



**Legislative Bulletin.....September 20, 2012**

**Contents:**

**H.J.Res. 118**—Congressional Disapproval of Waiver of Work Requirements

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**H.J.Res. 118—Congressional Disapproval of Waiver of Work Requirements  
(Rep. Camp, R-MI)**

**Order of Business:** The legislation is scheduled to be considered on Thursday, September 20, 2012 under a closed rule with 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means and 30 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. The rule waives all points of order against consideration of the joint resolution.

**Summary:** The legislation would prevent the Obama Administration from unilaterally implementing its guidance to waive work requirements established by the 1996 welfare reform law.

Specifically, the legislation disapproves of the rule submitted by the Office of Family Assistance for Children and Families of the Department of Health and Human Services relating to waiving work requirements under the 1996 welfare reform law.

Per the Congressional Review Act, a resolution of disapproval is considered by the Congress under expedited procedures. Of note, the Senate can approve it by a simple majority (it cannot be blocked indefinitely by lack 60 votes for cloture). Upon passage by the House and Senate, a resolution of disapproval is subject to the President’s signature or veto. If enacted, the resolution of disapproval nullifies the Administration’s rule. The Government Accountability Office (GAO) has determined that the Administration’s waiver of work requirements are a rule subject to the Congressional Review Act.

The legislation reduces mandatory spending by \$59 million over ten years.

**Additional Background:** Many conservative analysts argue that the 1996 welfare law’s work requirements are an indispensable part of the law’s success. For example, the Ways and Means Committee [notes](#) that since the law was enacted:

- Individuals receiving welfare has declined by 57%;
- Poverty among single mothers has fallen by 30%; and

➤ Employment and earnings among single mothers has increased significantly.

In addition to the policy implications of the bill, many analysts argue that the Administration does not have the authority to waive the work requirements under the 1996 welfare reform law. Many of the authors of the legislation back up this point by noting that the law was not intended to be waived as the Administration has done.

For further analysis, see the House Ways and Means Committee analysis [here](#). Robert Rector of the Heritage Foundation's, an expert on the law's work requirements, analysis can be found [here](#).

**Committee Action:** The legislation was introduced on September 11, 2012. The House Ways and Means Committee reported the legislation (as amended) by a vote of 22 to 16.

**Administration Position:** No Statement of Administration Policy (SAP) is available at press time.

**Outside Organizations:** A list of groups supporting the legislation may be found [here](#).

**Cost to Taxpayers:** The legislation reduces mandatory spending by \$59 million over ten years.

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

**Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?:** No.

**Does the Bill Contain Earmarks/Limited Tax Benefits/Limited Tariff Benefits?:** No.

**Constitutional Authority:** "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1 of the United States Constitution, to 'provide for the common Defence and general Welfare of the United States.'"

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