Missing the Mark: Welfare Reform and Rural Poverty

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ABSTRACT:

This article, written for a symposium assessing the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) a decade after its passage, considers welfare reform’s impact in rural America. Professor Pruitt asserts that federal welfare reform legislation reflects an urban political agenda that failed to consider rural realities. Based on her analysis of two particular populations—those living in persistent poverty and those in female-headed households—she concludes that PRWORA has exacerbated rural poverty.

While PRWORA’s focus was on work and time limits on assistance, it gave individual states latitude to design and implement programs tailored to their economic and demographic circumstances. Pruitt illustrates how some states with significant rural populations used this latitude to institute programs that respond to the structural barriers endemic to rural locales: greater transportation challenges in light of spatial isolation from jobs, services, and training opportunities; limited child care choices; and deficits in human capital. But she also points out how states’ responses to these challenges have been piecemeal, and their ameliorative impact limited, in the absence of rural economic development. Pruitt analyzes the contradiction between the decline in the number of rural families receiving welfare (a rate commensurate with that of urban families in the PRWORA era), and the rise in rural poverty since 2002.

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# Table of Contents

**INTRODUCTION** ........................................................................................................ 440

**I. THE ECONOMIC LAY OF THE LAND IN RURAL AMERICA** ............ 444
   A. PERSISTENTLY POOR AREAS ......................................................... 446
   B. FEMALE-HEADED FAMILIES ...................................................... 448
   C. CONCLUSION ................................................................................. 450

**II. STRUCTURAL CHALLENGES TO ECONOMIC SURVIVAL** ............ 451
   A. HOUSING ...................................................................................... 451
   B. TRANSPORTATION ...................................................................... 453
   C. CHILD CARE ................................................................................ 460
   D. EMPLOYMENT OPPORTUNITIES ................................................. 462
   E. EDUCATIONAL OPPORTUNITIES ................................................. 465
   F. CONCLUSION ................................................................................. 467

**III. RURAL MYTHS AND WELFARE REFORM** .................................... 468
   A. FAMILIARITY AND COMMUNITY ............................................... 470
   B. THE INFORMAL ECONOMY ......................................................... 473

**IV. CONCLUSION** .............................................................................................. 476
INTRODUCTION

Building on evidence that PRWORA has aggravated the hardships of the rural poor, the article closes by theorizing our national failure to address rural poverty. Pruitt asserts that the failure is due in part to rural myths and stereotypes, including the significance of the informal economy as a safety net for the rural poor. She also discusses the difficulty in seeing the problem of rural poverty because of a tendency for urban residents to romanticize even hardship in the context of the rural idyll they imagine. Pruitt argues that rural myths must be revealed as such, and the limitations and downsides of rural interpersonal familiarity and community must be fully understood, before law and policy makers will address rural poverty in a meaningful way.

With its emphasis on work, time limits on assistance, and state autonomy, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) transformed the U.S. welfare system. PRWORA replaced the previous entitlement program with Temporary Assistance to Needy Families (TANF); imposed a lifetime, sixty-month limit on receipt of federal benefits; and required recipients to work. Under PRWORA, the federal government grants each state a fixed amount annually, based upon the number of welfare recipients. The federal government also reduces future annual contributions to these state-administered programs based on the number of welfare recipients not engaged in work activities or who are otherwise in violation of rules that aim to reduce welfare dependency. While focusing on outcomes—most importantly reduction of welfare rolls—PRWORA devolved to the states the authority to manage many aspects of their welfare programs. These include...


3. Whitener, supra note 2, at 2.


5. NANCY M. PINDUS, THE URBAN INSTITUTE, IMPLEMENTING WELFARE REFORM IN RURAL COMMUNITIES 12 (2001), available at http://www.urban.org/pdfs/rural-welfareriform.pdf (noting that some states administer TANF at the state level, while others “have devolved . . . great . . . responsibility for design and administration of . . . program[s]” to their counties). Alabama, Arkansas, and Maine are among states that administer at the state level; California, for example,
sanctions for non-compliance, assets used to determine eligibility, and assistance programs related to training, job placement, child care, and transportation.6

This Article considers PRWORA’s impact on rural families and discusses legislative and policy-maker failures to consider the distinct obstacles rural families face.7 While this Article considers rural families in general, it particularly examines the circumstances facing female-headed

gives counties more autonomy. Id. The programs in New York and Wisconsin are administered at the county level. Whitener, supra note 2, at 19. Even in state-administered programs, individual counties have discretion regarding exemptions from work requirements. Id. at 13.


7. I use the term “rural” to refer to areas with relatively low population density. Some laws define the word “rural” in precise, technical, and limiting ways. See Lisa R. Pruitt, Rural Rhetoric, 39 CONN. L. REV. 159 (2006). While I do not use the term in a way that is synonymous with any of these legal definitions, some studies I cite do so. Specifically, I use the word “non-metro” in this article to be synonymous with “rural” when the study cited uses the Office of Management and Budget’s (OMB) designations. See, e.g., HOUSING ASSISTANCE COUNCIL, TAKING STOCK: RURAL PEOPLE, POVERTY, AND HOUSING AT THE TURN OF THE 21ST CENTURY 11 (2002), available at http://ruralhome.org/ pubs/hsganalysis/ts2000/index.htm [hereinafter TAKING STOCK] (using OMB definitions of metro and non-metro). OMB uses the terms “metropolitan” and “non-metropolitan” to refer to the rural-urban dichotomy. “Non-metro” areas are outside metropolitan areas and have no cities with populations of 50,000 or more. “Metro” areas, on the other hand, are those with at least 50,000 residents or with an urbanized area of 50,000 or more and total area population of at least 100,000. Metro areas thus include suburbs and other nearby areas that are socially and economically integrated. Standards for Defining Metropolitan and Micropolitan Statistical Areas, 65 Fed. Reg. 82, 228–381 (Dec. 20, 2000). Some scholars have pointed out that the definition of non-metro areas is narrow and excludes twenty-nine million people who live in small towns with fewer than 2500 residents or in open territory, but who are classified as metro because they are within a metro county. Whitener, supra note 2, at 19 n.4.

Some studies I cite use “rural” in a way that reflects the precise definition of the U.S. Census Bureau, which uses the term to mean “all territory, population, and housing units located outside of urbanized areas and urban clusters with a population of 2500 or less.” U.S. CENSUS BUREAU, CENSUS 2000 URBAN AND RURAL CLASSIFICATION, available at http://www.census.gov/geo/www/ua/ua_2k.html. That agency defines “urban” as including all territory, population, and housing units located within an “urbanized area” or “cluster.” Id. This definition delineated the boundaries of “urbanized areas” and “urban clusters” to encompass densely settled territory, which consists of: (1) “core census block groups or blocks that have a population density of at least 1,000 people per square mile and [2] surrounding census blocks that have an overall density of at least 500 people per square mile.” Id. There are 3141 counties in the United States, and 2052, approximately two-thirds, are rural. GOV’T ACCOUNTABILITY OFF., supra note 2, at 6. Moreover, 17% of the nation’s population, or 49 million people, live in these rural counties. Id. at 1.
families and those living in areas of persistent poverty\(^8\) to illustrate its arguments. Studies of rural areas reveal that inadequate and substandard housing, difficulty with transportation, lack of child care, job shortages, and low wages have been the greatest challenges to the economic self-sufficiency that welfare reform aimed to achieve.\(^9\) This Article focuses on these issues, along with deficits in educational opportunities,\(^10\) to argue that welfare reform has missed the mark with regard to many poor, rural families. While the number of rural welfare recipients has fallen at a rate similar to that seen in urban areas in the post-PRWORA era,\(^11\) these rural residents have not necessarily found jobs or been lifted out of poverty.

Part I describes the general economic milieu of rural America, including historical rates of welfare reliance. It discusses the problem of persistent poverty in rural America and the economic plight of female-headed households. At least one study indicates that welfare reform’s short-term impact on persistently poor areas has been to create “more hardship for people with nothing.”\(^12\) This Article draws on available data to

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8. “Persistent poverty” is used to refer to counties where the poverty rate has been 20% or higher in each of the last five decennial censuses. See Mark Harvey et al., *The Short-term Impact of Welfare Reform in Persistently Poor Areas, in Rural Dimensions of Welfare Reform*, supra note 2, at 375, 404.


Recent research indicates that more rural households are also experiencing housing difficulties in the era of welfare reform. Rural welfare recipients have greater difficulty paying rent and are more often evicted than urban welfare recipients. TAKING STOCK, supra note 7, at 20.


11. GOV’T ACCOUNTABILITY OFF., supra note 2, at 2, 6. Between 1997 and 2003, this drop was about 44%. Id. at 2. In some states, the differences between rural and urban caseload changes were substantial. Id. at 6.

12. Harvey et al., supra note 8, at 402.
Missing the Mark

substantiate this position and argue that state implementation of PRWORA has neither responded to the root causes of rural poverty nor helped alleviate it.

Part II addresses several structural obstacles facing the rural poor, including housing, transportation, child care, employment opportunities, and education opportunities. This part highlights distinctions between rural and urban lifestyles to the extent that data differentiates between the two. It also surveys state programs that have proved responsive to the distinct needs of rural residents. Information on states’ failures to respond to rural structural disadvantage is much harder to find, however, because research in the PRWORA era has largely sought to identify innovative programs, not mediocre or counterproductive ones.13

Part III considers some common myths that may lead to society’s collective denial about the deprivation and hardships caused by rural poverty. In particular, this part discusses the notion that the informal economy serves as a reliable safety net for the rural poor.14 It also addresses the broader myth of the rural idyll, which leads to a widespread belief that the hardships of rural living are relatively minor and offset by its many pleasures.15 Finally, this part refutes the notion that rural welfare systems

13. Various studies identify “best practices” in TANF implementation by rural states in the wake of PRWORA’s passage. These include the Gov’t Accountability Off., supra note 2; Pindus, supra note 5, and the management consultants’ reports cited infra in notes 114, 192. Reports seeking to identify failures to respond to rural welfare recipients’ needs were not found, although the management consultant reports cited did identify shortcomings in the programs analyzed.

As for the lack of state responsiveness to the needs of rural welfare recipients, the States’ Annual Reports to the U.S. Department of Health and Human Services typically fail to reference the rural character of the state or indicate any strategies aimed at challenges associated with rural areas. These reports describe the individual states’ TANF implementation, but they do not evaluate the effectiveness of particular aspects of the programs. See, e.g., State TANF and MOE Annual Reports 2005 for Tennessee, Texas, and Iowa, available at http://www.acf.hhs.gov/programs/ofa/MOE-05/index.htm [hereinafter State TANF Reports]. Nevertheless, critiques of the aggregate consequences of welfare reform implementation in rural areas are plentiful. See, e.g., Rural Dimensions of Welfare Reform, supra note 2; Kathleen Pickering et al., Welfare Reform in Persistent Rural Poverty: Dreams, Disenchantments, and Diversity (2006).

14. See Jean Richardson, Partnerships in Communities: Reweaving the Fabric of Rural America 92–93 (2000) (acknowledging the stereotypical image of rural America as having community support systems).

