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1522 K STREET, NW, SUITE 550, WASHINGTON, DC 20005 (202) 326-0040 FAX (202) 589-0511

STAND WITH SISTERS

September 18, 2002

Surviving Violence and Poverty: A Focus on the Link between Domestic and Sexual Violence, Women's Poverty and Welfare

Each year, approximately 1.5 million women are physically or sexually assaulted by an intimate partner in the United States.¹ As a series of recent studies demonstrate, domestic and sexual violence threaten survivors' employment and economic security, which in turn creates and sustains women's poverty. A cruel irony, this economic instability then becomes one of the most formidable barriers to survivors escaping abuse.

Many domestic violence survivors depend on welfare to provide the economic support necessary to escape the violence.² A 2000 study by the California Institute of Mental Health found that for 37% of CalWORKs recipients, domestic violence was the reason for applying for aid.³ A 2000 report by the National Institute of Justice & Centers for Disease Control & Prevention bears out this phenomenon: Shelter programs report that a majority of shelter residents use welfare in their efforts to end the violence in their lives.⁴ Not surprisingly, numerous studies confirm that a majority of women receiving welfare have been subjected to domestic violence as adults and as many as 30% reported being subjected to abuse within the last year.⁵ This is substantiated by studies of women on welfare in Massachusetts (65% survivors, 20% in last year);⁶ New Jersey (57.3% survivors, 14.6% currently being abused);⁷ Pennsylvania (38% current or recent survivors);⁸ and Utah (81% of long-term welfare recipients are survivors).⁹

Unfortunately, current and past domestic and sexual violence can severely impede survivors' ability to achieve economic stability. Abusers often interfere with or prevent survivors from complying with welfare requirements and from obtaining or retaining employment. In fact, studies show that domestic violence is frequently increased or exacerbated when survivors seek education, training or work.¹⁰ In addition to direct physical violence, conduct such as stalking, harassment, emotional abuse and an abuser's refusal to cooperate with travel or childcare arrangements are all aspects of family violence that can hinder success within welfare and the workforce.¹¹ Surveys of survivors across several states confirms this interference: Colorado (44% of survivors reported that their abusive partner had prevented them from working);¹² Michigan (48% of current survivors reported direct work interference);¹³ New Jersey (39.7% reported that their partners actively try to prevent them from obtaining education and training);¹⁴ Utah (42% harassed at work by abusive partner and 36% reported having to stay at home from work due to domestic violence; 78% indicated the violence prevented employment and 21% said it adversely affected their work);¹⁵ and Wisconsin (63% of women surveyed

reported that they had been fired or had to quit a job because their partner threatened them. Half of those surveyed indicated absences at work due to severe beatings).¹⁶

Thus violence disrupts employment as well as compliance with welfare requirements. In Wisconsin, a majority of the women on welfare surveyed (63%) reported that they had been fired or had to quit a job due to domestic violence.¹⁷ While a study in Pennsylvania found that women who sought a protection order because of domestic violence dropped out of the welfare to work program at six times the rate of women who did not.¹⁸

Survivors who are not currently enduring abuse can also have their success undermined by posttraumatic stress or other barriers that develop as a result of the abuse, such as lingering physical and mental health issues, or drug or alcohol addiction. A study of welfare recipients in Utah uncovered that domestic violence survivors reported more barriers to employment, including higher rates of depression, post-traumatic stress, and substance abuse, than individuals not subjected to violence.¹⁹

Most battered women work or want to work if they can do so safely and many women use welfare and work as a way to escape an abusive relationship. Indeed data indicates that many battered women manage to work, and are struggling to overcome work obstacles created by the abuse. One study in Washington found that women who had experienced both sexual and physical abuses had held a greater number of jobs than other women, but were employed for *fewer total months*, suggesting they continued to try to work but had trouble keeping jobs.²⁰

All evidence clearly points to the need for welfare policies that recognize the special challenges faced by survivors of domestic and sexual violence. Welfare requirements can create dangers for battered women; in particular requirements such as immediate participation in work activities, lifetime assistance limits of five years, and paternity establishment and child support cooperation requirements can present significant roadblocks to accessing benefits and achieving safety.²¹ Programs that are sensitive to the needs of survivors can make a difference, as evidenced by the “Options” demonstration project in Illinois which provided comprehensive, integrated services to survivors, and dramatically increased their ability to enter work activities.²²

