

**APPENDIX M - DATA ON NONMARITAL BIRTHS TO ADULTS AND
TEENAGERS AND FEDERAL STRATEGIES TO REDUCE
NONMARITAL PREGNANCIES**

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INTRODUCTION

In 1965, the late Senator Daniel Patrick Moynihan, then an Assistant Secretary in the Department of Labor, published a government document arguing that black Americans were being held back economically and socially in large part because their family structure was deteriorating (Moynihan, 1965). More specifically, by that time, one-quarter of black children were born outside marriage. The results of these nonmarital births and fatherless childrearing were, according to Moynihan, catastrophic. Although Moynihan's report caused an outpouring of rebuttal and even invective (Rainwater and Yancey, 1967), the decades since the report have revealed with great clarity the perspicacity of Moynihan's vision. Today one-third of all American children are born outside marriage, and the ratio for black children has reached the remarkable level of 69 percent. As the illegitimacy ratio among white children climbed past the ratio that characterized blacks when Moynihan wrote his original report, in 1993 Charles Murray wrote a similar report in the *Wall Street Journal* about the crisis in nonmarital births among whites (Murray, 1993). Unlike the 1965 Moynihan report, the Murray report was greeted by widespread acceptance and increased concern that progress against poverty and

its accompanying misery could only be achieved if the tide of nonmarital births was halted.

In this appendix, we review the trends in various measures of nonmarital childbearing and discuss the numerous policies, especially those contained in the 1996 welfare reform law (Public Law 104-193), that the Congress has enacted to fight both the frequency of illegitimacy and its effects.

NONMARITAL BIRTHS IN THE UNITED STATES

Data on nonmarital births are usually expressed by three measures: the number of nonmarital births, the ratio of all births that are nonmarital to total births, and the rate of nonmarital births per 1,000 total births. Table M-1 shows all three measures, as well as the birth rate per 1,000 married women aged 15-44, for selected years from 1950 to 2002. These figures show that although the overall birth rate for married women has been declining in recent decades, there has been a very substantial increase in all three measures of illegitimacy.

TABLE M-1--NUMBER, RATE, AND PERCENT OF BIRTHS TO UNMARRIED WOMEN AND BIRTH RATE FOR MARRIED WOMEN, SELECTED YEARS 1950-2002

Year	Births to Unmarried Women			Birth Rate for Married Women (Aged 15-44)
	Number	Birth Rate (Per 1,000 Unwed Women Aged 15-44)	Percent (Of All Births)	
2002	1,358,768	43.6	33.8	NA
2001	1,349,249	43.8	33.5	88.7
2000	1,347,043	44.0	33.2	89.3
1999	1,308,560	44.4	33.0	86.5
1998	1,293,567	44.3	32.8	85.7
1997	1,257,444	44.0	32.4	84.3
1996	1,260,306	44.8	32.4	83.7
1995	1,253,976	45.1	32.2	83.7
1994	1,289,592	46.9	32.6	83.8
1993	1,240,172	45.3	31.0	86.8
1992	1,224,876	45.2	30.1	89.0
1991	1,213,769	45.2	29.5	89.9
1990	1,165,384	43.8	28.0	93.2
1985	828,174	32.8	22.0	93.3
1980	665,747	29.4	18.4	97.0
1970	398,700	26.4	10.7	121.1
1960	224,300	21.6	5.3	156.6
1950	141,600	14.1	3.9	141.0

NA— Not available.

Source: *National Vital Statistics Reports*, v. 51, no. 2, December 18, 2002, p. 10; *National Vital Statistics Reports*, v. 51, no. 4, February 6, 2003, p. 14 (this report shows revised birth rate data for 2000 and 2001 based on populations consistent with the April 1, 2000 census); and *National Vital Statistics Reports*, v. 51, no. 11, June 25, 2003, p. 4.

