

Summary Comparison of TANF Reauthorization Provisions: Bills Passed by Senate Finance Committee and the House of Representatives, and Related Proposals

by Shawn Fremstad, Zoë Neuberger, and Sharon Parrott, Center on Budget and Policy Priorities
Nisha Patel, Steve Savner, Mark Greenberg, and Vicki Turetsky, Center for Law and Social Policy

This document provides a summary comparison of key provisions in bills passed by the Senate Finance Committee and the House, an alternative to the House-passed bill offered by Representative Cardin on the House floor, the Senate “HELP” Principles (endorsed by 24 Democratic Senators, including members of the Health, Education, Labor and Pensions Committee), the Administration’s TANF plan, S. 2648 introduced by Senator Hutchinson, and S. 2524 introduced by Senators Bayh and Carper. Because the House-passed bill, the Administration’s plan, and S. 2648 are very similar, they are summarized in the same column with differences noted in italics.

	Current Law	Senate Finance Bill	House Bill, H.R. 4737/ S. 2648/ Administration Plan	House Democratic Substitute	Senate HELP Democratic Principles	S. 2524 (Bayh-Carper Bill)
FUNDING						
Basic TANF Block Grant Funding	Frozen at \$16.5 billion a year through FY 2002.	Frozen at \$16.5 billion through FY 2007.	Frozen at \$16.5 billion through FY 2007.	Adjusted annually for inflation — \$18.7 billion in FY 2007 .	Calls for increased funding but does not specify amount.	Frozen at \$16.5 billion through FY 2007.
State Maintenance of Effort (MOE)	State must spend at least 75 percent of the amount the state spent on AFDC-related programs in FY 1994. MOE funds must be spent on low-income families and meet TANF purposes.	Current law.	MOE spending on non-marital pregnancy reduction and two-parent family formation <i>does not</i> need to be targeted low-income families.	Amount states must spend to meet MOE requirement adjusted annually for inflation.	Does not address.	According to staff, intent was to specify that MOE spending on non-marital pregnancy reduction and family formation <i>does not</i> need to be targeted to low-income families. (Bill provides otherwise.)
Supplemental Grants	\$319 million in FY 2002 for states with low TANF funding levels or high population growth.	\$441 million annually through FY 2007 to extend supplemental grants and expand the number of qualifying states.	\$319 million annually through FY 2006. (<i>S. 2648 extends through 2007.</i>)	\$319 million annually through FY 2007, plus \$1 billion over five years to under-funded states.	Calls for increased funding generally for under-funded states, but does not specify amount.	According to staff, intent was to provide \$319 million annually. (Bill provides otherwise.)
Contingency Fund	\$2 billion available to states that experience specified increases in food stamp caseloads or unemployment. Must meet 100% MOE requirement, excluding child care and separate state programs.	\$2 billion through FY 2007. Available to states that experience specified increases (adjusted for current conditions) in food stamp caseloads or unemployment, or specified increases in TANF caseloads. Unspent reserves must be less than 30% of grant. Eliminates 100% MOE requirement.	\$2 billion through FY 2007. Generally retains current law, except that spending on child care and separate state programs count toward MOE requirement, and current-law match rate is liberalized.	\$2 billion through FY 2007. Available to states that experience specified increases (adjusted for current conditions) in food stamp caseloads or unemployment. Eliminates 100% MOE requirement.	Does not address.	\$2 billion through FY 2007. Eligibility based on updated unemployment rate, or food stamp or TANF caseload increase criteria. Eliminates 100% MOE requirement.

