POVERTY AMIDST PLENTY 2001
UNSPENT TANF FUNDS AND PERSISTENT POVERTY

NATIONAL CAMPAIGN FOR JOBS AND INCOME SUPPORT

FEBRUARY 2001

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The National Campaign for Jobs and Income Support is a new national coalition of grassroots organizations in 40 states that seeks to advance progressive anti-poverty policies at the state and national levels. The members of the Campaign are multi-racial, multi-class constituency-based organizations committed to increasing the engagement of disenfranchised communities in public life and action. Member organizations have secured victories at the local and state levels in recent years that include: living wage ordinances, health insurance and child care expansions, improved access to education and training, expansion of transportation options, restoration of benefits for immigrants, and wage-paying public jobs programs. The Campaign seeks to expand these victories at the state level, and to initiate a national debate about poverty and inequality. The Campaign is governed by an Organizing Committee.

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EXECUTIVE SUMMARY

As of September 30, 2000 more than $8 billion in federal funds that were intended to help fight poverty remain unspent by the States.[1] These funds were entrusted to the states as part of the Temporary Assistance for Needy Families (TANF) block grant, which replaced Aid to Families with Dependent Children, and is intended to help vulnerable families who are struggling to leave welfare and make ends meet. The failure to spend this money is inexcusable – poverty remains high in every state, and poor families continue to lose benefits to which they are entitled. Even more troubling is that some states are using TANF funds to cover shortfalls in their general budgets, a clear violation of the intended use of these funds.

Within the next eighteen months Congress must reauthorize the new welfare law passed in 1996. Among the programs up for reauthorization is the TANF block grant. This looming deadline has ignited a firestorm of research and discussion about necessary changes to the law and appropriate funding levels. TANF is the largest source of federal funds for poor families. It is vitally important that funding for the TANF program remains at current levels, or be increased.

Last year, the National Campaign for Jobs and Income Support released a report showing that states were accumulating unprecedented amounts of TANF money and had failed to use the money to implement creative or innovative anti-poverty programs. Since that time, most states have increased the rate at which they are spending these funds, but the balance of unspent TANF funds has nonetheless grown by more than $1 billion. These growing surpluses are unconscionable given multiple indices demonstrating significant need and deepening poverty for many families both on and off of welfare.

Ten states – New York, Philadelphia, Ohio, New Jersey, Wisconsin, Tennessee, Washington, Louisiana, Georgia and West Virginia– are responsible for the vast majority of the $1 billion increase in total unspent TANF dollars in the last year. Five states – California, New York, Ohio, Pennsylvania, and Florida – hold the largest amount of unspent TANF dollars overall.

Key Findings

1. **Many families are worse off under the new welfare law. Families may leave welfare, but they remain in poverty.**

   In recent years, the number of welfare recipients has been cut by more than half. But in America today, poverty remains unacceptably high. Nearly one in five children live in poverty. Welfare rolls have been cut in half, but one third or more of those who have left welfare have not found jobs. Those who do have jobs typically earn wages that keep them in poverty. The demand for emergency food and shelter has increased by more than 15% in the last year, signaling that not enough is being done to help poor families.

All of these figures show that not all families have benefited from the economic expansion. Indeed, the wealthy have benefited disproportionately from the boom, while many poor families are running in place or falling behind.

2. **States fail to provide the supports that poor families need.**

   States themselves acknowledge that welfare reform will not succeed unless poor families get the help and assistance that they need as they transition to work. Most states have failed to provide the necessary support, such as transportation assistance, childcare and skills training.   Even worse, people have been turned away from services to which they are eligible. Since 1995 adult Medicaid enrollment has declined by more than 10%. Only 21.8% of eligible children are enrolled in the new Children's Health Insurance Program. Only 12% of eligible children receive childcare subsidies. And food stamp participation has declined 39% since 1994.

3. **Rather than helping poor people, some states have abused the flexibility of the TANF block grant and have used TANF funds to pay for tax cuts and other programs and are in effect taking funds from the poor.**

   Some states have replaced state funds for various programs with TANF funds in order to free up state money for priorities that do not benefit poor families, e.g., tax cuts, or covering short falls in other budget areas. Even when the TANF funds are used to replace state funds in social service programs, the net result is that poor families receive significantly less money than they otherwise would have. This practice – known as "supplantation" – is legal and is made possible by unintended loopholes in federal welfare law, but this practice is inexcusable given the extent of need in low-income communities. This report profiles this practice in Connecticut, Michigan, Oregon, Texas, Virginia and Wisconsin.[2]

4. **Some states and localities have implemented programs that can help poor families and reduce poverty. Right now, states have funds available to implement these kinds of programs.**

   In addition to state and federal budget surpluses, forty-seven states and the District of Columbia are holding $8 billion in TANF funds that could pay for new and existing programs. States should take this opportunity to embrace meaningful reforms. In particular, states should *provide supports* for low-income workers, *increase supports* for poor families receiving welfare, and *address the needs* of low-income people with special needs, such as women facing domestic violence and parents with alcohol and substance abuse problems.

The states' collective failure to spend TANF money has become politically and morally untenable, and may threaten future federal funding. Lower welfare rolls, some argue, mean that the states need less money to continue the program. But given the amount of unmet, existing need – and the threat of a recession – any reduction in the TANF block grant would put poor people at even greater risk. The responsible solution is for states to use the surplus funds to implement programs that help families leave poverty.

Recommendations

While it is true that many states have not made the best use of TANF funds, it does not justify decreasing the funds. Lower funding levels will only punish poor families. Instead, Congress should establish greater accountability for the use of TANF funds.

1. **States must spend more TANF money now to ensure enrollment in existing programs and to fund new anti-poverty programs.**

   States have done a poor job of ensuring that families receive the benefits to which they are eligible. States should ensure that eligible families receive benefits and will need to increase spending accordingly. Furthermore, to the extent that people are finding jobs, they remain poor. Many families still receiving welfare face multiple barriers to financial independence. States will need to make a greater financial investment if the reforms are to be successful, including:

   - *Provide supports* for low-income workers, such as state Earned Income Tax Credits, transportation assistance, and childcare, and wage-paying jobs for areas of high-unemployment;

   - *Increased supports for poor families receiving welfare*: increased grant levels, education and training, public jobs in areas of concentrated poverty, and housing assistance.