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ILLEGITIMACY RATIO

The ratio of nonmarital births to all births increased almost every year from 1950 through 1994, but has more or less leveled off since then. In 1950, the percent of births to unmarried women was 3.9; by 1994 it had risen to 32.6. But the ratio changed only slightly in the next 4 years, dropping to 32.2 percent in 1995, rising to 32.4 percent in 1996, remaining at that level in 1997, and increasing to 32.8 percent in 1998. Between 1999 and 2002, the ratio increased slightly from 33.0 in 1999 to 33.8 in 2002 (Table M-1).

During the period 1950-60, the ratio increased 36 percent; from 1960-70, it increased 102 percent; from 1970-80, it increased 72 percent; from 1980-90, it increased 52 percent; and from 1990-2002, it increased 21 percent. Thus, the time of greatest increase in the illegitimacy ratio was the period 1960-80; the rate of increase has been declining since roughly 1980. Over the period 1970-2002, the illegitimacy ratio increased by 216 percent. Adolescent pregnancy, declining marriage rates, and more childbearing among unmarried women relative to married women have contributed to the relatively high proportion of children being born to unwed mothers.

The illegitimacy ratio varies considerably by race and ethnicity. In 2002, the ratio was 33.8 percent for unmarried women of all races; 22.9 percent for non-Hispanic white women; 43.4 percent for Hispanic women; and 68.0 percent for black women (National Center for Health Statistics, 2003, p. 3).

BIRTH RATE FOR UNMARRIED WOMEN

The illegitimacy rate is the number of births to unmarried women in a given year per 1,000 unmarried women ages 15-44. The illegitimacy rate has increased substantially since 1970, although the rate has declined slightly since 1994. Between 1970 and 1994, the rate increased from 26.4 to 46.9, then it fell to 44.0 in 1997, increased slightly in 1998 and 1999, dropped back to 44.0 in 2000, decreased slightly to 43.8 in 2001, and to 43.6 in 2002. Over the period 1970-2002, the birth rate for unmarried women increased by 65 percent.

Birth rates for unmarried women also vary considerably by race and ethnicity. In 2001, the rates were 43.8 for women of all races; 27.5 for non-Hispanic white women; 68.2 for black women; and 87.8 for Hispanic women. The birth rate for all unmarried women was the same in 2001 as it was in 1990. However, during the period 1990-2001, the birth rate for unmarried non-Hispanic white women increased nearly 13 percent while the rate for unmarried black women dropped by almost 25 percent (According to the National Center for Health Statistics (NCHS), the birth rates cannot be computed for non-Hispanic black women because the

necessary populations are not available). The rate for unmarried Hispanic women decreased 2 percent (National Center for Health Statistics, 2002, p. 48; National Center for Health Statistics, 2003, p. 14).

INTERSTATE VARIATION

According to the National Center for Health Statistics, births to unmarried women increased from 2000 to 2001 in 32 States and the Virgin Islands, and decreased in 18 States, the District of Columbia, Puerto Rico, Guam, and American Samoa. Similarly, the percent of births to unmarried women increased in 40 States, Puerto Rico, the Virgin Islands, and Guam; decreased in 6 States, the District of Columbia, and American Samoa; and remained unchanged in 4 States (National Center for Health Statistics, 2002, p. 11 and 50).

Between 2001 and 2002, the percent of births to unmarried women increased in 41 States, Puerto Rico, and the Virgin Islands; decreased in 8 States, the District of Columbia, and Guam; and was unchanged in 1 State (National Center for Health Statistics, 2003, p. 12).

MARRIAGE AND BIRTH RATE FOR MARRIED WOMEN

Both the marriage rate and the birth rate for married women generally have been declining since 1970. During the period 1970-2001, the marriage rate per 1,000 population dropped nearly 21 percent, from 10.6 to 8.4 (National Center for Health Statistics; 1995, 2002). Moreover, the median age of women at first marriage has risen by about 21 percent to 25.1 in 2001 from 20.8 in 1970. Concurrent with the decrease in marriage and the increase in the birth rate for unmarried women over the 1970-2001 period, the birth rate for married women has generally declined. In 1970, there were 121.1 births per 1,000 married women aged 15-44. In 2001, the birth rate for married women was 88.7, a reduction of nearly 27 percent (see table M-1).

