

NLWJC - Kagan

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General [2]

EXECUTIVE OFFICE OF THE PRESIDENT

24-Sep-1996 09:27am

TO: (See Below)

FROM: Dorothy K. Craft
Domestic Policy Council

SUBJECT: WELFARE IMPLEMENTATION SUBGROUP MEETING REMINDER

MEMORANDUM TO WELFARE IMPLEMENTATION SUBGROUP

FROM: Jeremy Ben-Ami
Diana Fortuna
Domestic Policy Council

SUBJECT: MEETING REMINDER: Welfare Implementation Subgroup

The next subgroup meeting will be held on Tuesday, September 24 at 3:00 p.m. in Room 211 of the Old Executive Office Building. Also, below is the most updated list of subgroup members and their contact numbers.

Please call Dorothy Craft (202) 456-5571 with your clearance information only if you have never attended a meeting. Thank you.

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WELFARE REFORM INTERAGENCY MEETING

AGENDA
September 19, 1996

- I. Current Implementation Issues
 - o Consultation with stakeholders John Monahan, HHS
 - o Food stamp work requirements and waiver Ellen Haas, USDA
 - o Report on state use of waiver to delay -17 states taken
recertifications to hearing
 - o Domestic violence HHS/DOJ
 - o Process on immigration issues Steve Warnath, DPC
 - o Regulatory Process Sally Katzen, OMB
- II. Update on NGA/NCSL/APWA consultation and conference Carol H. Rasco
- III. Update on Jobs Initiative Gene Sperling
- IV. Calendar of Coming Events Melissa Skolfield, HHS
- V. Web Page Jeremy Ben-Ami, DPC
- VI. Briefing on Implementation of Child Care Provisions of Statute Joan Lombardi, HHS
- VII. Federal Agencies' Support for Welfare-to-Work Efforts Carol H. Rasco
- VIII. Next Meeting

September 1996
WELFARE REFORM IMPLEMENTATION

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4 National Food Stamp Conference (FSP) for Food Stamp managers, <i>MJB</i> remarks, Sept. 4-5 (Alexandria, VA) Southwest Regional Child Support Assoc. Annual State Child Support Conf., <i>David Ross, OCSE - Keynote speaker</i> , Sept. 4-6 (Oklahoma City, OK)	5	6	7
8 National Assoc. of Human Svcs. State Quality Control Directors Annual Meeting, Sept. 8-11 (Sacramento, CA)	9 State Child Care Administrators' Conf. Sept. 9-10 - George Washington University NGA, APWA, NCSL Welfare Reform Implementation Meeting, Sept 9-10 (Washington, DC); <i>MJB, Sally Richardson, HCFA</i> remarks	10	11 International Children's Conf. <i>FLOTUS</i> remarks Los Angeles, CA	12 APWA Regional Welfare Reform Seminar, Sept. 12-13 (Newark, NJ)	13	14 APWA Assoc. of Information Systems Management, Sept. 14-18 (Portland, OR)
15 National Child Support Enforcement Conf., Sept. 15-17 <i>MJB</i> and <i>David Ross, OCSE</i> remarks National Eligibility Workers Meeting for FCS staff and state agencies, Sept. 15-18 (Anchorage, AL)	16 APWA Regional Welfare Reform Seminar, Sept. 16-17 (Minneapolis, MN)	17 House Ways and Means Subc. on Human Resources (Shaw) hearing - welfare reform implementation, (2 p.m. B318 Rayburn) <i>Olivia Golden</i> will testify FCS Northeastern Region State Mtg. to Review Legislation, Address State Implementation Concerns, Sept. 17-19 (Boston, MA)	18 APWA Conference, <i>Bill Ludwig, USDA Administrator for Food & Consumer Service</i> remarks	19 Catholic Charities, USA Annual Meeting Sept. 19-20 (Cleveland, OH) APWA Regional Welfare Reform Seminar Sept 19-20 (Nashville, TN) House Ways and Means Subc. on Human Resources (Shaw) Hearing on CSE and welfare reform. <i>David Ross</i> will testify. (2 p.m. B318 Rayburn)	20 George Washington Health Forum <i>Joblessness, the Urban Underclass, and Welfare Reform</i> , (9 a.m.-12 p.m.) Hart Senate Bldg. 902	21
22	23	24 APWA Regional State Meeting, Sept. 24-35 (Portland, OR)	25	26 APWA Regional State Meeting, Sept. 26-27 (Los Angeles, CA)	27	28 Network National Cntr. '96 Welfare to Work Conf., Sept. 28-Oct. 1 (Portland, OR)
29 National Council for Urban Economic Development, Annual Conf., Sept. 29-Oct. 2 (Cleveland, OH)	30 United Council on Welfare Fraud, Annual Training Conf., <i>Bill Ludwig, USDA</i> remarks (Denver, CO) (Tentative) FCS Mid-Atlantic Region Meeting to Review Welfare Reform, (Philadelphia, PA)	UPCOMING EVENTS: <ul style="list-style-type: none"> • Oct. 3-4 - FCS Midwest Region Welfare Reform Meeting, Chicago, IL • Oct. 6 - Exec. Comm. of the Nat. Assoc. of State Medicaid Directors, HHS/HCFA, and various intergovernmental groups meet to discuss implementation of Welfare Reform and Kennedy Kassebaum Bill • Oct. 7-9 - National Assoc. of State Medicaid Directors Annual Conference • Oct. 9 -- The Smith Center for Private Enterprise Studies, California State Univ., Hayward, features <i>Eloise Anderson</i>, California Director of Social Services, speaking on Effective Welfare Reform, 2:45pm. • Oct 23 -- Women Work, The National Network for Women Employment Coalition on Women and Job Training Meeting (Washington, DC) • TBA - FCS South Western Region will meet with states on a state-by-state basis • TBA - FCS Western and Mountain Plains Regional Welfare Reform Meeting 				

This is my effort to distill agency
top 5 lists into something we could
DRAFT
TOP ISSUES
Give NGA, etc

USDA:

- o How will the requirement for a three-month time limit on food stamps for able-bodied childless adults aged 18-50 be implemented? How will waiver to this provision work?
- o How will waivers that were in effect when law was enacted be affected?
- o How can states implement the law in a timely way, especially those provisions effective on enactment -- particularly given states are simultaneously implementing TANF, and conversion requires substantial systems modifications and worker training?
- o What steps are required to implement the "40 quarters" exception to the ban on food stamp benefits for legal immigrants?
- o Timeliness of regulatory clearance process

SSA:

- o How will SSA process requests from states and other agencies regarding the 40 quarters of coverage exception to restrictions on alien eligibility for public benefits?
- o How will children currently receiving SSI disability benefits be affected by the legislation? (Issues include definition; due process; when will children be terminated from the rolls; how many children)
- o How can Federal and State agencies work together on the verification process?

HHS:

- o How to design work programs and post-employment supports
- o How to assess families coming into the system
- o How to ensure that there are sufficient child care funds for TANF families, working families, and families that need after-school child care
- o General clarification of Medicaid eligibility for immigrants
- o Specific clarification of Medicaid eligibility for immigrants within the context of TANF

Food Stamp Program Implementation Issues

- **Three Month Food Stamp Time Limit for Able Bodied Childless Adults Aged 18-50**

Large one time impact on state and local governments when approximately 1 million current recipients are removed from the program in early 1997.

States do not have the computer or manual systems in place to track these individuals internally or external to the State.

States do not have the resources necessary to provide adequate jobs/workfare slots.

How and when will the proviso to waive areas from this provision due to high unemployment or "insufficient jobs" work?

States will have to implement the law before FCS can provide needed guidance in final regulations.

- **Welfare Reform Waivers In Effect Prior to August 22, 1996**

Issues for states that want to terminate waivers:

- cost neutrality

- most current food stamp waivers are now State options

- status of the evaluations

Issues for states that want to continue waivers

- many food stamp waivers are now allowable as State options

- renegotiating the terms and conditions

- evaluation requirements under the new food stamps waiver language

- federal cost neutrality vs. food stamps cost neutrality

FOOD STAMP PROGRAM IMPLEMENTATION ISSUES

- **Timely State Implementation.** Most of the food stamp provisions in the welfare reform law were effective 8/22/96. Implementation of the food stamp changes is a huge workload for States when they are simultaneously implementing their TANF programs. Conversion requires substantive systems modifications and worker training for both programs at a time when most States are short-staffed and are strapped financially.

- **Accurate determinations of alien eligibility will be difficult.** There are time limits and other conditions on the few aliens lawfully admitted for permanent residence who are eligible. Some must have 40 qualifying quarters under the social security system and for quarters credited after 1996, the alien cannot have received public assistance during that time.
 - The Social Security Administration is now unable to provide all the needed information timely.

 - There is no national database to track receipt of public assistance.

 - INS has a large and growing number of pending applications for naturalization.

- **Lengthy Regulatory Clearance Process.** It could take a long time to get the proposed and final regulations published.

The result will be that States will be implementing different provisions in different ways for a considerable length of time.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Washington, D.C. 20201

September 17, 1996

MEMORANDUM TO: Diana Fortuna
Domestic Policy Council

FROM: John Monahan, Director *John*
Office of Intergovernmental Affairs

SUBJECT: Top Five List of Issues on Welfare Reform
Implementation--INFORMATION

Following is a list of the top five issues that need to be resolved to facilitate implementation of welfare reform.

1. How to design work programs and post-employment supports.
2. How to assess families coming into the system.
3. How to ensure that there are sufficient child care funds and TANF families, working families, and families that need after-school child care.
4. General clarification of Medicaid eligibility for immigrants.
5. Specific clarification of Medicaid eligibility for immigrants within the context of TANF.

INS Top 5

QUESTIONS AND ISSUES

Wednesday September 18 12:15PM - 1:45PM

WHAT ARE FIVE ISSUES/CONCERNS/QUESTIONS TO BE ADDRESSED FOR STATES AS THE IMPLEMENTATION PROCESS PROCEEDS?

Q. What are the number of foreign-born persons and future immigrants who may be affected by changes in eligibility? How will a state be able to keep up with this kind of information?

A. INS currently has its latest annual statistical information (on FY95) located on the website (<http://www.usdoj.gov/ins>). This information covers the number of new immigrants who entered each state over the last few years by country of origin and class of admission. It also contains information disaggregated to the largest metropolitan areas of the immigrants' intended residence.

INS plans by the end of September to place more statistical information on the website that provides estimates of the current use of public benefits by the foreign-born population in various states. These estimates will not provide precise counts of future applicants or persons affected by changes in eligibility. Still, they will provide a general "order of magnitude" using the best available Federal statistics.

When complete, INS will make this statistical information available in hard copy as well as on the website.

Q. What is the status of efforts to define:

- Federal public benefits;
- Federal means-tested programs;
- Attorney General's list of exempted community programs.

A. A notice will soon be published to request public comment on the Attorney General's list of community programs. The definition of public benefits and means-tested programs is currently under review throughout the Administration.

Q. INS has 18 months to create a verification system similar to the current SAVE system. How should new programs verify during the interim months?

A. The Department of Justice/INS are working on general guidance. Many state programs currently use INS' SAVE system or submit requests for verification of documents when there are questions. New efforts to verify should at least consult with INS Headquarters about various issues involved in making the process efficient and effective, while protecting the rights of applicants.

- Q. Is INS prepared to provide technical assistance to States to decide and implement verification procedures?
- A. INS is preparing a strategy to provide technical assistance to Federal and State programs that will want to begin verification in the next few months. That strategy depends on several fundamental decisions, including the definitions of which programs will be included in eligibility and immigration status determination. INS invites program representatives to initiate discussions about future actions to avoid implementation difficulties.

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

18-Sep-1996 01:38pm

TO: (See Below)

FROM: Jeremy D. Benami
 Domestic Policy Council

SUBJECT: welfare implementation

I'd like to suggest an arrangement among our four offices regarding meetings on welfare implementation issues. There is almost no issue that any of us is going to hold a meeting on or deal with that won't involve each of our offices - DPC, OMB, General Counsel and Intergovernmental.

Can we agree to invite all four offices to any meetings we hold to resolve implementation issues. We may decide we don't need to attend some of them, but then there won't be any question that we at least know about them.

Meetings I know of this week:

- Ken's means-tested benefit meeting -- 3:00 today
- Elena food stamp meeting - 5:00 today
- Carol/Bruce interagency meeting - 11:00 tomorrow
- Immigration/legal issues meeting - 5:00 tomorrow

- NEC is having a meeting on the jobs stuff at 5:00 today as well

Bruce/Carol: we'll let you know about meetings, but assume you won't want to attend most unless you tell us otherwise.

Distribution:

TO: Kenneth S. Apfel
TO: Emily Bromberg
TO: Elena Kagan
TO: Diana M. Fortuna
TO: Stephen C. Warnath

CC: Carol H. Rasco
CC: Bruce N. Reed

5016 of Ref Act - auth to provide bus
to any refs
to - Cuban/Haitian contracts

ISSUES LIST (9/12/96)

Hot issues

(For each of these issues a process is in place to move forward to necessary decisions)

- o HHS: state plan guidance; 45-day public comment period; waivers; domestic violence exemptions
- o Definition of means-tested programs
- o USDA: California request on food stamp recertification
- o SSA: Definition of disability for children's SSI

Issues requiring further work

(For these issues, we want to review status and process for addressing)

- o HHS: proposed regulations -- HHS needs reaction to draft list/timeline
- o USDA: 18-50 year-olds: ~~States' ability to track work~~ == USDA to say more on plans today, including waivers
- o USDA: Implementation of waiver to delay recertification -- USDA to report today
- o USDA: Chiles letter
- o HHS/HCFA: Delinking of Medicaid eligibility; loss of coverage via SSI for children, immigrants; waivers
- o HHS: Tracking system for time limits
- o SSA: 40 quarters calculation -- SSA to report today
- o INS: Interim verification -- Memo available for comments Monday COB
- o HHS: Systems to implement child support provisions
- o Treasury: Implementing contingency fund
- o INS: Reg on testing requirements and disability
- o Definition of federal public benefit
- o Definition of lawfully present
- o Hmong: SSA to report
- o Child care block grant reporting
- o Web Page
- o Ways and Means testimony

Memo
vains ←
Σ's we
how to
verify?
DOT-SP
in substance
by
interim
Verif.

begin to talk next wk.
How SS answers request how to
Went requests to
come from states.
So was behind-
hand - ? (u)
who was asst p. in
a wk in local pur +
other jobs not
covered by SS?
Did any intend to
cover there?