   - *Address the needs* of low-income people with special needs, such as domestic violence and alcohol and substance abuse problems.

2. **Decreased poverty should be the measure of success, not shrinking welfare rolls. Congress should consider the extent of need when determining how much money states should receive when the welfare law is reauthorized.**

   The great promise of the new welfare law was that it would lift families out of poverty. It should be evaluated on those grounds. Simply reducing welfare rolls – especially if this is achieved in a punitive, discriminatory fashion – should not be considered success. Congress should establish greater accountability and performance measures as a condition of the TANF block grant. Congress should consider the extent of need when they set funding levels for the states. Congress should also:

   - Prohibit states from engaging in supplantation;

   - Maintain or increase state spending requirements; and

- Create a “poverty reduction standard” to measure state performance under the TANF block grant.

3. **Involve community organizations in both the implementation of welfare reforms, and the reauthorization process.**

   Community organizations know first-hand how families are faring under the new welfare law, what supports are needed, and what programs work. As the representatives of those affected by welfare policies, they need to be consulted in both the implementation of new programs and the reauthorization process. Therefore, states should make readily available to the public information about how federal and state welfare funds are spent and what is happening to welfare recipients on and off of welfare.

INTRODUCTION

In his inaugural address, President George W. Bush stated, "America, at its best, is compassionate… we know that deep, persistent poverty is unworthy of our nation's promise."[3] He went on to declare, "where there is suffering, there is duty."

We agree that America has a duty to reduce suffering and to end "deep, persistent" poverty. But so far, the States have failed. The public hype about the dramatic reduction in welfare caseloads and the claims of the success of "welfare to work" hide a troubling fact: poverty remains high in every state. Four years after welfare reform, it is clear that reducing caseloads does not in and of itself reduce poverty.

While we hope that President Bush will live up to his promise to "listen" to poor families, we want to emphasize that true compassion is about giving families real support to help them leave poverty.[4] The states have been given a leading role in welfare reform, and it is their responsibility to act with integrity and compassion as they continue to implement the new law. Failures under devolution underscore the need for a stronger federal role.

The new welfare law is up for reauthorization in 2002. This report provides a snapshot of how families are faring under this new law. In short, poverty remains high in every state, and states have failed to deliver services and support to poor families, even though funds are readily available for anti-poverty programs. The report highlights successful anti-poverty programs that could be promoted throughout the country. Finally, the report includes recommendations for Congress and the states.

I. HIGH POVERTY RATES

Many evaluate the success of welfare reform simply based on the reduction of welfare roles. In the last five years, the thinking goes, welfare roles have been more than cut in half, so the program is a success. A more appropriate standard is whether families really are "better off." In America today, adult and child poverty remain unacceptably high. Many people who left welfare have jobs that keep them at or below poverty levels. And an unacceptably high number of people have not found work at all. Other measures of child and family well-being – high infant mortality rates, hunger, and homelessness – signal that not enough is being done to help families.

All of these figures are particularly notable because recent years have seen unprecedented economic expansion. But many families are not benefiting in this time of prosperity.

A. Poverty Levels

By official estimates, 12.6 % of Americans – more than one of every ten people – live in poverty today.[5] In some states – such as New Mexico, Louisiana, and Missouri – more than *one of every six* Americans live in poverty. (See Appendix E for state figures.)

Certain segments of the population are even harder hit.

- *Child poverty*: Child poverty remains at a historic high. Nineteen percent of all children live in poverty.[6] In some states, the numbers are even more alarming – 29% of children in New Mexico live in poverty, and 23% in California, Georgia, and Texas. The child poverty rate today is considerably higher than in the late 1960s and the 1970s. (See Appendix F for state figures.)

- *Deeper poverty for poor families:* According to Census data analyzed by the Center on Budget and Policy Priorities, despite the strong performance of the economy in recent years, the average poor person has grown poorer. The average poor person fell $2,416 below the poverty line in 1999. By contrast in 1993, the average poor person fell $2,104 below the poverty line; in 1996, the figure was $2,122. (These figures are adjusted for inflation so they can be compared across years.)[7]

- *Income inequality:* Income inequality is getting much worse. Between the late 1970's and the late 1990's, the income gap between the richest 20% and the poorest 20% of households grew in 46 states. In 18 states the poorest 20% actually lost income while the top 20% gained. (See Appendix G for state figures.)

B. Employment, Earnings, and Income

Many hoped that welfare reform would help poor families by forcing them into the workforce. But even though many families have indeed moved from "welfare to work," they are often worse off financially. First, actual earnings of former welfare recipients are dangerously low, often below the poverty line. Second, as families leave welfare, they too often *lose benefits* like food stamps and Medicaid, and *incur greater expenses* like transportation and childcare. The end result is a lower net income.

Estimates vary on how many former welfare recipients are working, and their income.

- Data collected by states themselves show that on average, former and current welfare recipients earn incomes well below poverty level when they enter the workforce.[8] Average earnings range from a low of $1400 a year in West Virginia to a "high" of $9800 in Illinois. The federal poverty line is $13,880 a year for a three-person family in 1999.[9] (See Appendix I for state figures.)

- Most states report that only around half of former welfare recipients are employed after leaving welfare. In Mississippi, only 35% of people who left welfare left because they were working. Those who did find work earned, on average, $5.77 an hour. In Kansas, only 40% of people who left welfare found work. (See Appendix K for state figures.)

- Women who have left welfare are worse off financially than when they were on welfare. In Wisconsin, for example, the average income of recipients who left welfare in 1995 and 1997 *declined* from about $12,000 per year to $10,000 per year one year after exit.[10]

These income figures are even more startling when one compares them to the self-sufficiency standard. Here, the standard estimates the amount of income needed for a family to meet its basic needs without public or private assistance (expenses include transportation, childcare, and other basic expenses). In Iowa, for example, a four person family needs to earn more than $2,500 a month to meet basic needs. The average monthly earnings of people on an off welfare, however, are $560. By the same calculation, a family in Washington, DC (with a higher cost of living) needs around $5,000 a month and is only receiving, on average, $730. (See Appendices H and I for state figures.)

