

104TH CONGRESS  
1ST SESSION

# S. 8

To amend title IV of the Social Security Act to reduce teenage pregnancy, to encourage parental responsibility, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 4, 1995

Mr. DASCHLE (for himself, Mr. BREAU, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. REID, Mr. KERRY, Mrs. MURRAY, Mr. DORGAN, Ms. MOSELEY-BRAUN, and Mr. ROBB) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend title IV of the Social Security Act to reduce teenage pregnancy, to encourage parental responsibility, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF**  
4 **CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Teen Pregnancy Prevention and Parental Responsibility  
7 Act”.

8 (b) AMENDMENTS TO THE SOCIAL SECURITY ACT.—  
9 Except as otherwise specifically provided, whenever in this

1 Act an amendment is expressed in terms of an amendment  
2 to or repeal of a section or other provision, the reference  
3 shall be considered to be made to that section or other  
4 provision of the Social Security Act.

5 (c) TABLE OF CONTENTS.—The table of contents of  
6 this Act is as follows:

Sec. 1. Short title; references in Act; table of contents.

TITLE I—ENDING THE CYCLE OF INTERGENERATIONAL  
DEPENDENCY

Sec. 101. Supervised living arrangements for minors.

Sec. 102. Reinforcing families.

Sec. 103. Required completion of high school or other training for teenage par-  
ents.

Sec. 104. Drug treatment and counseling as part of the JOBS program.

TITLE II—PARENTAL RESPONSIBILITY

Sec. 201. Performance-based incentives.

Sec. 202. State law authorizing suspension of licenses.

Sec. 203. State laws concerning paternity establishment.

Sec. 204. State laws providing expedited procedures.

Sec. 205. Outreach for voluntary paternity establishment.

TITLE III—COMBATING TEENAGE PREGNANCY

Sec. 301. Targeting youth at risk of teenage pregnancy.

Sec. 302. National Clearinghouse on Teenage Pregnancy.

TITLE IV—FINANCING

Sec. 401. Uniform alien eligibility criteria for public assistance programs.

Sec. 402. State retention of amounts recovered.

7 **TITLE I—ENDING THE CYCLE OF**  
8 **INTERGENERATIONAL DE-**  
9 **PENDENCY**

10 **SEC. 101. SUPERVISED LIVING ARRANGEMENTS FOR MI-**  
11 **NORS.**

12 (a) STATE PLAN REQUIREMENT.—Section  
13 402(a)(43) (42 U.S.C. 602(a)(43)) is amended—

1 (1) in the matter preceding subparagraph (A),  
2 by striking “at the option of the State,”;

3 (2) in the matter preceding clause (i) of sub-  
4 paragraph (A), by striking “subject to subparagraph  
5 (B)” and inserting “except as provided in subpara-  
6 graph (B)(i)”; and

7 (3) in subparagraph (A)(i), by striking “, or re-  
8 side in a foster home, maternity home, or other  
9 adult-supervised supportive living arrangement”.

10 (b) APPROPRIATE ADULT-SUPERVISED SUPPORTIVE  
11 LIVING ARRANGEMENTS.—Section 402(a)(43)(B) (42  
12 U.S.C. 602(a)(43)(B)) is amended to read as follows:

13 “(B)(i) in the case of an individual de-  
14 scribed in clause (ii)—

15 “(I) the State agency shall assist such  
16 individual in locating an appropriate adult-  
17 supervised supportive living arrangement  
18 taking into consideration the needs and  
19 concerns of the individual, unless the State  
20 agency determines that the individual’s  
21 current living arrangement is appropriate,  
22 and thereafter shall require that the indi-  
23 vidual (and child, if any) reside in such liv-  
24 ing arrangement as a condition of the con-  
25 tinued receipt of aid under the plan (or in

1 an alternative appropriate arrangement,  
2 should circumstances change and the cur-  
3 rent arrangement cease to be appropriate),  
4 or

5 “(II) if the State agency is unable,  
6 after making diligent efforts, to locate any  
7 such appropriate living arrangement, it  
8 shall provide for comprehensive case man-  
9 agement, monitoring, and other social serv-  
10 ices consistent with the best interests of  
11 the individual (and child) while living inde-  
12 pendently; and

13 “(ii) for purposes of clause (i), an individ-  
14 ual is described in this clause if—

15 “(I) such individual has no parent or  
16 legal guardian of his or her own who is liv-  
17 ing and whose whereabouts are known;

18 “(II) no living parent or legal guard-  
19 ian of such individual allows the individual  
20 to live in the home of such parent or  
21 guardian;

22 “(III) the State agency determines  
23 that the physical or emotional health of  
24 such individual or any dependent child of  
25 the individual would be jeopardized if such

1 individual and such dependent child lived  
2 in the same residence with such individ-  
3 ual's own parent or legal guardian; or

4 “(IV) the State agency otherwise de-  
5 termines (in accordance with regulations  
6 issued by the Secretary) that it is in the  
7 best interest of the dependent child to  
8 waive the requirement of subparagraph (A)  
9 with respect to such individual.”.

