby requiring cooperation across committees in Congress, another action that does not happen very often.¹³ The Republican plan was to have the funds saved by ending the programs flow into a single block grant with one set of rules. This action saved administrative hassle for the states and allowed them to operate a single child care program. Congress also put more money in the block grant than had been available in the constituent programs that were terminated to form the block grant. On several occasions after 1996, Congress added additional funds to the block grant. Although controversial at first, as the debate wore on in 1995 and 1996, the child care block grant came to be accepted and even supported by many Democrats.

Democrats and others have made two important criticisms of the block grant. The first is that it does not have enough money to serve all the low-income families eligible for benefits. The result is that many poor and low-income single mothers wind up paying for their child to be in child care while they work. Many low-income mothers who do not receive support from the block grant spend as much as 25 percent of their income on child care.¹⁴ Thus, the lack of cash for child care has a major impact on the net income of a substantial fraction of these low-income working mothers.

A second criticism of the block grant is that much of the child care subsidized by block grant funds is of average or even poor quality and cannot be expected to have a positive impact on the development of poor children.¹⁵ In negotiations between Democrats and Republicans in 1996, an agreement was reached that states could spend money from the block grant only in facilities that had at least basic health and safety standards. In addition, states must use 4 percent of their block grant funding to improve consumer education about child care or to improve the quality or availability of child care in their state. Some improvements in the quality regulations were made in the 2005 reauthorization of welfare reform, but much of the child care used by working mothers is still of poor to mediocre quality.¹⁶

Given these criticisms of the block grant, it would not be surprising if Democrats tried to increase its funding and require states to strengthen their quality standards. Indeed, in the American Recovery and Reinvestment Act (ARRA) passed in February 2009, Democrats increased funding for the block grant by \$2 billion, thereby demonstrating that increased funding for child care is very much on their agenda.¹⁷ Even if Democrats do increase funding in the block grant, and perhaps even somewhat increase the set aside for consumer education or quality standards, the basic structure of the unified block grant would likely remain intact, indicating that there is widespread acceptance of the principle of one major source of federal funding for child care and minimum federal regulation of quality standards.

Our experts clearly agreed with this prognosis. First, the average score predicting that Democrats might change some aspects of the child care block grant was one of the highest of the 17 questions asked in the interviews. Specifically, the average score was 3.45, approximately halfway between “somewhat agree” and “strongly agree.” In follow-up discussion, however, none of the 20 experts thought there would be any attempt to change the basic structure of the block grant. Rather, the change they expected was that Congress would add more money to the block grant. Several of the interviewees also thought that there might be an attempt to set aside more money to increase quality. More money, yes; more regulations, possibly; but structural reform, no.

Welfare for Noncitizens. In 1996 Republicans were determined to reduce the welfare benefits being paid to noncitizens because they believed immigrants should come to America for opportunity and not welfare. Once they became citizens, then and only then should they be eligible for welfare on the same basis as native-born citizens.¹⁸ Thus, Republicans created a series of provisions that had the effect of substantially limiting the number of noncitizens who could receive welfare benefits from TANF, food stamps, SSI, and Medicaid. Arguably, the two most important provisions of the new law were a 5-year ban on most welfare benefits that was imposed on new arrivals in the United States and a permanent ban on SSI for elderly noncitizens.¹⁹ The noncitizens provisions were so sweeping that the Congressional Research Service estimated that they would save nearly \$24 billion over seven years.²⁰

Upon signing the bill in August 1996, President Clinton singled out the provisions on noncitizens legally in the United States as especially objectionable. He pledged that he would work hard in 1997 to reform the provisions. With assistance from Republican Clay Shaw of

Florida, one of the prime authors of the 1996 reform law, Clinton was able to substantially reform the SSI provision so that hundreds of thousands of elderly noncitizens who would have lost their benefits maintained them. This was an important change in policy on welfare for noncitizens, but it had modest long-term impacts because the ban on SSI benefits was still in place for noncitizens (except refugees) entering the country after the bill passed. Put succinctly (and somewhat oversimplified), the policy after the Clinton/Shaw reform continued SSI for elderly noncitizens receiving benefits when the legislation passed or who were in the country when the bill passed and subsequently became disabled. However, because elderly noncitizens receiving SSI due to the Clinton/Shaw reform would eventually die, the bar on SSI would still be effective in the long run. In the years since 1997, several of the other original noncitizen provisions have also been modified by legislation. Food stamp benefits have been revised several times so that more and more noncitizens, especially children, are now eligible. In addition, most states have exercised their option under the 1996 law to continue providing Medicaid to noncitizens. Even so, various benefits for noncitizens are still more restrictive – especially SSI for the elderly – than they were before 1996.²¹

Given the level of opposition Democrats expressed toward the noncitizen cuts in 1996 and subsequently, it might be expected that they will use the 2010 reauthorization to try to restore at least some of the remaining noncitizens cuts. In addition to opposing the cuts on policy grounds, Democrats have a political reason for trying to restore them. In recent election cycles, especially in 2006 and 2008, Democrats have been able to take advantage of the hostility toward immigrants expressed by many Republicans. Democratic strategists believe the Democratic Party can continue to win a big majority of the Latino vote because of Republican rhetoric on immigration reform.²² Putting Republicans in a position where they will probably be tempted to defend welfare cuts for noncitizens could further alienate Latino voters from the Republican Party.