TANF currently contains a provision designed to provide states with the ability to craft more flexible responses to meet the individualized needs of survivors of domestic and sexual violence on welfare. The Family Violence Option (FVO), permits states to temporarily waive TANF program requirements for survivors of domestic violence when those requirements “would make it more difficult for individuals receiving assistance to escape domestic violence or unfairly penalize such individuals²³ Although nearly all states have adopted the FVO or similar provisions, implementation has varied widely.²⁴

The FVO has helped but it needs to be strengthened and improved. At a bare minimum, in this year’s TANF reauthorization Congress should require all states to address domestic and sexual violence in their TANF program, and document in their state plans how they will train caseworkers, screen for domestic and sexual violence, refer individuals to services and modify requirements as appropriate. Congress should also invest TANF dollars

in case worker training, and the development and dissemination of best practices to assist states in addressing this very real barrier to economic security.

Precious federal dollars should not go to programs that may contribute to violence against women. Here Congress should take it's cue from the "Secure and Healthy Families Act."²⁵ (S. 2876), introduced by Senators Patty Murray and Paul Wellstone. This bill represents the Senate legislation most responsive to the needs of survivors of domestic and sexual violence on welfare. In addition to incorporating the FVO enhancements described above, the bill takes a safe, appropriate approach to supporting families. While the Senate Finance Mark attempts to strengthen families by investing \$ 1 billion in perilous marriage promotion experiments, S. 2876 focuses on strengthening families primarily through programs designed to enhance income and economic security and escape poverty. Such programs have been tested and proven to enhance family stability and child well-being. This alternative to the Finance Mark will not endanger families. It includes stringent safeguards for domestic and sexual violence, informed participation, and assures non-discrimination based on marital status. The program will be rigorously, independently evaluated to measure effects on family well-being, including personal safety and economic security.

Given the devastating role domestic and sexual violence play in women's poverty, Congress cannot continue to minimize this issue. It must reauthorize a TANF bill that recognizes and appropriately addresses domestic and sexual violence as a major barrier to economic security.



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Surviving Violence and Poverty: A Focus on the Link between Domestic and Sexual Violence, Women's Poverty and Welfare

Each year, approximately 1.5 million women are physically or sexually assaulted by an intimate partner in the United States.¹ It is estimated that nearly 800,000 women a year seek some type of medical care as a result of injuries sustained by a sexual or physical assault.² Each year approximately 500,000 women are stalked by an intimate partner.³

Domestic violence survivors face a pattern of psychological assault and physical and sexual coercion by their intimate partners.⁴ Abusers often retain control over survivors by ensuring a survivor's economic dependency or instability. While survivors face a number of barriers to escaping abuse, poverty is among the most formidable. This is true for survivors for whom leaving the abuser means giving up economic security, as well as for those already trapped in poverty.

Violence Creates and Sustains Women's Poverty

Domestic and sexual violence causes many women to enter poverty and traps many more in it. Studies consistently demonstrate the high rates of domestic violence among women turning to welfare.

- As many as 60% of women receiving welfare have been subjected to domestic violence as adults (compared to 22% of women in the general population), and as many as 30% reported abuse within the last year.⁵
- A study of women in a welfare-to-work program in Allegheny County Pennsylvania found 38% of those enrolled reported that their current or most recent partner hit, kicked or threw something at them; 27% were cut, bruised, choked or seriously physically abused by an intimate partner; 18% were forced or coerced into sex.⁶
- Among a representative sample of the Massachusetts welfare caseload, using the state's definition of abuse 65% would be considered domestic violence victims of a current or former boyfriend or husband; and 20% had experienced abuse within the past 12 months.⁷
- In Utah, research found that 81% of long-term welfare recipients had lived with an abusive partner, and 79% had either called the police or sought a protective order. The

individuals who had experienced domestic violence reported more barriers to employment (including higher rates of depression, post-traumatic stress disorder, and substance abuse) than individuals who had not experienced domestic violence.⁸

- Domestic violence is a primary cause of homelessness among women – a circumstance that poses significant barriers to these women’s workforce participation.⁹
- Many welfare recipients who are current or past survivors of domestic violence were also victims of sexual or physical abuse as children.¹⁰

