

THE STATE OF POVERTY

12 WAYS TO LEAD THE CHANGE

SHRIVER CENTER
2008 NATIONAL AGENDA

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The State of Poverty is America's most populous state—37 million people. For many living in poverty, opportunity is limited, mobility is restricted, and the road to prosperity is blocked.

The fundamental causes of poverty are economic and structural, but through legal advocacy and policy development we can change the state and lead the way to economic success for all.

The Way We Lead

Legal advocacy can reopen the paths of justice blocked by years of disinvestment in federal antipoverty policies, weak enforcement of civil rights laws, and unequal access to justice. The law provides the policies and enforcement tools needed to rebuild a national infrastructure to fight poverty. Through law and policy, leaders can create or reopen paths of justice ensuring that we all, regardless of race, class, or gender can advance toward economic security and success.

The Sargent Shriver National Center on Poverty Law is a law and policy center that develops ideas and strategies to end poverty. As attorneys engaged in policy development, communications, and impact litigation, we represent people and communities facing institutional barriers to economic success and equal opportunity. When barriers and problems are repetitious and systemic, we craft action plans to set a state and national agenda for economic justice.

The basic model for our work is that of attorneys acting on behalf of clients. Our agenda is a product not of Beltway politics but of our relationships with low-income people, community-based organizations, legal aid lawyers, and direct service providers. The agenda presented here stems from their cry for justice and amplifies the solutions needed to lead the change in America.

12 Ways To Lead the Change

It's an exciting time in our nation. The new leadership of the 110th Congress offers opportunities to promote action. The presidential election season is an occasion to advance the battle against poverty on the national agenda and candidates are responding to the call for economic justice. Additionally, states are ahead of the national curve in passing large-scale health care initiatives, minimum-wage increases, and other antipoverty measures.

At this time of renewed promise in the fight against poverty, we put forth twelve ways to lead the change. For each policy idea, we cite opportunities for action that all antipoverty advocates can take on both the federal and state levels in 2007. Now is the time to renew our energy in seeking out paths of justice to break through institutional barriers to economic success and lead the way out of the State of Poverty.

1. Strengthen the Legal Foundation for Civil Rights and Racial Justice
2. Establish Affordable Quality Health Care for All
3. Guarantee Economic Safety for People with Employment Challenges
4. Invest in the Public Good Through Fair Budget and Tax Policies
5. Preserving our Nation's Rental Housing
6. Create Redemptive Opportunities for People with Criminal Records
7. Increase Economic Mobility Through Lifelong Education
8. Link Economic Development to Workforce Development Opportunities
9. Advance Low-Wage Workers by Making Work Pay
10. Build and Protect Assets for Financial Stability and Growth
11. Protect Access to the American Dream for Immigrants and Refugees
12. Ensure Economic Opportunity and Safety for Women and Girls

1. Strengthen the Legal Foundation for Civil Rights and Racial Justice

Americans overwhelmingly believe that everyone should have a fair and equal opportunity to live a decent life. Nevertheless, America still suffers from systemic discrimination that denies a fair and equal opportunity to segments of the population. Guaranteeing this opportunity to everyone is a cornerstone of the fight against poverty.

The people most in need of protection from discrimination are most likely to be poor, and disproportionately female and of a minority group. Moreover, people who are poor are less likely to be at the table when many public policies are being considered.

For them, protection under the civil rights laws is often their only defense against harmful and unfair treatment. Low-income people need access to legal representation not only in individual matters but also in policy making. This is where the allocation of public funds and the laws and programs that can guarantee and facilitate fair and equal opportunity are decided.

A national agenda on civil rights and racial justice must advocate vigorous public and private enforcement of the civil rights laws at the federal and state levels, and strict enforcement of the right to vote. It must seek access to legal advice and representation in individual matters and public policy circles.¹

Opportunities for Federal Action in 2008

Increasing Funding for the Legal Services Corporation and Allowing Full Representation

Because access to justice requires access to competent legal advice and representation in civil matters, we recognize a civil right to counsel in such cases.² We support significantly increased funding for the Legal Services Corporation. Because access to justice requires that lawyers be able use all advocacy tools, including class action and legislative advocacy, on behalf of their clients, we support the repeal of the restrictions on representation methods imposed on attorneys employed by Legal Services Corporation grantees.

Repealing the Federal Prison Litigation Reform Act

Because minorities, especially low-income minorities, are disproportionately imprisoned and imprisoned in institutions that are dangerous to people's health and even to their lives, we support the repeal of the federal Prison Litigation Reform Act of 1995, which severely limits prisoners' access to the federal courts concerning prison conditions.

Appointing Fair Judges and Upholding an Active Civil Rights Administration

President Bush's judicial appointments should be measured by their record and attitudes on civil rights and racial justice. We should support the appointment of competent and fair judges at the trial and appellate levels of the federal courts. Moreover, presidential candidates should answer for how they will lead the cause of justice by enforcing civil rights laws while they are in office.

Opportunities for State and Local Action in 2008

Increasing State and Local Funding for Civil Legal Services

By recognizing a right to counsel in civil cases, we support state efforts to ensure the availability of quality legal representation for low-income people whose rights to basic human needs are threatened. Many states are trying to increase state and local funding for civil legal services. This can improve the private enforcement of civil rights laws and afford equal access to the courts and to policy making.

