

The Potential Impact of Increasing Child Support Payments to TANF Families

Laura Wheaton and Elaine Sorensen

For the past 30 years, Congress has viewed child support as a critical source of income for low-income families. Every major welfare reform initiative enacted during this period has included child support reforms in an effort to ensure that low-income families have greater access to child support income. In general, these efforts have been very successful. In 2005, 33 percent of poor custodial mothers received formal child support, up from 20 percent in 1983 (Grall 2007; U.S. Census Bureau 1985). Among poor custodial families that receive child support, it constitutes about 30 percent of their family income (Sorensen 2003).

But this effort to ensure greater access to child support has not always extended to families on welfare. Families on Temporary Assistance for Needy Families (TANF) must assign their right to receive child support to the government as a condition of receiving cash assistance. Although state governments may choose to pass through child support collected to the TANF family, the majority do not pass through any child support.¹ In 2004, states collected approximately \$635 million in child support on behalf of TANF families and distributed about 27 percent of it to TANF families, keeping the rest to reimburse the federal and state governments for welfare costs.²

Recently, when Congress reauthorized TANF through the Deficit Reduction Act of 2005 (DRA), it provided incentives to states to distribute more child support to families on welfare.³ Starting October 1, 2008, states will be able to pass through up to \$100 a month of child support to TANF families with one child and up to \$200 a month of child support to TANF families

with two or more children without reimbursing the federal government its share of the child support collected. The federal government will share in the cost of the pass-through if states disregard the amount of child support distributed to families when determining their TANF benefits.

If all states expanded their pass-through and disregard policy according to the parameters in the DRA, child support distributed to TANF families would more than double, increasing their average annual incomes by nearly \$500 and decreasing their dependence on other means-tested benefits. This expansion would cost the federal and state governments between \$117 and \$145 million, which represents less than 1 percent of TANF costs.

Child Support Policy for TANF Recipients

As noted above, TANF families are required to assign their right to child support to the government in order to receive TANF cash benefits. As long as the family remains on welfare, any child support collected on behalf of the family is kept by the government as reimbursement for welfare benefits. These collections are shared between the state and federal governments according to the state's Medicaid federal matching rate, or FMAP. Under the Aid to Families with Dependent Children (AFDC) program, the federal government required states to "pass through" to families the first \$50 in child support received each month and disregard that amount when calculating the family's benefit. The cost of this pass-through was shared between the state and federal governments according to the state's FMAP. The

\$50 pass-through was intended to provide an incentive for nonresident parents to pay child support and for custodial parents to cooperate in establishing child support orders.

The 1996 Personal Responsibility and Work Opportunity Reconciliation Act legislation ended the AFDC program and replaced it with the TANF block grant. Under TANF, states are no longer required to pass through the first \$50 in each month's collection of child support but have the flexibility to design their own pass-through policies. The federal government, however, no longer shares in the cost of the pass-through. If a state chooses to pass through child support to families, the state is required to pay the federal government the federal share of the pass-through amount.

Under the DRA, states will continue to be able to define their own pass-through policies, but starting October 1, 2008, the federal government will share in the cost of states' pass-through and disregard policies. The DRA will allow states to pass through up to \$100 a month for one child and \$200 a month for two or more children without paying the federal government its share of the child support payments.⁴ In order for the federal government to share in the cost of the pass-through, the state must disregard the child support in calculating the family's TANF benefit. A few states have already begun changing their policies in response to the new cost-sharing rules.⁵

Impact of an Increased Pass-Through and Disregard on TANF Families

In 2004, 2.9 million families received TANF at some point during the year (table 1).⁶ Child support was collected on behalf of nearly 18 percent of these families. Under the state pass-through and disregard rules in effect in 2004, families received 27 percent of the child support collected on their behalf while they were receiving TANF, representing an average of \$337 a year. Average annual income for TANF families with child support was \$14,829.⁷ Thus, child support received while on TANF represented 2 percent of annual cash income for TANF families with child support collections. Adding in the cash value of other means-tested benefits, such as food stamps, subsidized housing, and child care subsidies, increases the average family income of these families to \$20,627.