10 (c) EFFECTIVE DATES.—

11 (1) IN GENERAL.—Except as provided in para-  
12 graph (2), the amendments made by subsections (a)  
13 and (b) shall be effective with respect to calendar  
14 quarters beginning on or after October 1, 1995.

15 (2) SPECIAL RULE.—In the case of a State that  
16 the Secretary of Health and Human Services deter-  
17 mines requires State legislation (other than legisla-  
18 tion appropriating funds) in order to meet the addi-  
19 tional requirements imposed by the amendments  
20 made by this Act, the State shall not be regarded as  
21 failing to comply with the requirements of such  
22 amendments before the first day of the first calendar  
23 quarter beginning after the close of the first regular  
24 session of the State legislature that begins after the  
25 date of enactment of this Act. For purposes of this

1 paragraph, in the case of a State that has a 2-year  
2 legislative session, each year of the session shall be  
3 treated as a separate regular session of the State  
4 legislature.

5 **SEC. 102. REINFORCING FAMILIES.**

6 (a) IN GENERAL.—Title XX (42 U.S.C. 1397–  
7 1397e) is amended by adding at the end the following new  
8 section:

9 **“SEC. 2008. ADULT-SUPERVISED GROUP HOMES.**

10 “(a) ENTITLEMENT.—

11 “(1) IN GENERAL.—In addition to any payment  
12 under sections 2002 and 2007, beginning with fiscal  
13 year 1996, each State shall be entitled to funds  
14 under this section for each fiscal year for the estab-  
15 lishment, operation, and support of adult-supervised  
16 group homes for custodial parents under the age of  
17 19 and their children.

18 “(2) PAYMENT TO STATES.—

19 “(A) IN GENERAL.—Each State shall be  
20 entitled to payment under this section for each  
21 fiscal year in an amount equal to its allotment  
22 (determined in accordance with subsection (b))  
23 for such fiscal year, to be used by such State  
24 for the purposes set forth in paragraph (1).

1           “(B) TRANSFERS OF FUNDS.—The Sec-  
2           retary shall make payments in accordance with  
3           section 6503 of title 31, United States Code, to  
4           each State from its allotment for use under this  
5           title.

6           “(C) USE.—Payments to a State from its  
7           allotment for any fiscal year must be expended  
8           by the State in such fiscal year or in the suc-  
9           ceeding fiscal year.

10          “(D) TECHNICAL ASSISTANCE.—A State  
11          may use a portion of the amounts described in  
12          subparagraph (A) for the purpose of purchasing  
13          technical assistance from public or private enti-  
14          ties if the State determines that such assistance  
15          is required in developing, implementing, or ad-  
16          ministering the program funded under this sec-  
17          tion.

18          “(3) ADULT-SUPERVISED GROUP HOME.—For  
19          purposes of this section, the term ‘adult-supervised  
20          group home’ means an entity that provides custodial  
21          parents under the age of 19 and their children with  
22          a supportive and supervised living arrangement in  
23          which such parents would be required to learn  
24          parenting skills, including child development, family  
25          budgeting, health and nutrition, and other skills to

1 promote their long-term economic independence and  
2 the well-being of their children. An adult-supervised  
3 group home may also serve as a network center for  
4 other supportive services that might be available in  
5 the community.

6 “(b) ALLOTMENT.—

7 “(1) CERTAIN JURISDICTIONS.—The allotment  
8 for any fiscal year to each of the jurisdictions of  
9 Puerto Rico, Guam, the Virgin Islands, American  
10 Samoa, and the Northern Mariana Islands shall be  
11 an amount which bears the same ratio to the  
12 amount specified under paragraph (3) as the allot-  
13 ment that the jurisdiction receives under section  
14 2003(a) for the fiscal year bears to the total amount  
15 specified for such fiscal year under section 2003(c).

