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# Child Support Enforcement-Led Employment Services for Noncustodial Parents: In Brief

**Patrick A. Landers**

Analyst in Social Policy

May 18, 2020

**Congressional Research Service**

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The Child Support Enforcement (CSE) program is a federal-state partnership that seeks to ensure child support is a regular source of income for families. The program transfers financial support from a noncustodial parent (NCP) to a child's primary caretaker (usually a custodial parent). Nearly two-thirds of participating custodial families report having incomes below 200% of the federal poverty threshold. The CSE program collects about two-thirds of the current support that is due each year, with the remainder that is unpaid becoming arrears (i.e., past-due support).

Many NCPs who do not pay their obligations in full struggle with finding consistent and sufficient employment. Employment programs within the context of CSE are designed to increase NCP employment and child support collections. Many states have CSE-led employment programs and a number of practitioners report that, in their experience, these services are a more effective tool for NCPs with limited ability to pay than other enforcement strategies. CSE employment programs only serve a small proportion of NCPs making zero or partial payments; many observers primarily attribute this to a lack of sustainable funding. In response, some policymakers have proposed dedicating federal funding for CSE-led employment services.

CSE employment programs use varied eligibility criteria, but they typically focus on low-income NCPs. Programs also vary in their reliance on mandatory or voluntary recruitment policies, or both. Mandatory recruitment involves courts ordering parents who are behind in their payments to participate or risk incarceration. Voluntary recruitment relies on NCP interest and referrals from CSE staff, courts, and partner organizations.

CSE employment programs usually provide a wide range of services, including intensive case management, employment, child support, parenting/fatherhood, and other support services. Service provision is often contracted to partner agencies or community organizations. In terms of employment services, programs traditionally provide services such as job readiness, job search, and job development. Participants are less likely to participate in transitional jobs (short-term subsidized employment) or more intensive vocational education and training services.

Under current law, federal funds that can be used by CSE programs to support employment services are fairly limited. Although the federal government normally reimburses each state at 66% of all allowable expenditures on CSE activities—financing that totaled more than \$3.5 billion in FY2018—employment services are currently not a reimbursable activity. Similarly, the second largest CSE funding stream, incentive payments (expected to exceed \$510 million for FY2018), cannot be automatically used to support employment services. States can pursue Section 1115 waiver demonstrations as a means to receive federal matching payments or request authorization to spend incentive funds on employment services, but both approaches come with restrictions. States can also tap non-CSE federal funding to support employment services for NCPs, such as the Temporary Assistance for Needy Families (TANF) block grant, but this use must compete with other potential uses for the funding.

Several rigorous evaluations have been conducted on two employment service models with NCPs: traditional employment services and transitional jobs. Evidence on the effectiveness of traditional employment services for NCPs is mixed, with the most recent federally funded, large-scale random assignment study on this model finding little or no impacts. Earlier evaluations reported more promising effects. Transitional jobs programs are more expensive and challenging to implement, but a recent federally funded, large-scale random assignment evaluation on this model reported stronger impacts than traditional employment services. The effects were substantial while participants were in subsidized jobs, modest for a period after the transitional jobs ended, but then usually continued to fade over time.

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## Background

This report discusses issues related to providing employment services targeted at noncustodial parents (NCPs)<sup>1</sup> within the context of the Child Support Enforcement (CSE) program.<sup>2</sup> The CSE program is a federal-state partnership that currently operates in all 50 states; the District of Columbia (DC); the territories of Guam, Puerto Rico, and the U.S. Virgin Islands; and 60 tribal nations.<sup>3</sup> The program seeks to promote parental responsibility and ensure children receive support from both parents, notably through financial income transferred from an NCP to a child's primary caretaker (usually a custodial parent). In FY2018, the CSE program provided services on behalf of 14.7 million children, about 20% of children in the United States.<sup>4</sup> One analysis estimated that nearly two-thirds of families receiving CSE services in 2015 had income below 200% of the poverty threshold.<sup>5</sup> The CSE program collected 66% of the current support that was due in FY2018, continuing the program's record of slow but steady improvement in recent years.<sup>6</sup> However, \$11.5 billion in current support that was due went uncollected, becoming arrears (i.e., past due support).

A number of observers have concluded that some NCPs have a currently limited ability to pay that restricts how much support is collected, and that those NCPs would benefit from employment services being offered in the context of the CSE program.<sup>7</sup> NCP employment and earnings, particularly through stable, formal employment, are positively linked to child support payment compliance.<sup>8</sup> This association is likely because NCPs with higher earnings have a better ability to pay, but also because formal employment facilitates the use of income withholding, a particularly effective CSE tool.<sup>9</sup> Also, many low-income NCPs face one or more significant barriers to having consistent employment and sufficient income to pay child support, including low wages and

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<sup>1</sup> This report follows a common child support practice of using the term *noncustodial* to refer to parents with an obligation to pay child support and the term *custodial* to refer to the persons and families obligated to receive child support. The custodial party is often a parent who has primary care of the child. The terms as used in this report do not refer to legal custody.

<sup>2</sup> For more background on the CSE program, see CRS Report RS22380, *Child Support Enforcement: Program Basics*.