¹See 36 CLEARINGHOUSE REVIEW (May–June 2002) (special issue on "Pursuing Racial Justice") and 36 CLEARINGHOUSE REVIEW (July–Aug. 2002) (special issue on "Pursuing Racial Justice (Part 2)").

²See 40 CLEARINGHOUSE REVIEW (July–Aug. 2006) (special issue on "A Right to a Lawyer? Momentum Grows").

2. Establish Affordable Quality Health Care for All

Forty-eight million Americans have no health care insurance. The uninsured are sicker and die sooner. They have trouble on the job because they are frequently “sick at work” or preoccupied with family health problems. They have crushing medical debt, which is the second leading cause of family bankruptcy and a leading cause of family stress and breakdown. Moreover, most family bankruptcies involve people who had insurance but found the required fees too expensive. The problem of health coverage actually concerns all Americans—those who have insurance, those offered insurance by employers who turn it down due to the expense, and the uninsured.

The financial cost of the health coverage crisis, to say nothing of its human and social cost, is now a major part of the cost of doing business in America, crippling many companies and harming our competitive position in the world. Health care is essential to our nation's overall physical and economic well-being. It is time for a national health care policy that ensures affordable, quality health care for all.

Opportunities for Federal Action in 2008

Providing Health Care for All of Our Children

The reauthorization of the State Children's Health Insurance Program (SCHIP) in Congress has been delayed until 2009, but there will be a debate in 2008 over the funding level. This debate offers a chance not only to shore up the funding of that program so that all currently covered children will retain coverage but also to put the nation on a path to covering all children.

Protecting Medicaid Eligibility

CMS (the federal Medicaid agency) has promulgated a series of regulations that put financial pressure on the states and will force the states to cover fewer people. There is an initiative in Congress to impose a moratorium on these regulations until the next administration takes office. See the Center on Budget and Policy Priorities write-up at <http://www.cbpp.org/2-13-08health.htm>.

Opportunities for State and Local Action in 2008

Promoting State Programs for Health Care for All and Fight Cuts

Massachusetts led the way in 2006 by passing a plan to cover all of its people. Governors of several states have pushed plans for universal coverage of everyone,³ while other states are responding to the troubled economy by rolling back coverage. It is important to engage in both fights—to promote expansion and hold the line against cuts.

Providing Health Care for All of Our Children

Illinois and a number of other states have established programs to cover all children.⁴ This has proven to be a relatively short step from already successful SCHIP programs in most states—a highly doable big idea with relatively modest cost.

³Victoria Pulos, *The 2006 Massachusetts Health Care Reform Law*, 40 CLEARINGHOUSE REVIEW 610 (March–April 2007).

⁴John Bouman, *The Path to Universal Health Coverage for Children in Illinois*, 39 CLEARINGHOUSE REVIEW 676 (March–April 2006).



3. Guarantee Economic Safety for People with Employment Challenges

Although the unemployment rate has remained at a relatively moderate level, at or below 5%, the nation had a net loss of 63,000 jobs in February 2008, the largest decline since March 2003. In addition, the unemployment rate for those in high-risk groups—young adults in economically and racially isolated communities, individuals re-entering society from prison, homeless veterans, children aging out of foster care, and many others—remains high. Most of these individuals want to enter or re-enter the workforce but need assistance in doing so. Others are unemployed due to a disability, caring for a disabled family member, or other larger economic forces. Regardless of the reason, there should be a humane and reliable safety net in place for all in need of employment assistance.⁵

Opportunities for Federal Action in 2008

Developing a National Transitional Jobs Program

The Responsible Fatherhood and Healthy Families Act (Bayh-Obama), pending in the Senate, is the first bill ever that would designate federal funds for Transitional Jobs. An employment strategy that cuts through the complex reasons for a person's chronic unemployment, Transitional Jobs start with the desired outcome—employment. The strategy combines a temporary subsidized job with mentoring and case-managed employment and social services to provide income and teach ways to cope with and rise above employment barriers. The result is that participants obtain unsubsidized jobs. Pilot Transitional Job programs have been promising. Comprehensive information on Transitional Jobs is available at www.transitionaljobs.net.

Expanding the Food Stamp Program

The reauthorization of the 2008 Farm Bill, H.R. 2419, will determine the size and scope of the Food Stamp Program and the nutritional title choices available to those who are eligible. This is one of the most basic elements of the safety net, and it serves as a fundamental support for those who are able to work but unable to access healthy and fresh food. This program must be expanded and made more accessible to those with food insecurity.

Protecting and Expanding Unemployment Insurance

Unemployment insurance (UI) is the main between-jobs safeguard for workers that are involuntarily out of work. Yet, UI benefits are not equally available to all unemployed; many low-wage and part-time workers, primarily women, are denied access to the program due to technicalities in the UI system. Legislation currently pending in Congress, the Unemployment Insurance Modernization Act (HR 3920, S. 1870), is intended to correct these inequities. This includes, inter alia, adopting the Alternative Base Period (ABP) that counts more recent earnings for the purposes of eligibility and provisions for domestic violence survivors who must leave their employment. Under the legislation, states that modernize their UI programs will receive a substantial financial benefit.