Not surprisingly, the experts I interviewed tended to think Democrats might try to restore more welfare benefits to noncitizens. The average score was 2.94, nearly equal to a “somewhat agree” vote. In comments after making their rating, no interviewee thought benefits would be further restricted and many thought Democrats would fully restore benefits if they could, but that money would pose a serious barrier. Further, given the volatility surrounding every aspect of immigration legislation, Democrats might risk alienating non-

Hispanic and native-born voters in an election year if they were seen as giving welfare to immigrants. Based on the interviews, it is clear that many informants believed Democrats are still opposed to the cuts in noncitizen benefits and would restore them if they could. Thus, the noncitizen provisions are among the most vulnerable of the major 1996 reforms and can be expected to be an important issue on the reauthorization agenda and beyond.

Child Support Enforcement. Perhaps the program that had the most extensive reforms in 1996 was Child Support Enforcement.²³ A surprising characteristic of the child support title of the 1996 bill, which was revised (and arguably improved) continuously throughout the nearly 2-year long debate, was that it was entirely bipartisan. Republicans worked with Democrats, and especially with members of the Clinton administration, to fashion a set of reforms that both parties could support and that would greatly strengthen the child support program. The final package of reforms was strongly supported by states, child advocates in Washington, scholars, both Republican and Democratic members of Congress, and the Clinton administration. Thus, the child support provisions had the widest and deepest support of any major provisions in the bill.

In the 2005 reauthorization, however, Republicans inserted a provision that was highly contentious. Given their goal of saving money to reduce the federal deficit, Republicans hit on the idea of requiring states to use state dollars to pay their share of child support program financing. To understand why this provision would impact state child support programs, a word is in order about how the child support program is financed. Leaving out many details, states have three streams of money to finance their program: 1) the federal government reimburses 66 percent of allowable state expenditures on child support activities; 2) states get to keep a share of the child support they collect from cases that are on cash welfare or were once on cash welfare (to repay taxpayers for their spending on welfare benefits), and 3) the federal government gives incentive payments based on the effectiveness and efficiency with which states conduct their child support program. Until the 2005 Republican financing reform, states could use proceeds from their federal incentive payments to pay for all or part of their required 34 percent share of allowable state administrative expenses. When states could no longer use their incentive payments to pay the 34 percent share, they were obliged to find another source of funding, usually state general revenues. But given their tight financial situation, many states could not afford to come up with the funds.

Thus, their only choice was to reduce the size of their child support program and thus their overall administrative expenditures. Indeed, this was the reason the Congressional Budget Office scored the provision as producing savings in the federal budget. If states have to cut administrative expenditures, the federal government would be paying 66 percent of a smaller number, thereby saving money. The problem according to most observers was that smaller programs presumably meant lower child support collections and lower payments to custodial mothers and their children. The Republican rationale for their policy on use of the state incentive payments was that states should not be able to use federal dollars to, in effect, match other federal dollars.

Democrats were strongly opposed to this provision and, in the ARRA, temporarily suspended the provision thereby allowing states once again to use incentive funds to help pay their share of state administrative expenses. Making this provision permanent is likely to be an issue taken up during the reauthorization debate.

It therefore comes as no surprise that many of our experts agreed that child support was very likely to be the target of amendments during the reauthorization debate. The most frequently mentioned likely change was making permanent the ARRA provision on use of incentive funds. The average score on the likelihood of change index was a robust 3.67, the fifth highest score of the 18 questions on the interview protocol. Of the 18 experts who answered this question, 13 mentioned making the incentive provision permanent or some other way of providing states with additional money. Other issues that were mentioned by two or more experts were provisions to strengthen the fatherhood grant program (see below), to expand the child support pass through to families, and various proposals to help poor fathers, especially by suspending arrearages (overdue child support payments) under some circumstances. It should be emphasized that none of the experts thought there would be any fundamental changes in child support, but that there would be intense debate about the financing provision and, as we will see below, several issues related to fatherhood programs.

Marriage Education. In the 1996 reforms, Republicans introduced new goals into the federal law for cash welfare. Under the former welfare program (Aid to Families with Dependent Children or AFDC) that TANF replaced, the major goal of cash welfare was to provide money to destitute parents (usually single mothers) so they could raise their children at home. Under TANF law, welfare funds were to be used to help destitute parents, but by

promoting marriage, reducing out-of-wedlock births, and promoting work. Although nearly every state subsequently mounted an aggressive program to implement the work goal and most states conducted programs to reduce teen pregnancy, few states created extensive programs to promote marriage. Thus, in the 2005 welfare reform reauthorization, the Bush administration insisted on a provision on marriage education.²⁴ Eventually, this provision resulted in a competitive grant program of \$100 million per year to conduct marriage education programs. About 120 local projects were funded, mostly conducted by nonprofit organizations, for the purpose of establishing marriage education programs and similar activities.²⁵ In his book *The Audacity of Hope*, President Obama has explicitly endorsed programs of this type.²⁶ Even so, many Democrats oppose the Bush approach to promoting marriage. There was strong opposition to the provision when Republicans first made it part of the reauthorization bill in 2002, and some of this opposition seems likely to remain today.

There was impressive agreement among our experts that Democrats would likely attempt to change the marriage provision. The average score was 3.44, about midway between “somewhat agree” and “strongly agree” that serious change was likely. Further, all the experts who talked about the type of change they expected said the language in the provision would be altered so that the money could be used for a broader array of programs and not just marriage education. Several experts thought the language would be changed from “marriage” to “relationships and marriage” as has already been done in an important fatherhood bill sponsored in the House by Danny Davis (D, IL; H.R. 3395). Two of the experts thought Democrats might repeal the provision entirely. In either case, it seems likely that the provision on marriage education grants will be one of the most contentious in the reauthorization debate.