People earning minimum wage also may not be able to afford housing without working significantly longer days. The National Low Income Housing Coalition has estimated that in more than half the states, minimum-wage workers need to work more than 80 hours a week to afford a 2-bedroom apartment. (See Appendix L for state figures.) These numbers are particularly problematic for single-parent families.

Even optimistic analysts caution that the booming economy has contributed significantly to the high levels of employment for former welfare recipients. If the economy takes a downturn, former and current welfare recipients will likely be the hardest hit.[11]

C. Other Measures of Child and Family Well Being

Income is only one way to judge child and family well-being. The Children's Defense Fund's Community Monitoring Project, for example, found that while half of welfare recipients left welfare for work, more than half of them had been unable to pay the rent, buy food, afford medical care, or had their telephone or electric service disconnected.[12] Examining rates of hunger, and homelessness can also help to paint a more detailed picture of how families are faring under welfare reform.

The U.S. Conference of Mayors has found that since welfare reform, demand for food and housing assistance has increased significantly.

- *Hunger*: Families leaving welfare report food hardships – trouble providing food, worrying about paying for food, or going to food banks for food. In the past year alone, requests for emergency food assistance increased in 85% of the cities surveyed. In these cities, food requests increased by an average of 17%.[13] In some cities demand is even more dramatic. The Hunger Task Force of Milwaukee reports a 48% increase in demand for services since the new welfare law took effect.[14]

- *Homelessness*: In the past year demand for emergency shelter increased by 15% – the largest one-year increase in the past decade. Twenty-six percent of people seeking emergency housing were employed. Cities attributed the increased demand in part to low-paying jobs and changes in public assistance.[15]

II. POOR FAMILIES WITHOUT SUPPORT

Most states are not providing the assistance necessary to help lift families out of poverty. In some instances, states have not funded programs – such as transportation assistance and childcare – that would help families get and keep jobs. In the worst instances, families have lost benefits – such as Medicaid and food stamps – to which they are legally entitled.

New studies have found that management and training of caseworkers at welfare offices are sorely lacking, and in some cases practices may be discriminatory.[16] Some suspect that since states are allowed to keep the money they don't spend on poor families, there is a strong incentive to discourage people from accessing assistance. These findings are particularly troubling since funds are readily available for a range of programs.

A. Failure to Provide Services

The new welfare reform law gave states a great deal of flexibility to impose sanctions (reduce or terminate benefits), and to set time limits on benefits. Community organizations have found, however, that the actual practices at welfare offices may unfairly discriminate against poor families seeking assistance. Many organizations have found, for example, that translation services are not available, that people are not notified when benefits may be terminated and why, and that people are not told when an appeals process is available. In other cases, welfare offices are located outside urban centers, making it difficult for people to apply for, or receive, benefits. Many of these problems are exacerbated in rural areas where low-income people are often isolated from jobs and services, even as they face tough work requirements and the threat of time limits. Whole populations of welfare recipients are particularly vulnerable to unfair treatment at welfare offices. Examples include:

- *People living with physical and mental disabilities*: Little is known about former welfare recipients who are not employed. Two states – South Carolina and Wisconsin – attempted to survey this population to determine barriers to employment. The most frequently cited barrier was a physical or mental disability.[17] Other surveys found that between one-fourth to one-third of TANF recipients have a mental health problem.[18]

- *Immigrants*: In Wisconsin, a federal investigation determined that immigrants were being denied benefits because the state failed to provide interpreters or translate documents.[19] As a result, Hmong welfare recipients lost on average one-third of their benefits. An independent study found that 70% of Hmong welfare recipients could not communicate with their caseworkers and 90% could not read necessary documents.[20] Federal civil rights law requires state welfare offices to provide translation services.

- *Victims of domestic violence*: A study in New York City found that the majority of welfare recipients surveyed were never screened for domestic violence. Even when welfare recipients themselves informed a caseworker that they were victims of domestic violence or threatened by abuse, more than half were not told they could be excused from work requirements or had other options available to them.[21]

- *Inner-city residents*: Since the new welfare law, the percentage of welfare caseloads in metropolitan cities has greatly increased. For example, only 17% of Wisconsin's residents live in Milwaukee. But the percentage of welfare recipients living in Milwaukee increased from 49% to 83% between 1994 and 1999. (See Appendix J for state figures.) This dramatic increase strongly suggests that targeted investments are not being made in areas of concentrated poverty and that states are not providing adequate transportation supports to poor families.

B. Health Care: Medicaid and CHIP

The 1996 welfare law preserves Medicaid benefits for poor families, even when they leave welfare. This "delinking" provision provides for a critical safety net – it means that families leaving welfare do not lose Medicaid benefits if their incomes remain low. But states have done a poor job of continuing coverage. All too often, families lose Medicaid benefits *while* their income is dropping.

- Since 1995, adult Medicaid enrollment has declined by 10.6%. (See Appendix N for state figures.)

This drop cannot be entirely attributed to the strong economy, programmatic changes and eligibility changes. Research has shown that in many cases, eligible families have been illegally denied enrollment in programs for which they are eligible.[22]

The Children's Health Insurance Program (CHIP) was designed to provide health insurance for children from families with income too high to qualify for Medicaid, but too low to afford private health insurance. Even though millions of children qualify for coverage, few families have taken advantage of the program.

- Nationally, only 21.8% of eligible children are enrolled in the Children's Health Insurance Program. Rather than reaching out to families and increasing health care coverage, states are trending in the wrong direction. In the past year, the percentage of uninsured poor children has *increased* in twenty-one states. (See Appendix M for state figures.)

C. Food Stamps

The increased demand for emergency food assistance from non-governmental sources suggests that many families may not be aware that they qualify for food stamps. Under the new welfare law, most families that lose cash assistance still remain eligible for food stamps. The number of families receiving food stamps, however, has dropped precipitously since the law took effect.

- Despite persistent need, food stamp participation has declined by 39% since 1994. This decline represents the loss of benefits to almost 11 million individuals.[23]

- Food stamp participation continues to decline at a rapid pace. In the last year, 36 states reported a decline in the number of food stamp recipients – some by as much as 30%. (See Appendix O for state figures.)