16 “(2) OTHER STATES.—The allotment for any  
17 fiscal year for each State other than the jurisdictions  
18 of Puerto Rico, Guam, the Virgin Islands, American  
19 Samoa, and the Northern Mariana Islands shall be  
20 an amount which bears the same ratio to—

21 “(A) the amount specified under para-  
22 graph (3), reduced by

23 “(B) the total amount allotted to those ju-  
24 risdictions for that fiscal year under paragraph  
25 (1),



1 as the allotment that the State receives under sec-  
2 tion 2003(b) for the fiscal year bears to the total  
3 amount specified for such fiscal year under section  
4 2003(c).

5 “(3) AMOUNT SPECIFIED.—The amount speci-  
6 fied for purposes of paragraphs (1) and (2) shall be  
7 \$95,000,000 for fiscal year 1996 and each subse-  
8 quent fiscal year.

9 “(c) LOCAL INVOLVEMENT.—Each State shall seek  
10 local involvement from the community in any area in  
11 which an adult-supervised group home receiving funds  
12 pursuant to this section is to be established. In determin-  
13 ing criteria for targeting funds received under this section,  
14 each State shall evaluate the community’s commitment to  
15 the establishment and planning of the home.

16 “(d) LIMITATIONS ON THE USE OF FUNDS.—

17 “(1) CONSTRUCTION.—Except as provided in  
18 paragraph (2), funds made available under this sec-  
19 tion may not be used by the State, or any other per-  
20 son with which the State makes arrangements to  
21 carry out the purposes of this section, for the pur-  
22 chase or improvement of land, or the purchase, con-  
23 struction, or permanent improvement (other than  
24 minor remodeling) of any building or other facility.

1           “(2) WAIVER.—The Secretary may waive the  
2           limitation contained in paragraph (1) upon the  
3           State’s request for such a waiver if the Secretary  
4           finds that the request describes extraordinary cir-  
5           cumstances to justify the waiver and that permitting  
6           the waiver will contribute to the State’s ability to  
7           carry out the purposes of this section.

8           “(e) TREATMENT OF INDIAN TRIBES.—

9           “(1) IN GENERAL.—An Indian tribe may apply  
10          to the Secretary to establish, operate, and support  
11          adult-supervised group homes for custodial parents  
12          under the age of 19 and their children in accordance  
13          with an application procedure to be determined by  
14          the Secretary. Except as otherwise provided in this  
15          subsection, the provisions of this section shall apply  
16          to Indian tribes receiving funds under this sub-  
17          section in the same manner and to the same extent  
18          as the other provisions of this section apply to  
19          States.

20          “(2) ALLOTMENT.—If the Secretary approves  
21          an Indian tribe’s application, the Secretary shall  
22          allot to such tribe for a fiscal year an amount which  
23          the Secretary determines is the Indian tribe’s fair  
24          and equitable share of the amount specified under  
25          paragraph (3) for all Indian tribes with applications

1 approved under this subsection (based on allotment  
2 factors to be determined by the Secretary). The Sec-  
3 retary shall determine a minimum allotment amount  
4 for all Indian tribes with applications approved  
5 under this subsection. Each Indian tribe with an ap-  
6 plication approved under this subsection shall be en-  
7 titled to such minimum allotment.

8 “(3) AMOUNT SPECIFIED.—The amount speci-  
9 fied under this paragraph for all Indian tribes with  
10 applications approved under this subsection is  
11 \$5,000,000 for fiscal year 1996 and each subsequent  
12 fiscal year.

13 “(4) INDIAN TRIBE DEFINED.—For purposes of  
14 this section, the term ‘Indian tribe’ means any In-  
15 dian tribe, band, nation, pueblo, or other organized  
16 group or community, including any Alaska Native  
17 entity which is recognized as eligible for the special  
18 programs and services provided by the United States  
19 to Indian tribes because of their status as Indians.”.

20 (b) RECEIPT OF PAYMENTS BY ADULT-SUPERVISED  
21 GROUP HOMES.—

22 (1) IN GENERAL.—Section 402(a)(43)(A)(ii)  
23 (42 U.S.C. 602(a)(43)(A)(ii)) is amended by strik-  
24 ing “or other adult relative” and inserting “other

1 adult relative, or adult-supervised group home re-  
2 ceiving funds under section 2008”.

3 (2) EFFECTIVE DATE.—The amendment made  
4 by paragraph (1) shall apply with respect to cal-  
5 endar quarters beginning on or after October 1,  
6 1995.

7 (c) RECOMMENDATIONS ON USAGE OF GOVERNMENT  
8 SURPLUS PROPERTY.—Not later than 6 months after the  
9 date of the enactment of this Act, after consultation with  
10 the Secretary of Defense, the Secretary of Housing and  
11 Urban Development, and the Administrator of the General  
12 Services Administration, the Secretary of Health and  
13 Human Services shall submit recommendations to the  
14 Congress on the extent to which surplus properties of the  
15 United States Government may be used for the establish-  
16 ment of adult-supervised group homes receiving funds  
17 under section 2008 of the Social Security Act.