Opportunities for State and Local Action in 2008

Implementing Welfare Reform in the States

The Temporary Assistance to Needy Families (TANF) program changes in the Deficit Reduction Act (DRA) of 2005 place burdensome restrictions on states' ability to implement TANF programs by requiring states to meet increased work participation rates. The final TANF rule published in January 2008 places an even greater burden on states. However, states retain choice and freedom on how to adapt the federal TANF rules into productive state antipoverty policy. Many state welfare agencies proposed amendments to the program that place far greater restrictions on education and training for TANF participants than required by the federal rule (both proposed and final rules). Advocacy in the states is needed to prevent adoption of restrictive state amendments and to affirmatively create antipoverty policies and systems.

Improving Access to Safety Net Programs Through Better Administration

States are faced with deep budget cuts that have reduced the number of state employees below the level needed to administer safety net programs and have otherwise caused states to implement eligibility restrictions or harmful procedures that block entry. In 2008 many states are dealing with staffing and access problems.

⁵ John Bouman & Joseph Antolin, *Attacking Poverty by Attacking Chronic Unemployment: A Proposal to Stabilize and Grow the Transitional Jobs Strategy*, 40 CLEARINGHOUSE REVIEW 105 (May–June 2006).

4. Invest in the Public Good Through Fair Budget and Tax Policies

The national revenue system has been in the hands of "starve the beast" ideologues pursuing a strategy to shrink revenues through tax cuts, thereby increasing the deficit and creating the rationale to cut necessary entitlements and programs serving human needs. This is an ideology that subordinates public policy to a doctrinaire devotion to small government.⁶ It allows political leaders to abdicate responsibility for making difficult choices regarding support for programs—choices that disproportionately affect low-income people.

Rather than grapple with whether and how to fund a program, the leader can simply shrug and say, "No money, so I have no choice." But there is a choice for which such leaders can be held accountable. The choice is there if the tax and budget issues are in the conversation. The federal government has a crucial role in the fight against poverty, and this role requires funds.

Opportunities for Federal Action in 2008

Opposing the President's Budget Proposal

Every year the struggle over adequate funding for poverty-fighting programs is played out in the federal budget process. The President announced his proposals for federal fiscal year 2009 (beginning October 1, 2008) in February—his last budget. Congress has expressed disapproval and will be trying to pass a blueprint (the "budget resolution") of its own for all the specific appropriations laws that are to be passed later this year. Then Congress will consider those appropriations bills and try to pass them by the end of the federal fiscal year on September 30.

The President's proposal is like his previous ones. It proposes cuts in most programs serving low- and middle-income families, funded by continuation and expansion of tax cuts disproportionately benefiting the wealthy. People who care about the fight against poverty will have opportunities during the budget debates to take action and demand that the budget reflect our nation's commitment to economic security for all.

Preserve the Estate Tax

There may be efforts in Congress to repeal the Estate Tax, which has been temporarily phased down but is scheduled to take effect again in 2010. A reasonable proposal to impose the tax only on estate in excess of \$5 million—the wealthiest one or two percent of all estates—should be passed. It would provide \$750 billion in desperately needed funds over the next ten years for the federal budget.

Opportunities for State and Local Action in 2008

Supporting State Revenue Reform

State revenue systems have been under severe pressure for several years, in part because of federal spending reductions for social programs. Several states are considering comprehensive revenue reforms to enhance state revenues and build in better growth as the economy grows.

Understanding the Impact of Federal Spending on State Revenues

States recognize that revenue from federal spending is not much different than revenue from the state's own taxes. Many state officials will advocate with their congressional delegations to maintain or increase federal spending.

⁶ Gary D. Bass et al, *Deconstructing the Argument for a Small and Passive Government*, 40 CLEARINGHOUSE REVIEW 53 (May-June 2006).



5. Preserving our Nation's Rental Housing

All over the country, low-income families, seniors and persons with disabilities face a shortage of safe, affordable rental housing. Housing is key to stability, and it serves as the nexus for other activities necessary to escape poverty (education, employment, family, health, safety). Recently policymakers have seen fit to dismantle our publicly supported low-income housing programs and erode the basic and fundamental housing protections for the lowest-income individuals. By repealing laws which required replacement of demolished or obsolete federal housing, promoting the loss of private-market federally assisted housing, or slashing the budgets of cash-strapped housing authorities, our leaders have ignored and worsened one of our nation's most daunting crises. In the short term, the agenda must be to reverse the recent tide of disinvestments. Without substantial federal and state leadership on this issue, every kind of publicly supported low-income housing will continue to diminish in size and availability.

Action must be taken to preserve federally subsidized, private-owner housing, which provides housing assistance to more than 1.4 million households but is threatened by a tide of contract expirations, opt-out policies, disrepair, disinvestment, and more. Action must be taken to prevent the unnecessary demolition of public housing and the gross underbudgeting of public housing programs, leaving the administering housing authorities with insufficient funds to maintain this housing.⁷ And action must be taken to salvage the Housing Choice Voucher Program, which provides cost-effective rental assistance to low-income tenants so that they can live anywhere they would like in the private rental market. The program has shouldered the brunt of the funding cuts over the last several years, forcing housing authorities to turn new needy families away, limit the housing choices of assisted families, and even terminate the assistance of families already in the program for lack of funding.