- A study conducted by the Children's Defense Fund found that while 81% of families surveyed were eligible for food stamps, only half actually received them.[24]

- According to a report from Mathematica Policy research, Inc. in 1994, 71% of eligible persons were actually receiving food stamps in 1994. By 1998, only 59% of eligible persons were getting food stamps.[25]

As a near-cash benefit, food stamps remain one of the most critical safety nets for poor families. The large variability in food stamp participation between states suggests that states themselves play a large role in ensuring whether eligible families receive food stamps. Many states are failing to provide this necessary support.

D. Other Supports Lacking

States have failed to provide additional supports that are necessary to help parents find and keep jobs, and to help families leave poverty.

- *Childcare*: Lack of childcare is one of the most frequently cited barriers to work for parents – and particularly for mothers. Yet it is estimated that only 12% of low-income children eligible for childcare subsidies get this kind of assistance.[26] (See Appendix P for state figures.)

- *Education and Training*: Under welfare reform, only 20% of a state's welfare caseload can count education as "work." The result is that many welfare recipients are not getting the education and training that they need to move ahead. Since welfare reform, enrollment of welfare recipients at local and community colleges has dropped precipitously. In

Massachusetts, for example, enrollment dropped 50% between 1994 and 1997.[27]

- *Cash Assistance*: Poor families still receiving welfare are living on very low grants. In Alabama, cash assistance for a single-parent family of three is $164 a month. In Tennessee, it's only slightly better at $185. Only 18 states have raised welfare grant levels since November 1997. Nationally, the average grant level for a family of three amounts to little more than one-third of the poverty level. The typical cash grant has lost half of its purchasing power over the last 25 years. (See Appendix Q for state figures.)

In the face of these figures, calling welfare reform a "success" seems, if not a lie, greatly exaggerated. Rather, the overwhelming evidence of persistent poverty and inadequate supports for low-income families suggests a systemic failure to implement policies to reduce poverty.

III. UNSPENT AND MISUSED TANF FUNDS

By significantly reducing caseloads, states have managed to accumulate an unprecedented amount of unspent TANF funds – more than $8 billion as of September 30, 2000. While States are not required to spend their entire TANF block grant, the unspent funds are evidence of a persistent failure to help poor people.

We know that states are beginning to spend TANF funds at a faster rate, but the surplus continues to grow. In the last year, the surplus TANF funds have increased by $1 billion. More troubling, some state actions have raised significant concerns about how states are using these funds.

Several states have used the flexibility of the TANF block grant program to abuse the public trust. Specifically, some states divert funds meant for needy families to cover other fiscal priorities, such as tax cuts and budget short falls. These state actions are unconscionable. Such budget maneuvering literally takes food from the mouths of children. Connecticut, Michigan, Oregon, Texas, Virginia, Wisconsin, and other states are currently engaged in this practice, called supplantation.

A. Unspent TANF Funds

As of September 30, 2000, states were holding more than $8 billion dollars in unspent TANF funds.[28] California, New York, and Ohio have the highest amounts of unspent funds, with $1.6 billion, $1.3 billion, and $720 million, respectively.[29] Together these states add up to nearly 45% of the national total.

Mississippi, West Virginia, and Wyoming, however, receive the lowest ratings. These states are holding the highest *percentage* of their TANF grant, when the unspent money is compared to the total annual grants awarded to each state.

- Forty-six states and the District of Columbia are holding more than $8 billion in unspent TANF money. (See Appendices A and C for state figures.)

- The balance of the unspent TANF funds has increased by $1 billion over the last year. Ten states – New York, Philadelphia, Ohio, New Jersey, Wisconsin, Tennessee, Washington, Louisiana, Georgia and West Virginia– are responsible for the vast majority of the $1 billion increase in total unspent TANF dollars in the last year. (See Appendix B for state figures.)

The good news is that most states have accelerated TANF spending. Thirty-six states have spent more TANF money in fiscal year 2000 than in fiscal year 1999. But despite this good news, the states with the largest increases in unspent TANF funds are the same states with persistently high levels of poverty.

- The largest increases in the amount of unspent TANF dollars were in New York, New Jersey, Pennsylvania, Georgia, Minnesota, Louisiana, Florida, Alabama, Massachusetts, and Mississippi. Poverty remains high in all of these states. Some of these states, in fact, are notorious for failing to address the needs of poor families.

It should be noted that while most states are spending down their surpluses, fourteen states have increased their surplus of unspent funds since 1999.[30] What's more, when other measures of state spending are taken into account – i.e. state maintenance of effort requirements – most states are spending less on anti-poverty programs than they did in 1994.

It should be noted that many states contend that unspent TANF funds should be set aside for rainy-day funds. While at first glance this seems to be a sensible position, the amount of money most states have set aside in such funds would be inadequate to address a recession, and despite the booming economy of the last decade it is clear that there is extensive need now. Furthermore, the existence of rainy day funds create an illusion that the full TANF block grant appropriation is unnecessarily high. Such a conclusion is clearly inaccurate.

The total unspent TANF numbers listed in this report are a combination of unliquidated obligations and unobligated funds. Unliquidated obligations are funds that have been committed to programs, but have not yet been spent. Budget analyses have demonstrated that this subset of unspent TANF money, though obligated, is often never spent. Rather than obligate funds and leave them untouched, a more responsible route would be to spend the money on programs that are in demand and have a high rate of success.

B. Reduced Spending on Anti-Poverty Programs

Under the federal welfare law, each state is required to spend 75% or more of what it spent in Fiscal Year 1994 in order to receive its TANF block grant allocation. Unfortunately, states have taken this as an opportunity to reduce state spending on anti-poverty programs. (See Appendix D for state figures.)

- Forty-seven states and the District of Columbia have reduced spending on anti-poverty programs to *below* 1994 levels.
- Only Colorado, Maine, and Rhode Island are spending more state money today on anti-poverty programs than they did in 1994.

Some states argue that it is only natural that as caseloads decline, state expenditures should decline as well. But it’s not that simple. Reduced caseloads shouldn’t justify reduced spending. First, punitive state welfare policies have contributed to declining caseloads. Some states discourage poor people from applying for welfare, sanction or otherwise terminate assistance to poor families, and deny assistance to certain groups of people such as immigrants. In so far as eligible recipients have been denied assistance, decreased spending cannot be justified.

