

Kle: cmjll cc  
HPB binder



**Margy Waller**

06/20/2000 08:25:27 PM

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Record Type: Record

To: Ann O'Leary/OPD/EOP@EOP

cc:

Subject: HPB rule comments

meant to cc you. let's talk.

----- Forwarded by Margy Waller/OPD/EOP on 06/20/2000 08:25 PM -----



**Margy Waller**

06/20/2000 05:02:07 PM

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Record Type: Record

To: Lauren Wittenberg/OMB/EOP

cc: Zoe M. Neuberger/OMB/EOP

Subject: HPB rule comments



HPBcomments.d

Here are the DPC comments.

Talk to you Monday.

Thanks.

**High Performance Bonus  
DPC Comments and Questions  
June 20, 2000**

**General comments:**

*Good* 1) All the defense of measuring food stamps and Medicaid/SCHIP make the child care argument very hard to understand and seem inconsistent.

2) We have some minor edits which we will fax over – nothing substantive.

**Specific comments/questions:**

p. 2, Please explain the reference to the amendment to 45 CFR Part 265.

p. 4, Since this rule is related to Medicaid delinking issues, should the summary of PRWORA include that provision of the Act?

p.6, Please add 'enforcement': Child support enforcement programs...

p. 10, President made high performance bonus announcement on 12/4 (Saturday radio address), not 12/6.

p. 19 & 29, Did all states object to the FS/Medicaid/SCHIP measures? Were there any states that supported them?

Does the reference to 'almost all commenters objected to the family formation...' mean all commenters on the rule, or all commenters on this measure? Approximately how many/what percent of total commenters objected? Who were the negative commenters? How did states react? Did Hill comments tend to be negative or silent?

P. 30, Is implication of last paragraph that state would deny work services in order to keep family under 200% of poverty? Seems like a stretch.

P. 30-33, We're curious why you went into significant detail on these 4 particular comments. Why not respond to these or the other comments summarized on p. 33 where appropriate? For example, aren't there clear responses to comments 4, 5, 6 on p. 33?

p. 32, #4: Did commenters note that states with a state EITC might discourage marriage because of the marriage penalty in EITCs (because they are based on a percentage of the federal EITC which has a marriage penalty)?

p. 34, Since you indicate that you have decided to drop the 'family formation measure' at this time, do you intend to implement it at a later time? Under what circumstances

do you think you would be able to implement it? Explain the downside of going forward with the measure despite these flaws? Could you announce intent to do so while continuing to search for a better measure or reserving right not to make award (or full award) if the results appear seriously problematic (i.e. there is a major recession causing more families to go under 200% of poverty). In general, did you consider the MFIP findings as an argument for why this is worth pursuing?

pp. 36-37: what is time frame for completing these activities?

p. 38-40: this is an impressive list but it focuses mostly on a) teens and b) preventing pregnancy, less on promoting two-parent families/marriage. Should you reference TANF final rule and spending guidance as clarifying flexibility states have to do the latter (for all families, not just needy families)?

p. 45: would there be a time factor, in addition to the burden factor, in developing the data? Could it even be ready in time to award bonus?

p. 46: should you also mention that you've dropped threshold measure for Medicaid/FS (as you do on p. 55 for DV)?

p. 47, Why do you consider child care on ongoing support, and food stamps and Medicaid temporary supports? How are they different? Aren't food stamps and Medicaid also a critical support for 'all low income working families'?

p. 47, did you consider using the explanation that child care – unlike food stamps and Medicaid – does not have open-ended federal funding?

p. 47, how are the performance measures noted (GPRA and ELF) 'more universal opportunities for measuring child care'?

p. 49, is there a way to encourage states to create seamless child care systems using the HPB? Have you considered ways to rank, recognize or reward positive state trends/practices outside HPB?

In general on child care measure, were there feasible measures proposed by commenters? Or, is there a feasible measure that you could envision?

