

## Reaffirming the Work Requirement for Noncustodial Parents as Part of TANF Reauthorization

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Research shows that work programs for noncustodial parents can increase employment and child support payments. Yet very few state TANF programs provide these work activities even though the estimated cost of implementing a requirement is zero. Congress needs to reaffirm its intent to impose a work requirement on noncustodial parents through the child support program and clearly state that child support funds may be used to fund the work programs.

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In 1996, Congress passed welfare reform that “ended welfare as we know it,” replacing an open-ended entitlement with a block grant program--Temporary Assistance for Needy Families (TANF)-- that imposed work requirements and a time limit on assistance. Because custodial parents had to work to receive welfare, Congress wanted to make sure that noncustodial parents who had children receiving benefits did too. However, because most noncustodial parents don’t receive public assistance, Congress didn’t impose the work requirement through the TANF program. Instead, it turned to the child support program and added a provision to Title IV-D (42 USC §466(a)(15)) requiring state child support programs to have procedures that allow judges to order noncustodial parents with children on TANF into work activities if they owe past-due support.

Despite this Congressional mandate, today only one state -- North Dakota -- has a state-wide program that allows judges to order noncustodial parents into work activities if they are behind in their child support and have children on TANF. This provision has not been fully implemented because the federal Office of Child Support Enforcement (OCSE) issued policy guidance in 1998 prohibiting the use of federal matching funds under Title IV-D to pay for the work activities specified in the 1996 welfare reform law (PIQ-98-03). OCSE anticipated that the newly created TANF program would pay for the work activities specified in the IV-D provision, but that has not occurred. Today, very few state TANF programs provide work activities to noncustodial parents.

Research shows that work programs for noncustodial parents can increase employment and child support payments.<sup>1</sup> Parents’ Fair Share was the first national demonstration conducted in the 1990s that found work programs for noncustodial parents increased the child support payments of participants and increased the earnings of the hardest to employ.<sup>2</sup> Since then, several additional demonstrations have been conducted, all with similar or stronger results. The state of Texas has a work program for noncustodial parents called NCP Choices. An evaluation of this program showed that participants paid 50 percent more child support than a comparable group of noncustodial parents who did not participate.<sup>3</sup>

Consider also that the estimated federal cost of implementing a work requirement for noncustodial parents with children on TANF is *zero*. The work program pays for itself because it increases child support payments and the government retains nearly all child support paid by noncustodial parents with children on TANF.

Congress needs to reaffirm its intent to impose a work requirement on noncustodial parents through the child support program and clearly state that child support funds may be used to fund the work programs. Otherwise, noncustodial parents with children on TANF will continue to miss out on a work program that can help them find work and pay their child support. Reaffirming the work requirement will enable noncustodial parents to be the financial providers that they want to be.

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<sup>1</sup> Elaine Sorensen, “Rethinking Public Policy Toward Low-Income Fathers in the Child Support Program,” *Journal of Policy Analysis and Management* 29, no. 3 (2010): 604–10.

<sup>2</sup> Cynthia Miller and Virginia Knox, *The Challenge of Helping Low-Income Fathers Support Their Children: Final Lessons from Parents’ Fair Share* (New York: Manpower Demonstration Research Corporation, 2001).

<sup>3</sup> Daniel Schroeder and Nicolas Doughty, *Texas NCP Choices: Program Impact Analysis*. (Austin: Ray Marshall Center for the Study of Human Resources, The University of Texas at Austin, 2009).