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Child Care	Mandatory funding: \$2.7 billion in FY 2002 (\$1.2 billion unmatched and \$1.5 billion in matching funds). Discretionary funding: \$2.1 billion appropriated in FY 2002.	Mandatory: \$5.5 billion increase over five years (no match required for first \$5 billion). Discretionary: Current law, but discretionary funding level not within the jurisdiction of the Finance Committee. Provides \$150 million over five years for at-home infant care demonstration programs.	Mandatory: \$1 billion increase in matching funds over five years. Discretionary: Authorizes \$2.4 billion increase over five years. (Contingent on appropriation.) <i>Administration Plan: No increase in mandatory or discretionary funding.</i> <i>S. 2648: No discretionary funding increase.</i>	Mandatory: \$11.25 billion increase in matching funds over five years. Discretionary: Authorizes \$250 million increase in FY 2003 and funds “necessary” for FY 2004-2007. (Contingent on appropriation.)	Mandatory: \$11.25 billion increase in matching funds over five years. Supports additional funding to address TANF changes.	Mandatory: \$8 billion increase in matching funds over five years. Discretionary: Current law.
Social Services Block Grant	\$1.7 billion in FY 2002.	\$252 million increase in FY 2005.	Funding frozen at \$1.7 billion.	Funding frozen at \$1.7 billion.	Does not address.	\$2.4 billion increase over five years.
Bonuses	High Performance: \$200 million a year based on work, work supports, and family formation criteria. Nonmarital Birth Reduction: \$100 million a year.	Eliminates high performance bonus. Eliminates nonmarital birth reduction bonus.	Reduces high performance bonus to \$100 million a year; based only on work criteria. Eliminates nonmarital birth reduction bonus.	Current law. Also provides \$150 million a year to states that reduce child poverty. Eliminates nonmarital birth reduction bonus.	Does not address.	Current law. Eliminates nonmarital birth reduction bonus.
Dedicated Funding for Family Formation-Related Purposes	States may use TANF funds to prevent non-marital births, and promote the formation and maintenance of two-parent families. \$50 million in funds for “abstinence-only” education provided annually through FY 2002 via the Maternal and Child Health Block Grant (MCH). Additional \$52 million in FY 2002 for “abstinence-only” education provided through the Community-Based Abstinence Education program and the Adolescent Family Life Act.	Competitive \$200 million annual matching grant program for demonstrations “to promote stronger families, with an emphasis on the promotion of healthy marriages.” Funds may be used various marriage promotion activities, teen pregnancy and domestic violence reduction, and income supplementation programs that meet this purpose. 25% match requirement (must be met using non-federal funds). Starting in FY2004, authorizes \$25 million annually for grants to states for employment programs for non-custodial parents and \$25 million annually for grants to states to conduct policy reviews and demonstrations related to non-custodial parents. (Contingent on appropriation.) “Abstinence-only” funding under MCH reauthorized for five years. Provides additional \$50 million annually within MCH for state grants for “abstinence-first” programs. Funds teen pregnancy prevention center.	Competitive \$100 million annual matching grant program for specified “healthy marriage” promotion activities. 100% match requirement (states may use federal TANF funds to meet). \$100 million annual fund to conduct research and demonstration projects, and provide technical assistance. Funds must be spent “primarily” on marriage promotion activities. Authorizes \$20 million annually to fund fatherhood and marriage promotion programs. (Contingent on appropriation.) “Abstinence-only” funding under MCH extended for five years.	\$100 million annual fund to provide grants for research, technical assistance, and demonstrations in the following areas: two-parent family formation; teen pregnancy reduction; non-custodial parents. Abstinence education funding under MCH extended for five years, but programs must be medically and scientifically accurate. Broader state discretion over educational approach.	Asserts that states should have the flexibility to use abstinence education funds to provide comprehensive sex education that promotes abstinence and “provides medically-accurate information to reduce health risks and teen pregnancy.”	Authorizes \$50 million annual matching grant program for marriage and responsible-parenting programs. 25% state match requirement. (Contingent on appropriation.) Authorizes \$200 million annual matching grant program for non-custodial parent employment programs and \$30 million annual grant program to conduct policy reviews or demonstrations related to non-custodial parents. (Contingent on appropriation.) \$100 million annual grant program for states to implement “abstinence-first” teen pregnancy prevention strategies. Authorizes additional funds, contingent on appropriation, for media campaigns and national centers.