Second, to the extent that people are finding jobs, they remain poor. Thus, reduced caseloads do not reflect reduced *need* for assistance by poor families. Finally, many families still receiving welfare face multiple barriers to financial independence – lack of transportation options, childcare, and other supports. Furthermore, people living with disabilities, survivors of domestic abuse, and immigrants, all face significant challenges. As such, they will require greater financial investments by states. These investments have been few and far between.

C. Supplantation

Some states have replaced state funds for various programs with TANF funds in order to free up state money for priorities that do not benefit poor families, e.g., tax cuts, or covering short falls in other budget areas. Even when the TANF funds are used in social service programs, the net result is that poor families receive significantly less money than they need. This practice – known as “supplantation” – is legal and is made possible by unintended loopholes in federal welfare law.

This practice among states is troubling not only because it hurts poor families, but also because it threatens the integrity of the TANF block grant. Once used up in this manner, the TANF funds are lost to the families who need them.

Furthermore, if states continue to abuse the program, it will threaten its credibility in the eyes of Congress. In March of 2000, Representative Nancy Johnson (R-CT), then chair of the Human Resources Subcommittee of the House Ways and Means Committee, sent a sharply worded letter to all governors on the subject of TANF funding, highlighting her disapproval of the practice of supplantation. In the letter she expressed concern that Congress might reduce TANF funding to the states if they continued the practice. (See Appendix S for a copy of the letter.)

Examples of supplantation include:

- **Connecticut**: Since 1988, Connecticut has supplanted more than $170 million dollars. From 1998 to 2000, the state transferred $70 million to their Social Services Block Grant and then used the TANF money to fund programs previously funded with state dollars. In 1999 and 2000, the state used $100 million of TANF money to fund state programs that were previously funded with state dollars.[31]

- **Michigan**: Michigan's 2001 budget includes a plan to spend $27 million in TANF money for its property tax credit for families below 200% of poverty. While the plan was initially considered permissible by the United States Department of Health and Human Services, the federal government has since clarified its policy to disallow states from using TANF funds in this manner, or from counting such expenditures toward MOE requirements. In the future, TANF funds may only be used for credits that give people back *more* than they paid in taxes, not to simply free up state funds for other budget priorities.[32]

  Including this amount, according to the Michigan League for Human Services, Michigan has supplanted a cumulative total of $125.84 million since FY1998, which equals 16.2% of their entire TANF block grant.[33]

- **Oregon:** An August 1998 report from the General Accounting Office (GAO/AIMD-98-137) reported that Oregon had taken $55 million in state funds from the state welfare program and reallocated it to fund education and other social service programs. According to the Oregon Center for Public Policy, the state's foster care system has been a prime beneficiary of such supplantation since welfare reform. The child services division encompassing foster care saw an increase in TANF expenditures from $19.6 million in the 1993-95 biennium to an estimated $79.7 million in 1999-01. This dramatic increase is *not* due to an increase in demand for foster care services. It is evidence that the state is using TANF funds to free up state general operating funds for other purposes.[34]

- **Texas:** A budget analysis by the Center for Public Policy Priorities found that from 1998 through 2001, Texas used or plans to use $320 million in TANF funds to supplant state general revenue. To be clear, the funds went to valuable programs – including family planning and family violence services – but the state did not need to use the TANF funds for those programs. In effect, by diverting the TANF funds, the state reduced the amount of money available for other services. The Center found that if Texas had used their TANF funds differently, the funds "could have doubled the total 1999 expenditures in child care or added $80 million a year to employment services for public assistance recipients."[35]

- **Virginia**: Governor Gilmore's proposed budget uses TANF funds to help make up revenue the state lost when it eliminated its car tax. According to the Virginia Poverty Law Center, the Governor's proposed budget would supplant state spending to the tune of $10 million, and because these supplanted state funds constitute a match necessary to draw down federal funds, the Governor's budget misuses an additional $6 million in federal TANF funds to replace lost federal support. This budget shell game on the backs of the poor has not gone unnoticed. *The Washington Post* noted that "without the supplantation, $20 million would have been available to be spent on the poor or saved for their benefit in the event of an economic downturn. The governor's proposal would cut that in half…To repeal the car tax and not replace it with another source of revenue was unwise. To then lay part of the cost on some of the poorest people in the state only compounds the abuse."[36]

- **Wisconsin**: At least $112 million in TANF funds were diverted to pay for tax cuts or non-poverty related programs in FY 1998 and FY 1999. Another $170 million has been or will be diverted in FY 2000 and FY 2001. In effect, Wisconsin has used TANF money to help pay for a state tax cut, which is expected to cost the state $527 million in tax year 2000 and $642 million in tax year 2001.[37]

IV. STATE POLICIES THAT REDUCE POVERTY

There is an unprecedented opportunity to adopt and expand policies that support poor and low-income families. First, states have unspent TANF funds from past years – both from declining caseloads and their own attempts to reduce expenses. Second, federal regulations issued in 1999 make it clear that the federal welfare law gives states broad authority to spend TANF funds to assist all poor families – not just former welfare recipients. Finally, some states are operating with budget surpluses because of the booming economy. While TANF is one source of available funds, there are other funds immediately available.[38]

Community organizations continue to push for and win innovative policies that reduce poverty. Some successful policies include:

- *Providing supports for low-income workers*: worker stipends, state Earned Income Tax Credits, transportation assistance, and childcare.

- *Increased supports for poor families receiving welfare*: increased grant levels, education and training, public jobs in areas of concentrated poverty, and housing assistance.

- *Addressing the needs of low-income people with special needs:* services for parents with disabilities, food and cash assistance for immigrants, increased funding for substance abuse treatment, and services for survivors of domestic violence.

Examples of these programs are outlined below.

A. State Earned Income Tax Credits

Fifteen states have enacted earned income tax credits (EITC) that provide tax relief and wage supplements to low-and moderate-income working families with children.[39] State EITC laws can be funded with TANF dollars and build on the federal earned income credit, and are widely considered to be the most effective anti-poverty program for working families. The EITC has also been shown to increase work participation, while lifting nearly 5 million parents and children out of poverty.