Please send us copies of the comments on child care.

p. 51-52, 54: what is status of this initiative? Are there specific products/outcomes we can point to, and when will the actions in 2<sup>nd</sup> and 3<sup>rd</sup> bullet be complete?

p. 59: update to reflect final child poverty rate rule

p. 71: middle graph – also mention statutory requirement for consultation w/ state groups?

p.79, how was the minimum earnings requirement determined?

p. 84: chk w/ FNS re: updating for 1999 food stamp data – decline has slowed.

p. 87, are the references to TANF about TANF assistance or TANF non-assistance, or both?

P. 89, Note: car asset rules will differ across states.

p. 94, wouldn't a statutory explanation of the limit to working families be stronger?

p. 95: what about more general argument that this is a HIGH performance bonus and all measures are limited to top 10 states to make bonuses meaningful?

p. 100: does FNS concur w/ dropping threshold measure? Are you continuing to include threshold measures in current year guidance?

p. 125, How do you justify difference with food stamp measure?

p. 140, Which commenters asked for a longer retention period? What evidence did they provide that 6 months is too short?

p. 135, If state opts out, does HHS still make data available?

p. 135, Family Formation – needs further discussion

p. 146: would be helpful to highlight distinction between wage paying subsidized jobs and community service/work experience. Is it the case that the latter won't be picked up in the data you'll now be using for the work measures?

p. 149: first paragraph: do you mean modest "change" (i.e. over time) or "difference (i.e. across states)?"

p. 152: pls clarify response on assistance – are you only including those receiving TANF assistance or everyone receiving TANF-funded benefits or services?

p. 154, The statute does not seem to require that the bonus be made in each year, just for each year.

p. 159, how much more data collection would be required to determine participation of adults and children separately?

p. 159: what's changed since NPRM in terms of ACS schedule?

p. 178: do you expect such waivers to be the exception or the rule? What do you see as unintended consequences?

For yr files

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# News Release

*File: Childcare*

**FOR IMMEDIATE RELEASE**  
**January 28, 2000**

**Contact: Dorothy Lohmann**  
**Maricka Oglesby**  
**202/588-5180**

## **CENTER HAILS PRESIDENT CLINTON'S CHILD CARE PROPOSALS**

The National Women's Law Center, long a proponent of policies to expand access to high-quality, affordable child care, today applauded the Clinton Administration for the child care initiatives outlined last night in the President's State of the Union address. "At a time when the overwhelming majority of American women with children are in the paid work force, they and their families need help finding and paying for reliable, high-quality child care and school-age programs," said Judith C. Appelbaum, the Center's Vice President and Director of Employment Opportunities. Appelbaum continued: "The proposals announced by President Clinton, if enacted, will go a long way toward helping working families meet their child care needs. We urge Congress to demonstrate its commitment to women and their families by passing these measures this year.

"We are pleased that the Administration's child care package, as outlined by the President, includes subsidies for low-income families, refundable tax credits, funding for after-school programs, and other key components of an effective child care policy," Appelbaum said. The proposed increase in spending for the Child Care and Development Block Grant, which provides funds to the states to help low-income families pay for child care but which currently reaches only about 10% of eligible children, will help more families who cannot afford to pay for child care. Expanding the Dependent Care Tax Credit (DCTC) will provide additional assistance to many families, and making the DCTC refundable will ensure that it helps families who currently receive little or no benefit from the credit because they have no tax liability against which to apply it. Head Start will receive a much-needed increase in funds. The proposed early learning fund, and early childhood professional development grants, are critical to improving the quality of early learning. The 21<sup>st</sup> Century Community Learning Centers program, which provides school-age children with constructive, supervised activities, will receive a large increase, as will campus-based child care that is so important to parents struggling to obtain a college degree and all of the increased opportunities for advancement that a degree brings.

"Congress has acted on child care in bipartisan fashion in years past," Appelbaum said. "We urge lawmakers in both parties to show they understand the importance of child care to American women and their families and make these proposals a reality this year," she concluded.

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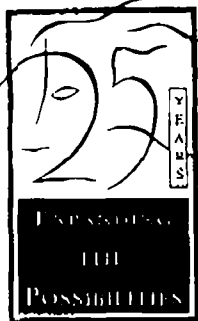
The National Women's Law Center is a non-profit organization that has been working since 1972 to advance and protect women's legal rights. The Center focuses on major policy areas of importance to women and their families including economic security, education, employment and health, with special attention given to the concerns of low-income women.