<sup>3</sup> For simplicity, this report typically refers to states, although territory and tribal CSE programs can operate employment programs and may be affected by any federal policymaking related to them.

<sup>4</sup> Unless otherwise noted, all FY2018 data in this report is from the U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF), Office of Child Support Enforcement (OCSE), *FY2018 Preliminary Data Report*, June 2019.

<sup>5</sup> Elaine Sorensen, Arthur Pashi, and Melody Morales, *Characteristics of Families Served by the Child Support (IV-D) Program: 2016 U.S. Census Survey Results*, HHS, ACF, OCSE, November 2018, p. 5.

<sup>6</sup> For an overview of program performance trends, see Valerie Benson and Riley Webster, *The Child Support Performance and Incentive Act at 20: Examining Trends in State Performance*, MEF Associates, for HHS, The Office of the Assistant Secretary for Policy and Evaluation (ASPE), November 2018.

<sup>7</sup> American Enterprise Institute (AEI) and the Brookings Institution, AEI/Brookings Working Group on Poverty and Opportunity, *Opportunity, Responsibility, and Security: A Consensus Plan for Reducing Poverty and Restoring the American Dream*, December 2015, pp. 38-39, 51 (hereinafter cited as "AEI/Brookings Working Group on Poverty and Opportunity, 2015"); and Elaine Sorensen, "Rethinking Public Policy Toward Low-Income Fathers in the Child Support Program," *Journal of Policy Analysis and Management*, vol. 29, no. 3 (Summer 2010), pp. 604-610 (hereinafter cited as "Sorensen, 2010").

<sup>8</sup> Lauren Hall, Letitia Logan Passarella, and Catherine Born, *Who Pays Child Support? Noncustodial Parents' Payment Compliance*, Family Welfare Research & Training Group, for the Maryland Department of Human Resources, May 2014, p.18.

<sup>9</sup> Judi Bartfeld and Daniel Meyer, "Child Support Compliance Among Discretionary and Nondiscretionary Obligor," *Social Service Review*, vol. 77, no. 3 (September 2003), pp. 347-372.

benefits, irregular and unsteady jobs, limited education or marketable skills, health conditions (e.g., substance use), lack of transportation or housing, discrimination, and history with the criminal justice system.<sup>10</sup> Proponents of CSE employment programs argue that they respond to the concern that NCPs need help securing employment, but might be less likely than other populations to access employment services through the workforce development system or public benefit programs.<sup>11</sup> In addition, they posit that the CSE program is a unique platform for providing employment services in that it already reaches NCPs in practice, has a strong interest in improving NCPs' earnings and child support payments, and can leverage CSE policies so that they act as employment incentives and not barriers for NCPs.<sup>12</sup>

Although CSE employment programs are fairly widespread, they are not found everywhere and appear to serve a relatively small proportion of NCPs who struggle to secure adequate employment and regularly pay their obligations in full.<sup>13</sup> To explain why CSE employment programs operate on a limited scale, CSE officials and observers have primarily cited a lack of sufficient and sustainable funding.<sup>14</sup> (The federal government normally reimburses each state for 66% of all allowable expenditures on CSE activities, but employment services are currently not an allowable activity and funding through other mechanisms within the program is limited.<sup>15</sup>) Many of those same observers have proposed that legislation be enacted to address this issue.<sup>16</sup>

This report first reviews how CSE-led employment programs may be designed with regard to NCP eligibility and recruitment, as well as services provided. This is followed by an explanation

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<sup>10</sup> For estimates of the prevalence of barriers among program participants, see Lawrence Berger, Maria Cancian, and Angela Guarin et al., *Barriers to Child Support Payment*, Institute for Research on Poverty (IRP), for Wisconsin Department of Children and Families (WI DCF), August 2019; and Robin Dion, Pamela Holcomb, and Heather Zaveri et al., *Parents and Children Together: The Complex Needs of Low-Income Men and How Responsible Fatherhood Programs Address Them*, Mathematica Policy Research (MPR), for HHS, ACF, the Office of Planning, Research, and Evaluation (OPRE), March 2018.

<sup>11</sup> Sorensen, 2010, pp. 605-606; Robert Doar, "Empowering Child Support Enforcement to Reduce Poverty," in *A Safety Net That Works: Improving Federal Programs for Low-Income Americans*, ed. Robert Doar (Washington, DC: AEI, 2017), p. 67 (hereinafter cited as "Doar, 2017"); and Elaine Sorensen and Helen Oliver, *Policy Reforms are Needed to Increase Child Support from Poor Fathers*, Urban Institute, 2002, p. 12 (hereinafter cited as "Sorensen and Oliver, 2002").

<sup>12</sup> Sorensen, 2010, pp. 605-606; Doar, 2017, p. 76-77; Sorensen and Oliver, 2002, p.16; and AEI/Brookings Working Group on Poverty and Opportunity, 2015, p. 51.