18 **SEC. 103. REQUIRED COMPLETION OF HIGH SCHOOL OR**

19 **OTHER TRAINING FOR TEENAGE PARENTS.**

20 (a) IN GENERAL.—Section 402(a)(19)(E) (42 U.S.C.  
21 602(a)(19)(E)) is amended to read as follows:

22 “(E)(i) in the case of a custodial parent who  
23 has not attained 19 years of age, has not success-  
24 fully completed a high-school education (or its equiv-  
25 alent), and is required to participate in the program

1 (including an individual who would otherwise be ex-  
2 empt from participation in the program solely by  
3 reason of clauses (iii), (v), or (vii) of subparagraph  
4 (C)), the State agency shall—

5 “(I) require such parent to participate  
6 in—

7 “(aa) educational activities directed  
8 toward the attainment of a high school di-  
9 ploma or its equivalent on a full-time (as  
10 defined by the educational provider) basis;  
11 or

12 “(bb) an alternative educational or  
13 training program (that has been approved  
14 by the Secretary) on a full-time (as defined  
15 by the provider) basis; and

16 “(II) provide child care in accordance with  
17 section 402(g) with respect to the family;

18 “(ii)(I) to the extent that the program is avail-  
19 able in the political subdivision involved and State  
20 resources otherwise permit, in the case of a custodial  
21 parent who is 19 years of age, has not successfully  
22 completed a high-school education (or its equiva-  
23 lent), and is required to participate in the program  
24 (including an individual who would otherwise be ex-  
25 empt from participation in the program solely by

1 reason of subparagraph (C)(iii)), the State agency  
2 (subject to subclause (II)) shall require such parent  
3 to participate in an educational activity; and

4 “(II) the State agency may—

5 “(aa) require a parent described in  
6 subclause (I) (notwithstanding the part-time re-  
7 quirement in subparagraph (C)(iii)(II)) to par-  
8 ticipate in educational activities directed toward  
9 the attainment of a high school diploma or its  
10 equivalent on a full-time (as defined by the edu-  
11 cational provider) basis; or

12 “(bb) require a parent described in  
13 subclause (I) to participate in training or work  
14 activities in lieu of the educational activities  
15 under such subclause if such parent fails to  
16 make good progress in successfully completing  
17 such educational activities or if it is determined  
18 (prior to any assignment of the individual to  
19 such educational activities) pursuant to an edu-  
20 cational assessment that participation in such  
21 educational activities is inappropriate for such  
22 parent;”.

23 (b) STATE OPTION TO PROVIDE ADDITIONAL INCEN-  
24 TIVES AND PENALTIES TO ENCOURAGE TEEN PARENTS

1 TO COMPLETE HIGH SCHOOL AND PARTICIPATE IN  
2 PARENTING ACTIVITIES.—

3 (1) STATE PLAN.—Section 402(a)(19)(E) (42  
4 U.S.C. 602(a)(19)(E)), as amended by subsection  
5 (a), is further amended—

6 (A) by striking “and” at the end of clause  
7 (i);

8 (B) by inserting “and” after the semicolon  
9 at the end of clause (ii); and

10 (C) by adding after clause (ii) the following  
11 new clause:

12 “(iii) at the option of the State, some or all cus-  
13 todial parents and pregnant women who have not at-  
14 tained 19 years of age (or at the State’s option, 21  
15 years of age) and who are receiving aid under this  
16 part shall be required to participate in a program of  
17 monetary incentives and penalties, consistent with  
18 subsection (j);”.

19 (2) ELEMENTS OF PROGRAM.—Section 402 (42  
20 U.S.C. 602) is amended by adding at the end the  
21 following new subsection:

22 “(j)(1) If a State opts to conduct a program of mone-  
23 tary incentives and penalties to encourage custodial par-  
24 ents and pregnant women who have not attained 19 years  
25 of age (or at the State’s option, 21 years of age) to com-

1 plete their high school (or equivalent) education and par-  
2 ticipate in parenting activities, the State shall amend its  
3 State plan—

4 “(A) to specify the one or more political sub-  
5 divisions (or other clearly defined geographic area or  
6 areas) in which the State will conduct the program,  
7 and

8 “(B) to describe its program in detail.

