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STATE OF UTAH

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GREG BELL
LIEUTENANT GOVERNOR

July 16, 2012

The Honorable Kathleen Sebelius, Secretary
US Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C. 20201

Dear Secretary Sebelius,

Last Thursday, the Department of Health and Human Services (HHS) released an Informational Memorandum, wherein HHS explained its authority to waive state welfare work requirements. I am writing to clarify Utah's position relative to this action.

Utah is very proud of the comprehensive work-centered approach we take to moving adults from dependency to self-sufficiency. The cornerstone of Utah's philosophy is that all who can work should work, and that states are laboratories of innovation. Utah actively promotes these core beliefs by advocating for state and federal policies that support these principles.

The central feature of the 1996 welfare reform bill was to give states flexibility to create robust welfare-to-work programs in exchange for a vigorous evaluation of the success of these programs. The driving measurement for success is the participation rate, as it measures participation in certain allowable activities. Some of these participation requirements are difficult and costly to verify, while other participation requirements do not lead to meaningful employment outcomes and are overly prescriptive. Additionally, Utah believes that synergies could be found across other work and training programs, such as those administered by the Department of Labor, which would reduce administrative duplication.

In discussions with HHS officials, Utah suggested that we be evaluated on the basis of the state's success in placing our customers in employment, while also using a full participation model. This approach would require some flexibility at the state level and the granting of a waiver. Utah made this request within the context of reauthorization of the Temporary Assistance for Needy Families (TANF) programs in August of 2011, believing that current law would not allow such waiver authority. However, based on the recent informational memorandum, HHS appears to be granting waivers that will provide the flexibility we seek.

Underlying Utah's core principles regarding TANF programs is the basic objective that all customers must achieve full participation and employment. Utah would only support waiver

authority where work and self-sufficiency were the basis for the program wavier. Conversely, Utah understood that HHS did not have waiver authority and our request for limited flexibility was made under that assumption. Our support of the HHS change is contingent on HHS having statutory authority to grant waivers—whether that authority is in the statute as currently written or whether it is granted as part of a TANF reauthorization. We look forward to working with Congress and the Obama Administration in improving TANF programs and helping our customers become self-sufficient.

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Sincerely,

Gary R. Herbert
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