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DATE: June 28, 1993

TO: Wayne King -- *New York Times* - (212) 556-4603
Jerry Gray
Jason DePark
Anna Quindlen
Lindsay Gruson
Sam Roberts

FROM: Thomas Derr (On behalf of Assemblyman Wayne R. Bryant)

RE: **WELFARE REFORM: At its one-year anniversary, New Jersey's landmark welfare reform legislation may set the course for national reform.**

In the coming weeks, Congress and the White House will be looking more closely at welfare reform -- an issue that is likely to be both extremely challenging and highly volatile.

There is a great deal of agreement on one point -- the current system has to change. But the question of what kind of changes ought to be made raises a storm of controversy. A myriad of concerns will need to be addressed: stabilizing the family, the question of work requirements, enforcement of child support laws, the availability of daycare, education and job training for recipients -- to name but a few.

STAGE ONE: As policymakers at the federal level consider their options, they also will be looking at what is taking place at the state level -- most notably in New Jersey, which, on July 2, 1993, will celebrate the first anniversary of the enactment of an innovative welfare reform package authored by Assemblyman Wayne R. Bryant, a Democrat whose constituents include the residents of Camden, NJ.

During the past year, the Bryant welfare reform package has been widely hailed as a model for other states and for national policymakers. One key reason: the program recognizes that welfare dependency is a problem affecting not just individual recipients, but their entire families, as well.

The primary goal of Assemblyman Bryant's welfare reform legislation has been to break the cycle of dependency by giving welfare recipients and their families greater access to education and vocational training, as well as related support services, such as daycare, counseling, and job placement assistance.

This holistic, more comprehensive approach aims to reinforce fundamental values which society traditionally deems vital: self-sufficiency, family unity, and a positive work-ethic.

As part of this approach, the legislation helped eliminate bureaucratic rules that inhibited single welfare mothers from marrying, and which tended to destabilize welfare families by cutting funds to households where both parents continued to live together with their children.

In addition, one highly publicized aspect of the welfare reform legislation adopted a year ago sought to level the playing field between welfare parents and working parents. Known as the "Right to Choose" bill, this law made it clear that parents who chose to have additional children while receiving welfare benefits would not receive any additional benefits for these additional children. *Instead, adult welfare recipients would be able to earn an income equal to as much as 50 percent of their welfare grant to support the additional children and still be entitled to collect their full benefits.*

The logic is clear -- working parents do not automatically receive a pay raise for their newborn children. Rather, they are faced with a choice -- either postpone having additional children, or have children and somehow be prepared to incur the additional expenses.

Similarly, the New Jersey's welfare laws now make welfare recipients themselves the focal point for decision-making and ultimate responsibility. As Assemblyman Bryant continues to point out: "Poor people really can think for themselves."

STAGE TWO: While the stage is being set at the national level, in New Jersey, Act Two is about to begin. *Just within the past few weeks, Assemblyman Bryant introduced a second package of bills -- known as the "Family Responsibility Act" -- that address one of the most difficult and pervasive problems that affect women on welfare -- the problem of child support.*

This new package of bills is designed to enhance New Jersey's original welfare reform package by strengthening the collection of child support payments. Among the Family Responsibility Act's key provisions:

- Agencies tracking down deadbeat parents could automatically access public utility, unemployment, tax, motor vehicle, and Treasury Department records.
- Government agencies which enforce child support obligations could revoke or suspend professional licenses, restrict driver's licenses, place liens on motor vehicles, and sentence delinquent parents to community service.
- A father's signature on the back of a birth certificate would be accepted as legal acknowledgement of paternity.
- Awards from civil lawsuits would be withheld 30 days until it could be determined that the recipient owes no back payments. Attorney fees, witness fees, and other court costs would not be withheld.
- Employers who provide health insurance would receive notification from appropriate county probation authorities as to an employee's obligation. A parent also would be required to cover health care costs even if they would not be covered by a regional care provider, such as an HMO.
- Payments made through income withholding would be pro-rated when more than one withholding order exists. (Thus, children who are entitled to a payment would not be punished because a parent is obligated to another family, as well.)