9 “(2) A program under this subsection—

10 “(A) may, at the option of the State, require  
11 full-time participation by such custodial parents and  
12 pregnant women in secondary school or equivalent  
13 educational activities, or participation in a course or  
14 program leading to a skills certificate found appro-  
15 priate by the State agency or parenting education  
16 activities (or any combination of such activities and  
17 secondary education);

18 “(B) shall require that the needs of such custo-  
19 dial parents and pregnant women shall be reviewed  
20 and the program will assure that, either in the ini-  
21 tial development or revision of such individual’s em-  
22 ployability plan, there will be included a description  
23 of the services that will be provided to the individual  
24 and the way in which the program and service pro-  
25 viders will coordinate with the educational or skills



1 training activities in which the individual is partici-  
2 pating;

3 “(C) shall provide monetary incentives for more  
4 than minimally acceptable performance of required  
5 educational activities; and

6 “(D) shall provide penalties (which may be  
7 those required by subsection (a)(19)(G) or, with the  
8 approval of the Secretary, other monetary penalties  
9 that the State finds will better achieve the objectives  
10 of the program) for less than minimally acceptable  
11 performance of required activities.

12 “(3) When a monetary incentive is payable because  
13 of the more than minimally acceptable performance of re-  
14 quired educational activities by a custodial parent, the in-  
15 centive shall be paid directly to such parent, regardless  
16 of whether the State agency makes payment of aid under  
17 the State plan directly to such parent.

18 “(4)(A) For purposes of this part, monetary incen-  
19 tives paid under this subsection shall be considered aid  
20 to families with dependent children.

21 “(B) For purposes of any other Federal or federally-  
22 assisted program based on need, no monetary incentive  
23 paid under this subsection shall be considered income in  
24 determining a family’s eligibility for or amount of benefits  
25 under such program, and if aid is reduced by reason of

1 a penalty under this subsection, such other program shall  
2 treat the family involved as if no such penalty has been  
3 applied.

4 “(5) The State agency shall from time to time provide  
5 such information with respect to the State operation of  
6 the program as the Secretary may request.”.

7 (c) EFFECTIVE DATES.—

8 (1) IN GENERAL.—Except as provided in para-  
9 graph (2), the amendments made by subsections (a)  
10 and (b) shall be effective with respect to calendar  
11 quarters beginning on or after October 1, 1995.

12 (2) SPECIAL RULE.—In the case of a State that  
13 the Secretary of Health and Human Services deter-  
14 mines requires State legislation (other than legisla-  
15 tion appropriating funds) in order to meet the addi-  
16 tional requirements imposed by the amendments  
17 made by this Act, the State shall not be regarded as  
18 failing to comply with the requirements of such  
19 amendments before the first day of the first calendar  
20 quarter beginning after the close of the first regular  
21 session of the State legislature that begins after the  
22 date of enactment of this Act. For purposes of this  
23 paragraph, in the case of a State that has a 2-year  
24 legislative session, each year of the session shall be

1 treated as a separate regular session of the State  
2 legislature.

3 **SEC. 104. DRUG TREATMENT AND COUNSELING AS PART OF**  
4 **THE JOBS PROGRAM.**

5 (a) IN GENERAL.—Section 402(a)(19) (42 U.S.C.  
6 602(a)(19)) is amended—

7 (1) by striking “and” at the end of subpara-  
8 graph (G);

9 (2) by inserting “and” after the semicolon at  
10 the end of subparagraph (H);

11 (3) by adding after subparagraph (H), the fol-  
12 lowing new subparagraph:

13 “(I) that, in the case of a custodial parent who  
14 has not attained 19 years of age (including an indi-  
15 vidual who would otherwise be exempt from partici-  
16 pation in the program solely by reason of clauses  
17 (iii), (v), or (vii)) of subparagraph (C)), whose em-  
18 ployability plan (described in section 482(b)) reflects  
19 the need for treatment for substance abuse, the  
20 State agency shall—

21 “(i) require such individual to participate  
22 in substance abuse treatment; and

23 “(ii) notwithstanding any other provision  
24 of law, after providing an individual required to  
25 participate in treatment under this subpara-

1 graph with proper notice, make the provisions  
2 of section 402(a)(19)(G) applicable to any indi-  
3 vidual who fails or refuses to accept such treat-  
4 ment;”.

5 (b) EFFECTIVE DATES.—

6 (1) IN GENERAL.—Except as provided in para-  
7 graph (2), the amendments made by subsection (a)  
8 shall be effective with respect to calendar quarters  
9 beginning on or after October 1, 1995.

