Testimony of Ron Haskins

Senior Fellow, Brookings Institution, Washington DC

Senior Consultant, Annie E. Casey Foundation, Baltimore

Before the Subcommittee on 21st Century Competitiveness

Committee on Education and the Workforce

U.S. House of Representatives

September 20, 2001

Chairman McKeon, Ranking Member Mink, and Other Members of the Committee

My name is Ron Haskins. I am a Senior Fellow at the Brookings Institution in Washington, DC and a Senior Consultant at the Annie E. Casey Foundation in Baltimore. As a staff member with the Committee on Ways and Means, I had the great privilege of working on the seminal welfare reform law of 1996, often in collaboration with the distinguished members and staff of this Committee. Thus, I am especially honored to be invited to discuss the reforms and their effects with this illustrious Committee.

In 1996, Congress and President Clinton made the most fundamental reforms in American social policy since President Johnson's War on Poverty in 1965, and arguably since President Roosevelt's New Deal in 1935. As the October 1, 2002 deadline for reauthorizing the 1996 welfare reform legislation approaches, it is an appropriate time to carefully examine the reforms and their effects, as well as to consider steps Congress should take when the legislation is reauthorized next year.

Background and Brief History of Welfare Programs

In 1995, on the eve of the great national debate that led to the welfare reform law of 1996, the heart of the federal welfare state for the poor comprised three entitlement programs: Aid to Families with Dependent Children (AFDC), food stamps, and

Medicaid. In the average state, these three programs guaranteed that a poor single mother with two children would receive entitlement benefits worth about \$12,000 annually, \$8,000 in cash and food stamps. In addition to these major welfare entitlement programs, the nation's federal and state governments offered more than 300 means-tested programs which provided benefits to individuals or families with incomes below a given level. In 1995, federal and state spending on entitlement and non-entitlement programs amounted to roughly \$370 billion, up dramatically from about \$40 billion in 1965. Thus, a welfare state for poor Americans was erected and continued to expand in the 60 years between 1935, when the Social Security Act established the AFDC program, and 1995, when the debate that led to the 1996 reforms began.

The expansion of entitlement welfare and the huge increases in spending after 1965 were by no means inevitable. In fact, in his 1935 message to Congress about the Social Security Act, President Roosevelt warned that welfare could become a "narcotic" and that it could induce a "moral and spiritual despair." He pledged that the nation would eventually "quit this business" of welfare. Moreover, Roosevelt's New Deal placed a much greater emphasis on work than on welfare. Similarly, President Johnson called his War on Poverty a "hand up, not a hand out." Johnson created Head Start to help poor children succeed in school so they could follow the traditional American route to good jobs. The War on Poverty also included the Job Corps, one of the few programs that has been shown to actually increase employment. And the idea behind "community action" (as opposed to the disaster that followed) was to help the poor make decisions for themselves).

Despite these attempts to build personal responsibility and self reliance into American welfare programs, welfare dependency and illegitimacy grew rapidly in the years leading

up to the 1995-96 debate. Largely because of the growth of dependency and illegitimacy, by the 1980s a powerful critique of welfare programs began to take shape. The two major tenets of the critique were that welfare inevitably reduced work while increasing dependency and that it contributed substantially to rising rates of births outside marriage.

Before the 1980s liberals and conservatives had often argued over whether recipients primarily used welfare as an emergency measure to help their families, or whether a significant number of them had fallen victim to its "narcotic" effect. But during the 1980s, several groundbreaking empirical studies, notably research by Harvard scholars Mary Jo Bane and David Ellwood, demonstrated that up to 65 percent of the families on AFDC at any given moment would eventually be on the rolls eight years or more (counting repeat spells). Subsequent work by one of Ellwood's graduate students showed that, on average, families remained on the welfare rolls between 7 and 11 years (counting repeat spells). Seldom had a major welfare question received such a straightforward answer: welfare dependency had become a serious problem.

