A central component of the Temporary Assistance for Needy Families (TANF) program is its emphasis on work. Adult TANF recipients, with some exceptions, must participate in work activities as a condition of receiving cash benefits. This brief discusses the federal work requirements and state strategies for meeting them. It especially focuses on state strategies since passage of the Deficit Reduction Act of 2005 (DRA), the recession that began in December 2007, and the American Recovery and Reinvestment Act of 2009 (ARRA). The DRA effectively increased required work participation rates for most states, and the recession led to the highest unemployment rates in decades, making it more difficult for states to meet work participation requirements. The ARRA increased funds for emergency and basic assistance, subsidized jobs programs, and short-term assistance to support work activities. States’ reactions to the confluence of these events present new lessons for TANF.

How Do the Federal Work Requirements Work?
Federal law requires each state to engage at least half of all TANF families with a work-eligible individual and at least 90 percent of two-parent TANF families with two work-
eligible individuals in work or work-related activities for a minimum number of hours each month, subject to adjustments based on caseload reduction and state spending. A state that does not meet this “work participation rate” requirement may lose part of its TANF block grant. While the basic structure of the federal TANF work requirements has been in place since the creation of TANF in 1996, the reauthorization of TANF through the DRA included changes designed to increase work among TANF participants and improve the integrity of work participation data. These changes generally made it more challenging for states to meet federal work requirements. The ARRA further changed TANF rules by providing that the states’ required work participation rates would not increase if their caseloads rose during the downturn.

What Counts as “Work”?  
Work-eligible individuals must participate in work activities for at least an average of 30 hours per week to count as “working” (table 1); the requirement is reduced to 20 hours for a single custodial parent or caretaker relative with a child younger than 6. The two-parent rate applies to TANF households with two work-eligible individuals who together must participate in work activities for at least an average of 35 hours per week, or 35 hours if they receive federally funded child care subsidies. Recipients must participate in a “core” activity (including employment) for a minimum number of hours per week and may participate in “non-core” activities (including education) for the remaining hours.

Following the DRA, federal regulations established uniform definitions for the allowable work activities and changed how states counted work participation. Until implementation of the DRA regulations, states were free to use their own reasonable definitions for the federally countable work activities. For example, the new regulations limited the circumstances in which states could count rehabilitation activities (including mental health and substance abuse treatment) to job-search and job-readiness activities. In the past, some states had counted rehabilitation activities as work and others did not. This distinction is particularly important because participation in job-search and job-readiness activities is limited to the hourly equivalent of 6 weeks per year (12 weeks in states that qualify as needy). Although the DRA limited the amount of time that these activities could count as work participation, the final regulations substantially expanded the ability of states to count this activity within the 6/12 week limit by converting the calculation from weeks to an hourly equivalent. Other restrictions on work activities introduced by the DRA include mandatory daily supervision of work experience and on-the-job-training activities and a 12-month lifetime limit on vocational education. HHS regulations also introduced consistent federal verification and reporting requirements for work activity hours.

In response to the new regulations, most states changed their systems for reporting and verifying TANF families’ hours of work participation and their internal controls over these data. Many states criticize the new requirements because they often need time to address crisis situations or significant barriers before requiring a family to participate in work activities, and because they do not get credit for the hours in which individuals are engaged in these crisis-related or barrier-removal activities. Activities that do not count toward the state’s work participation rate are sometimes not reported, sometimes giving the false impression that some TANF recipients are not engaged in any activities. For March 2011, states reported details about families’ work participation activities that do not count and indicated that about 15 percent of work-eligible TANF participants had insufficient hours to count (mostly in unsubsidized employment), 6 percent had unverified hours, and 6 percent had hours in non-countable activities such as education or treatment activities.  

