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U.S. Department of Health and Human Services

Administration for Children &amp; Families

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## Temporary Assistance for Needy Families Program Instruction

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

No. TANF-ACF-PI-2009-08

Date: October 14, 2009

**TO:** State agencies and Tribes administering the Temporary Assistance for Needy Families (TANF) program under title IV-A of the Social Security Act, and other interested parties.

**SUBJECT:** Use of Federal TANF funds and State Maintenance-of-Effort (MOE) funds to assist victims of domestic violence.

**PURPOSE:** To remind States of ways that Federal TANF funds (including TANF Emergency Fund awards issued as a result of the American Recovery and Reinvestment Act of 2009) and State MOE funds can be used to assist victims of domestic violence.

**REFERENCES:** Section 404 of the Social Security Act and 45 CFR § 260.31(b)(1).

**BACKGROUND:**

We know that many victims of domestic violence turn to TANF as a temporary economic bridge when escaping abusive relationships. Victims who improve their economic conditions increase their likelihood of living separately from their abusers. Recent studies have also concluded that effective interventions for victims must help them identify and secure tangible services, such as financial assistance, child care, transportation, housing, and educational assistance.

In this period of severe economic stress and hardship, such assistance is ever more difficult to find but in greater demand. In the past year, calls to the National Domestic Violence Hotline and requests for emergency domestic violence shelter have rapidly increased, with “financial issues” frequently reported as a cause for escalated domestic violence in the home. Domestic violence shelters have been forced to turn away many victims, particularly because families are staying longer in shelters while they search for economic assistance and safe housing. Some shelters have also been forced to cut services or close due to State and private funding cuts.

**GUIDANCE:**

To help communities address this crisis, we would like to remind States and Tribes that they have the discretion to use Federal TANF funds—including TANF Emergency Fund awards issued under the American Recovery and Reinvestment Act of 2009—and State MOE funds to assist victims of domestic violence consistent with other TANF rules on providing benefits and services to individual members of needy or eligible families.

A TANF program can support an array of benefits and services to help victims of domestic violence and their children. For example, a jurisdiction can use Federal TANF or State MOE dollars to help families relocate, either within the State or outside it, where the family can find safe housing or employment. In addition, TANF jurisdictions can partner with domestic violence service providers to support case management and other activities such as client screenings. Services to victims of domestic

violence could be considered non-recurrent short-term benefits, provided that they meet the criteria in 45 CFR 260.31(b)(1). To be a non-recurrent short-term benefit, the benefit must: be designed to deal with a specific crisis situation or episode of need; not be intended to meet recurrent or ongoing needs; and not extend beyond four months. Such benefits may be provided to needy or eligible families, meaning that these services and supports are limited to families with children or to pregnant women. Moreover, non-recurrent short-term benefits can be paid for in part with funds from a TANF Emergency Fund award if the State is otherwise eligible to draw down these funds in this category.

States can also provide benefits that constitute assistance. For example, this can be in the form of cash aid or transitional housing that lasts for more than four months. These benefits could be covered by a TANF Emergency Fund award as long as the State is otherwise eligible in that category. Some victims may already be receiving cash assistance, in which instance, the added benefit of longer-term transitional housing will not make them newly subject to the rules governing the receipt of assistance.

There are also special provisions in the TANF program that apply to victims of domestic violence. Under section 402(a)(7) of the Social Security Act, States may elect to implement a special program to serve victims of domestic violence and to waive program requirements for such individuals. The basic provisions of the family violence option (FVO) require that States certify that they have established and are enforcing standards and procedures to: (1) screen and identify individuals receiving TANF and MOE assistance with a history of domestic violence, while maintaining the confidentiality of such individuals; (2) refer such individuals to counseling and supportive services; and (3) provide waivers via a determination of good cause, of normal program requirements to such individuals for so long as necessary in cases where compliance would make it more difficult for such individuals to escape domestic violence or unfairly penalize those who are or have been victimized by such violence or who are at risk of further domestic violence.

#### **TECHNICAL ASSISTANCE RESOURCES:**

TANF jurisdictions also have more resources available to them. The Office of Family Assistance has technical assistance available on its PeerTA website at <http://peerta.acf.hhs.gov/>. Another component within the Administration for Children and Families, the Family Violence Prevention and Services Program (FVPSP) also provides technical assistance. Its website is <http://www.acf.hhs.gov/programs/fysb/content/programs/fv.htm>. In addition, technical assistance can be obtained by calling the National Resource Center on Domestic Violence, a FVPSP-funded project; the telephone number is 800-537-2238 ext. 5.

**INQUIRIES:** Please direct inquiries to the TANF Program Manager in your Region.

/s/

Ann Barbagallo,  
Acting Director  
Office of Family Assistance



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