



NATIONAL CONFERENCE OF STATE LEGISLATURES

444 NORTH CAPITOL STREET, N.W. SUITE 515 WASHINGTON, D.C. 20001  
202-624-5400 FAX: 202-757-1064

March 6, 1996

Dear Senator/Representative:

**RE: WELFARE REFORM**

The National Conference of State Legislatures (NCSL) believes the provisions addressed below merit inclusion in any legislation that would reform the nation's welfare system. State legislators are committed to revamping our income security programs and shifting their focus to work and employment for eligible populations. To do this successfully, there are three critical issues for NCSL, not addressed in the bipartisan governors' proposal, that should be addressed in final legislation:

1. Affirm state legislative authority to appropriate new federal block grant funds for welfare programs. Section 1101 of the conference agreement on H.R. 4 must be included in any welfare legislation in order for NCSL to endorse it. Known as the Brown Amendment, Section 1101 has enjoyed overwhelming bipartisan support. This provision, which passed in the Senate on an overwhelming 92-6 vote, will serve to ensure that state legislators and governors work cooperatively, openly and deliberately in implementing a revised state-federal income security partnership for vulnerable populations.
2. Ensure states of adequate time to implement new welfare block grants. Our mutual goal should be the successful implementation of programs to replace those we know have not worked. Just as Congress and the Administration have debated long on these matters, so too will state officials. Numerous state reform programs are already underway, meaning that some states will comport immediately with new federal initiatives. Nonetheless, to ensure long-term success among the fifty states, we recommend that:
  - a) Neither implementation dates nor dates from which federal budget savings are scored be retroactive.
  - b) States be given until October 1, 1997 to plan and implement block grants.
  - c) Federal budget savings commence no earlier than October 1, 1996.
3. Avoid shifting costs for legal immigrants to states. NCSL firmly believes that the federal government is responsible for maintaining an adequate safety net for legal immigrants when they cannot support themselves. The conference agreement on H.R. 4 does not provide this assurance. Therefore, NCSL recommends that the following four changes be made to the conference agreement on H.R. 4:
  - a) Exempt legal immigrants who are over 75 years old and have lived in the U.S. for at least five years and exempt legal immigrants who become disabled after arrival from all program bars and deeming provisions not in current law. ("Deeming" is

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attributing a sponsor's income to the immigrant when determining program eligibility.) It has the effect of making almost all sponsored immigrants ineligible for means-tested programs.

- b) Eliminate any new bars or deeming provisions for the Medicaid program that are not in current law.
- c) Abolish the deeming provisions for all non-cash, federal means-tested programs.
- d) Maintain child nutrition and WIC eligibility for all immigrant children served under current law.

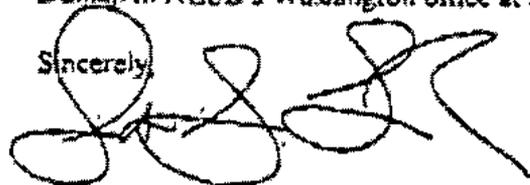
There are numerous provisions in the governors' February 6, 1996 bipartisan proposal that should be included in any welfare reform legislation Congress considers. These provisions conform with policies NCSL has actively advocated during the 104th Congress. Without them, our mutual efforts to successfully shift the focus to work for our welfare populations will be compromised. NCSL strongly urges Congress to:

1. Increase child care funding to levels no less than those recommended by the governors. This funding is essential to implement the federally-mandated work participation requirements we anticipate.
2. Make work participation requirements more reasonable. Drop the work participation requirement to 25 hours per week and give states the option to reduce work participation for mothers with children under age six to 20 hours per week.
3. Retain the open-ended entitlement for foster care, adoption assistance and administration.
4. Increase contingency fund resources for future economic downturns.
5. Give states the option to impose "family caps" restrictions.
6. Maintain the entitlement structure for SSI cash for children with revised eligibility criteria. We strongly support the SSI provisions in the Senate version of H.R. 4.
7. Reauthorize and maintain the current Food Stamps program as an uncapped entitlement.

We strongly believe that the addition of our three suggestions--the Brown amendment, implementation time, and immigration provisions--complement the conference agreement on H.R. 4 and vastly strengthen the governors' proposal. We urge you to include them in any welfare reform legislation.

Thank you for considering NCSL's views. Please contact Sheri Steisel, Michael Bird, or Jon Dunlap in NCSL's Washington office at (202) 624-5400 for further assistance or information.

Sincerely,



James J. Lack  
New York Senate  
President, NCSL