Which TANF Families Count?  
In general, any family with a work-eligible individual receiving TANF cash assistance must be included in the work participation rate calculation. Since the DRA, the calculation must include not only families served through federal TANF funds, but all those served with state maintenance of effort (MOE) funds in separate state programs. The DRA also requires states to include in the calculation certain nonrecipient parents of children receiving TANF assistance, such as parents removed from the assistance unit through sanctions and parents whose children are continuing to receive assistance after the family has reached a time limit.

States may exempt certain work-eligible individuals or groups from participating in work-related activities. Many states exempt ill or incapacitated recipients (including those applying for Supplemental Security Income), recipients caring for an ill or incapacitated person, and recipients attaining a certain age (varying between ages 60 and 65). A minority of states also exempt pregnant women and half exempt recipients caring for a child under one year of age. (Vermont exempts for children up to 24 months of age.) Others exempt parents with infants under ages 3 or 6 months, and nine states have no exemption based on the age of a child. Even if an individual is exempt under state rules, the individual may still fall within the definition of a “work-eligible individual” and therefore be included in the calculation of whether the state is meeting its required federal work participation rate. For example, ill or incapacitated recipients, including those applying for federal disability benefits, must be included in the calculation, but states can optionally exclude those receiving federal disability benefits.

TANF Work Requirements and State Strategies to Fulfill Them
State Credits in the Work Participation Rate Calculation

States can reduce the required participation rate below 50 percent through credits awarded for caseload reduction. In addition, even if the number of families receiving assistance has not fallen, a state can receive a caseload reduction credit if family assistance is funded through “excess” maintenance of effort spending (i.e., spending in excess of the required MOE level). A state’s required work participation rate is reduced by 1 percentage point for every percentage point reduction in caseloads since 2005 for reasons other than changes in eligibility rules. Prior to the DRA, a given year’s caseload was compared to the state’s fiscal year 1995 caseload, when caseloads were near their peak. By changing the comparison year to 2005, the DRA substantially reduced these credits. States have increasingly received caseload reduction credits for excess MOE

Table 1. Hours Required in Work Activities and Type of Activity by Type of Family

<table>
<thead>
<tr>
<th>Activity</th>
<th>Minimum total hours</th>
<th>ONE-PARENT FAMILY</th>
<th>TWO-PARENT FAMILY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Source: 45 CFR Ch. II Section 661.</td>
<td></td>
<td>30 hours per week</td>
<td>35 hours per week</td>
</tr>
<tr>
<td>a. 20 hours per week for single parents with children under age 6.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. 55 hours per week if the family receives federally funded child care subsidies.</td>
<td></td>
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</tbody>
</table>

| Core activities                                                          |                     |                   |                   |
| Unsubsidized employment                                                  |                     |                   |                   |
| Subsidized private-sector employment                                      |                     |                   |                   |
| Subsidized public-sector employment                                      |                     |                   |                   |
| Work experience if sufficient private-sector employment is not available |                     |                   |                   |
| On-the-job training                                                      |                     |                   |                   |
| Job-search and job-readiness assistance                                  | At least an average of 20 of the 30 hours per week must be from core activities. |                   |
| Community service programs                                               |                     |                   |                   |
| Vocational education training                                             |                     |                   |                   |
| Child care services for individuals participating in a community service program |                     |                   |                   |

| Noncore activities                                                       | Beyond 20 hours per week in core activities, participation in noncore activities may be counted. | Beyond 30 hours per week in core activities, participation in noncore activities may be counted. |
| Job-skills training directly related to employment                       |                     |                   |
| Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency |                     |                   |
| Satisfactory attendance at high school or in a course of study leading to a certificate of general equivalency, if a recipient has not completed high school or received such a certificate | Beyond 20 hours per week in core activities, participation in noncore activities may be counted. | Beyond 30 hours per week in core activities, participation in noncore activities may be counted. |

Source: 45 CFR Ch. II Section 661.
a. 20 hours per week for single parents with children under age 6.
b. 55 hours per week if the family receives federally funded child care subsidies.
spending. This component of the caseload reduction credit calculation allows states with spending in excess of MOE requirements to deduct the number of cases funded with excess MOE dollars from the caseload.