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Other Dedicated Funding	No provision.	Provides \$200 million annually for Business Link Partnership competitive grant program to promote business linkages designed to increase wages received by low-income parents, to operate transitional jobs programs, and for “capitalization procedures for the delivery of self-sustainable social services.” Provides \$120 million over 4 years for implementation of “universal engagement” requirement. Authorizes funds, contingent on appropriation, for car ownership programs for low-income families and for demonstrations providing housing with services to TANF recipients with work barriers.	No provision.	\$150 million annual Employment Advancement Fund to provide grants to states for research, evaluation, and demonstration projects that focus on improving wages for low-income workers and enhancing employment prospects for recipients with barriers to employment. \$500 million grant program over five years to improve access to work support and benefit programs.	Does not address.	\$25 million annual grants for transitional jobs programs. \$50 million annually for state grants for administrative costs associated with new work requirements, enhancement of state administrative capabilities, or training. \$50 million annually for states that take option to provide TANF benefits to legal immigrants. Authorizes \$50 million over five years for grants to improve access to work support and benefit programs. (Contingent on appropriation.)
WORK						
Universal Engagement	States must ensure that adults are “engaged in work” as determined by the state within 24 months. State option to develop Individual Responsibility Plans for recipients.	States must develop Individual Responsibility Plans (IRP) for all adult recipients within 60 days of TANF enrollment. IRPs must address work activities, work supports, and child well-being.	States must develop Family Self-Sufficiency plans for all parents and caretakers receiving assistance within 60 days of TANF enrollment. Plans must detail work activities.	Current law.	Does not address.	Current law.
Assessments	States must conduct an initial assessment of skills, prior work experience, and employability.	Current law, but also requires states to screen for and assess barriers to employment. HHS must develop model work-barrier screening tools.	Similar to current law, but specifies that assessment may be conducted in “the manner deemed appropriate by the state.”	Similar to current law, but would require states to assess various barriers to employment.	Does not address.	Current law.
Participation Rates	“All-families” rate: 50% in FY 2002. Two-parent family rate: 90% in FY 2007.	55% in 2004, 60% in 2005, 65% in 2006, 70% in 2007. Eliminates separate two-parent rate.	55% in 2004, 60% in 2005, 65% in 2006, 70% in 2007. Eliminates separate two-parent family rate.	55% in 2004, 60% in 2005, 65% in 2006, 70% in 2007. Eliminates separate two-parent family rate.	Does not address.	55% in 2004, 60% in 2005, 65% in 2006, 70% in 2007. Eliminates separate two-parent family rate.

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Participation Rate Credits	Caseload reduction credit allows state to reduce participation rate by one percentage point for each one percentage point decline in caseload since FY 1995 that is not attributable to eligibility rule changes.	Replaces caseload reduction credit with employment credit based on number of families employed after leaving assistance (states also could opt to receive credit for families employed after receiving short-term diversion assistance). Larger credit for families with higher earnings. Also provides state option to count families not receiving cash assistance toward the work rate if they are receiving TANF-funded child care or transportation subsidies. Effect of these provisions (except diversion provision) cannot reduce a state's work rate by more than specified amounts (35% in FY 2004 declining to 20% in FY 2007) unless state meets two contingency fund triggers.	H.R. 4737: Retains caseload reduction credit, but limits to more recent declines in caseload. Additional "super-achiever" credit for states that reduced caseloads by more than 60% between 1996-2001. <i>Administration Plan/S. 2648: Replaces caseload reduction credit with an employment credit based on number of families leaving assistance. Under S. 2648, employment credit cannot reduce a state's work rate by more than specified amounts (35% in FY 2004 declining to 20% in FY 2007).</i>	Replaces caseload reduction credit with employment credit based on number of families who are employed after leaving assistance. Larger credit for families with higher earnings.	Supports the "concept of providing flexibility and credit to states that want to invest in moving more people into good full-time jobs."	Phases-out caseload reduction credit by FY 2006. States could count employed leavers toward work rates for 12 months. Greater weight for families with higher earnings. States could get partial credit for families not receiving cash assistance if they were receiving "substantial" child care or transportation assistance, and for non-custodial parents receiving employment services who have TANF recipient children. Additional child support collection credit reduces work rate based on increases in child support collection rate.
Exclusions from Participation Rates	State option to exclude a single parent caring for a child under age 1 from the work rates.	Current law, plus: 1) adults who become eligible for SSI during the fiscal year excluded from the rate, and 2) at state option, families that include an adult caring for a family member with a disability may be excluded from the rate (exclusions under this option may not exceed 10% of a state's caseload).	H.R. 4737: Current law, plus state may exclude a family in the first month of receiving assistance. <i>Administration Plan/S. 2648: Current law.</i>	Current law.	Does not address.	Current law, plus state may retroactively exclude families who leave TANF for SSI.