Many domestic violence survivors depend on welfare to provide the economic support necessary to escape the violence.¹¹

- In a survey of CalWORKs recipients, 37% said that domestic violence was their entire reason for applying for aid, and another 18% said that violence contributed to their need for aid.¹²
- A longitudinal study of low income women who were in a serious relationship with a man found that of women who had received more than one type of public assistance in their lives, 73% experienced moderate or severe violence, compared to 62% who had received one type of public assistance and 53% of those low-income women who had never received public assistance.¹³
- Shelter programs have reported that a majority of shelter residents use welfare in their efforts to end the violence in their lives.¹⁴
- In an Ohio survey of persons seeking services in domestic violence shelters, 51% said that income and basic needs were “very important” to them when deciding whether to stay or leave their current partners.¹⁵

Domestic and sexual violence frequently interferes with survivors’ ability to meet welfare requirements and obtain or retain employment.

Abusers often try to interfere with any efforts their partners make to gain economic independence, including efforts to find work, retain employment or continue studying. This is done in a variety of ways: by inflicting injuries and keeping women up all night with arguments before important events such as interviews or tests; preventing her from sleeping; turning off alarm clocks; destroying homework assignments; saying negative things about her ability to succeed; destroying clothing; inflicting visible facial injuries before job interviews or threatening to kidnap the children from school care centers.¹⁶

In addition to the direct effect physical violence can have on a woman trying to hold down a job, conduct such as stalking, harassment, and an abuser’s refusal to cooperate with childcare arrangements are all aspects of family violence that can be barriers to survivors’ employment.¹⁷

Abusers interfere with their partners education, training, and employment.

- Women interviewed in battered women's shelters consistently reveal that their abusers did not support and often prevented their employment.¹⁸
- Abused women are 10 times more likely to have a current or former partner who would not like them going to school or work, compared to women who do not have an abusive partner.¹⁹
- In a January 1997 month long survey of all persons who sought shelter or supportive services at 20 shelters across Ohio, approximately 75% of respondents stated that there were times that their current partner made it difficult for them to get or keep a job, and 20% said their partner was the cause of injuries that affected their ability to work.²⁰
- Another study found increased physical and psychological abuse is closely linked with increased work and school interference.²¹

Abuse frequently interferes with and prevents women on welfare from complying with welfare requirements and work activities.

- A survey of Passaic County education and training program participants showed that 14.6% were currently survivors of physical domestic violence and 57.3% had been subjected to physical domestic violence in the past. 47% stated that boyfriends do not encourage them to participate in education and training and 39.7% of currently abused women reported that their partners actively try to prevent them from obtaining education and training.²²
- An assessment of public assistance applicants in four Colorado welfare offices in 1997 found that 44% of domestic violence survivors reported their abusive ex-partners had prevented them from working.²³
- In one urban county in Michigan, 23% of welfare recipients reported that they needed to miss work or school because of something a husband or partner had done to them; and 48% of those who experienced severe violence in the past 12 months reported some form of direct work interference.²⁴
- A Utah survey of women receiving long-term welfare benefits found that 42% reported having been harassed at work by abusive partners and 36% reported having to stay at home from work due to domestic violence at some point in their adult lives. 29% said that their partner objecting to work was a barrier to employment, and of this group 78% indicated this prevented their working and 21% said it adversely affected their work.²⁵
- In a survey of women on welfare in Wisconsin, a majority of the women surveyed (63%) reported that they had been fired or had to quit a job because their partner threatened them. Half of those surveyed reported at least one instance where they had been beaten so

badly they were unable to work. Other kinds of abusive behavior women had experienced included: abuser had disturbed their sleep (63%), abuser had called them at work (53%), and abuser showed up at work (53%). Half of those surveyed reported at least one instance of the abuser promising child care and then refusing. Similarly 33% said their abuser had promised a ride to work and then refused. Most of the women surveyed were employed due to Wisconsin's strict work requirements, but they faced severe work interference.²⁶

- In another study of current and former welfare recipients who had experienced domestic violence, 30% had lost a job because of the violence and 58.7% were afraid to go to work or school because of threats.²⁷
- Women who sought a protection order because of domestic violence dropped out of an Allegheny County Pennsylvania welfare to work program at six times the rate of women who did not, which is strong evidence that battered women facing a safety crisis in the short term will be unable to comply with welfare reform requirements.²⁸

Abuse at work interferes with employment, destabilizes economic security, and can lead to poverty.