Opportunities for Federal Action in 2008

Preserving Our Federal Housing Stock

The tight budgets of the next few years may still jeopardize our federal housing stock. Renewed advocacy is necessary to push pro-preservation legislation. Efforts to preserve privately owned, publicly supported housing may include legislation encouraging the transfer of properties to preservation-minded owners, helping (through grants, financing, tax incentives, etc.) the owners maintain the affordability of such properties, enlisting support for below-market sales of properties in foreclosure, and encouraging early U.S. Department of Housing and Urban Development intervention in potentially troubled properties.

Enacting a One-for-One Replacement Rule in the Housing Act

For public housing, advocacy efforts should support legislation aimed at restoring "one-for-one replacement." Amendments to Section 18 of the U.S. Housing Act can ensure that all demolition and disposition of public housing and relocation of residents comport with fair housing requirements.

Granting Full Funding to the Housing Choice Voucher Program

The Housing Choice Voucher Program should be funded, at a minimum at the 2006 levels, or ideally above that. A pro-portability agenda (allowing families to move anywhere in the United States they would like with their vouchers) that meets the needs of both assisted families and the housing authorities can restore a lot of faith in this beleaguered program.

Opportunities for State and Local Action in 2008

Supporting Pro-Preservation Collaborations

At the state and local level, advocates, governmental bodies, and forward-thinking institutions and foundations understand that the preservation climate will improve only if a coordinated, publicly backed, early warning system is set up to prevent the loss of federally assisted private-market housing. This progressive agenda, with players from all levels of government, advocacy, and investment, should offer a road map to other states and municipalities on how to keep properties in the federal programs for the long term.

⁷William P. Wilen, *Successfully Redeveloping Public Housing*, 40 CLEARINGHOUSE REVIEW 113 (May–June 2006).

6. Create Redemptive Opportunities for People with Criminal Records

For too long, policymakers have been “tough on crime” without being “smart on crime.” The “tough” policies have done little good in the way of rehabilitation and often much harm to people who are convicted and imprisoned and are disproportionately poor, minorities, and suffering from mental illness or substance-abuse disorders.⁸

Crime policy intersects with antipoverty policy in that those with conviction records become an unofficial but very real underclass barred or marginalized in employment, housing, education, family life, and many other areas of civic and personal life.⁹ People return to communities and families from prisons every year, making their difficult circumstances a problem that cannot be ignored and that affects everyone.

Congress and the states need to rethink and revise what they define as crimes and what sanctions to impose on those convicted of crimes. The government should examine the barriers that interfere with postprison life for those with conviction records, limit those barriers to ones that are rational in light of the offense, and increase the accuracy of and limit access to and use of criminal records for non-law-enforcement purposes.

Opportunities for Federal Action in 2008

Aiding in Successful Reentry into Communities by Aggressive Implementation of the Second Chance for Ex-Offenders Act

The Second Chance for Ex-Offenders Act, passed in March 2008, provides crucial funding and creates programs to help states aid the reentry of people into communities after a time in prison. The Bush Administration, including the Justice and Labor Departments, need to quickly and effectively implement the law through rulemaking and infusion of funds to states and localities. The implementation of this breakthrough law is an extremely important mission for 2008, and interested persons should take the opportunity to participate in the rulemaking process.

Opportunities for State and Local Action in 2008

Taking Full Advantage of the Second Chance Act

States and localities should prepare for implementation of the Second Chance Act by participating in the federal rulemaking and preparing their own plans for quick and effective programs on the ground.

Granting Full Funding to Drug Treatment Programs

State legislatures should fund drug treatment programs adequately, make treatment available to all who seek it, and establish drug-treatment programs as alternatives for conviction and incarceration for drug possession, drug use, and drug-related crimes. This strategy helps to address the problem of “re-entry” on the front end by eliminating unnecessary convictions and incarceration.

Involving Corrections Departments in Transitional Jobs

The Transitional Jobs strategy is particularly well suited to the reentry context. It provides ex-prisoners who need jobs with immediate wage-paying work in a temporary subsidized job, with social services and referrals to help the worker learn to deal with employment-blocking problems. This is followed by placement into unsubsidized work¹⁰. Many state corrections departments are realizing that employment is a cost-effective strategy to prevent recidivism, and they are investing in Transitional Jobs.

⁸Maria Foscarinis and Rebecca K. Troth, Re-entry and Homelessness: Alternatives to Recidivism, 39 Clearinghouse Rev. 440 (Nov.-Dec. 2005)

⁹Anthony C. Thompson and Debbie A. Mukamal, Permitting a New Start for People with Criminal Records, 40 Clearinghouse Rev. 124 (May-June 2006).

¹⁰ John Bouman & Joseph Antolin, *Attacking Poverty by Attacking Chronic Unemployment: A Proposal to Stabilize and Grow the Transitional Jobs Strategy*, 40 CLEARINGHOUSE REVIEW 105 (May-June 2006).