<sup>13</sup> A survey published in 2014 identified CSE employment programs in 30 states and DC, see HHS, ACF, OCSE, "Work-Oriented Programs with Active Child Support Agency Involvement that Serve Noncustodial Parents," July 1, 2018, <https://www.acf.hhs.gov/css/work-oriented-programs-for-noncustodial-parents-with-active-child-support> (hereinafter cited as "HHS, ACF, OCSE, 2018"). See also Meghan McCann, *Child Support and Employment Services*, National Conference of State Legislatures (NCSL), July 2019, <https://www.ncsl.org/research/human-services/child-support-and-employment-services.aspx> (hereinafter cited as "McCann, 2019"); HHS, ACF, OCSE and the Centers for Medicare and Medicaid Services (CMS), "Notice of Proposed Rulemaking, Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs," 79 *Federal Register* 68558, November 17, 2014 (hereinafter cited as "HHS, ACF, OCSE and CMS, 2014").

<sup>14</sup> Other explanations cited include regulatory and implementation burdens, as well as CSE's historical focus on enforcement (not services); see McCann, 2019; HHS, ACF, OCSE and CMS, 2014, p. 68569.

<sup>15</sup> See the "Federal Funding" section for further information.

<sup>16</sup> For example, a recent National Child Support Enforcement Association (NCSEA) Board of Directors resolution stated, "Millions of Americans have lost their jobs as a result of COVID-19 and further economic impacts are expected.... [M]any parents contact their child support program for help when they lose employment, making the program a natural fit for employment programs.... NCSEA strongly supports legislation to provide, at state option, 66% federal financial participation rate for work activity programs." See "Resolution for Necessary Child Support Legislation Due to COVID-19 Program Impacts," Adopted April 30, 2020, pp. 2-3, <https://www.ncsea.org/documents/Resolution-for-Necessary-Child-Support-Legislation-Due-to-COVID-19-Program-Impacts.pdf>.

of the current federal funding options for these programs. The next section reviews the available evidence on the effectiveness of employment programs that have been led by or conducted in cooperation with CSE. The report concludes by highlighting recent proposals to dedicate federal funding for CSE employment programs.

## **Program Eligibility and Recruitment**

CSE employment programs must establish criteria to determine eligibility for services. Unemployed, or underemployed, low-income NCPs who are struggling to meet their obligations are the population that most frequently qualifies for services. Programs may also serve additional types of NCPs, like those who are in the process of paternity or order establishment, to facilitate recruitment or expand their reach. Alternatively, CSE employment programs may narrowly target services to conserve resources and prioritize certain cases (e.g., those owing current support versus those owing arrears only). Eligibility criteria can also help limit duplication with other public programs or risks of supplanting their funding.

Another important decision CSE employment programs make is whether to rely on mandatory or voluntary recruitment policies, or both. Courts can issue mandatory orders for NCPs to participate in a work program.<sup>17</sup> When NCPs fail to pay child support, states may issue contempt citations or file criminal nonsupport charges that bring parents before a court. (The required administrative and court processes can be expensive for the CSE program and state.<sup>18</sup>) At this point, the court may give NCPs the choice to seek work as an alternative to incarceration, or order them to do so.<sup>19</sup> Depending on the jurisdiction and court, NCPs may be left to their own discretion for how to secure employment, or they may be firmly connected to or ordered into an employment program that can provide relevant services and assistance.<sup>20</sup> As a result, among the population presented with the choice of participating in a mandatory work program versus incarceration, enrollment and engagement rates are usually fairly high.<sup>21</sup>

Alternatively, or additionally, CSE employment programs can focus on voluntary recruitment. This approach allows programs to serve more NCPs than just those who have been brought into court. Program referrals can be made by staff from CSE agencies, courts, community organizations, and probation or parole offices. Even when programs are voluntary, court referrals and the consequences of nonpayment (e.g., license suspensions, interest charged on debt, the risk of eventually being incarcerated) give NCPs strong incentives to participate.<sup>22</sup> Still, several

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<sup>17</sup> Section 466(a)(15) of the Social Security Act requires that states have procedures to ensure that NCPs owing overdue support for certain types of child support cases work or have an approved plan for paying the overdue support (which may include participating in work activities). In practice, states often have legal authority to apply similar work orders to NCPs in all types of child support cases.

<sup>18</sup> Sorensen, 2010, p. 606; and Lisa Klein Vogel, *Child Support Enforcement Tools and Their Relationship to Payments: A Review of County Policy and Practice*, IRP, for WI DCF, September 2019, p. 42.

<sup>19</sup> NCSL, “Child Support and Incarceration,” March 2019, <https://www.ncsl.org/research/human-services/child-support-and-incarceration.aspx>.

<sup>20</sup> Mandatory recruitment can also force parents to reveal previously unreported employment as they seek to avoid conflicting, court-ordered activities. This occurred in at least one demonstration; see Cynthia Miller and Virginia Knox, *The Challenge of Helping Low-Income Fathers Support Their Children: Final Lessons from Parents’ Fair Share*, MDRC, November 2001, pp. 24-25 (hereinafter cited as “Miller and Knox, 2001”).

<sup>21</sup> See, for example, findings in Texas in Daniel Schroeder and Nicholas Doughty, *Texas Non-Custodial Parent Choices: Program Impact Analysis*, Ray Marshall Center for the Study of Human Resources, for the Texas Office of the Attorney General, August 2009.

