

PRWORA through the Lens of Brewer's Six-Stage Policy Cycle

This report provides a summary of Garry Brewer's (1974) heuristic six-stage policy cycle and uses it as a framework to present other scholarly contributions on these stages; describes the common activities undertaken within these stages; and identifies the central actors at each of these stages. Using this model, this essay illustrates how the Personal Responsibility and Work Opportunity Reconciliation Act moved through the policy cycle.

Brewer's Six-Phased Sequence of Decision-Making through the Policy Process

In 1974, Garry Brewer summarized six phases of the policy process in an editorial published in *Policy Sciences*. In this editorial, Brewer acknowledged the groundbreaking work of Daniel Lerner and Harold Lasswell (1951) and other scholars who originally laid the foundation for what Brewer believed was emerging in 1974 as a distinct and identifiable field of policy sciences. Noting Lasswell's distinction between the "analysis of the decision process" through the policymaking process and that of "the role of knowledge in the decision process," Brewer offered a conceptual framework depicting a process of six basic phases of decision-making through which a policy progresses over time (Brewer, 1974). Brewer hypothesized that this sequence of decision begins with invention/initiation and progresses through estimation, selection, implementation, evaluation and, finally, termination.

Invention/Initiation

During Brewer's (1974) invention/initiation sequence of decision, a problem is recognized or identified, which in turn initiates the search for possible means to its remedy. Zahariadis (1999) suggests that a policy issue defined as a problem may take shape upon an evaluation of various social indicators, programmatic evaluations, or a crisis that brings widespread attention to the issue, which is subsequently perceived as problematic. Yet, the implication of Anderson's (2003) scholarship suggests that the definition of an issue as problematic is contingent upon the outcome of stakeholders' competitions for issue placement on the political agenda. Whether the issue is defined as a problem via Zahariadisian or Andersonian means, however, Schattschneider (1960) suggested the choice of how it is defined is, in fact, a choice of political conflict, which in turn substantially influences the policy response. Following Schattschneider, Dery (1984) and Wildavsky (1979) stress that the manner in which the issue is framed as a problem ultimately defines the parameters of the remedy, and thus the policy recommendation and response.

Yet, Brewer avoids Schattschneider's implication that problem definition turns on choice of political conflict by advancing instead the notion of a benign inventive process. In the Brewerian framework, the process of problem recognition and identification prompt a dynamic, creative exploration that enables the decision makers to better clarify, hone and define the problem. Brewer (1974) considers this process of reconceptualizing or re-working the original problem definition to be analogous to a process of invention. This inventive process, in turn, provides for the identification of an array of potential solutions among which decision makers may locate, grapple with, and determine which alternatives within this range are the "best" alternatives (Brewer, 1974). John Kingdon's *Agendas and Public Policies* (1995) identifies the relevant actors who typically participate in these policy process decisions.

Kingdon's (1995) conceptual framework of policy streams and policy windows is used to describe the causal drivers of issue identification that give way to the agenda setting phase of policymaking. He suggests that participants both inside and outside of government are relevant actors in identifying, recognizing and defining issues as problems. Among Kingdon's (1995) governmental actors are the President and his staff, political appointees, congressional delegates and their staffs, and civil servants. Among Kingdon's (1995) non-governmental actors are interest groups, media, academicians and researchers, political campaign groups, consultants, business and industry groups, and the general public proper. Pross (1986) adds policy communities as relevant actors; Baumgartner and Jones (1993) add policy monopolies.



These actors, their ideas, proposals, and available alternatives make up what Kingdon (1995) referred to as the “policy primeval soup.” Once these relevant actors identify and define the problem and potential remedial alternatives, according to Brewer (1974), the determination of the saliency of one alternative over another is then undertaken. This marks the transition from the invention/initiation phase to the estimation phase.