But if welfare dependency was the problem, what was its solution? In 1986, Larry Mead, a professor at New York University, offered a compelling answer in his book, *Beyond Entitlement*. Mead's basic case was that welfare benefits discourage work and encourage dependency, the classical conservative critique of welfare since at least the days of Elizabethan England. But Mead showed that welfare need not inevitably lead to dependency or undercut recipients' work ethic, as the classical critique suggested. Rather, he argued, by instituting programs which demanded that recipients work in exchange for benefits, and which were tightly administered at the local level, society could both provide for its poor and steer them toward a productive life. The upshot of Mead's theoretical work and research was that the antidote to chronic welfare

dependency rested on government's authority to require work in exchange for welfare benefits, a strategy Mead examined more extensively in a later volume, *The New Politics of Poverty*.

In 1984, Charles Murray, in his controversial book *Losing Ground*, highlighted the second element of the developing welfare critique. Murray's major concern was that welfare awarded benefits to never-married mothers, in effect rewarding and encouraging illegitimacy and promiscuity. Whatever the cause, the dramatic increase in government spending on welfare programs after about 1965 was accompanied by an explosion of births outside marriage. By 1995, nearly one-third of all American children and 70 percent of black children were born to single mothers. Famously, Murray argued that the only way to stop these inevitable though unintended collateral impacts of welfare was to completely abandon welfare benefits, forcing young people to make better choices about sexual activity, pregnancy, marriage, and work.

In the midst of this growing criticism a new and surprising force for reform entered the debate. The Democratic candidate for President in 1992, Governor Bill Clinton of Arkansas, claimed the title of "New Democrat" and broke ranks with his party by taking relatively conservative stands on many key issues such as free trade and crime. But most importantly, he was consistently to the right of his opponent, incumbent President George Bush, on welfare reform. In fact, welfare reform became one of the central issues of the Clinton campaign. Clinton's slogans, "two years and out" and "end welfare as we know it," struck a popular, conservative note and greatly contributed to his victory.

But having promised to "end welfare as we know it," once elected President Clinton failed to move aggressively on reform welfare. Instead, he devoted his attention and the political resources of his administration to health care reform. Not until the end of his

second year in office – too late for Congressional action – did Clinton introduce a welfare reform bill. This delay presented Republicans with an opening to write their own welfare reform bill and to be prepared to carry the debate to Clinton when the new Congress opened in 1995.

Major Provisions of the 1996 Welfare Reform Law

From the beginning, the 1995-96 welfare reform debate was different than previous Congressional welfare debates. Whereas the debates of the 1960s, 1970s, and 1980s had almost always revolved around the attempt to find a balance between how much to increase welfare and how much to encourage work, the debate initiated by Clinton focused on increasing work rather than increasing benefits. An even bigger difference between the 1995-96 debate and previous debates was that, thanks to the 1994 Congressional elections, Republicans controlled both Houses of Congress. Equally important, senior House Republicans – including several members of this committee – had been studying welfare reform and drafting bills for more than five years by the time they assumed control of the House in 1995. Not only did they have clear ideas about welfare reform, they had a bill that enjoyed almost universal support among House Republicans, due in large part to the work of Republicans on the Ways and Means and Education Committees, especially Reps. E. Clay Shaw of Florida and Jim Talent of Missouri.

If Clinton had opened the welfare reform debate with his campaign sloganeering, by 1995 Republicans were well prepared to help him make good on his promises. The bill Clinton finally submitted near the end of the 1993-94 Congressional session contained the most aggressive work requirements ever endorsed by an American President, Republican or Democrat. Clinton wanted work participation standards, sanctions against

those who refused to work, additional money to go to states for work programs – and only marginal benefit increases. The bill also included a kind of time limit on welfare, although when welfare recipients reached the time limit, government guaranteed them a job. Republicans, however, who would likely have supported Clinton's bill in 1993 and 1994, were by 1995 well beyond the Clinton definition of "ending welfare as we know it." The bill Republicans introduced in January of 1995 (H.R.4) was big and complex, and far to the right of Clinton's in three important ways.