15. See W.K. Kellogg Found., Perceptions of Rural America 6–8 (2004), available at http://www.wkkf.org/pubs/FoodRur/Pub2973.pdf (discussing the “overwhelmingly positive view of the people, the values, and the culture of rural America”) [hereinafter Perceptions of Rural America]. In their book about rural “otherness” Cloke and Little reveal the proverbial “warm, tight-knit and accepting community” to be a myth, arguing that many such communities “deny difference and reject challenge[s] to established norms of behavior and belief.” Paul Cloke and Jo Little, Conclusion: Marginality and Rural Others, in Contested Countryside Cultures: Otherness, Marginalisation and Rurality 264 (Paul Cloke & Jo Little eds., 1997) [hereinafter Contested
and case workers are able to provide adequate—or even better—services simply because they are more familiar with individual clients and may be better placed to form collaborative relationships with other agencies. This Article argues that even if rural communities are more supportive, such support is no substitute for addressing the causes of rural economic disadvantages. It also notes several downsides to this interpersonal familiarity that are particularly relevant to welfare reform’s efforts to move poor rural residents into the workforce.

I. THE ECONOMIC LAY OF THE LAND IN RURAL AMERICA

Poor rural residents have not fared as well as their urban counterparts under PRWORA, despite statistics showing that welfare rolls have declined at similar rates for both rural and urban families (43.9% and 44.1% respectively between 1997 and 2003). Given the rural-urban income gap (greater than 25% in twenty-two states in 2000), it is perhaps not surprising that 459 of the 500 poorest U.S. counties were rural. Indeed, some 7.3 million rural Americans were living in poverty in 2005, representing 15.1% of the rural population (compared to only 12.5% in...
urban areas). This percentage has been rising since 2001. Further, 363 non-metro counties have even higher poverty rates, at 20% or more. The poverty rate for rural female-headed households is higher still at 22%. These statistics clearly indicate that persistent poverty and poverty among female-headed households remains problematic in rural America.

Welfare reform may be responsible for aggravating these problems. In theory, the discretion PRWORA confers to states in order to tailor programs to their specific needs gives states leeway to create effective programs. In practice, even states with significant rural populations do not always use this discretion to assist rural residents. Indeed, many ignore rural poverty and its causes, despite the great need for public assistance among many rural Americans.

While enormous diversity exists among rural areas, most rural residents share certain structural challenges to financial survival. Because of limited economic diversity, substandard infrastructure, human capital deficits, and sparse populations that undermine economies of scale, poverty rates have long been higher—and more enduring—in rural areas. Two
groups in particular seem to struggle as a result of the structural challenges inherent to rural life: residents of persistently poor counties and those living in female-headed households.

A. Persistently Poor Areas

All of our nation’s “persistently poor” counties—those with poverty rates of 20% or higher for the last forty years—are rural. Characteristics of these areas are “substandard social service systems and ineffective political leadership,” along with “extreme income inequality grounded in class difference.” As a consequence of the persistent poverty phenomenon, the challenges to achieving greater economic self-sufficiency are more acute in these rural areas. Additionally, because persistently poor counties tend to have the lowest population density, their residents are often located far from scattered jobs and services, thus aggravating the hardship and disadvantage for these residents.

Seeking to determine why welfare caseloads had declined since PRWORA was enacted, even as poverty and unemployment levels remained in rural areas, the cost of other necessities tend to be higher). But see DEAN JOLLIFFE, THE COST OF LIVING AND THE GEOGRAPHIC DISTRIBUTION OF POVERTY, USDA ECONOMIC RESEARCH REPORT NUMBER 26 15 (2006), available at http://www.ers.usda.gov/publications/err26/err26.pdf (suggesting that poverty measures be adjusted to account for cost-of-living differences between metro and non-metro areas, which would cause metro poverty levels to be greater than non-metro levels between 1991 and 2002).

30. Jensen, supra note 18, at 1, 2, Map 1. Counties with a high proportion of families receiving TANF tend to have “significantly higher unemployment, lower median incomes, and proportionately more people without high school diplomas.” GOV’T ACCOUNTABILITY OFF., supra note 2, at 8, 42, Appendix II. See also PICKERING ET AL., supra note 13, at 63–64 (2006) (observing that low levels of education coupled with welfare policies that disallow further education leave persistently poor rural counties with uneducated and unskilled employees, leaving the counties at a disadvantage in attempts to lure employers and industry). Ironically, some participants in the Pickering study thought it easier to find work under AFDC than under TANF, because the earlier program permitted pursuit of all levels of education, which participants felt increased the likelihood of finding jobs. Id. at 213.


32. DEAN JOLLIFFE, RURAL POVERTY AT A GLANCE, USDA RURAL DEVELOPMENT RESEARCH REPORT NUMBER 100, available at http://www.ers.usda.gov/publications/rdrr100/rdrr100_lowres.pdf (July 2004) (noting that persistent poverty is linked to degree of rurality, as almost 28% of people living in “completely rural” counties, i.e., those not adjacent to a metro county, live in persistent poverty counties, and the poverty rate is highest (16.8%) in these completely rural counties).

33. PARTRIDGE & RICKMAN, supra note 25, at 238, 254 (finding that poverty rates of rural counties that are adjacent to metropolitan counties tend to have lower poverty rates than their nonadjacent counterparts and noting that being near a metropolitan county enhances delivery of government services and that the larger labor market and additional amenities help attract a professional workforce).
high, a 2006 book written by several rural economists, including Kathleen Pickering (the “Pickering study”), examined welfare reform in eight rural and persistently poor counties. The authors used qualitative and quantitative methodology to explore how economic, social, and political conditions influenced the implementation of PRWORA and the outcomes it wrought between 1999 and 2003.

The Pickering study concluded that “dramatic declines in welfare participation” were not a consequence of “significantly improved economic conditions.” The researchers found that challenges associated with rural labor markets intensify in persistently poor areas, where weak labor markets make it particularly challenging for TANF participants to find work adequate to support self-sufficiency. According to the Pickering study, most who left the welfare rolls took temporary, low-paying jobs. Of former welfare recipients who had jobs in 2000, only 75–85% had full-time employment, and only 25–50% were employed full-time, year-round. Indeed, leaders of the counties that Pickering studied consistently identified the need for local and regional economic development before welfare reform’s goals can be met.

The depressed and limited labor markets characteristic of persistently poor counties tend to entrench working poverty. The rural poor tend to be working poor, with the wages of household members comprising the largest share of their income. A 1992 study found that almost 20% of poor rural households had members employed full-time, year round, while a 2003 study found that 6% of rural workers held more than one job. The rural

34. PICKERING ET AL., supra note 13, at 1.
35. Id. at 2 (considering statistical data regarding poverty and welfare reform while also conducting extensive interviews with welfare participants and welfare officials).
36. Id.
37. Id. at 209.
38. Id. at 67.
39. Id. at 210 (noting that formal employment is typically for low pay with no benefits and is of limited duration; most jobs were minimum wage in the service sector).
40. PICKERING ET AL., supra note 13, at 210.
41. Harvey et al., supra note 8, at 380.
42. Id.
43. Mark Mather & Melissa Scopilliti, Multiple Jobholder Rates Higher in Rural America, POPULATION REFERENCE BUREAU (Sept. 2004), available at http://www.prb.org/rdcenter/MultipleJobholdingRates.htm. Persistently poor rural areas are also “home to many ‘discouraged workers,’ those able-bodied persons who are not counted among the unemployed because they have given up trying to find an official job.” Harvey et al., supra note 8, at 380.
poor tend to need on-and-off cash assistance as a last resort, for example, “during unemployment or absence of a male earner.” Accordingly, rural residents have typically depended on welfare less than their urban counterparts and they have historically used welfare for shorter periods of time. Nevertheless, the vast majority of the long-term, rural poor have relied on some form of public assistance.

Disparities between rural and urban reliance on public assistance are even starker when comparing the percentage of a state’s rural population with the percentage of TANF recipients living in rural areas. During an average month in 2003, 293,000 rural families received cash assistance from state TANF programs. Although these families make up only about 14% of all TANF recipients in the country, a greater percentage of any given state’s TANF families live in rural counties. In fact, the percentage of a given state’s population that is rural is approximately equal to the percentage of its TANF recipients living in rural areas.

B. Female-Headed Families

Despite the popular belief that rural families conform to the traditional family structure, recent studies have found higher levels of divorce, teen
Missing the Mark

pregnancy, and unmarried cohabitation in rural areas.\textsuperscript{51} Indeed, families headed by females are almost proportionately represented in rural areas.\textsuperscript{52} As of 1999, about 42% of rural, female-headed families were living in poverty, and half of those had incomes that were less than half of the poverty threshold.\textsuperscript{53} As of 2003, the percentage of people in rural, female-headed families who were poor had dropped to 36.2%, but this was still more than 7% higher than urban female-headed families, at 28.9%.\textsuperscript{54} A study of the risks of poverty for female-headed families shows the risks are significantly higher for those living in non-metro areas than for others.\textsuperscript{55} Female-headed families with children are the most likely to be poor, and they are twice as likely to be living in poverty as their suburban counterparts.\textsuperscript{56}

Despite declining caseloads and rising employment rates, more than one-third of working rural female-headed families live in poverty—about


\textsuperscript{52} Lichter & Jensen, supra note 51, at 83 (also providing breakdowns according to race). \textit{TAKING STOCK}, supra note 7, at 16. Fewer than 1% (87,000 people) are in same-sex partner households. \textit{Id.} Only 5% of non-metro residents (one million people) report living in households with an unmarried partner. \textit{Id.}

\textsuperscript{53} \textit{Id.} at 103. By comparison, the rate in urban areas was 38% in 1999. \textit{Id.} at 87, 95–96 (Figures 3.1, 3.4 and 3.5); see also Erik Eckholm, \textit{For the Neediest of the Needy, Welfare Reforms Still Fall Short, Study Says}, \textit{N.Y.TIMES}, May 17, 2006 (reporting on a Wisconsin study discussing the obstacles facing those who had not been transitioned into work post-PRWORA).

\textsuperscript{54} \textit{Rural Income}, supra note 18, at 4–5. In 1999, the poverty rate was about 42% for rural female-headed families and about 38% for urban female headed families. Lichter & Jensen, supra note 51, at 87, 95–96 (Figures 3.1, 3.4 & 3.5). Further, rural minorities are far more likely to be poor than their urban counterparts. \textit{TAKING STOCK}, supra note 7, at 2, Figure 5. Most (66.3%) rural poor are white. \textit{Id.} Larger shares of the urban poor are African American (25.2%) and Hispanic (28%). \textit{Id.} The poverty rate among rural African Americans is 22%. \textit{Id.} at 18. For additional information on poverty rates among minority residents in rural areas, see \textit{Rural Income}, supra note 18, at 3.

\textsuperscript{55} Snyder & McLaughlin, supra note 51, at 146. These sociologists also look at the phenomenon of sub-families, those living in their parents’ household. Female sub-family heads are “disproportionately young, never married, less educated, and not working.” \textit{Id.} at 143. They found that if female-headed subfamilies established their own households with their current resources, most would live in poverty. \textit{Id.} at 147.