Estimation

In the second phase of Brewer’s sequence of decision, the decision makers are faced with narrowing the array of plausible solutions to the problem identified in the invention/initiation phase (Brewer, 1974); or narrowing those alternatives that, as Kingdon (1995) would put it, are floating in the primeval soup. This phase is distinguished by an estimation of the risks, costs and benefits of each policy alternative (Brewer, 1974). The determination of an alternative’s saliency is grounded in positivist, empirical, scientific methodology based on probability theory. However, the desirability of outcomes, which are weighed against normative concerns, guides the choice of which policy alternatives will be estimated (Brewer, 1974). Thus, like Kingdon (1995) suggests, the policy alternatives chosen are not only feasible alternatives, they are politically acceptable alternatives as well.

The relevant actors at this stage may include those identified previously by Kingdon (1995); however, Jones (1983) adds that these actors include those who believe they have a substantial interest in the outcome of this process. Anderson (2003) emphasizes the central role the President plays in setting the tone for “politically acceptable” alternatives noting that the President may propose alternatives of his own or those recommended by his advisors. Kingdon’s (1995) government participants are particularly prominent in Brewer’s next sequence of decision making in the policy process: selection.

Selection

In Brewer’s (1974) selection phase, relevant actors choose the “best” invented and estimated alternatives. Scholars have suggested a number of models that purport to explain how relevant actors choose one alternative over another. Among these are: garbage can models drawn around Kingdon’s (1995) problem, policy and political streams and policy windows, which place policy entrepreneurs in central decision-making roles; Lindquist’s (1988) fundamental or emergent model, which draws on Kingdon’s policy window and emphasizes timing; Lindblom’s (1968) incremental model, which emphasizes decision-making that will lead to the policy that promises marginal improvement that is acceptable to all policy stakeholders; and Herbert Simon’s (1959) satisficing model, which emphasizes the propriety of the satisfactory alternative over the optimal alternative.

Aside from these models, Anderson (2003) notes that formal decisions on public policy alternatives are typically made by political actors, primarily congressional delegates, state legislators, and lead administrative officials. However, the policy alternative that emerges through this formal process of selection undergoes modifications such that approval and selection may be obtained. As such, the post-selection policy alternative may not adhere to the intent or desired policy outcome of the original alternative. Nevertheless, once this phase is completed, the implementation phase begins.

Implementation

Brewer’s (1974) implementation phase depicts the execution of the policy selected. However, he notes that this phase is the least well-developed and least understood of the policy phases. Pressman and Wildavsky’s (1973) work has been used to sharpen the focus of this phase. Their research, which focused on the implementation of several Federal programs in Oakland, California, explored the degree to which these policies achieved the desired outcomes. Where these policies failed to do so, Pressman and Wildavsky (1973) considered whether these occurrences could be explained by the manner in which the policies were implemented, or by misguided or ill-formed theories that underlie the policy’s substantive form. Their findings suggested that relevant actors in policy implementation were not aware of the complexities of implementing policy, nor were there in place any mechanisms through which the implementation could be monitored and evaluated.



In response, Brewer (1974) suggested that by exploring and tracing individual and institutional incentive systems, policymakers may better identify the process and outcome of policy implementation. However, Lipsky (1980) argued that the success of a policy is determined predominantly by the “street-level bureaucrats” who are responsible for its implementation. To Lipsky (1980), there exists in the policy process literature a substantial gap between the research that yields proper policy formulation and the policy as it is applied. In the Lipskian view, the absence of research at the bureaucratic level serves as a significant harbinger to both policy implementation and policy evaluation.

Evaluation

The evaluation phase in Brewer’s framework is a more “backward-looking practice” than that of the implementation phase (Brewer, 1974). In pertinent part, the evaluation phase considers: who, what, when, where, why, how, how many, and how much? These questions are asked and answered, according to Anderson (2003), by non-governmental participants, particularly third-party evaluators, think tank members, and university scholars who specialize in the policy area and or policy evaluation. In *Systematic Thinking for Social Action*, Alice Rivlin (1971) stresses the importance of evaluation as central to ensuring government accountability. However, deLeon and Denhardt (2000) suggest that the measures by which governmental policy actions may be evaluated are obscured. Nonetheless, the results gleaned from the evaluation phase, at least in theory, are part and parcel to the actions taken in the final, termination phase of Brewer’s framework.