In presenting this new package of reform legislation, Assemblyman Bryant again focuses on the idea of *responsibility*, and especially on the need to require fathers to fulfill their financial obligations to their families. At the same time, the new Bryant proposals show that government can do more in coordinating its own services and available data, and thus play a positive role in protecting families who are being placed at-risk.

In recent days, President Clinton also has sounded the need for change -- at the federal level, even suggesting the use of the Internal Revenue Service to collect child support payments. Other proposals also are in the works. Assemblyman Wayne Bryant's work is helping the new Administration chart its course.

NATIONAL FOCUS: As the national debate over welfare reform takes shape, I would encourage you to look closely at what has been done in the State of New Jersey, and the objectives which Assemblyman Bryant's legislative reforms have sought to achieve during the past year.

In the meantime, if you would like to arrange a telephone or in-person interview with Assemblyman Bryant to discuss his ideas and his work in greater detail, as well as his perspective on what might be done on a national level in this vital area of concern, I would be happy to facilitate that discussion. I can be reached at: (215) 923-2737.

Also attached is an outline of the event currently being planned for later this week which will celebrate the one-year anniversary of the enactment of New Jersey's landmark welfare reform legislation. Invited speakers include Health & Human Services Secretary Donna Shalala, Governor Jim Florio, and Assemblyman Wayne R. Bryant.

Thank you for your interest. I look forward to working with you.

10:00 a.m. - 12:00 noon
Camden County Family Resource Center
1300 Admiral Wilson Boulevard
Camden, New Jersey

PROGRAM AGENDA

Welcome

William Waldman, Commissioner
New Jersey Department of Human Services

New Jersey: A Model for National Welfare REform

Donna Shalala, Secretary
Department of Health & Human Services
(Invited)

The Road to Self-Sufficiency: Families First

Wayne R. Bryant, Esq.
Assemblyman, 5th District

FDP: The Personal Perspective

FDP Participant (To Be Determined)

Individual Responsibility & Empowerment:

The Key to Self-Sufficiency

Jim Florio
Governor, State of New Jersey

Recognition Awards

Jim Florio
Governor, State of New Jersey

Closing Remarks

Larry Lockhart, Associate Commissioner
New Jersey Department of Human Services

METRO MATTERS/Sam Roberts

Race and Politics: Issues That Most Still Sidestep

THE REV. Calvin O. Butts 3d of Harlem's newly landmarked Abyssinian Baptist Church was asked the other day whether, upon reflection, former Vice President Dan Quayle had been right in condemning the erosion of traditional families and the values attributed to them.

"Well," Mr. Butts replied slyly, "he wasn't wrong."

Mr. Quayle's most visible target during last year's Presidential campaign was Murphy Brown, the television sitcom character he singled out as glorifying unwed motherhood by bearing a child without getting married. But figures released last week by the Census Bureau suggest that art was merely imitating life.

Nearly one in four women between the ages of 18 and 44 have children but were never married. While unwed mothers became a majority among blacks during the 1980's, the rate of increase was much steeper among whites in general and among better educated women in particular. (Also challenging the mythology, more whites than blacks are on welfare in the United States. Moreover, even if welfare, food stamps and child nutrition programs were abolished, the projected increase in programs like Social Security and Medicare is such that spending on Federal entitlement programs, for which Americans collect payments automatically once they are deemed eligible, would become a bigger proportion of the Federal budget in five years.)

Still, race remains a four-letter word in politics, which has prevented all but a few public figures from openly dealing with issues considered too sensitive to discuss because of their real or imagined racial implications.

In Washington, Henry G. Cisneros, the Secretary of Housing and Urban Development, has emerged as a lonely voice whose message that "race is at the core of the problems which confront America's urban areas" may be arguable. But it cannot even be argued intelligently if nearly everyone is afraid to raise the premise, much less challenge it.