Issues for future focus

- o Performance bonus fund implementation
- o Keeping pace with naturalization demand
- o California executive order
- o Final version of AG order
- o State reporting requirements 4x/year on immigrants
- o Treaty issue?
- o Gramm amendment
- o VA involvement in legal immigrant changes
- o DOJ: reports on statutory rape, teen pregnancy
- o HHS: how to encourage states to use wage subsidies
- o HHS: performance bonus fund
- o Monitoring and evaluation
- o HHS: 15% cap on admin costs/MIS issue
- o NYC lawsuit

Memo
don't
come
from
SP

NYT
Giuliani
Suit

EXECUTIVE OFFICE OF THE PRESIDENT

12-Sep-1996 04:17pm

TO: (See Below)

FROM: Dorothy K. Craft
Domestic Policy Council

SUBJECT: WELFARE IMPLEMENTATION SUBGROUP MEMBERS

MEMORANDUM TO WELFARE IMPLEMENTATION SUBGROUP

FROM: Jeremy Ben-Ami
Diana Fortuna
Domestic Policy Council

SUBJECT: Welfare Implementation Subgroup Meeting

The next subgroup meeting will be held Wednesday, September 18 at 4:00 p.m. in Room 211 of the Old Executive Office Building. Also, below is the most updated list of subgroup members and their contact numbers.

Please call Dorothy Craft (202) 456-5571 with your clearance information only if you have never attended a meeting. Thank you.

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- TO: FAX (94014678, MARY JO BANE)
- TO: FAX (96907383, PETER EDELMAN)
- TO: FAX (96907383, ANGELA DURAN)
- TO: FAX (96905672, JOHN MONAHAN)
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- TO: FAX (94827105, BRIAN COYNE)
- TO: Elena Kagan

EXECUTIVE OFFICE OF THE PRESIDENT

10-Sep-1996 01:09pm

TO: (See Below)

FROM: Dorothy K. Craft
Domestic Policy Council

SUBJECT: WELFARE IMPLEMENTATION SUBGROUP MEETING REMINDER

MEMORANDUM TO WELFARE IMPLEMENTATION SUBGROUP

FROM: Jeremy Ben-Ami
Diana Fortuna
Domestic Policy Council

SUBJECT: Meeting Reminder and Updated List of Subgroup Members

The next subgroup meeting will be held on Thursday, September 12 at 2:00 p.m. in room 211 of the Old Executive Office Building.

Also, please find below the most updated list of subgroup members. If you have ever attended a welfare subgroup meeting, you already have been cleared into the building for Thursday's meeting. Thank you.

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THE WHITE HOUSE
WASHINGTON

August 21, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: Carol Rasco and Jack Lew

SUBJECT: Status of Welfare Reform Implementation

This memo will update you on efforts to ensure that welfare reform is implemented smoothly and effectively.

We have formed an inter-agency working group to coordinate implementation, which met for the first time on August 9 and will meet on a weekly basis. We have established three subgroups. One will monitor key implementation milestones, identify and resolve issues, and ensure deadlines are met. A second group is developing proposals to expand job opportunities for those leaving welfare. A third group will coordinate Presidential welfare events. Separate work is going forward on developing proposals to correct the major flaws in welfare reform which you have identified.

One key element of implementation is work with the states through the National Governors' Association (NGA), the National Conference of State Legislators (NCSL), and the American Public Welfare Association (APWA) to ensure smooth federal-state communication. Intergovernmental Affairs is coordinating Cabinet agency contact with state and local officials on all implementation issues. NGA, NCSL, and APWA will meet on implementation issues on September 9 and 10, including governors' senior policy staff, state legislative leaders, and state social service commissioners. Intergovernmental Affairs is working with NGA to negotiate the agenda of that meeting, including making Federal officials available for briefings.

This memo summarizes the work of the subgroup dealing with implementation. There are a tremendous number of difficult implementation challenges raised by the bill. All affected agencies are at work developing their own timelines and work plans. We will be compiling these agency plans so that there is one overall framework for monitoring implementation. The following is a list of some of the main deadlines and challenges that we have so far identified.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BLOCK GRANT

As you know, the bill creates the new block grant to replace AFDC and requires that states transform their AFDC systems to TANF by July 1997. There are several major issues that we will be tracking as HHS manages this transition:

- o Early Implementation -- States have the option of implementing the block grant immediately, and it is financially advantageous for them to do so. Some states may be ready to go immediately on enactment. We will be working to clarify with HHS the process and timetable for approving these plans. You should know that many states, including California, will need to seek approval from their state legislatures before submitting plans. No states are expected to call special sessions this fall on these issues.
- o Regulations -- HHS is preparing a preliminary list of areas in which it sees a need to regulate under the statute. We will be working with HHS to ensure that the new program is appropriately, but not overly, regulated.
- o Guidance to States -- HHS is also considering issuing guidance to states on how to construct their new block grant plans. We will be working closely with HHS on this guidance to ensure that it is useful and helpful to the states.
- o Approved Waivers -- The bill lets states continue to operate existing waivers. However, the bill's language is unclear about the scope of these provisions, especially the treatment of work requirements and time limits. It appears that the bill's drafters did not intend to exempt states from the work participation rates, but only to provide them with some flexibility in defining work activities. In addition, waivers that apply to only a few counties in a state can not be extended to the entire state.

As for time limits, Michigan has waivers that do not include a time limit on benefits and has indicated it will continue on this course in the plan it submits, rather than adopt time limits as required by the bill. New Hampshire may follow suit. Whether the intent of the waiver provisions can be clarified by administrative action has yet to be determined. Deciding upon the best course for clarifying the intent of the waiver provisions -- seeking legislation or through regulation (which would be our first preference) -- will be one of the implementation group's first major issues.

- o Pending and Future Waivers -- HHS has approved eight waivers in the past two days, three of which arrived after you announced you would sign the bill (D.C., Idaho, and Kansas). Wisconsin is not yet approved. HHS is prepared to act on future waiver requests until July 1, 1997 should states ask for them.
- o Other issues -- There are a whole series of operational issues the group will be addressing including the establishment and management of the Performance Bonus Fund and the Contingency Fund.

CHILD SUPPORT ENFORCEMENT

The bill requires an increased Federal role and significant state activity in this area. States must have enabling legislation in place by the end of their 1997 sessions. Federal data processing systems have to be able to interact with state systems by October 1997. We must develop a registry of new hires and a case registry, and enhance the Federal Parent Locator Service. HHS has scheduled training conferences and set up joint working groups with the states. One change of interest is that states will no longer be required to pass the first \$50 of monthly support collections to the family receiving assistance as of October 1, 1996.

IMMIGRANTS

Obviously, the cross-cutting impact of the immigrant provisions of the bill will be a central concern on implementation. Among the key impacts:

- o Food Stamps -- Upon enactment, legal aliens applying for food stamps will no longer be eligible. Immigrants currently receiving benefits will lose them at the time of their regularly scheduled recertification. These recertifications would begin immediately upon enactment, with all such immigrants to be removed from the program within one year of enactment. About 900,000 participants (including 300,000 children) will be ineligible in the first year; approximately 250,000 participants will lose benefits in the first three months after enactment.
- o Supplemental Security Income (SSI) -- Upon enactment, most immigrants who apply for SSI will not be eligible. Current immigrant recipients will get benefits until the Social Security Administration (SSA) determines they are no longer eligible. By March 1997, SSA must send notices to the 1.1 million current recipients who may be legal immigrants and request evidence of their citizenship status. If the immigrant provides evidence that he or she is not eligible or fails to respond, SSA will notify the individual that benefits will be stopped. The amount of time the recipient has to respond to the first notice appears to be at SSA's discretion, although all redeterminations must be completed within one year of enactment. SSA is exploring timing options, with the intent of providing recipients as much time as possible within the law to naturalize. An estimated 300,000 to 400,000 recipients are expected to come off the rolls.

We will be focusing on two overarching issues in implementing these and the other immigration provisions:

- o Verification -- Developing a workable and fair system of verifying citizenship status that meets the needs of the various systems affected is a daunting challenge. The legislation outlines ambitious timelines, and an administration workgroup is already at work putting proposals and options together.

- o Naturalization – In anticipation of the restrictions on benefits, many immigrants have already applied for citizenship and many more will apply as the restrictions take effect. INS has been working on initiatives to speed up the naturalization process. The Citizenship U.S.A. initiative is designed to respond to the large increase in applications and expects to naturalize 1.2 million immigrants this fiscal year. INS is also working with SSA and OMB on a new regulation that will waive English and civics test requirements for immigrants with certain serious disabilities and perhaps establish a special waiver for many disabled immigrants receiving SSI.

FOOD STAMPS – NON-IMMIGRANT PROVISIONS

Eligibility for 18-50 Year-old Childless Adults -- Most able-bodied adults without children will now be limited to 3 months of food stamps in a 36-month period if they are not working or participating in a work or workfare program. For current recipients, this limit is effective 3 months after enactment. One million current recipients will become ineligible within six months. Households remain ineligible for the balance of the 36-month period unless they obtain work or get a slot in a job training or workfare program.

Making the extensive changes to their computer systems to determine the eligibility of individuals who are dropped from the rolls and to track new recipients against the time limits will be a major implementation challenge to states.

Benefit Levels – Changes to the standard income deduction and the excess shelter deduction will reduce benefits for nearly all of the 25 million monthly participants. Food stamp allotments will still increase under these changes, but much less than under prior law. The impact increases over time – by 2002, average benefits will be nearly 20% lower.

These provisions involve relatively simple computer changes. The Department of Agriculture (USDA) expects most states will be able to implement them on October 1 and January 1, respectively, without delay.

OTHER KEY PROVISIONS

SSI for Children – The bill tightens SSI eligibility for children with disabilities. Upon enactment, new applicants who do not meet the new standard will be ineligible. Current recipients will get benefits until SSA makes a redetermination that they are no longer eligible. Children whose cases must be reviewed will receive notices by January 1997. Those found no longer eligible will be sent a notice that benefits will be stopped. In certain cases, benefits may continue until the first level of appeal is completed. The bill calls for all redeterminations to be completed within one year of enactment. An estimated 285,000 initial notices will be sent and an estimated 190,000 children are expected to come off the rolls. SSA is working on the plan for the timing of the release of the first notices and the subsequent processes.

Medicaid -- The Medicaid program faces two major challenges in implementation: (1) delinking eligibility for Medicaid from the welfare system, and (2) assessing the impact on pending and existing waivers. The Health Care Financing Administration is working closely with other parts of HHS and with SSA to meet these challenges.

Child Care -- The bill block grants several child care programs, effective at the beginning of the fiscal year. While these changes are mostly positive, the timeframe for implementation is challenging.

Monitoring and Evaluation -- One key overarching issue will be to ensure that agencies are establishing effective research, evaluation, and monitoring capabilities to identify the impact of these dramatic changes on the individuals and institutions involved.

JOB OPPORTUNITIES

The interagency working group on the welfare jobs issue is nearing completion of a package of options. At this point it appears that the components will likely be: about \$1 billion in enhancements to the Work Opportunities Tax Credit passed in the minimum wage bill; a \$100 million expansion of the Community Development and Financial Institutions program to enhance economic development in distressed areas; a \$3 billion spending program to place one million hard-to-employ welfare recipients in unsubsidized jobs, with the key feature of withholding full payment to States until successful job placement and retention.

NEED FOR LEGISLATION

Work has begun on developing proposals to correct the major flaws in the welfare reform bill. Among those you have noted are: (1) the too-deep cuts in the Food Stamp Program, including the cap on the amount that can be deducted for shelter costs when determining an individual's eligibility; (2) the denial of Federal assistance to legal immigrants and their children, and the state option to do the same; and (3) the failure to provide Food Stamp support to unemployed childless adults who are willing to work, but not offered a work slot.

Additional issues requiring corrective action include: (1) the failure to provide sufficient contingency funding for States that experience a serious economic downturn; and (2) the lack of a provision for in-kind vouchers for children whose parents reach the five-year Federal time limit without finding work.

CONCLUSION

We will keep you up to date on developments as we go forward.

cc: Leon Panetta

EXECUTIVE OFFICE OF THE PRESIDENT

04-Sep-1996 10:05am

TO: (See Below)
FROM: Carol H. Rasco
Domestic Policy Council
SUBJECT: Welfare Reform memo to POTUS

I was sure everyone would need an interpretive reading of the remarks by POTUS and had tried to get this email off earlier...here goes! I will put any comments I have as to follow up in () and we can then talk next week when I am back in office, okay?

Page 1:

CRasco: looks good
but see notes-
BC

Also should stay in touch with counties and cities
(I had earlier today put on email to intergovernmental that we need to talk about how to work with counties and mayors groups now that we are working regularly with NGA/APWA/NCSL)

Page 2:

oRegulations

Q: Can we require states to offer, or allow local gov't to offer, wage subsidies to private emplyers plus local govt's?

oApproved Waivers

Can we at least condition waivers on work participation rate to

I want to discuss time limits issue before a decision is made and announced OR leaked.

oOther issues

Agree- I want to discuss before decision made.

Page 3

CHILD SUPPORT ENFORCEMENT

Regarding the FPLS he drew arrow and said:

Important

All agreed to this

On the \$50 issue he wrote:
I didn't know this!

IMMIGRANTS

oFood Stamps

Can we slow walk this on reevaluation grounds-(this memo was read before he got our follow up memo on issuing the directive to Glickman...we don't need to do anything further here)

oSSI

Take the year and work with INS on these to get as many citizens as possible.

Page 4

oNaturalization

Left side: Should do this ASAP

Right side: How big an increase over last year? (Isn't it nice he will be so pleased with the huge increase over last year?)

SSI for Children:

We must use REAL care on this-

(I can assure you this hit him very seriously and that is why we must have careful, thorough memo to him that I have requested previously...I must review the memo before it is sent and co-sign some kind of cover sheet or he will return it to me asking what I think.)

Medicaid:

This one did not copy well on my copy of memo and I don't have the full writing; however it appears he is saying we should discuss what this does with Wisconsin....what this says to me is that we need to make SURE POTUS is briefed on the proposed letters to Wisconsin before HHS sends them.

Child Care:

Good-

do ASAP as we must show POSITIVE aspects of law

(Diana: This says to me we should definitely ask Child Care folks to a meeting of the coordinating group in two to four weeks as we discussed earlier)

Monitoring and Evaluation:

Agree

JOB OPPORTUNITIES

Should give discretion [he abbreviated the word] to cities (this was taken care of in the formatting of his jobs initiative)

NEED FOR LEGISLATION

1st paragraph: YES

Second paragraph:

+What about Joe Califano's concern in Sat. 8/25 New York Times?
(Can someone look up that article and see what it is about...I

missed it)

=====
=====NOTE: On any of these where he said he wants to discuss, etc. it will mean more than likely we need to do a good decision memo. AGain, I will be in on Monday, will be reading email from the road on Thursday afternoon and sometime midday on Friday.

Let's talk...thanks.