\textsuperscript{56} \textit{Id.} at 143–45.
34% in 2002. Such a high poverty rate among this population incriminates PRWORA when the percentage of rural, working women living in poverty is commensurate with the rate of poverty among female-headed rural families. Indeed, this statistic indicates that putting rural women to work is not lifting them out of poverty.

Other rural women may no longer receive welfare, but they still live in poverty. These women have not found work. Since PRWORA’s implementation, the rise in the number of rural, single mothers earning an income has not kept pace with the decrease of rural, single mothers receiving welfare.

This high poverty rate among rural working women reflects rural residents’ inability to find good jobs. Rural economists Lichter and Jensen have observed that “[m]ore than most, rural single mothers have played by the new rules seeking to balance welfare receipt with personal responsibility and work.” These economists assert that welfare reform has nevertheless had a diminishing “ameliorative effect on rural poverty,” particularly in comparison to urban women because, while rural women no longer receive welfare, they have not enjoyed a “proportionate increase in employment.” Rural women have not reaped the rewards anticipated by PRWORA and touted by its proponents.

C. Conclusion

The economic outlook for all rural residents is rather dismal when compared with the opportunities available to their urban counterparts. Such grim prospects are further exacerbated for the rural poor by their daily struggles to overcome some common structural challenges, as discussed in Part II. Without accompanying efforts to develop rural areas’ economic

57. Lichter & Jensen, supra note 51, at 77, 103–04. At 34%, this is a higher rate than at any time between 1989 and 1999. Id. These economists point out that state and national statistical averages can mask poverty in scarcely populated areas, because the populations are so low as to have a negligible impact, if any, on the averages. Id. at 79–81.

58. See discussion supra Part I.A.

59. Id.

60. Lichter & Jensen, supra note 51, at 103–04. In urban areas, by contrast, the decrease in welfare receipt among female family heads has been largely offset by increased earnings. Id. at 103.

61. It occurred despite median earnings among rural female heads of $6131, while earnings of urban female heads were only $5862 in 1998. Id. at 103–04. Indeed, this has occurred despite increases in the minimum wage and expansions of the Earned Income Tax Credit. Id.

62. Id.

63. Id.
infrastructure, PRWORA cannot reduce rural poverty. In short, it is missing the mark.

II. STRUCTURAL CHALLENGES TO ECONOMIC SURVIVAL

Rural residents often face particular structural challenges to financial survival. This part discusses the most common day-to-day worries faced by rural residents. These include housing, transportation, and child care. The challenge of meeting these everyday needs leaves little opportunity to attend to longer-term goals such as finding a better job or pursuing further education. State and local TANF offices have developed novel programs to respond to the barriers that rural residents confront when attempting to transition from welfare to work.64

A. Housing

Despite many improvements in rural housing over the past several decades,65 almost 30% of non-metro residents still face housing problems,66 the most common being affordability.67 About 5.5 million rural households pay at least one-third of their monthly income for housing;68 2.4 million of these households devote more than half of their monthly income to housing costs.69 At the federally mandated minimum wage of $5.15 per hour, income for a full-time employee is a little under $900 per month.70 If one-
third of that income went to housing, less than $600 per month would be left
to cover other basic necessities such as food, transportation, child care, and
clothing. It is not surprising, then, that more rural households experience
housing difficulties since the implementation of welfare reform. Rural
welfare recipients have greater difficulty paying rent, and they are evicted
more often than their urban counterparts.  

Housing quality presents another challenge in non-metro areas, where
1.6 million units are moderately or severely substandard. For example,
while rural homes comprise only one-fifth of the nation’s total housing
units, they account for over 30% of houses with inadequate plumbing. Additionally, while non-metro residents tend to have a higher rate of
ownership than urban residents, this is due in part to the greater incidence of
manufactured homes in rural areas. Such homes are less beneficial to
homeowners because, unlike conventional homes, their value depreciates
with time. Furthermore, most are financed with less favorable personal
property loans, which offer higher interest rates and shorter terms. Finally,
while federal assistance has helped approximately 90% of rural borrowers
who use the Rural Housing Service’s low-income mortgage program afford

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71. TAKING STOCK, supra note 7, at 20. A disproportionate number of the most burdened
households have low incomes and are renters. Id. at 28. Cf. Ezra Rosser, Rural Housing and Code
Enforcement: Navigating Between Values and Housing Types, 13 GEO. J. ON POVERTY L. & POL’Y
33, 34 (2006) (asserting that rental markets “play a lesser role in the welfare of the population in
lower-income rural areas than they do in lower income urban areas”).

72. TAKING STOCK, supra note 7, at 30. This represents 6.9% of non-metro units. Additionally, people of color in non-metro areas are almost three times more likely to live in
substandard housing than their white counterparts. Id. See Rosser, supra note 71, at 45–50
describing types of rural housing, including the grossly substandard “primary self-help”); see also
Janet Fitchen, Residential Mobility Among the Rural Poor, 59 RURAL SOC. 416 (1994); Leslie
Whitener, U.S. Dept. of Ag., Housing Poverty in Rural Areas Greater for Racial and Ethnic
Minorities, 15 RURAL AM. 1 (2000) (noting the limited availability of safe, low-income housing in
rural areas).

73. TAKING STOCK, supra note 7, at 30.

74. Id. at 27. While the quality of manufactured homes has risen in recent years, more than a
third of rural mobile home residents live in units that are at least twenty years old and therefore
more susceptible to safety and quality concerns. Id. at 26. Those living in older manufactured homes
are more likely to be elderly and have lower incomes than those living in newer manufactured
homes. Id.

75. Id.

76. Id. at 26. About one-tenth of non-metro owners with a mortgage pay interest at a rate of
10% or higher, nearly double the metro proportion. Id. at 32.
Missing the Mark

their homes, recent cutbacks in this and similar programs have reduced available assistance.

B. Transportation

Rural residents face greater transportation challenges than urban dwellers by virtue of their spatial isolation from work, services, child care, and each other. Problems may be especially acute for rural TANF recipients because they must typically travel greater distances to search for jobs and receive aid. Services are often located in the county seat or in another distant regional center, and higher travel costs lead to lower use of services. Indeed, both employers and administrators are aware that transportation is a significant barrier to rural welfare recipients’ ability to get and keep jobs that would permit self-sufficiency.

The average annual transportation expenditure for a rural household exceeds that of its urban counterpart by almost $1000. Still more than 1.6 million rural households are without cars, a deprivation which coincides

77. Id. at 33.

78. Id. at 34. Emphasis has been shifted to indirect subsidies such as loan guarantees and tax incentives. Id. In one program, the USDA Section 502 Homeownership Loan Program, only 3% of guaranteed loans, as opposed to 44% of the program’s direct loans, served very low-income households in FY 2003. Id.

79. See Whitener, supra note 2, at 7.

80. See Susan Murty, Regionalization and Rural Service Delivery, in The Hidden America: Social Problems in Rural America for the Twenty-First Century 204-05 (Robert M. Moore III, ed., 2001). Service users are often “expected to travel to the central office in the region if they wish to receive services.” Id at 205.

81. Id. at 205 (citing several research projects conducted between 1952 and 1986).

82. Greg J. Duncan et al., Lessons Learned, in Rural Dimensions of Welfare Reform, supra note 2, at 465. See also Signe-Mary McKernan et al., Impact of Welfare Policy on the Employment of Single Mothers Living in Rural and Urban Areas, in Rural Dimensions of Welfare Reform, supra note 2, at 262 (reporting a study of twelve rural areas that showed transportation to be one of the biggest barriers for welfare recipients).

83. Katherine Porter, Going Broke the Hard Way: The Economics of Rural Failure, 2005 Wis. L. Rev. 969, 1008. In 2001, rural households spent 25% of their income on transportation, whereas urban households spent only 19%; the average transportation expenditure for a rural household exceeded that of its urban counterpart by almost $1000. Id. Not surprisingly, rural Americans spend a larger percentage of their incomes on transportation than urban Americans. Id.

84. United States Department of Agriculture, Agriculture Information Bulletin Number 795, Rural Transportation at a Glance, at 3 (January 2005), available at http://www.ers.usda.gov/publications/AIB795/AIB795_lowres.pdf [hereinafter Rural Transportation at a Glance]. Nevertheless, in 2000, 92.7% of rural households had access to a car, compared to 88.9% of urban households. Id.
with persistent poverty. According to an auto affordability index maintained by Comerica Bank, the median price of a new car is equivalent to 23.6 weeks of median family income. A family with one employed adult attempting to live on the federal minimum wage would have only about $4800 to show for those 23.6 weeks, which might buy a 1999 Toyota Corolla or a 2001 Ford Escort. This assumes, however, that a poor family could devote nearly 24 weeks of salary to purchasing a car. Because many families cannot budget for a car after other necessary expenses are paid, it is not surprising that 94% of all public assistance recipients in the United States do not have a car.

Rural residents without cars are highly dependent on public transportation, particularly in high poverty areas, yet they have fewer public transportation options than their urban counterparts. While rural public transportation services increased in the 1990s, less than 10% of federal public transportation funds go to rural areas. Only 60% of rural counties offer public transportation, and 28% offer fewer than twenty-five

85. Id. at 3.
87. See Kelley Blue Book, Used Cars, Private Party Value, available at http://www.kbb.com/kbb/UsedCars/default.aspx (select year, make, model; then follow “private party value” hyperlink; then select features; then select condition) (the author found a 1999 four-door Toyota Corolla sedan in fair condition to be priced at $4400, with prices slightly higher for the same car in good condition).
88. Id. (the author found a 2001 four-door Ford Escort in good condition to be priced at $4400, with prices slightly higher for the same car in good condition).
89. Stommes, supra note 9, at 4. Almost 40% of workers with earned incomes below $10,000 do not use a car for work trips. Id. A larger share of rural counties than urban ones has a high rate of car-lessness, meaning twice the average rate of car-lessness. Rural Transportation at a Glance, supra note 84, at 3.
90. Rural Transportation at a Glance, supra note 84, at 3.
91. Id.; see also Stommes, supra note 9, at 2.
92. See also Porter, supra note 83, at 1026; Murty, supra note 80, at 207. But see Rural Transportation at a Glance, supra note 84, at 1 (stating that recent increases in federal funding and greater state and local control have led to improvements in rural roads and public transportation).
93. “During the 1990s . . . rural public transportation services grew, with non-metro providers offering 62% more passenger trips, 93% more miles traveled, and 60% more vehicles (vans and buses) available.” Rural Transportation at a Glance, supra note 84, at 3.
94. Id. The USDA relies on the OMB definition of “rural” in this report. Id. at 6.
95. Id at 3. Two-thirds of these are single-county or city/county in scope, leaving individuals
Missing the Mark

trips each year per car-less household. Further, the number of rural communities served by intercity buses has also recently declined. These insufficiencies in transportation coupled with the distances that must be traveled can make it difficult, if not impossible, to get to a job on time. This challenge is greater if the job is in the service industry and does not have regular hours.

Despite these transportation obstacles, many states’ TANF programs impose Vehicle Asset Limits that penalize welfare recipients for owning reliable vehicles. A welfare recipient who owns a car worth more than the limit—less than $4100 in some states—risks losing benefits. Such low limits deter some recipients from car ownership, while others choose to forego public assistance in order to keep their cars. Some states with significant rural populations impose no limit, but non-TANF food stamp applicants from all states are subject to the $4650 vehicle asset limit in determining eligibility.

with a limited range of employment destinations. Stommes, supra note 9, at 4.

