



**Legislative Bulletin.....March 13, 2013**

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**H.R. 890 — Preserving Work Requirements for Welfare Programs Act of 2013**

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**H.R. 890 — Preserving Work Requirements for Welfare Programs Act of 2013 (Camp, R-MI)**

**Order of Business:** The legislation is scheduled to be considered under a closed rule, which added TANF reauthorization at current levels through December 31, 2013.

**Summary:** The underlying legislation, which is an RSC Initiative, will prohibit waivers relating to compliance with the work requirements for the program of block grants to States for temporary assistance for needy families, and for other purposes. The legislation requires that notwithstanding any other provision of law, the Secretary of Health and Human Services may not do the following:

- Finalize, implement, enforce, or otherwise take any action to give effect to the Information Memorandum dated July 12, 2012 (Transmittal No. TANF-ACF-IM-2012-03), or to any administrative action relating to the same subject matter set forth in the Information Memorandum or that reflects the same or similar policies as those set forth in the Information Memorandum.
- Authorize, approve, renew, modify, or extend any experimental, pilot, or demonstration project under section 1115 of the Social Security Act (42 U.S.C. 1315) that waives compliance with a requirement of section 407 of such Act (42 U.S.C. 607) through a waiver of section 402 of such Act (42 U.S.C. 602) or that provides authority for an expenditure which would not otherwise be an allowable use of funds under a State program funded under part A of title IV of such Act (42 U.S.C. 601 et seq.) with respect to compliance with the work requirements in section 407 of such Act to be regarded as an allowable use of funds under that program for any period.

The legislation further states that any waiver relating to the subject matter set forth in the Information Memorandum or described in this bill that is granted before the date of the enactment of this Act is hereby rescinded and shall be null and void.

**NOTE: The House Rules Committee added H.R. 987, which extends TANF at baseline levels through December 31, 2013, to H.R. 890. Baseline level funding is \$16.5 billion, which is not adjusted for inflation.**

**Background:** The Temporary Assistance for Needy Families (TANF) was created as part of the 1996 welfare reform law, replacing the prior open-ended entitlement program. TANF established increased work requirements for welfare recipients and added a limit to the amount of time individuals could receive Federal welfare checks. According to a [CRS Report](#), “the Department of Health and Human Services (HHS) announced that it is willing to waive certain federal work participation standards under the Temporary Assistance for Needy Families (TANF) block grant to permit states to experiment with ‘alternative and innovative strategies, policies, and procedures that are designed to improve employment outcomes for needy families.’ HHS announced this initiative on July 12, 2012.” According to the [CBO Report](#), “H.R. 890 would disapprove the rule submitted by the Department of Health and Human Services (HHS) on July 12, 2012, that modifies the waiver authority with respect to work requirements in the Temporary Assistance for Needy Families program (TANF). If H.R. 890 is enacted, the rule would have no force or effect.”

**Committee Action:** The legislation was introduced by Rep. Dave Camp on February 28, 2013.

**Administration Position:** No statement of administration position was available at press time.

**Cost to Taxpayers:** According to the [CBO report](#), “enacting H.R. 890 would reduce direct spending by \$61 million over the 2013-2023 period. (The resolution would not affect revenues.) CBO does not expect that implementing H.R. 890 would have any significant effect on spending subject to appropriation.”

**Does the Bill Expand the Size and Scope of the Federal Government?:** No.

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No, According to the [CBO Report](#), “H.R. 890 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).”

**Does the Bill Contain Any Federal Encroachment into State or Local Authority in Potential Violation of the 10<sup>th</sup> Amendment?:** No

**Does the Bill Delegate Any Legislative Authority to the Executive Branch?:** No.

**Does the Bill Contain Any Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time.

**What Is the Constitutional Authority for the Legislation?:** According to the constitutional authority statement Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the United States Constitution, to “provide for the common Defiance and general Welfare of the United States.”

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