Federal Legislation

In 1992, Presidential candidate Bill Clinton made a campaign promise to “end welfare as we know it.” This agenda came seemingly out of the blue and took on a life of its own (DeParle, 2004). The legislation that resulted from that oft-heard phase was The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, known by many as “welfare reform” and shortened here to PRWORA. The goals of the 1996 Act represent a shift in the federal cash assistance program’s strategy to reduce poverty and dependence on cash assistance; three of the four goals focus on family formation.

The specific goals of PRWORA are:

- (1) to provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;

- (2) to end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;

- (3) to prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and

- (4) to encourage the formation and maintenance of two-parent families.

[P.L. 104-193, Title I, Sec. 401(a)].

Federal Funding: Block grants to state

In order to draw down its welfare block grant from the federal government, each state had to submit a plan for meeting the following objectives:
(1) Numerical goals for reducing the state-wide “illegitimacy ratio” for each year through 2005.

(2) A plan of action to prevent and reduce out-of-wedlock pregnancies, especially among teens.

(3) A plan to conduct statutory rape prevention education programs for law enforcement officials.

(4) An expansion of teen pregnancy prevention education to include males.

The 1996 law repealed AFDC, a national entitlement program, and replaced it with the TANF (Temporary Assistance for Needy Families) block grant. As such each state had a certain degree of control over the design and implementation of its cash assistance program. This freedom was especially true for policies and programs related to family formation; TANF provided little guidance, few incentives and no penalties to states for the degree to which they implemented family formation initiatives.

Several TANF provisions relate more broadly to the structure of families receiving TANF, including the birth of children, the number of parents, and parents’ legal status. For example, TANF relaxed work requirements for two-parent families. In addition, states may not use TANF funds to assist teen parents who are not in school and not living in an adult-supervised setting. States also have explicit permission to deny payment increases for parents who have additional children while on welfare (the family cap).

State Implementation of Family-formation goals of PRWORA

In the years immediately following passage of PRWORA, state initiatives to promote marriage and support two-parent families ranged from cash and indirect fiscal incentives to programs reflective of family preservation models (Lawrence, 2007). Very few states addressed marriage directly, although many states implemented administrative rules that were favorable to two parent families regardless of their marital status.

State implementation of family formation under TANF follows several patterns:
(1) There is considerable diversity across states in their adoption and implementations of family formation aspects of their TANF programs.

(2) Family formation always takes a back seat to work in terms of agency attention and resources.

(3) Some state activity pre-dates TANF (especially for youth initiatives).

(4) TANF and family formation links are often tenuous in terms of the populations served and the providers of services.
Executive Initiative: The Healthy Marriage Initiative

Initiated in 2003, the Healthy Marriage Initiative picked up the themes introduced in the 1996 legislation and broadened the scope of federal involvement in the promotion of marriage. Rather than fund efforts through a federal program implemented by state and local governments, the HMI directly funds public and private service providers and researchers to meet its mission.

The mission of the HMI is: “To help couples, who have chosen marriage for themselves, gain greater access to marriage education services, on a voluntary basis, where they can acquire the skills and knowledge necessary to form and sustain a healthy marriage.”

(http://www.acf.hhs.gov/healthymarriage/about/mission.html#background.

The goals of the HMI are to:

- Increase the percentage of children who are raised by two parents in a healthy marriage.
- Increase the percentage of married couples who are in healthy marriages.
- Increase the percentage of premarital couples who are equipped with the skills and knowledge necessary to form and sustain a healthy marriage.
- Increase the percentage of youth and young adults who have the skills and knowledge to make informed decisions about healthy relationships including skills that can help them eventually form and sustain a healthy marriage.
- Increase public awareness about the value of healthy marriages and the skills and knowledge that can help couples form and sustain healthy marriages.
- Encourage and support research on healthy marriages and healthy marriage education.
- Increase the percentage of women, men and children in homes that are free of domestic violence.

(http://www.acf.hhs.gov/healthymarriage/about/mission.html#background.

The HMI extends across multiple program areas in the U.S. Department of Health and Human Services Administration for Children and Families:

- Administration for Native Americans
- Children’s Bureau
- Office of Child Support Enforcement
- Office of Planning, Research and Evaluation
- Office of Refugee Resettlements (ORR)
- Office of Community Services (OCS)

In addition, the Deficit Reduction Act of 2005 provided $150 million each year for healthy marriage promotion and fatherhood.
References & Suggested Resources


