
Temporary Assistance for Needy Families Information Memorandum

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Family Assistance
Washington, DC 20201

No. TANF-ACF-IM-2018-01

Date: February 15, 2018

TO: State and territorial agencies (hereafter, states) administering the Temporary Assistance for Needy Families (TANF) Program and other interested parties.

SUBJECT: The use of TANF funds to promote employment programs for noncustodial parents.

REFERENCES: Sections 401 and 466 of the Social Security Act [42 U.S.C. 601 and 666]; OCSE-IM-18-02.

PURPOSE: To remind states that they may use TANF funds to serve noncustodial parents in employment programs.

BACKGROUND:

More than just a means of income, work creates opportunities for individual growth, instills personal dignity, and provides low-income Americans with a clear pathway out of poverty to financial self-sufficiency. Furthermore, when parents, custodial and noncustodial alike, are employed, they are able to fulfill a key parental responsibility by providing for their children.

While work requirements in TANF have encouraged custodial parents receiving assistance to pursue employment, increasing work among noncustodial parents, who are typically fathers, remains a significant challenge. An analysis by the Office of Child Support Enforcement estimates that 13 percent of noncustodial parents are unemployed for extended periods of time. When noncustodial parents are out of the labor force, they suffer a decrease in life satisfaction and their families suffer from a lack of reliable child support payments.

Helping needy families rise out of poverty and dependence on government benefits through employment and reliable child support payments is a central tenet of TANF. The preamble to the original TANF regulation noted that states could implement innovative and creative strategies for supporting the critical goals of work and responsibility, such as extending employment services to noncustodial parents (64 Fed. Reg. 17725, dated April 12, 1999). As such, states have the flexibility to include noncustodial parents as members of eligible TANF families and thereby provide services such as work or educational activities funded by TANF or separate state maintenance-of-effort (MOE) programs. The preamble further explained that a state may also provide various services under the TANF program that do not constitute “assistance” – including counseling, job readiness, employment placement and postemployment services – to any eligible family member, including a noncustodial parent. (64 Fed Reg. 17824) Additionally, as we explained in [TANF-PA-1999-01](#), states may use federal TANF to provide services and benefits that do not constitute “assistance” to needy individuals, including non-

custodial parents, where consistent with the purposes of the Act. However few states report using TANF funds for employment services for noncustodial parents.¹

INFORMATION:

The Administration for Children and Families reaffirms its commitment to increasing opportunities for family and individual advancement through work. To that end, this information memorandum reminds states that they may use federal TANF funds to provide employment services to noncustodial parents. Also, they may use state maintenance-of-effort (MOE) funds to provide these services. While MOE is generally limited to “eligible families,”² certain “pro-family” activities, such as employment services to noncustodial parents, could be provided without regard to financial need or family composition.

In addition, we remind states that for TANF purposes, 45 CFR 260.30 defines a noncustodial parent as a parent of a minor child who (1) lives in the state; and (2) does not live in the same household as the minor child. Readers may also wish to consult the noncustodial parent questions and answers on the Office of Family Assistance website at:

<https://www.acf.hhs.gov/ofa/resource/q-a-non-custodial-parents>

ACF encourages states to strengthen their employment programs for noncustodial parents and make getting this population into employment and paying their child support a top priority.

INQUIRIES: Please direct inquiries to the TANF Program Manager in your region.

/s/

Clarence H. Carter
Director
Office of Family Assistance

¹ Moreover, states have the authority to require noncustodial parents who owe overdue support for a child receiving TANF and are subject to a repayment plan to participate in work activities (see section 466(a)(15) of the Social Security Act).

² All MOE-funded services must be provided to or on behalf of eligible families, with the exception of pro-family healthy marriage and responsible fatherhood activities specified in sections 403(a)(2)(A)(iii) and 403(a)(2)(C)(ii) of the Social Security Act (see 45 CFR 263.2(a)(4)(ii) and 263.2(b)). Any such pro-family activities may be provided regardless of financial need or family composition.