If all states adopted a \$100/\$200 pass-through and disregard,⁸ the average amount of child support received while on TANF would more than double, from approximately \$337 to \$806 a year.⁹ TANF families would receive 65 percent of the child support collected on their behalf. Child support received while on TANF would then represent 5 percent of the annual cash income of these families. Average family income would increase \$488, or 3.3 percent.¹⁰ The additional child support would somewhat reduce the benefits received by families under other means-tested benefit programs. Average family income including the cash value of food stamps, subsidized housing, and child care subsidies would increase by \$297, or 1.4 percent.¹¹

Seventy percent of the additional child support distributed to TANF families under the expanded pass-through and disregard policy would go to families with incomes below the poverty level. The average annual child support distributed to poor TANF families in months in which they receive TANF would increase 159 percent, or \$527; child support received while on TANF would represent 9 percent of the annual cash incomes of these families after the expansion (not shown). The additional income would reduce the poverty gap (the amount of income needed to raise poor families out of poverty) by \$179 million and would remove about 3,400 families from poverty.

Impact of Increased Collections Due to Behavioral Response

A \$100/\$200 pass-through and disregard would provide a greater incentive for custodial parents to seek child support and for nonresident parents to pay child support because more child support would go to the family. As a result of this incentive, child support collections could increase, which would increase the benefits of the policy change to custodial families and decrease the costs to government. Several studies have attempted to estimate whether higher pass-through and disregard policies produce a "behavioral response" that increases child support collections. But results have been mixed, with some studies finding no evidence of increased collections. Given this uncertainty, we include estimates both with and without a behavioral response.

The behavioral response estimates are based on a study by Cassetty, Cancian, and Meyer

If all states adopted a \$100/\$200 pass-through and disregard, the average amount of child support received while on TANF would more than double.

TABLE 1. Estimated Impact of an Expanded Pass-Through and Disregard on TANF Families

	2004 pass- through rules	\$100/\$200 pass- through adopted by all states	Change from 2004 Rules	
			Amount	%
No Behavioral Response				
Total Number of TANF Families	2,910,000	2,910,000	0	0
TANF Families with a Child Support Collection	515,000	515,000	0	0
Percent of TANF families with collection	17.7%	17.7%	0	0
Average collected per family	\$1,231	\$1,231	0	0
Average distributed to family	\$337	\$806	\$469	139.2%
Average family cash income	\$14,829	\$15,317	\$488	3.3%
Average family income and benefits	\$20,627	\$20,924	\$297	1.4%
<i>Aggregate Numbers</i>				
Poverty Gap (all TANF families, millions)	\$15,279	\$15,100	-\$179	-1.2%
Families in Poverty (all TANF families)	1,910,328	1,906,946	-3,382	-0.2%
Behavioral Response				
TANF Families with a Child Support Collection after Behavioral Response	563,000			
Number of TANF families with collection	515,000	563,000	48,000	9.3%
Percent of TANF families with collection	17.7%	19.3%	1.6%	9.3%
Average collected per family	\$1,126 ^a	\$1,224	\$98	8.7%
Average distributed to family	\$308 ^a	\$802	\$494	160.4%
Average family cash income	\$14,689 ^a	\$15,199	\$510	3.5%
Average family income and benefits	\$20,367 ^a	\$20,683	\$316	1.6%
<i>Aggregate Numbers</i>				
Poverty Gap (all TANF families, millions)	\$15,279	\$15,078	-\$201	-1.3%
Families in Poverty (all TANF families)	1,910,328	1,906,823	-3,505	-0.2%

Source: TRIM3 Microsimulation model, using data from the 2005 Annual Social and Economic Supplement to the Current Population Survey.

Note: Child support amounts reflect payments of currently due child support during the months of the year in which the family receives TANF.

a. These averages differ from the ones above because they are determined for the 563,000 families who will receive child support after the policy expansion.