Fatherhood Programs. The 2005 reauthorization law also included a new provision that provided \$50 million for competitive grants for community agencies to conduct fatherhood programs. The Administration for Children and Families subsequently awarded grants to more than 90 organizations to conduct activities strengthening fatherhood. These activities include counseling, mentoring, improving relationship skills, parenting, and achieving economic stability. These programs are being implemented in a context in which fatherhood seems to be receiving increased attention in Washington, not least because President Obama introduced fatherhood legislation with Senator Bayh when he was still in

the Senate and because as President he has placed a priority on helping single fathers maintain contact with their children and fulfill their responsibilities to financially support their children and the children's mother. In addition, Republicans have a history of providing strong support for fatherhood legislation, making this – at least potentially – a rare bipartisan issue.

For all these reasons, it seems likely that expanding fatherhood programs will be a lively part of reauthorization. Our experts agreed. The average score predicting that fatherhood would be an important target of attempts to change current law was 3.78, the fourth highest score on the interview. Experts named several possible provisions that might be included in a revised bill, but by far the most frequently mentioned were helping fathers deal with child support arrearages and helping fathers improve their financial position, especially by helping them train for and find jobs.

Anticipating that many experts would think that issues concerning fatherhood would be important during the reauthorization debate, I asked a second question about fatherhood. Several bills have been introduced in recent years that would expand the EITC for childless workers (many of whom are single fathers without custody of their children). A number of notable scholars have argued that perhaps the best way to help poor males stabilize their lives and increase their child support payments would be to increase their employment rates and boost their earnings.²⁷ Creating a sizeable EITC of perhaps a thousand dollars or more might lure many of these alienated males into the workforce and would certainly increase their income if they did work. So I asked the experts whether they thought Democrats might attempt to expand the EITC for childless workers.²⁸ The experts overwhelmingly thought that such an attempted expansion of fatherhood policy was likely. The average score was 3.65, the sixth highest score on the survey.

Possible Changes in TANF

The most widely known and controversial action of the 1996 law was the replacement of AFDC by TANF. Of the major differences between the two programs, four stand out. The most important is that AFDC provided a legally-binding entitlement to cash assistance to all qualified families that met the income and resources criterion. By contrast, TANF requires adults that meet the income requirements to comply with a work test requiring them to work or prepare for work. Indeed, states can and many do require adults to search for a job even

before they can actually receive TANF cash benefits. In any case, the TANF law explicitly states that it does not provide an entitlement to benefits. A second major difference between AFDC and TANF is that the TANF work requirements are backed by sanctions in the form of reduced or even terminated cash benefits if adults do not comply. Similarly, there are federal financial penalties on states that do not meet the federal work requirement. Third, TANF benefits are time limited – individuals, with some exceptions, are allowed to receive federally-funded cash benefits for a maximum of five years. Fourth, states are given federal dollars in a block grant of fixed size as opposed to being given a fixed percentage (between 50 and roughly 80 percent, inversely proportional to state per capita income) of whatever the state paid out in welfare cash benefits as was the case under AFDC. No matter how high states set their benefit or how many families they had on the rolls under AFDC, they would receive their fixed percentage of welfare payments from the federal government to every individual enrolled in welfare. Under the block grant, however, states are given a fixed amount of money, which provides them with a financial incentive to reduce the size of their rolls because all the money saved thereby is theirs.

I asked the experts whether they believed there would be serious attempts to change these important TANF provisions.

Entitlement. The 1996 reforms explicitly rejected the entitlement approach, instead giving states great flexibility to impose various work-related requirements on applicants and recipients. Even so, states still provide the cash benefit to everyone who meets their program requirements. The major change since 1996 is that states impose more requirements related to personal responsibility than under the AFDC program.

Regardless of the legal interpretation of the entitlement concept, many Democrats and Republicans regarded the end of entitlement as the most important reform of the TANF program. If the 2010 reauthorization debate were to reinstate the entitlement, and if all families that met the income and resource requirements became entitled to the benefit, states could lose the flexibility to impose tough work requirements on recipients. Surprisingly, the twenty experts I interviewed thought that entitlement would not be much of an issue in the reauthorization debate. All but five of the twenty “strongly disagreed” or “somewhat disagreed” that entitlement would be an important issue. The average score of 2.00 was tied for the second lowest score in the survey. Participants offered a variety of reasons for their

vote, but the two most frequent were that restoring the entitlement would cause Democrats to be subject to the charge of overthrowing the 1996 reforms and that Democrats could achieve the same end by making the work requirements less difficult to meet.

Work Requirements and Education. The work requirement, which was strengthened in the 2005 reauthorization legislation, has been controversial since the introduction of the first Republican bill in 1995. Most states (but not all) think the work requirement is too difficult to meet and that the definition of work is too restrictive, especially in allowing only a modest amount of education to count toward fulfilling the requirement. Our experts strongly agreed that Democrats would try to change both the work requirement and the restrictions on education counting toward fulfilling the work requirement. The average score on the likelihood that there would be serious attempts to change the work requirement was 3.80, nearly a “strongly agree” and the third highest score among the 18 questions. But the highest score of all was for the likelihood that Democrats would try to allow more education to count as work. All 20 experts “strongly agreed” (average score = 4.00, the highest score possible) that there would be serious attempts to allow more education to count toward work. In comments after the work requirement questions, nearly every expert said that Democrats would be loosening the work requirement so that it would be easier for the states to meet. A number of suggestions were made about how this could be achieved by, for example, permitting more education, counting hours differently, allowing other activities such as receiving counseling to count as work, permitting more weeks of job search, and even reducing the number of hours required to meet the standard. The work requirement in general, and education in particular, seem destined to be a big issue in the debate.

