

**Temporary Assistance for Needy
Families Program
Information Memorandum**

U.S. Department of
Health and Human Services
Administration for Children & Families
Office of Family Assistance
Washington, D.C. 20447

Memorandum No. TANF-ACF-IM-2005-01

Date: January 24, 2005

TO: State Agencies Administering the Temporary Assistance for Needy Families (TANF) Program and Other Interested Parties

SUBJECT: Adherence to the Federal Five-Year Time Limit Provisions For FY 2003

BACKGROUND: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) established a five-year time limit for receipt of Federally funded TANF assistance. Subject to certain exceptions, no State may use any of its TANF funds to provide assistance to a family that has an adult head-of-household or a spouse of the head-of-household who has received Federal assistance for a total of five years (i.e., 60 cumulative months, whether or not consecutive.) This provision also applies to a family that includes a pregnant minor or a minor parent head-of-household or spouse of such head-of-household who has received Federal assistance for a total of five years. There are three instances that States may not count against the five-year time limit. First is any month of receipt of assistance by an individual who is not the head-of-household or married to the head-of—household. Second is any month of receipt of assistance by an adult while (s)he lives in Indian country (as defined in Section 1151 of Title 18, United States Code) or a Native Alaskan village where at least 50 percent of the adults were not employed. The third instance is any month for which the individual received only non-cash assistance provided under WtW, pursuant to Section 403 (a) (5) of the Act.

States may exempt from the five-year limit any months of assistance received by an individual who has a federally recognized good cause domestic violence waiver of the time limit. Only months of assistance that are paid for with Federal TANF funds (in whole or in part) count toward the five-year time limit. Months of assistance paid for solely with State segregated TANF funds do not count toward the limit.

States have the option to extend assistance paid by Federal TANF funds beyond the five-year limit for up to 20 percent of the average monthly number of families receiving assistance during the fiscal year or the immediately preceding fiscal year, whichever the State elects. States are permitted to extend assistance to families only on the basis of: (1) hardship, as defined by the State or (2) the fact that the family includes someone who has been battered, or subjected to extreme cruelty as specified in the statute.

CONTENT: This memorandum transmits the Federal five-year time limit tables for FY 2003. All States were required to report the number of countable months on assistance and, if applicable, the reason for exemption from accrual of months on assistance or the reason for exemption from termination of assistance. No State or Territory exceeded the 20 percent hardship exemption for providing assistance beyond the five-year limit. Thus, no State or Territory is subject to the Federal five-year time limit penalty provisions. Nationally, about 36,000 families received assistance for more than sixty months. This is about 1.7 percent of the applicable caseload. Rhode Island reported 18.9 percent and the District of Columbia reported 18.6 percent of their caseloads received more than sixty months of assistance. These are the largest proportions. Sixteen States reported that no families received assistance for more than sixty months.

ATTACHMENT: TANF Federal Five-Year Time Limit Tables For FY 2002 (October 2001-September 2003)

INQUIRIES: Inquiries should be directed to the appropriate ACF Regional Administrator

/s/

Andrew S. Bush
Director
Office of Family Assistance