Distribution:

TO: Jacob J. Lew
TO: Kenneth S. Apfel

CC: Bruce N. Reed
CC: Jeremy D. Benami
CC: Diana M. Fortuna
CC: Elizabeth E. Drye
CC: Deborah F. Kramer

**SSI CHILDHOOD DISABILITY CASES
REQUIRING REEVALUATION**

STATE	TOTAL
ALABAMA	7,684
ALASKA	255
ARIZONA	3,044
ARKANSAS	5,810
CALIFORNIA	16,224
COLORADO	2,179
CONNECTICUT	1,446
DELAWARE	674
DISTRICT OF COLUMBIA	673
FLORIDA	16,386
GEORGIA	5,741
GUAM	1
HAWAII	109
IDAHO	1,361
ILLINOIS	14,386
INDIANA	5,768
IOWA	2,084
KANSAS	2,886
KENTUCKY	8,061
LOUISIANA	12,599
MAINE	601
MARYLAND	3,551
MASSACHUSETTS	5,044
MICHIGAN	14,934
MINNESOTA	3,512
MISSISSIPPI	6,421
MISSOURI	6,712
MONTANA	584
NEBRASKA	974
NEVADA	648
NEW HAMPSHIRE	346
NEW JERSEY	5,815
NEW MEXICO	1,688
NEW YORK	27,495
NORTH CAROLINA	11,957
NORTH DAKOTA	311
OHIO	16,603
OKLAHOMA	2,002
OREGON	1,568
PENNSYLVANIA	14,346
PUERTO RICO	38
RHODE ISLAND	881
SOUTH CAROLINA	4,256
SOUTH DAKOTA	637
TENNESSEE	6,468
TEXAS	13,374

**SSI CHILDHOOD DISABILITY CASES
REQUIRING REEVALUATION**

STATE	TOTAL
UTAH	1,102
VERMONT	430
VIRGINIA	8,916
WASHINGTON	3,461
WEST VIRGINIA	2,518
WISCONSIN	6,883
WYOMING	392
UNKNOWN	904
TOTAL	282,743*

*Includes approximately 60,000 cases that will be screened to determine if a medical redetermination is required.

PREPARED BY: SOCIAL SECURITY ADMINISTRATION
DATE PREPARED: AUGUST 1996 (data through 07/30/96)

Number and percentage of aliens receiving SSI payments by State, July 1996

State	Aliens	
	Number	Percent
Total	817,890	100.00
Alabama	640	0.08
Alaska	810	0.10
Arizona	7,850	0.96
Arkansas	380	0.05
California	332,800	40.69
Colorado	5,620	0.69
Connecticut	4,840	0.59
Delaware	440	0.05
District of Columbia	950	0.12
Florida	81,400	9.95
Georgia	4,790	0.59
Hawaii	4,490	0.55
Idaho	410	0.05
Illinois	27,140	3.32
Indiana	1,190	0.15
Iowa	1,210	0.15
Kansas	1,610	0.20
Kentucky	760	0.09
Louisiana	2,890	0.35
Maine	570	0.07
Maryland	9,300	1.14
Massachusetts	25,280	3.09
Michigan	8,250	1.01
Minnesota	7,150	0.87
Mississippi	500	0.06
Missouri	1,950	0.24
Montana	160	0.02
Nebraska	750	0.09
Nevada	2,720	0.33
New Hampshire	360	0.04
New Jersey	25,560	3.13
New Mexico	3,550	0.43
New York	129,720	15.86
North Carolina	2,580	0.32
North Dakota	140	0.02
Ohio	6,050	0.74
Oklahoma	1,360	0.17
Oregon	4,620	0.56
Pennsylvania	12,680	1.55
Rhode Island	3,740	0.46
South Carolina	620	0.08
South Dakota	230	0.03
Tennessee	1,400	0.17
Texas	59,190	7.24
Utah	1,520	0.19
Vermont	180	0.02
Virginia	8,050	0.98
Washington	14,270	1.74
West Virginia	210	0.03
Wisconsin	4,950	0.61
Wyoming	60	0.01

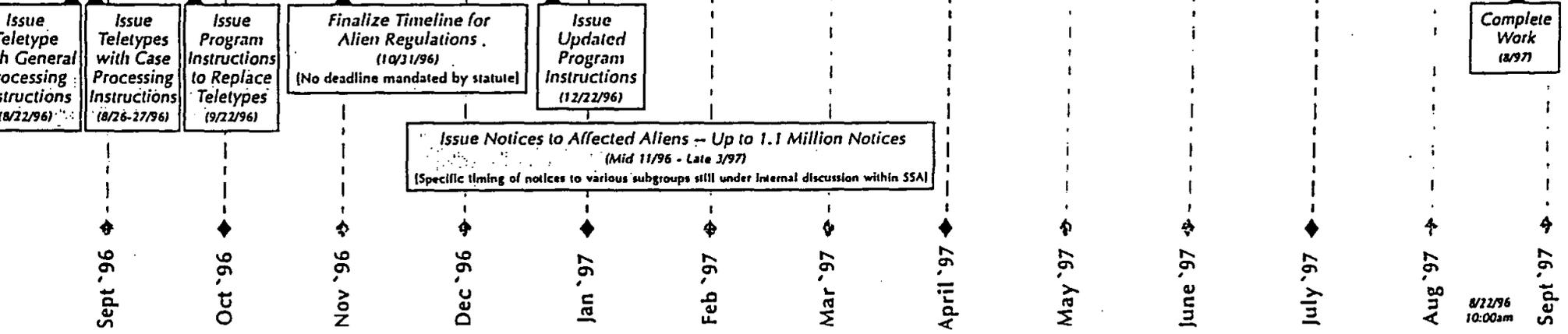
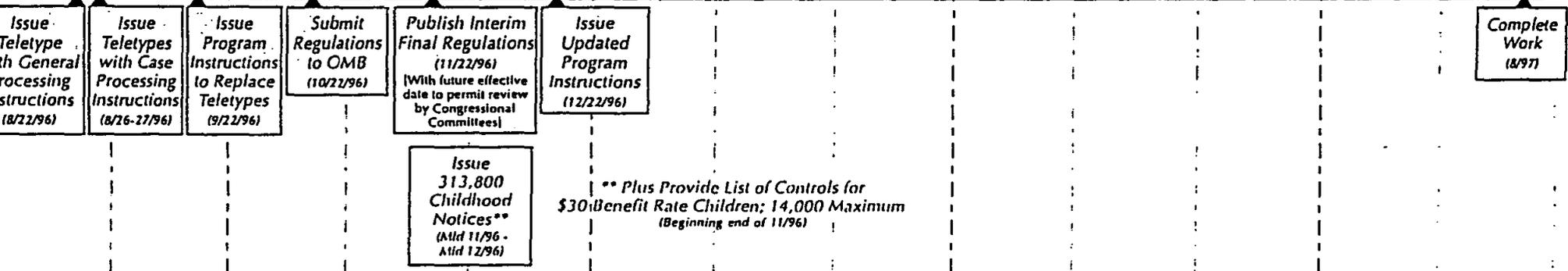
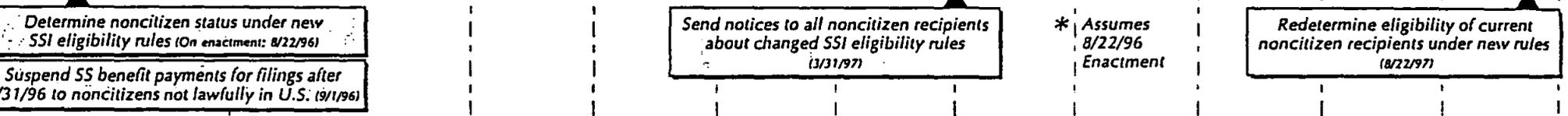
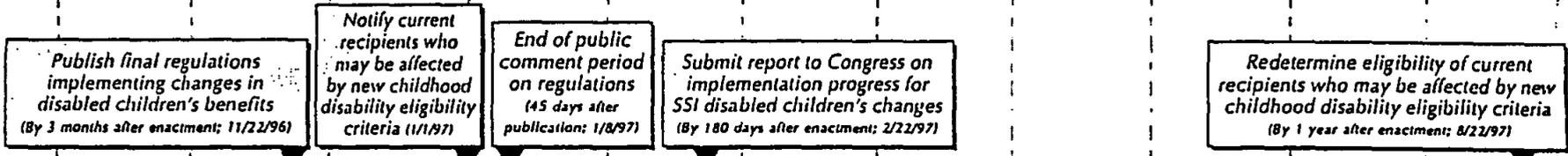
Source SSI 10-Percent Sample File, July 1996

Alien status as of date of application - as many as 40% may have become citizens.

All then will have to be re-contacted - verify of immigr status

Legislative Implementation Timeline

(Key Provisions: Childhood/Aliens)



Aug '96 Sept '96 Oct '96 Nov '96 Dec '96 Jan '97 Feb '97 Mar '97 April '97 May '97 June '97 July '97 Aug '97 Sept '97

8/22/96 10:00am

What are why Gp 9/3/96

Sally - if it looks too prescriptive,
may have to send to Congress!

1. IHS Guidance

Too long? Too prescriptive?

Indicates some optional things are mandatory?

2. Datto - legal 2.

45-day comment period.

No Can state use old period - if using same plan?

Yes Or have to wait another 45 days? \leftarrow But then \$
Recommendation - throw morning.
would be retroactive -
so no financial penalty.

3. Food Stamps

CA issue - starting clock ticking Aug 22.

Doing legal process (me) / doing integral process (family)

4. Immigration

a. Bill? Gallely may be whed. Other issues?
Deeming instead of flat bars?
Make things better? worse in any way?

b. Reg on disability

Immig sp's want it to go further

c. Def. of near-tested

OTIS process group forward

5. Wellstone Amendment

Are we doing anything?

IHS starting to talk about it

Proposal for directive
HHS talking.

?? AG Report on Statutory Rape / Teen Pregnancy.

Ask Bruce Reed → (*) Child support EO -
about this Treasury

Mtg: wk after next.

UPDATE ON UPCOMING USDA MEETINGS

DATE	MEETING/CONFERENCE	ATTENDEES	LOCATION	HOST
September 4-5, 1996	Payment Accuracy: Managing the Dual Challenge Annual USDA Meeting	50 States 25 Largest Counties HHS, SSA, INS	Embassy Suites Alexandria, VA	FCS
September 8-11, 1996	Quality Control Director's Meeting	FCS Staff, State Agency Quality Control Staff	Holiday Inn, Capital Plaza, Sacramento, CA	APWA
September 15-18, 1996	National Eligibility Worker's Meeting	FCS Staff, State Agencies	Anchorage, AL	NEW
September 9-10, 1996	NGA/APWA/NCSL	States/Federal Agencies	Washington, DC	
September 15-18, 1996	APWA Information Systems Management	State and Federal Agencies	Portland, OR	APWA
September 30 - October 3, 1996	United Council on Welfare Fraud	State Agency Investigators, Federal Agencies	Denver, CO	UCOWF
APWA REGIONAL MEETINGS				
September 12-13, 1996	APWA Regional State Meeting	States/APWA	Newark, NJ	APWA
September 16-17, 1996	APWA Regional State Meeting	States/APWA	Minneapolis, MN	APWA
September 19-20, 1996	APWA Regional State Meeting	States/APWA	Nashville, TN	APWA
September 24-25, 1996	APWA Regional State Meeting	States/APWA	Portland, OR	APWA
September 26-17, 1996	APWA Regional State Meeting	States/APWA	Los Angeles, CA	APWA
FCS REGIONAL MEETINGS				
September 17-19, 1996	FCS Northeastern Region State Meeting to Review Legislation, Address State Implementation Concerns	NY, MA, ME, VT, NH, USDA, ACF and Yvette Jackson	Boston, MA	FCS
September 30, 1996 (Tentative)	FCS Mid-Atlantic Region Meeting to Review Welfare Reform	DE, DC, MD, NJ, PA, PR, VA, VI, WV	Philadelphia, PA	FCS
October 3-4, 1996	FCS Midwest Region Welfare Reform Meeting	IL, IN, MI, MN, OH, WI	Chicago, IL	FCS
N/A	FCS South Western Region will meet with States on a State-by-State Basis	AR, LA, NM, OK, TX	N/A	FCS
Not Yet Scheduled	FCS Western and Mountain Plains Regional Welfare Reform Meeting	AK, AZ, CA, HI, ID, NV, OR, WA, Guam, CO, IA, KS, MO, MT, NE, ND, SD, UT, WY	N/A	FCS

09-03-96 01:33PM

FROM FOOD STAMP PROGRAM

TO 912023955730

P002/002

**SUBGROUP ON IMPLEMENTATION
WELFARE REFORM WORKING GROUP**

**AGENDA
September 3, 1996**

- I. Review of Schedule of External Contacts
- II. Review of Issues List
- III. Review of Work Products due to Implementation Subgroup.
- IV. Discussion of NGA/NCSL/APWA September meeting
- V. Next Meeting

September 3, 1996

SCHEDULE OF EXTERNAL CONTACTS/HEARINGS:

This schedule is to include all letters, guidance, notices, hearings, reports, major notices to field offices, etc.

Note: List must include all items contemplated before the end of September.

HHS:

- o Letter from ACF to state commissioners: went out?
- o Letter from ACF on child care: went out?
- o Letter from Secretary to Governors: went out?
- o Letter to State Medicaid Directors: went out?
- o Briefing of unions? this week
- o **Guidance on state plans: by NGA meeting 9/9**
- o State child care meeting Sept. 9-10
- o **Early read on regulations for states: after NGA meeting**
- o Congressional Black Caucus meeting: 9/11-15
- o Ways and Means hearing mid-September
- o Child support enforcement annual training institute: week of 9/16
- o Medicaid TAG meetings: on-going

USDA:

- o Implementing memo: went out?
- o Conference with states Sept. 4-5
- o **Guidance to states on 18-50 year olds: what date?**

SSA:

- o When is notice to states?
- o **Letter from Commissioner to states**

DOJ/INS:

- o Definition of lawfully present: done?
- o Interim verification/how to enroll in SAVE: done?
- o Info on naturalization for other agencies' packets: when?
- o Hearings on naturalization: give us all hearing dates

September 3, 1996

ISSUES LIST:

Note: This is currently focused on immediate issues. We will need to add issues to create a more comprehensive list over time.

HHS:

- o **Content of guidance on state plans; 45-day public comment period**
- o **Waivers (includes USDA & HCFA)**
- ~~o **What to tell states that come in early**~~
- o **Regulations**
- o **Tracking system for time limits**
- o **Child care block grant deadlines**
- o **Performance bonus fund implementation**

USDA:

- o **18-50 year-olds: States' ability to track work**
- o **Implementation of waiver to delay recertification**
- o **California request on food stamp recertification**

SSA:

- o **Appeal rights for children on SSI**
- o **Regulation for children's SSI changes**
- o **40 quarters calculation**
- o **Timing of notices to legal immigrants**

DOJ:

- o **California Prop 187 directive**
- o **Interim verification**
- o **Final version on AG order**
- o **State reporting requirements 4x/year**
- o **Easing naturalization**
- o **Treaty issue**

Treasury:

- o **How to do contingency fund**

Government-wide:

- o **Definition of means-tested program**
- o **Gramm amendment**
- o **Discrimination complaints**

September 3, 1996

WORK PRODUCTS DUE FROM AGENCIES TO IMPLEMENTATION SUBGROUP

HHS:

- o TANF and child care guidance
- o Listing of regulations, both definite and possible
- o Child support enforcement: flag key issues by Labor Day, along with schedule of regs/guidance
- o HCFA reports on delinking eligibility; loss of Medicaid for SSI children losing benefits; effect on waivers: by Labor Day

USDA:

- o Need timing of potential regulations

SSA:

- o List of regulations and notices, with timeline

DOJ:

- o General timeline of activities (e.g., definition of lawfully present, promulgate affidavit of sponsorship, Sept. hearings on naturalization process, 18 months for verification, potential regs)
- o Non-means-tested programs: ALMOST DONE?