- Nine states – Colorado, Kansas, Maryland, Massachusetts, Minnesota, New Jersey, New York, Vermont and Wisconsin – and the District of Columbia follow the federal practice of making the credit "refundable." This allows the family to receive the full amount of its credit even if the credit amount is greater than the family's tax liability. By following the federal practice, these state EITCs will benefit a wide range of low-income working families with children, including workers just entering the workforce and those with very low earnings.

- The federal EITC provides a somewhat larger credit to families with two or more children than to families with just one child, in recognition of the increased cost of living for large families. Wisconsin, goes further: it provides a much larger state EITC to families with three or more children.

B. Work Stipends and Bonuses

States can and have used TANF funds to smooth the transition from welfare to work by providing stipends for use in meeting work expenses such as transportation, uniforms or training. For instance, a pilot program last year in Texas used TANF funds to provide $1,200 annual stipends to newly working families, including intensive case management.

- Tennessee provides $200 cash bonuses to families in which parents leave welfare and remain employed for six months. Parents who remain employed for a year are eligible for a $500 bonus.[40]

C. Transportation Assistance

Transportation to and from work is critical – but often out of reach – for low-income job seekers, many of whom don't own their own cars. Families attempting to leave welfare are often hampered in their ability to find and keep better jobs by poor public transportation as well as by living far away from major jobs centers. Using TANF funds to connect former welfare recipients and low-income workers to jobs is a critical step in paving the road from welfare to work.

- The Statewide Emergency Network for Social and Economic Security in New York State successfully worked with the state legislature to use $10 million of the unspent TANF funds to pay for programs that help low-income families purchase and maintain vehicles to get to work. This "Wheels to Work" transportation assistance program is especially welcome since New York has more unspent TANF funds than any other state except California

Importantly, many states have also taken steps to insure that vehicle ownership cannot be counted against a person in determining their eligibility for assistance.

D. Childcare

- The Citizens' Committee for Children of New York was successful in convincing the state to greatly expand childcare funding. New York increased funding for childcare by $119.5 million to create 28,000 new subsidized slots for childcare. Additionally, the state added $30 million for development and expansion of facilities and $3 million to expand the Child and Dependent Care Tax Credit for low-income working families. Drawing on TANF funds, the state also added $40 million for recruitment and retention of childcare workers. New York City also increased supports, budgeting $25 million in capital funds for facility development and expansion, and $25 million for a City Child and Dependent Care Tax Credit.[41]

E. Increased Grant Levels

Some states have increased monthly cash assistance grants and/or lowered eligibility requirements. Other states ease the transition from welfare to work by extending eligibility requirements to allow families to continue receiving benefits after they enter the workforce.

- In Minnesota, a pilot program allowed welfare recipients moving into jobs to remain eligible for welfare until their income reached 140% of the poverty line. Participants in the program were more likely to be employed, reported greater earnings, and were more likely to have uninterrupted health care coverage than other welfare recipients in the state.[42] These policies can help provide the crucial support needed to insure the move from welfare to work is sustainable.

- Still other states – Arizona, Delaware, Illinois, Maryland and Rhode Island – have agreed to stop the clock on federal and state welfare time limits for recipients who have taken jobs. This is important given that many recipients' first jobs after leaving welfare pay so little that they continue to qualify for cash assistance and other benefits.[43]

F. Education and Training

Education and training are critical for families to find and keep jobs – and especially to help people move into jobs that pay more than minimum wage.

- Eight states – Illinois, Iowa, Kentucky, Maine, Missouri, Rhode Island, Utah, Wyoming – allow welfare recipients to count postsecondary education towards work requirements. While other states have similar policies, these states stand out because they allow school to count for work for at least one year, and do not require any additional work for at least the first year of the education program.

- In Maine, a separate state MOE-funded program called "Parents as Scholars" allows TANF eligible recipients to attend college as long as they finish the program within one and a half times the amount of time expected for a full-time student. After two years in school and during summer breaks, recipients are required to work 20 hours per week. Childcare and other support services are provided.[44]

G. Public Jobs

- Philadelphia's Work Opportunity program, which provides public jobs to welfare-eligible individuals, announced it will offer skills training to participants. To cover these expenses, the program received an additional $500,000 in TANF dollars from the state of Pennsylvania in February 2001. This program stands in stark contrast to workfare programs that have been implemented in other urban centers like New York and Los Angeles where individuals often receive less than minimum wage for their work and do not receive training.[45]

H. Housing Assistance

- In May 1999, Illinois established a new Family Homelessness Prevention Program using $1 million in unspent TANF dollars. Developed by the Chicago Coalition for the Homeless, the program provides rent, utility, legal, and other assistance to families experiencing short-term economic crises and are at risk of losing their shelter. The program, in order to be fully funded, would require an additional $4 million.[46]

- Last year, New Hampshire allocated $1 million of its TANF surplus for an emergency housing assistance pilot program. Here, homeless people or people served by a shelter are eligible to receive up to 3 months of paid rent in order to establish themselves in an apartment.

I. Services to Parents with Disabilities

- In Tennessee, a new program has been implemented to meet the particularly challenging needs of parents with mental impairments, learning disabilities, domestic violence and substance abuse problems and children with mental or physical impairments. The program has two components: a family services counseling program to provide intensive services to families with special needs, and customer service reviews to ensure that families are not inappropriately penalized because of their disabilities.

J. Food and Cash Assistance to Immigrants

The new welfare law cut off federal assistance to many immigrants and refugees. Understanding the crucial need for continued support, several states have taken steps to restore benefits to immigrant and refugee populations.

- In California, immigrants and refugees can receive benefits from a variety of state replacement programs, including TANF services, health care, and children's health insurance. State SSI and food assistance programs are in place as well. Immigrants and refugees who entered the country after 1996 may also be eligible for the food stamp and SSI cash replacement programs. While the state allocates its own funds for these programs, it receives MOE credit for the food assistance. About 100,000 people benefit from these programs each year.