Termination

Brewer (1974) suggests that, like the implementation phase, the termination phase is not well-developed conceptually. For the most part, this phase refers to those actions taken when a policy has been determined to be “dysfunctional, redundant, outmoded, unnecessary, and so forth” (Brewer, 1974). Theoretically, if the policy achieved the outcome intended, then the policy will be terminated. However, Bardach (1976) and Frantz (2002) argue that policy termination is a political process in and of itself and entrenched stakeholder interests prevent or impede termination efforts. On the other hand, the implication of Lindblom’s (1968) scholarship is that policies can only lend greater approximations toward a desired outcome incrementally over time. As such, the desired outcome is, perhaps, an utopic end.

The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) ended the 61-year federal entitlement to public assistance for needy individuals; altered substantially the structure, organization, and funding streams of U.S. public assistance; and shifted control over public assistance distribution and benefit levels from the federal to the state governments (Zuckerman, 2000). Under the former Federal program, Aid to Families with Dependent Children (AFDC), cash assistance was available to needy children and their adult caretakers (U.S. Department of Health and Human Services, 1999). States maintained discretionary authority to determine eligibility for benefits by receipt of open-ended matching funds from the Federal government. Insofar as a family met eligibility requirements, there were no time restrictions on assistance (Zuckerman, 2000). AFDC’s replacement authorized by PRWORA, Temporary Aid to Needy Families (TANF), ends automatic entitlement to welfare assistance for children and their caretakers, and aid is now administered through block grants to the states rather than through the Federal government.

Under TANF, families may not receive welfare benefits for more than five cumulative years, and for no more than 2 consecutive years. The JOBS program was subsumed under TANF’s block grants; a separate funding stream for literacy and work experience programs no longer exists, and funding for these programs is capped at 1996 levels. Those who receive aid must now find employment. Education and job skills training classes do not count toward the fulfillment of work requirements; if recipients wish to further their education, they may do so only after the weekly work prerequisite has been met (up to 40 hours in some states).



PRWORA Through Brewer's Six-Phase Sequence of Decision Making in the Policy Process

Unfortunately, as Mead (2002) notes, the research on the politics and process of welfare reform is quite small, focusing primarily on why liberal policy alternatives failed and why the fundamental change in welfare did not occur before 1996. However, Alice O'Connor's (2001) seminal work, *Poverty Knowledge: Social Science, Social Policy, and the Poor in the Twentieth-Century U.S. History*, is perhaps the most comprehensive treatment of the evolution of poverty theories and poverty research that merged as an impetus for welfare reform. Together with Mead (2002) and Zuckerman (2000), O'Connor's (2001) research illuminates how welfare reform moved through the policy process and the central actors at each stage of Brewer's six-phased framework.

Invention/Initiation

Mead's (2002) research draws upon a number of scholars who have defined poverty as a problem in different ways. As Dery (1984), Wildavsky (1979), and Schattschneider (1960) argued, these definitions shaped the parameters of the potential remedies and, subsequently, the policy responses. For example, Barth, Carcagno and Palmer (1974) suggested that the problem is that the amount of welfare assistance is too low to pull recipients out of poverty; therefore, the remedy recommended by liberal decision makers was to raise the benefit levels and to expand coverage. Conversely, Rector and Lauber (1995) argued that welfare benefits were too high, throwing off the balance of the budget. Therefore, the remedy recommended was deep and pervasive cuts in coverage and benefit levels. On the other hand, Ellwood (1988) argued that public assistance itself was a problem because it provided no incentive or support for recipients to work their way out of poverty. As such, the recommended remedy included reshaping assistance to make work pay. Mead (1986) took this further and argued that, if receipt of assistance was not wholly contingent upon the amount of work performed, no policy would be effective in reducing poverty.

