

CENTER ON FATHERS, FAMILIES, AND PUBLIC POLICY

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POLICY BRIEFING

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Report Provides Critique Of Marriage Promotion Efforts

A new discussion paper, *Marriage, Poverty, and Public Policy*, by Stephanie Coontz and Nancy Folbre of the Council on Contemporary Families analyzes current

proposals by the Bush administration to promote marriage within the TANF program. Among the points made by the authors:

- Although poor families are just as likely as others to consider marriage an ideal arrangement for raising children, economic hardships such as unemployment, low wages and poverty make it less likely that the hope of marriage can be realized. Economic stability, and not pre-marital counseling, would play a critical role in allowing for healthy marriages for families in these circumstances.
- Despite significant increases in their hours of work, single parents have not experienced an improvement in economic conditions, in part because of the high cost of child care. Much of non-marital childbirth cohort is comprised of cohabiting couples, not single women living without a partner. Welfare reform itself has encouraged this trend, increasing economic stress on parents and creating a need to share financial resources, often with partners who are unwilling or unlikely to marry.
- Hypothetical notions of reducing poverty by promoting the marriage of poor women so that parents can combine incomes are unlikely to be borne out. Employed men and women are much more likely to marry partners who themselves have good employment prospects. Individuals with the most economic barriers such as low educational attainment, a history of incarceration, or substance abuse, are the least likely to marry. Marriage stability is also difficult to attain under the stresses of poverty.
- The effect of creating a marriage bonus under TANF would be to impose a “non-marriage” penalty that would disproportionately impact African-Americans. Programs designed to encourage marriage should be directed at all families and not just the poor. They would more appropriately be built into public and private health insurance coverage, for example, and should focus on a range of family relationships and not just marriage.

The discussion paper is available at the Council on Contemporary Families website, <http://www.contemporaryfamilies.org/>.

**Supreme Court Upholds
Public Housing Drug Ban**

In a unanimous opinion on March 26 (with Justice Stephen Breyer not participating in the ruling), the Supreme Court upheld rules that allow for the eviction of families from federally subsidized housing if any family member or guest of the family is involved in narcotics. The cases, *Department of Housing and Urban Development v. Rucker*, 00-1770 and *Oakland Housing Authority v. Rucker*, 00-1781, were brought by four senior citizens in Oakland, CA who received eviction notices because of the drug use of relatives or caregivers. The decision allows public housing directors to evict entire families for drug use by one member, regardless of whether the use was on public housing property or the tenant knew about it. The policy was developed as part of the “one-strike and you’re out” housing provision of drug laws passed in 1988 to combat crime in public housing.

Craig Stevens of the Pennsylvania Low-Income Housing Coalition stated that the ruling means that, “more poor families will end up on the street for behavior by someone in their family that they might not know about or be able to control.” Other critics have noted that the law establishes a double standard for the poor who live in public housing.

The decision signals a readiness on the part of the Supreme Court to allow for more intrusive anti-drug practices. The Court will be deciding cases this year regarding wider drug-testing in schools, and the search of public transit passengers who are suspected of being drug couriers.

**Report Describes Low-Income
Families’ Difficulties in Attempting
to Work and Raise Families**

In a report based on discussions with more than 342 low-income parents, many of the frustrations inherent in raising families and working at low-wage jobs are identified. The report, *Keeping Jobs and Raising Families in Low-Income America: It Just Doesn’t Work*, was prepared by the Radcliffe Public Policy Center and 9to5 National Association of Working Women for the *Across the Boundaries* Project. Some of the key findings include:

- More than two-thirds of the parents in the study reported at least one child with special health or learning needs. The additional time and attention required to contend with doctor’s appointments, school issues and child care needs for these children made job retention yet more difficult, and outcomes for children with these conditions were in jeopardy due to reduced parental time when parents worked.
- Parents had child care arrangements that were fragmented and offered little consistency or security to cover their entire working day and commute. Patchwork plans with relatives and after-school activities, or relying on older siblings to get younger children to or from school leaves many children, including adolescents, at risk of being unattended in often dangerous circumstances. Such arrangements also break down easily, forcing parents to leave work and be late, and putting job retention at risk. Parents also were nervous about their children’s arrival at arranged destinations, and used the telephone often to check up on children. Employers described the absences and phone calls as necessary but intrusive.
- While parents believed that their work was an important role to model for their children, they were frustrated at their continued poverty and lack of time with their children. Employers also felt that the jobs held by low-wage workers offered little chance for advancement.