7. Increase Economic Mobility Through Lifelong Education

From preschool through higher education, from Adult Basic Education (ABE) to English as a Second Language (ESL), and from preemployment soft skills training through vocational training at all skill levels, quality education affords one of the best routes out of poverty and the opportunity to lead an economically and socially rewarding life. For the growing population of people stuck in low-wage work, education and vocational skills are the surest way into jobs with family-sustaining wages and benefits.

Great disparities abound across the country and within states and localities in access to and the quality of education at all levels. Low-income people are generally on the losing side. Policies must change to ensure a greater investment in quality education so that everyone has true equal opportunity.

Opportunities For Federal Action in 2008

Access to Post-Secondary Education

Every U.S. worker should have access to the equivalent of at least two years of education or training past high school—leading to a vocational credential, industry certification, or one's first two years of college—to be pursued at whatever point and pace makes sense for individual workers and industries. Every person must also have access to the basic skills needed to pursue such education. Advocates should endorse The Workforce Alliance's Skills 2 Compete campaign to ensure this happens.

Reauthorizing the Higher Education Act

The College Opportunity and Affordability Act of 2008 is a comprehensive reauthorization of the Higher Education Act of 1965 (HEA), the primary law that governs most student aid programs implemented at the federal level. This act will increase access to education for more low and middle-income students and minorities by allowing students to receive year-round Pell Grant scholarship aid. The legislation also encourages colleges and postsecondary institutions to restrain price increases, promote better consumer disclosure, and provide protections on private student loans. Congress is working to reconcile legislation from both chambers. Key provisions from the House version should be included in the final bill: 1) attach a Student Success Grant to every Pell Grant to ensure that students receive the services they need to stay in college; 2) provide grants to colleges to help lower-skilled students complete occupational credentials; 3) provide Business Workforce Partnership grants to colleges to strengthen ties between course offerings and business needs; and 4) automatically allow dislocated workers to use estimated current year income when applying for federal financial aid (rather than "current year" income).

Opportunities For State Action in 2008

The Ensuring Success in School Task Force

The dropout crisis affects children who are pregnant, parenting, or the victims of domestic or sexual violence. There are best practices that have helped some schools retain these students while keeping them safe – but most schools do not use these practices. States can address this along the lines of a new Illinois law that mandates the Illinois State Board of Education to convene an Ensuring Success in School Task Force. The Task Force is to develop policies, procedures, and protocols to be adopted by school districts. Students, their parents, and advocates can participate in the Task Force through relaying their experiences, both positive and negative.¹¹

Access to Post-Secondary Education

The opportunity to attend post-secondary education should be available to all students. Yet, many students interested in furthering their educational attainment are met with financial or other barriers that they are unable to overcome. To remedy this, some states have implemented scholarship programs that provide financial assistance for students to attend education or job training after high school. In Michigan, the Michigan Promise is a scholarship program that provides up to \$4,000 to high school graduates for successfully completing two years of postsecondary education.

¹¹Wendy Pollack et al., *The Ensuring Success in School Act: Promoting School Success and Safety for Young People Who Are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence*, 39 CLEARINGHOUSE REVIEW 649 (March–April 2006).

8. Link Economic Development to Workforce Development Opportunities

Integrating economic development and workforce development can reach three primary goals—a strong and vibrant economy that can compete in a global economy, economic security for workers, and an end to poverty.¹² Poverty affects not only individuals but also the U.S. economy as a whole.¹³ Integrating economic development and workforce development will work for everyone if it produces skilled workers with good jobs in strong businesses that foster thriving communities.

Realizing this vision will require policies ensuring that individuals develop the skills that businesses demand in a modern economy; creating career paths and job opportunities for all working-age individuals, from the least skilled and most disadvantaged to middle-income workers whose skills have become obsolete; investing resources in the capital and human infrastructure needed to attract and retain “high road” employers that provide quality jobs, wages, and benefits; encouraging entrepreneurship, small-business growth, and other economic or workforce development innovation in all communities in order to foster competitive businesses; and supporting economic and workforce development that is environmentally, socially, and economically sustainable.

Opportunities For Federal Action in 2008

Reauthorizing the Workforce Investment Act of 1998

The Workforce Investment Act (WIA) is the largest single source of federal funding for workforce development activities. The WIA was to create a universal access system of one-stop career centers, which would provide access to training and employment services for a range of workers, including low-income adults, low-income youth, and dislocated workers. Acknowledging the need for reauthorization of WIA, Rep. George Miller (D-CA), the chairman of the House Education and Labor Committee, held a hearing to obtain recommendations on how to improve the effectiveness of job training programs through the reauthorization of WIA. We are currently awaiting a new House WIA bill to be written and introduced.

Creating a National Plan to Support Expansion of “Bridge” Programs

The Responsible Fatherhood and Healthy Families Act of 2007 (S. 1626, H.R. 3395) would create a first-ever federal funding source targeted for “bridge” programs. These programs unite employers, state and local government entities, and community-based training providers. Employers identify training needs for jobs that they would fill if there were a trained workforce; the government entities provide funds; and the community-based providers conduct the training after collaborating with the employers to design the training. Pilots have shown the “bridge” strategy to be highly effective in making the transition for low-paid workers into higher-paying jobs with benefits. They also help employers compete in the national and global economies.