(2002) that uses cross-state and over-time variation in state pass-through and disregard policies to estimate the behavioral response. Cassetty and colleagues find that a \$100 increase in the amount of the child support disregard is associated with a 1.5 percentage point increase in the share of the TANF caseload with child support collections.¹² Based on this finding, we estimate that a behavioral response to a \$100/\$200 pass-through and disregard would increase the number of TANF families receiving child support by 9.3 percent and increase the

amount of child support collected for TANF families by 8.7 percent.¹³

According to our estimates, a \$100/\$200 pass-through and disregard policy with behavioral response would increase the average amount of child support distributed to families who have (or would have) child support from \$308 to \$802, a 160 percent increase. This total is compared with a 139 percent increase in child support in the absence of a behavioral response. With a behavioral response, average cash income for these families would increase 3.5 percent (instead of 3.3

percent) and average family income plus means-tested benefits would increase 1.6 percent (instead of 1.4 percent).

Impact on Government Costs

The cost of a pass-through and disregard to the federal and state governments is less than the amount distributed to TANF families because the additional child support distributed to families reduces, to some extent, the benefits they receive under other means-tested benefits programs. In table 2, we estimate the federal and state costs of state pass-through policies in effect in 2004. We then show how these costs would have been divided between the federal government and states if the cost-sharing rules that go into effect October 1, 2008, had been in effect in 2004. The final columns of table 2 show the federal and state costs if the DRA cost-sharing rules were in place and all states had a \$100/\$200 pass-through and disregard policy. In this table, we exclude states in which the federal government engaged in cost sharing in 2004—Wisconsin and the five states that transfer child support to families through fill-the-gap policies.¹⁴

We estimate that in 2004, \$106 million in child support was passed through and disregarded in the states represented in table 2, for a net cost to the government of \$74 million. Under cost-sharing rules in effect in 2004, states bear the cost of the \$106 million pass-through and disregard. Most of the reduction in benefits occurs in the Food Stamp program and thus benefits the federal government. Reductions in housing subsidies may initially help local housing authorities cover their operating costs, but we assume that ultimately these savings will be passed on to the federal government (Wheaton 2003). The reduction in the Child Care and Development Fund (CCDF) subsidies is very small (\$100,000), but this reduction benefits state governments because it frees up money to provide child care subsidies to other families, benefiting other low-income families in the state.¹⁵ Thus, we estimate that the pass-through and disregard policies operating in 2004 cost state governments \$106 million but saved the federal government \$32 million (\$23 million in the Food Stamp program and \$9 million in housing subsidies).

Under the DRA cost-sharing rules that go into effect on October 1, 2008, the net cost of the 2004 state pass-through and disregard policies would have been \$51 million to the states and \$24 million to the federal government. Although the federal share of collections is larger

than the state share (\$55 million versus \$51 million), the net cost to the federal government is less than in the states because of the reductions in housing and food stamp benefits.

If all states implemented a pass-through and disregard of \$100 for one child and \$200 for two or more children, at least \$346 million in child support would go to TANF families, or as much as \$376 million if there is a behavioral response. The net cost to the state governments would be between \$146 and \$152 million.¹⁶ The net cost to the federal government would be between \$46 million and \$67 million. Thus, for every dollar of child support passed through and disregarded, the average net cost to the federal government would be somewhere between 13 and 19 cents.¹⁷ On average, the cost to state governments would be between 39 and 44 cents per dollar of transferred child support, although states with higher FMAPs would pay less and states with lower FMAPs would pay more. The total estimated net cost to both levels of government would be between 51 and 63 cents per dollar of transferred child support.

The costs and benefits estimated here represent costs and benefits in the short term, while families remain on TANF, and do not include administrative costs.¹⁸ Families could react to the change in policy in ways not captured here. For example, if additional child support collections collected as a result of a behavioral response to the policy change encouraged a TANF family to leave TANF earlier than otherwise would have been the case, then the state would experience savings to the TANF program that are not captured here. Alternatively, if a family decided to remain on TANF for longer than otherwise would have been the case (because the family gets to keep a larger share of its child support while on TANF), then TANF costs might increase. The government may continue to experience reductions in benefits under other means-tested transfer programs once a family has left TANF if a behavioral response helps establish a pattern of payment of child support that continues once the family leaves TANF (and this results in greater collections than would have occurred otherwise once the family left TANF).