96. Rural Transportation at a Glance, supra note 84, at 3.

97. Id at 1. “The intercity bus industry currently serves about 4300 locations, down from over 15,000 prior to deregulation, with many of the service discontinuations concentrated in rural communities. Still, 89% of the rural population is served by long-distance bus service, the dominant mode of scheduled intercity passenger transportation for most rural residents.” Id. at 4. See also Eli Sanders, As Greyhound Cuts Back, The Middle of Nowhere Means Going Nowhere, N.Y.TIMES, Sept. 6, 2004, at A10 (discussing cutbacks in Greyhound bus services).

98. See, e.g., Kris Maher, Wal-Mart Seeks New Flexibility in Worker Shifts, WALL ST. J., Jan. 3, 2007, at A1 (describing a computerized employee scheduling system, which means workers are likely to work more irregular shifts as the company attempts to optimize the number of workers needed at any given day and time).

99. McKernan, supra note 82, at 262. Rural counties often identify these asset limits as a problem. PINDUS, supra note 5, at 15 (detailed rates of denial of food stamps in three Arkansas counties because of the value of clients’ cars).

100. PINDUS, supra note 5, at 15. The lowest vehicle asset limit is a fair market value of $1500 in the Virgin Islands. Iowa’s is the lowest in the continental United States at $4042. TANF SIXTH ANNUAL REPORT, supra note 64, at XII-12. Several rural states have much more generous limits. Wyoming’s, for example, is $12,000. Id. at XII-13.

101. McKernan, supra note 82, at 262. Similarly, new bankruptcy laws complicate transportation problems for some rural debtors. They effectively force debtors either to give up their cars or risk harsh additional debts. Porter, supra note 83, at 1025–26.

102. These include Alabama, Alaska, Arizona, Arkansas, Colorado, Kansas, Kentucky, Louisiana, Maine, Nebraska, Nevada, Vermont, and South Dakota. TANF SIXTH ANNUAL REPORT, supra note 64, at XII-12–XII-13.

103. PINDUS, supra note 5, at 15 (citing new Food Stamp Program regulations approved in November 2000).
Some welfare programs in rural areas have employed various methods to mitigate transportation problems, including van pools, expansion of county-operated bus routes, vouchers for use on existing transit services, assistance with driver’s education, and payment of traffic fines for clients. Some programs provide payments to approved vendors for the cost of repairs to clients’ personal autos. A number of local human services agencies give low-income families the opportunity to purchase cars with attractive financing options, many through so-called “Wheels-to-

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104. McKernan, supra note 82, at 262. Tennessee, for example, uses a variety of transportation strategies. “Brokers,” in partnership with the Job Training Partnership Act (JTPA) agencies, assist TANF clients to develop a transportation plan; that plan may include gasoline vouchers for those who own cars so that they do not pay out-of-pocket to attend training classes and job interviews. Meeting the Welfare Reform Challenge, supra note 9, at 32. Brokers also provide ancillary services, such as auto repairs, tags, and drivers’ licenses. Id. See also PINDUS, supra note 5, at 17 (discussing CalWORKS reimbursement of clients for mileage, as well as providing loans for car repairs, licensing/registration, and car purchase). In addition, some Tennessee counties use school buses for transportation, thus making added use of an existing public asset. Id. at 32. See also GOV’T ACCOUNTABILITY OFF., supra note 2, at 28 (noting one West Virginia county’s use of the HeadStart program van to transport clients when HeadStart was not in session). Because public transit tends to be viewed as a “poor person’s mode of transportation” in rural areas, organizations with experience running such programs recommend routing, scheduling, and ticketing/pass schemes that avoid stigmatizing those who receive public assistance. Stommes, supra note 9, at 19.

105. Meeting the Welfare Reform Challenge, supra note 9, at 37. The “Rides” program, serving a five-county area in Southern Illinois, provides general public service to the community college; transports elderly passengers for medical, grocery, and other needs; and takes children to after-school and camp programs. Id. In all of its contracts, by reserving the right to mix clients, “Rides” reduces empty vehicles and maximizes resources. Id. One innovative program in Arkansas involved cooperation by a welfare agency with a local hospital that already had a state grant to transport elderly and low-income clients to medical appointments. PINDUS, supra note 5, at 17. The hospital was in danger of losing its funding because of low utilization so the welfare agency contracted to use the hospital van and driver to transport clients to training, work, and child care. Id. The local welfare agency paid a portion of the salary and benefits for the van driver. Id.

106. GOV’T ACCOUNTABILITY OFF., supra note 2, at 28 (citing Logan County, West Virginia and Coahoma County, Mississippi as examples).

107. Id. at 3.

108. Id. at 28 (detailing programs in West Virginia and Mississippi).

109. Meeting the Welfare Reform Challenge, supra note 9, at 30 (discussing South Carolina’s program). Some counties used so-called supportive services funds for this purpose. PINDUS, supra note 5, at 18. Supportive services are broadly defined as those necessary for clients to work, and they may also include funds for drivers’ license fees, auto insurance, and work clothing. Id.

110. Rural Transportation at a Glance, supra note 84, at 4; see also PINDUS, supra note 5, at 17 (discussing Somerset County, Maine’s collaboration with Goodwill Industries to provide short-term loans for auto purchase or repairs as well as Tehama County, California’s CalWORKS and Community Action Agency automobile loans); GOV’T ACCOUNTABILITY OFF., supra note 2, at 27 (detailing car loan programs in New Hampshire and Minnesota).
Work” programs. To provide services to their clients, case workers may transport clients or travel to their rural homes to meet with them. Some offices have extended their opening hours to accommodate those with long commutes. In Rocky Mount, North Carolina, a call center equips case workers with computer systems to help them serve the needs of remote clients.

Because residents in some rural communities rely on friends, neighbors, or volunteers to provide transportation to service providers, some state welfare agencies reimburse such volunteers for eligible transportation costs. One county in rural Indiana recruited senior citizen volunteers to drive TANF clients to job interviews and work, a strategy that

111. Meeting the Welfare Reform Challenge, supra note 9, at 42–49. One of the oldest, in Forsyth County, North Carolina, has been a model for others. Id. at 43. Local automobile dealerships provide discounted inspection and repair services for donated vehicles. Id. Qualifying TANF clients may purchase the vehicles, making payments over the course of a year, with the total cost being the initial cost of liability insurance, repairs, taxes, license, and title fees. Id. at 43–44. A similar program is the Good News Garage, a nonprofit in Vermont that supplies cars to TANF clients at a nominal fee. Id. Program officials reported that 75% of TANF recipients who owned vehicles subsequently left welfare. Id. A study of the program indicated that the earned income of participating TANF clients rose on average $220 per month after they received a vehicle. G O V’T ACCOUNTABILITY OFF., supra note 2, at 26–27. When one particularly resourceful program coordinator in South Dakota learned that an auto mechanic was to be assigned community service for a minor legal offense, he asked the judge to assign the man to repair cars for their Wheels-to-Work program. Both the judge and mechanic are now strong supporters of the state’s program. Meeting the Welfare Reform Challenge, supra note 9, at 46.

112. Meeting the Welfare Reform Challenge, supra note 9, at 46; PINDUS, supra note 5, at 9. See also In Re Jacob K, 792 N.E.2d 477, 482–83 (2003) (presenting social worker’s testimony about the difficulty rural residents have in accessing services if they lack a car).

113. See ANDREW BURWICK & ALICIA MECKSTROTH, MATHEMATICA POLICY RESEARCH, INC., RURAL WELFARE-TO-WORK STRATEGIES DEMONSTRATION EVALUATION, A SUMMARY OF THE EVALUATION DESIGN AND DEMONSTRATION PROGRAMS, available at http://www.mathematica-mpr.com/pdfs/summaryofeval.pdf (discussing a Nebraska program that includes intensive in-home training in life skills); G O V’T ACCOUNTABILITY OFF., supra note 2, at 21 (New Hampshire, for example, contracts with a non profit to provide in-home counseling for its “hardest-to-serve” clients.); see also Murty, supra note 80, at 205, 207 (noting high cost of transporting staff to rural areas).

114. PINDUS, supra note 5, at 17. Conway County, Arkansas extended its office hours to accommodate clients with long commutes, while Imperial County, California, which can span 150 miles, established “outstations” in the county. Id.

115. G O V’T ACCOUNTABILITY OFF., supra note 2, at 20. This has reportedly reduced the rate of return to TANF assistance to just 8%, compared to 15% for other areas of the state. Id.

116. Murty, supra note 80, at 203–04. The total population of this town and its two adjacent communities was about 3500. Id. at 203. No public transport was available to transport residents to areas with service providers. Id. at 204.

117. Meeting the Welfare Reform Challenge, supra note 9, at 30 (discussing South Carolina’s Family Independence transportation initiative).
also facilitated mentoring relationships. That same county called on the sheriff’s office, community corrections officers, and the volunteer fire department—all agencies with vehicles traveling throughout the county, around the clock—to provide transportation for so-called “hard core” clients who often needed transportation to get to their evening and weekend jobs. At least one agency hired some TANF clients to drive van routes to serve other clients.

Some federal programs for the disadvantaged are contingent on public transportation, leaving rural areas without transit ineligible for those federal funds. To complement PRWORA and ameliorate the transportation problems faced by low-income workers and welfare recipients, Congress established the Job Access and Reverse Commute (JARC) grant program in 1998. It encourages use of new or existing transit systems, rather than the individualized transportation assistance historically provided by human service agencies. JARC has had relatively little impact on rural areas, however. Between 1998 and 2003, just 20% of a total $750 million authorized for JARC transit systems went to rural areas.

Although estimates on the local economic impact of the JARC grants are not available, some agencies that received grants provided information about the number of users. In Illinois in 1999, about 450 clients used the service for transportation to work, child care, job interviews, and training

118. Id. at 35–36. New Mexico also used senior citizens to mentor TANF clients with its Golden Opportunities for Lifelong Development (“GOLD”) Mentoring program. Mentors assist clients with life skills development, may accompany clients to court appearances, and may assist clients in navigating various benefit systems. GOV’T ACCOUNTABILITY OFF., supra note 2, at 24–25. One Arkansas community also instituted a mentoring program, People Realizing Employment Possibilities (“PREP”).

119. Id. at 31 (discussing South Carolina’s Family Independence program).

120. Id. at 3.

121. Rural Transportation at a Glance, supra note 84, at 3.

122. Id. at 4; Stommes, supra note 9, at 3. JARC was part of the Transportation Equity Act for the twenty-first century. Id.

123. Id. at 3.

124. Rural Transportation at a Glance, supra note 84, at 4. The initial recommended maximum grant for a non-urbanized area was $150,000, but legislation allowed for greater flexibility among the funding categories after 1999. Stommes, supra note 9, at 5.