Sanctions and Time Limits. Two of the other most controversial provisions of the work requirement, sanctions and the time limit, did not achieve anything approaching the scores of the overall work requirement and the education questions. More specifically, the average sanction score was 2.35 (a little closer to “somewhat disagree” than “somewhat agree”) and the average time limit score was only 2.00 (equivalent to “somewhat disagree”), tied for the lowest score in the entire survey. These scores indicate that the experts had doubts about whether Democrats would make a serious attempt to change either the sanction or the time limit policies. In comments after rating the likelihood of action on sanctions, a number of experts pointed out that Democrats probably would not need to revise the sanction

provision because they would reduce the need for sanctions by making the work requirement easier to meet. As for the 5-year time limit, very few TANF recipients are actually reaching the time limit now, and, in any case, states can already have up to 20 percent of their caseload in excess of the time limit under the terms of the 1996 law.

Contingency Fund. A final TANF provision that seems nearly certain to be an issue is the contingency fund. During the original welfare reform debate of 1995-96, there was great concern that if states had fixed block grant funding, they could wind up in trouble during economic downturns when additional recipients usually come on the rolls. Not only might this cause states to run out of money from their federal block grant, but states themselves have declining revenues during recessions and a multitude of demands on those declining revenues – many of which have stronger political support than welfare (e.g., schools and transportation come to mind). In 1995-96, Democrats pointed out that a clear advantage of the AFDC entitlement was that states could always count on the federal matching payment of between 50 and roughly 80 percent of their expenditures on AFDC benefits. A number of Republicans agreed with this analysis and worked on a bipartisan basis to develop a program that would give additional grant funds to states that were experiencing high and increasing unemployment or increasing food stamp caseloads, both clear signs of a recession and resulting problems with family income. A \$2 billion contingency fund was eventually developed that would provide states with additional federal funds of up to 20 percent of their TANF block grant amount if they met either a rising unemployment or a rising food stamp trigger.²⁹

After the Great Recession began in December of 2007, many states qualified for money from the Contingency Fund for the first time. By 2009, the Congressional Budget Office was estimating that the Contingency Fund was beginning to run out of money. As a result, in the ARRA passed in February 2009, a new emergency fund was established that would provide states experiencing great economic difficulty with new TANF grant funds.

The new emergency provision in the ARRA shows that Democrats are concerned about making sure that destitute mothers qualify for benefits and that states have the funds to pay for the benefits. It is not a surprise, then, that our experts expected discussion and modification of the Contingency Fund to be a major item in the reauthorization debate. The score on the Contingency Fund was 3.89, the second highest score of all 18 questions on the

interview. Nearly all the experts stated that the major intent would be to make more emergency funds available to struggling states during recessions. Many of the experts thought that, in addition to making more emergency money available to states, Democrats were likely to reform the way the Contingency funds operates, perhaps along the lines of the provision in the ARRA.

Potential New Provisions

In addition to non-TANF and TANF provisions in the 1996 welfare reform law itself, it seems appropriate to consider whether there might be new provisions that could be a focus of debate during reauthorization. After all, a reauthorization debate is designed both to examine and perhaps reform provisions that are already in the law and to consider entirely new provisions. Having followed the debate in Washington for many years, and having talked on a periodic basis with federal officials, state officials, and staffers on Capitol Hill, I speculated that two new provisions seem especially likely to be proposed by Democrats.

Inflation Adjustment. The TANF block grant has fixed funding. Since 1996, the block grant has lost about 40 percent of its value to inflation. Due to the relentless nature of inflation, the block grant will continue to lose some of its value virtually every year in the future. To address this problem of declining value, it seems possible that Democrats might want to create some kind of inflation adjustment to the block grant. States seem likely to lobby vigorously for this provision. The experts I interviewed showed some agreement that such an adjustment might be a goal of the Democrat's reauthorization agenda. The average score was 3.1, slightly above a "somewhat agree." Many of the experts who thought the inflation adjustment was unlikely cited the lack of available money as the major reason.

Special Program for Floundering Mothers. Many scholars have written about the difficulties and serious disadvantages of poor mothers who seem unable to hold a job and even have difficulty meeting the work requirements necessary to remain eligible for TANF benefits.³⁰ A primary characteristic of these mothers is that they have neither earnings nor cash welfare, making the living conditions of the mothers and their children extremely precarious. A few states have tried to develop special programs to help such "floundering" or "disconnected" mothers.³¹ Given the jeopardy facing these mothers and their children, it seems reasonable to wonder whether Democrats might try to provide additional money to states to develop special programs for them. Again, however, as with the possibility of an

inflation adjustment to the TANF block grant, our experts were only lukewarm about the possibility of such a provision. The average score was 2.9, even lower than the score for the inflation adjustment. Again, several of the experts cited the money shortage as a barrier to action.

Discussion

The predictions analyzed here, coming as they do from policy insiders who have familiarity with both the 1996 reforms and the legislative process, may have some usefulness for those preparing for the reauthorizations debate. The predictions reveal a fair amount about what is likely to happen when the reauthorization debate begins. Recognizing that there is an envelope of uncertainty around conclusions from an analysis such as mine, let's draw some anyway.

The most basic issue is whether there will be a reauthorization debate in 2010 at all, and if there is, whether Democrats will be able to pass a bill. Here there was some doubt about whether Democrats would actually conduct reauthorization next year, and even more doubt about whether they could pass their bill if they did initiate the debate. Almost every expert commented that a lot depended on how much of their ambitious 2009 legislation agenda Democrats could finish in 2009 and especially whether they could complete the health care legislation. Several experts thought that even if a health bill passed, nerves would be so raw that Democrats would be unlikely to try to pass a contentious welfare bill in 2010, an election year.