Census Bureau data also show a decline in the propensity of women to marry before the birth of a premaritally conceived child (Bachu, 1999). Hence, in the early 1960s, 60 percent of pregnant women married before the birth of their child, thereby avoiding an out-of-wedlock birth. Since that time, the propensity to marry before the baby is born has fallen consistently, reaching 49 percent in the early 1970s, 29 percent in the early 1980s, and just 23 percent in the early 1990s.

BIRTHS TO TEENAGERS

Overview

In 1999, an estimated 856,400 teenagers (married and unmarried) became pregnant; approximately 121,900 had miscarriages, 249,700 had legal abortions,

and 484,800 gave birth (Alan Guttmacher Institute, 2003). About 431,988 of the 4,019,280 (10.7 percent) U.S. births in 2002 were to teens. Although the number of teenagers who marry always has been low, the proportion dropped from 10 percent in 1970 to less than 5 percent in 1997. Moreover, relatively fewer women in all age groups are married nowadays. Consequently, while most births to teenagers are nonmarital (80 percent in 2002), teenagers do not account for the majority of all births to unmarried women. In 2001, births to teenagers comprised only 27 percent of the 1.3 million births to unmarried females (the comparable figure for 2002 was 25 percent of the 1.4 million births to unmarried females). By contrast, in 1970 they comprised 50 percent of the 398,700 births to unmarried females (table M-2).

It is also noteworthy that the birth patterns of unmarried women indicate that about half of them had their first child as a teenager. Moreover, in 2001 21 percent of teenage births were second or higher-order births (Moore, 2002); the comparable figure for 2002 also was 21 percent. These two facts have led some analysts to contend that unless welfare reform or other efforts are successful in modifying the behaviors that result in a relatively high proportion of births to unwed teenagers, associated problems such as delinquency, school failure, and reliance on welfare will persist.

National trends

The number of births to teens declined by: almost 24 percent from 1960 to 2001; 31 percent from 1970 to 2001; 19 percent from 1980 to 2001; and 15 percent from 1990 to 2001. The number of births to teens was 593,746 in 1960, 656,460 in 1970, 562,330 in 1980, 533,591 in 1990, 453,725 in 2001, and had dropped to 431,988 in 2002.

In 1970, teens (15-19 years of age) gave birth at the rate of 68.3 per 1,000 teens, whereas in 2002 teens gave birth at a rate of 42.9 per 1,000. After increasing sharply during the late 1980s, birth rates for teenagers declined every year from 1991 to 2002. Although the teen pregnancy rate, birth rate, and abortion rate have all declined since 1991, the U.S. teen birth rate is still far above that of most industrialized countries (Alan Guttmacher, 2000a, 2000b).

During the period 1991-99, the pregnancy rate for teenagers 15-19 dropped from a high of 115.3 per 1,000 teenagers to 85.6. Similarly, the birth rate dropped from 61.8 in 1991 to 48.7 in 1999 and to 42.9 in 2002. Moreover, the abortion rate for teenagers has fallen fairly steadily since the late 1980s. For example, the abortion rate for 15- to 19-year-olds dropped from 37.4 in 1991 to 24.7 in 1999, a drop of 34 percent. Because the teen pregnancy rate, birth rate, and abortion rate all have declined since 1991, the total decline in the teen birth rate cannot be attributed solely to an increase in abortions by teens. The teen pregnancy rate fell by 26 percent between 1991 and 1999 and the abortion rate by 34 percent (Alan Guttmacher Institute, 2003). According to the National Center for Health Statistics (1998), the declines in birth and pregnancy rates for teenagers since 1991 reflect a

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stabilization and reduction in the proportion of teenagers who have ever had sex, a fall in the proportion of teenagers who are sexually active at a given time, and an increase in the likelihood that teenagers use contraceptives (see also Child Trends, 2000). Others attribute the declines in teen birth rates in part to teens' adopting a more conservative attitude about engaging in sexual activity before marriage and their fear of contracting AIDS or other sexually transmitted diseases (National Governors', 2000; Alan Guttmacher, 2000a; Child Trends, 2000).