- Parents were also frustrated at their inability to be involved in their children's schooling. While educators expressed an understanding of the constraint on the parent's time, they tended to attribute the disorganization and fatigue on the part of students to family dysfunction.

The report is available on-line at www.radcliffe.edu/pubpol.

Investigation of Private Child Support Enforcement Contractor Requested In Maryland

The Director of Maryland's Child Support Enforcement agency, Theresa Kaiser, has requested an investigation of the state's private contractor Maximus, a company that

administers child support in Baltimore, Maryland. According to an on-line news service, Sunspot.net, Ms. Kaiser submitted a letter to the state's Joint Audit Committee to investigate the possible manipulation of data and other issues with the Maximus contract, including such allegations as:

- Maximus often collected more money than the noncustodial parent owed or continued to collect after the child became a legal adult and failed to make refunds when asked.
- Maximus created multiple cases out of a single valid case in order to inflate its paternity establishment and child support order rates.
- Maximus improperly closed cases in a way that improved the scores on which its performance would be judged.

Two New Studies Document Racism Inherent to Health and Welfare Service Provision

The provision of health care and welfare services have each been the subject of recent reports that clarify the ways in which racism continues to have an unrelenting hold on the allocation of such

services. The first, *Race and Welfare in the United States*, by Joe Soss of the American University is based on an analysis of race in state policy and practice and in media representation. The analysis is currently available as a summary of his presentation to the Coalition on Human Needs in January 2002. Among its points:

- African-Americans are overemphasized in media representation of the poor, compared to their true proportion of the poor. In stories that focus on unsympathetic aspects of the poor, images of African-Americans increase; white images in the media increase in stories about the "deserving poor."
- Whites are more likely than other participants to report getting help with expenses after leaving welfare; blacks are less likely to report such help than other participants. White TANF families are also more likely to leave welfare due to wage levels that make them no longer eligible for services than they are to leave as the result of a sanction for noncompliance with program rules. For black families, the reverse is true.
- Blacks were the only racial group to show no statistically significant improvements in well-being from 1997-1999, a period of strong economic performance.

A recent book, *Unequal Treatment: Confronting Racial and Ethnic Disparities in Health Care*, was released recently by the Institute of Medicine. The report is based on a review of more than 100 studies on health care conducted over the last decade and finds that even when differences in access to care, income and severity of conditions are

comparable, minorities receive lower quality health care than whites. Among the findings:

- Disparities in care contribute to higher death rates among minorities from cancer, heart disease, diabetes and H.I.V. infection.
- When minorities are insured at the same level as whites, they are less likely to enjoy a consistent relationship with a primary care provider, in part because of the lack of doctors in minority communities.
- In one study of Medicare patients, blacks were 3.6 times as likely as whites to have their lower limbs amputated as a result of diabetes. In another study, blacks were 37% less likely to undergo angioplasty and other heart procedures including bypass surgery than whites.
- Time pressures coupled with the necessity to make complex decisions that are inherent in many clinical encounters between doctors and patients increase the likelihood that stereotyping will occur.
- Language barriers also affect the quality of healthcare. As many as one in five Spanish-speaking Latinos reports not seeking medical care due to language barriers.

The report is available to read on the web or to purchase in its pre-publication form, at www.nap.edu/catalog/10260.html.

Wisconsin Welfare Practices Are Subject of Civil Rights Complaint

In Wisconsin, a complaint has been filed with the federal Office of Civil Rights by the ACLU of Wisconsin Foundation and the Milwaukee

Branch of the NAACP regarding the determination of disability for clients who enter the state's welfare program (W-2). The suit alleges that the state's Department of Workforce Development discriminates in its operation of the W-2 program by: 1) not screening W-2 participants for disabilities, violating the Americans with Disabilities Act; and 2) pressuring W-2 agencies to place W-2 participants, 44% of whom have been determined in a federal government study to have disabilities, in full-time employment. The organizations are also requesting an independent investigation into racial differences in granting time limit extensions. The complaint cites a recent study that showed that while 1 in every 2.7 white participants who neared time limits were granted an extension, the rate was only 1 in every 10.9 for black participants.

Legal Services Corporation Releases 2002 Income Eligibility Guidelines

The Legal Services Corporation (LSC) has released the income eligibility guidelines for 2002. The guidelines are used by LSC-funded programs to

determine whether an individual is eligible to receive federally-funded legal assistance. LSC is required by law to establish maximum income levels for individuals eligible to receive legal aid. In 2002, for an unmarried person to receive legal assistance from a federally-funded program, he/she must have an annual income of \$11,075 or less. For a family of four, the maximum income is \$22,625. For more information about the income eligibility guidelines, visit <http://www.lsc.gov/FOIA/frn/fr161102.htm>.