Another basic issue, which came up in every interview, is money. There seems to be growing public awareness of the threat posed by the huge and expanding federal deficit.³² The relentless growth in federal spending on social programs, expanded even further by federal spending to bail out various financial institutions and the economy, has increased the federal deficit to the point that it will equal or exceed \$1 trillion annually for at least the next decade – and then get even worse soon after that.³³ The general feeling was that there is now enough attention to the deficit in the media and the public that Democrats are already feeling the squeeze – as they clearly have during the health care debate. The opinion of our experts was that Democrats would do a lot more in welfare reform reauthorization if they had more money to spend.

Whenever the debate actually takes place, a number of important issues of American social policy will be at stake. Many of the reforms of 1996, even some of the boldest, seem likely to remain intact, with perhaps modest changes. Most of the non-TANF provisions in the bill seem especially likely to have either no changes or minor changes that do not threaten their underlying structure. The new definition of childhood disability, one of the most controversial and bitterly debated reforms of 1996, seems unlikely to be changed. The important provision on ending SSI and SSDI for drug addicts and alcoholics seems even less likely to be changed. Similarly, although child care may be a focal point of the debate, there is little likelihood of a change in the structure of the block grant or a restoration of any of the programs repealed to create the block grant. There was, however, substantial agreement among the experts that Democrats would put more money in the block grant, as indeed they have already done in the ARRA legislation in February of 2009. Some of the experts, but fewer, thought there might also be an attempt to strengthen child care regulations by imposing new mandates that states would be required to follow or providing new funds to encourage states to improve quality and expand coverage. Even if these reforms are enacted, the 1996 radical change of federal child care policy to feature a single block grant giving states great flexibility in the use of federal funds seems very likely to remain intact.

Two additional non-TANF provisions will almost certainly receive extensive attention. One of them is child support enforcement, the program that, next to AFDC, had the most extensive and elaborate reform and expansion in 1996. There is still more or less universal agreement with the 1996 child support reforms, but now some members seem likely to try to take the reforms even further and to introduce some new measures to strengthen the child support program. The only contentious provision that seems likely to be debated is the provision that roiled states during and after the 2005 reauthorization debate by prohibiting them from using federal child support incentive dollars to pay their share of administrative expenses, thereby reducing the size of some state programs. Democrats have already temporarily reversed this provision in the ARRA and seem almost certain to do so again, perhaps on a permanent basis this time (again, money will be an issue). There also seems to be momentum to include several other reforms, such as allowing some adjustment of arrearages and passing through more child support collections to families rather than retaining them to reimburse taxpayers. Nothing on the horizon, however, represents anything like a

rollback of the 1996 child support reforms. Rather, the potential reforms look like logical next steps to further strengthen the child support program and to try to help fathers improve their finances and earn more money.

The foregoing policies, enacted as part of the 1996 welfare reforms, were major changes in the nation's welfare policy that appear now to be more or less permanent. However, not all the non-TANF policies are safe. The most vulnerable is the abstinence education program. That program could be gone before the end of the 2009 legislative session and the money folded into a block grant to support comprehensive sex education programs that combine abstinence education with instruction in birth control and advice about where to obtain birth control. From the perspective of conservatives, this reform of abstinence education may look like a loss. Another view, however, is that the Republican emphasis on the importance of abstinence has brought national attention to how important abstinence is to teenagers and their parents. It has also shown that many school systems are willing to emphasize abstinence, that parents and students in overwhelming numbers believe that abstinence is the best choice for teens,³⁴ and that some abstinence programs appear to produce good results (at least as measured by non-optimum evaluation designs).³⁵ Those who believe that abstinence is the only sure way to protect youngsters from sexually transmitted diseases and pregnancy should consider developing and implementing curriculums that make serious efforts to emphasize both abstinence and family planning.³⁶ If they leave the development and use of curriculums to those opposed to abstinence education, there is likely to be little or no abstinence education in the curriculums.

Another reform that is in jeopardy is the radical change in noncitizen's eligibility for welfare benefits. Here there is little need to speculate. Democrats have already modified several of these provisions, both under President Clinton and since. At least two of the reforms – restoring SSI for some of the elderly in 1997 and restoring some food stamp benefits in 2002 – have even been bipartisan. At the very least, there will be a vigorous debate on the noncitizen provisions and serious changes are possible. Again, of course, money may be a limiting factor because restoring welfare benefits comes with a price tag.

Turning to the TANF program itself, our experts thought that the entitlement to cash welfare was unlikely to be restored. On the one hand, given the importance of this provision, the seeming permanence of the reform is a notable achievement for welfare reformers. On the

other hand, as many of our experts pointed out, weakening the work requirement could have nearly the same effect as restoring the entitlement. The major obstacle to qualifying for welfare benefits in most states is a set of stringent work requirements. If these are weakened, it will be easier for many adults to qualify for cash benefits and perhaps to remain qualified longer than under current law. In this regard, it should be noted that the only unanimous agreement across the twenty interviews was that Democrats will try to amend the work requirement so that more education counts as work. Opinions will differ about whether this change undermines the work requirement. Many Republicans believe, despite much evidence to the contrary, that states will do all they can to avoid the work requirement and thereby allow recipients to stay on the rolls longer or even on a more or less permanent basis. In 2002 at the beginning of and then throughout the last reauthorization debate, the Bush administration recommended that the work requirement be strengthened and that states be required to report more data to document that the requirements were in fact being met. This insistence on stronger work requirements and more data reporting to ensure that states were actually meeting the requirement, as well as the virtually unanimous support among congressional Republicans for the strengthened requirements, shows how strongly Republicans believe the federal government must hold the line against states on welfare-to-work policy. Now it appears very likely that Democrats will change the federal work requirement by allowing more education to count as work. Our experts also thought there was a good chance Democrats would make other changes that would loosen the work requirement such as requiring fewer hours to meet the requirement and allowing more non-work activities such as job search to count toward the work requirement. It seems likely that we will soon find out whether these types of changes in the work requirements will actually lead to the unraveling of the welfare reform work requirement – the flagship of the 1996 reforms – as Republicans have long feared.