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Hours of Participation Required to Count Toward All-Families Rate	Single parents with a child under age 6: 20 hours. Other single parent families: 30 hours.	Current law, also allows partial credit for recipients who participate in work activities for at least half of the required hours.	40 hours per week, regardless of age of child. Partial credit for adults who participate in at least 24 hours of “direct work” activities, but do not meet the 40-hour standard.	Adults with child age 6 or over: state option to increase required hours to 40. Partial credit for recipients engaged in at least half of the required hours.	Current law.	Single adults with children under 6: 20 hours. Two-parent families and families with children age 6 or over: 37 hours. Partial credit for recipients engaged in at least 24 hours of primary activities and extra credit for recipients engaged in more than 37 hours of work.
Countable Activities	“Primary” activities that count toward first 20 hours: 1) paid or unpaid work, including on-the-job training, work experience, and community service; 2) vocational educational training; and 3) job search (up to 6 weeks in a year); and 4) providing child care for other participants. “Secondary” activities that count toward remaining hours: 1) any of above activities; 2) job skills training; and 3) education related to employment.	Primary: Increases hours to 24. Job search may be counted for 8 weeks rather than 6 weeks. Expands education, training, and barrier removal activities, as detailed below. Secondary: Current law, plus “rehabilitative” activities may count for the final 6 hours without time limitations.	Primary: Increases hours to 24 and <i>limits</i> countable activities to paid or unpaid work, including on-the-job training, supervised work experience, and supervised community service. State may count participants placed in other “qualified activities” for no more than 3 months in 24. Secondary: Determined by state subject to such regulations as the Secretary may prescribe. <i>S. 2648: Vocational education would count as a primary activity for up to 12 months under certain circumstances (detailed below). Secondary activities must be “organized.”</i>	Primary: Increases hours to 24. Expands education, training, and barrier removal activities, as detailed below.	Expands education, training, and barrier removal activities, as detailed below.	Primary: Current law, except adds job skills training. Secondary: Self-sufficiency activities, including any activity the state determines is reasonably related to meeting a TANF purpose.
Barrier Removal and Other Activities	Activities limited as specified above.	States can count “rehabilitative” activities for up to 3 months in any 24-month period, plus an additional 3 months if combined with work activities. After 6 months, may count toward hours above the first 24.	State-defined activities that meet a TANF purpose may count as a primary activity for up to 3 consecutive months out of 24 and as a secondary activity with no time limit.	Up to 6 months of participation in state-defined services designed to improve future employment may count as a primary or secondary activity.	Time spent in barrier removal activities should count toward work requirements.	See above.