Many abusers disrupt survivors' ability to work by actively interfering with her on the job; by making work-related threats; calling her repeatedly at work; stalking her at work as well as in covert ways by deliberately disabling the family car or destroying bus passes.²⁹

- Studies indicate that between 35 to 56% of employed battered women were harassed at work -- in person -- by their abusive partner. Up to 50% of female employees experiencing domestic violence have lost a job, due at least in part to their domestic violence experience.³⁰
- Ninety-six percent of battered women reported that they had experienced problems at work due to domestic violence, with over 70% having been harassed at work, 50% having lost at least three days of work a month as a result of the abuse, and 25% having lost at least one job due to the domestic violence.³¹
- In January 1997 about 25% of those seeking services in Ohio domestic violence shelters said their current partner had placed harassing calls to the workplace or job training site; 26% reported that their partner had shown up at their workplace; 40% said their partner had discouraged their attendance at work; and 20% reported other behaviors they believed impacted their chance to get and keep a job.³²
- Low income women who experienced domestic violence in their adult relationships were more likely to have experienced unemployment and to have had more job turnover than those who had not been subjected to such violence.³³

- A longitudinal study in Worcester Massachusetts found women who experienced physical abuse during the first 12-months of the study were only one-third as likely to work 30 hours per week for six months or more during the following year as compared to women who had not experienced such aggression.³⁴

Survivors Want to Work, But Need Services and Support To Do So Safely

Most battered women work or want to work if they can do so safely and many women use welfare and work as a way to escape an abusive relationship. Although data demonstrates that abusers attempt to interfere with work, domestic violence does not prevent employment for all women who experience it. Indeed service providers noted that many battered women managed to work, and are struggling to overcome work obstacles created by their abusers.

- A study in Washington found that women who had experienced both sexual and physical abuses had held a greater number of jobs than other women, but were employed for *fewer total months*, suggesting they continued to try to work but had trouble keeping jobs.³⁵
- Other studies conclude that some battered women try to use work as a way to escape domestic violence.³⁶

Many survivors would like to be able to pursue child child support, but find it is unsafe to do so.

Federal welfare law requires women to establish paternity and cooperate with child support collection. A distressing invasion of women’s privacy, this requirement is particularly threatening to survivors and their children. States are required to have procedures for exempting women with “good cause” such as fear of domestic violence from these requirements, and the Family Violence Option can also be used to waive child support requirements. However, child support enforcement frequently poses increased danger to domestic violence survivors.³⁷ Court proceedings increase batterers' access to the mother and child and can be used by the abuser as a vehicle for continued harassment.³⁸ Moreover, child support enforcement opens up the issue of visitation and custody, threatening the safety and security of the child. While some survivors may need waivers from the entire process, others may need the state to institute policies and procedures (such as excusing her from court visits, protecting contact information, and ensuring that abusers are not granted unsafe visitation or custody) so that survivors can safely take advantage of pending child support reforms which will aid welfare recipients in achieving economic security.

Most battered women—over 95% in some studies—indicate that they would want to pursue child support *if they can do so safely*³⁹

An Office of Child Support Enforcement study in three states (Colorado, Massachusetts and Minnesota) suggests that abused women want to collect child support, when it is safe for them to do so.

- In Colorado, 40% of the sample disclosed domestic violence and 3% expressed interest in applying for a good cause waiver for child support enforcement.
- In Massachusetts, 36% of the sample disclosed domestic violence and 8% wanted a waiver.
- In Minnesota 52% disclosed domestic violence and 2% were interested in a good cause waiver.⁴⁰

TANF Should Provide Appropriate Assistance for Survivors of Domestic and Sexual Violence

All evidence clearly points to the need for welfare policies that recognize the special problems and challenges faced by survivors of domestic and sexual violence. Welfare requirements can create dangers for battered women; in particular requirements such as immediate participation in work activities, lifetime assistance limits of five years, and paternity establishment and child support cooperation requirements can present significant roadblocks to accessing benefits and achieving safety.⁴¹ Limitations on access to benefits for immigrant women creates a serious problem for immigrant survivors.⁴²

Moreover, due to the violence in their lives, survivors often face multiple barriers to employment, including lingering physical health problems and post-traumatic stress, or substance abuse problems.⁴³ It has been estimated that between 60 - 95% of female addicts in treatment have been raped or otherwise sexually or physically abused.⁴⁴

These multiple barriers interact in complex ways, requiring comprehensive holistic services to address all barriers to employment and sufficient time to participate in those services. Programs that are sensitive to the needs of survivors can make a difference.