By contrast, sanctions and time limits – two more of the vital elements of the Republican 1996 work policy – appear less likely to be substantially changed than the work requirements. When responding to the likelihood that Democrats would change sanction policy, the experts were closer to “somewhat disagree” than “somewhat agree,” and between “somewhat disagree” and “strongly disagree” for time limits. Of course, as several of the experts pointed out, if the work requirement is reduced, sanction policy becomes less

important because with weaker work requirements fewer people will be subject to sanctions. On the other hand, if weakening the work requirement actually does lead to longer spells on welfare, the time limit could become more important because more people will reach it.

Another welfare policy dear to Republicans is the policy enacted in the 2005 reauthorization bill that authorized the \$100 million marriage education competitive grant program. This policy, too, appears to be a serious candidate for change. As a group, our experts were about midway between “somewhat agree” and “strongly agree” that the Republican marriage policy would be changed. On the other hand, most experts thought that repeal of the marriage grant program was unlikely. Rather, they expected that the language of the program would change to make other activities besides marriage education an allowable use of funds. If this prediction turns out to be true, the 120 or so marriage education programs would still qualify for the funding and many of them would likely continue receiving money. Thus, the marriage program could be weakened somewhat, but certainly not devastated.

Another TANF policy that seems ripe for reform is the policy on fathers. As in the case of child support enforcement, the new policies that seem most likely can be characterized as extensions of current law and in no sense are a repudiation of the fatherhood provisions reflected in the fatherhood competitive grant program enacted in 2005 or in the child support provisions of the 1996 law (which included a provision helping fathers visit their children). Indeed, most policies now under discussion, with the exception of the childless worker EITC, were included in Republican legislation on fatherhood that was narrowly defeated during the late 1990s when Republicans still controlled the House and Senate. Expansion of the 2005 fatherhood grant program, some adjustments in policy on arrearages, and an expansion of the childless worker EITC all seem likely if Democrats can find the money.

The final TANF policy that seems likely to be changed is the Contingency Fund. The change could be as simple as adding new money to the fund created on a bipartisan basis in 1996. On the other hand, Democrats might want to create a new fund like the one they created in the ARRA earlier this year. If the 1996 Contingency Fund and the debate surrounding it is a guide, Republicans and Democrats agree that the TANF program should be both a work program and a safety net program. But there has been some criticism that TANF was not very responsive to increased unemployment in the mild recession of 2000,³⁷

and even more criticism that TANF provided too little and too late to the very severe recession and huge rise in unemployment during the deep recession we are now in.³⁸ Thorough policy review, which is the most basic purpose of any reauthorization debate, requires that the effectiveness of TANF as a reliable safety net during the recession that began in late 2007 be a major item on the reauthorization agenda. If it is shown that TANF performed poorly and kept too many destitute families off the rolls – as now seems likely – the Contingency Fund should be changed. But every effort should be made to engineer these changes while keeping the strong TANF work requirement intact. Finding a reasonable line between strong work requirements and a reliable safety net will undoubtedly be a flashpoint of debate.

Finally, there is at least a possibility, though apparently not a strong one, that Democrats could attempt to create at least two new provisions in response to problems raised by TANF. The first is an inflation adjustment to compensate for the fact that inflation is eroding the value of TANF; the second is a new program or set of provisions that would help states deal with floundering mothers. Depending on how these provisions are crafted, there is no inherent reason – other than money – that they should ignite a partisan debate.

Table 2 summarizes my judgments, based primarily on the interviews, of the non-TANF, TANF, and new provisions that appear to be completely safe as currently written or safe in the sense that their main features will remain intact but with some amendments. I also list the provisions of current law, summarized under the heading “Major Issues,” that I consider to be candidates for repeal or for amendments that could fundamentally alter the original provision. Arguably, changes in the work requirements, and especially education, are the most serious threat to the original legislation. Republicans have believed for over a decade that the key to the 1996 reforms was the strong work provisions and especially the percentage work requirements that strictly limited non-work activities that could qualify as work. It seems likely that Democrats will ease the restrictions on education counting as work. It can be expected that mountains of rhetoric will surround this debate, but in the end the Republican belief that loosening the work requirement will threaten the entire structure of the 1996 reforms will soon get an empirical test.

Table 2
Summary Table

Safe
SSI For Addicts
SSI for Children
End of Cash Entitlements
Sanctions
Time Limit
Structure Safe but Amendments Likely
Day Care
Child Support Enforcement
Fatherhood Programs
Major Issues
Abstinence Education
Welfare for Noncitizens
Marriage Education
Contingency Fund
Work Requirements
Education (as work)
New
EITC for Childless Workers
Inflation Adjustment
Floundering Mothers

The Republican principle that noncitizens should not qualify for welfare until they become citizens, one of the most radical and surprising of the 1996 reforms, has already been greatly weakened by several pieces of legislation that have backtracked on withholding welfare from noncitizens. The 2010 reauthorization appears likely to further weaken the Republican principle of withholding welfare from noncitizens except under emergency conditions.