TABLE M-2--BIRTHS TO UNMARRIED WOMEN BY AGE,
1970 AND 2001

Age	1970		2001	
	Nonmarital Births	Percent of Nonmarital Births	Nonmarital Births	Percent of Nonmarital Births
Under age 15	9,500	2.4	7,494	0.6
Ages 15-19	190,400	47.8	352,026	26.1
Ages 20-24	126,700	31.8	514,959	38.2
Ages 25-29	40,600	10.2	257,702	19.1
Ages 30-34	19,100	4.8	135,040	10.0
Ages 35-39	9,400	2.4	65,257	4.8
Ages 40 and older	3,000	0.8	16,771	1.2
Total, all ages	398,700	100.0	1,349,249	100.0

Note--Details may not add to totals due to rounding.

Source: National Center for Health Statistics (1970); National Center for Health Statistics (2002), p. 47.

Ethnic differences

Since 1991, birth rates have declined for white, black, American Indian, Asian or Pacific Islander, and Hispanic adolescents ages 15 through 19. The greatest decline in teen birth rates occurred among non-Hispanic black teens, for whom rates were down 38 percent over the period from 1991 to 2001. Specifically, birth rates for non-Hispanic black teenagers declined from 118.9 per 1,000 in 1991 to 73.5 in 2001. For Hispanic teenagers, birth rates declined by 19 percent between 1991 and 2001, from 106.7 to 86.4. However, despite the general decline in teenage birth rates for all races and persons of Hispanic origin, in 2001, birth rates for black and Hispanic teenagers continued to be substantially higher than for other ethnic groups. As compared with the black and Hispanic rates of 73.5 and 86.4 per 1,000 respectively, non-Hispanic white teens gave birth at a rate of only 30.3 per 1,000 and Asian or Pacific Islanders were lower still at 19.8 per 1,000. The birth rate for American Indian teens (15-19) was 56.3 in 2001 (National Center for Health Statistics, 2002, p. 6; and National Center for Health Statistics, 2003, p. 9).

State trends

Birth rates for teens 15-19 vary considerably from State to State. In 2001, the lowest reported rate by a State was 21.0 per 1,000 in New Hampshire; the highest was Mississippi at 66.7, although the District of Columbia and the territories of Guam and Puerto Rico had rates of 74.9, 70.5 and 68.0 respectively. Despite this

variability, between 1991 and 2001, a reduction in the rate of births among teens aged 15-19 was observed in all 50 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. In 24 States, the District of Columbia, Guam, and the Virgin Islands, the rate was down by more than 25 percent. Overall, declines ranged from 13 percent in Texas to 42 percent in Alaska (National Center for Health Statistics, 2002, p. 8-9).

Financial and social costs of teen births

The Robin Hood Foundation (Maynard, 1996) estimated that adolescent childbearing costs the U.S. taxpayer about \$6.9 billion per year; more specifically, welfare and food stamp benefits, \$2.2 billion; medical care expenses, \$1.5 billion; spending on incarceration (for the teen sons of women who had them as adolescents), \$1 billion; foster care placements, \$0.9 billion; and lost tax revenue because of work patterns of fathers, \$1.3 billion. Research also indicates that teens who give birth are less likely to complete high school and go on to college, thereby reducing their potential for economic self-sufficiency. For the children of teens, research indicates that they are more likely to experience problems in school, are more likely to drop out of high school, and as adults are more likely to repeat the cycle of teenage pregnancy, poverty, and welfare use (U.S. Department, 1995; Maynard, 1996; National Governors', 2000).