125. In North Dakota, seventy-five workers used the JARC program to commute to new jobs at a telemarketing firm, and twenty others used it to get to work at healthcare facilities. Stommes, supra note 9, at 14 (noting that while the employment base in that two-county area was 3900, none of the ninety-five service users had other transportation options).
opportunities.\textsuperscript{126} The Illinois grantees estimated that every dollar spent on transportation brought four dollars back to the community, with JARC effectively expanding payrolls in the area by two million dollars.\textsuperscript{127} A Maine grantee provided 15,400 trips for employment, training, and other support services.\textsuperscript{128} In North Dakota, the JARC grantee transported Native Americans from the Spirit Lake reservation to work at a specific employer—a nearby telemarketing firm.\textsuperscript{129}

Other state and local human services agencies have also shown creativity and flexibility in responding both to residents’ individual needs and to changes in job opportunities.\textsuperscript{130} Needs nevertheless remain unmet. In Tennessee, for example, 735 workers remained without transport to evening, night, and weekend jobs, despite local JARC implementation there.\textsuperscript{131}

Sustainability is a major concern for all rural transit systems because the longer distances and population sparseness that mark rural areas make the cost per ride higher than for urban systems.\textsuperscript{132} When compared to the cost of government support programs such as welfare, however, rural transit looks quite affordable. Indeed, one recent study found that rural transit systems produced cost-benefit ratios greater than one to three because they permitted rural residents to maintain lifestyles independent of government programs.\textsuperscript{133}

\begin{itemize}
\item \textsuperscript{126} Id. (noting that of these clients, nearly 60\% were still employed at the end of the study period, and two-thirds of those who relied on the JARC grantee in their job searches had secured employment).
\item \textsuperscript{127} Id.
\item \textsuperscript{128} Id. at 4. In rural Maine the transit route included stops at “childcare facilities, training sites, job search locations, other support services, and employment sites.” Id. at 13.
\item \textsuperscript{129} Id., at 13–14 (explaining that the program transported twenty of the ninety-five clients to work at health care providers in Devil’s Lake).
\item \textsuperscript{130} Meeting the Welfare Reform Challenge, supra note 9, at 39. For example, in Northern Mississippi, the Delta Area Rural Transit System expanded transit service to local casinos when they became the single largest employers in the region. Id. It also provided free passes to those who are interviewing for jobs there. Id. See also GOV’T ACCOUNTABILITY OFF., supra note 2, at 30 (discussing a partnership between the community college in Coahoma County, Mississippi, and a large casino-hotel complex to train clients in hospitality skills).
\item \textsuperscript{131} Stommes, supra note 9, at 14.
\item \textsuperscript{132} Id. at 20. Officials in St. Francis County, Arkansas, for example, estimated that the cost of van services was as high as $2000 per person each month because of the distances separating relatively small numbers of clients. GOV’T ACCOUNTABILITY OFF., supra note 2, at 28.
\item \textsuperscript{133} Stommes, supra note 9, at 20.
\end{itemize}
C. Child Care

Rural residents typically have fewer child care options than their urban counterparts.134 Lower population density means fewer child care providers and, in particular, fewer child care centers.135 Only 25% of rural children under the age of five are cared for in such centers, compared to 35% nationwide.136 A shortage of child care slots for those who work nights or weekends is a perennial problem in rural areas.137 In addition, rural child care providers tend to have less education and training than their urban counterparts,138 resulting in lower quality care.139

Informal, so-called family child care (in a private residence other than the child’s home) is commonly used in rural areas.140 One study found that 75% of rural children are cared for in “kith and kin” arrangements,141 representing twice the percentage of urban children cared for in this way.142 Such arrangements are sometimes flexible, offering services such as drop-in child care and extended hours.143 Other advantages may include lower costs and flexible, informal payment plans that sometimes include bartering or trading services.144 Parents may also feel more comfortable with such

135. Id.
136. Id. “Poor families in rural areas do not frequently use child care centers because they are less likely to be available and more likely to be far away from jobs or homes.” Id. “Only 26% of low-income children are cared for in centers . . . .” Id. For poor rural families, HeadStart is often the only tenable center-based child care option. Id. at 3. Some HeadStart programs offer full-day services, which can help meet the needs of parents transitioning from welfare to work. Id.
137. GOV'T ACCOUNTABILITY OFF., supra note 2, at 16.
139. See id. at 3.
140. Id. at 3. Nationally, licensed family child care providers care for 15% of children under the age of six. Id.
141. Id. at 4 (explaining that “kith” are friends and neighbors, and “kin” are relatives).
142. Id. Furthermore, “[l]ow-income parents of preschoolers are 50% more likely than their wealthier counterparts to choose kith and kin care.” Id.
143. Colker & Dewees, supra note 134, at 3.
144. Id. at 4. However, “most kith and kin arrangements are on a fee-paid basis . . . .” Id.
Missing the Mark

arrangements because of the involvement of friends or relatives. The quality of care may be lower, however, because local regulations governing licensure are often less stringent in rural than in metropolitan areas. The arrangements may also prove unstable. No great stretch of the imagination is required to see how the drawbacks associated with family child care are significant factors that may preclude parents—especially mothers, who disproportionately shoulder the burden of child care—from taking or continuing employment.

In an attempt to address the shortage of quality child care in rural areas, some states have devoted resources to training child care workers. The West Virginia Apprenticeship Program for Child Development Specialists was developed by the United States and West Virginia Departments of Labor. Instituted in 1989, it is a model for similar programs in other states. Experienced child care providers with a bachelor’s degree in early childhood education or a related field are eligible to train apprentices who complete four semesters of education and 4000 hours of on-the-job training.

Other states also train informal child care workers, including those who provide family child care in their homes. Successful completion of the training allows providers to charge higher fees, and some states pay a differential subsidy so that low-income families can afford the most costly, higher-quality care. Private industries and businesses sometimes partner

145. Id.
146. Id. at 3.
147. Id. at 4; see also GOV’T ACCOUNTABILITY OFF., supra note 2, at 16–17.
148. See generally GOV’T ACCOUNTABILITY OFF., supra note 2, at 33–34 (describing a program in Harlan County, Kentucky to expand the number of child care openings for infants and toddlers, and a program in St. Francis County, Arkansas to recruit potential child care providers through church networks and store-front advertising).
149. Meeting the Welfare Reform Challenge, supra note 9, at 10–11.
150. Id. Employers pay between $50 and $75 per semester, per student. DHS and DOL sometimes provide grants to cover these costs for the first rotation of students. Id. Students must sometimes pay $50 up front, which is then returned to them upon completion of the apprenticeship. Id. To increase accessibility to prospective students, classes are held throughout the state at vocational schools and community colleges, and the Bureau of Apprenticeship and Training pays the instructor costs. Id. Ninety percent of apprentices complete the program, with very little turnover. Id.
151. Id. at 14–15, 18–19 (discussing Chataqua County, New York’s efforts to train “informal providers” to meet state standards, as well as the TANF 250 training project in Washington state with the goal of helping 250 TANF recipients become family child care providers or child care center teachers).
152. Id. at 22–23 (further discussing the Chataqua County, New York program).
in these efforts to ensure their employees reliable, quality child care.\textsuperscript{153} Aside from improving the quality of child care in rural areas, such training may also enhance the economic prospects of the child care providers.\textsuperscript{154}

Other states have helped place child care centers in existing rural buildings, such as nursing homes\textsuperscript{155} and churches.\textsuperscript{156} Many state programs have produced publications to advise those who might establish child care centers or become licensed providers.\textsuperscript{157} In Maine, the state Department of Transportation (MDOT) partnered with a YMCA one mile from its Portland Bridge Project to provide child care for MDOT workers.\textsuperscript{158} The MDOT paid the provider directly and then deducted costs from the employees’ paychecks (pretax) at a rate of 15\% of the employee’s weekly gross wages.\textsuperscript{159}

\textbf{D. Employment Opportunities}

Job markets in rural areas are rarely as promising as those in cities, and counties near metro areas often feature better job opportunities than those farther removed.\textsuperscript{160} In a related matter, rural areas did not benefit as much

\begin{itemize}
\item \textsuperscript{153} Id. at 16–17 (discussing the Qual-a-Homes initiative in three New York counties, co-sponsored by Eastman Kodak, Bausch & Lomb, Blue Cross-Blue Shield, and IBM).
\item \textsuperscript{154} But see Peggie R. Smith, \textit{Caring for Paid Caregivers: Linking Quality Child Care with Improved Working Conditions}, 73 U. CIN. L. REV. 399, 416 (2004) (noting that government training programs are not inherently empowering as child care workers face “low wages and lack of benefits”).
\item \textsuperscript{155} Meeting the Welfare Reform Challenge, supra note 9, at 22–23 (describing a nursing home in McCook, Nebraska that provides on-site child care for nursing home employees, with the added benefit of intergenerational activities for home residents).
\item \textsuperscript{156} Id. at 12 (discussing North Carolina’s Church Child Care Initiative).
\item \textsuperscript{157} Id. at 13 (noting North Carolina’s “A Child at the Door: A Guidebook for Starting a Child Care Program in Your Church”). Id. at 8 (noting Iowa’s “Child Care: An Action Manual for Communities,” “Child Care: Financial Basics,” and “How to Start a Quality Child Care Business”).
\item \textsuperscript{158} Id. at 20–21.
\item \textsuperscript{159} Id. at 20. The minimum cost was $50 per week and the maximum was $115 per week. At 10\% of project hours worked by women, the Portland Bridge Project attained the highest rate of female employment of any highway project in the country. Id. at 21. The net cost of the child care was treated as an eligible construction administration cost for federal reimbursement purposes. Id.
\item \textsuperscript{160} McKernan, supra note 82, at 262–63. Jobs associated with headquarter operations in manufacturing and services are more likely to be located in urban areas. Robert M. Gibbs, \textit{Rural Labor Markets in an Era of Welfare Reform, in Rural Dimensions of Welfare Reform}, supra note 2, at 56.
\end{itemize}
as urban areas from the economic growth of the 1990s.\textsuperscript{161} Fewer job openings and a higher unemployment rate\textsuperscript{162} in a limited labor market often make for time-consuming and ultimately fruitless job searches.\textsuperscript{163}

Consequently, when rural residents leave welfare, the jobs they find are often less financially rewarding than those available to their urban counterparts.\textsuperscript{164} Despite upward employment trends for both metro and non-metro areas, a 25-30\% gap remains between rural and urban earning levels.\textsuperscript{165} The median income of a non-metro household is about $11,000 less than that of a metro household.\textsuperscript{166} Further, non-metro workers are

\begin{itemize}
\item \textsuperscript{161} Whitener, \textit{supra} note 2, at 7; Porter, \textit{supra} note 83, at 980–81. Some economists even assert a “deliberate underinvestment” in programs that could upgrade the rural workforce. Harvey et al., \textit{supra} note 7, at 381.