Or to express opinions on matters that might reverberate with racial undertones, ranging from sexual abuse in public swimming pools (to which the exhortation, "Don't dis your sis," a seemingly silly response, demonstrates the gap between demands placed on a mayor and his prerogatives) to the warning last week by Attorney General Janet Reno that "family and broken homes and nothing like that makes an excuse for hurting other people, but, at the same time, punishment by itself won't work."

In New Jersey, it took a black As-

semblyman, Wayne R. Bryant of Camden, to prod fellow legislators last year into revising a welfare system that, he said, was fashioned in a way that destroyed family unity. A year later, he says, the incentives for education and job training, coupled with rules that no longer penalize working households compared to welfare families, have achieved modest success. The most controversial provision, which denies additional benefits to welfare mothers who have more children but allows them to work and earn up to half their welfare grant while still collecting full benefits, takes effect next month.

In New York, race is usually the subject of whispered complaints about double standards and favoritism and of fear.

Could Rudolph W. Giuliani, the mayoral candidate, have invoked the phrase "Never again," as Mayor David N. Dinkins did in response to the Crown Heights violence, without being accused of pandering, demeaning the Holocaust or both? For that matter, could either Mr. Dinkins, who is black, or Mr. Giuliani, who isn't, get away with the slogan coined for James L. Buckley's 1970 Conservative Party campaign for the United States Senate: "Isn't it about time we had a senator?"

Four years ago, Mr. Dinkins said he was "strong enough to draw the line," another ambiguous slogan that would have provoked outraged cries of racism had it been uttered by the white incumbent, Edward I. Koch.

In the 1989 campaign, Mr. Dinkins and his opponents agreed he was being measured by a different standard. He maintained it was a tougher one. They insisted it was less rigorous.

Regardless, one reason Mr. Dinkins did so well among whites was wishful thinking: that he would be able to say and do things — responding to, among others, what Benjamin Ward, New York City's first black Police Commissioner, described as "our little secret" when he blamed most of the city's crime on young black men — that a white mayor would not say or do. That premise will be tested again in November.

A generation ago, Daniel Patrick Moynihan warned that one in four black children was being born to an unwed mother. Today, about two in three blacks and one in four of all American children are. The consequences may be debatable. So are the causes. One may be the stifling of frank and open debate by white politicians afraid of suffering political recriminations, as Mr. Moynihan did, and by black politicians reluctant to acknowledge publicly another embarrassing but open secret that increasingly, the latest figures show, they no longer own.

In the 1990's, some of America's most candid comments on white fears and black frustrations have come from Senator Bill Bradley of New Jersey who, as a New York Knickerbocker, demonstrated beyond a doubt that some white men can jump. When it comes to race, though, most run.

The \$64 Question

As early as today, a federal magistrate in New Jersey is expected to decide on the first pretrial order in a case that may determine the direction of welfare reform across the country.

The plaintiffs are a handful of welfare mothers rounded up by attorneys from the National Organization of Women, American Civil Liberties Union and Legal Services Corp. They charge that the courts should roll back New Jersey's 1992 welfare overhaul, the Family Development Act.

Specifically, they object to a provision that cuts off extra benefits to mothers who have children while receiving Aid to Families with Dependent Children. Until now, AFDC mothers could collect \$64 a month for every additional baby. Thus the \$64



Wayne R. Bryant

Question is: Should the government create incentives that keep the "cycle of dependency" spinning?

The answer from state Assemblyman Wayne R. Bryant is a resounding no. He authored the "child exclusion" law and will now have to defend it in court. It will be an interesting—and telling—juxtaposition. On one side, liberal litigators high on self-righteousness but low on any mandate to speak on behalf of welfare mothers. On the other side, Mr. Bryant, an elected Democrat who represents Camden, one of the poorest counties in the state.

Mr. Bryant says he isn't amused by the "arrogance" of lawyers telling him what's good for his constituents. "Show me one company that gives employees a pay raise for getting pregnant," Mr. Bryant says. "So why do we teach welfare mothers a value that won't serve them well in working America?"