Then again, Murray (1984) argued that public assistance in fact caused dependency on the system and created a host of social ills, among them, teenage pregnancy, alcohol and substance abuse problems, and chronic joblessness. Defined this way, the parameters of reasonable remedy took the shape of reducing or altogether eliminating government-subsidized public assistance. Olasky (1992) homed in on the incidence and prevalence of teenage pregnancy and defined the problem quite narrowly. Therefore, the potential remedy was merely to reform welfare such that illegitimacy rates could be drastically reduced. But Garfinkel (1992) thought that child support was instrumental to poverty as a problem. His remedy suggests a narrowed scope for child support enforcement efforts and, perhaps, an expansion of government authority and jurisdiction.

Interestingly, the 1998 House Committee on Ways and Means suggested that the problem was in fact recipients' widespread fraud and abuse of the system and instituted fiscal sanctions against states as incentive to clean up the system. This view was buttressed by Butler and Kondratas (1987) who targeted excessive federal control as the cause of an inefficient system that provided fertile ground for systemic fraud.

These definitions merged to form a zeitgeist of "dependency" and "deservingness" in social science research and political rhetoric, which reshaped fundamentally the definition of poverty and, particularly, government-subsidized Aid to Families with Dependent Children. O'Connor (2001) notes three central actors in this phase: the Institute for Research on Poverty at the University of Wisconsin; the Urban Institute; and the Manpower Demonstration Research Corporation. The shifts in problem definition brought about by these scholars and organizations led to a number of proposed policy alternatives—most of which called for drastic changes in government policy. This marked a significant departure from Progressive, New Deal and Great Society poverty programs. In particular, the Clinton administration bought into conservative notions of individual responsibility and a salient, benevolent market that would provide economic opportunities to the poor (O'Connor, 2001).



Estimation

Inventive and estimation options presented to decision makers were drawn from a number of experiments and evaluations. Clinton's own "tough love" workfare program instituted while he was the Governor of Arkansas showcased MDRC's and Mead's (2001) policy alternative for tying work to welfare benefits. The GOP primarily drew upon Wisconsin's welfare reform experiment, which was elevated to national attention given the drastic reductions in its dole. Mississippi, Oregon and Michigan also experimented with reforming their programs. Evaluations of social indicators by Clinton's advisors, economists David Ellwood and Mary Jo Bane, supported liberal welfare reform efforts. Clinton's chief democratic analyst on the House Ways and Means Committee, Wendell Primus, was a staunch supporter of programs for the poor. Peter Edelman and wife Marion Wright Edelman also joined the Clinton administration's promotion of work-based reform efforts. Together, these advisors supported a massive expansion to the Earned Income Credit in response to the problem of poverty. At the same time, conservatives Jack Kemp and William Bennett advocated privatization.

The 1994 midterm election, a Kingdon policy window of opportunity, resulted in a Republican-dominated Congress that led to a number of policy alternatives to "end welfare as we know it." In particular, Newt Gingrich advanced policy solutions to drastically cut welfare spending and impose significant behavioral restrictions on recipients. Welfare reform was enshrined in campaign slogans: "two years and you're off," and "make work pay." The policy that took shape was the Personal Responsibility and Work Opportunity Reconciliation Act. Although Clinton vetoed it twice, he gave way to external pressures and signed the bill in August 1996.

Brewer's (1974) contention that the desirability of outcomes, which are weighed against normative concerns, and which guides the choice of which policy alternative will be estimated, perhaps could not be any truer than in the example of PRWORA's estimation. In the Kingdonian vein, the policy alternative chosen was clearly the politically acceptable one.