\item \textsuperscript{162} Porter, \textit{supra} note 83, at 1013. While non-metro unemployment rates dipped in the late 1990s, they are now again on the rise. \textit{TAKING STOCK}, \textit{supra} note 7, at 20. In 1999, unemployment rates fell to the lowest level in a generation, at 3.7\%. \textit{Id.} They rose to 5.5\% during the second quarter of 2002. \textit{Id.}

\item \textsuperscript{163} Gibbs, \textit{supra} note 160, at 51, 55. Rural employers’ personal knowledge of applicants due to the lack of anonymity may also work against job seekers. \textit{Id.} In addition, rural labor markets may be “subject to inefficiencies and a lack of meritocracy” associated with “entrenched local power structures and historical underinvestment” in the development of human capital. Harvey et al., \textit{supra} note 8, at 375, 377. See generally \textit{CYNTHIA DUNCAN, WORLDS APART: WHY POVERTY PERSISTS IN RURAL AMERICA (1999); GOV’T ACCOUNTABILITY OFF., supra note 2.}

\item \textsuperscript{164} See Harvey et al., \textit{supra} note 8, at 381. Rural residents leaving welfare earn less than those in metro areas. \textit{Id.} A 2004 study of twelve rural locations in four states indicated that most welfare recipients found jobs that paid only minimum wage, and few offered opportunities for advancement. \textit{Id.} See also \textit{GOV’T ACCOUNTABILITY OFF., supra note 2}, at 15 (noting that a 2002 study of Nebraska TANF recipients found that earnings were much lower in rural areas than in urban ones and a 1999 study comparing some urban and rural areas in Virginia found that a disproportionate number of working women were still living below the poverty level in the latter); McKernan, \textit{supra} note 82, at 262–63 (noting that rural employment opportunities are primarily part-time, intermittent, and service industry jobs; although historically associated with agriculture and extractive industries, the job base in rural areas has shifted in recent decades to manufacturing and service jobs); Gibbs, \textit{supra} note 160, at 51, 53, 48 (Figures 2.1, 2.2 discussing rural labor markets).

In 1998, manufacturing accounted for 16\% of rural jobs but only 11\% of urban jobs. \textit{Id.} Manufacturing employment is now more likely in rural than in urban areas, but rural women (13\%) are only slightly more likely than their urban counterparts (10\%) to work in manufacturing. \textit{Id.} Manufacturing jobs can be particularly unstable because they are subject to the whims of the global economy. See Fran Ansley, \textit{Afterword, What’s the Globe Got to Do with It?} 207, 210-13, in \textit{HARD LABOR: WOMEN AND WORK IN THE POST-WELFARE ERA} (Joel F. Handler & Lucie White, eds., 1999).

\item \textsuperscript{165} Gibbs, \textit{supra} note 160, at 51, 53, Figures 2.1, 2.2.

\item \textsuperscript{166} \textit{TAKING STOCK}, \textit{supra} note 7, at 20 (noting that median income is only $33,687 in rural areas compared with $44,755 in metro areas). Moreover, fewer non-metro households earn income from paid labor than do their metro counterparts. \textit{Id.} “Over three-quarters of non-metro households earn income from wages or salary, a rate somewhat lower than that in metro areas.” \textit{Id.} This is due in part to the higher proportion of elderly people living in non-metro areas and thus the higher rates of social security and other forms of retirement income. \textit{Id.}
nearly twice as likely as those in metropolitan areas to earn minimum wage.167 Although such jobs provide work experience, they are not likely to foster sustained self-sufficiency.168 In addition, rural workers are less likely to have college degrees or advanced formal training.169 Even those with college degrees have difficulty securing adequate employment170 due to the poor job prospects available in rural America. Several studies show that non-metro counties receive less benefit from added human capital than their metro counterparts.171 This is presumably due to the dearth of jobs that would permit employees to take advantage of it.172

167. Id.


169. TAKING STOCK, supra note 7, at 19 (noting that while one in five urban residents over the age of 25 has a college degree, this is true of only one in eight rural adults in the same age group); Id. at 16 (noting that poor rural job markets are linked, of course, to the lower educational levels of rural workers, because this human capital deficit makes rural areas less attractive places for businesses to locate); Gibbs, supra note 159, at 56 (Tables 2.1–2.4) (showing that about 23% of non-metro residents over the age of 25 do not have high school diplomas, compared to 20% of that age group nationwide); but see Artz & Orazem, Reexamining Rural Decline, 2070 THE REV. OF REGIONAL STUD., 9–10 (2005) (reporting that income and employment growth in rural areas over the past thirty years is significantly greater than reported by the 2000 Census, due to a change in the Census definition of “rural”).


171. See, e.g., Mark Henry et al., Education and Nonmetropolitan Income Growth in the South, 34 THE REV. OF REGIONAL STUD. 223 (2004) (noting also that non-metro counties with service-based economies see the greatest gains from enhanced human capital); Stephen J. Goetz & Anil Rupasingha, The Returns to Education in Rural Areas, 34 THE REV. OF REGIONAL STUD. 245–59 (2004) (analyzing the reasons that returns on human capital are lower in rural than in urban areas).

172. The ameliorative effect of work on poverty has historically been lower in non-metro areas than in metro ones. See Daniel T. Lichter et al., Changing Linkages Between Work and Poverty in Rural America, 59 RURAL SOC. 395, n.2 (1994) (lamenting the lack of data on this topic). The poverty rate among working rural householders was 10% in 1987, but only 5.7% among their urban counterparts. Id. Cf. Mark R. Rank & Thomas A. Hirschl, A Rural-Urban Comparison of Welfare Exits: The Importance of Population Density, 53 RURAL SOC. 190 (1998) (observing in the era before welfare reform that rural recipients were more likely to leave welfare than their urban counterparts and speculating about the reasons for this phenomenon).
E. Educational Opportunities

In addition to diminished job opportunities and lower wages, less job search assistance and fewer education and training opportunities are available in rural areas. An Iowa study, for example, examined the differences between rural and urban women’s access to job services. Four of the five rural areas studied had no community college, which forced women who needed additional education to travel twenty to forty miles to get it. A statewide job training program offered employment services through local community colleges, as well as assistance with transportation and child care, but most rural residents had limited access to the program. Case workers traveled to some areas on alternate weeks, but residents of one small town were nevertheless forced to travel thirty-five miles to meet with a case worker in one of these satellite locations.

Some states have used the flexibility of TANF block grant funds to develop programs that encourage basic skills education. California and Maine, for example, provide particular support for education of TANF recipients. The CalLearn Program pays full benefits to high school age mothers who remain in school. The Parents as Scholars program in Maine also allows those eligible for TANF to receive cash benefits while attending classes as part of a two- or four-year, post-secondary program. Because the program is state-funded, it does not count toward PRWORA’s five-year time limit.

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174. See infra Part II.E.
175. Fletcher et al., supra note 168.
176. Id.
177. Id. at 18.
178. Id. at 20.
179. PINDUS, supra note 5, at 16. This is particularly so in areas with low high school completion rates. Id. The dearth of options for adult basic education and the GED have been identified as a problem in some areas. GOV’T ACCOUNTABILITY OFF., supra note 2, at 17.
180. PINDUS, supra note 5, at 16.
181. Id.
182. Id. at 16 (explaining that about 10% of clients in rural Somerset County, Maine participate in the Parents of Scholars program); see also Rebekah J. Smith et al., The Miseducation of Welfare Reform: Denying the Promise of Post-Secondary Education, 55 ME. L. REV. 211 (2003) (featuring the Maine Parents as Scholars program as a model for longer-term efforts to keep low-income residents off welfare). In Imperial County, California, where over half of the caseload
Welfare agencies have partnered with community, technical, and other local colleges to improve their clients’ skills. New Mexico implemented a distance learning program that allows TANF clients to take college courses by videoconference at local high schools, thereby avoiding long drives to the colleges. A technical college supports a mobile workforce lab to train low-income residents at sites throughout a county in northeast Arkansas. Other educational opportunities also “travel,” such as a life skills course that alternates between locations in the northern and southern parts of a large New Hampshire county. One community college district in Illinois loans laptops to TANF clients, which allows them to take online classes from home.

Strategic alliances with foundations and businesses have helped some rural welfare agencies meet their clients’ training needs. One Arkansas welfare office cooperates with a local foundation to train clients and to assist with transportation to the training sessions. The Lowndes County welfare office in Alabama cooperates with a temporary staffing agency to train and place clients, as well as to provide ongoing support for those who find

speaks only Spanish, training programs emphasize English immersion classes, which count as work participation); PINDUS, supra note 5, at 16–17 (explaining that TANF funds go to San Diego State University’s Calexico campus and a local non profit organization, which combine six-month intensive English instruction programs with occupational skills training in areas such as child care, Certified Nursing Assistant (CNA), truck driving, clerical work, and food technology).

183. GOV’T ACCOUNTABILITY OFF., supra note 2. The governor in Mississippi considered the collaboration with community colleges so successful that he proposed having the community college system oversee the state’s Workforce Investment Act programs. Id at 23–24. The Workforce Investment Act was passed in 1998 to consolidate employment and training programs in a centralized agency. Id at 24. Community colleges and high schools in Northern California offer technical, computer, warehousing, electrical soldering, medical assistance, and TV production training. PINDUS, supra note 5, at 16. Imperial Valley College in El Centro, California provides skills and career assessments for TANF (“CalWORKS”) clients, and it has adapted training programs to their needs. Id. The human services offices in Desha County, Arkansas collaborate with the Great Rivers Vocational Technical School to train TANF recipients in a set of employer-identified skills. Id. Participating employers then give hiring priority to those who complete the program. Id. Like some rural counties in other states, Desha County contracts with the vocational school to provide life-skills training for clients. Id.

184. GOV’T ACCOUNTABILITY OFF., supra note 2, at 21.

185. Id.

186. Id.

187. Kathleen Vespa Pampe, The State of Welfare Reform in the Rural Communities of Illinois, 116 NEW DIRECTIONS FOR COMMUNITY COLLEGES 29, 32 (2001). Illinois Eastern Community Colleges (IECC), a four-college district in rural southeastern Illinois, coordinates service activities among the four schools, the state Department of Human Services, and other social service agencies. Id. IECC also offers job assessment and remediation services to help participants identify and ameliorate weaknesses, a job skills class, and free interview clothing. Id.

188. PINDUS, supra note 5, at 17.
employment. Welfare officials and community leaders in one Maine county focused on improving the skills base of entry-level workers, and they formed an employer advisory board to explore local employment possibilities. Other welfare agencies provide specialized or skill-specific training programs and wage subsidies and then collaborate with local manufacturers to provide on-the-job training.

Thus, some rural counties and states have used the discretion PRWORA granted them to respond to their clients’ training needs, which so often coincide with their transportation needs. What rural welfare agencies have not been able to do, however, is transform local economies. As management consultants wrote in assessing Illinois’ sustained mentoring program Future Steps, “basic case management is not likely to be an adequate intervention for improving employment and self-sufficiency in rural areas.” Elsewhere the report noted that “[e]conomic development represents an important strategy for improving the employment prospects of low-income workers in distressed rural areas.”

F. Conclusion

Innovative programs that respond to the needs of rural welfare clients are encouraging. They suggest that some positive consequences have flowed from the state and local autonomy PRWORA has fostered. Also heartening are many state and county policies on exemptions from TANF work requirements that reportedly reflect rural realities around transportation and child care. Alabama, for example, has a policy that permits temporary

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189. *Id.*

190. *Id.* at 16–17 (board members include representatives of technical schools, adult education, and the Chamber of Commerce).