- *Illinois:* In Chicago, a demonstration project called Options which provided counseling, support groups, legal services and emergency shelter as well as pre-employment training, integrating work and training with traditional domestic violence services, dramatically increased survivors' ability to enter work activities.⁴⁵
- *Minnesota:* Employment increased 64% among welfare recipients after treatment for substance abuse.⁴⁶

TANF Reauthorization Should Expand and Enhance the Family Violence Option. TANF currently contains a provision designed to help domestic violence survivors. The Family Violence Option (FVO), permits states to temporarily waive TANF program requirements for survivors of domestic violence when those requirements “would make it more difficult for individuals receiving assistance...to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of future domestic violence.”⁴⁷ The FVO was designed to provide states with the ability to craft more flexible responses to meet the individualized needs of battered women on welfare.

Since 1996, a majority of states (38) plus the District of Columbia have adopted the FVO as part of their welfare law.⁴⁸ Seven other states have equivalent policies that enable survivors of domestic and sexual violence to obtain waivers from some or all TANF program requirements.⁴⁹ Five states to date have not implemented equivalent policies.⁵⁰

The FVO has helped but it needs to be strengthened and improved in the following ways:

1. **Universal Assessment & Services.** Under current law, addressing this issue is optional for states. Given the significant role domestic and sexual violence plays in creating and sustaining women's poverty, all states must be required to certify that they will address domestic and sexual violence in their TANF program. Further, each State plan should describe how trained caseworkers will screen individuals and refer victims to services, waiver program requirements as necessary, and consult with domestic and sexual violence experts to develop and implement policies and programs.
2. **Improved Notice.** Studies show that even local welfare offices of states that have domestic or sexual violence provisions may not fully inform individuals who disclose domestic violence of the protections and services available, or of their rights under TANF. Strengthening notice requirements to applicants and recipients is a crucial enhancement of the current law.
 - *New York:* A study of the New York City welfare agency found it referred less than half of individuals who identified themselves as survivors of violence to special domestic violence case workers, as required by state law. Only about one-third of those who were referred to the caseworkers were granted family violence option waivers from any welfare requirement.⁵¹
 - *Wisconsin:* Approximately 75% of welfare recipients who identified themselves as survivors of violence were not informed about available services, including counseling, housing, or the possibility of using work time to seek help. In addition, while 26.8% reported they were afraid their former partner would harass them if the state attempted to collect child support, only 4.9% were told about the good cause exception to the child support cooperation requirement.⁵²
 - *California:* Only one in four immigrant women surveyed who identified themselves as survivors of violence had received *any* information from the welfare office about domestic violence waivers for which they were eligible.⁵³
3. **Caseworker Training & Coordination with Domestic and Sexual Violence Experts.** Overall, few TANF recipients are disclosing domestic violence to welfare caseworkers. Most states do not track the number of disclosures, but where data exists, the rates are between 5 and 10% of the caseload. This is consistent with research indicating that domestic violence advocates obtain four and five times more disclosures than welfare caseworkers⁵⁴

Issues of trust, expertise and confidentiality work against disclosure to welfare caseworkers.⁵⁵ These issues may be mitigated by the use of trained domestic violence advocates, by improved training of caseworkers and by enhanced procedures within welfare offices.⁵⁶

State Office of Child Support Enforcement staff must also be made aware of domestic and sexual violence issues and procedures for FVO waivers should be coordinated with child support exemption procedures. The same concerns about notice and training that have become evident in implementation of the FVO are equally important with respect to child support enforcement.⁵⁷ Moreover, paternity establishment and child support enforcement should be made voluntary for all participants, to ensure that no woman is made unsafe by blanket requirements.