Selection

Moynihan (1996) paints a dark brush over Clinton's decision to sign PRWORA and the context within which he made this choice. In *Miles to Go*, Moynihan admonished:

Expect little of government, especially national government. Good-hearted persons who might be put off by that forecast would do well to study the history of the debate over "welfare reform" in the 104th Congress. A 'liberal' executive and a 'conservative' Congress were quite prepared to enact legislation that verged on vengeance against children whose existence is seen as an affront to the values of a threatened society. When fear takes hold, even so piteous a fear as that of losing an election, expect no mercy. There was none.

The particular decisions made that led to the selection of PRWORA over the other alternatives are unclear. However, Ellwood suggested that where a clear opening had been made in Congress in which the Clinton administration could have pushed through its version of welfare reform, the administration had, instead, "squandered the opportunity in misguided delays" (O'Connor, 2001). From Ellwood's point of view, "We got hit by a freight train" because "our own train moved too sluggishly" (O'Connor, 2001). Others held Clinton directly responsible for the policy choice given his signature on the bill.

Indeed, as Anderson (2003) notes, the policy selected, having undergone significant negotiations and trade-offs, may not emerge from the policy selection process in the same form, nor will it necessarily adhere to its original intent and purpose. In pertinent part, "all of the experts agreed that the legislation was a triumph of politics over scientific knowledge" (O'Connor, 2001). In fact, Zuckerman (2000) notes that "research had little impact on [its passage]...although statistics were used by both sides in the national debate." Brewer's emphasis on the assessment of predetermined risks, costs and benefits for appropriate estimation decisions do not appear to have played a part in welfare reform's inventive and estimation options.



Implementation

To ensure compliance with policy mandates, the legislature set forth a number of penalty incentives in PRWORA. Harsh penalties, including denial of benefits, are assessed against program recipients who fail to meet the work requirement. Severe penalties are assessed also against states that fail to meet PRWORA's mandates [See 42 U.S.C. § 609 (2000)]. Among these sanctions is a one to five percent monetary penalty reduction in the state's block grant for failing to reduce assistance to those refusing to work without good cause.¹

The severe penalties imposed upon states for failing to meet federal mandates have resulted in a number of policy changes to assist states' compliance. These changes include welfare-to-work grants; tax credits for employers who hire welfare recipients; cash bonuses to states who achieve significant decreases in out-of-wedlock births and abortion rates; development and funding of Children's Health Insurance Program (CHIP) for working two-parent families; child support enforcement; housing vouchers; transportation grants; child care funding; individual development accounts funding; and limited reinstatement of benefits for legal immigrants (Zuckerman, 2000). Legal challenges to these changes, however, do not appear to have formed an external pressure on the policy process that Anderson (2003) or Kingdon (1995) would have expected.²

Similar to what Brewer (1974) recommended, *i.e.*, tracing individual and institutional incentive systems, policymakers have traced these penalty incentives to ensure program implementation. Within the first year of PRWORA's implementation, the national dole was reduced by more than 50%. However, as noted before, Lipsky (1980) argued that the success of a policy is determined predominantly by the "street-level bureaucrats" who are responsible for its implementation. Lipsky's (1980) claim that there exists in the policy process literature a substantial gap between the research that yields proper policy formulation and the policy as it is applied appears to hold true in the case of welfare reform. Indeed, the body of literature focuses on the success of welfare reform, but remains silent on the street-level bureaucrat.

¹ See 42 U.S.C. § 609(a)(1)-(11), (14); see also Candice Hoke, *State Discretion Under New Federal Welfare Legislation: Illusion, Reality and a Federalism Based Constitutional Challenge*, 9 STAN.L. & POL'Y REV. 115, 118-119 (1998) which notes that penalties are severe in order to further encourage compliance with the federally funded welfare reform program.