- Massachusetts also has created various replacement programs for immigrants and refugees, including SSI, food stamps, Temporary Assistance to Families with Dependent Children services, and a fully funded Medicaid program. These programs benefit extend to immigrants who entered the country after 1996. In addition, the state started the Children's Medical Security Plan, which provides preventative care services for all children regardless of their immigration status.[47]

K. Funding for Substance Abuse Treatment

- Milwaukee used $10 million of their TANF grant to create an "Alcohol and Other Drug" addiction program for uninsured people. Advocated by Milwaukee Inner City Congregation Allied for Hope (MICAH), the money is drawn from Maintenance of Effort funds so that people eligible for TANF can access the program. The program greatly increased Milwaukee's capacity to provide substance abuse treatment for low-income, uninsured people.[48]

L. Services for Survivors of Domestic Violence

As an amendment to the new welfare law, the Family Violence Option (FVO) gives victims of domestic violence access to needed services before seeking work. Many states grant battered women a temporary waiver from work requirements. States may also waive child support collection efforts if contact with the father would put a member of the family at risk of violence. Other states provide counseling or help women find safe housing.[49]

- Domestic violence advocates in Rhode Island are working with state welfare officials in the implementation of the new welfare law. Rhode Island provides specific notice to all welfare recipients about options available to victims of domestic violence, including the ability to waive child support collection. In addition, advocates from the Women's Center of Rhode Island are called in once a welfare applicant or recipient discloses domestic violence. These advocates help to determine if an individual should receive a waiver from work requirements.

V. RECOMMENDATIONS

The deadline for reauthorizing the 1996 welfare law is quickly approaching. Some are already advocating that Congress reduce the amount of money given to the states. Since states succeeded in reducing welfare rolls, some believe that they no longer need the same levels of funding.

The National Campaign for Jobs and Income Support believes that any reduction in the TANF block grant is ill advised, and would put thousands of families at even greater risk. Poverty remains unacceptably high. Many families are not getting services, or are being turned away from services to which they are entitled.

Most importantly, in this time of plenty, there is a singular opportunity to implement meaningful reforms that can improve the lives of poor Americans.

Recommendations

While it is true that many states have not made the best use of TANF funds, it does not justify decreasing the funds. Lower funding levels will only punish poor families. Instead, Congress should establish greater accountability for the use of TANF funds.

1. **States must spend more TANF money now to ensure enrollment in existing programs and to fund new anti-poverty programs.**

States have done a poor job of ensuring that families receive the benefits to which they are eligible. States should ensure that eligible families receive benefits and will need to increase spending accordingly. Furthermore, to the extent that people are finding jobs, they remain poor. Many families still receiving welfare face multiple barriers to financial independence. States will need to make a greater financial investment if the reforms are to be successful, including:

- *Provide supports* for low-income workers, such as state Earned Income Tax Credits, transportation assistance, and childcare, and wage-paying jobs for areas of high-unemployment;

- *Increase supports* for poor families receiving welfare, by increasing grant levels and providing education and training; and

- *Address the needs* of low-income people with special needs, such as domestic violence and alcohol and substance abuse problems.

2. **Decreased poverty should be the measure of success, not shrinking welfare rolls. Congress should consider the extent of need when determining how much money states should receive when the welfare law is reauthorized.**

   The great promise of the new welfare law was that it would lift families out of poverty. It should be evaluated on those grounds. Simply reducing welfare rolls – especially if this is achieved in a punitive, discriminatory fashion – should not be considered success. Congress should establish greater accountability and performance measures as a condition of the TANF block grant. Congress should consider the extent of need when they set funding levels for the states. Congress should also:

   - Prohibit states from engaging in supplantation;

   - Maintain or increase state spending requirements; and

   - Create a "poverty reduction standard" to measure state performance under the TANF block grant.

3. **Involve community organizations in both the implementation of welfare reforms, and the reauthorization process.**

   Community organizations know first-hand how families are faring under the new welfare law, what supports are needed, and what programs work. As the representatives of those affected by welfare policies, they need to be consulted in both the implementation of new programs and the reauthorization process. Therefore, states should make readily available to the public information about how federal and state welfare funds are spent and what is happening to welfare recipients on and off of welfare.

Endnotes

[1] Many consider the $8 billion figure to be an underestimate because the estimates are based on budgeting of funds rather than on disbursements of funds.

[2] While these six states are profiled, evidence suggests that several other states may also be engaging in supplantation: According to Community Voices Heard, New York state may supplant $761 million this year. Mississippi is considering a $30 million supplantation scheme.

[3] President George W. Bush, Inaugural Address, January 20, 2001. Available at http://www.whitehouse.gov. Downloaded February 10, 2001.

[4] In his inaugural address, President Bush stated, "Many in our country do not know that pain of poverty, but we can listen to those who do."

[5] U.S. Census Bureau, *Poverty in the United States: 1999*, September 2000. This figure represents a three-year average.

[6] Census Bureau, Current Population Survey Data 1998-2000. This figure represents a three-year average, calculated by the Center on Budget and Policy Priorities.

[7] Primus, Wendell and Robert Greenstein, Poverty Rate Hits Lowest Level Since 1979 as Unemployment Reaches a Thirty Year Low, Revised October 2000. Center for Budget and Policy Priorities.

[8] Bernstein, Jared et al, *Pulling Apart: A State-by-State Analysis of Income Trends*, January 2000. Washington DC: Economic Policy Institute and Center on Budget and Policy Priorities. The full report is available at http://www.epinet.org.

[9] The poverty line was established in the 1960s and has only been adjusted for inflation ever since. Many believe, therefore, that an adjusted poverty line would reveal that many more families are living at or below poverty.

[10] Institute for Research on Poverty (IRP), Special Report #77, *Before and After TANF: The Economic Well-Being of Women Leaving Welfare*, May 2000. The report is available at: www.ssc.wisc.edu/irp/research/home.htm.

[11] See Holzer, Harry and Michael Stoll, *Employers and Welfare Recipients: The Effects of Welfare Reform in the Workplace*, 2001. San Francisco, California: Public Policy Institute of California. The report is available at http://www.ppic.org.

[12] Children's Defense Fund, *Families Struggling to Make It in the Workforce: A Post Welfare Report*, 2000. Surveys were collected from more than 5,000 families in 65 cities between January and December 1999. The study also found that one third of former welfare recipients who initially found work did not remain employed. Fifty-eight percent of those working had incomes below the poverty line. Hereinafter, "CDF Report."