<sup>22</sup> Jennifer Noyes, Lisa Klein Vogel, and Lanikque Howard, *Final Implementation Findings from the Child Support*

voluntary programs report that recruitment and retention is challenging in that many NCPs referred to or made aware of the programs decline to participate voluntarily or stay engaged.<sup>23</sup> In response, programs have developed several strategies for boosting recruitment and retention, including expansive program eligibility rules, incentives (e.g., removal of CSE-initiated driver's license suspensions, forgiveness of state-owed arrears), intensive case management, co-locating services, and aggressive and multifaceted outreach.

## Program Services

CSE employment programs typically provide a wide range of services, which can require the involvement of many partner organizations. Intensive case management is generally considered critical for engaging NCPs, assessing their needs holistically, coordinating service receipt, and monitoring participant progress. CSE agencies may handle this general case management or make arrangements (e.g., contract) with other organizations to do so. Case managers and other program staff may refer NCPs to external resources for issues such as housing, mental health, substance use, legal aid, and financial education, although services may be limited in many communities. CSE employment programs may also provide NCPs with access to parenting and fatherhood services, including classes and referrals to resources for addressing parenting time (child access and visitation), co-parent mediation, and other legal concerns related to parenthood.<sup>24</sup>

Providing employment services is often contracted or delegated to partnering government workforce agencies or community organizations with relevant expertise.<sup>25</sup> These entities typically provide NCPs with traditional services such as employment-focused case management, job search assistance, employment assessments, job readiness, basic or remedial education, short-term job skills training, job development and placement, and job retention.<sup>26</sup> These services may be provided in both individual and group settings. Employment programs may also provide work supports including transportation assistance, small incentives to promote program engagement, and specialized services for those with criminal records such as records expungement or voluntary drug testing.<sup>27</sup> Less commonly, NCPs may participate in subsidized employment, on-

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*Noncustodial Parent Employment Demonstration (CSPED) Evaluation*, IRP, for OCSE, ACF, HHS, December 2018, p. 81 (hereinafter cited as “Noyes, Vogel, and Howard, 2018”); and Kye Lippold, Austin Nichols, and Elaine Sorensen, *Strengthening Families Through Stronger Fathers: Final Impact Report for the Pilot Employment Programs*, Urban Institute, for the New York Office of Temporary and Disability Assistance, November 2011, p.11.

<sup>23</sup> Noyes, Vogel, and Howard, 2018; and Jessica Pearson, Lanae Davis, and Nancy Thoennes, *Toolkit: Workforce Programs for Child Support Populations*, Center for Policy Research (CPR), for Tennessee Department of Human Services, January 2014.

<sup>24</sup> For example, some or all of these services were provided by grantees in the CSPED demonstration, an evaluation project discussed further in the “Research Evidence” section. See Noyes, Vogel, and Howard, 2018, p. 73, 82-83.

<sup>25</sup> For example, statewide or local CSE employment programs were reported to be relying on arrangements with the following entities to provide employment services in various states: (1) exclusively government agencies or workforce development boards in California, North Dakota, and Texas; (2) exclusively community organizations in Iowa, Kansas, Ohio, South Carolina, and Wisconsin; and (3) a mix of providers (including, potentially, the CSE agency itself) in Colorado, Maryland, New York, and Tennessee. Note that the sources for these tallies are not comprehensive surveys of CSE employment programs or service providers in these states. For more details, see McCann, 2019; and Noyes, Vogel, and Howard, 2018.

<sup>26</sup> For examples from the CSPED demonstration, see Noyes, Vogel, and Howard, 2018, pp. 74-75.

<sup>27</sup> For examples from the CSPED demonstration, see Noyes, Vogel, and Howard, 2018, pp. 74-75, 78-79, 115-119.

the-job training, vocational training and education, and other, more intensive employment services.<sup>28</sup>

## Federal Funding

Under current law, federal funds that can be used by CSE programs to fund employment services are fairly limited. The funding streams that are available may be uncertain from year-to-year, of short duration, or limited in amount relative to the potential demand for these services.

The largest source of federal funding for state CSE administration is the previously mentioned 66% reimbursement rate for state and local expenditures on allowable CSE activities, with no ceiling on the total amount of federal reimbursement. Federal matching payments on net totaled more than \$3.5 billion in FY2018, and accounted for approximately 90% of federal CSE funding for states in recent years.<sup>29</sup> However, spending on work activities has not been allowed as a federally reimbursable cost.<sup>30</sup> Alternatively, states can apply for a waiver under Section 1115 of the Social Security Act to receive federal matching payments for the purposes of a demonstration project designed to promote program objectives. With respect to waiver projects, states have to invest new funds (not redirect funding), they are time limited (typically two to five years) and must be evaluated, and total federal reimbursement must not exceed \$2 million.<sup>31</sup>

The second largest CSE funding stream is incentive payments, which are designed to reward states for strong program performance and were estimated to exceed \$510 million in FY2018.<sup>32</sup> Incentive payments must be reinvested back into the program on activities that are eligible for reimbursement. However, states can request authorization to use incentive payments for activities that are not eligible for federal reimbursement but may contribute to improving the effectiveness or efficiency of child support, such as employment programs.<sup>33</sup> Incentive spending must supplement and not supplant other state CSE funding, states can determine how much of their incentive payment to allocate toward an approved activity, and the program does not have to be formally evaluated.