First, whereas Clinton wanted to reform just the AFDC and child support enforcement programs, the Republican bill sought to reform child care, welfare for non-citizens, programs for abused and neglected children, children's Supplemental Security Income (SSI), SSI for drug addicts and alcoholics, child nutrition, and food stamps as well. For many of these programs, the proposed reforms were very substantial.

Second, on the issue of work, the Republican approach was different than Clinton's in several fundamental respects. The Republican bill repealed the AFDC program – the first time a major welfare entitlement program had been repealed – and replaced it with a program that ended cash entitlements and gave states fixed sums of money in block grants rather than through open-ended funding. The Republican bill also required states to meet stiff work requirements or suffer financial penalties; required individuals to participate in state work programs or suffer immediate benefit reductions (including, in most states, the complete loss of cash benefits); and placed a five-year limit on the duration of benefits for most individuals without a guaranteed job for recipients who reached the time limit.

The third way the Republican bill differed from Clinton's was in its ambitious and unprecedented measures against illegitimacy. Throughout the debate on the 1996

legislation and for many years before, Republicans had fought among themselves over legislative provisions on illegitimacy. Of course, to the same extent that nearly all Democrats and Republicans supported work for welfare, both parties also abhorred illegitimacy and its effects. But there were huge differences between Republicans and Democrats and even among Republicans over the number and extent of provisions attacking illegitimacy they were willing to include in the legislation. The final bill contained at least 15 provisions directly or indirectly aimed at reducing illegitimacy – far more provisions than Democrats and the Clinton Administration would have liked. The most important of these were: a cash bonus of up to \$25 million per year for states that reduced their illegitimacy and abortion rates; \$50 million per year for abstinence education; the TANF block grant itself which gave states the flexibility to implement policies like the "family cap" that kept cash benefits constant even if recipients had babies out of wedlock; and exceptionally strong paternity establishment requirements in the child support enforcement part of the legislation, aimed at making fathers of children born outside marriage pay for their support. Taken together, these provisions were by far the most forceful attack the federal government had ever mounted against illegitimacy.

In the end, after several rounds of compromises with Congressional Democrats, the Clinton Administration, and governors, the Republican welfare reform legislation passed Congress on an overwhelming bipartisan vote and was signed into law by a Democratic President.

What Welfare Reform Accomplished

The 1996 reforms gave a much-needed shock to the federal welfare system. President Clinton had said he wanted to "end welfare as we know it;" Congress helped him end the old AFDC program. But in the process, Congress also reformed a host of other welfare

programs. The theme that runs through most of these reforms is individual responsibility. Drug-addicts and alcoholics can no longer rely on government benefits to fund their addictions; families of children with minor health or mental health problems no longer receive monthly disability cash payments; non-citizens who come to America for opportunity no longer collect welfare benefits except in emergencies; fathers who abandon their children now find it very difficult to avoid paying child support; young adults – both males and females – have a host of incentives to avoid pregnancy outside marriage.

And, notably, there are now about 2 million mothers working who previously would have been on welfare. It would appear the TANF program has met its central goal of promoting work and personal responsibility. But more specifically, the 1996 reforms have been followed by a major decline in the welfare caseload, big increases in employment and earnings of single mothers, substantial increases in total income of families headed by mothers, and the biggest declines in child poverty since the 1960s (Figures 1 and 2). These effects are deep and significant: the nation has enjoyed the first sustained decline in welfare rolls in history, single mothers are now more likely to work than at any time in the past, the earnings of female-headed families are at an all-time high, child poverty is at its lowest level since 1979, black child poverty is the lowest ever, and poverty among female-headed families is the lowest ever.