10 (2) SPECIAL RULE.—In the case of a State that  
11 the Secretary of Health and Human Services deter-  
12 mines requires State legislation (other than legisla-  
13 tion appropriating funds) in order to meet the addi-  
14 tional requirements imposed by the amendments  
15 made by this Act, the State shall not be regarded as  
16 failing to comply with the requirements of such  
17 amendments before the first day of the first calendar  
18 quarter beginning after the close of the first regular  
19 session of the State legislature that begins after the  
20 date of enactment of this Act. For purposes of this  
21 paragraph, in the case of a State that has a 2-year  
22 legislative session, each year of the session shall be  
23 treated as a separate regular session of the State  
24 legislature.

1                   **TITLE II—PARENTAL**  
2                   **RESPONSIBILITY**

3   **SEC. 201. PERFORMANCE-BASED INCENTIVES.**

4           (a) INCENTIVE ADJUSTMENTS TO FEDERAL MATCH-  
5   ING RATE.—

6           (1) IN GENERAL.—Title IV (42 U.S.C. 601 et  
7   seq.) is amended by inserting after section 458 the  
8   following new section:

9   “INCENTIVE ADJUSTMENTS TO MATCHING RATE FOR  
10           STATEWIDE PATERNITY ESTABLISHMENT

11   “SEC. 458A. (a) INCENTIVE ADJUSTMENT.—

12           “(1) IN GENERAL.—In order to encourage and  
13   reward State paternity establishment efforts, the  
14   Federal matching rate for payments to a State  
15   under section 455(a)(1)(A), for each fiscal year be-  
16   ginning on or after October 1, 1997, shall be in-  
17   creased by a factor reflecting the incentive adjust-  
18   ment (if any) determined in accordance with para-  
19   graph (2) with respect to the Statewide paternity es-  
20   tablishment percentage.

21           “(2) STANDARDS.—The Secretary shall estab-  
22   lish in regulations—

23           “(A) the levels of accomplishment, and  
24   rates of improvement as alternatives to such  
25   levels, with respect to the Statewide paternity

1 establishment percentages which States must  
2 attain to qualify for an incentive adjustment  
3 under this section; and

4 “(B) the amounts of incentive adjustment  
5 that shall be awarded to States achieving speci-  
6 fied accomplishment or improvement levels with  
7 respect to Statewide paternity establishment  
8 percentages, which amounts shall be graduated,  
9 ranging up to 5 percentage points, in connec-  
10 tion with the State’s Statewide paternity estab-  
11 lishment percentage.

12 “(3) DETERMINATION OF INCENTIVE ADJUST-  
13 MENT.—The Secretary shall, pursuant to regula-  
14 tions, determine the amount (if any) of incentive ad-  
15 justment due each State on the basis of the levels  
16 of accomplishment (and rates of improvement) with  
17 respect to performance indicators specified by the  
18 Secretary pursuant to this section.

19 “(4) FISCAL YEAR SUBJECT TO INCENTIVE AD-  
20 JUSTMENT.—The total percentage point increase de-  
21 termined pursuant to this section with respect to a  
22 State program in a fiscal year shall apply as an ad-  
23 justment to the applicable percent under section  
24 455(a)(2) for payments to such State for the suc-  
25 ceeding fiscal year.

1       “(b) STATEWIDE PATERNITY ESTABLISHMENT PER-  
2 CENTAGE.—For purposes of this section, the term ‘State-  
3 wide paternity establishment percentage’ means, with re-  
4 spect to a fiscal year, the ratio (expressed as a percentage)  
5 of—

6               “(1) the total number of out-of-wedlock children  
7 in the State under one year of age for whom pater-  
8 nity is established or acknowledged during the fiscal  
9 year, to

10              “(2) the total number of children born out-of-  
11 wedlock in the State during such fiscal year.”.

12              (2) TITLE IV–D PAYMENT ADJUSTMENT.—Sec-  
13 tion 455(a)(2) (42 U.S.C. 655(a)(2)) is amended—

14                   (A) by striking the period at the end of  
15 subparagraph (C) and inserting a comma; and

16                   (B) by adding after subparagraph (C) the  
17 following:

18              “increased by the incentive adjustment factor (if any) de-  
19 termined by the Secretary pursuant to section 458A.”.

20              (3) CONFORMING AMENDMENTS.—Section  
21 454(22) (42 U.S.C. 654(22)) is amended—

22                   (A) by inserting “or incentive adjustments  
23 under section 458A” after “section 458”; and

24                   (B) by inserting “or any increases in Fed-  
25 eral payments to the State resulting from such

1           incentive adjustments” after “any such incen-  
2           tive payments”.