Since going into effect last year, births to AFDC mothers are down a monthly average of 10.4% from the same period the year before. There is

some dispute over how much of this can be traced directly to the new law, but other states have noted the results. Wisconsin already has a "child exclusion" provision, the Virginia Legislature just passed its own version and other states are considering similar measures. A "child exclusion" measure isn't part of President Clinton's welfare-reform package, but Hill Republicans may push for it.

When the tides of politics start running against them, liberals have a fail-safe response: They go looking for a judge. In this case, the brief claims the state is interfering with welfare mothers' "fundamental rights to make decisions about family composition, conception and childbirth without undue government intrusion."

Leave aside for a moment the highly debatable proposition that any such right exists. You're still left with the fact that New Jersey doesn't prevent anyone from having children. The state simply refuses to give AFDC mothers a financial bonus for getting pregnant. It's a simple distinction, but one that gets lost a lot nowadays. (The subsidy-dependent arts lobby, in bellyaching about grant cutbacks, also didn't distinguish between the government outlawing an activity and refusing to subsidize it.)

Two groups of state legislators are taking it seriously enough to ask the Institute for Justice, a conservative legal outfit in Washington, to enter the case on the side of the state. A ruling on their request may come today. Dirk Roggeveen, an Institute for Justice attorney, points out that the Supreme Court has previously held that pregnant women have no right to Medicaid-funded abortions. But, he notes, New Jersey courts ruled the other way in the Medicaid dispute. Thus a federal judge could easily find a "right" to higher AFDC payments under the state constitution.

If that happens, look for a spate of copycat suits elsewhere. That would send a clear—and tragic—answer to the \$64 Question: Don't bother trying to fix a system that everyone agrees is broken. Otherwise, you'll be sued.

State celebrates welfare-reform success stories

By EILEEN STILWELL
Courier-Post Staff

7-14-93

CAMDEN — Dressed for success in a pale green suit with a crisp white shirt and a power necktie, the speaker told the audience about the value of a second chance.

"I'm a high school dropout. I have a GED (equivalency) diploma. I can relate to all those who did it the hard way," said the man with the salt-and-pepper hair who went on to become governor of New Jersey.

Gov. Jim Florio was among 250 guests to attend a one-year anniversary celebration Tuesday at the Camden County Family Resource Center on Admiral Wilson Boulevard in honor of the state's effort at welfare reform. Called the Family Development Program (FDP), it forces many welfare recipients to improve their education and job skills so they can find work and get off public assistance. Fifty percent of the funding is from the federal government, 45 from the state and 5 from the county.

Please see PROGRAM, Page 6A



By Ron Karafin, Courier-Post

Thanks: Gov. Jim Florio and Assemblyman Wayne Bryant (rear) are greeted during anniversary celebration for welfare reform program.

Program/Welfare recipients helped to get back on track

Continued from Page 1A

Rather than a statistical analysis, officials chose to showcase the human side by throwing a party for eight outstanding participants, people on welfare who are in the process of turning their lives around and inviting local, county and state officials to share in the limelight. They also honored four caseworkers for outstanding service to their clients.

Camden hosted the event because it is the most successful of the three counties in which the FDP is operational. Five additional counties, including Atlantic, Cumberland, Mercer, Passaic and Union, will be phased in by October. The remaining 13 counties will be added by January 1995.

FDP replaces the REACH (Realizing Economic Achievement) program which began statewide in 1989.

"Everyone is looking to New Jersey as a model," said Florio, who chairs President Clinton's task force on welfare reform.

Tom Corbett, an academic who is studying welfare reform for the Clinton administration,

said he came to Camden "to listen and learn."

"The welfare system is almost 60 years old and for the last 35 years nobody has liked it. New Jersey's program is one of, if not the best, example of where we should be going in the future."

Wearing boutonnières of red carnations, three FDP enrollees told their stories and thanked public officials for helping them escape from poverty. Afterward, they were photographed holding an engraved plaque with Florio and Assemblyman Wayne R. Bryant, D-Camden.

