



**Testimony for Public Hearing on the Proposed Budget
of the Economic Security Administration of the Department of Human Services
District of Columbia Council Committee on Health and Human Services
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On behalf of the Legal Aid Society of the District of Columbia,¹ I ask the Council to commit to preserving a minimal safety net for 13,000 of our city's most vulnerable children. Under current law, these children and their families will soon lose all cash and programmatic assistance from the Temporary Assistance for Needy Families (TANF) program.² **We ask that this Committee, and the Council, support the Mayor's proposal to delay the date that these families will be terminated from the TANF program and left without any cash support.** The Mayor's proposal does not eliminate time limits; it merely gives the Economic Security Administration (ESA) more time to continue the process it started when it committed to redesigning this crucial program without punishing families who have not received the services they were promised.

I. Terminating Long-Term TANF Families Will Not Lead to Self-Sufficiency and Will Harm Children.

Over the last several years, the District has made changes to its TANF program with the goal of offering parents individualized program services. Despite this recognition that the services previously given to parents had been subpar, the District instituted retroactive five-year lifetime limits on the receipt of benefits, counting even the months when a parent had not gotten effective employment-related services against that parent's lifetime total. For parents who had already reached the five-year limit, benefits were reduced through several cuts.

Legal Aid has long opposed these benefit reductions, the most recent of which lowered the maximum TANF benefit for a longtime TANF family of three from \$434 to just \$152 per month. **Under current law, the final and most devastating cut will come this October when these same families will no longer be eligible for *any* amount in TANF.³ This means that in October, at least 6,000 District families (representing 13,000 children) will lose not only**

¹ Legal Aid was formed in 1932 to "provide legal aid and counsel to indigent persons in civil law matters and to encourage measures by which the law may better protect and serve their needs." For more than 80 years, Legal Aid staff and volunteers have served tens of thousands of the District's neediest residents. Legal Aid has been practicing in the area of public benefits for a number of years, representing clients with regards to programs such as TANF, Supplemental Nutrition Assistance Program (SNAP, commonly known as food stamps), and Medicaid. We also regularly collaborate with local advocates and the Economic Security Administration to ensure that our clients' experiences with these important benefits programs are reflected in the policies that are enacted and implemented by our government.

² TANF is a federal block grant program meant to provide income assistance, job training, and other services to low-income families with children. Parents receiving TANF must (1) work, participate in job training, or do other approved activities and (2) cooperate with the District's efforts to collect child support.

³ D.C. Code § 4-205.52(c-3)(3).

their main source of income, but also their access to job training and other employment-related services.⁴

Withholding cash assistance and services from vulnerable families without the proper supports in place is punitive and will not help these families become more self-sufficient. Single parents living in the District face a higher rate of unemployment than individuals without children or two-parent households.⁵ Many of the District parents affected by the impending TANF time limit termination are struggling with barriers that they will not be able to resolve alone, particularly in the absence of income and barrier reduction services.⁶ Whether because of an undiagnosed mental health condition or general economic conditions or lack of adequate child care, many of these parents will not be able to easily find permanent work that would allow them to support their families.

The time limit law also harms children. Without a consistent source of income for their families, the 13,000 children initially affected by this cut may experience increased levels of chronic, toxic stress.⁷ Economic hardship during childhood has a traumatic and negative effect on kids.⁸ Poverty impacts a child's educational success, social development, emotional growth, and health outcomes.⁹ Addressing child poverty can improve the lives of children—both for the children they are now and the adults they will become.¹⁰ Yet, the District has adopted a policy that purposefully *increases* the magnitude of the economic insecurity many children already face. The potential consequences are serious: higher crime rates, rising health care costs, stress on the child welfare system, and increased demand on the homelessness services system.

II. Extending the TANF Time Limit Will Give ESA Time to Improve Services.

The Mayor proposes to extend TANF benefits through October 1, 2016—a change to the law that is meant to give ESA time to review its programs, provide more consistent access to services, and gain greater insight into the issues that impact long-term TANF parents. The Mayor also proposes to create a system of hardship categories to protect especially at-risk families. These changes will provide essential help for families who can leave TANF for work with supports while identifying those who cannot and should keep their benefits due to hardship.

⁴ These figures will likely increase as additional families reach the five-year TANF time limit after October 1.