3           (b) FEDERAL FINANCIAL PARTICIPATION FOR ALL  
4 PATERNITY ESTABLISHMENT SERVICES.—

5           (1) IN GENERAL.—Section 455(a)(1) (42  
6 U.S.C. 655(a)(1)) is amended by adding at the end  
7 the following: “In determining the total amounts ex-  
8 pended by any State during a quarter, for purposes  
9 of this subsection, there shall be included any  
10 amounts expended for paternity determination serv-  
11 ices made available to any individual who did not file  
12 an application in accordance with section 454(6).”.

13           (2) EFFECTIVE DATE.—The amendment made  
14 by paragraph (1) shall be effective with respect to  
15 calendar quarters beginning on or after October 1,  
16 1995.

17 **SEC. 202. STATE LAW AUTHORIZING SUSPENSION OF LI-**  
18 **CENSES.**

19           (a) IN GENERAL.—Section 466(a) (42 U.S.C.  
20 666(a)) is amended by adding at the end the following  
21 new paragraph:

22           “(12) AUTHORITY TO WITHHOLD OR SUSPEND  
23 LICENSES.—Procedures under which the State has  
24 (and uses in appropriate cases) authority (subject to  
25 appropriate due process safeguards) to withhold or



1 suspend, or to restrict the use of driver's licenses,  
2 professional and occupational licenses, and rec-  
3 reational licenses of individuals owing overdue child  
4 support or failing, after receiving appropriate notice,  
5 to comply with subpoenas or warrants relating to  
6 paternity or child support proceedings.''.  
7

7 (b) EFFECTIVE DATE.—

8 (1) IN GENERAL.—Except as provided in para-  
9 graph (2), the amendment made by subsection (a)  
10 shall be effective with respect to calendar quarters  
11 beginning on or after October 1, 1995.

12 (2) SPECIAL RULE.—In the case of a State that  
13 the Secretary of Health and Human Services deter-  
14 mines requires State legislation (other than legisla-  
15 tion appropriating funds) in order to meet the addi-  
16 tional requirements imposed by the amendments  
17 made by this Act, the State shall not be regarded as  
18 failing to comply with the requirements of such  
19 amendments before the first day of the first calendar  
20 quarter beginning after the close of the first regular  
21 session of the State legislature that begins after the  
22 date of enactment of this Act. For purposes of this  
23 paragraph, in the case of a State that has a 2-year  
24 legislative session, each year of the session shall be

1 treated as a separate regular session of the State  
2 legislature.

3 **SEC. 203. STATE LAWS CONCERNING PATERNITY ESTAB-**  
4 **LISHMENT.**

5 (a) STATE LAWS REQUIRED.—Section 466(a)(5) (42  
6 U.S.C. 666(a)(5)) is amended—

7 (1) by striking “(5)” and inserting “(5) PRO-  
8 CEDURES CONCERNING PATERNITY ESTABLISH-  
9 MENT.—”;

10 (2) in subparagraph (A)—

11 (A) by striking “(A)” and inserting “(A)  
12 ESTABLISHMENT PROCESS AVAILABLE FROM  
13 BEFORE BIRTH UNTIL AGE 18.—”;

14 (B) by moving clause (ii) 2 ems to the  
15 right; and

16 (C) by adding after clause (ii) the following  
17 new clause:

18 “(iii) Procedures which permit the ini-  
19 tiation of proceedings to establish paternity  
20 before the birth of the child concerned.”;

21 (3) in subparagraph (B)—

22 (A) by striking “(B)” and inserting “(B)  
23 PROCEDURES CONCERNING GENETIC TEST-  
24 ING.—(i)”;

1 (B) in clause (i), as redesignated, by in-  
2 serting “, where such request is supported by a  
3 sworn statement by such party setting forth  
4 facts establishing a reasonable possibility of the  
5 requisite sexual contact” before the period at  
6 the end; and

7 (C) by inserting after clause (i), as so re-  
8 designated, the following new clause:

9 “(ii) Procedures which require the  
10 State agency, in any case in which such  
11 agency orders genetic testing—

12 “(I) to pay costs of such tests,  
13 subject to recoupment (where the  
14 State so elects) from the putative fa-  
15 ther if paternity is established; and

16 “(II) to obtain additional testing  
17 in any case where an original test re-  
18 sult is disputed, upon request and ad-  
19 vance payment by the disputing  
20 party.”;

21 (4) by striking subparagraph (C) and inserting:

22 “(C) VOLUNTARY ACKNOWLEDGMENT PRO-  
23 CEDURE.—Procedures for a simple civil process  
24 for voluntarily acknowledging paternity under  
25 which—