Summary of TANF Bills Currently Introduced in Congress

Below are comparisons of *some* of the key provisions contained in TANF Reauthorization bills that are under consideration in Congress

this session. For a comparison of child support provisions, see the February 2002 Policy Briefing available at www.cffpp.org. TANF is scheduled to be reauthorized within the current session, making any changes to the current law (PRWORA, the Personal Responsibility and Work Opportunities Reconciliation Act), which was passed in 1996.

Bills have been introduced by Rep. Patsy Mink (D-HI) and Rep. Benjamin Cardin (D-MD). The plan put forward by President Bush is expected to be introduced soon by Rep. Wally Herger (R-CA). Due to space limitations, only some of the provisions are compared here.

TANF Goals

Mink	Change to: <ol style="list-style-type: none"> 1. Supporting caregivers 2. Promoting education and training for living wage jobs 3. Access to Medicaid, Food Stamps, child care, etc. 4. Reduce poverty
Cardin	<ol style="list-style-type: none"> 1. Add poverty reduction as goal 2. Improve initial earnings 3. Advancement and retention for TANF participants and leavers
Bush	<ol style="list-style-type: none"> 1. Promote two parent families. Change current language to “promote healthy two-parent <u>married</u> families <u>and responsible fatherhood</u>.”

Work Requirements

Mink	<ol style="list-style-type: none"> 1. Maximum 20 hour work participation requirement when child is 6 yrs. and under and no access to good child care 2. Community service is voluntary
Cardin	<ol style="list-style-type: none"> 1. Replace caseload reduction credit with credit for placing in work that pays “more than 33% of average wage in the state” 2. No separate work requirement for two-parent families
Bush	<ol style="list-style-type: none"> 1. Replace individual responsibility plan with individual self-sufficiency plan 2. Increase minimum participation in work activities to 70% by 2007 3. Require 40 hours per week with exception for mothers with children under 12 months 24 of 40 hours must be in “direct work”

Allowable Activities

Mink	Allow as work activity: participation in treatment for mental health, substance abuse or contending with domestic violence issues
Cardin	<ol style="list-style-type: none"> 1. Up to 2 yrs. of vocational and educational training counted toward work requirement 2. Up to 6 mos. (at state discretion) in services related to domestic violence, substance abuse, physical rehab or mental health treatment counted toward work requirement
Bush	<ol style="list-style-type: none"> 1. Allow education and training but only within the 16 hours beyond 24 hours per week of direct work 2. Allow substance abuse treatment only within above 16 hours and only for 3 out of every 24 months

Time Limits

Mink	<ol style="list-style-type: none"> 1. States not allowed to set time limit shorter than 60 months. 2. Time limit clock must be stopped when individual is in compliance with program requirements 3. States must provide information and direction to people at risk of reaching end of time limit
Cardin	Maintain current time limit but allow employment to stop the clock as long as employment meets state-determined standard.
Bush	No change. 60-month lifetime limit with state discretion to set shorter limit.

Family Formation

Mink	<ol style="list-style-type: none"> 1. Eliminate family cap 2. Remove language referring to family formation from law
Cardin	<ol style="list-style-type: none"> 1. \$100 million in grants to be spent by state in equal parts on teens, fathers and “formation of two parent families” 2. TANF 2-parent families subject to same eligibility requirement as single parents (but states can opt out of this requirement)
Bush	<ol style="list-style-type: none"> 1. Eliminate illegitimacy bonus, using funds to provide \$100 million annually for marriage promotion projects 2. \$100 million from high performance bonus to match state funds (including TANF funds) used on marriage promotion 3. Include reporting requirement in state plan on marriage promotion efforts

Representative Mink’s bill had 86 co-sponsors, including (Representative Constance Morella (R-MD) as of this writing. Senators Thomas Carper (D-DE) and Evan Bayh (D-IN) will also be introducing a TANF reauthorization bill soon, as will Senators Paul Wellstone (D-MN) and Jon Corzine (D-NJ). Senator John Rockefeller (D-NY) introduced his own TANF bill (S. 2052) on March 21. These will be summarized in future policy briefings, as will any significant changes to current bills. Additional information on the status and provisions of TANF reauthorization legislation can be obtained at www.nowldef.org.