Stated succinctly, many of the major reforms of the sweeping 1996 welfare reform law appear to be safe and will continue to constitute major changes in the nation's pre-1996 welfare law. On the other hand, a few reforms are likely to be substantially changed by the reauthorization legislation of 2010. Expect several major and colorful battles.

¹ Means-tested programs are those that provide cash or in-kind benefits to individuals or families with income below a given level. The specific level of low income varies across programs.

² Ron Haskins, *Work over Welfare: The Inside Story of the 1996 Welfare Reform Law* (Washington, DC: Brookings, 2006), especially Chapter 8.

³ Here is the language used at the beginning of the questionnaire: “Congress is scheduled to reauthorize the 1996 welfare reform law next year. I am going to ask you a few questions about the likelihood that Congress will change various provisions of the 1996 law. I’m trying to get at the likelihood that at least a majority or near-majority of either party will try to change these provisions rather than whether the attempted changes will be successful. I want you to tell me whether you strongly agree, somewhat agree, somewhat disagree, strongly disagree, or aren’t sure about whether you think there will be serious attempts to change each of these provisions.” A discussion then followed about what I meant by “serious attempt” (see text).

⁴ I promised not to reveal the identity, even by position, of anyone I interviewed. Without violating that trust, I could point out that the Democrats interviewed were on average more confident than the Republicans that reauthorization would take place as scheduled and that a bill would be enacted.

⁵ The abstinence education provision was added to Title V of the Social Security Act (42 U.S.C. 701 et seq.). Here are the components of the A through H definition of abstinence education which had to be followed by all funded programs: “(A) has as its exclusive purpose, teaching the social, psychological, and health gains to be realized by abstaining from sexual activity; (B) teaches abstinence from sexual activity outside marriage as the expected standard for all school age children; (C) teaches that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems; (D) teaches that a mutually faithful monogamous relationship in the context of marriage is the expected standard of human sexual activity; (E) teaches that sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects; (F) teaches that bearing children out of-wedlock is likely to have harmful consequences for the child, the child’s parents, and society; (G) teaches young people how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances; and (H) teaches the importance of attaining self-sufficiency before engaging in sexual activity.”

⁶ Christopher Trenholm and others, “Impacts of Abstinence Education on Teen Sexual Activity, Risk of Pregnancy, and Risk of Sexually Transmitted Diseases,” *Journal of Policy Analysis and Management* 27, no. 2 (2008): 266-276.

⁷ Robert Rector, “The Effectiveness of Abstinence Education Programs in Reducing Sexual Activity Among Youth,” Background #1533 (Washington, DC: Heritage Foundation, April 2002); Robert Lerner, “Can Abstinence Work?: An Analysis of the Best Friends Program,” Best Friends Foundation, <http://www.bestfriendsfoundation.org/FoundPressAnnouncement2.html>; Stan E. Weed, “‘Abstinence’ or ‘Comprehensive’ Sexuality Education?” (Salt Lake City: Institute for Research and Evaluation, 2007).

⁸ Laura Beil, “Abstinence Education Faces an Uncertain Future,” *New York Times*, July 18, 2007; John S. Santelli and others, “Explaining Recent Declines in Adolescent Pregnancy in the United States: The Contribution of Abstinence and Improved Contraceptive Use,” *American Journal of Public Health* 97, no. 1 (2007): 150-156.

⁹ In addition, by 2007 about half the states were refusing to take their share of the abstinence education money, primarily because they came to believe that the program did not work and that withholding information about birth control from teenagers was irresponsible. See Bill Alpert, “With One Voice 2007: America’s Adults and Teens Sound Off about Teen Pregnancy” (Washington, DC: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007).

¹⁰ Some of those who qualified for SSI because of additions also had other conditions that could qualify them for SSI benefits.

¹¹ Lewin Group, *Policy Evaluation of the Effect of Legislation Prohibiting the Payment of Disability Benefits to Individuals Whose Disability Is Based on Drug Addition and Alcoholism* (Baltimore: Social Security Administration, 1998).

¹² This estimate includes both children who actually lost their benefits because of the new definition and children who would have joined the rolls under the old definition; see Jeannette Rogowski and others, *Final Report for Policy Evaluation of the Effect of the 1996 Welfare Reform Legislation on SSI Benefits for Disabled Children* (Santa Monica, CA: Rand, 2002).

¹³ The committees in the House were the Ways and Means Committee, which had jurisdiction over several entitlement child care programs and the Education and Labor Committee which had jurisdiction over the Child Care and Development Block Grant created in 1990; the comparable committees in the Senate were the Finance

Committee and the Health, Education, Labor, and Pensions Committee. In the end, the committees cooperated in creating a single block grant while the respective committees maintained jurisdiction over their own share of the funding.

¹⁴ Nicole D. Forry, “The Impact of Child Care Subsidies on Low-Income Single Parents: An Examination of Child Care Expenditures and Family Finances,” *Journal of Family and Economic Issues* 30, no. 1 (2009): Table 2.

¹⁵ Deborah Lowe Vandell and Barbara Wolfe, *Child Care Quality: Does It Matter and Does It Need to Be Improved?* (Madison, WI: University of Wisconsin, Institute for Research on Poverty, 2000).

¹⁶ Deborah Lowe Vandell and Barbara Wolfe, *Child Care Quality: Does It Matter and Does It Need to Be Improved?* (Madison, WI: University of Wisconsin, Institute for Research on Poverty, 2000).

¹⁷ Democrats also increased funding of Head Start and Early Head Start by a combined amount of over \$2 billion in the ARRA.