Conclusion

If all states adopted a \$100/\$200 pass-through and disregard policy, the average amount of child support distributed to TANF families would more than double, from approximately \$337 to

A \$100/\$200 pass-through and disregard would give custodial parents more incentive to seek child support and nonresident parents more incentive to pay.

TABLE 2. Estimated State and Federal Costs of Current and Expanded Pass-Through and Disregard Policies (dollars in millions)

	2004 pass-through rules	Assuming DRA cost-sharing rules and no change in pass-through and disregard policies	Assuming DRA Cost-Sharing Rules and \$100/\$200 Pass-Through in All States	
			No behavioral response	Behavioral response
Child Support Distributed to TANF Families and Disregarded	\$106	\$106	\$346	\$376
Federal share	\$0	\$55	\$193	\$209
State share	\$106	\$51	\$153	\$166
Behavioral Response Collections Retained by Government ^a	—	—	—	\$18
Federal share	—	—	—	\$11
State share	—	—	—	\$7
Benefit Reductions ^b	\$31.6	\$31.6	\$126.4	\$136.9
CCDF	\$0.1	\$0.1	\$0.5	\$0.5
Housing	\$9	\$9	\$33	\$37
Food stamps	\$23	\$23	\$93	\$100
Net Government Cost ^c	\$74	\$74	\$220	\$191
Federal government	(\$32)	\$24	\$67	\$46
State government	\$106	\$51	\$152	\$146

Source: TRIM3 Microsimulation model, using data from the 2005 Annual Social and Economic Supplement to the Current Population Survey.

Note: This table excludes six states (Delaware, Georgia, Maine, South Carolina, Tennessee, and Wisconsin) where the federal government waived its share of some or all of the child support transferred to families in 2004.

a. A behavioral response means that nonresident parents are paying more child support. While most of this additional child support is distributed to TANF families, some of it is retained by the government.

b. Benefit reductions reflect the reduction in means-tested benefits that TANF families will receive as a result of receiving additional child support income.

c. Net government cost reflects the amount of child support that the government has passed through to families (and thus forgone) minus the reduction in means-tested benefits.

\$806 a year, and child support received while on TANF would represent 5 percent of the annual cash income of TANF families with a child support collection. Sixty-five percent of child support collected on behalf of TANF families would be distributed to the families, up from 27 percent before the expansion. According to our estimates, a behavioral response to the more generous pass-through and disregard could increase the number of TANF families with a child support collection by 9 percent, further increasing the benefits of the policy change to families and decreasing the costs to government.

Although the federal government will only share in the cost of passing through child support to TANF families up to \$100 for one child and \$200 for two or more children, states could pass through all the child support collected on behalf of TANF families. If they did, TANF families

that receive child support would receive an average of \$1,230 a year in child support, representing 8 percent of their income. Under a federal waiver that ended in 2006, Wisconsin passed through all child support collected to the family and disregarded all of it when determining TANF benefits.¹⁹

Most TANF families are highly disadvantaged and cannot count on any form of private-sector income, so even modest increases in child support income can be very beneficial. During any given month in fiscal year 2003, only 23 percent of adult TANF recipients had a job (U.S. Department of Health and Human Services 2006). While barriers to work may not be as severe for nonresident parents of TANF children as they are for TANF adult recipients, they are substantial (Sorensen and Zibman 2001). Thus, distributing more child support to

TANF families can be an important supplement to these families' incomes and can increase the rewards of work for nonresident parents (whose child support payments would go primarily toward benefiting their children rather than reducing government costs).