FEDERAL STRATEGIES TO REDUCE NONMARITAL PREGNANCIES

OVERVIEW

In recognition of the negative, long-term consequences associated with nonmarital births and the long-term costs to society, the prevention of childbearing outside marriage has been identified by Congress as a major national goal. Although birth rates for teens have dropped in recent years, they remain at a relatively high level. Similarly, although the overall illegitimacy ratio has stabilized, it is still at an extraordinarily high level, especially for minorities.

Moreover, U.S. teen birth rates are much higher than the rates of other industrialized nations; they are 2 and 13 times, respectively, those of England and Japan. The diversity in teen birth rates across industrialized countries in 1995 ranged from a low of 4 births per 1,000 teens aged 15-19 in Japan to 56 in Armenia, with the U.S. rate near the top at 54.4 (Alan Guttmacher, 2000a, 2000b).

In an attempt to ameliorate some of the social and financial costs of nonmarital births even before the 1996 welfare reform law, the Federal Government funded a variety of teenage pregnancy prevention programs. These include: family planning, created in 1970 as title X of the Public Health Services Act; the

Adolescent Family Life Program, created in 1981 as title XX of the Public Health Services Act; the Maternal and Child Health Services Block Grant, created in 1981 as title V of the Social Security Act; the Medicaid Program, created in 1965 as title XIX of the Social Security Act, and which includes 90 percent Federal matching funds for family planning services (e.g., patient counseling and education concerning pregnancy prevention and reproductive health, including birth control); and the Social Services Block Grant, created in 1981 as title XX of the Social Security Act.

NONMARITAL BIRTH PROVISIONS IN THE 1996 WELFARE REFORM LAW

Despite these programs already in the law, the 1996 welfare reform law (Public Law 104-193), and especially the Temporary Assistance for Needy Families (TANF) Block Grant in title I of the law, included many new provisions designed to reduce nonmarital births. In fact, one of the four goals of the law was the prevention and reduction of out-of-wedlock pregnancies. In addition, the law contained many other provisions aimed at focusing the Nation's attention and State and Federal policy on reducing nonmarital pregnancies.

Findings

The findings section of the 1996 law notes the increase in out-of-wedlock pregnancies and births, asserts that an effective strategy to combat teenage pregnancy must address the issue of male responsibility, and lists some of the negative consequences of out-of-wedlock births on the mother, child, family, and society. This section of the law states that it is the "sense of the Congress" that prevention of out-of-wedlock pregnancy and reduction in out-of-wedlock births are very important government interests and that the policy contained in the TANF Program and in other provisions of the 1996 law are intended to initiate a national attack on nonmarital births.

Purpose

The purpose statement of the 1996 legislation stipulates in part that States should design their TANF Program to prevent and reduce the incidence of out-of-wedlock pregnancies and that States must establish annual numerical goals for preventing and reducing the incidence of such pregnancies.

State plan

The TANF State plan must include an outline of how the State intends to establish goals and take action to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teen pregnancies. States must also establish numerical goals for reducing their illegitimacy ratio for calendar years

1996-2005. Finally, the State is required to outline how it intends to conduct a program that provides education and training on the problem of statutory rape so that teenage pregnancy prevention programs may be expanded to include men, especially older males who prey on young women.

Bonus for decline in out-of-wedlock births

For fiscal years 1999-2002, the 1996 law provided that cash bonuses be awarded to five States that have lower out-of-wedlock birth ratios than in preceding years and lower abortion rates than in fiscal year 1995. Under the law, the five States with both the greatest decline in out-of-wedlock birth ratio and a reduced abortion rate are to receive a bonus of \$20 million each. If fewer than five States qualify for the bonus, it is increased to \$25 million. If Guam, the Virgin Islands, or American Samoa qualify for the bonus, they would be paid \$1.172 million, \$889,000, and \$250,000, respectively. These payments would not affect the number of other jurisdictions that could receive the bonus, but the \$20 million or \$25 million paid to other qualifying States (including the District of Columbia and Puerto Rico) would be reduced pro rata. (See TANF section for information on State receipt of bonus payments.)