¹⁸ For a basic overview of the provisions on welfare for noncitizens in 1996 and subsequent changes, see: Ron Haskins, “Limiting Welfare Benefits for Noncitizens: Emergence of Compromises,” in *Immigrants and Welfare: The Impact of Welfare Reform on America’s Newcomers*, edited by Michael E. Fix (New York: Russell Sage, 2009) and Ways and Means Committee, *2008 Green Book*, Appendix H, available at <http://waysandmeans.house.gov/media/pdf/111/apph.pdf> (October 2009).

¹⁹ Former noncitizens become eligible for SSI benefits on the same basis as native-born citizens when they become naturalized citizens. For more details, see Ron Haskins, “Limiting Welfare Benefits for Noncitizens: Emergence of Compromises,” in *Immigrants and Welfare: The Impact of Welfare Reform on America’s Newcomers*, edited by Michael E. Fix (New York: Russell Sage, 2009).

²⁰ Joyce C. Viallet and Larry M. Eig, “Alien Eligibility for Benefits under the New Welfare and Immigration Laws,” 96-617 EPW (Washington, DC: Congressional Research Service, 1996).

²¹ Ron Haskins, “Limiting Welfare Benefits for Noncitizens: Emergence of Compromises,” in *Immigrants and Welfare: The Impact of Welfare Reform on America’s Newcomers*, edited by Michael E. Fix (New York: Russell Sage, 2009).

²² John B. Judis and Ruy Teixeira, *The Emerging Democratic Majority* (New York: Scribner, 2002).

²³ Title III of the 1996 law, which contained the child support enforcement provisions, comprised 64 pages or almost a quarter of a bill with nine titles; see U.S. House of Representatives, *Personal Responsibility and Work Opportunity Reconciliation Act of 1996: Conference Report to Accompany H.R. 3734*, Report 104-725 (Washington, DC: U.S. Government Printing Office, 1996).

²⁴ By marriage education, I mean programs that conduct a wide range of activities to strengthen couple relationships and provide specialized services that include training in parenting, resolving conflicts without resorting to violence, financial management, counseling for emotional problems, and a host of others.

²⁵ See Ron Haskins and Isabel Sawhill, *Creating an Opportunity Society* (Washington, DC: Brookings Institution Press, 2009), especially pp. 226-227.

²⁶ Barack Obama, *The Audacity of Hope: Thoughts on Reclaiming the American Dream* (New York: Crown, 2006), p. 334.

²⁷ Gordon L. Berlin, “Rewarding the Work of Individuals: A Counterintuitive Approach to Reducing Poverty and Strengthening Families,” *The Future of Children* 17, no. 2 (Fall 2007): 17-42.

²⁸ Certain childless workers are now eligible for an EITC of about \$450.

²⁹ Each month a state meets the Contingency Fund trigger, it receives 1/12th of its maximum contingency grant. For a complete explanation of the Contingency Fund, see Ways and Means Committee, *2004 Green Book*, pp. 7-21 to 7-22.

³⁰ Rebecca M. Blank, “Improving the Safety Net for Single Mothers Who Face Serious Barriers to Work,” *The Future of Children* 17, no. 2 (Fall 2007): 183-197.

³¹ LaDonna Pavetti, “When Five Years Is Not Enough: Identifying and Addressing the Needs of Families Nearing the TANF Time Limit in Ramsey County, Minnesota” (Princeton, NJ: Mathematica, March 2006), available at <http://www.mathematica-mpr.com/publications/PDFs/timelimitramsey.pdf> (October 2009).

³² Brian Friel, “Hill Sees Red as Spending Continues,” *National Journal*, October 24, 2009.

³³ Alan J. Auerbach and William G. Gale, “The Economic Crisis and the Fiscal Crisis: 2009 and Beyond, An Update” (Washington, DC: Brookings, September 2009), available at http://www.brookings.edu/~media/Files/rc/papers/2009/06_fiscal_crisis_gale/06_fiscal_crisis_gale_update.pdf (October 2009).

³⁴ Bill Alpert, “With One Voice 2007: America’s Adults and Teens Sound off about Teen Pregnancy” (Washington: National Campaign to Prevent Teen and Unplanned Pregnancy, 2007).

³⁵ Robert Rector, “The Effectiveness of Abstinence Education Programs in Reducing Sexual Activity Among Youth,” Backgrounder #1533 (Washington, DC: Heritage Foundation, April 2002); Robert Lerner, “Can Abstinence Work?: An Analysis of the Best Friends Program,” Best Friends Foundation, <http://www.bestfriendsfoundation.org/FoundPressAnnouncement2.html>; Stan E. Weed, “‘Abstinence’ or ‘Comprehensive’ Sexuality Education?” (Salt Lake City: Institute for Research and Evaluation, 2007).

³⁶ A careful analysis of nine comprehensive sex education curriculums widely used by high schools and other youth organizations in the early 2000s found that all the curriculums were heavy on family planning, especially condom use, but very light on abstinence. On average, the nine curriculums devoted 4.7 percent of their pages to information on abstinence. By contrast, a similar analysis of nine abstinence only curriculums found that they devoted 53.7 percent of their pages to abstinence and an additional 17.4 percent to relationships and marriage. See: Shannan Martin, Robert Rector, and Melissa G. Pardue, *Comprehensive Sex Education vs. Authentic Abstinence: A Study of Competing Curricula* (Washington, DC: Heritage Foundation, August 2004).

³⁷ Ron Haskins, Testimony before the Committee on the Budget, U.S. House of Representatives, December 9, 2009.

³⁸ Sara Murray, “Numbers on Welfare See Sharp Increase,” *Wall Street Journal*, June 22, 2009; Jason DeParle, “Welfare Aid Isn’t Growing as Economy Drops Off,” *New York Times*, February 2, 2009.