The most straightforward interpretation of these effects is that they were caused by the confluence of three major factors: welfare reform, a robust economy, and a federal system of programs that support work. The level of work by former welfare mothers has astounded almost everyone. Of course, by generating lots of new jobs, a hot economy has been of great importance to the explosion of work among mothers previously

dependent on welfare. Another major factor in promoting both work and the well-being of families holding low-wage jobs is the federal work support system that provides benefits to working families. The work support system is a series of federal programs that provide cash and in-kind benefits to working families. The major work support programs are child care, Medicaid, the State Children's Health Insurance Program (SCHIP), food stamps, the child tax credit, the Earned Income Tax Credit (EITC), and housing. This system provides around \$80 billion in annual benefits to working families. Why has Congress created such a vast and expensive set of programs?

Such is the status of the nation's families and public education that there are always several million young mothers who have a high school education or less. Most of these young mothers face a difficult choice: go on welfare, become dependent on government, and live in a permanent state of poverty or enter the low-wage job market and earn around \$7 per hour. The main effect of welfare reform has been to move more of these mothers away from welfare dependency and into low-wage jobs. Given that they work in jobs that are often somewhat unstable, we can estimate that the typical young mother who leaves welfare earns about \$10,000 per year. If she did not receive work supports from government, she could not afford to purchase housing, transportation, food, and health insurance. In short, she would be worse off than she was on welfare.

But the work support system constructed in piecemeal fashion by the federal government since roughly 1975 ensures that mothers are much better off working than on welfare. Specifically, if a mother has two children, her \$10,000 in earnings is supplemented by about \$4,000 in EITC cash and \$2,000 in food stamps, bringing her income to around \$16,000. In addition, she and her children are guaranteed Medicaid for

at least a year; after that the children would be guaranteed coverage under either Medicaid or SCHIP until the mother's earnings are over \$30,000 (Figure 3).

Perhaps it would be unwise to charge the Congress with committing vision. But the growth of the work support system, combined with the now strong emphasis on work in the nation's welfare system, suggests that Congress decided that it was better to provide benefits to low-income families that work than to keep them dependent on welfare. If the employment, earnings, and poverty figures reviewed above are the gauge, the combination of strong work requirements in the nation's welfare programs and the generous system of work supports has produced what Congress and President Clinton wanted in 1996: more work and less welfare. And for good measure the new system of work and work supports also produces less poverty. These are results that both conservatives and liberals can like. So can the American public.

But what about the family agenda? Here the news is mostly good, too, although it is much harder to attribute the improvement directly to welfare reform. After several generations of unrelenting growth, all the measures of illegitimacy leveled off in the mid-1990s (Figure 4) and have remained stable for five years. In addition, the nonmarital birth rate measure for blacks is actually declining, and recent data show that the percentage of children in two-parent families, an explicit goal of the 1996 reforms, is increasing. Finally, the teen birth rate has declined every year since 1991.

The timing of these trends suggests that factors other than or in addition to welfare reform are contributing causes. There is also a lack of evidence from scientific studies showing that specific provisions in welfare reform are associated with declines in nonmarital births. Even so, the fact that most of these hopeful trends in family

composition occurred during the welfare reform era suggests that welfare policy may be playing some role.

After five years, it is reasonable to call the welfare reform law of 1996 the most successful large scale social reform since the New Deal. Welfare is down and work is up; earnings are up and poverty is down; illegitimacy has stopped its relentless increase; and slightly more children now live in two-parent families. And a major reason for these felicitous outcomes appears to be that Congress and President Clinton decided to scrap the old dependency-inducing welfare system in favor of a system based on work in exchange for public support. But what's next?

Recommendations for TANF Reauthorization

Retain the Major Features of the TANF Program. Given the level of success associated with the 1996 reforms, the case for major changes of any type is suspect. In fact, it seems wise to begin the debate with the assumption that Congress and President Clinton enacted wise legislation in 1996 that is producing its intended effects. The burden of proof should lie with anyone who thinks there should be major changes. This reasoning applies with particular force to the essential elements of the TANF program: end of entitlement, block grant, work definition, work requirements, sanctions, and five-year time limit.