Treasury:

- o General timeline, list of tasks, regs, notices, etc.

WELFARE REFORM WORKING GROUP

AGENDA

September 3, 1996

- I. Review of Current Implementation Issues
 - o HHS Guidance to states and public comment period
 - o SSI for disabled children issues
 - o Letters to regional offices
 - o Food stamp waiver directive and steps to inform states
 - o Agency participation in naturalization efforts
- II. Review by agencies of NGA/NCSS/APWA September meeting
- III. Overview of Jobs Initiative
Coming Events
- IV. Next Meeting

September 1996

WELFARE REFORM SCHEDULE

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
1	2	3	4	5	6	7
			<p>•National Food Stamp Conference (FSP) for Food Stamp Managers USDA <i>MJB remarks</i> Sept. 4-5</p> <p>•Southwest Regional Child Support Assoc. Annual State Child Support Conference <i>David Ross, Deputy Dir. OCSE--Keynote speaker</i> Sept. 4-6 (Oklahoma City, OK)</p>		•DES Press Conference with the US Tennis Association	
8	9	10	11	12	13	14
	•State Child Care Administrators' Conference Sept. 9-10 George Washington Univ. Ctr.	•National Governors Assoc. (NGA), the American Public Welfare Assoc. (APWA), National Conference of State Legislators (NCSL) Welfare Reform Implementation Meeting Sept. 10 (Washington, DC)	•International Children's Conference (Arts & Crafts Exhibit) <i>FLOTUS remarks</i> Los Angeles, CA			• American Public Welfare Assoc. (APWA) Assoc. of Information Systems Management Sept. 14-18 (Portland, OR)
15	16	17	18	19	20	21
•National Child Support Enforcement Conference Sept. 15-17 <i>MJB and David Ross, OCSE remarks</i>			• APWA Conference: <i>Bill Ludwig, USDA Administrator for Food & Consumer Service remarks</i>	•Catholic Charities, USA Annual Meeting Sept. 19-20 (Cleveland, OH)		

Welfare Reform Morning Report -- September 3, 1996:

- ☞ Sept 30 -- United Council on Welfare Fraud's 1996 Annual Training Conference -- *Bill Ludwig, USDA Administrator for Food and Consumer Service remarks* (Denver, CO)
- ☞ Sept. 29-Oct 2 -- National Council for Urban Economic Development Annual Conference (Cleveland, OH)
- ☞ Oct 23 -- Women Work, The National Network for Women Employment Coalition on Women and Job Training Meeting (Washington, DC)

EXECUTIVE OFFICE OF THE PRESIDENT

27-Aug-1996 02:00pm

TO: (See Below)

FROM: Dorothy K. Craft
Domestic Policy Council

SUBJECT: WELFARE IMPLEMENTATION SUBGROUP MEETING

MEMORANDUM FOR WELFARE IMPLEMENTATION SUBGROUP DISTRIBUTION

FROM: Jeremy Ben-Ami
Diana Fortuna
Domestic Policy Council

SUBJECT: Next Meeting Notification and Subgroup Member Update

The next subgroup meeting will be held Tuesday, September 3 at 2:00 p.m. in room 211 of the Old Executive Office Building. If you have not provided your date of birth to Dorothy Craft for previous meetings, please call (202) 456-5571 with that information.

Also, please find below an updated list of subgroup members. We hope this list will be helpful.

Thank you.

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TO: FAX (94014678, MARY JO BANE)
TO: FAX (96907383, PETER EDELMAN)
TO: FAX (96907383, ANGELA DURAN)
TO: FAX (96905672, JOHN MONAHAN)
TO: FAX (96906262, KATHY KING)
TO: FAX (96193437, DENNIS HAYASHI)

DATE: August 23, 1996

TO: DISTRIBUTION LIST - WELFARE REFORM IMPLEMENTATION
PGS. INCL. COVER: 2

FROM: CAROL H. RASCO
RE: TIME CHANGE FOR SEPTEMBER 3, 1996 MEETING

DEPT:	NAME:	FAX:	PH:
COMMERCE	DAVID LANE	482-4636	482-4127
TREASURY	MICHAEL BARR	622-0073	622-0016
JUSTICE	FRAN ALLEGRA	514-1724	514-2907
AGRICULTURE	ELLEN HAAS	690-3100	720-7711
LABOR	SETH HARRIS	219-9216	219-6197
HHS	KEVIN THURM	690-7755	690-6133
HUD	PAUL LEONARD	708-0309	708-0309
EDUCATION	JUDY WURTZEL	401-3095	401-3281
OMB	KEN APFEL	395-5730	395-4844
CEA	ALICIA MUNNELL	395-6947	395-5036
SBA	JOHN KAPLAN	205-6802	205-6457
SSA	CAROLYN COLVIN	410-965-9063	410-965-4512
NEC	GENE SPERLING	456-2878	456-2620
WH WMN'S OFC.	BETSY MYERS	456-7311	456-7300
FIRST LADY	PEGGY LEWIS	456-6244	456-5673
PUB. LIASON	CHERI CARTER	456-6218	456-2682
IGA	EMILY BROMBERG	456-6220	456-2896
LEG. AFRS.	JOHN HILLEY	456-6220	456-2230
WH COUNSEL	JACK QUINN	456-6279	456-2632
WH COMMUNIC.	ELI ATTIE	456-6411	456-5638
CBNT. AFRS.	KITTY HIGGINS	456-6704	456-5638
OFC. OF VP	BLAINE KAMARCK	456-6429	456-2816
PLTC. AFRS.	DOUG SOSNIK	456-7929	456-1125
OMB/OIRA	SALLY KATZEN	395-3047	395-4852
DPC	DIANA FORTUNA	456-7028	456-5570
DPC	JEREMY BEN-AMI	456-7028	456-5584
DPC	DOROTHY CRAFT	456-7028	456-5571

If you have any questions or problems with the fax, please call
Sujata Barai at 202-456-5565.

EXECUTIVE OFFICE OF THE PRESIDENT

20-Aug-1996 03:19pm

TO: (See Below)

FROM: Dorothy K. Craft
Domestic Policy Council

SUBJECT: WELFARE IMPLEMENTATION SUBGROUP MEMBERS

MEMORADUM FOR WELFARE IMPLEMENTATION SUBGROUP

FROM: Jeremy Ben-Ami
Diana Fortuna
Domestic Policy Council

SUBJECT: Meeting Notification and Subgroup Member Contact Numbers

The next subgroup meeting will be held on Friday, August 23 at 2:00 p.m. in room 211 of the Old Executive Office Building (same location as Monday's meeting). If you did not provide your date of birth to Dorothy Craft for Monday's meeting, please call 456--5571 and share that information.

Also, please find below the names of the subgroup members, including contact numbers. We hope this list will be helpful to you as each agency interacts throughout this process.

Thank you.

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TO: FAX (96906262, KATHY KING)
TO: FAX (96193437, DENNIS HAYASHI)
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TO: FAX (94827105, BRIAN COYNE)
TO: Elena Kagan
TO: Deborah L. Fine
TO: Peggy A. Lewis
TO: Anne E. McGuire
TO: Richard E. Green
TO: FAX (95140539, RANDY MOSS)
TO: FAX (95149112, KEVIN JONES)
TO: Jeremy D. Benami

**SUBGROUP ON IMPLEMENTATION
WELFARE REFORM WORKING GROUP**

AGENDA
August 23, 1996

- I. Review of Schedule of External Contacts
- ~~II. Review of Issues List~~
- III. Review of Work Products due to Implementation Subgroup

Note: please fax items to Jeremy Ben-Ami
and Diana Fortuna at 456-7028 or 7431
- IV. Discussion of NGA/NCSL/APWA September meeting
- V. Next Meeting
How to reach us next week

August 23, 1996

SCHEDULE OF EXTERNAL CONTACTS/HEARINGS:

This schedule is to include all letters, guidance, notices, hearings, reports, etc.

Note: List must include all items contemplated before the second week of September.

HHS:

- o Guidance on state plans: next week or week of Labor Day? - Sept 9 at mtg (?)
 - o Letter from ACF to state commissioners: may be next week
 - o Letter from ACF on child care: may be next week
 - o Letter from Secretary to Governors: may be next week
 - o Early read on regulations for states: week of Labor Day
 - o Ways and Means hearing mid-September
- have - will set
comments today
2 subst. consultation -
after mtg.

USDA:

- o Waiver to delay recertification: today?
- o Implementing memo: early next week
- o When is next communication to states?

2 letter to commissioners ??
need.
instructions to
states

SSA:

- o Timing of notices, etc. to states: week of Labor Day?
- o Letter from Commissioner to Governor: sometime after Labor Day

go on Monday
w/ implementati-
memo generally.

DOJ/INS:

- o AG order on exempt programs: today?
- o Naturalization directive?
- o Regulation exempting certain disabled applicants from testing: next week
- o Interim verification/how to enroll in SAVE: week of Labor Day
- o Info on naturalization for other agencies' packets: when?
- o Hearing on naturalization: when?

Guidance to
states w/in
30 days

August 23, 1996

ISSUES LIST:

Note: This is currently focused on immediate issues. We will need to add issues to create a more comprehensive list over time.

HHS:

- o Content of guidance on state plans
- o Regulations
- o Child care block grant deadlines
- o Clarification to states on how timing of state plan filing affects block grant
- o Existing waivers (includes USDA & HCFA)
- o New waivers
- o Performance bonus fund implementation

*Discrimination
complaints*

USDA:

- o 18-50 year-olds: States' ability to track work
- o State waiver options: are there issues here?
- o Implementation of waiver to delay recertification

SSA:

- o Appeal rights for children on SSI
- o 40 quarters calculation
- o Timing of notices to legal immigrants
- o Regulation for children's SSI changes

DOJ:

- o Interim verification
- o Final version on AG order
- o State reporting requirements 4x/year
- o Easing naturalization

INS/

dispute as to

Treasury:

- o How to do contingency fund

Government-wide:

- o Definition of means-tested program

August 23, 1996

WORK PRODUCTS DUE FROM AGENCIES TO IMPLEMENTATION SUBGROUP

HHS:

- o TANF and child care guidance; is there other guidance coming? Due 8/23
- o Listing of regulations, both definite and possible: by Labor Day -- DONE?
- o List upcoming hearings and reports (e.g., Ways and Means hearing, Secretarial report to Congress within 90 days; child welfare study): by end of week if possible -- DONE EXCEPT HEARINGS
- o Waivers: rules that will govern approved waivers; number of pending waivers and their disposition: due Labor Day
- o Child support enforcement: flag key issues by Labor Day, along with schedule of regs/guidance
- o HCFA reports on delinking eligibility; loss of Medicaid for SSI children losing benefits; effect on waivers: by Labor Day

USDA:

- o List of all regulations, with timing -- DONE EXCEPT FOR TIMING
- o List of guidance, instructions, implementing memos to be sent to states (one 3 days after enactment, one a month later, etc.): due today

SSA:

- o List of regulations and notices, with timeline: due today
- o Any other guidance, instructions: due today

DOJ:

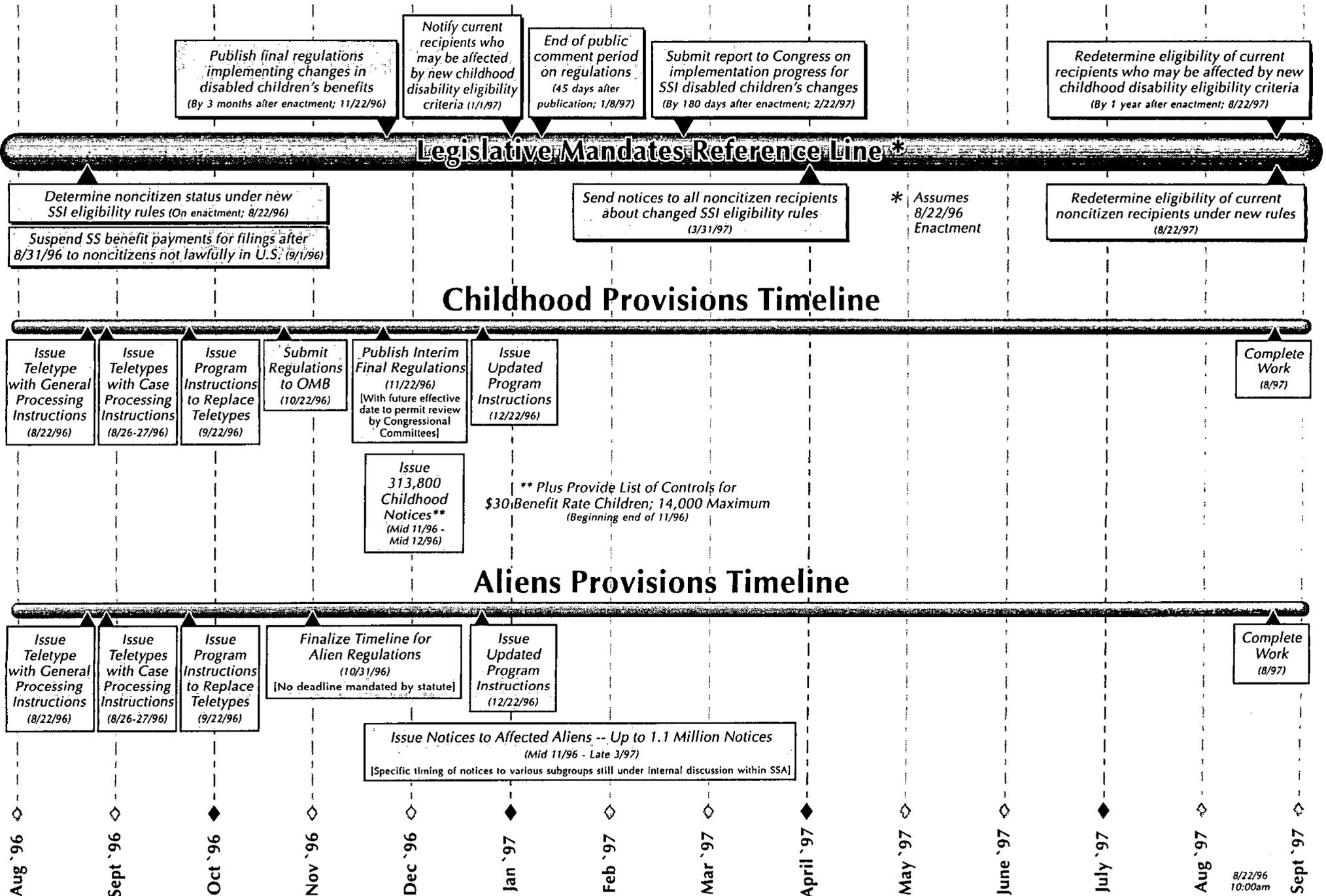
- o General timeline of activities (e.g., definition of lawfully present, promulgate affidavit of sponsorship, Sept. hearings on naturalization process, 18 months for verification, potential regs): due today
- o Non-means-tested programs: ALMOST DONE?
- o Regulation on disability and citizenship test requirements: READY FOR FEDERAL REGISTER?
- o Report on how to put naturalization information into notices sent to legal immigrants by USDA, SSA, others: due Labor Day

Treasury:

- o General timeline, list of tasks, regs, notices, etc.: due ASAP

Legislative Implementation Timeline

(Key Provisions: Childhood/Aliens)



8/7/96

**CHILD SUPPORT LEGISLATION IN 104TH CONGRESS
TIMETABLE OF EFFECTIVE DATES**

Based on Dates in Text of Title III of HR3734
Personal Responsibility and Work Opportunity Reconciliation Act of 1996

N.B.: Section 395 states that except as specifically provided in the legislation, the effective date for provisions of HR3734 is 10/1/96 for provisions under §§454 & 466 of the Act, and the date of enactment for other provisions. Section 395 allows grace period for State law changes and State constitutional amendments. For State law changes, the grace period is until the effective date of the State law implementing provisions, but no later than the first day of the first calendar quarter after the close of the first regular legislative session that begins after enactment of HR3734, with each year of a two-year legislative session deemed as a separate regular session. For State constitutional amendments, the grace period is until one year after the effective date of the State constitutional amendment, but no later than five years after enactment of HR3734.