There are also non-CSE federal funding streams that can support NCP employment activities, although they may not be directly under the control of the program or available on a consistent basis. For example, Temporary Assistance for Needy Families (TANF) funding can support employment programs for NCPs.<sup>34</sup> States can include NCPs as members of TANF-eligible family

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<sup>28</sup> For examples from the CSPED demonstration, see Noyes, Vogel, and Howard, 2018, pp. 74-75, 91, 104-105.

<sup>29</sup> CRS calculations for FY2018 using data from tables P-44 and P-46 of HHS, ACF, OCSE, *FY2018 Preliminary Data Report*, 2019. The methodology for determining federal funding (including incentive payments) and data for previous years are reported by Elaine Sorensen and Melody Morales, "Child Support Funding: 2008-2016," HHS, ACF, OCSE, May 2, 2017, <https://www.acf.hhs.gov/css/ocsedatablog/2017/05/child-support-program-funding-2008-2016>.

<sup>30</sup> For an explanation, see HHS, ACF, OCSE, *FFP Under Title IV-D of the Social Security Act (the Act) for Work Activities for Non-Custodial Parents (NCP)*, PIQ-98-03, June 1998, p. 188, [https://www.dshs.wa.gov/sites/default/files/ESA/dcs/documents/OCSE\\_PIQ\\_90\\_99.pdf](https://www.dshs.wa.gov/sites/default/files/ESA/dcs/documents/OCSE_PIQ_90_99.pdf).

<sup>31</sup> For more details, see HHS, ACF, OCSE, IM-20-03, *Section 1115 Waivers*, April 2020, <https://www.acf.hhs.gov/css/resource/section-1115-waivers>; HHS, ACF, OCSE, *Availability of Section 1115 Waivers to Fund NCP Work Activities*, IM-19-04, July 2019, <https://www.acf.hhs.gov/css/resource/availability-of-section-1115-waivers-to-fund-ncp-work-activities>.

<sup>32</sup> Table P-37 of HHS, ACF, OCSE, *FY2018 Preliminary Data Report*, 2019.

<sup>33</sup> For more details, see Section 458(f)(2) of the Social Security Act and HHS, ACF, OCSE, AT-20-01, *Reinvesting Child Support Incentive Payments*, January 2020, <https://www.acf.hhs.gov/css/resource/reinvesting-child-support-incentive-payments>.

<sup>34</sup> For background on TANF, see CRS In Focus IF10036, *The Temporary Assistance for Needy Families (TANF) Block*



units and provide assistance and other services funded by TANF or separate state maintenance-of-effort (MOE) programs, even when no other family member is receiving assistance.<sup>35</sup> States can also use TANF or state MOE funding to provide non-assistance services and benefits, such as employment services, to needy individuals such as NCPs when doing so is consistent with TANF goals. The TANF block grant provides states with considerable flexibility in the use of its funds, so NCP employment programs have to compete with many other potential expenditure options.

Similarly, funding for the Workforce Innovation and Opportunity Act's adult and dislocated worker programs and the Supplemental Nutrition Assistance Program's Employment & Training programs can be used to provide employment services to NCPs who meet these programs' respective eligibility criteria.<sup>36</sup> In addition, the Wagner-Peyser Act Employment Service (ES) makes labor exchange services (e.g., counseling, job search and placement assistance) universally available to all individuals.<sup>37</sup> States and localities have also used a variety of other public and private funding to support CSE employment pilots, including competitive grants from the Department of Health and Human Services' (HHS') Office of Child Support Enforcement (OCSE) and Office of Family Assistance (OFA).<sup>38</sup>

## Research Evidence on Program Effectiveness

The effectiveness of CSE-led or CSE-supported employment programs has been analyzed by a few rigorous evaluations. While many agencies and partner organizations providing employment services note that NCPs who participate in employment programs show improvement when measured on the basis of comparing pre- and post-participation outcomes such as earnings and child support payments, this kind of analysis cannot address what would have occurred if NCPs had not participated in those particular services. For example, NCPs might have secured employment without assistance, received employment services through another program, or benefited from changes in the economy over time. Rigorous research designs such as random assignment use valid comparison groups to isolate *impacts*, which are the changes in outcomes causally attributable to a program or policy.<sup>39</sup> This report focuses on statistically significant employment, earnings, and child support payment findings from random assignment experiments and other research designs that can plausibly identify program impacts. In social policy, new or alternative interventions are often compared to a services-as-usual condition developed through many years of trial and error, sometimes including previous rounds of rigorous evaluation. Research in disciplines as varied as social policy, education, medicine, and business has found that the most common pattern of results when interventions undergo rigorous evaluation is

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*Grant.*

<sup>35</sup> For more details, see HHS, ACF, OFA, *The Use of TANF Funds to Promote Employment Programs for Noncustodial Parents*, IM-2018-01, February 2018, <https://www.acf.hhs.gov/ofa/resource/tanf-acf-im-2018-01the-use-of-tanf-funds-to-promote-employment-programs-for-noncustodial-parents>.

<sup>36</sup> For more information on these programs, see CRS Report R44252, *The Workforce Innovation and Opportunity Act and the One-Stop Delivery System*; and CRS Report R42505, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits*.

