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June 25, 2009

Kathleen Sebelius, Secretary
Office of the Secretary
The U.S Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C 20201

Re: Solicitation of public comment in advance of reauthorization of the
Temporary Assistance to Needy Families (TANF) program

Dear Secretary Sebelius:

The TANF program will be considered for congressional reauthorization next year. We urge the Department of Health and Human Services to solicit comments from the public in advance of reauthorization related to changes needed in the TANF program. This process would help to ensure that this Department's proposals to Congress are fully informed. It would fulfill President Obama's commitment to increase public participation in government. It would also follow the approach taken by this Department last time the program was reauthorized.

In his January 21, 2009 memorandum titled "Transparency and Open Government," President Obama outlined his view that "[g]overnment should be participatory." In this memorandum, the President urged "executive departments and agencies ... [to] offer Americans increased opportunities to participate in policymaking and to provide their Government with the benefits of their collective expertise and information." He explained that "[p]ublic engagement enhances the Government's effectiveness and improves the quality of its decisions [as] [k]nowledge is widely dispersed in society, and public officials benefit from having access to that dispersed knowledge."¹ An invitation for public comment related to the upcoming TANF reauthorization process would provide the Department with the opportunity to benefit from this "dispersed knowledge."

The solicitation of public comment in precisely this context would also not be unprecedented. In October 2001, about a year before TANF's initial authorization was to expire, this Department published a notice in the Federal Register "to invite public comment about what changes the Administration should propose" in TANF.²

¹ See http://www.whitehouse.gov/the_press_office/TransparencyandOpenGovernment/.

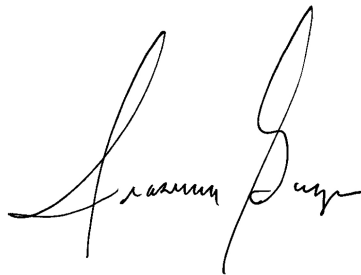
² 66 Fed. Reg. 52773 (October 17, 2001).

Public comment is no less important now than it was during the process of TANF's initial reauthorization. The Department's own reports suggest that there are significant program issues regarding which the public should have an opportunity to comment. For example, last summer the Department reported to Congress that the percentage of eligible families receiving assistance had declined from 84% in AFDC's last year in 1995 to 40% in TANF in 2005, the most recent year for which the Department had estimated the number of eligible families.³ The participation rate has likely fallen still further since 2005. Given the severe economic downturn and frighteningly high unemployment rates, it is more important than ever that the TANF program not unfairly exclude eligible families and that policies be set based on evidence and experience about the program's operation.

To fulfill the President's directive, in addition to soliciting written comments, we urge the Department to hold in-person meetings with knowledgeable advocacy groups and to hold a public hearing or other forum in which past and current TANF recipients and others can share their views and experiences.

Please let me know if you have any questions or need further information. I would be glad to meet with you or your designee if you think this would be helpful.

Sincerely,

A handwritten signature in black ink, appearing to read "Irasema Garza". The signature is fluid and cursive, with the first name "Irasema" and the last name "Garza" clearly distinguishable.

Irasema Garza
President

³ U.S. Department of Health and Human Services, "Indicators of Welfare Dependence Annual Report to Congress 2008," at Table IND 4a, available at <http://aspe.hhs.gov/hsp/indicators08/index.shtml>