A higher pass-through and disregard would present a cost to state and federal governments because less child support would be retained to help offset the costs of providing TANF. This cost would be offset to some extent by reductions in benefits under means-tested transfer programs, which would primarily benefit the federal government. If all states implemented a \$100/\$200 pass-through and disregard, we estimate that for each dollar of child support transferred to TANF families, the net cost to the federal government would be between 13 and 19 cents. The net cost to state governments would depend on a state's FMAP, but, on average, it would be between 38 and 44 cents.

The DRA provides an important opportunity for states to rethink their pass-through and disregard policies. Doing so would benefit TANF families at relatively little cost to state governments and even less cost to the federal government. Under the new federal cost-sharing rules, a pass-through and disregard will be much less expensive than in the past. States that already have a pass-through and disregard will experience savings as the federal government starts to share in the pass-through and disregard amount. These savings could be used to further expand state pass-through and disregard policies.

Notes

1. As of 2004, 27 states and the District of Columbia had stopped passing through child support to TANF families. Thirteen states had a \$50 pass-through and disregard. Four states increased the TANF grant for families receiving child support (Hawaii by the amount of the state share of the child support collection, Texas by up to \$50 of the monthly child support collected, West Virginia by up to \$25 of the monthly child support collected, and Virginia by the full amount of current support exceeding Virginia's \$50 pass-through and disregard). Four states (Wisconsin, Minnesota, Connecticut, and Vermont) transferred the full child support pay-

ment to the family. Wisconsin disregarded the full amount of the child support in the benefit calculation, Minnesota did not disregard any child support, and Connecticut and Vermont disregarded \$50. Five states (Delaware, Georgia, Maine, South Carolina, and Tennessee) transferred child support to families under "fill-the-gap" budgeting rules. Two of these states (Delaware and Maine) also had a \$50 pass-through and disregard (Rowe 2006).

2. All estimates regarding child support collections reflect the collection of current support, not arrears. Different distribution rules apply to current and past due child support. The estimates presented throughout this brief were generated by the TRIM3 microsimulation model (Transfer Income Model, Version 3) using data from the 2005 Annual Social and Economic Supplement to the Current Population Survey. TRIM3 is developed and maintained by the Urban Institute under contract with the Office of the Assistant Secretary for Planning and Evaluation at the U.S. Department of Health and Human Services. For further discussion of methodology and other estimates, see Wheaton and Sorensen (2005).
3. See Solomon-Fears (2006) or Legler and Turetsky (2006) for a discussion of other DRA child support changes.
4. See Solomon-Fears and Falk (2007) for a discussion of how the DRA pass-through changes would affect a mother with two children in six states with varying child support pass-through rules and TANF benefit levels.
5. Washington will implement a \$100 pass-through and disregard for one child and \$200 for two or more children effective October 1, 2008, and legislation for such a change is pending in New Mexico. Virginia will increase the amount passed through and disregarded to \$100, effective October 1, 2008 (Justice 2007).
6. This number includes families who received TANF for only part of the year, so it is higher than the number of families receiving TANF at any given point in time.
7. The average family income of TANF recipients may appear higher than expected because we include the income of family members whose income is not counted in determining eligibility for TANF (such as grandparents in child-only cases) and income received in months of the year in which the family does not receive TANF (and may have higher income).
8. Our estimates assume that states that pass through all child support would continue to do so but would now have a \$100/\$200 disregard (except in Wisconsin, which would continue the full disregard that was in effect in 2004), and that states that distribute child support through fill-the-gap budgeting rules would continue to do so, in addition to implementing the \$100/\$200 pass-through and disregard.