⁵ See DC Fiscal Policy Institute, For Some DC Groups of DC Residents, Unemployment Remains High in the Wake of the Recession (March 2013), available at <http://www.dcfpi.org/wp-content/uploads/2013/03/3-7-13-Unemployment-Paper-Final.pdf>.

⁶ See LaDonna A. Pavetti & Jacqueline Kauff, Mathematica Policy Research, Inc., When Five Years Is Not Enough: Identifying and Addressing the Needs of Families Nearing the TANF Time Limit in Ramsey County, Minnesota 9 (2006), available at <http://www.mathematica-mpr.com/~media/publications/PDFs/timelimitramsey.pdf>; see Kristin Seefeldt & Sean Orzol, National Poverty Center, Watching the Clock Tick: Factors Associated with TANF Accumulation 7 (2005), available at <http://www.nationalpovertycenter.com/publications/workingpaper04/paper9/04-09.pdf>.

⁷ See Toxic Stress, Center on the Developing Child, Harvard University, http://developingchild.harvard.edu/key_concepts/toxic_stress_response/ (last accessed April 22, 2015).

⁸ See Child Trends, Adverse Childhood Experiences: National and State-Level Prevalence (July 2014), available at http://www.childtrends.org/wp-content/uploads/2014/07/Brief-adverse-childhood-experiences_FINAL.pdf.

⁹ Child Trends, Children in Poverty: Trends, Consequences, and Policy Options (April 2009), available at <http://www.childtrends.org/wp-content/uploads/2013/11/2009-11ChildreninPoverty.pdf>.

¹⁰ *Id.*

Historically, ESA has failed to provide meaningful employment services to meet parents' needs. Keeping the time limit law in place punishes parents for ESA's trials, misses, and mistakes. The agency itself acknowledges that its programs are still being perfected. By extending the time limit to receive TANF benefits, the Council can demonstrate to parents who have spent years without programmatic supports that they are not alone.

Changing the time limit is also the right approach because it prevents at-risk families—such as those who experience domestic violence or have a family member fall ill—from being thrust further into poverty. ESA has asked for more time to formalize and implement hardship criteria such as the ones that exist in 44 other jurisdictions.¹¹ Although some exemptions from the time limits currently exist for families who are still eligible for TANF,¹² the agency has not promulgated the regulations and policies to explain the availability of these exemptions and the process for obtaining them to parents or their advocates. Without ESA's further work to clarify and standardize the hardship criteria, many parents who should be shielded from the time limits will never have time to learn that these protections are available to them.¹³

III. The Council Must Act.

The families we meet at Legal Aid face challenges beyond those we have discussed here. Given the complexity of these challenges, we know that a delay of a year is likely not enough time to allow families to access and benefit from the services that they truly need. However, we are pleased with the Mayor's recognition of the necessity of a reprieve from the time limit law. We also understand that extending TANF benefits at their already reduced level—rather than at the higher “standard” TANF amount—will still leave many families in the financially difficult position of surviving on \$152 per month in assistance. **Despite these reservations, we support the Mayor's proposed one-year delay because it will provide the time that agency experts believe they will need to make the TANF program more fair and responsive to the needs of vulnerable families.**

The Mayor's budget proposals offer basic relief for those long-staying TANF families who have received TANF for more than five years and have few other options for self-support. **We ask the Council to protect these families from possible crisis by delaying their October 2015 termination of TANF benefits. These families are already struggling. Without this minimal, and time-limited protection, the District will have failed to protect its most vulnerable citizens.**

¹¹ Forty-four states have hardship criteria to extend a parent's TANF beyond that state's time limit. *See* Center on Budget and Policy Priorities, TANF Time Limits: Key Facts and Talking Points (February 24, 2011).

¹² Time limit exemptions include when a TANF recipient (1) has a physical or mental health problem that prevents the parent from meeting his or her TANF work requirements or from working; (2) is needed at home to care for family member with a disability or serious illness; (3) is a teen enrolled in high school or a GED program; (4) is a caregiver over 60 years of age; (5) is experiencing domestic violence and getting related services; or (6) is a parent of an infant aged 0 to 6 months. *See* D.C. Code § 4-205.72; D.C. Code § 4-205.72a; Subtitle J of Fiscal Year 2015 Budget Support Act of 2014.

¹³ However, even without this proposal, the agency can and should be doing more to properly inform parents about the existence of exemptions and screen potentially eligible families.