Increase Access to Employment Opportunities for Public Housing Residents

Earn and Living Opportunities Act (H.R. 3310) sponsored by Rep. Velazquez, amends Section 3 of the Housing and Urban Development Act of 1968, to improve access to employment opportunities for public housing residents and other low-income people when HUD financial assistance is involved.

Opportunities for State Action in 2008

Encouraging States to Implement “Bridge” Programs

Funding is available from state and local sources and it is permissible under the WIA for states to design and implement their own “bridge” programs. “Bridge” programs provide underrepresented and low-income students with the skill development and education to increase participation and success in post-secondary education.

Implementation of the Green Jobs Act of 2007

The Green Jobs Act creates an Energy Efficiency and Renewable Energy Worker Training Program to develop a workforce for those industries. Grants will be awarded on a competitive basis to states and local partnerships that target high-need groups of workers. Advocates should work to create partnerships with business, labor unions, WIA workforce investment boards, educational institutions, veterans’ service organizations and others to apply for grants.

¹²See 37 CLEARINGHOUSE REVIEW (July–August 2003) (special issue on “Economic Development Strategies for Individuals and Communities”).

¹³U.S. GOVERNMENT ACCOUNTABILITY OFFICE, POVERTY IN AMERICA: ECONOMIC RESEARCH SHOWS ADVERSE IMPACTS ON HEALTH STATUS AND OTHER SOCIAL CONDITIONS AS WELL AS THE ECONOMIC GROWTH (2007).

9. Advance Low-Wage Workers by Making Work Pay

Too many families with full-time workers are falling deeper into poverty in the United States. We have an unhealthy and growing income gap, with the wealthy becoming wealthier and the poor becoming poorer. A national agenda to end poverty must advocate improved economic stability and upward mobility for low-income workers and their families. Earnings should be increased through minimum-wage laws and subsidized with earned income and other low-income tax credits. Low-income workers should have the work-enabling supports that they and their families need, including access to quality, affordable child care, food stamps, health insurance coverage,¹⁴ and transportation assistance. These work supports must be phased out gradually as family income increases (avoiding eligibility "cliffs") and not until families reach an income level where they are no longer needed. People on welfare who go to work should experience a real increase in their net income through a generous earnings disregard program.¹⁵ And low-wage workers should be able to balance their work and family responsibilities.¹⁶

Opportunities for Federal Action in 2008

Protecting the Family and Medical Leave Act of 1993

This year is the 15th anniversary of the FMLA. The National Partnership for Women and Families collecting stories to protect the FMLA is a critical protection that needs to be expanded. On February 11, 2008 the Department of Labor released proposed amendments to the FMLA regulations that seek to hinder access to FMLA leave to eligible workers and undermine the rights of all workers attempting to use this law. The public has until April 11, 2008 to comment on these damaging amendments and urge the government to maintain the integrity of the current FMLA. Advocacy with members of Congress is needed to prevent these amendments from going into effect and to expand the FMLA to cover more low-income workers and provide family and medical leave with pay.

Sick Days

Healthy Families Act would guarantee seven paid sick days per year to American workers, to be used for personal illness or to care for sick family members. The Healthy Families Act was introduced in the House and Senate.

Increasing the Child Care and Development Block Grant

The Bush administration estimates that if child care funding remains at the current level, there will be a decline of 650,000 children—25 per cent—receiving child care assistance by 2011. A large increase in the Child Care and Development Block Grant—at least the \$10 billion needed to keep pace with inflation and maintain current service levels over five years—is needed. While there is strong bipartisan support in Congress for increased child care funding, this will be an uphill battle since child care funding levels were set for five years in the TANF reauthorization process in 2006.

Opportunities for State and Local Action in 2008

Raising State Minimum Wages

The new federal minimum wage is great progress, but it is not indexed for inflation and it is below the wage in a number of states. States should continue to raise their own minimum wages to levels they decide are appropriate.

Enacting and Expanding State and Local Earned Income Tax Credits

States and localities will continue their successful efforts to expand their earned income tax credit programs, lifting more full-time workers and their families out of poverty.

Developing Paid Sick Days or Family Leave Insurance Programs

A number of states have adopted paid family leave and other family-friendly workplace policies to fill the gaps left by FMLA, which provides for only unpaid leave and only applies to employers of 50 or more employees.

¹⁴Sujatha Jagadeesh Branch et al., *Child Care for Families Leaving Temporary Assistance for Needy Families*, 34 CLEARINGHOUSE REVIEW 527 (Jan.–Feb. 2001); Jocelyn Guyer, *Health Care for Low-Income Working Families After Welfare Reform*, 34 CLEARINGHOUSE REVIEW 563 (Jan.–Feb. 2001).

¹⁵Maurice Emsellem et al., *Income Supports Can Dramatically Increase Resources Available for Lower-Income Working Families*, 34 CLEARINGHOUSE REVIEW 509 (Jan.–Feb. 2001).

¹⁶John M. Bouman, Margaret Stapleton, and Deb McKee, *Time Limits, Employment, and State Flexibility in TANF Programming: How States Can Use Time Limits and Earnings Disregards to Support Employment Goals, Preserve Flexibility, and Meet Stricter Federal Participation Requirements*, 37 CLEARINGHOUSE REVIEW 289 (Sept.–Oct. 2003).