191. GOV’T ACCOUNTABILITY OFF., supra note 2, at 3–4.

192. ALICIA MECKSTROTH ET AL., MATHEMATICA POLICY RESEARCH, INC., PATHS TO WORK IN RURAL PLACES: KEY FINDINGS AND LESSONS FROM THE IMPACT EVALUATION OF FUTURE STEPS RURAL WELFARE-TO-WORK PROGRAM xv (2006), available at http://www.mathematica-mpr.com/publications/PDFs/pathstowork.pdf. This extended case management program included several core elements: “(1) assessment of skills and interests; (2) individualized job search, job placement, and skills enhancement plans; (3) help in overcoming personal and logistical barriers through outside referrals, $500 in flexible support payments, and mentoring; and (4) extended post employment support.” *Id.*

193. *Id.* at xxii. The report noted that clients expressed skepticism that the report could “provide effective assistance in a weak job market.” *Id.* at 38.

194. *Id.* at 78. Another highlighted observation of the report stated: “Systematic improvements in the availability of logistical services like transportation and child care may be needed in many rural areas.” *Id.*
The Journal of Gender, Race & Justice

deferral in situations that are not within the client’s control. These include living in a remote area or having a transportation breakdown. Case workers in two rural Alabama counties reported deferrals for 20–30% of their caseloads, with child care and transportation problems representing the most common basis for deferrals for those living in remote areas. Similarly, other states reported accommodations for clients with transportation or child care difficulties.

In addition, some state governments and the federal government facilitate sharing best practices among rural welfare administrators and case workers. The U.S. Health and Human Services Secretary appointed a Rural Task Force in 2001 to examine how health care and human services for rural Americans might be advanced. That task force established the Rural Assistance Center, an online resource for information sharing. A rural subgroup of the California County Welfare Directors Association meets regularly to consider welfare reform issues for rural areas.

While these and other documented developments are heartening, detailed information about what remains undone is harder to find. Indeed, only by considering the aggregate consequences of welfare reform are its failures revealed. The next part of this Article explains how certain myths about rural life have hurt rural TANF clients, in part because welfare reform was part of a larger urban agenda that did not consider its consequences for the rural poor.

III. RURAL MYTHS AND WELFARE REFORM

A 2004 survey revealed that rural America “conjures up generally positive images” for 84% of respondents. Associations with the word

195. PINDUS, supra note 5, at 13 (other situations seen as not in the client’s control include illness, domestic violence, and substance abuse treatment).

196. Id. Lack of transportation or child care is considered good cause for leaving a job in Sumter County, Alabama. Id.

197. Id. Case workers in Oxford County, Maine, often grant exemptions from work when transportation and/or child care problems arise. Id. Pike County, Arkansas case-workers reduce the number of job contacts required per week for applicants with transportation problems. Id. For example, Tehama County, California TANF recipients who do not have their own transportation are exempted from work activities if they live more than one mile from public transport. Id.

198. GOV’T ACCOUNTABILITY OFF., supra note 2, at 37, n.35.

199. Id.

200. PINDUS, supra note 5, at 12–13.

201. PERCEPTIONS OF RURAL AMERICA, supra note 15, at 8.
rural include traditional values, family, and religion.\textsuperscript{202} While some stereotypes of rural people are negative,\textsuperscript{203} many others idealize rural residents and their communities,\textsuperscript{204} which hold a certain "romantic magnetism."\textsuperscript{205} Many associate rural communities with a "special and perhaps increasingly elusive quality of human relationships."\textsuperscript{206} Rural America has thus been portrayed, for example, as a place "where both individualism and community thrive."\textsuperscript{207} A survey of the small town in twentieth century literature found that it represented an "image of ‘the good community’ from which greed, factionalism, poverty, and inequality have been banished and where people can find their ‘home.’"\textsuperscript{208} People also commonly perceive rural communities as "safer, friendlier, better places to raise children, as having a simpler lifestyle, cleaner environment, and as being closer to outdoor recreation."\textsuperscript{209}

Scholars have also discussed the idyll-isation of rural places,\textsuperscript{210} noting that society values farm and small town landscapes\textsuperscript{211} and finds allure in

\textsuperscript{202} Id. at 6–7.
\textsuperscript{203} See \textit{Knowing Your Place: Rural Identity and Cultural Hierarchy} 17 (Barbara Ching & Gerald W. Creed eds., 1997) (while urbanites are rarely denigrated by language, so-called “rustics” are subject to a variety of demeaning labels); see also \textit{RALPH A. WEISHEIT ET AL., CRIME AND POLICING IN RURAL AND SMALL-TOWN AMERICA} 25 (2d ed. 1999).
\textsuperscript{204} See generally Pruitt, supra note 7.
\textsuperscript{205} Mel van Elteren, \textit{John Mellencamp’s Populist Rock: Folkish Small-Town Narratives And Collective Nostalgia In The Midwest, in The Small Town in America: A Multidisciplinary Revisit} 217, 229 (Hans Bertens & Theo D’Hean eds., 1995) [hereinafter \textit{The Small Town in America]}.
\textsuperscript{206} Id.
\textsuperscript{208} Walter Hölbling, \textit{From Main Street To Lake Wobegon And Half-Way Back: The Midwest Small Town As A Literary Place In 20th Century U.S. Literature, in The Small Town in America, supra note 205, at 97, 100.
\textsuperscript{210} “Idyll” is a “simple, descriptive work in poetry or prose that deals with rustic life or pastoral scenes or suggests a mood of peace and contentment.” \textit{Webster’s Ninth New Collegiate Dictionary} 598 (1984).
\textsuperscript{211} David Bell, \textit{Anti-Idyll: Rural Horror, in Contested Countryside Cultures}, supra note 15, at 94–95. Others have observed the “largely nostalgic and romantic image of rural living” along with the myth of “country living and family life as simple, pure, and wholesome; slower
nature and the countryside. 212 One commentator has observed that even “‘hard times’ are somehow naturalized into farming landscapes.” 213 Thus, poverty and other difficult aspects of life may be idealized in rural settings where adversity may be viewed as an “integral part of the ‘joy’ of taming nature and extending the boundary of civilisation.” 214

Idealized portrayals of the rural obscure the hardships and downsides associated with rural living. 215 Rural sociologist John Logan has argued that public policy should be guided by the problems rural residents perceive, not the problems outsiders perceive. 216 Rural economists have similarly worried that state responses to PRWORA would “naively or unwittingly embrace the conventional wisdom of traditional rural family life,” thereby disproportionately directing their efforts and money to urban areas. 217 There are, in fact, some indications that such misdirection has occurred in relation to welfare reform. The familiarity, community, and lack of anonymity associated with rural areas are associated with drawbacks to the implementation of PRWORA. The informal economy associated with rural livelihoods is an inadequate substitute for meaningful economic development and public assistance.

A. Familiarity and Community

Welfare case workers in rural areas often report positive community engagement with welfare reform. They also describe a generally “supportive attitude toward individuals in need.” 218 They tout their personal contacts with employers and other community resources as reasons why they have

paced; free from pressures and tension; and surrounded by pastoral beauty and serenity.” Raymond T. Coward & William R. Smith, Jr., Families in Rural Society, in RURAL SOCIETY IN THE U.S.: ISSUES IN THE 1980S 77 (Don A. Dillman & Daryl J. Hobbs eds., 1982); W.K. KELLOGG FOUND., MESSAGE FROM RURAL AMERICA: MEDIA COVERAGE OF RURAL AMERICA 2004 VS. 2002 I (2005), available at www.wkkf.org/Pubs/FoodRur/Media_Coverage_of_Rural_America_00253_04093.pdf. Seventy-seven percent of the terms the media used to describe rural America in 2004 had a positive tone, including praise for residents’ behavior, e.g., “good values,” “strong work ethic,” and aesthetic judgments such as “picturesque” and “pastoral.” Id.


213. Id. at 264.

214. Id.


216. Id. at 21.


218. PINDUS, supra note 5, at 9.
been able to transcend bureaucratic barriers and develop collaborative programs to help their clients.\textsuperscript{219}

Thus, these welfare officials tend to confirm expectations that rural locales will be more supportive of the poor, including recipients of public assistance, because these people are their neighbors, literally as well as figuratively. Some case workers attribute their community’s sympathetic approaches to the “small size” of the community or the fact that “everyone knows everyone.”\textsuperscript{220} One respondent in a 2001 study reported that rural case workers “are really concerned about their clients because caseworkers and clients are from the same town.”\textsuperscript{221} Comments from the same study indicated that case workers are able to give “individual attention . . . to clients in small offices.”\textsuperscript{222} Another study of welfare reform in Nebraska suggested that rural case workers “may be more successful at engaging their clients,” and that rural clients are more likely than their urban counterparts to participate in TANF programs.\textsuperscript{223}

But such close contacts and personal service, which may in fact be more characteristic of rural areas than urban ones, should not be seen as a panacea for the situation in which rural poor find themselves. As Nancy Pindus wrote, an important distinction exists between the assistance and compassion that individual case workers can offer rural TANF recipients and the “removal of systemic barriers to economic self-sufficiency,” which are beyond their control.\textsuperscript{224} Significant numbers of working poor, coupled with rural areas’ difficulty in attracting new investments and in “achieving economies of scale in delivering social services, education, and training . . . result in an underdeveloped infrastructure of support or employment in rural areas.”\textsuperscript{225} One study concluded that as of early 1999, inter-agency

\textsuperscript{219} \textit{Gov’t Accountability Off.}, \textit{supra} note 2, at 3, 19. The limits of personal contacts were highlighted in a 2006 study of the Illinois Future Steps program, where consultants observed that “linkages with employers to promote job opportunities may take on added importance in rural areas with few good jobs.” \textit{McKistroth et al.}, \textit{supra} note 192, at xxiv. There the authors concluded that the program had been unable to “capitalize on employer connections,” which had undermined its job readiness and job placement efforts. \textit{Id.} at xxii, 77–78. \textit{But see} Harvey et al., \textit{supra} note 8, at 403 (concluding that, as of 1999, interagency coordination was “more rhetorical than real”).

\textsuperscript{220} \textit{Pindus, supra} note 5, at 9.

\textsuperscript{222} \textit{Id.}

\textsuperscript{223} \textit{Id.} at 19.

\textsuperscript{224} \textit{Id.} at 20.

\textsuperscript{225} \textit{Id.} at 20.
coordination was “more rhetorical than real.”

Local charities and non-profits report difficulties in meeting increased demand for assistance, and they complain that their organizations are inadequate substitutes for government programs.

Familiarity and community are no substitute for adequate tangible assistance. Moreover, familiarity has its drawbacks. Lack of anonymity can hurt TANF clients. One study noted that in a small job market, a prospective employee who has made mistakes with local employers will have greater difficulty finding work. A respondent observed that “[a] bad experience with one employer in a rural community could earn someone a bad reputation with all prospective employers because information about people spreads easily.” In addition, lack of anonymity can prevent people from taking advantage of available benefits because they fear embarrassment at having others in their community know that they are accepting public assistance.