[13] United States Conference of Mayors, "Hunger and Homelessness in America's Cities," December 2000. The full report is available at http://www.usmayors.org. Hereinafter "USCM Report."

[14] Kay, Sherrie, Hunger Task Force of Milwaukee, Personal Interview with Leigh Dingerson, January 10, 2001.

[15] See USCM Report, p. ii.

[16] *See* Gordon, Rebecca. February 2001. *Cruel and Usual: How Welfare "Reform" Punishes Poor People*. Oakland, California: Applied Research Center. Available at http://www.arc.org. Hereinafter "ARC Report."

[17] United States General Accounting Office, "Welfare Reform: Information on Former Recipients' Status," April 1999, p. 23. GAO/HEHS-99-48. Hereinafter "GAO Report."

[18] Center on Budget and Policy Priorities, "The Diversity of Welfare Leavers," p. 2. 1998.

[19] Schultz, Steve, "U.S. Criticizes W-2 Dealings with Hmong," *Milwaukee Journal Sentinel*, December 7, 2000.

[20] Moore, Thompson and Victoria Selkowe, *The Impact of Welfare Reform on Wisconsin's Hmong Aid Recipients*, December 1999. Milwaukee, Wisconsin: The Institute for Wisconsin's Future.

[21] Cited in Federation of Protestant Welfare Agencies, *Downside: The Human Consequences of the Giuliani Administration's Welfare Caseload Cuts*, November 2000, p. 5.

[22] No Healthy Start in Montana: State Enrollment Process Prevents Children from Accessing CHIP and Medicaid. Montana People Action/Northwest Federation of Community Organizations. May 2000.

[23] U.S. Department of Health and Human Services/Food and Nutrition Service. From January to February 1994, 27,833,164 people were food stamp participants. By 2000, there were only 16,964,801 participants. Analysis by the Center on Budget and Policy Priorities.

[24] CDF Report, p. 28.

[25] Schirm, Allen L. Reaching Those in Need: State Food Stamp Participation Rates in 1998. Mathematica Policy Research, Inc. for USDA, January 2001.

[26] U.S. Department of Health and Human Services, *Access to Child Care for Low-Income Working Families*, 1999.

[27] ARC Report, p. 13.

[28] Ed Lazere, *Unspent TANF Funds at the End of Federal Fiscal Year* 2000, January 22, 2001. Washington DC: Center on Budget and Policy Priorities. The full report is available at http://www.cbpp.org.

[29] The surplus is projected to be even higher in New York according to the State Emergency Network for Social and Economic Security.

[30] These states are: Alabama, Georgia, Hawaii, Kentucky, Louisiana, Maine, New Jersey, Nevada, Oklahoma, Pennsylvania, Rhode Island, Utah, Virginia, Wyoming.

[31] Legal Assistance Resource Center of Connecticut, *How Connecticut Spends Federal Temporary Assistance for Needy Families (TANF) Block Grant and Related State Maintenance of Effort (MOE) Funds*, January 2001.

[32] U.S. Department of Health and Human Services, "Temporary Assistance for Needy Families Program Instruction," No. TANF-ACF-P1-01-01, January 17, 2001. Available at http://www.acf.dhhs.gov/programs/ofa/taxcrdt.htm.

[33] Michigan League for Human Services, *TANF Spending in Michigan: Recent Trends and Implications for the Future*, October 2000.

[34] Phone interview with Michael Leachman, OCPP, February 16, 2001.

[35] Center for Public Policy Priorities, *The TANF Challenge: Strategic Use of the Temporary Assistance for Needy Families (TANF) Block Grant in the 2002-03 State Budget*, 2001, p. 14. The full report is available at http://www.cppp.org.

[36] "At the Expense of the Poor," T*he Washington Post*, January 30, 2001, p. A16.

[37] Legislative Fiscal Bureau Memorandum, "1999 Wisconsin Act 9, 10, and 198: Individual Income Tax and Homestead Credit Modifications" June 1, 2000.

[38] According to the National Conference of State Legislatures (NCSL), twenty-one states report revenue collections above original forecasts, and 23 states and the District of Columbia indicate that revenue collections are on target. Only six states report revenue collections below estimates. "State Fiscal Outlook for 2001," January 4, 2001. The release is available at http://www.ncsl.org/programs/fiscal/sfo2001.htm.

[39] The 15 states are: Colorado, Illinois, Iowa, Kansas, Maine, Massachusetts, Maryland, Minnesota, New Jersey, New York, Oregon, Rhode Island, Vermont, and Wisconsin. Montgomery County, MD has also enacted a county EITC and other cities are considering similar measures. Center on Budget and Policy Priorities, *A Hand Up: How State Earned Income Tax Credits Help Working Families Escape Poverty in 2000*, November 2, 2000.

[40] Center on Budget and Policy Priorities, *States and Counties Are Taking Steps to Help Low-Income Working Families Make Ends Meet and Move Up the Economic Ladder*, November 27, 2000. "Hereinafter CBPP State Report."

[41] Citizen's Committee for Children, *CCC child Care Advocacy in New York City: A Chronology*, August 2000.

[42] See CDF Report, p. 38. The pilot program was expanded statewide but with less-generous benefits.

[43] CBPP State Report.

[44] In order to be eligible, the participants must not already have a bachelor's degree in a field where there is available work, and must lack the skills to earn at least 85 percent of the state's median wage. Center on Budget and Policy Priorities, *Post-secondary Education Under TANF*, forthcoming, 2001.

[45] Interview with John Dodds, Philadelphia Unemployment Project, February 13, 2001.

[46] Interview with John Donahue, Chicago Coalition for the Homeless, February 15, 2001.

[47] The program covers children under 19 who are ineligible for the state Mass Health plan. Phone interviews with Tanya Broder, National Immigration Law Center, and Tyler Moran, Massachusetts Immigration and Refugee Advocacy Coalition, February 8, 2001.

[48] Phone interview with David Liners, MICAH, February 13, 2001.

[49] Raphael, Jody and Sheila Haennicke, *Keeping Battered Women Safe Through the Welfare-to-Work Journey: How Are We Doing? A Report on the Implementation of Policies for Battered Women in State Temporary Assistance for Needy Families (TANF) Programs*, September 1999. Washington DC: Taylor Institute.