10. Build and Protect Assets for Financial Stability and Growth

Nearly one in every five American households owes more than it owns. Tax policies favor those who already have the most assets. Predatory lending drains billions of dollars from low-income families and communities.

Asset building is a key component of an antipoverty agenda because each of us needs financial security to weather today's challenges and plan for tomorrow, for our children and ourselves. We need policies that expand asset-building opportunities to complement traditional income-support programs, policies that encourage investment in unbanked and underserved communities, and consumer protections against abusive consumer and mortgage lending.

Opportunities for Federal Action in 2008

Creating Kids Investment and Development Accounts

The federal government needs to establish a long-term asset-building savings account for every child in the United States. Children's savings accounts, or kids' accounts like those proposed by the America Saving for Personal Investment, Retirement, and Education Act (ASPIRE- H.R. 3740) would be established at birth, seeded with an initial deposit by the government, matched on a progressive basis, and allowed to grow over a lifetime. After reaching adulthood, the child may use the money for college education, home ownership, small business or retirement.

Helping Working-poor Families Build Wealth

The Savings for Working Families Act (S. 871/H.R. 1514) would help 900,000 working-poor families save and buy a first home, pay for post-secondary education, or start or expand a small business through matched savings in individual development accounts and financial education.

Modernizing the Community Reinvestment Act

The Community Reinvestment Modernization Act of 2007 (H.R. 1289) would expand CRA obligations¹⁷ to meet the credit needs of low and moderate income communities from banks to brokers, mortgage lenders, insurance firms and securities companies and generate trillions of dollars to invest in disadvantaged and minority communities.

Removing or Reducing Asset Limits in Federal Public Benefit Programs

The Farm, Nutrition and Bioenergy Act of 2007 (H.R. 2419) would amend the Food Stamp Act of 1977 to adjust for inflation the allowable amounts of financial resources of eligible households, exclude from countable resources certain retirement and education accounts, raise asset limits and restore eligibility to vulnerable groups currently left out.

Protecting Homeowners from Foreclosure and Predatory Lending

The Helping Families Save Their Home Act (S. 2136) would address the treatment of primary mortgages in bankruptcy and for other purposes. The Homeownership Preservation and Protection Act of 2007 (S. 2452) would amend the Truth in Lending Act to provide protection to consumers with respect to certain high-cost loans.

Opportunities for State and Local Action in 2008

Building Consensus for Savings for All Kids

Illinois is one of the states promoting children's savings account initiatives at the state level. In 2007, the General Assembly passed a bill to create a statewide task force. The Illinois Asset Building Group is one of the leading state asset policy groups and co-founder of the national Learning Circle.

Removing or Reducing Asset Limits in Public State Benefit Programs

States have authority under many public benefit programs to remove or reduce asset limits¹⁸.

¹⁷ Dory Rand, "Using the Community Reinvestment Act to Promote Checking Accounts for Low-Income People," 33 Clearinghouse Review: Journal of Poverty Law and Policy 66 (May-June 1999).

¹⁸ Dory Rand, Removing State Rules on Asset Limits: How to Remove Barriers to Saving and Asset Accumulation in Public Benefit Programs, 40 Clearinghouse Rev. (March-April 2007).

11. Protect Access to The American Dream for Immigrants and Refugees

The United States, a nation of immigrants whose diverse contributions are a source of strength, should adopt policies that allow newcomers to integrate into U.S. society smoothly and expeditiously. More than one of every four low-income children in the U.S. has an immigrant parent, and noncitizens are almost twice as likely to live in poverty as citizens. Thus antipoverty policy must consider the particular needs and circumstances of immigrants.¹⁹ This includes the removal of barriers that prevent immigrants from accessing public benefits they need.²⁰ It also includes comprehensive immigration reform that extends full labor protections to all workers regardless of their immigration status—necessary to ensure the protection of all low-income workers' rights.

Opportunities for Federal Action in 2008

Passing Comprehensive Immigration Reform

The presidential campaign offers a unique opportunity to advocate for comprehensive reform. Comprehensive reform must promote family reunification, create a reasonable path to legalization for hardworking undocumented immigrants, and include law enforcement mechanisms that are realistic and consistent with humanitarian values. Reform should not include the criminalization of immigrants and those who assist them, nor should it restrict or eliminate judicial review, expand summary detention and removal, or otherwise deny immigrants the due process of law.

Protecting the Benefits of Elderly and Disabled Refugees

Under the 1996 welfare reform legislation, elderly and disabled refugees, asylees, and other humanitarian immigrants were given seven years to become U.S. citizens or lose their Supplemental Security Income (SSI) benefits. While most have met this deadline, others, largely due to government delays in processing their citizenship applications that are beyond their control, have been unable to meet it. While some relief has been obtained in a recent settlement in *Kaplan v. Chertoff*, Congress must address this unconscionable situation, which has resulted in destitution for elderly and disabled persons who came to America fleeing persecution.