Effective Upon Enactment

Enhancements to Federal full faith & credit statute [§322] -- 28 U.S.C. 1738B

National paternity acknowledgement affidavit [§331(b)] -- §452(a)(7)

Establish procedures/definitions for State data reports [§343(a)] -- §452(a)(5)

1% and 2% funding set-asides for technical assistance, research/demos/FPLS [§345] -- §§452 & 453

Furnishing consumer reports for certain purposes relating to child support [§352] -- 15 U.S.C. 1681b

Nonliability of depository institutions providing financial records to State child support agencies [§353] -- §469A

Military locator information, leave provisions, & removal of barriers to availability of military retirement pay as source of support [§363] -- §10 U.S.C. 1408

Definition of support order [§366] -- §453(p)

International CSE -- authority of Secretary of State to enter into agreements [§371] -- §459A(a)

International CSE -- Designation of U.S. central authority [§371] -- §459A(c)

Preliminary

Nondischargeability in bankruptcy of certain child support debts [§374] -- 11 U.S.C. 523(a)(18) & §456(b)

Direct Federal funding for Indian Tribes [§375(b)] -- §455(b)

Technical corrections to ERISA (incorporating administrative QMCSOs), but plans amendments are not required until 1/1/97 [§381(b)] -- 29 U.S.C. 1169(a)(2)(B)

First quarter after enactment

Paternity establishment percentage (PEP) and penalty changes [§341(c)] -- §452(g)

10/1/96 *

* Unless State law change or State constitutional amendment is needed for §§454 or 466 provisions. See the N.B. on page one.

Explicit statutory requirement that Title IV-D services be provided to nonresident applicants; enforce child support & support due on behalf of child's custodian [§301(a)] -- §§454(4)&(6)

Continuation of IV-D services for former recipients of IV-A assistance [301(b)] -- §454(25)

Distribution for current IV-A assistance recipients, including elimination of \$50 pass-through payments [§302] -- §457

Income withholding for orders predating October 1, 1996 [§314(a)] -- §466(a)(1)

Locator networks; access to motor vehicle and law enforcement data [§315] -- §466(a)(12)

SSNs on applications for professional, commercial drivers, occupational and marriage licenses; on records of divorce decrees, support orders, and paternity determinations; and death records & certificates [§317] -- §466(a)(13)

Administrative enforcement in interstate cases [§323] -- §466(a)(14)

OCSE must promulgate uniform national forms for use by States in interstate cases for collecting support through income withholding; imposition of liens; and administrative subpoenas [§324(a)] -- §452(a)(11)

State laws providing expedited procedures, including:

Ordering genetic testing for paternity establishment; Issuing subpoenas for information and impose penalties for failure to respond; Requiring all entities in a State to promptly respond to inquiries by State agency and sanction failure to respond; Obtaining access to records of other State and local government agencies and records held by private entities including public utilities and financial institutions; Changing

Paternity

payee in cases subject to an assignment; Ordering income withholding; Securing assets to satisfy arrearages by intercepting or seizing periodic or lump-sum payments from a State or local agency and judgments, settlements, and lotteries; attach assets held by financial institutions; attach retirement funds; and impose liens; Increasing the amount of monthly support payments to include amounts for arrearages; Filing of information on location/identity of parties in State case registry upon entry of order; Statewide jurisdiction over orders and transfer of cases between local jurisdictions without additional filing; and Using of automated system to maximum extent feasible to implement expedited administrative procedures [§325] -- §§466(c) & 454A(h)

State laws concerning paternity establishment, including:

Establish paternity before age 21 (retro to 8/16/84); Genetic tests in contested cases upon request w/sworn affidavits; Payment for genetic testing; Provide for a simple civil process for voluntarily acknowledging paternity with prior explanation/written notice to parents; Birth record agency must offer voluntary paternity establishment services, and other may; Name of father included on birth record only if both mother and father have signed an acknowledgment, or court or administrative authority has adjudicated paternity; Development of affidavit for voluntary acknowledgment of paternity which must be given full faith and credit in any other State; Procedures where voluntary acknowledgements and adjudication of paternity are filed with the State registry of birth records for comparison with State case registry; Admissibility of test results if performed by accredited laboratory; Rescission timeframe of 60 Days for signed voluntary paternity acknowledgments; elimination of judicial/administrative ratification proceedings on unchallenged paternity acknowledgments; Default orders; No right to jury trial in paternity cases; Issuance of temporary support orders in paternity cases; Evidentiary treatment of birth expenses/bills; and Opportunity for putative fathers to initiate paternity proceedings [§331(a)] -- §466(a)(5)

State plan requirements for paternity outreach activities [§332] -- §454(23)

Cooperation/good cause [§333] -- §454(29)

State use of definitions for collecting & reporting data [§343(b)] -- §454(30)

Changes to the annual report to Congress [346] -- §452(a)(10)

Simplified review & adjustment process [§351] -- §466(a)(10)

Voiding of fraudulent transfers [§364] -- §466(g)

Work requirement for persons owing child support [§365] -- §466(a)(15)

Reporting arrearages to credit bureaus [§367] -- §466(a)(7)

Liens on real/personal property by operation of law; full faith and credit to liens without

Per Henry

registration of order [§368] -- §466(a)(4)

State law authorizing the suspension of licenses [§369] -- §466(a)(16)

International CSE -- State treatment of international requests [§371(b)] -- §454(32)

Financial institution data matches [§372] -- §466(a)(17)

Enforcing orders against grandparents in cases of minors [§373] -- §466(a)(18)

State cooperative agreements with Indian Tribes [§375(a)] -- §454(33)

Enforcement of orders for health care coverage [§382] -- §466(a)(19)

Grants to States for access and visitation programs; effective date for first allotment is FY 1997 [§391] -- §469B

Six Months After Enactment

Revisions to wage withholding from Federal pay [§362] -- §459

3/1/97

Use of forms by States in interstate cases [§324(b)] -- §454(9)(E)

Report to Congress on new system of performance-based incentives and penalties [§341(a)]
-- no cite to the Act

First quarter beginning 12 Months after Enactment

Annual State self-reviews & reports [§342(a)] -- §454(15)

Data submitted on compliance with Federal performance requirements [§342(a)] -- §454(15)

Federal reviews & audits [§342(b)] -- §452(a)(4)

10/1/97

Distribution for assigned post-assistance collections [302(a)] -- §457

State privacy safeguards [§303(a)] -- §454(26)

State procedures-notices & copies of orders [§304(b)] -- 454(12)

State directory of new hires [§313]

Preliminary

State new hire reporting systems in existence prior to HR3734 must report information to the national new hire directory [§313] -- §453A

National directory of new hires [§316] -- §453

ADP systems meeting all IV-D requirements enacted on or before Family Support Act [§344] -- §454(24)

IRS collection of arrearages [§361(b)] -- §6305(a) of the Internal Revenue Code of 1986

Denial/restriction/revocation of passport if arrears greater than \$5000 [§370] -- §§452(k) & 454(31)

1/1/98

Adoption of UIFSA (with modifications) [§321] -- §466(f)

5/1/98

Automated comparison of SSNs in the State case registry with new hire directory information [§313] -- §453A(f)

Enactment Plus Two years

Deadline for systems regulations [§344(A)(3)] -- no cite to the Act

10/1/98

Study and report to Congress on distribution policy impacts on welfare caseloads [§302(a)] -- §457

Case entry in State central registry [§311 and §344(a)(2)] -- §454A

Central State case registry & capacity for data matching [§311] -- §454A

Centralized automated unit for collections and disbursements [§312] -- §454(27)

Collection through State centralized collection unit of orders under wage withholding [§312] -- §454B

Conducting automated comparisons of SSN information against State case registry [§313] -- §453A

State new hire reporting systems in existence prior to HR3734 must meet rest of new requirements [§313] -- §453A

Establish/operate national level "Federal Case Registry of Child Support Orders" [§316(f)] -- §453

10/1/99

End of optional exception period for local court collection of child support in lieu of State centralized collection unit [§312] -- §454B

Performance-based incentives & adjustments to payments [§341] [Note: §458 of the Act as in effect before enactment of law remains effective for purposes of incentive payments to States for fiscal years before FY 2000] -- §458

10/1/2000

Distribution for assigned pre-assistance collections [§302(a)] -- §457

ADP systems must meet all IV-D requirements enacted on or before this law (with additional time tied to regulation issuance) [§344(A)(4)] -- §454(24)

Five Years After Enactment

Changes to State constitution to meet any requirement [§395(c)]; earlier of five years from enactment or one year after the effective date of the State constitutional amendment

HHS

OTHER KEY EFFECTIVE DATES

<u>REQUIREMENT</u>	<u>DATE</u>
1. State Plan	7/1/97 (or sooner)
- 45 day comment period by local government and private sector organizations	
- out-of-wedlock pregnancies goal 1996-2005	
- FY 96 fund availability	
- Secretary review for completeness	
2. Supplemental Grant/Population increases	FY 1998
- Can be based on population increases 90-94	
3. Contingency Fund	FY 1997
- Requests are monthly	
- Coordination with Treasury	
- Annual reports to Congress	
4. Loans (3 years loans)	FY 1997
5. Participation Rates	FY 1997
6. Research	FY 1997
- \$15 million each year for 6 years	
- Fund evaluations of State Welfare Reform Demos	
- Develop innovative approaches with States	
- T & TA funds	
- Disseminate information	
7. One-year extension of SACWIS enhanced funding	
8. Preventing Teen Pregnancy	1/97
- Establish and implement strategy to prevent out-of-wedlock pregnancies	
- Assure at least 25% of communities have pregnancy prevention programs	

*In order?*REPORTS

1. March 1998 (and annually thereafter)
 - Participation Rates
 - Employment and earnings
 - Decreasing out-of-wedlock births
 - State program characteristics
 - Demographics

2. FY 97
 - Annual ranking of states
 - Review of most and least successful programs
 - Out-of-wedlock births

3. August 1999 Report on Children
 - % drop outs
 - employed
 - crime
 - health insurance
 - income
 - (Children no longer on aid)

4. Child Poverty Rates (from State to HHS not later than 90 days after enactment, and annually thereafter)
 - Corrective action plan within 90 days, if rate increase by more than 5%

5. February 1997 - Data Processing
 - Status of State systems
 - \$ to track participants over time
 - Time needed to establish systems

6. September 30, 1998 Outcome Measures
 - HHS, with States, study outcome measures for evaluating State success

7. November 1996 - Technical Correction Legislative Proposal HHS & SSA, in consultation with other Federal agencies

8. National Random Study of Child Welfare
 - Report due from "time to time"
 - \$6 m each year from FY 1996 through FY 2002

9. 12/31/97 - Biennial Report to Congress on Child Care Program

10. June 30, 1998 (and annually thereafter)
 - Report to Congress on meeting Teen Pregnancy Prevention Goals

PRELIMINARY LIST OF REGULATIONS TO BE ISSUED UNDER THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996

TITLE I - TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

REGULATION	PUBLICATION DATE
1. NPRM - TANF Program Requirements	12/96
<ul style="list-style-type: none"> - State Plan Submissions/Determination of Completeness - Financial Management and Reporting - Individual Development Accounts 	
2. NPRM - Work Requirements	3/97
<ul style="list-style-type: none"> - Failure to satisfy participation rate requirements - 2-yr. time limit - Mandatory work and participation rates <ul style="list-style-type: none"> How to reduce participation rates based on reductions in caseload 	
3. NPRM - Tribal Program Requirements	3/97
<ul style="list-style-type: none"> - Tribal Plan Requirements - Disagreement with State numbers for funding - Program criteria for Alaskan tribes - Individualization of tribal programs 	
4. NPRM - Audits/Penalties and Corrective Action	1/97
<ul style="list-style-type: none"> - Enhanced penalties - Failure to submit report - Failure to participate in IEVS - Failure to sanction for non-cooperation - Failure to repay loans - Failure in maintenance of effort (eff. FY 98) - CS - substantial compliance/technical nature - Failure - 5 year limit - Failure - contingency fund/100% maintenance of effort - Failure - child under 6/no child care <p>Reasonable cause exception Corrective compliance plan (timely) Appeal process</p> <ul style="list-style-type: none"> - Administrative/program costs 	

(preliminary)

5. NPRM - Data Collection and Reporting for States & Tribes 3/97
- Sampling plans
 - Data collection procedure
 - Verification of data
 - Definition of data elements
6. NPRM - Methodology for Determining Child Poverty 11/96
7. NPRM - Illegitimacy Rate Reduction Bonus 3/97
8. NPRM - High Performance Bonus 4/97
- Sec. 403 (a) (4) (C) provides that formula should be developed not later than 1 year after date of enactment.
9. FINAL RULE - Omnibus Conforming Regulation 10/97
- Eliminate obsolete or inconsistent regulations.