Bonus to reward high-performance States

For each year of the 5 years from fiscal year 1999 to fiscal year 2003, the 1996 welfare reform law provided a bonus grant to States that were successful in meeting the goals of the TANF Program. A total of \$1 billion is appropriated for these bonuses, which are to average \$200 million annually. As mentioned earlier, one of the goals of the TANF Program is to prevent and reduce the incidence of out-of-wedlock pregnancies. However, the HHS announced that the performance award for fiscal years 1999 and 2000 would be based only on State rankings of job entry and "work force success" measures. Also in December 1999, HHS announced that beginning in 2002 part of the bonus would be awarded to States with the largest increase in the percentage of children living in two-parent families with incomes below 200 percent of the poverty level. Although this measure does not provide a direct gauge of illegitimate births, it is at least an indirect indication of increases in marital births. (See TANF section for more information on the high performance bonus.)

Certain minor mothers ineligible for TANF assistance

The 1996 law specifies that a State may not use any part of the Federal TANF grant to provide cash assistance to unwed mothers under age 18 without a high school diploma or its equivalent unless they attend school or other equivalent educational or training program once their youngest child is 12 weeks old. The law also specifies that a State may not use any part of the Federal TANF grant to

provide cash assistance to unwed mothers under age 18 or their children unless they live in the home of an adult relative or in another adult-supervised arrangement.

Abstinence education

One of the most important anti-illegitimacy policies adopted in the 1996 legislation was \$250 million over 5 years in entitlement money for abstinence education (\$50 million per year for each of the fiscal years, 1998-2002). Funds must be requested by States when they solicit Title V Maternal and Child Health (MCH) block grant funds and must be used exclusively for teaching abstinence. To receive federal funds, a state must match every \$4 in federal funds with \$3 in state funds. This means that funding for abstinence education must total at least \$87.5 million annually. Sponsors of the provision wanted to be certain that every project funded by the abstinence education program was based on an unambiguous abstinence message. Programs could include information on birth control, but could not advocate its use. Rather, abstinence programs had to be based on several clear messages about abstinence, including: "abstinence from sexual activity outside marriage [is] the expected standard for all school age children;" "abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems;" and "sexual activity outside the context of marriage is likely to have harmful psychological and physical effects."

The abstinence education money was provided directly to the States. States were then required to devise a procedure for distributing the funds to qualifying projects. In fiscal year 2003, every State except California was sponsoring one or more abstinence education projects, many of which have received additional funding from the State or local level.

In the Balanced Budget Act of 1997 (P.L. 105-33), Congress appropriated money for a scientific evaluation of the abstinence education projects. In competitive bidding, the Mathematica research company of Princeton, New Jersey won the contract to conduct the evaluation. In April 2002, Mathematica released an interim report that focused on the implementation experiences of a selected group of the Title V abstinence education programs. Later reports are expected to present estimates of short- and longer-term program impacts. The final report is due in 2005. It is expected that the results from the Mathematica evaluation will provide reliable information on whether abstinence programs have an impact on teens' attitudes toward sex, their sexual behavior, or their nonmarital birth rates.

Other provisions to reduce nonmarital births

Family planning.--States are prohibited from using any part of the Federal TANF grant to provide medical services or abortions, but pre-pregnancy family planning is allowed as a use of TANF funds.

Family cap.--Although there is no explicit provision in the 1996 law, the block grant nature of the program allows States to deny additional TANF benefits for a new baby in a family already receiving TANF benefits. By 2002, 21 States (including Guam) had adopted some version of this policy, often called the "family cap."

Ranking and review of States regarding out-of-wedlock births.--The Secretary of HHS is directed to rank States in order of success in reducing the proportion of out-of-wedlock births and review the programs of the five States most recently ranked highest and the five States most recently ranked lowest.