All states should be encouraged to build upon and implement the best practices developed in the last five years to address domestic and sexual violence in the TANF program, including enhanced coordination and contracting with experts in the field of domestic and sexual violence.

5. Pre-Sanction Review: The foregoing data details the many ways in which domestic violence can interfere with a recipients' compliance with welfare work and program requirements. It is therefore essential that states take steps to avoid unfairly punishing survivors when violence is a contributing factor to the noncompliance. As such, states should put a "pre-sanction review" in place to keep survivors from being sanctioned off welfare, further trapping them in the abuse.

TANF Reauthorization Should Not Include Marriage Promotion Programs. Currently both the House and Senate Finance TANF bills contain marriage promotion programs. In addition to being an invasion of all recipients private decisions regarding marriage and childbearing, this policy could have a deadly impact for survivors of abuse. As detailed above, for battered women and their children, marriage is not the solution to economic insecurity. For them marriage could mean death; it will almost undoubtedly mean economic dependence on the abuser. Surveys of low-income women in several cities indicate that one of the four main reasons given for choosing not to marry is a concern about domestic violence.⁵⁸

Marriage promotion policies or programs may coerce battered women to stay in abusive situations. First, participation in marriage promotion activities will be perceived as linked to the receipt of benefits, which are necessary for battered women to escape abuse. Second, programs that provide financial incentives to get or stay married will financially coerce women to stay in unsafe relationships. Third, government promotion of marriage initiatives will likely have the consequence of stigmatizing single parents, single headed families, and divorce, which de facto will make it more emotionally difficult for some women to choose to leave the unhealthy relationship.

Marriage promotion programs, no matter how "sensitive" to domestic violence on paper, are perilous in light of the fact that domestic violence is a factor in the majority of welfare recipient's lives. Protections like full notice of voluntary participation and safeguards for

domestic and sexual violence may diminish the risk of danger in this program, but it cannot not reduce it to an acceptable level.

The Secure and Healthy Families Act

The “Secure and Healthy Families Act.” (S. 2876), introduced by Senators Patty Murray and Paul Wellstone, is the senate legislation most directly responsive to the needs of survivors of domestic and sexual violence on welfare.

S.2876 extends the FVO to all 50 states, requires case worker training, and strengthens protections like notice, confidentiality, and pre-sanction review. S. 2876 also authorizes funding for caseworker training and the development and dissemination of best practices for addressing this roadblock to economic security.

While the Senate Finance Mark attempts to strengthen families by investing \$ 1 Billion in perilous marriage promotion experiments, S. 2876 focuses on strengthening families primarily through programs designed to enhance income and economic security and escape poverty. Such programs have been tested and proven to enhance family stability and child well-being. This alternative to the Finance Mark will not endanger families. It includes stringent safeguards for domestic and sexual violence, informed participation, and assures non-discrimination based on marital status. The program will be rigorously, independently evaluated to measure effects on family well-being.

Conclusion

With such an overwhelming correlation between violence and poverty, Congress’ failure to require states to address domestic and sexual violence in TANF is, to say the least, puzzling. Moreover, given the foregoing statistics, it is incredible that Congress would even consider mandating marriage promotion or providing significant financial incentives (including modification to the MOE) for marriage promotion.

Given that so few survivors feel safe addressing the issue with caseworkers, welfare policies that are designed with a blind eye to the realities of domestic violence save the occasional exception for survivors who self-identify, are simply unworkable. Such policies undermine survivors abilities to escape poverty and abuse. Rather, policies designed for the entire caseload should be created with survivors (the majority) in mind.

At a bare minimum in this years TANF reauthorization, Congress should require all states to train caseworkers, screen for domestic and sexual violence, refer individuals to services and modify requirements as appropriate. Congress should invest TANF dollars in case worker training, study of best practices with respect to addressing domestic violence in TANF, and dissemination of those best practices to all states to help them address this very real barrier to economic security.

Precious federal dollars should not go to programs that may contribute to violence against women. Safeguards assuring that programs funded to promote marriage consult with domestic and sexual violence experts on policies, procedures, and training will provide prevent some disasters, but they will not make marriage promotion within TANF safe.

This report was compiled by Susanne Beechey and Jacqueline Payne of NOW Legal Defense and Education Fund. It is on file with NOW Legal Defense, and can be obtained by contacting (202) 326-0040.

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