

CCWRO Welfare News

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Only 28 out of every 100 families in poverty are now receiving TANF assistance in America.

On May 19, 2011 the Center on Budget Policy & Priorities (CBPP) released a document showing how States have been fleecing the TANF program. The document reveals that during 1994-1995, under the AFDC program designed to protect impoverished families, 75 out of every 100 families who lived in poverty were being aided. In 1996 Bill Clinton signed the most devastating piece of legislation to harm poor families called the Temporary Assistance to needy Families (TANF).

Under TANF the CBPP document reveals that a meager 28 out of every 100 families in poverty are now aided. Moreover, in seven (7) states in 2008-2009, TANF served fewer than 10 families for every 100 families in poverty.

Some advocate increasing the TANF block grant. There is no evidence that increasing the TANF block grant means states would provide assistance to more families, unless the increase can only be used for "payments to families".

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The evidence shows that under the AFDC program 70% of the money was used for payments to families. Under the TANF program with their "state rights" and "state flexibility", only use 30% of the TANF funds for payments to families or what is now called "basic assistance" to impoverished families. In FY 2009 states spent \$30 billion on TANF without American Recovery and Reinvestment Act ARRA funds. \$10.5 billion was used for "assistance" and \$19.5 billion was used for "non-assistance".

During FY 2009 States were not in need of more money to help impoverished families. The TANF DHHS expenditure reports shows that during FY 2009 states received \$18.5 billion in TANF money from the federal government. About \$3 billion was transferred to the Child Care Development Block Grant and the Social Services Block Grant while only aiding 28 families out of 100 families in poverty. Moreover, at the end of the year there was an "unobligated balance of \$1.4 billion. This does not look like states needing more money to aid the poor families. It looks like States just don't want to aid the severely impoverished families in the United States of America.

The real problem is that there is no federal mandate that the majority of the TANF monies be used to meet the basic assistance needs of TANF families. Since the enactment of TANF the State of Cali-

fornia has taken over \$18 billion from poor families to balance the state budget. And now welfare recipients in California live on a fixed income grant of what they received in 1984.

States need to be mandated to spend 70% of the federal and State MOE money on "basic assistance" or "payments to families" and STOP fleecing the TANF program as they have been doing for over one decade without shame.

FNS Makes a Policy that is Inconsistent with Federal Law

California Department of Social Services is in the process of implementing 7 CFR §273.31 which provides that when Transition Food Stamp five-month period ends, on the 5th month the state agency can either (1) extend the certification period in accordance with §273.10(f)(5) unless the household's certification period has already been extended past the maximum period specified in §273.10(f) in accordance with §273.27(a); or (2) allow the household to recertify.

DSS has decided to establish a policy to start the recertification process during the 4th month in lieu of the 5th month as clearly stated in federal regulation. As to how 5th becomes 4th is mind-boggling, but then twisting of the law has been a long time practice for our state.

The State asked FNS if the federal regulation requires the process

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start during the 5th month means the State agency can start the process during the 4th month. In a recent email, FNS stated that under 7 CFR §273.31 DSS may start the recertification process during the 4th month for transitional food stamps under §273.31. The fact that this is clearly inconsistent with the federal regulation made no difference.

Here is the federal regulation. What do you think?

7 C FR §273.31 Closing the transitional period.

In the final month of the transitional benefit period, the State agency must do one of the following:

(a) Issue the RFC specified in §273.12(c)(3) and act on any information it has about the household's new circumstances in accordance with §273.12(c)(3). The State agency may extend the household's certification period in accordance with §273.10(f)(5) unless the household's certification period has already been extended past the maximum period specified in §273.10(f) in accordance with §273.27(a); or

(b) Recertify the household in accordance with §273.14. If the household has not reached the maximum number of months in its certification period during the transitional period, the State agency may shorten the household's prior certification period in order to recertify the household. When shortening the household's certification period pursuant to this section, the State agency must send the household a notice of expiration in accordance with §273.14(b).

CCWRO CORRECTION Counties Demanding Excess QR7s

In our 2011-09 newsletter dated June 14, 2011 we states that:

“Another unlawful practice that we have discovered is counties requiring food stamp recipients to complete a QR7 as a condition of completing the Food Stamp recertification process. The process required for food stamp recertification is set forth in MPP § 63-504.253. There is nothing in this regulation that states food stamp recipients have to complete a QR-7, yet counties are unlawfully requiring food stamp recipients to complete the QR7. Counties are aware that this is not right, but they do it anyhow and the state

single agency, CDSS is aware of this un-lawful practice of counties and refuses to halt this unlawful practice. If a food stamp recipient does not complete the QR7 as unlawfully required by the counties, they will lose their food stamp benefits while the county workers and their bosses keep their jobs.”

We received an email from DSS alerting us that MPP§63-504.61(c) requires counties to have a QR-7 at hand to complete the recertification process if the QR-7 is due during the month of the recertification and the county has not received the QR7. We agree. We are sorry that this exception was overlooked. However, that does not justify counties demanding a QR7 during recertification even when the QR7 is not due during the month of the recertification.

MPP 63-504.61 (c) Timely Application for Recertification

(QR) QR households which file a complete QR 7 on or before the 11th of the last month of the certification period, and an application no later than the recertification interview shall be considered to have made a timely application for recertification.

Moreover, it should be noted that there is no federal regulation that allows the counties to require a QR7 report even in this situation. There is nothing in 7CFR §§273.12 or 273.14 that requires the submission of a quarterly report as a condition of completing the recertification process.

Federal regulations only require that state or local food stamp agencies “notify” households being recertified with a reporting form.

“7CFR §273.12(a)(4)(ii) Notification of the quarterly reporting requirement. The State agency must notify households of the quarterly reporting requirement, including the consequences of failure to file a report, at initial certification and recertification.”

Of course that does not mean that the Food and Nutrition Service would not come back and say “notify” means “require the submission of a reporting form” to make sure there is more paperwork and waste in the food stamp administrative process.