Report on circumstances of certain individuals.--The Secretary must report to four Committees of Congress annually, beginning on August 22, 1999, on specified matters about three groups: children whose families lost TANF eligibility because of a time limit, children born after enactment (i.e., August 22, 1996) to teen parents, and persons who became teen parents after enactment. Among the specified matters is the rate at which the members of each group are born, or have children, out-of-wedlock, and the percentage of teens that are married.

National goals to prevent teenage pregnancies.--The Secretary was required to establish and implement, no later than January 1, 1997, a strategy for preventing out-of-wedlock teenage pregnancies. In response to this requirement, HHS announced a teen pregnancy prevention strategy in January 1997 called the "national strategy to prevent out-of-wedlock teen pregnancies." The purpose of the national strategy is to ensure that at least 25 percent of communities in the United States have pregnancy prevention programs in place. HHS is required by the 1996 law to report to the Congress by June 30 of each year on progress made in implementing the national strategy. Created as a complementary approach to teen pregnancy prevention efforts mandated in the 1996 welfare reform legislation, the national strategy works under two main principles: to strengthen the national response to prevent out-of-wedlock pregnancies by combining existing programs with emerging ones, and to support and encourage abstinence among adolescents (U.S. Department, 1998, 1999, 2000).

Research on TANF Programs.--The Secretary also is required to conduct research on the benefits, effects, and costs of operating State TANF Programs. The research is to include the effects and operation of various programs on nonmarital births and teen pregnancy.

Census Bureau report.--The U.S. Census Bureau must expand the Survey of Income and Program Participation (SIPP) to obtain data with which to evaluate TANF's impact on a random sample of American families. One of the areas the Census Bureau is directed to include in this study is out-of-wedlock births. The law appropriated \$10 million per year for each of fiscal years 1996-2002 to pay for this major study.

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NONMARITAL BIRTH PROVISIONS IN THE CHILD SUPPORT
ENFORCEMENT PROGRAM

The 1996 law also contained the most powerful and far-reaching reforms of the Child Support Enforcement Program ever enacted (see Section 8). Because strict child support enforcement has been shown to have a deterrent effect on nonmarital childbearing (Garfinkel et al., 1999), the child support provisions of the law were seen by Congress as another method of attempting to reduce illegitimacy. Perhaps the most direct provisions of the 1996 law that were expected to have an impact on nonmarital childbearing were the exceptionally strong paternity establishment requirements. If the State child support agency determines that a TANF recipient is not cooperating with officials in establishing paternity or in establishing, modifying, or enforcing a support order for her or his child, the State must reduce the family's TANF benefit by at least 25 percent and may remove the family from the program entirely. Moreover, if a State does not enforce penalties requested by the State child support agency against TANF recipients who fail to cooperate, the HHS Secretary must reduce the state's Federal TANF grant by up to 5 percent and the State must replace these funds with its own money.

The 1996 law also required States to take several actions to promote paternity establishment. These include creating a simple civil process for voluntary acknowledgment of paternity, maintaining a hospital-based paternity acknowledgment program as well as programs in other State agencies (including the birth record agency), and issuing an affidavit of voluntary paternity acknowledgment based on a form developed by the Secretary. When a child's parents are not married, the father's name must not appear on the birth certificate unless there is an acknowledgment or adjudication of paternity. In addition, signed paternity acknowledgments must be considered a legal finding of paternity unless rescinded within 60 days.

The child support reforms include many other provisions that are expected to increase personal responsibility and promote deterrence. Among these measures are: mandatory employer reporting of information on new hires to promote rapid location of noncustodial parents; uniform interstate child support laws; establishment of a computerized Statewide collection and disbursement unit to expedite child support payments to custodial parents; and stringent penalties, such as revocation of drivers' license and other professional and recreational (including sporting) licenses, of parents who owe past-due child support.

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