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Education and Training	<p>Vocational education counts as a “primary” activity for up to 12 months.</p> <p>Number of recipients in vocational education and teen parents in school that a state may count toward work rates is capped at 30% of families that count toward work rates.</p> <p>Education related to employment allowable as a secondary activity.</p>	<p>Vocational education counts as a primary activity for up to 24 months.</p> <p>Removes teen parents from 30% cap.</p> <p>Adult basic education may be counted as a primary activity for 6 months in a 24-month period.</p> <p>State option to count post-secondary education as a primary and secondary activity for up to 10% of caseload.</p>	<p>Eliminates vocational education as a primary activity, except that work-related education or training could count as a primary activity for 3 months (or 4 months under very limited circumstances) in a 24-month period. Eliminates 30% cap.</p> <p><i>Administration: Same, except always limited to 3 months.</i></p> <p><i>S. 2648: Education or training needed to complete a certificate program or directed at enabling an individual to fill a known job in a local area could count for up to 12 months in any period of 24 consecutive months. Retains 30% cap.</i></p>	<p>Vocational education counts as a primary activity for up to 24 months.</p> <p>Eliminates 30% cap.</p> <p>Includes GED and ESL in definition of vocational education.</p>	<p>Training and education should count toward work requirements, including vocational and post-secondary education, basic education, and ESL.</p>	<p>State option to allow 15% of families counted toward work rate to be engaged in vocational education as a primary activity for more than 12 months, but less than 25 months, if state certifies that a certificate or degree is likely to result.</p> <p>Removes teen parents from 30% cap.</p>
Sanctions and Sanction Review Procedures	<p>States must sanction families that fail to comply with work requirements, but have discretion to partially reduce a family’s grant or terminate assistance completely.</p> <p>No requirement to review a family’s circumstances or individual plan before imposing a sanction.</p>	<p>IRP must be reviewed periodically, including prior to imposition of a sanction.</p>	<p>States must terminate assistance completely for non-compliant families. <i>(Not included in Administration plan.)</i></p> <p>State plan must describe strategies state may take to address “services for struggling and noncompliant families and for clients with special problems.”</p>	<p>Requires pre-sanction review process, including notice of sanction and steps required to come into compliance, an opportunity to meet with a caseworker or other individual, and consideration of whether barriers to employment contributed to the sanction.</p>	<p>Does not address.</p>	<p>Current law.</p>
Wage Subsidies	<p>TANF-funded wage subsidies count toward the 60-month limit.</p>	<p>Current law.</p>	<p>Current law.</p>	<p>Wage subsidies provided to a family do not count toward the 60-month limit if family’s average weekly earnings for the month are at least \$100.</p>	<p>Working poor families should be eligible for income supplements, without requiring states to apply time limits.</p>	<p>Current law.</p>
Transitional Jobs	<p>No dedicated funding stream for transitional jobs.</p>	<p>At least \$80 million annually of Business Link Partnership grants must be awarded to transitional jobs programs.</p>	<p>Current law.</p>	<p>Current law.</p>	<p>Supports wage-based transitional jobs; no funding level specified.</p>	<p>\$25 million annual grants for transitional jobs programs.</p>
OTHER						

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TANF Purposes	1) assist needy families; 2) end dependence of needy parents by promoting work and marriage; 3) reduce out-of-wedlock pregnancies; and 4) encourage the formation and maintenance of two-parent families.	Current law.	Adds “improving child-well-being” as overall purpose and “reducing poverty” to 2 nd purpose. 4 th purpose: “encourage the formation and maintenance of <i>healthy, 2-parent married families and encourage responsible fatherhood.</i> ”	Adds as a fifth purpose: “reduce the extent and severity of poverty and promote self-sufficiency among families with children.”	Does not address.	Current law.
Legal Immigrants	State may not provide federally-funded TANF, Medicaid, or SCHIP benefits to legal immigrants during their first five years in the United States. State option to provide benefits after first five years. Most legal immigrants who enter the United States after August 22, 1996, are ineligible for SSI benefits.	State option to provide TANF-funded benefits to legal immigrants and Medicaid/SCHIP to pregnant women and children who are legal immigrants, regardless of date of entry.	Current law.	State option to provide TANF-funded benefits to legal immigrants, and Medicaid/SCHIP to pregnant women and children who are legal immigrants, regardless of date of entry. Restores SSI eligibility for legal immigrant children.	Calls for “full and immediate restoration” of legal immigrant eligibility for TANF, Medicaid and SCHIP benefits.	State option to provide TANF-funded benefits to legal immigrants, and Medicaid/SCHIP to pregnant women and children who are legal immigrants, regardless of date of entry.
Two-parent Family Eligibility	No provision. (States may impose stricter eligibility requirements on two-parent families than on single-parent families.)	States may not impose stricter eligibility requirements on two-parent families.	States must outline in state plans how they intend to encourage equitable treatment of married, two-parent families in their TANF programs. No requirement to provide equitable treatment.	States may not impose stricter eligibility requirements on two-parent families, unless they subsequently pass a law imposing such requirements.	Does not address.	States may not impose stricter eligibility requirements on two-parent families.
Supplemental Housing Benefits	TANF-funded supplemental housing benefits are considered “assistance” for purposes of TANF time limit and data collection requirements, regardless of employment status of family receiving benefits.	State option to provide TANF-funded supplemental housing benefits to <i>employed</i> families without being subject to assistance restrictions.	Current law.	Current law.	Does not address.	Current law.
Pass Through of Child Support to TANF Families	TANF recipients must assign to the state their right to unpaid support owed before and during the assistance period to repay cash assistance. States may keep or “pass through” support to TANF families, but must pay a share of collections to the federal government.	Requires federal government to waive its share of a pass-through, up to \$400 for families with one child, or \$600 for families with two children. Pre-assistance assignment requirement eliminated.	Requires federal government to waive its share of a pass-through increase, up to a \$50 increase or \$100 pass-through. Retains “pre-assistance assignment” (i.e., requirement to assign support owed to the family <i>before</i> it received assistance).	Requires federal government to waive its share to the extent that the state disregards the support in determining TANF benefits. Pre-assistance assignment requirement eliminated.	Does not address.	Requires federal government to waive its share to the extent that the state disregards the support in determining TANF benefits. Pre-assistance assignment eliminated.

