



# CENTER ON BUDGET AND POLICY PRIORITIES

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May 3, 2002

## Side-by-Side Comparison of Time Limit Provisions in TANF Reauthorization Legislation

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This document summarizes and compares selected time limit provisions in current law and seven recent TANF reauthorization proposals *as of May 3, 2002*:

- the Administration’s reauthorization plan (descriptions of provisions are based on Working Toward Independence, a 36-page White House document released in February);
- bills introduced by Rep. Herger (H.R. 4090) and Rep. McKeon (H.R. 4092) as amended by Committee on Ways and Means and Committee on Education and the Workforce; and
- bills introduced by Rep. Cardin (H.R. 3625), Rep. Mink (H.R. 3113), Sen. Rockefeller (S. 2052), and Rep. Roukema and Rep. Tierney (H.R. 4210).

Five of the bills are comprehensive, whereas the bill introduced by Rep. Roukema and Rep. Tierney is not comprehensive but rather addresses five major TANF areas that are likely to be addressed in reauthorization; areas that are not addressed are indicated. This document is part of a larger joint project of the Center for Law and Social Policy and the Center on Budget and Policy Priorities, which includes side-by-side comparisons of other aspects of proposed TANF reauthorization legislation. Although this document provides a summary of the key time limit provisions in these proposals, it does not address every detail of each proposal.

	<b>Current Law</b>	<b>Administration’s TANF Plan</b>	<b>H.R. 4090/4092 (Herger, R-CA; McKeon, R-CA)</b>	<b>H.R. 3625 (Cardin, D-MD)</b>	<b>H.R. 3113 (Mink, D-HI)</b>	<b>S. 2052 (Rockefeller, D-WV)</b>	<b>H.R. 4210 (Roukema, R-NJ; Tierney, D-MA)</b>
<b>Time Limit</b>	TANF-funded “assistance” is limited to 60 months.  “Assistance” is defined by regulation as cash payment and vouchers to meet ongoing basic needs.	Current law.	Current law.  Adds a statutory definition of assistance, similar to current definition in regulations, except, as detailed below, child care and transportation aid are not considered assistance regardless of employment status of family.	Current law.	Current law, except 1) prohibits states from setting a time limit on benefits shorter than 60 months, and 2) in determining the number of months a family has received “assistance”, states must disregard any month during which an individual is in compliance with program requirements or any month of high unemployment.	Current law, except that states may disregard any month that “assistance” is received by a participant in a state-option “Parents as Scholars” program (see side-by-side comparison of work provisions for more details on Parent as Scholars option).	Current law.

	<b>Current Law</b>	<b>Administration's TANF Plan</b>	<b>H.R. 4090/4092 (Herger, R-CA; McKeon, R-CA)</b>	<b>H.R. 3625 (Cardin, D-MD)</b>	<b>H.R. 3113 (Mink, D-HI)</b>	<b>S. 2052 (Rockefeller, D-WV)</b>	<b>H.R. 4210 (Roukema, R-NJ; Tierney, D-MA)</b>
<b>Extensions</b>	States have the option to extend federally funded assistance beyond the 60-month limit for up to 20 percent of their caseloads. States can provide extensions of assistance on the basis of state-defined hardship, or the fact that the family includes someone who has been battered or subjected to extreme cruelty. States that fail to comply with the 20 percent limit on extensions of the 60-month time limit are subject to a financial penalty, but can avoid the penalty if they show that the failure to comply was due to the provision of good cause domestic violence waivers to victims of domestic violence.	Current law.	Current law.	Current law.	Eliminates 20 percent of caseload limit on extensions.	Current law, except that time limit extensions for victims of domestic violence do not count toward the 20 percent of caseload limit on extensions.	Permits states to provide time limit extensions to more than 20 percent of caseload if approved by HHS. Requires states to include mental illness and disability in definition of hardship for purposes of extensions.
<b>Treatment of Child Care and Transportation Aid</b>	By regulation, TANF-funded child care and/or transportation aid provided to an <i>unemployed</i> family is considered "assistance" and therefore counts toward the 60-month time limit, even if the family is not receiving cash assistance.	Child care and other work support services are not "assistance" and therefore do not count toward the 60-month time limit for both employed and unemployed families.	Child care and transportation aid are not "assistance" and therefore do not count toward the 60-month time limit for both employed and unemployed families.	Current law.	Current law, subject to the provision detailed above that benefits or services, including child care and transportation aid, provided to a family in compliance with program requirements or provided during a month of high unemployment do not count toward the 60-month time limit.	Current law, except benefits or services, including child care and transportation aid, may be disregarded as "assistance" during any month in which the individual participated in a state-option Parents as Scholars program	Current law.

	<b>Current Law</b>	<b>Administration’s TANF Plan</b>	<b>H.R. 4090/4092 (Herger, R-CA; McKeon, R-CA)</b>	<b>H.R. 3625 (Cardin, D-MD)</b>	<b>H.R. 3113 (Mink, D-HI)</b>	<b>S. 2052 (Rockefeller, D-WV)</b>	<b>H.R. 4210 (Roukema, R-NJ; Tierney, D-MA)</b>
<b>Wage Subsidies</b>	<p>TANF-funded wage subsidies count toward the 60-month limit.</p> <p>Note: TANF-funded “work subsidies” — defined as payments to employers or third parties to help cover the costs of employee wages, benefits, supervision, and training — and refundable earned income tax credits do not count toward the 60-month time limit.</p>	Current law.	Current law.	Wage subsidies provided to a family do not count toward the 60-month limit as long as the family includes an adult or minor child head of household who has received income from employment at a level established by the state.	Current law, subject to the provision detailed above that benefits or services, including wage subsidies, provided to a family in compliance with program requirements do not count toward the 60-month time limit.	<p>At state option, a wage subsidy or other benefit or service may be provided to a family and not counted toward the 60-month time limit if the family includes an individual who has:</p> <ul style="list-style-type: none"> <li>a) participated for at least 30 hours a week in unsubsidized employment, subsidized employment, work experience, or on-the-job training;</li> <li>b) received income from one of these work activities at a level set by the state; and</li> <li>c) complied with all TANF program requirements applicable to the individual.</li> </ul> <p>Note: A second provision provides that in determining the number of months for which an adult has received “assistance,” the state may disregard any month during which an adult is engaged in unsubsidized or subsidized employment, work experience, or community service programs “in accordance with the requirements of section 407(c).” This appears to mean that the adult must be engaged in work activities for the minimum number of hours (20 or 30 depending on the age of the child) required to count toward the TANF work participation rates.</p>	Wage subsidies provided to a family do not count toward the 60-month limit as long as the family includes an adult or minor child head of household who has received income from employment at an amount established by the state.