In 2006, states received credits for adjusted caseload reductions that ranged from 11 to 91 percent. Seventeen states had adjusted caseload reductions of at least 50 percent, allowing them to meet the work participation rate requirement through caseload reductions alone. In the year following the DRA, only 3 states met the work participation rate through the caseload reduction credit alone. In 2009, the number of states that met their work participation rates through the caseload reduction credit alone increased to 21.

The ARRA changed the caseload reduction credit for 2009 through 2011 to prevent required state participation rates from rising if state assistance caseloads rose during the economic recession. The act gave states the option to base the credit on caseload and spending in 2007, 2008, or the prior fiscal year. This allowed states with rising caseloads to still claim a credit based on earlier caseload decline.

**State Work Participation Rates over Time**

The national average all-families work participation rate has ranged between 31 and 35 percent over most of the history of TANF, with a peak average rate of 38 percent in 1999 (figure 1). The two-parent family rate has ranged between 40 and 50 percent for most of the period, again with a peak in 1999. Following the implementation of the DRA, the all-families rate dipped to about 30 percent, and the two-parent rate fell to 29 percent in 2009.

Behind these national averages, states’ all-families work participation rates ranged from 13 to 79 percent in 2006 and from 10 to 68 percent in 2009. Most states with actual rates below 50 percent met the federal requirements through credits. In 2009, eight states failed to meet the all-families rate and seven states did not meet the two-parent family rate. Before the DRA, only one state had not met the all-families rate and five states had not met the two-parent family rate. While states that fail to meet the required levels of work participation are subject to penalties, nearly all states in this situation so far have avoided the penalties by providing reasonable cause or by submitting corrective compliance plans to HHS.

**How Do States Meet the Work Requirements?**

States use a wide range of strategies to maximize the number of TANF families engaged in work activities. Engaging TANF families in work activities can be challenging, especially because significant shares of the caseload have “barriers to employment.” A number of states balance the needs of their caseloads and the work participation requirements by engaging the most job ready in work-focused strategies, retaining those who find paid work on the caseload longer through incentives, and serving those with substantial barriers through new solely state-funded programs (SSFs).

**Work-Focused Strategies**

Under TANF, states have broad discretion to establish their own rules about who must work, how much work is required, and what activities count as work, keeping in mind the need to meet federal work participation rate requirements. In 2009, for example, nearly all states required single-parent head-of-unit recipients to begin work-related activity requirements immediately upon receipt of benefits. Six states allowed some time to elapse before imposing activity requirements—Massachusetts (60 days), Mississippi (24 months), Missouri (24 months), New Mexico (20 to 60 days after approval), New York (30 days after...
orientation), and North Carolina (12 weeks). Another three states, California, Illinois, and Wisconsin, delayed imposing these requirements until completion of an assessment.

For adult (age 21 and older) single-parent recipients, most states allow a combination of job-related education and training and employment activities to count toward work requirements. In fiscal year 2009 unsubsidized work was the most common activity (65 percent of participants) followed by job search (17 percent) and vocational education (15 percent).22 Specific allowed activities within these broad groupings vary by state and within states, depending on local economic conditions and caseworker discretion. Many states narrow the range of allowable activities for specific components of the caseload; for example, Arizona stipulates that recipients in its JOBSTART program may only receive credit for subsidized employment.23

While all states at least follow the federal minimum hours requirement of 30 hours per week (20 hours per week for single parents with children under 6 and 15 hours per week for two-parent families), many impose stricter hourly requirements. For example, Iowa, New Jersey, and Wisconsin require adult single-parent recipients to participate in allowable activities 40 hours per week. Also, most states limit allowable education and training activities, although states generally give units headed by a minor parent more flexibility in pursuing education and training activities.