9. A \$469 increase in distributed child support may seem small compared with the maximum possible increase in annual income for a family with one child (\$1,200) or two children (\$2,400). A family could receive less than the maximum possible increase, however, for four reasons: (1) the family's monthly child support collection is less than \$100 (or \$200); (2) the family does not receive child support in all months of the year; (3) the family receives TANF for only part of the year (the pass-through and disregard policy only affects the family's income in TANF months); or (4) the family lives in a state that already has a child support pass-through and disregard (for example, the maximum increase in income for a state with a \$50 pass-through and disregard is \$600 for one child and \$1,800 for two children).
10. Average family income increases by an additional \$19 because we assume that states that currently pass through child support to TANF families and do not disregard all the child support when calculating TANF benefits would begin to disregard all the child support passed through to families up to \$100 for one child and \$200 for two or more children.
11. We estimate the extent of benefit reductions in federal public and subsidized housing programs, food stamps, and the Child Care and Development Fund (CCDF). Child care subsidies provided under other funding sources could also be affected, but these programs are not captured in our analysis. We assume there would be no reduction in Supplemental Security Income (SSI) benefits under an increased pass-through and disregard, because SSI children already receive all current child support paid on their behalf. We do not estimate reductions in Medicaid or the State Children's Health Insurance Program participation. Although participation in TANF does not guarantee eligibility for Medicaid, the vast majority of TANF recipients are eligible for Medicaid, and their eligibility would be unaffected by the additional income from an increased pass-through and disregard. The Women Infants and Children and Head Start programs should be unaffected by an increased TANF child support pass-through and disregard because the level of a TANF family's income does not affect eligibility or benefits under these programs. It is possible that benefits under the free and reduced-price school lunch program may be reduced for some families, but this reduction is not captured in our analysis.
12. A more recent study by Cancian, Meyer, and Roff (2006) finds evidence of an increase in child support collections in just one of four models estimated. The University of Wisconsin also analyzed the extent of behavioral response using data from the Wisconsin Child Support Demonstration Evaluation (CSDE); it found a higher rate of child support collections among cases subject to a full pass-through and disregard

in one cohort of the study, but no difference in another cohort (Cook and Caspar 2006).

13. Based on the findings of Cassetty and colleagues (2002), we estimate the increase in child support collections that would occur with a \$150 pass-through and disregard (midway between the \$100 pass-through and disregard that would be available to families with one child receiving child support and the \$200 pass-through and disregard that would be available to families with two or more children receiving child support).
14. Fill-the-gap states are not required to pay the federal share of child support distributed to families to “fill the gap” between the state’s maximum TANF payment and standard of need. Wisconsin had a waiver (which ended in 2006) under which the federal government waived its share of support transferred to families under a full pass-through and disregard.
15. The additional child support from a pass-through and disregard is unlikely to affect CCDF eligibility for TANF recipients, but it may affect co-payments in states that require TANF families to make CCDF co-payments. A family is most likely to be affected if it is in a state that does not exempt TANF families from co-payments and sets the co-payment as a percentage of income (rather than as a fixed amount within a given income range).
16. The lower cost estimates assume a behavioral response. Costs are lower with a behavioral response because the government retains some of the additional child support collected and because the additional child support distributed to families reduces benefits in other programs.
17. Our estimates regarding the net cost to all levels of government of an expanded pass-through and disregard policy are considerably higher than those found by the Wisconsin CSDE. The CSDE finds no statistically significant difference in total government costs for families receiving a full pass-through and disregard relative to those receiving a partial pass-through and disregard, and finds that the state government would experience savings (Caspar and Cook 2006). However, the Wisconsin study does not count the state’s share of the distributed child support as a “cost” of the full pass-through because the state distributed its share of child support to both the full and the partial pass-through groups. For most states considering an increase in their child support pass-through and disregard, the forgone state share of child support collections will represent the primary cost to the state, and we have included this cost in our estimates. Most benefit reductions in the Wisconsin experiment occurred in the state’s child care subsidies, even though child support income was disregarded when determining child care eligibility and co-payments for some of the years covered by the experiment. Caspar and Cook speculate that the additional child support income may have en-

couraged some mothers to do without child care subsidies, even though they remained eligible. Our estimates do not incorporate this type of behavioral response. We assume that child care subsidies are reduced for some families, but only because these families received enough additional child support to affect their co-payment or (in rare cases) their eligibility.

18. See Wheaton and Sorensen (2005) for a discussion of the implications of a change in pass-through and disregard policy on administrative costs.
19. Now that the federal government is no longer waiving its share of child support collections, Wisconsin is passing through and disregarding the state share of child support collections.

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