The autonomy that PRWORA conferred on state and local welfare offices has proved to be a double-edged sword for poor rural TANF clients. The Pickering study of PRWORA implementation in persistently poor rural areas from 1999 to 2003 indicates that this autonomy—accompanied by limited funding—was insufficient to give welfare administrators the tools they needed to respond to the needs of the rural poor in a meaningful way. At the same time, the autonomy it did confer was sometimes used in ways that aggravated clients’ problems. The Pickering study concluded that several crucial problems arose from local autonomy in determining program
policies. First, this authority was sometimes used in a manner “ignorant of history and contemporary power relations,” which hurt nonwhite racial and ethnic communities in particular.\textsuperscript{232} Second, local administrators did not have “real flexibility to respond to local conditions,” such as extreme and persistent poverty.\textsuperscript{233} Lifetime limits on assistance and a focus on participation rates put administrators under tremendous pressure despite the impossibility of success without job creation.\textsuperscript{234} Indeed, the study shows that sanctions, which became more commonplace due to the increasing burden of program requirements, proved problematic.\textsuperscript{235} Some TANF clients accepted sanctions to avoid program requirements.\textsuperscript{236} Others left the program because the burden of the required work hours far outweighed the benefits at stake.\textsuperscript{237} “The weakest families were sanctioned despite their efforts to fulfill the requirements.”\textsuperscript{238} Thus, the sanctions did not serve their stated purpose of encouraging participants to fulfill requirements. Such challenges made implementation of appropriate local welfare strategies very difficult, in turn aggravating problems associated with the weak local job market and economy.

Finally, participants in the Pickering study also reported that poor treatment at local welfare offices influenced them not to seek transitional support.\textsuperscript{239} Many TANF clients were never informed of benefits available to them as they transitioned off of welfare.\textsuperscript{240} Contrary to the assertion that local administration of TANF block grants had a positive impact, it has actually caused and aggravated problems in rural areas.

\section*{B. The Informal Economy}

Poor people often use various sources to supplement their incomes, including relying upon family and neighbors.\textsuperscript{241} The long-standing

\begin{itemize}
\item \textsuperscript{232} \textit{Id.} at 215 (studying both qualitative and quantitative data from 1999–2003).
\item \textsuperscript{233} \textit{Id.} at 217.
\item \textsuperscript{234} \textit{Id.}
\item \textsuperscript{235} \textit{Id.} at 213.
\item \textsuperscript{236} \textit{Id.}
\item \textsuperscript{237} \textit{Pickering et al.}, supra note 13, at 213.
\item \textsuperscript{238} \textit{Id.}
\item \textsuperscript{239} \textit{Id.}
\item \textsuperscript{240} \textit{Id.}
\item \textsuperscript{241} \textit{Taking Stock}, supra note 7, at 20. “For example, welfare recipients with housing problems seek assistance from landlords, borrow money from friends and relatives, or move into

The stereotype of the self-sufficient “pioneer” woman remains somewhat accurate today as rural women turn to the informal economy to maintain their independence and to prevent reliance on state aid. Rural women are significantly less likely than their urban counterparts to receive welfare in the form of cash aid. While activities vary by region, research suggests that income earned from informal opportunities may be sufficient to “sustain both family and farm in times of severe economic need.”

One example of the worth of the informal economy comes from a study of Shannon County, South Dakota. In that county, a single mother with two children needs $24,108 per year to be self-sufficient, but the median annual family income for a single mother there is only $13,390. The Pickering study suggests that “this income deficiency is met through the everyday economy.”

cheaper housing.” Id.

242. See, e.g., Cynthia B. Struthers & Janet L. Bokemeier, Myths and Realities of Raising Children and Creating Family Life in a Rural County, 21 J. OF FAM. ISSUES 17, 25 (2000) (noting that women in rural Michigan engaged in activities such as babysitting, canning, and cleaning houses to bring in extra money); Mareena McKinley Wright, “I Never Did Any Field Work, but I Milked an Awful Lot of Cows!”: Using Rural Women’s Experience to Reconceptualize Models of Work, 9 GENDER AND SOC’Y 216 (1995); see also Harvey et al., supra note 8, at 386.

In Kentucky, forestry work and seasonal tobacco cultivation and harvesting are widespread. In Texas, seasonal picking, gardening, day labor, construction, the drug trade, and trading in used goods across the border were common informal economic activities. In South Dakota, women make traditional clothing and beadwork, which they exchange for cash or in-kind services. Approximately 83% of the households in Pine Ridge engage in micro-enterprise and 75% of those households rely on some form of hunting, fishing, or gathering.

Id.


244. Lichter & Jensen, supra note 51. Metro and non-metro women showed similar employment rates and rates of cohabitation, but metro women were much more likely to receive cash aid. Welfare use is stigmatized in rural areas, even among poor women. Barbara Wells, Women’s Voices: Explaining Poverty and Plenty in a Rural Community, 67 RURAL SOC. 235, 236 (2002). See generally NELSON, supra note 241 (examining the attitudes of women who receive welfare toward the program). One woman said of welfare recipients: “they’re lazy. That’s my take. I don’t know. I got a stereotype for them too and I’m one of them.” Id. at 97.


247. Id. at 110.

248. Id.
many activities in the informal economy because a significant component of it involves no exchange of money.249

Not surprisingly, those leaving welfare rolls in areas where few jobs are available have become more economically dependent on informal work and networks of assistance.250 But the informal economy and social support networks are not a substitute for meaningful public assistance. First, reliance on such networks—like receiving welfare—creates stigma because it means asking for help.251 Another problem with relying on support networks is that family arrangements and support systems are becoming more fragile and temporary.252 With more single mother headed households and temporary relationships, family support has also become less reliable. As rural sociologist Jane Fitchen observed a decade and a half ago, low-income rural families are less able than their parents’ generation to “cope with economic and social marginality” because of “diminished social support networks.”253

The Pickering study concluded that “caseloads, labor markets, and poverty are intricately enmeshed in culturally constructed local alternative survival strategies.”254 The significance of networks of family and friends who provided assistance when welfare benefits were lost was evident in all eight counties studied, but the authors evaluated these networks as “limited, vulnerable, and fragile.”255 Clients in the Pickering study also reported that attempting to meet the TANF requirements kept them from pursuing “other activities to generate and access resources.”256 Local employers’ practice of hiring “under the table” also created problems for TANF clients who consequently could not fulfill all program requirements and receive

249. Id. at 144. “Rather, goods are exchanged for other goods, services are exchanged for goods, or services are exchanged for other services.” Id.

250. Harvey et al., supra note 8, at 386.

251. David Kearns & David Rosenthal, Substance Abuse in Rural America, in THE HIDDEN AMERICA SOCIAL PROBLEMS IN RURAL AMERICA FOR THE TWENTY-FIRST CENTURY 151 (Robert M. Moore III ed., 2001). They have argued that in order for rural communities to form strong support networks, rural residents “must learn to support, help, and educate one another and to realize that requests for assistance (e.g., with parenting advice, child monitoring, etc.) are not admissions of failure but rather, essential ingredients of preventive community involvement.” Id. at 172.


253. Id. at 196.

254. PICKERING ET AL., supra note 13, at 2. The study was conducted between October 1999 and October 2003. Id. at 7.

255. Id. at 211.

256. Id. at 214.
transitional support. In other words, TANF implementation interfered with rural residents’ ability to support themselves by relying on the informal economy while the benefits that TANF offered in exchange were inadequate.

IV. CONCLUSION

Professor Katherine Porter has observed that “[a]n unspoken assumption permeates modern scholarship: the impact of laws should be measured exclusively in terms of how the legal system operates in America’s cities and suburbs.” She argues that rural America “has disappeared from view,” and PRWORA’s implementation arguably reflects this phenomenon. Indeed, some have argued that welfare reform is “largely a product of an urban political and cultural legislative agenda” aimed at cutting dependence of “disproportionately minority” single-mother families on government assistance. It also aimed to reduce births outside marriage.

But this essentially urban agenda behind welfare reform is misplaced in rural America where family circumstances, labor markets, and barriers to maternal employment are often different. Although rural poverty rates have long been higher than urban ones, many states implementing PRWORA have not attended to the different economic structures, institutions, social norms, and demographics that mark rural places and entrench rural poverty. As a consequence, rural women and children are overrepresented among the poor and underrepresented among those

257. Id. at 213. Hours worked at an “under-the-table” job do not count towards TANF’s work requirements. When such TANF clients left the program, they did so voluntarily and without fulfilling the requirements necessary to qualify for transitional support. Id.

258. Porter, supra note 83, at 970.

259. Id. This idea is echoed in the title of several recent books by rural sociologists and economists. See, e.g., Osha Gray Davidson, Broken Heartland: The Rise of America’s Rural Ghetto (1996); The Hidden America: Social Problems in Rural America in the Twenty-First Century (Robert M. Moore III ed., 2001).

260. Lichter & Jensen, supra note 51, at 78. See also Sharon Hays, Flat Broke with Children 23 (2003) (discussing the racial coding of welfare reform).

261. Id. See also Angela Onwuachi-Willig, The Return of the Ring: Welfare Reform’s Marriage Cure as the Revival of Post-Bellum Control, 93 CAL. L. REV. 1647 (2005) (criticizing welfare reform’s “marriage cure” and arguing that it reflects a return to emancipation era encouragement of marriage, a policy aimed at alleviating public responsibility for blacks’ economic situation).

262. See discussion supra Part II.

263. See id.
 Missing the Mark 477

receiving aid.264 Welfare policy has historically been less effective in rural America.265 As it currently stands, PRWORA has added another sad chapter to that history.

Yet the news is not all bad. Some evidence indicates that state and local administrators have been energized by the increased responsibility PRWORA gave them.266 Some have attempted innovative and place-specific strategies.267 Yet while anti-poverty efforts that recognize variations in context, resources, and opportunities hold out the prospect of greater effectiveness,268 these efforts are inadequate without appropriate funding and authority to address the root causes of rural poverty.

If the cycle of rural poverty is to end, all levels of government must do more. Lawmakers must dedicate themselves to understanding and addressing its causes. Moving rural residents off welfare rolls is not an end in itself. If they are shunted into low-paying, dead-end jobs and continue to live below the poverty line, nothing has been achieved. Government efforts should not only encourage work, they should also help to create an educated workforce and good jobs in rural America.269 At the same time, programs must increasingly respond to the transportation challenges and child care shortages that prevent many rural Americans from achieving economic self-sufficiency.

Finally, rural America’s pockets of persistent poverty demand particular attention from law and policy makers. Welfare reform in these areas has shortened welfare rolls and otherwise diminished access to government assistance, but it has done so without “significant improvements in employment, employability, or poverty relief.”270 Place-specific efforts will be necessary to end this most entrenched poverty, and such efforts must go well beyond PRWORA.

264. Lichter & Jensen, supra note 51, at 84.
265. Id. at 84.
266. See discussion supra Part II.
267. See id.
268. Whitener, supra note 2, at 465.
269. See, e.g., PINDUS, supra note 5, at 20.
270. PICKERING ET AL., supra note 13, at 218. Many participants complained of insufficient support in terms of “education, training, child care, and transportation.” Id. at 217. The authors challenged the prevailing assumption that “extreme poverty results from a short-coming in the value and attitudes of the individuals.” Id. at 219. They asserted that such prejudice is a root of the persistent poverty problem, because it “functions to obscure the historical, geographic, economic, political, and social factors that continue to exclude most residents of these areas from the investment and interactions that generate prosperity elsewhere in the United States.” Id.