(preliminary)

TITLE III - CHILD SUPPORT ENFORCEMENT

- | REGULATION | PUBLICATION DATE |
|--|------------------|
| 1. NPRM - State Directory of New Hires (Sec. 313) | 12/96 |
| Dates, format and information included in the quarterly report of the State Directory of New Hires to the National Directory of New Hires
Effective date: 10/1/97 | |
| 2. NPRM - State Case Registry (Sec. 311)
and Expansion of EPLS (Sec. 316) | 6/97 |
| Minimum amount of information on child support cases recorded in the State case registry that is necessary to operate the Federal case registry
Effective date: 10/1/98 | |
| Names, social security numbers or other uniform identification numbers, State case identification numbers, and other information which the Secretary deems necessary to identify the individuals who owe or are owed support and the State or States which have the case
Effective date: 10/1/97 | |
| 3. NPRM - State Laws Concerning Paternity
Establishment (Sec. 331) | 12/96 |
| Voluntary paternity establishment services offered by hospitals and birth record agencies
Effective date: 10/1/96 | |
| Types of other entities that may offer voluntary paternity establishment services and the provision of such services. The provision of such services must include a requirement that such an entity use the same notice provisions, materials, training, and evaluation as the ones used by the voluntary paternity establishment programs of hospitals and birth record agencies
Effective date: 10/1/96 | |
| 4. NPRM - Automated Data Processing Requirements
(Sec. 344) | 8/97 |
| Secretary must prescribe final regulations for implementation of section 454A of the Social Security Act not later than 2 years after the date of the enactment of | |

(preliminary)

this Act. The 10/1/2000 effective date for ADP requirements will be delayed one day for each day the Secretary misses the two-year deadline.

5. NPRM - ADP Funding Limitation (Sec. 344) 12/96

Set the limitation for the total amount payable to a State for fiscal years 1996 through 2001

6. NPRM - Grants to States for Access and Visitation Programs (Sec. 391) 3/97

Monitoring, evaluating, and reporting of State programs designed to support and facilitate absent parents' access to and visitation of their children
Effective date: 10/1/96

7. FINAL RULE - Omnibus Conforming Regulation 10/97

Eliminate regulations rendered obsolete or inconsistent with the new law.

8. NPRM - Tribal Program 5/97

(preliminary)

TITLE VI - CHILD CARE

REGULATION

PUBLICATION DATE

1. Child Care Interim Final Rule

11/96

- Administrative costs
- 70% families (welfare, transition, at risk)
- Public hearing
- Equal access in rates
- 4% for quality
- Data sampling
- Reallotment
- Penalties
- Tribes (facilities & model standards)

Withdraw current NPRM in Unified Agenda and indicate that, where appropriate, policies will be incorporated in this interim final rule.

EFFECTIVE DATESTitle I - TANFREQUIREMENTDATE

- | | | |
|----|---|-----------------------|
| 1. | State Plan | 7/1/97
(or sooner) |
| | <ul style="list-style-type: none"> - 45 day comment period by local government and private sector organizations - out-of-wedlock pregnancies goal 1996-2005 - FY 96 fund availability - Secretary review for completeness | |
| 2. | Bonus/Illegitimacy | FY 1999 |
| | <ul style="list-style-type: none"> - Based on 95/96 compared to 97/98 | |
| 3. | Supplemental Grant/Population increases | FY 1998 |
| | <ul style="list-style-type: none"> - Can be based on population increases 90-94 | |
| 4. | Bonus/High Performers | FY 1999 |
| | <ul style="list-style-type: none"> - 1 year after enactment - Sec. develops performance measures (consulting with NGA and APWA) - Based on 98 performance | |
| 5. | Contingency Fund | FY 1997 |
| | <ul style="list-style-type: none"> - Requests are monthly - Annual reports to Congress | |
| 6. | Loans (3 years loans) | FY 1997 |
| 7. | Participation Rates | FY 1997 |
| 8. | Congressional hearings on implementation of State work programs -- Governors to testify | FY 1999 |
| 9. | Individual Responsibility Plans | 7/1/97
(or sooner) |
| | <ul style="list-style-type: none"> - 90 - 180 days for recipients - 30 - 90 days for applicants - from receipt of State plan | |

10. Grants to Territories 10/1/96
11. Audits of State Expenditures FY 1996
(if nec.)
12. Grants to Tribes (TANF) FY 1997
- Approved 3 year State plan
 - JOBS § - FY 97
 - Establish for each tribe appropriate participation rate, time limit, penalties against individuals
13. Research FY 1997
- \$15 million each year for 6 years
 - Fund evaluations of State Welfare Reform Demos
 - Develop innovative approaches with States
 - T & TA funds
 - Disseminate information

Title II - SSI (skip)

Title III - Child Support

(To be completed by OCSE)

Title IV - Immigration

(To be completed by ORR)

Title V - Child Protection

(To be completed by ACYF)

Title VI - Child Care

(To be completed by ACYF)

Title VII - Child Nutrition

(To be coordinated by OFA with Dept. of Ag.)

Title VIII - Food Stamps

(OFA with AG)

Title IX - Miscellaneous

1. Preventing Teen Pregnancy

1/97

- Establish and implement strategy to prevent out-of-wedlock pregnancies
- Assure at least 25% of communities have pregnancy prevention programs

REGULATIONSTitle I

REGULATION

PUBLICATION DATE

1. Ind. Dev. Accounts (regs. required by statute)
 - Define withdrawal from accounts
2. Mandatory Work - Participation Rates (regs. required by statute)
 - How to reduce participation rates based on reductions in caseload (not changes in eligibility criteria)
3. Audits/Penalties
 - Enhanced penalties
 - Failure to submit report
 - Failure to satisfy participation rate requirements
 - Failure to participate in IEVS
 - Failure to sanction for non-cooperation
 - Failure to repay loans
 - Failure in maintenance of effort (eff. FY 98)
 - CS - substantial compliance/technical nature
 - Failure - 5 year limit
 - Failure - contingency fund/100% maintenance of effort
 - Failure - child under 6/no child care (severity of failure = \$ of penalty)

Reasonable cause exception
Corrective compliance plan (timely)
Appeal process
4. Data Collection and Reporting for States & Tribes
 - Monthly basis, quarterly reporting
 - Much case specific data
 - Administrative costs/program costs
 - Sampling plans
 - Data collection procedure
 - Verification of data (Secretary may develop procedures)
 - Define data elements (Secretary shall prescribe regs. necessary)
 - Allow increased admin. costs for determining elg. for Medicaid (under old revised IVA rules)

5. Tribal programs

- Disagreement with State numbers for funding
- Plan approval process
- Program criteria for Alaskan tribes (statute requires development of criteria -- doesn't specify regs.)

6. Methodology for determining child poverty (regs. required by statute)

Title III - Child Support

(To be completed by OCSE)

Title IV - Immigration

(To be completed by ORR)

Title VI - Child Care

1. Child care administrative costs (report language requires Secretary to issue regulations)

Title VII and VIII - Child Nutrition and Food Stamps

(To be completed by OFA with AG when info becomes available)

Implementation Timetable for Food Stamp Welfare Reform Provisions

Implementation Vehicle	Goal	Audience/Participants	Date
Roundtable discussions	<ul style="list-style-type: none"> • review provisions of the Act • identify issues needing further development 	<ul style="list-style-type: none"> • FCS regional food stamp directors • FCS headquarters staff • HHS staff 	August 8-9, 1996
Implementing Memoranda	Provide basic guidance to State welfare agencies regarding how to implement the Act	Issued by FCS to State welfare agencies	3 days after enactment
Stakeholder Meetings	<ul style="list-style-type: none"> • address specific State questions regarding the Act • identify issues that need further development • obtain input on how FCS can facilitate implementation • coordinate implementation efforts 	American Public Welfare Association (APWA) Annual Conference of State Food Stamp Directors	August 26-28, 1996
		FCS-sponsored meeting of all States and 25 largest counties: "Managing for the Public Trust: Meeting the Dual Challenge of Change"	September 4-5, 1996
		National Governors' Association (NGA), APWA, and National Conference of State Legislatures (NCSL) conference	September 9-10, 1996
		HHS-sponsored meetings with State welfare agencies	To be scheduled
		USDA and FCS officials and representatives of the advocate community	Throughout implementation process
Retailer Proposed Rule	Proposed rule implementing provisions of the Act affecting food stamp retailers	Food Stamp Retailers	Discussion underway with OGC
Rules	Interim final rule for nondiscretionary provisions of the Act	State welfare agencies	Begin clearance: 11/1/96; publish 4/1/97
	Proposed rules implementing remaining provisions of the Act		
Technical Assistance on State Options	Provide guidance to State agencies on optional provisions including the Simplified Program (see attached papers) and criteria for waivers of work requirements because of high unemployment or insufficient available jobs	State welfare agencies	September, 1996 and ongoing throughout the implementation process

cc Jeremy
Emily
Richard Green

**PART A - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
REQUIRED TO BE IMPLEMENTED UPON ENACTMENT**

Section	Description <i>Certification Provisions</i>	Implementation Method	
		FCS	State agency
109	Eliminates the option in Section 5(d)(13) of the Act and 7 CFR 273.9(c)(12) for State agencies to exclude from unearned income up to \$50 monthly of Title IV-D child support payments if they pay FCS for the cost of the additional benefits.	Impl. Memo Proposed rule	On date of enactment for new applicants; at next recertification or when the case is next reviewed for recipients.
404	Requires notification to the public and to recipients of the alien eligibility requirements of the legislation.	Impl. Memo Public Informa- tion	Notices to recipients
421	The full amount of income and resources of an alien's sponsor and the sponsor's spouse are counted until the alien becomes a citizen or has worked 40 qualifying quarters of Social Security coverage. Beginning January 1, 1997, a quarter in which the alien received certain Federal means-tested assistance is not counted as a qualifying quarter. The deemed income and resources must be reviewed each time an alien reapplies.	Impl. Memo Proposed rule	On date of enactment for new applicants; at next recertification for recipients.
801	Limits certification periods to 12 months, except that the certification period may be up to 24 months if all adult household members are elderly or disabled. States must have at least one contact with each certified household every 12 months.		On date of enactment for new applicants; at next recertification or when case is next reviewed for recipients.
803	Deletes a current exemption so that children under 22 years old who live with their parents and their own children or spouses must be included in the same household with their parents.	Impl. Memo Interim Rule	
805	A person whose nighttime residence is a temporary accommodation in the residence of another person may be considered homeless for no more than 90 days.	Impl. Memo Interim Rule	On date of enactment for new applicants; at next recertification or when case is next reviewed for recipients.

**PART A - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
REQUIRED TO BE IMPLEMENTED UPON ENACTMENT**

Section	Description <i>Certification Provisions</i>	Implementation Method	
		FCS	State agency
807	Limits exclusion to the earnings of elementary and secondary school students who are 17 or younger.	Impl. Memo Proposed Rule	On date of enactment for new applicants; at next recertification or when case is next reviewed for recipients.
808	Limits energy assistance exclusion to (1) Federal energy assistance (except that provided under Title IV-A of the Social Security Act (welfare block grant) and (2) Federal or State one-time assistance for weatherization or emergency repair or replacement of heating or cooling devices. Retains the provision in the Low-Income Home Energy Assistance Act (LIHEAA) that requires that all expenses met with LIHEAA payments be regarded as out-of-pocket expenses qualifying for SUAs. Excludes from income State or local general assistance which (under State law) cannot be provided in cash directly to households. An expense paid on behalf of a household under State law to provide energy assistance is considered an out-of-pocket expense incurred and paid by the household.		
809	The earned income deduction is not allowed when determining an overissuance due to the failure of a household to report earned income in a timely manner.		When computing claims 120 days after the date of enactment.
809	The earned income deduction is not allowed on any portion of income earned under a work supplementation or support program that is attributable to public assistance.		On date of enactment for new applicants; at next recertification or when case is next reviewed for recipients.
809	Indefinitely freezes the maximum homeless shelter allowance at its present level (\$143). States may use it in calculating an excess shelter expense deduction (without regard to actual costs and may prohibit its use for households that incur very low costs.		No mandatory change.

**PART A - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
REQUIRED TO BE IMPLEMENTED UPON ENACTMENT**

Section	Description <i>Certification Provisions</i>	Implementation Method	
		FCS	State agency
809	In States without mandatory standard utility allowances (SUA), households are allowed to switch between actual expenses and the SUA only at recertification.		On date of enactment.
811	Removes the income exclusion for vendor payments for transitional housing for the homeless.	Impl. Memo Proposed Rule	On date of enactment for new applicants; at next recertification or when case is next reviewed for recipients.
827	Requires proration of benefits after any break in certification, except for migrant and seasonal farmworker households.		On date of enactment for applicants at initial application and recertification.
838	Changes expedited service timeframe to 7 days and eliminates the homeless category from those entitled to expedited service.	Impl. Memo Interim Rule	On date of enactment for new applicants.
847	The Federal Government will reimburse a State agency 50 percent of State agency costs for program informational activities, but not including recruitment activities.	Impl. Memo Proposed Rule	On date of enactment.

**PART A - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996)
REQUIRED TO BE IMPLEMENTED UPON ENACTMENT**

Section	Description <i>Program Violation Disqualifications and Claims</i>	Implementation Method	
		FCS	State agency
813	Increases the disqualification penalty for a first intentional violation to one year. Increase the penalty for a second intentional violation (and the first involving a controlled substance) to two years.	Impl. Memo Proposed rule	Upon enactment, following notification.
814	An individual shall be permanently disqualified if he/she is convicted of trafficking food stamp benefits of \$500 or more.		
820	An individual shall be ineligible to participate for 10 years if he/she is found to have made a fraudulent statement or representation in order to receive multiple benefits simultaneously.		
821	Makes fleeing felons and probation/parole violators ineligible for the program.		
829, 911	Prohibits an increase in food stamp benefits when a household's income is reduced because of a penalty imposed under a Federal, State, or local means-tested public assistance program for failure to perform a required action. Provides a State option to reduce allotments 25% or less. If the allotment is reduced for failure to perform an action required under a Title IV-A program, the State may use the rules of that program to reduce the food stamp allotment.		
837	Requires State agencies to make available, upon request, to any Federal, State, or local law enforcement officer the address, social security number, and (if available) photograph of a food stamp recipient if the officer furnishes the recipient's name and notifies the agency that the individual is fleeing to avoid prosecution, custody, or confinement for a felony, is violating a condition of parole or probation, or has information necessary for the officer to conduct an official duty related to a felony/parole violation.		Date of enactment.
844	(1) Replaces existing overissuance collection rules with provisions requiring States to collect any overissuance by reducing future benefits, withholding unemployment compensation, recovering from Federal pay or income tax refunds, or any other means -- unless the State demonstrates that all of the means are not cost effective. (2) Limits benefit reductions (absent intentional program violation) to the greater of 10 percent of the monthly allotment or \$10 a month. (3) Provides that States must collect overissued benefits in accordance with State-established requirements for notice, electing a means of payment, and setting a schedule for payment. (4) Permits States to retain 35 percent of intentional Program violation collections and 20 percent of inadvertent household error collections. The actual retention procedures will be forwarded under separate cover.	Date of enactment.	