Providing Health Insurance for Lawfully Present Pregnant Women and Children

Last year's failed attempt to reauthorize the State Children's Health Insurance Program (SCHIP) was a missed opportunity to give states the option of providing Medicaid and SCHIP coverage to pregnant women and children during their first five years in the United States. Reauthorization was delayed until 2009, so advocacy can prepare members of Congress and the new administration to be sure to include this issue at that time.

Opportunities for State and Local Action in 2008

Providing Health Insurance Coverage Regardless of Immigration Status

Several states with large immigrant population groups are providing universal health insurance coverage to all of their residents, or at least to all children in their states, and there are great opportunities within these initiatives for expanding coverage to all immigrants regardless of their immigration status.

Driving Privileges for Undocumented Immigrants

Some states have decided to allow driving privileges for undocumented immigrants as a means to allow essential transportation to and from such activities as school and health care. This also allows those states to supervise and regulate the driving of undocumented people and ensure adequate driving skills and knowledge of laws.

¹⁹See 38 CLEARINGHOUSE REVIEW (Sept.–Oct. 2004) (special issue on "Representing Immigrant Families").

²⁰See, e.g., Dan Lesser, *Illinois's New SSI Replacement Program for Refugees and Asylees: An Advocacy Success Story*, 38 CLEARINGHOUSE REVIEW 402 (Sept.–Oct. 2004).

12. Ensure Economic Opportunity and Safety for Women and Girls

The most prominent faces of the poor in the United States are those of women and children. In 2006, adult women were 41% more likely to be poor than adult men. The poverty gap between women and men persists even when factors such as age, work experience, education, or family structure are taken into account. And children under the age of 18 represented 35.2% of all people living in poverty. Women and their children bear a disproportionate share of the cost of poverty.

Despite widespread attention and public outcry, women still earn only 77 cents for every dollar earned by men. The fundamentally unequal ways in which work and family are perceived and practiced necessitate targeted advocacy for women and girls.

Opportunities For Federal Action In 2008

See Agenda Item 9 for action on the Family and Medical Leave Act and paid sick days.

Pass the Fair Pay Restoration Act

Fair Pay Restoration Act (S.1843) already passed the House and is now advancing through the Senate. A recent Supreme Court ruling, *Ledbetter v. Goodyear*, makes it virtually impossible for women who face pay discrimination to take action against their employers. Congress can correct this wrong and ensure that employees can fight for justice when they face pay discrimination.

Passing the Prevention First Act

Senate Majority Leader Harry Reid (D-NV), along with Senators Hillary Rodham Clinton (D-NY), Barack Obama (D-IL), and others, introduced the vital Prevention First Act (S. 21). This legislation will fully fund family planning services, increase access to services through Medicaid, and protect teens with real sex education.

Balancing Act (H.R. 1589)

Representative Lynn Woolsey is the lead sponsor of this package to improve the lives of working families. This legislation includes paid leave for new parents, leave for parents to attend their children's school activities, child care construction and renovation incentive grants, business child care incentive grants, and funding for child care provider development and retention grants, scholarships, and health benefit coverage.

Focus on Committed and Underpaid Staff for Children's Sake Act, FOCUS Act (H.R. 2000)

The FOCUS Act, sponsored by Senator Dodd (D-Conn.) in the Senate and Representatives Miller (D-Calif.), Gilman (R-NY), Sanders (I-Verm.) and Kildee (D-Mich.) in the House, establishes the Child Care Provider Retention and Development Grant Program and the Child Care Provider Scholarship Grant Program. It would provide \$5 billion over five years to the states for the purpose of attracting and retaining qualified childcare providers.

Provide Employment Protections for Domestic and Sexual Violence Survivors

There are a number of bills that would provide leave from employment and other anti-discrimination protections for domestic and sexual violence survivors. Bills introduced in 2007 and are still pending include the SAFE Act (HR 2395, S. 1136) and 3 separate bills that break down the SAFE Act: HR 4014 (Insurance Non-discrimination Act for Survivors), H.R. 4015 (Job Protection for Survivors Act), and 4016 (Unemployment Insurance Act for Survivors Act).

Opportunities for State Action in 2008

Provide Employment Protections for Domestic and Sexual Violence Survivors

Across the country there is activity on this issue with states and municipalities adopting leave from employment and other anti-discrimination protections for survivors of domestic and sexual violence.

Adopting Safe Home Policies For Victims Of Violence

The Safe Homes Act of Illinois ensures that victims of domestic and sexual violence can change the locks and terminate rental agreements early if necessary to protect their safety and emotional well-being. States across the country should adopt Safe Home policies, programs, and principles to provide safe, decent, and affordable housing to victims of domestic and sexual violence in need of all forms of housing.

Shriver Center
LEADING THE CHANGE

The Sargent Shriver National Center on Poverty Law is a law and policy center that champions economic opportunity so that people can move out of poverty permanently. Our mission is not to manage poverty, our mission is to lead a national movement to end it. Our leadership and action are producing change.

Through policy development, communications, and impact litigation, we are leading a national network of advocates and attorneys who are taking action to end poverty. By crafting model advocacy and strategic plans, we are changing the lives of millions of low-income families. We are improving the lives of low-wage workers, we are advancing families toward economic security, and we are creating communities of opportunity.

We are leading the change.