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Distribution of Child Support to Families who have Left TANF	After a family leaves TANF, most support payments must be paid to the family, except support collected through federal tax offset, which is retained and shared by the state and federal government. Distribution rules based on date support is owed.	State option to pay all collected support to former TANF families; federal share is waived. Provides funding and implementation flexibility to states. Provides \$50 million in FY 2003 for state implementation and policy review grants.	State option to pay all collected support to former TANF families; federal share is waived. Distribution rules based on collection date, not date support owed. Changes financed in part by an additional annual collection fee charged to families who never received TANF.	State must eliminate the tax offset exception and pay all collected support to former TANF families; federal share is waived. Provides funding and implementation flexibility to states.	No provision.	State option to eliminate the tax offset exception and pay all collected support to former TANF families; federal share is waived. Provides funding and implementation flexibility to states.
Transitional Medical Assistance (TMA)	Families receiving Medicaid for 3 of last 6 months who lose Medicaid eligibility because of earnings or child support are eligible for up to 12 months (4 months if loss of eligibility due to child support).	Reauthorizes TMA through FY 2007 with new state options to extend eligibility for up to 24 months and simplify participant reporting requirements.	Reauthorizes TMA for one year through FY 2003 with no other program changes.	Permanently reauthorizes TMA with new state options to extend eligibility for up to 24 months and simplify participant reporting requirements.	Calls for reauthorization of TMA through FY 2007. States that TMA should be readily available to families leaving welfare to work.	Reauthorizes TMA through FY 2003 with new state options to extend eligibility for up to 24 months and simplify participant reporting requirements.

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TANF Waivers	States that received approval to operate welfare reform waiver projects before enactment of the TANF law have the option to operate their TANF programs under some or all of the waivers they received. For states electing this option, provisions of the TANF law that are inconsistent with the waivers do not take effect until approval for the waivers expires.	States with waivers that expire on or after October, 1, 2002 may continue them through FY 2007, but must comply with the universal engagement requirement. States that are not currently operating waiver projects would be allowed to replicate existing successful waiver projects for up to two years (or up to four years at discretion of HHS). HHS could renew these waivers, but only through FY 2007.	Current law. <i>Administration Plan: Terminates existing TANF waivers regardless of their scheduled expiration dates.</i>	Current law.	Does not address.	Current law.
“Superwaiver” Authority	No specific “superwaiver” provision. Some individual programs, including the Food Stamp Program and Workforce Investment Act programs, have waiver authority and waivers can be granted that cover multiple programs. Existing waiver authority is generally limited to specific provisions of program authorizing statutes, or applies to all provisions in a program authorizing statute with specified exclusions. Statewide food stamp waivers cannot cut food stamp benefits by more than 20 percent for more than 5 percent of the caseload.	Current law, except for changes in TANF waiver authority described above.	States could apply for “superwaivers” covering at least two of the following programs: the Food Stamp Program, TANF, Child Care Development Fund, Welfare-to-Work, Public Housing, various homeless assistance programs, most Workforce Investment Act programs, the Employment Service, Social Services Block Grant, and adult education programs. Executive Branch could waive almost all provisions of authorizing statutes of programs included in the superwaiver <i>and</i> most other general federal statutory and regulatory provisions <i>applicable</i> to these programs. No limitation on extent of statewide food stamp or other benefit cuts.	Current law.	Does not address.	Current law.