**PART A - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996 (P.L.)
REQUIRED TO BE IMPLEMENTED [UPON ENACTMENT]**

Section	Description <i>Work Requirements</i>	Implementation Method	
		FCS	State agency
815	<p>Revises current requirements to make ineligible individuals who are physically and mentally fit and between the ages of 16 and 60 if they: (1) refuse without good cause to provide sufficient information to allow a determination of their employment status or job availability; (2) voluntarily and without good cause quit a job; or (3) voluntarily and without good cause reduce their work effort (and, after the reduction, are working less than 30 hours a week).</p> <p>Establishes mandatory minimum disqualification periods for individuals who fail to comply with work or workfare requirements:</p> <ul style="list-style-type: none"> o First violation - The later of (1) the date they comply with work rules; (2) 1 month; or (3) a period determined by the State not to exceed 3 months.* o Second violation - The later of (1) the date they comply with work rules; (2) 3 months; or (3) a period determined by the State not to exceed 6 months.* o Third or subsequent violations - The later of (1) the date they comply with work rules; (2) 6 months; or (3) a date determined by the State; or (4) at State option, permanently.* <p>Requires USDA to determine the meaning of good cause, voluntarily quitting, and reducing work effort.</p> <p>Requires States to determine (1) meaning of other terms; (2) procedures for establishing compliance; and (3) whether individuals are complying. None of such determinations can be less restrictive than comparable determinations under a program funded by Title IV-A of the Social Security Act.</p> <p>* (Provides a State option to disqualify the household if the head of household is disqualified under a work rule for a period determined by the State that cannot exceed the lesser of the duration of the individual's ineligibility or 180 days. This option is also listed on Attachment C.)</p>	Impl. Memo Proposed Rule	Upon enactment, following notification.

**PART B - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
SPECIAL IMPLEMENTATION DATES**

Section	Description <i>Alien Eligibility</i>	Implementation Method	
		FCS	State agency
402	<p>Only the following noncitizens are eligible: <u>For 5 years after they obtain the designated alien status:</u> Refugees admitted under section 207 of the Immigration and Nationality Act (INA), Asylees admitted under section 208 of the INA, and Aliens whose deportation has been withheld under section 243(h) of the INA.</p> <p><u>For an unlimited period:</u> The following aliens lawfully admitted for permanent residence: Veterans who were honorably discharged for reasons other than alienage, Active duty personnel (other than active duty for training) and their spouses or unmarried dependent children, and</p> <p>Aliens who have worked 40 qualifying quarters of coverage under Title II of the Social Security Act or can be credited with such qualifying quarters. Under section 435 of the law, a qualifying quarter includes one worked by a parent of an alien while the alien was under 18 and a quarter worked by a spouse during their marriage if the alien remains married to the spouse or the spouse is deceased. Beginning January 1, 1997, any quarter in which the alien received any Federal means-tested public benefit (as defined in sections 401 and 403 of the law) is not counted as a qualifying quarter.</p>	Implementing Memo Proposed rule	On date of enactment for new applicants; at recertification, by one year from date of enactment, for recipients.

**PART B - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
SPECIAL IMPLEMENTATION DATES**

Section	Description <i>Allotment, Shelter Limit, and Vehicle Adjustments</i>	Implementation Method	
		FCS	State agency
804	Annual adjustments to the maximum allotment are based on 100% of the Thrifty Food Plan. Allotments cannot fall below the FY 1996 level.	Implementing Memo Interim Rule	10/1/96 through mass change in accordance with 7 CFR 273.12(e)(1).
809	Sets the excess shelter caps for the 48 contiguous States and D.C., Alaska, Hawaii, Guam, and the Virgin Islands, respectively as follows: Enactment - 12/31/96: \$247, \$429, \$353, \$300, \$182 01/01/97 - 09/30/98: \$250, \$434, \$357, \$304, \$184 10/01/98 - 09/30/00: \$275, \$478, \$393, \$334, \$203 10/10/00 - : \$300, \$521, \$429, \$364, \$221		No change until 1/1/97; mass change on 1/1/97.
810	Raises fair market value of vehicles used in resource test to \$4,650 and eliminates future adjustments.		10/1/96 for applicants

**PART B - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
SPECIAL IMPLEMENTATION DATES**

Section	Description <i>Drug Disqualification</i>	Implementation Method	
		FCS	State agency
115	Makes ineligible individuals convicted of Federal or State felonies for possession, use, or distribution of illegal drugs after the date of enactment. Disqualified individuals are not considered household members but attributes their income and resources to their households. Requires applicants to state, in writing, whether any household member has been convicted of drug felonies. Permits States to opt out of the provision by enacting laws after the date of enactment exempting individuals or limiting the disqualification period.	Impl. Memo Proposed rule	Required to be implemented July 1, 1997 (unless State opts out).

**PART B - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
SPECIAL IMPLEMENTATION DATES**

Section	Description <i>Work Requirement for Able-Bodied Adults Without Dependents (ABAWDS)</i>	Implementation Method	
		FCS	State agency
824	<p>Unless exempt, individuals are ineligible to continue to receive food stamps if, during the preceding 36-month period they received food stamps for 3 months (consecutive or otherwise) while they did not either: work at least 20 hours per week (averaged monthly); for 20 hours or more per week, participate in and comply with a Job Training and Partnership Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than a job search or job search training program); or participate in and comply with a workfare program (under Section 20 of the Food Stamp Act or a comparable State or local program).</p> <p><i>During the time that an individual is exempt</i> from this work requirement because of a personal exception (e.g., is pregnant), the waiver provision (e.g., is living in an area that the Secretary has determined to have an unemployment rate of over 10 percent), or because of the subsequent eligibility provision of subsection (5) of this section, any period of participation in the food stamp program does not count toward the individual's 3-month participation limit.</p> <p>An individual is <i>exempt</i> from this requirement if the individual is: (1) under 18 or over 50 years of age, (2) medically certified as physically or mentally unfit for employment, (3) a parent or other member of a household with responsibility for a dependent child, (4) pregnant, or (5) otherwise exempt from work requirements under subsection (d)(2) of the Food Stamp Act.</p> <p>On the request of a State agency, the Secretary may waive the work requirement for any group of individuals if the Secretary determines that the area in which the individuals reside (1) has an unemployment rate of over 10 percent, or (2) does not have a sufficient number of jobs to provide employment for the individuals.</p> <p>Individuals denied eligibility under the new work rule can regain eligibility if during a 30-day period the individual: works 80 hours or more; participates in and complies with a Job Training and Partnership Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than a job search or job search training program) for 80 hours or more; or participates in and complies with a workfare program (under Section 20 of the Food Stamp Act or a comparable State or local program) for 80 hours or more. If individuals lose this employment or cease participation in work or workfare programs, participation can continue for up to 3 consecutive months (beginning from the date the State is notified that work has ended), after which the only cure during the 36-month period will be to comply with the work requirement or to become exempt under other provisions of the requirement.</p>	<p>Implementing Memo</p> <p>Guidance on submitting waivers for groups of individuals to be sent out within 30 days.</p> <p>Proposed rule</p>	<p>The 36-month period begins the <i>earlier of</i>: 3 months after enactment, or the date the State notifies recipients or applicants of the application of this provision (e.g., at certification or recertification or by mass mailings through the media.s)</p> <p>Case reviews will not be required; recipients will become ineligible at recertification or when the State becomes aware that the individual has participated 3 months without either complying with the work requirement or falling within one of the exceptions.</p>

**PART C - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
STATE AGENCY OPTIONS**

Section	Description <i>Miscellaneous Certification Provisions</i>	Implementation Method	
		FCS	State agency
809	Permits States to make use of standard utility allowances mandatory for all households if (1) the State has developed separate standards for households with and without heating or cooling costs and (2) USDA finds that the standards will not result in increased Federal costs.	Impl. Memo Proposed Rule	State Plan amendment
818	The State agency may, at its option, count all of the income of an alien ineligible under the Food Stamp Act in determining the eligibility and benefits of the remaining members.		
828	Makes the issuing of combined allotments (prorated first month's allotment plus full second month's allotment) to expedited service applicants a State option.		
830	Permits States to divide a month's food stamp benefits between a drug or alcoholic treatment center and the individual, if the individual leaves the center. Permits States to require the resident to designate the treatment center as his or her authorized representative.		
839	The State agency may, at its option, permit households to withdraw fair hearing requests orally as well as in writing. If it is an oral request, the State agency must provide written notice confirming the request and provide the household with another opportunity to request a fair hearing.		
840	Makes use of the income and eligibility verification system (IEVS) and the alien status verification system (SAVE) optional.		

**PART C - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
STATE AGENCY OPTIONS**

Section	Description <i>Optional Disqualification Provisions</i>	Implementation Method	
		FCS	State agency
819	Allows States the option to extend disqualifications for failure to perform actions required by other means-tested programs to the Food Stamp Program.	Impl. Memo Proposed Rule	State Plan amendment
822	<p>Permits States to require cooperation with the Child Support Enforcement (CSE) Program as a condition of eligibility for the FSP for applicants or participants who live with and exercise parental control over children under 18 years of age who have absent parents that are not providing appropriate support. Cooperation entails establishing paternity of the children and obtaining support for themselves or the child.</p> <p>Permits States to establish payment of legally-obligated child support as a condition of food stamp eligibility for non-custodial parents.</p> <p>Food stamp State agencies would have to develop safeguards to restrict the use of information obtained from Title IV-D agencies.</p> <p>Neither custodial nor non-custodial parents could be charged a fee or other cost for CSE services.</p> <p>The food stamp State agency would determine whether custodial parents have good cause for not cooperating and develop procedures for determining refusal to cooperate by non-custodial parents using guidelines developed by USDA in consultation with DHHS.</p>		
823	Permits States to disqualify individuals who are in arrears in court-ordered child support unless a court is allowing delayed payments or payments are being made in accordance with a court- or CSE-approved payment plan.		

**PART C - FOOD STAMP PROVISIONS
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
STATE AGENCY OPTIONS**

Section	Description <i>Optional Work Requirements</i>	Implementation Method	
		FCS	State agency
815	Provides a State option to disqualify the household if the head of household is disqualified under a work rule for a period determined by the State that cannot exceed the lesser of the duration of the individual's ineligibility or 180 days.	Impl. Memo Proposed Rule	State Plan amendment.
816	Permits States to lower the age at which a child exempts a parent/caretaker from food stamp work rules to between 1 and 6 years of age. This provision only applies to States that had waiver requests denied as of August 1, 1996, and may be implemented by these States for a period of no more than 3 years.		
852	States are eligible to adopt an Employment Initiatives Program (EIP) if at least 50% of the food stamp caseload in the summer of 1993 also received AFDC. Under EIP, States may provide households the option to receive food stamp benefits in cash if an adult member (1) has worked in unsubsidized employment for at least the last 90 days, has earned at least \$350 per month for at least the last 90 days, and is continuing to do so; and (2) is eligible for Title IV-A benefits or becomes ineligible because of earnings. Requires States to provide USDA a written evaluation (content to be determined by States with the concurrence of USDA) of the impact of cash assistance after operating 2 years under this provision. Requires States to increase cash benefits, with State funds, to compensate households for State or local sales taxes on food purchases.		
849	New provision of the Food Stamp Act (section 16(b)) that provides States the option to use the cash value of a household's food stamp allotment to subsidize a job for a household member participating in a work supplementation or support program—under which public assistance is provided to an employer to be used for hiring and employing a public assistance recipient. States must describe in their State plans how recipients in the program will, within a specified period of time, be moved to employment that is not supplemented or supported.		

**PART D - FOOD STAMP PROVISIONS OF
THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
REQUIRING NO ACTION BY STATE AGENCIES**

Section	Description <i>FCS Action</i>	FCS Implementation Method
109	Changes references to "AFDC" and a "plan" to a program funded under Title IV-A. (States will have to change their manual, but no action required by caseworkers).	Implementing Memo Interim Rule
809	Freezes the standard deduction amounts at their current level--no future adjustments.	
812	Requires USDA to establish (within 1 year after enactment) a procedure which will not increase Federal costs whereby States can submit a method to be approved by USDA for determining reasonable estimates, instead of the actual costs, of producing self-employment income.	Implementing Memo Proposed rule
826	Eliminates the adjustment factor for the \$10 minimum allotment for 1- and 2-person households.	

**ATTACHMENT D - FOOD STAMP PROVISIONS OF
THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
REQUIRING NO ACTION BY STATE AGENCIES**

Section	Description <i>State Flexibility</i>	FCS Implementation Method												
817	<p>Streamlines administrative requirements for States:</p> <ul style="list-style-type: none"> • Requires E&T components to be delivered through a statewide workforce development system, if available. • Expands the existing State option to apply all work requirements to applicants (currently limited to job search). • Removes specific rules governing job search components (i.e., tying them to those under title IV-A). • Removes provisions for E&T work experience and/or training components that require they serve a useful public purpose and use (to the extent possible) recipients' prior training and experience. • Removes specific Federal rules as to States' authority to exempt categories of individuals and individuals from E&T requirements. • Removes the requirement to serve volunteers in E&T programs. • Removes the requirement for conciliation procedures for resolution of disputes involving participation in an E&T program. • Removes the requirement that reimbursements for dependent care are at least as high as the dependent care deduction cap. • Removes requirements for E&T performance standards. <p>Allocates to States to carry out E&T programs:</p> <table border="0"> <tr><td>FY 97</td><td>\$79 million</td></tr> <tr><td>FY 98</td><td>\$81 million</td></tr> <tr><td>FY 99</td><td>\$84 million</td></tr> <tr><td>FY 00</td><td>\$86 million</td></tr> <tr><td>FY 01</td><td>\$88 million</td></tr> <tr><td>FY 02</td><td>\$90 million</td></tr> </table> <p>Allocations will be based on a reasonable formula (as determined by USDA) that gives consideration to the population in each State subject to work requirements. Minimum State allocation: \$50,000. State to promptly notify USDA if it determines it will not expend all of its allocated E&T funds.</p>	FY 97	\$79 million	FY 98	\$81 million	FY 99	\$84 million	FY 00	\$86 million	FY 01	\$88 million	FY 02	\$90 million	Implementing Memo Proposed Rule
FY 97	\$79 million													
FY 98	\$81 million													
FY 99	\$84 million													
FY 00	\$86 million													
FY 01	\$88 million													
FY 02	\$90 million													

**ATTACHMENT D - FOOD STAMP PROVISIONS OF
THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
REQUIRING NO ACTION BY STATE AGENCIES**

Section	Description <i>State Flexibility</i>	FCS Implementation Method
835	<p>Replaces many current client service requirements with broad requirements that States establish procedures that best serve households in the State including households with special needs (elderly, disabled, rural poor, homeless, households on reservations, and people who do not speak or read English); provide timely, accurate, and fair customer service to all applicants and recipients; and develop applications containing necessary information.</p> <p>Permits States to establish operating procedures that vary for local food stamp offices.</p> <p>Makes clear that nothing in the Food Stamp Act prohibits electronic storage of application and other information, including signatures.</p> <p>Deletes requirements for a uniform national application, placing information about rights and responsibilities on the application, waiving office interviews for elderly or disabled applicants and households with transportation or other difficulties, and providing telephone or mail information to households that have transportation difficulties or similar hardships.</p> <p>Deletes requirements that States (1) inform applicants how to cooperate in completing the application process including obtaining verification, (2) assist applicants in obtaining verification and completing applications, (3) use current verified information already available, and (4) not deny applications for failure of non-household members to cooperate.</p> <p>Deletes requirements that States provide a description of reporting requirements at certification and recertification; and provide a toll-free, local, or collect telephone number that households may use to reach the State.</p> <p>Deletes requirements for displaying posters and providing materials in food stamp and PA offices about nutrition and eligibility for other USDA nutrition programs, using mail issuance in rural areas or other areas where low-income households face transportation problems, conducting a single interview when households apply for both food stamps and AFDC, combining food stamp applications with PA and Statewide general assistance (GA) applications, providing food stamp applications and information at local GA offices if the same agency administers GA and PA, and using verified information available in PA/GA files.</p>	Implementing Memo Proposed Rule
836	Deletes all Federal requirements for State employee training.	