² Since PRWORA's enactment, several lawsuits have been filed to challenge section 402 of the Act, which eliminates eligibility of lawful immigrants for welfare benefits. The following six cases involve a constitutional challenge to the Welfare Reform Act: *Abreu v. Callahan* (1997); *Rodriguez v. United States* (1997); *Shvartsman v. Callahan* (1997); *City of Chicago v. Shalala* (1998); *Kiev v. Glickman* (1998); and *Shvartsman v. Apfel* (1998). See: Kim, R.Y. (2001). "Welfare reform and 'ineligibles': issues of Constitutionality and recent court rulings." *Social Work*, Vol. 46(4). Moreover, the passage of federal welfare reform unsettled the issue of whether federal due process protections apply. The argument is that the nature of public assistance is a property right that "federalizes" the devolutionary reform; therefore, federal due process requirements do not apply to states. However, while the welfare reform law certainly delegated to the states the ability to set certain substantive conditions for when assistance is available, the law does not abrogate the procedural due process requirements that apply. See: Jeffrey, Randal S. (2002). "The importance of due process protections after welfare reform: client stories from New York City." *Albany Law Review*, Vol. 66 (1).



Evaluation

Through all the rhetoric, it is difficult to distinguish the specific, measurable goals that were meant to be achieved. One desirable outcome, surely, was to move people off of welfare and in to work. The substantial decline in the dole suggests success. Yet, Bauer, Braun and Olson (2000) note that the decline has not been measured against poverty rates. And, there is no standardized definition, measure, or measurable goal for “self-sufficiency.” There is little research that shows whether those who left the dole are working, for how long, or for how much. Some research suggests that the leavers were no longer dependent on welfare, but remained dependent on family, friends, shelters, pantries, and other non-TANF government subsidies, e.g., SSDI. Zuckerman’s (2000) evaluation of welfare reform suggested that important barriers to self-sufficiency cannot be detected within PRWORA’s framework. Some of these barriers include a lack of transportation, and child care expenses, which were subsumed in the political rhetoric on deadbeat dads. Yet, transportation and child care are critical to recipients’ compliance with employment mandates. Other barriers impeding self-sufficiency include domestic violence, substance abuse, and mental illness. Yet, there are no provisions in PRWORA to account for these barriers, nor any standardized direction to states and local governments for redress.

Mead (2001) notes that PRWORA has failed in two important respects: first, PRWORA allows states to count the reduction in their caseload against the mandatory work requirements, which has resulted in no work requirement for the remaining recipients in some states; and second, the substantial reduction in caseloads has not been followed by a reduction in program costs. In fact, Nightingale and Brennan (1998) found that most states received more federal funds under PRWORA than AFDC.

Termination

On September 30, 2004, the Congress passed a “clear” extension through March 2005. Faith and community organizations, who hope to play a greater role in welfare reform, and reform advocates are currently preparing for a five-year reauthorization. Congress’ successive reauthorizations every six months since 2001 and the recent “clear” extension appear to support Barch’s (1976) and Frantz’s (2002) notion that policy termination is a political process in and of itself. Overall, PRWORA does not appear to heed Rivlin’s (1971) emphasis on the importance of evaluation to government accountability, nor Brewer’s (1974) backward focus. PRWORA does appear, however, to support deLeon and Denhardt’s (2000) notion that the measures by which government actions may be evaluated are obscured.

Conclusion

This report provided a summary of the sequence of decisions made by central actors through Brewer’s (1974) heuristic policy stages, namely, invention/initiation, estimation, selection, implementation, evaluation, and termination. The decisions made and the central decision-makers of the Personal Responsibility and Work Opportunity Reconciliation Act were viewed through this Brewerian framework and the contributions of other policy scholars, such as Anderson (2003), Kingdon (1995), O’Connor (2001), Mead (2001), and Zuckerman (2000), among others. Through this process, it became evident that policy decisions regarding PRWORA were shaped largely by political rhetoric within a prime, Kingdonian, window of opportunity.



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