This reasoning also applies to the \$16.5 billion funding level of the TANF block grant. Given the decline of the welfare rolls, some members of Congress will propose to reduce the amount of the block grant because fewer people are now on welfare. But this reasoning ignores several important points. Congress required states to establish work programs for their welfare clients. States have now done exactly what Congress required, and are therefore conducting both welfare programs and work programs. However, new

people are applying for welfare every day and many young mothers who leave welfare for work lose their jobs and come back on the welfare rolls. Thus, if states do not maintain their work programs, the welfare rolls will quickly grow again. In addition, states are now funding a host of programs designed to achieve the goals Congress set for TANF, including job retention, job advancement, special help for mothers with high barriers to employment, and programs addressing illegitimacy and marriage promotion. If Congress cuts the TANF block grant, these activities will also need to be cut.

Even more to the point, block grants are the best mechanism Congress has developed to ensure that programs are designed and operated by people who live outside Washington – by people who are closest to the problems the programs address. Given the success of TANF and the child care block grant, Congress should consider enacting additional block grants to further decentralize the planning and operation of social programs and to reduce the size of the federal government. But if Congress cuts TANF, the possibility of enacting block grants in the future will be greatly diminished. Even governors can be expected to lobby against block grants on the grounds that if they are successful, Congress will cut the funding.

Improve the Effectiveness of TANF. As successful as welfare reform has been, there are several actions that could be taken to improve the effectiveness of the 1996 reforms. One area that needs greater attention is the policy on illegitimacy. Although illegitimacy has leveled off – and even declined in the cases of teenagers and black women – few states have mounted major new efforts in this area. There is good reason to doubt that the bonus enacted in 1996 for states that reduce their illegitimacy and abortion rates are operating effectively. In fact, there is no discernable reason why some states win the bonus and other don't; states that win do not seem to have operated special programs of

any type. Thus, it might make sense for Congress to use the bonus to promote more programmatic activity, rewarding states that can show high levels of activity aimed at reducing illegitimacy rather than states that, for uncertain reasons, experience declines in their illegitimacy rate.

Another problem with the 1996 reforms is that many families leaving welfare for work are failing to receive the food stamps and Medicaid for which they qualify. A recent study of food stamp enrollment among a national sample of families that left welfare, for example, showed that only about 40 percent of eligible families were receiving food stamps. Similar evidence shows that many qualified families are not receiving Medicaid. These outcomes are not particularly surprising because the state administrative systems that handled AFDC, food stamp, and Medicaid eligibility under the pre-1996 law were based on a single application process and a relatively stable caseload. Now many more families are entirely diverted from TANF and don't even get into the TANF administrative system. In addition, many more families now work and move off the welfare system altogether. Once they leave, they are difficult to track. To a substantial degree, then, states need to develop better administrative procedures to ensure that working families know they are eligible for food stamps and Medicaid and that they can maintain their eligibility without jumping through bureaucratic hoops. In the case of food stamps, there are also problems with the federal quality control system that reduce the motivation of states to ensure that working families retain their food stamp benefits.

Two final work-related problems that should be addressed by Congress during reauthorization is the plight of floundering families that have found it difficult to either work or maintain their eligibility for welfare as well as families that are working but are having difficulty advancing to better jobs. By making matching funds available, and by

demanding careful evaluation studies, the federal government should encourage states to conduct demonstration programs to see if more effective means of helping these families can be developed.

Encourage Marriage Promotion. A third policy area that should be addressed by Congress during reauthorization is marriage. The 1996 reforms were clear in setting family formation goals as a central mission of welfare reform. Of the four goals stated in the opening section of the legislation, three touch on family formation. Specifically, state TANF programs must aim to reduce illegitimate births, increase marriage, and increase the number of children living in two-parent families. There is almost universal agreement among scholars that children born outside marriage are at great risk for developmental problems and that marriage is good for both adults and children. The argument on family formation is not whether there is a serious problem; the argument is whether there is a proper and effective role for government in finding solutions.