States have used a number of creative work-focused strategies to increase their work participation rates.24 Some have created unpaid work experience or community service programs in which TANF recipients work in exchange for cash assistance. For example, a program in Erie County (Buffalo), New York, provides “work-ready” recipients with work experience at community centers or large nonprofit organizations near their homes. Work centers include child care, mental health counseling, and after-school services. A statewide Montana program that predates the DRA provides case management and employment and training services, along with work experience at both government and nonprofit agencies.

Other states have created new or expanded paid work opportunities. For example, Washington State’s WorkFirst program partners with the state Department of Community, Trade, and Economic Development to provide subsidized employment programs for TANF recipients. Recipients work 20 to 30 hours per week at nonprofit organizations and public agencies, receive case management services, and may also enroll in educational activities. Similarly, one of Utah’s regions contracts with a large county mental health treatment provider to provide unsubsidized transitional employment for TANF recipients with diagnosed mental health disabilities. As another strategy, some states have used paid work-study opportunities for recipients enrolled in vocational programs, allowing these recipients to meet their core 20-hour requirements through paid subsidized employment and to use hours spent in school to meet any required hours above the 20.

States also use administrative incentives to increase work.25 For example, New York City and Maryland each monitor key performance indicators related to work participation rates to create competition among county or local offices or individual case managers. In addition, many state TANF agencies hold contractors accountable for achieving high levels of participation by tying all or part of their payments to achieving specified outcomes.

**Keeping Working Families in the Caseload**

States use “earned-income disregards” to encourage paid work and, more recently, to keep working recipients on the caseload so they count in the work participation rate. Some have expanded the concept to provide a cash “worker supplement” to families with earnings high enough to otherwise disqualify them for TANF.

**Earned-income disregards.** Expanded earned-income disregards allow families to earn more income before becoming ineligible for TANF. The disregards vary tremendously across the states and result in wide variation in TANF recipients’ total incomes.26 For example, the maximum allowable income (benefit and earnings combined) for a family of three in 2009 ranged from a low of $269 in Alabama (less than 20 percent of the federal poverty level) to a high of $1,492 in Hawaii (about 83 percent of the federally established poverty level for Hawaii) after being on TANF for more than six months. According to a 2009 GAO survey, nine states increased the amount of income disregarded since fiscal year 2006.

**Worker supplements.** Families receiving worker supplements may be counted in the state’s work participation rate. Typically, the worker supplement is less than the average TANF cash assistance benefit, although the specific amount and number of months of supplemental assistance varies by state. If program benefits are paid with TANF block grant funds, recipients are subject to all requirements, including time limits and assignment of child support. If paid with MOE funds, the time limits and other requirements do not apply. In 2009, 18 states reported in a GAO survey that they had implemented worker-supplement cash assistance programs since fiscal year 2006, and an additional 5 states reported having such programs for a longer period.27 While worker supplements can help states meet work participation rate requirements, they can also benefit recipients. Experimental studies show that adults offered earnings supplements worked and earned more than control group members, and the effects were larger and more persistent for a group of very disadvantaged families.28
Removing Nonworking Families from the Caseload

States also can discourage nonworking families from enrolling in TANF in order to boost their work participation rates. Full family sanctions, which remove families that fail to meet program requirements, eliminate nonworking recipients from the caseload. States also can move families that find it difficult to meet the work requirement into SSF programs that do not count as TANF. Diversion strategies that offer a short-term cash payment in lieu of enrollment also keep some nonworking families off the caseload.

Sanctions. Sanctions that withhold the entire benefit close the family’s case and remove nonworking families from the calculation of the work participation rate. These more stringent sanctions also help states meet their work participation rates by encouraging more recipients to participate in program activities. Several states switched from partial sanctions to full family sanctions, either in anticipation of or in response to the need to meet higher work participation rates. Most severe sanction lengths typically run from several months to upward of a year, but Idaho, Mississippi, Pennsylvania, and Wisconsin permanently exclude units subject to the most severe sanction from returning to TANF.