**ATTACHMENT D - FOOD STAMP PROVISIONS OF
THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY
RECONCILIATION ACT OF 1996
REQUIRING NO ACTION BY STATE AGENCIES**

Section	Description <i>State Flexibility</i>	FCS Implementation Method
848	The State agency is no longer required to establish standards for the effective and efficient operation of the program, including periodic review of hours that food stamp offices are open. The State agency is no longer required to submit reports specifying administrative actions to meet the standards.	Implementing Memo Proposed Rule
851	<p>Adds section 17(b)(1)(D) to the Food Stamp Act.</p> <p>Within 60 days after receiving a waiver request, USDA must approve or deny the request, or seek further clarification from the submitting State.</p> <p>If USDA fails to act within 60 days, the waiver request will be considered approved, unless approval is specifically prohibited by the Food Stamp Act.</p> <p>If USDA denies a waiver request, it must provide a copy of the request and a description of the reasons for its denial to the House Agriculture Committee and to the Senate Agriculture, Nutrition, and Forestry Committee.</p>	

HCFA Regulatory and Guidance Plans for Welfare Reform**Guidance to be Sent to States**

State Medicaid Manual Instruction providing guidance
on general Medicaid eligibility under welfare reform - December, 1996

State Medicaid Manual Instruction on Medicaid
Eligibility Quality Control - April, 1997

Regulations to be Issued

Federal Register Notice with Comment pertaining to
the enhanced Federal match under welfare reform - December, 1996

Notice of Proposed Rulemaking to codify the guidance
given in the first State Medicaid Manual Instruction - June, 1997

Final Rule codifying the guidance given in the first
State Medicaid Manual Instruction - February, 1998

8-5-96 welfare/immigration bill

1. SSA/Ag/HHH

a. Food Stamps ^{immigrants} - new p. on rolls →
day after enactment -
~~also~~ also recertification -
w/in yr.

Q - Appeals process?

60 days to nr. judgment.

If rule aft - have to pay back

No flexibility.

→ Issue #1

Q: Argue that need implementing
regs? for some? for all?
cut call

b. Food stamp - 18-50s

How to interpret exceptions?

→ 40 hrs
exemption?
how to deliv?

Dispersed -

Law - 18 mo. framework - to do in fair + equitable way.

Until then - throw people off rolls... for determining citizenship.

Some regs have had to do sth like this at all.

Issue #2

Warrath, DOT, me, OMB -

(?) SAVE system. Anyway to say - This prevents implementation?

SSA/SSI

See chart.

What counts as redetermination?

Between date of notice + actual redetermination
how much time

Take of SSI - how to apply for Medicaid?

Medicaid

Issue 3 - Define list of means-tested benefits.

Next who can call

Think about for September -
Legislative proposal - 6-mo. grace
period -

bona fide notice of intent to
apply for citizenship counts.

Issue 4 - INS - neg needed.

EVENA -

THE WHITE HOUSE
WASHINGTON

August 7, 1996

MEMORANDUM FOR ALEXIS HERMAN
MARCIA HALE
JOHN HILLEY
JACK QUINN
DON BAER
KITTY HIGGINS
LAURA TYSON
RON KLAIN
MAGGIE WILLIAMS
BETSY MYERS

FROM:

Carol H. Rasco *CHR*

Assistant to the President for Domestic Policy *MISSUS.*

Bruce Reed *BR*

Assistant to the President for Policy Planning *JE*

SUBJECT:

WELFARE REFORM LEGISLATION

WE CAUGHT YOUR
REGRETS TO THIS
MEETING; HOWEVER,
JACIL WANTS YOU TO
BE OUR REPRESENTATIVE
TO THE WORKING GROUP.
HE SUGGESTS YOU CALL
CAROL RASCO, OR SOMEONE,
TO FIND OUT WHAT YOU

The President has asked that we ensure a smooth and successful implementation of the welfare reform legislation. We will need to work together to achieve that goal. Accordingly, the Domestic Policy Council (DPC) has been directed to coordinate the Administration's implementation of the bill. We will co-chair a welfare reform implementation working group comprised of a lead contact person from each of your departments as well as appropriate cabinet departments and agencies.

The group will focus initially on three tasks: (1) working with the National Governors Association, American Public Welfare Association, National Council of State Legislators, and other organizations as appropriate to assure a smooth transition and effective implementation; (2) developing proposals to expand job opportunities for those leaving welfare; and, (3) coordinating Presidential welfare events, including the pending bill signing.

The group's first meeting is **Friday, August 9, 1996, 1:30-2:30 pm, room 180, Old Executive Office Building.** Please designate as your lead contact person a senior official who can provide leadership and continuity on the issue and ask that he or she attend the meeting. Please let Jill Pizzuto of the DPC know who will attend from your department (456-2249). If you have any questions, please contact Jeremy Ben-Ami of the DPC at 456-5584.

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

22-Aug-1996 05:20pm

TO: Jeremy D. Benami
TO: Elena Kagan

FROM: Diana M. Fortuna
 Domestic Policy Council

CC: Jill Pizzuto

SUBJECT: Membership on NGA/NCSL/APWA-agency group that met today

The DOJ rep who was at our meeting today (Randy Moss) says it may not be advisable for DOJ to participate in future meetings with NGA/NCSL/APWA. He says there is no problem with Bob Bach being there, but that DOJ usually doesn't give advice to outside entities, and that prohibition would go against the spirit of partnership at the meetings. He thinks that, if Elena is there, she can alert them to any issues. What do you think?

(I am sure Carol wouldn't mind the empty chair.)

COPY FOR
ELENA'S
RETURN

CURRENT RECIPIENTS	First notice that benefits may be cut off	Process	Benefit Terminations or Reductions	Number of People affected	Appeals --Benefit Continuation
SSI for children	No later than January 1, 1997	Notice begins redetermination process; redeterminations will average roughly 90 days	Benefit termination on July 1, 1997, or month following redetermination, whichever comes later; redeterminations must be completed within one year of enactment	285,000 notices and 190,000 children coming off the rolls	Benefits continue if recipient appeals within 10 days of notice of cut-off
SSI for immigrants	No later than March 31, 1997	First notice will give recipient a certain number of days to respond; if no response, second notice will serve as redetermination of eligibility	Benefit termination in month following redetermination; redeterminations must be completed within one year of enactment	1.1 million notices and 400,000 to 500,000 people coming off the rolls	Benefits continue if recipient appeals within 10 days of notice of cut-off
Food Stamps for immigrants	N.A.	Households are recertified on a three-to-twelve month cycle; at time of recertification, immigrants will no longer be eligible.	Benefit termination in month following determination of ineligibility; redeterminations must be completed within one year of enactment	900,000 participants (including 300,000 children) in first year. 250,000 lose benefits in first three months.	checking?
Food Stamps -- unemployed non-disabled childless adults aged 18 to 50	No later than three months after enactment, each State starts three-month clock	Recipients eligible for benefits for three months after notification	Benefit termination as of beginning of fourth month after notification (i.e., no later than six months after enactment)	in excess of one million	checking?

LAW SUIT?
CR

NBA conf. Sept 9-10

CURRENT RECIPIENTS	First notice that benefits may be cut off	Process	Benefit Terminations or Reductions	Number of People affected	Appeals -- Benefit Continuation
Food Stamp benefit levels	N.A.	Maximum benefits reduced. Standard Deduction and Excess Shelter Deduction frozen.	Reductions relative to current law -- Maximum benefit reduction and Standard Deduction freeze effective 10-1-96; Excess Shelter Deduction freeze effective 1-1-97	Nearly all of the 25 million monthly participants	N.A.
Child Nutrition -- Family Day Care Homes	N.A.	Homes not in low-income area must apply for means-tested benefits or receive lower reimbursements.	Reductions effective 7-1-97	about 700,000 children -- costs to families unlikely to change, but rate of program growth may slow	N.A.
AFDC/TANF	N.A.	States must implement the block grant program by July 1, 1997, but may start immediately on submission of a State plan to HHS.	States have discretion to establish time limits shorter than the 5-year Federal limit and discretion to increase or decrease benefit size.	AFDC caseload totals 12.5 million individuals (including 8.6 million children).	Minimal Federal standards. States can set requirements. No Federal authority for benefit continuation.
Child Support Enforcement	Under current law, States pass first \$50 of monthly support collections to family receiving assistance; under new law, States are no longer required to pass through any collections as of 10-1-96. Over 600,000 families may be affected.				

DRAFT/IMB/8-6-96

Based on Conference Report language; not reviewed by agencies

NEW APPLICANTS	Benefit Cut-Offs	Number of People affected
SSI for children	New rules effective upon enactment	200,000 future applicants who would be eligible in 2002. 10,000 to 15,000 in first three months.
SSI for immigrants	New rules effective upon enactment	20,000 to 50,000 in first three months
Food Stamps for immigrants	New rules effective upon enactment	N.A.
Medicaid, AFDC/TANF, and other non-exempt means-tested programs -- immigrants	New rules effective upon enactment for new immigrants entering the country. (State option to deny benefits to current immigrant recipients and immigrants currently in the country, beginning January 1, 1997.)	N.A.

DRAFT/IMB/8-6-96

Based on Conference Report language; not reviewed by agencies

IMMIGRATION RELATED IMPLEMENTATION ISSUES

Administrative Actions

- Speed up naturalization process.
- For SSI, extend timing of notices requesting proof of citizenship.
- Have INS give priority for households with children and disabled.
- Waivers for people with certain disabilities (e.g. mental impairments) that make them unable to naturalize under current rules.

Legislative Modifications to Welfare Reform

- Exemptions -- Conference failed to exempt children or those who become disabled after entering the U.S. About 300,000 children and 150,000 disabled adults would lose benefits.
- Medicaid -- The Conference bill includes a five year prospective ban on Medicaid for new immigrants, and a state optional ban on current immigrants. The mandatory prospective ban and the state optional retrospective ban should be removed to maintain critical health coverage for legal immigrants.
- Effective Date and Naturalization Policy -- A six month delay in the effective date would provide a uniform policy for all immigrants and would give current recipients time to adjust and naturalize. In addition, immigrants who apply to naturalize should not be subject to the ban. Immigrants eligible to become citizens should not be denied benefits because of administrative factors beyond their control. }

Other Legislative Proposals

- Grants to heavily impacted areas for health and other assistance.
- Grants to community and migrant health centers in heavily impacted areas.
- Resources for INS to speed processing naturalization claims.

Emergency Fund
CR Deal
Medicaid waivers

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E X E C U T I V E O F F I C E O F T H E P R E S I D E

16-Aug-1996 03:16pm

TO: (See Below)

FROM: Dorothy K. Craft
 Domestic Policy Council

SUBJECT: WELFARE IMPLEMENTATION SUBGROUP

August 16, 1996

MEMO TO SUBGROUP ON IMPLEMENTATION, WELFARE REFORM WORKING GROUP

FROM: Jeremy Ben-Ami
 Diana Fortuna
 Domestic Policy Council

SUBJECT: Meeting on Monday, August 19

Each of your offices should have gotten a call by now inviting you to a meeting on Monday, August 19 at 2:00 p.m. in Room 211 of the OEOB. This will be the first meeting of the subgroup on welfare reform implementation, one of three subgroups outlined at a meeting of the larger welfare reform working group that many of you attended last Friday. (That larger group will meet again on Tuesday, August 20.)

The purpose of Monday's meeting is to go over the implementation timetables/workplans that you are all developing and to flag any policy issues that must be decided along the way. We will then incorporate that information into a government-wide calendar. It will be more of a work session than Tuesday's meeting, where our subgroup will be expected to report on our progress.

Please bring to Monday's meeting the documents you are doubtless preparing that reflect the tasks your agency must complete and the timeline. Timeline information should include relevant effective dates of the law and target dates for items such as regulations, guidance, instructions, and notices to beneficiaries. Timelines should also reflect differences in the process for current recipients and new applicants, when that is

appropriate. Where target dates are undecided, you should provide a range of options, and a description of why you have discretion. In addition, please be prepared to discuss -- or at least list -- policy issues that need the group's attention.

You can call Diana at 456-5570 with any questions. Please make sure you have provided clearance information (date of birth) to Dorothy K. Craft at 456-5571.

cc: Carol Rasco
Bruce Reed
Emily Bromberg
Ken Apfel

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

15-Aug-1996 05:56pm

TO: (See Below)

FROM: Dorothy K. Craft
 Domestic Policy Council

SUBJECT: Welfare Reform Subgroup Meeting

Jeremy Ben-Ami and Diana Fortuna are calling a Welfare Reform Implementation meeting on Monday, August 19 at 2:00pm in OEOB 211.

You already were called about the meeting, but I wanted to tell you a little more about it, in case the message wasn't clear.

Monday's meeting is a subgroup of the larger meeting that took place last week (August 9). Jeremy actually referred to Monday's meeting as an opportunity to roll-up-your sleeves and talk more about what to do to get the bill implemented, to discuss work plans, etc. The meeting also includes reps from Agencies.

Please RSVP whichever way is easiest for you -- email or 65571.

Thanks..

David/Doug: I spoke w/Doug today re: Elena being out of town during this meeting. He was trying to catch you today to find out who might be the appropriate person from your office.

Kris/Anne: If one of you could come, that'd be great.

Barry/Richard: Diana spoke w/Richard Green about this meeting. She mentioned about five people would attend. Can you or Richard let me in on who those 5 might be?

Thanks again.

Distribution:

TO: Peggy A. Lewis
TO: Elena Kagan
TO: David Fein
TO: Deborah L. Fine