<sup>37</sup> For additional information on the ES, see CRS Report R44252, *The Workforce Innovation and Opportunity Act and the One-Stop Delivery System*.

<sup>38</sup> HHS, ACF, OCSE, 2018.

<sup>39</sup> For further discussion, see U.S. Council of Economic Advisers, "Evaluation as a Tool for Improving Federal Programs," in *2014 Economic Report of the President* (2014); and U.S. Government Accountability Office (GAO), *Designing Evaluations: 2012 Revision*, January 2012.

“weak” or “no effects.”<sup>40</sup> A similar pattern of results has been observed for employment and training programs serving low-income populations other than NCPs.<sup>41</sup> Studies that do not find large positive impacts may still identify potentially promising changes for intervention implementation, design, or strategy.<sup>42</sup>

Employment programs for NCPs have not shown consistent impacts on employment, earnings, and child support compliance when subjected to rigorous evaluation. Cross-site variation from two rigorous evaluations suggests that robust involvement from CSE in employment programs might be beneficial for generating impacts, relative to less CSE involvement.<sup>43</sup> However, there is no rigorous evidence on the relative effectiveness of spending on employment programs versus alternative CSE program activities.<sup>44</sup> The combination of these points also means there is no rigorous evidence that spending on employment services is less effective than alternative collection strategies, and many CSE practitioners believe from experience that these programs are a more effective tool for NCPs with a limited ability to pay.<sup>45</sup>

Rigorous evidence with NCPs is available for two employment program models: traditional employment services and transitional jobs. Alternative employment services that are more common with other low-income populations (e.g., substantive occupational skills training) have typically not been rigorously evaluated with NCPs and therefore are not discussed in this report.<sup>46</sup> Earnings supplements such as the Earned Income Tax Credit, which provide monetary payments to individuals who work in an effort to increase employment and promote other policy objectives, are not regularly included as a service by CSE employment programs and are also not covered here.<sup>47</sup>

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<sup>40</sup> See research cited by Straight Talk on Evidence, “How to Solve U.S. Social Problems when most Rigorous Program Evaluations find Disappointing Effects (part one in a series),” Arnold Ventures, March 21, 2018, <https://www.straighttalkonevidence.org/2018/03/21/how-to-solve-u-s-social-problems-when-most-rigorous-program-evaluations-find-disappointing-effects-part-one-in-a-series/>.

<sup>41</sup> See, for example, Emily Sama-Miller, Alyssa Maccaroni, and Annalisa Mastrri et al., *Assessing the Evidence Base: Strategies That Support Employment for Low-Income Adults*, MPR, for HHS, ACF, OPRE, November 2016.

<sup>42</sup> For an illustrative discussion of how evidence was accumulated and workforce development strategies were adapted, sometimes in response to weak impact results, see Gayle Hamilton and Richard Hendra, “Improving the Effectiveness of Education and Training Programs for Low-Income Individuals: Building Knowledge from Three Decades of Rigorous Experiments,” in *Transforming U.S. Workforce Development Policies for the 21<sup>st</sup> Century*, eds. Carl Van Horn, Tammy Edwards, and Todd Greene (Kalamazoo, MI: W.E. Upjohn Institute for Employment Research, 2015).

<sup>43</sup> Bret Barden, Randall Juras, and Cindy Redcross et al., *New Perspectives on Creating Jobs: Final Impacts of the Next Generation of Subsidized Employment Programs*, MDRC, for DOL, ETA and HHS, ACF, OPRE, May 2018 (hereinafter cited as “Barden, Juras, and Redcross et al., 2018”); and Miller and Knox, 2001.

<sup>44</sup> See Rebekah Selekmán and Amy Johnson, *An Examination of the Use and Effectiveness of Child Support Enforcement Tools in Six States*, MPR, for HHS, ASPE, August 2019 (hereinafter cited as “Selekmán and Johnson, 2019”); Lisa Klein Vogel, *Child Support Enforcement Tools and Their Relationship to Payments: A Review of County Policy and Practice*, IRP, for WI DCF, September 2019 (hereinafter cited as “Vogel, 2019”); Asaph Glosser, Carly Morrison, and Justin Germain, *Building the Next Generation of Child Support Policy Research: Research Agenda*, MEF Associates, for HHS, ASPE, August 2018; and HHS, ACF, OCSE, “Grant Updates & Results,” October 29, 2018, <https://www.acf.hhs.gov/css/grants/grant-updates-results>.

<sup>45</sup> For example, see Selekmán and Johnson, 2019; and Vogel, 2019.

<sup>46</sup> One occupational skills-building demonstration for NCPs using a nonexperimental evaluation design is ongoing; see HHS, ACF, OCSE, *Families Forward Demonstration: Finding Effective Ways to Improve Noncustodial Parents’ Job Prospects*, fact sheet, February 2020, <https://www.acf.hhs.gov/css/resource/families-forward-demonstration-fact-sheet>.

<sup>47</sup> For a discussion of how one type of earnings supplement affects employment decisions for a low-income population with resident children, see CRS Report R44057, *The Earned Income Tax Credit (EITC): An Economic Analysis*.