Bethsai Townsend, 26, of Camden said she is a student at Camden County College in social work because the FDP counseled her, paid for day care for her three young children and provided transportation.

"I got lazy on welfare. I got comfortable. Then I became homeless three times. The last time at the shelter I was determined not to come there again," said the 1984 graduate of Camden High School.

"If I can do it with arthritis and diabetes, others can do it. Imagine how smart welfare

recipients must be to get by on \$324 or \$488 a month. I hope to work here (for FDP) when I get out of school."

William McIntyre, FDP director for Camden County, said about 11,000 families in the county are enrolled and there is a waiting list of up to a month for specific training programs.

"It's working here because we separated ourselves from the Board of Social Services. We treat our people as clients and consumers, not participants. It's a matter of reducing the stigma through public relations. I tell people, if I can't help you, I just leave your status alone. The welfare system is the slavery of the '90s because it just keeps large numbers of abled-bodied people from the workforce."

McIntyre said he is bracing for a storm of protest next month when welfare mothers will no longer be given additional money for children born after they entered the public assistance system. Under the Family Development Act, this new stipulation takes effect Aug. 1.

Welfare reform marked

First anniversary of changes in N.J.

CAMDEN (AP) — When Bethsal Townsend left her husband two years ago, she was seven months pregnant and had no idea how to support herself and two children when she returned to New Jersey.

"What's a pregnant mother going to do but get on welfare?" she says.

She did, and the family became homeless more than once, called shelters "home" and struggled to make ends meet. Eventually, she had enough.

"I got lazy on welfare," said the 26-year-old mother of three, who lives in Camden. "I got comfortable on welfare, so comfortable that it was OK to wait once a month, every month" for a check.

But the arthritis sufferer and diabetic began participating in a new welfare reform program, the Family Development Program, and now is in her third semester at Camden County College, studying social work.

Townsend also plans to reunite with her husband.

"If it wasn't for FDP and my perseverance, I wouldn't be standing here today," she said yesterday during ceremonies at the county-run Family Resource Center.

GOV. JIM FLORIO and other state officials marked the reforms' first anniversary by recognizing Townsend and seven others as examples of how the program can improve the lives of welfare clients.

The reforms began in July 1992 in Camden, Essex and Hudson counties, where more than half of New Jersey's 134,000 welfare families live.

More than 5,300 residents of the three counties and the city of Trenton are getting job training, education and career counseling, thanks to the reforms.

In the past year, 2,300 of them have become employed, earning an average hourly wage of \$6.29, according to the Department of Human Services.

The Family Development Program was created for families — instead of just the head of the household — to get them off public

Employment Beats Welfare Every Time

To the Editor:

As the architect of New Jersey's welfare reform law, I strongly disagree with "The Harm in Family Welfare Caps" (editorial, June 9). Regrettably, your opposition hinges on a dangerously erroneous interpretation of why we should withhold additional benefits for recipients who have more children while on welfare. Indeed, your whole terminology is skewed. These welfare reform measures are not so much about capping family size as they are about giving recipients a chance to make choices.

Under our conventional welfare

system, welfare mothers are effectively shielded from confronting the difficult questions that other American parents face when considering additional children. Questions like how will I clothe this child? How will I feed this child? How will I educate this child? Sometimes these parents manage it. Sometimes they add an job or work longer hours.

Family caps are not based, as you state, on a notion that larger benefit checks encourage welfare mothers to have more babies and stay longer on welfare. Rather, they eliminate the double standard in the conventional welfare system, thereby enabling recipients to become more self-sufficient and less dependent on an artificial income.

In New Jersey, our welfare reform measure allows a recipient to make a choice between raising a child without additional benefits or having that child and getting a job without a loss in benefits. This is much more humane than the traditional approach of awarding recipients with marginally larger checks when they have more children.

The independence a job offers is a much preferred alternative to the despair and hopelessness of a welfare check.

WAYNE R. BRYANT
Member of the Assembly
Trenton, June 17, 1994



The New York Times Company

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6-27-94