Solely state-funded programs. Families served through SSF programs receive no federal TANF or state MOE funds, so they do not affect the work participation rate. In 2009, 29 states had SSF programs, nearly all created after the DRA. All but one of these states served low-income two-parent families in SSFs; programs also included low-income families with significant barriers to work and those enrolled in postsecondary education.

Diversion. Formal diversion programs provide TANF-eligible families with lump-sum cash payments in lieu of entering the TANF caseload. The amount of the diversion payment varies by state, with nearly half of the states setting the payment equal to three months of TANF benefits and most others providing a flat amount ranging from $500 to $4,000. Families that receive diversion payments are typically ineligible to receive regular TANF benefits for a period of time. After the implementation of the DRA, 14 states expanded their diversion programs while 6 states reduced their diversion programs in terms of the number of families served, the amount of the payments, or other changes.

What Are the Challenges in a Recession?

The challenge of helping TANF recipients, particularly those with barriers to employment, find work is obviously heightened during a recession. Unsubsidized employment has been the most common type of TANF work activity over time, and the limited availability of jobs has made it more difficult for states to meet their work participation rates. Meanwhile, the increased cash assistance caseloads in some states have shifted resources away from work support services and increased the workload for TANF staff who must process applications and verify work activity participation.

The ARRA created a one-time, $5 billion TANF emergency fund to help states deal with increasing demands for assistance. States with increases in cash assistance, short-term benefits, or subsidized employment expenditures could receive up to 50 percent of their annual TANF block grants in funding from the emergency fund and the regular contingency fund for fiscal years 2009 and 2010 combined, to cover these increased costs, subject to available funds. These additional TANF funds allowed states to cover costs such as worker supplements, short-term benefits such as transportation or child care, and subsidized jobs. A number of these activities in turn helped states meet their work participation requirements. By the time the emergency fund expired on September 30, 2010, all but one state (Wyoming) received some of this assistance.

What Are the Implications for State and Federal Policy?

The 2007 recession has demonstrated the consequences of fixed funding for state TANF programs as well as the nearly universal state use of available federal contingency funding. During the recession, the majority of states faced severe budget shortfalls, higher TANF caseloads, and greater challenges in meeting work participation requirements. Some states cut work supports and services, thereby undermining their focus on work participation. The ARRA provided critical but temporary funds for meeting increased family needs. An automatic mechanism within TANF to increase funds to states during times of high unemployment would serve this purpose in future economic downturns.

State strategies for meeting work requirements also reaffirm that states will adopt creative approaches to try to meet federal requirements. Full family sanctions can help a state meet work participation rates by removing a nonworking parent from the caseload, but can also mean that families end up without services or sufficient assistance. Similarly, diversion may provide critical short-term help but miss addressing families’ underlying long-term needs. Allowing states to count families that participate in activities, but for fewer than the required hours, toward the work requirement would provide states additional flexibility to serve TANF families’ diverse needs.

ARRA funds led many states to invest in new or expanded subsidized jobs programs, but most states have not continued these programs after the expiration of ARRA funds. A subsidized jobs component for TANF would support long-term subsidized jobs initiatives building on the ARRA experience.
What Are the Gaps in Our Knowledge?

Research documenting post-DRA and post-recession state work strategies, especially how such strategies affect family outcomes, is relatively scant. One study noted earlier suggests that states adopted some creative post-DRA approaches that included unsubsidized and subsidized job opportunities, moving some families into programs outside of TANF, and adopting ways to keep more families with earnings in the caseload. Credits also help states meet required work participation rates, but we know little about whether credits granted for excess MOE funds represent increased investments in low-income families or simply creative accounting. Ongoing ACF-sponsored research on how client participation in work activities is reported will shed some light in this area.

We need to better understand on-the-ground strategies for moving TANF recipients into work. What are the longer-term employment outcomes for parents who participated in subsidized jobs programs? What other state work participation strategies lead to successful employment? Ongoing government-sponsored evaluations mentioned earlier soon will provide findings on the effectiveness of targeted subsidized and transitional jobs programs.