## Traditional Employment Services

Evidence on the effectiveness of providing traditional employment services to NCPs is mixed. Commonly provided employment services include job search assistance, job readiness training, employment-related assessments, job development services, job retention services, rapid re-employment, employment planning, and work supports. The National Child Support Noncustodial Parent Employment Demonstration (CSPED) was a large-scale random assignment study that enrolled more than 10,000 NCPs across sites in eight states between October 2013 and September 2016.<sup>48</sup> Participants were randomly assigned to either a group eligible for CSPED services, or a group receiving CSE agencies' regular services. CSPED increased the receipt of a combination of case management, employment, parenting, and enhanced child support services, although the level of additional service receipt has been characterized as a "fairly light-touch" for such a hard-to-employ population.<sup>49</sup> More intensive services such as subsidized employment or on-the-job training were rarely accessed.<sup>50</sup> Overall, CSPED did not consistently increase employment, earnings, or child support compliance relative to CSE agencies' usual services.<sup>51</sup> While context, population served, program features, and service receipt varied somewhat in the participating states, there were few differences in impacts by state.<sup>52</sup>

Several earlier, single-state evaluations of CSE-employment programs providing similar employment or more comprehensive services reported more promising impacts, although these studies used research designs that make their results subject to greater uncertainty.<sup>53</sup> An older, multi-state random assignment demonstration also found that an employment program (predominantly providing traditional employment services, peer support groups, and enhanced child support services) did not increase NCPs' employment or earnings, although it did increase the likelihood of formal child support payments, and there was some evidence suggesting impacts for earnings and employment among harder-to-employ subgroups.<sup>54</sup>

The evaluated demonstrations varied somewhat in their target populations, although all served highly disadvantaged populations. They also varied in whether they evaluated programs using mandatory, voluntary, or mixed-recruitment strategies, and the research designs and pattern of results do not provide clear evidence as to whether any approach is more likely to produce stronger impacts. The programs provided typical or even fairly robust levels of service, relative to the field of CSE-led employment programs. Rigorous evaluations of programs providing analogous services to fatherhood and prisoner reentry populations with large proportions of NCPs have also infrequently reported impacts on employment, earnings, or child support outcomes.<sup>55</sup>

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<sup>48</sup> The eight states were California, Colorado, Iowa, Ohio, South Carolina, Tennessee, Texas, and Wisconsin. For more details, see Maria Cancian, Daniel Meyer, and Robert Wood, *Final Impact Findings from the Child Support Noncustodial Parent Employment Demonstration*, IRP, for HHS, ACF, OCSE, March 2019 (hereinafter cited as "Cancian, Meyer, and Wood, 2019").

<sup>49</sup> *Ibid.*, pp. xvi, 16-22.

<sup>50</sup> Noyes, Vogel, and Howard, 2018, pp. 77, 91, 104-105.

<sup>51</sup> Cancian, Meyer, and Wood, 2019, p. ix.

<sup>52</sup> *Ibid.*, p. 48.

<sup>53</sup> The evaluations took place at sites in New York, Colorado, and Texas, respectively; see Lippold, Nichols, and Sorensen, 2011; Jessica, Pearson, Lanae Davis, and Jane Venohr, *Parents to Work!*, CPR, for the Arapahoe County Department of Human Services Division of Child Support Enforcement, February 2011; Schroeder and Doughty, 2009.

<sup>54</sup> The evaluation included sites in California, Florida, Massachusetts, Michigan, New Jersey, Ohio, and Tennessee; see Miller and Knox, 2001.

<sup>55</sup> Sarah Avellar, Reginald Covington, and Quinn Moore et al., *Parents and Children Together: Effects of Four Responsible Fatherhood Programs for Low-Income Fathers*, MPR, for HHS, ACF, OPRE, June 2018; Ronald

## Transitional Jobs

Another strategy that has been tested with NCPs, and shown more promising medium and longer-term effects, is transitional jobs, which are short-term subsidized public, nonprofit, or private employment opportunities designed to increase participants' income while helping them to "learn to work by working." The end goal is to increase NCPs' ability to secure and retain unsubsidized employment. A large-scale random assignment study found that a recent collection of programs generated substantial increases in employment, earnings, and the likelihood of child support payment while NCPs were in subsidized employment.<sup>56</sup> These short-term employment impacts demonstrate that such programs can successfully target individuals who want to work but would otherwise struggle to secure consistent employment. The subsidized employment provides these individuals with meaningful work and income. For the period immediately after the transitional jobs ended, participants had modestly higher earnings and employment.<sup>57</sup> However, for most programs the earnings and employment impacts faded away over time, although the increased likelihood of child support payment more often persisted.<sup>58</sup> These findings are similar to those from transitional jobs programs serving other low-income populations (e.g., formerly incarcerated individuals, TANF recipients).<sup>59</sup> Transitional jobs programs are more expensive and challenging to implement than traditional employment services, as programs need to secure work opportunities for participants and pay a portion of their wages for a period of time.<sup>60</sup>

## Recent Policy Proposals

Two notable, recent executive branch proposals have recommended increasing federal funding for CSE employment programs, though neither has been adopted. The Obama Administration proposed allowing federal reimbursement of state CSE program expenditures to fund certain job services offered to eligible NCPs (Notice of Proposed Rulemaking, November 17, 2014).<sup>61</sup> The Trump Administration, in its FY2021 budget submission, proposed allowing federal reimbursement of state CSE program expenditures for mandatory work activities, capped at 2% of the total federal reimbursement of that state's CSE expenditures.<sup>62</sup>

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D'Amico and Hui Kim, *Evaluation of Seven Second Chance Act Adult Demonstration Programs: Impact Findings at 30 Months*, Social Policy Research Associates, for U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, March 2018; and Andrew Wiegand, Jesse Sussell, and Erin Valentine et al., *Evaluation of the Re-Integration of Ex-Offenders (RExO) Program: Two-Year Impact Report*, U.S. Department of Labor (DOL), Employment and Training Administration (ETA), Office of Policy Development and Research (OPDR), May 2015.