## **NATIONAL WOMEN'S LAW CENTER**

11 Dupont Circle, NW • Suite 800 • Washington, DC 20036 • (202) 588-5180 • FAX (202) 588-5185



## NATIONAL WOMEN'S LAW CENTER



## \*\*\*\* FAX COVER SHEET \*\*\*\*

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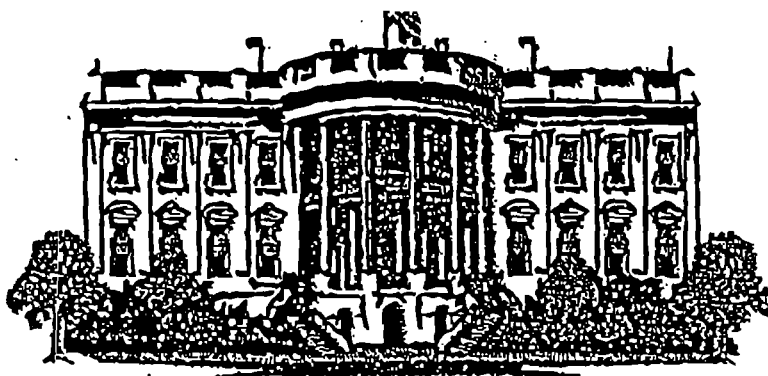
FWI - we put this out on Friday.

Judy

*With the law on your side, great things are possible*

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## THE WHITE HOUSE

Domestic Policy Council

DATE: 10/26/00

FACSIMILE FOR: Zoe Neuberger M.H. McKern, Ann O'Leary  
Eric Morse, Brenda Aguilar  
FAX: 5-0851, 5-0851, 6-2878, 6-2878, 5-6974  
PHONE:

FACSIMILE FROM: Andrea Kane

FAX: 202-456-7431  
PHONE: 202-456-5573

NUMBER OF PAGES (INCLUDING COVER): 3

COMMENTS: More info on HPB consultation  
- still waiting to get phone #  
from Sean Hurley

Date: 10/26/2000Total pages: Cover + 1 pages

**Administration for Children and Families  
Office of Planning, Research and Evaluation  
370 L'Enfant Promenade, SW  
Washington, DC 20447**

TO: ANDREA KANEFROM: SEAN HURLEY

PHONE: \_\_\_\_\_

PHONE: 202-9257FAX: 456-7431FAX: (202) 205-3598**MESSAGE:**

Attached are the "Oth" issue we  
are planning to consult with State groups  
on tomorrow

file: child care  
17pg  
file

## **Consultation on Other High Performance Bonus (HPB) Measures**

### **Issues for the FY 2001 HPB**

- 1) Should any of the technical changes in the HPB final regulation work measures be applied to the FY 2001 HPB specifications/methodology? We made the following technical changes:
  - equal weighting of the sub components (retention and earnings gain) of the Success in the Work Force measure;
  - improvement calculated as a percentage point change;
  - fully subsidized employment distinction eliminated;
  - elimination of the use of administrative data; and
  - use of positive improvement scores.
- 2) Are their operational concerns/issues based on State experience with the FY 2000 bonus that we should consider in implementing the FY 2001 HPB process?

### **Issues for the FY2002 and FY 2003 HPB**

#### **WORK MEASURES**

- 1) Are there any operational/implementation issues associated with providing us an unduplicated quarterly file of TANF adult recipients identified by name, social security number, and date of birth? Are there timing issues in providing this data?
- 2) In the final HPB rule we did not establish a threshold for the level of earnings that would constitute employment. Should we establish such a threshold and what are the factors we should consider?

#### **MEDICAID/SCHIP MEASURES**

- 1) Are there operational issues associated with matching files of individuals leaving TANF with Medicaid/SCHIP files? What are the potential barriers to States competing on these measures? What factors should we consider in developing data specifications for these measures?
- 2) Are there timing issues associated with when data files are updated and when the matching would be conducted?