What happens to nonworking families that are discouraged from applying for TANF? How many parents are diverted from the caseload and what are the outcomes for these families? ACF-sponsored research describes states' diversion programs, but we do not know whether such programs divert applicants with genuine need from the TANF program.

More states have adopted full family sanctions as a result of DRA, but we do not know whether there is any connection between increased use of sanctions and the rise in “disconnected” families with children that receive neither earnings nor government assistance.

States have moved some families from the TANF caseload into SSFs. Without federal statistics that include these families, we understand very little about their characteristics and circumstances. What types of state services do these families receive? How long do they remain on these separate caseloads?

Notes

1. The description of the federal requirements in the brief is a simplification. Interested readers can see 45 CFR 261 for a detailed description.
3. See U.S. HHS (2011) for a full discussion of the complexities that states face in counting work activity hours.
7. ACF is currently sponsoring research on the circumstances surrounding and explaining client participation in work activities, including activities reported as "other" and factors that explain the circumstances of individuals who have no hours of reported participation.
8. Federal regulations define “assistance” as including cash payments, vouchers, and other forms of benefits designed to meet a family’s ongoing basic needs.
9. Maintenance of effort requires states to spend at least 75 or 80 percent of what they spent in fiscal year 1994 on welfare-related programs. Prior to the DRA, families served with MOE funds in separate state programs were not included in the work participation calculation.
10. In some states that sanction parents by removing their needs from the TANF benefit calculation, these cases become a type of child-only case. See Golden and Hawkins (2011) in this series of briefs.
11. See Bloom, Loprest, and Zedlewski (2011) in this series of briefs for more on this process.
12. Unless otherwise noted, all TANF program rules noted in this brief were effective July 2009 and are from the Welfare Rules Database (Rowe, Murphy, and Mon 2010).
13. States typically vary these exemptions for minor parents and other specific subsections of the caseload.
15. The DRA expanded what could count as MOE by allowing states to count spending on specific healthy marriage and responsible fatherhood activities, regardless of the income or family composition of the beneficiaries. Otherwise, states may claim MOE for spending on financially needy families with children, as was the case before the DRA.
16. Effective FY2009, this number is calculated by dividing annual excess MOE on assistance by the average monthly expenditures per case for the fiscal year. Prior to this time, the number was calculated by dividing total annual excess MOE by the average monthly expenditures per case for the fiscal year.
18. After DRA some states moved two-parent families into SSFs that fall outside the TANF program and make comparisons across time difficult. Loprest (2011) in this series describes these changes.
20. About half of the states’ TANF programs served no two-parent families.
23. JOBSTART participants are randomly selected nonexempt recipients who have completed high
school or a GED and are not enrolled in post-secondary education.
25. Ibid.
29. Calculated from Rowe and Murphy (2006) and Rowe, Murphy, and Mon (2010).
31. Ibid.
32. Ibid.
33. The regular contingency fund held $1.4 billion at the start of the recession and was depleted by
December 2009. Qualifying states had to meet an especially high MOE requirement and an
economic distress trigger to qualify.
34. Work subsidies (payments to employers to cover the costs of wages and benefits) are excluded
from TANF’s definition of assistance.
35. Farrell et al. (2011) provide details on how state TANF agencies implemented subsidized employ-
ment programs and suggest lessons for TANF agencies implementing or continuing programs.
Also, two recently initiated experimental evaluations—the Subsidized and Transitional
Employment Demonstration project, sponsored by the U.S. Department of Health and Human
Services, Administration for Children and Families, and the Enhanced Transitional Jobs
Demonstration, sponsored by the U.S. Department of Labor, Employment and Training
Administration—are testing the effectiveness of subsidized and transitional employment for
key populations, including current and former TANF recipients, ex-offenders, and
noncustodial parents.
37. Rosenberg et al. (2008).

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