The 1996 reforms launched the most sweeping attack ever on nonmarital births.

Thankfully, as we have seen, nonmarital births have leveled off and even, at least for teenagers and blacks, started to decline. Whether this hopeful trend is due to welfare reform itself is not clear. What does seem clear is that states have not taken strong action to reduce nonmarital births and have taken even fewer actions to promote marriage.

Though promoting marriage is a noble goal, so far there have been good reasons for inaction on the state level. It is not clear from either research or experience exactly what policies states might adopt to promote marriage. In addition, there is little consensus among policymakers or administrators at the state and local level that welfare programs should try to promote marriage. Even so, many states are beginning to take small steps toward marriage promotion and should be rewarded. The goal of Congress during

reauthorization should be to encourage states to expand these activities by designing and implementing innovative programs to promote marriage. The TANF Performance Bonus, which provides \$200 million per year in bonus payments to states that have achieved TANF goals, should be modified to provide cash rewards to states that initiate programs aimed at increasing marriage.

In addition, the reauthorization debate should be used to further reduce the marriage penalty in the EITC and to find ways to encourage states to end all forms of discrimination in their spending and tax programs against married couples.

Faith-Based Initiatives. Finally, Congress should work with the Bush Administration to advance faith-based initiatives. As with both the work and family formation agendas, the 1996 reforms blazed a third path of American social policy. The Charitable Choice provision for the first time placed religious organizations on a level playing field with government and private sector organizations in conducting social programs paid for with public funds. Under the terms of Charitable Choice, religious organizations can retain their religious character, including the practice of hiring people only of the own religion, and still receive government funds. The goals of federal policy should now be to expand the Charitable Choice provision to cover other federal programs, to encourage more churches and other faith-based organizations to participate, and to conduct evaluations to determine whether faith-based programs provide effective services.

To encourage states to expand their faith-based initiatives, Congress should require every state to list, as part of its state plan, the activities it intends to conduct to involve private-sector, including faith-based, organizations in its social service programs. The details of the reporting should include an overview of outreach activities, a description of the types of services states hope private and faith-based organization would conduct, and

information about plans to evaluate these services. In keeping with the devolved nature of the TANF block grant, states should not be required to actually conduct any of these activities, only to report on activities they are conducting or intend to conduct.

Much of the action in promoting the involvement of faith-based and other community-based organizations in fighting dependency and poverty must be pursued by administrative agencies and the President's use of the bully pulpit. The major task now is to encourage faith-based organizations to step to the plate and take advantage of the Charitable Choice provision.

Conclusion

After five years of aggressive implementation of welfare reform by states and localities, it is clear that the hopes of its supporters have been vindicated and the fears of its critics stilled. Assisted by an excellent economy, welfare reform has been accompanied by the biggest decline ever in the welfare rolls, the largest increases in employment by mothers on record, and the biggest declines in child poverty since the 1960s. In addition, after decades of relentless increases, the rates of teen pregnancy and the ratio of nonmarital births have declined or leveled off. Moreover, child abuse and neglect, homelessness, and hunger have not increased substantially during this period. To be sure, there are rough edges that should be addressed by Congress during the reauthorization debate. Some families are falling between the cracks, there is little evidence that women leaving welfare are climbing the ladder to better jobs, and too many mothers and children are leaving welfare but not retaining the food stamp and Medicaid benefits for which they are eligible. Nor have states and localities launched extensive programs to reduce nonmarital births and increase marriage. In the long run, the most important lesson for public policy from these results is that the combination of a

demanding welfare system and a generous work support system is a more effective approach to fighting welfare dependency and poverty than an approach that relies primarily on welfare. There is every reason to believe that if Congress holds steady on the current course, while making some modest midcourse corrections during the 2002 reauthorization debate, the nation will continue to make remarkable progress against welfare dependency and poverty.

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