# Congress of the United States
Washington, DC 20515

June 21, 2002

The Honorable Max Baucus
Chair
Committee On Finance
219 Dirksen Senate Office Building
Washington, DC 20510-6200

The Honorable Charles Grassley
Ranking Member
Committee On Finance
219 Dirksen Senate Office Building
Washington, DC 20510-6200

Dear Senator Grassley:

We are writing to respectfully request that you consider including several provisions when reauthorizing the Temporary Assistance for Needy Families (TANF) Act of 1996. As this nation continues to face economic uncertainty, Members of Congress must work more diligently to ensure that prosperity is experienced by all Americans. The reauthorization of the TANF Act of 1996 presents a unique opportunity for Congress to develop an effective welfare system that addresses the needs of this nation.

We strongly believe that the following key provisions must be included in TANF reauthorization: addressing the concerns of recipients; maintaining state flexibility; increasing education and training programs; increasing support for child care; protecting civil rights; restoring benefits for legal immigrant families; and creating fair treatment for the territories.

Addressing the Concerns of Recipients

National studies on race and welfare reform suggest a pattern which places people of color at a disadvantage that limits their opportunities to achieve economic self-sufficiency. This pattern includes discrimination as it pertains to punitive welfare policies, referrals to education programs, and much more. An increase in quality and infrastructure services and training of front line staff must be created to ensure non-discriminatory provisions of benefits and services.

Work and Work Activities

States must be given more flexibility to assess and provide the proper welfare to work activities that allow TANF recipients to find and retain self-sufficient jobs. The current narrow definition of work activities must be expanded in the TANF reauthorization to include important educational programs and training activities such as literacy improvement, English as a Second Language (ESL), General Equivalent Degree (GED), and higher education. Recipients must have access to educational and training programs that lead to better paying jobs and more stable employment.

In addition, States need the flexibility to provide vocational programs and higher education for an appropriate time period. We recommend that these activities count toward the work requirement of recipients.

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Finally, states currently operating their TANF programs under federal waivers should be allowed to continue those waivers through 2007, the life of the TANF reauthorization. These innovative state-designed programs have been successful because they allow States the flexibility to treat TANF recipients on case-by-case basis.

Child Care

Low-income families struggling to achieve financial independence should not have to choose between being good workers and being good parents. Current federal child subsidies only provide for 1 in 7 eligible children, and low income families not receiving subsidies pay up to one-third of their income for child care. Research shows that this undermines employment stability, keeping families in poverty. To address this issue, we must increase funding for the child care block grant by $11.5 billion over the next five years so that parents leaving welfare for work can be assured that their children will have safe and quality child care. Additionally, we should not sanction, reduce or terminate assistance to families if a work-eligible individual is unable to comply with requirements because they are not able to secure safe, appropriate, affordable, and quality child care.

Protecting Civil Rights

To ensure compliance with civil rights laws, states should be obligated to undertake data collection that identifies the race, ethnicity, native origin, primary language and gender of clients; the type of assistance they receive; disparities which may exist between different client populations; and unique barriers certain groups face that may require targeted assistance. Additionally, we must strengthen and streamline anti-discrimination protections by including welfare reform language that establishes an expedited process for discrimination complaints; a standardized, fair sanction process; an opportunity to appeal an adverse decision; and notification of all potential services and protections available to recipients.

TANF should codify Department of Labor's ruling that recipients who engage in work activities are covered by workplace and civil rights laws that apply to other workers. Further, TANF should assure full Title IX protection to recipients who are engaged in education and training.

In addition, the range of recipients' educational backgrounds requires that states conduct literacy and language assessments. A proper evaluation of language and skill levels will assist caseworkers in effectively placing recipients in the proper educational and training programs from basic language skills to post-secondary education. Current language barriers result in many recipients not receiving critical translation services from TANF caseworkers.

Restoration of Benefits for Legal Permanent Residents

Eligibility for all TANF benefits should be afforded to Legal Permanent Residents (LPRs) as a means of reducing poverty among immigrant families. This includes the removal of the 5-year ban on cash assistance to immigrants, and repeal of the current ban on providing Supplemental Security Income (SSI) to immigrants who arrived in the country after enactment of TANF. The 5-year ban on the eligibility for LPRs from receiving Medicaid assistance must also be removed.

Additionally, LPRs must be eligible for the State Children's Health Improvement Program (SCHIP). Further, current "deeming" requirements as they relate to TANF place an undue hardship on immigrants and an unfair liability on their sponsors. This undue hardship and liability must be addressed.

Guam, Puerto Rico, Virgin Islands

The Commonwealth of Puerto Rico and the territories of the Virgin Islands and Guam are currently the only U.S. jurisdictions, outside the 50 states and the District of Columbia, which receive TANF block grant assistance. Each jurisdiction is committed to the goal of reducing families' dependence on government assistance, promoting families' economic self sufficiency and reducing poverty. Like the states, these territories are subjected to the same work and regulatory requirements. However, unlike the states, TANF grants are statutorily capped under Section 1108 of the Social Security Act; these jurisdictions are not eligible for mandatory child care funds; and are not able to access extra TANF funds such as the Supplemental Grant for Population Increases and the Contingency Fund. For these jurisdictions to meet federal guidelines the cap on federal funding must be addressed. They must be eligible for extra TANF funds as well as the mandatory Child Care Development Block Grant.

This nation needs true welfare reform that lifts people out of poverty, treats recipients fairly and equally, and puts them on a path to sustain a living wage for themselves and their families. Welfare reform measures should not punish racial and ethnic minorities attempting to better themselves. Every American must be provided with the opportunity and the obligation to become a productive member of society.

Thank you very much for your attention to this important matter. We greatly appreciate your consideration of these provisions.

Sincerely,

Eddie Bernice Johnson
Chair, CBC

Silvestre Reyes
Chair, CHC

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John Lewis

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