<sup>56</sup> Cindy Redcross, Bret Barden, and Dan Bloom et al., *Implementation and Early Impacts of the Next Generation of Subsidized Employment Programs*, MDRC, for DOL, ETA and HHS, ACF, OPRE, November 2016.

<sup>57</sup> Barden, Juras, and Redcross et al., 2018.

<sup>58</sup> Danielle Cummings and Dan Bloom, *Can Subsidized Employment Programs Help Disadvantaged Job Seekers? A Synthesis of Findings from Evaluations of 13 Programs*, MDRC, for HHS, ACF, OPRE, February 2020 (hereinafter cited as "Cummings and Bloom, 2020").

<sup>59</sup> Cummings and Bloom, 2020.

<sup>60</sup> HHS, ACF, OCSE, and CMS, 2014, p. 68559. Cost and implementation findings for transitional jobs programs are reported in Barden, Juras, and Redcross et al., 2018; and Cummings and Bloom, 2020.

<sup>61</sup> HHS, ACF, OCSE, and CMS, 2014. When the final rule was issued on December 19, 2016, the job services-related provisions were omitted, as explained in HHS, ACF, OCSE and CMS, "Final Rule, Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs," 81 *Federal Register* 93531, December 20, 2016.

<sup>62</sup> HHS, ACF, Office of Legislative Affairs and Budget, "FY2021 ACF Congressional Justification: Payments to States for Child Support Enforcement and Family Support Programs," February 2020, p. 236, <https://www.acf.hhs.gov/olab/olab/budget>.

Legislation related to employment services for NCPs has also been introduced in the 116<sup>th</sup> Congress. The Julia Carson Responsible Fatherhood and Healthy Families Act of 2019 (H.R. 3507) proposes allowing federal reimbursement of state CSE program expenditures to fund certain job services (a more expansive set of services than in the Obama Administration proposal) offered to eligible NCPs.<sup>63</sup> Other legislation would try to encourage states to focus more TANF funding on employment services, which might benefit some NCPs (typically, a parent of a child receiving TANF assistance). The Jobs and Opportunity with Benefits and Services for Success Act (H.R. 1753/S. 802) would require that state TANF plans detail how low-income NCPs will be able to access employment services through TANF.<sup>64</sup> The Accelerating Individuals into the Workforce Act (H.R. 4571) would redirect funding from the TANF contingency fund to support subsidized employment opportunities for eligible individuals, including NCPs of minor children receiving TANF assistance.<sup>65</sup> Policymakers have also proposed funding new programs, separate from CSE and TANF, for providing employment services. The ELEVATE Act of 2019 (H.R. 556/S. 136) would provide funding for public and private subsidized employment programs that could serve NCPs and other populations.<sup>66</sup> The Pandemic TANF Assistance Act (S. 3672) also would provide funding that could be used for, among other purposes, certain subsidized employment opportunities for low-income populations (which could include NCPs).<sup>67</sup>

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<sup>63</sup> Section 304(a). H.R. 3507 (Section 202) also increases funding for employment services offered through the TANF program.

<sup>64</sup> Section 14(a)(1)(x). For more information, see U.S. Committee on Ways and Means, “Rep. Brady, Sen. Daines Introduce Welfare Reform Legislation,” March 14, 2019, <https://gop-waysandmeans.house.gov/rep-brady-sen-daines-introduce-welfare-reform-legislation/>.

<sup>65</sup> For more details, see “Reps. Miller, Walorski, & Estes Introduce the Accelerating Individuals into the Workforce Act,” press release, September 30, 2019, <https://miller.house.gov/media/press-releases/rep-miller-walorski-estes-introduce-accelerating-individuals-workforce-act>.

<sup>66</sup> Section 2. For more background, see U.S. Senate Committee on Finance, “Wyden and Davis Introduce Legislation to Bring More Americans Into the Workforce, Reduce Barriers to Employment,” press release, January 15, 2019, <https://www.finance.senate.gov/ranking-members-news/wyden-and-davis-introduce-legislation-to-bring-more-americans-into-the-workforce-reduce-barriers-to-employment>.

<sup>67</sup> For more information, see U.S. Senate Committee on Finance, “Wyden, Brown, Schatz, Casey Announce Legislation to Provide Emergency Cash Assistance to Low-Income Families and Individuals,” press release, May 8, 2020, <https://www.finance.senate.gov/ranking-members-news/wyden-brown-schatz-casey-announce-legislation-to-provide-emergency-cash-assistance-to-low-income-families-and-individuals>.

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