1           “(i) the benefits, rights, and respon-  
2           sibilities of acknowledging paternity are ex-  
3           plained to unwed parents;

4           “(ii) due process safeguards are af-  
5           forded; and

6           “(iii) hospitals and other health care  
7           facilities providing inpatient or outpatient  
8           maternity and pediatric services are re-  
9           quired, as a condition of participation in  
10          the State program under title XIX—

11           “(I) to explain to unwed parents  
12          the matters specified in clause (i);

13           “(II) to make available the vol-  
14          untary acknowledgment procedure re-  
15          quired under this subparagraph; and

16           “(III) in the case of hospitals  
17          providing maternity services—

18           “(aa) to have facilities for  
19          obtaining blood or other genetic  
20          samples from the mother, puta-  
21          tive father, and child for genetic  
22          testing;

23           “(bb) to inform the mother  
24          and putative father of the avail-

1 ability of such testing (at their  
2 expense); and

3 “(cc) to obtain such samples  
4 upon request of both such indi-  
5 viduals;”;

6 (5) by striking subparagraphs (D) and (E) and  
7 inserting:

8 “(D) LEGAL STATUS OF ACKNOWLEDG-  
9 MENT.—Procedures under which—

10 “(i) a voluntary acknowledgment of  
11 paternity creates, at State option, either—

12 “(I) a conclusive presumption of  
13 paternity, or

14 “(II) a rebuttable presumption  
15 which becomes a conclusive presump-  
16 tion within one year, unless rebutted  
17 or invalidated by an intervening deter-  
18 mination which reaches a contrary  
19 conclusion;

20 “(ii) at the option of the State, not-  
21 withstanding clause (i), upon the request  
22 of a party, a determination of paternity  
23 based on an acknowledgment may be va-  
24 cated on the basis of new evidence, the ex-

1           istence of fraud, or the best interests of  
2           the child; and

3           “(iii) a voluntary acknowledgment of  
4           paternity is admissible as evidence of pa-  
5           ternity, and as a basis for seeking a sup-  
6           port order, without requiring any further  
7           proceedings to establish paternity.

8           “(E) BAR ON ACKNOWLEDGMENT RATIFI-  
9           CATION PROCEEDINGS.—Procedures under  
10          which no judicial or administrative proceedings  
11          are required or permitted to ratify an unchal-  
12          lenged acknowledgment of paternity.”;

13          (6) by striking subparagraph (F) and inserting:

14          “(F) ADMISSIBILITY OF GENETIC TESTING  
15          RESULTS.—Procedures—

16                 “(i) requiring that the State admit  
17                 into evidence, for purposes of establishing  
18                 paternity, results of any genetic test that  
19                 is—

20                         “(I) of a type generally acknowl-  
21                         edged, by accreditation bodies des-  
22                         ignated by the Secretary, as reliable  
23                         evidence of paternity; and

1                   “(II) performed by a laboratory  
2                   approved by such an accreditation  
3                   body;

4                   “(ii) providing that any objection to  
5                   genetic testing results must be made in  
6                   writing not later than a specified number  
7                   of days before any hearing at which such  
8                   results may be introduced into evidence  
9                   (or, at the option of the State, not later  
10                  than a specified number of days after re-  
11                  ceipt of such results); and

12                  “(iii) providing that, if no objection is  
13                  made, the test results are admissible as  
14                  evidence of paternity without the need for  
15                  foundation testimony or other proof of au-  
16                  thenticity or accuracy.”; and

17                  (7) by adding after subparagraph (H) the fol-  
18                  lowing new subparagraphs:

19                  “(I) TEMPORARY SUPPORT ORDER BASED  
20                  ON PROBABLE PATERNITY IN CONTESTED  
21                  CASES.—Procedures which require that a tem-  
22                  porary order be issued, upon motion by a party,  
23                  requiring the provision of child support pending  
24                  an administrative or judicial determination of  
25                  parentage, where there is clear and convincing

1 evidence of paternity (on the basis of genetic  
2 tests or other evidence).

3 “(J) PROOF OF CERTAIN SUPPORT AND  
4 PATERNITY ESTABLISHMENT COSTS.—Proce-  
5 dures under which bills for pregnancy, child-  
6 birth, and genetic testing are admissible as evi-  
7 dence without requiring third-party foundation  
8 testimony, and constitute prima facie evidence  
9 of amounts incurred for such services and test-  
10 ing on behalf of the child.

11 “(K) WAIVER OF STATE DEBTS FOR CO-  
12 OPERATION.—Procedures under which the tri-  
13 bunal establishing paternity and support has  
14 discretion to waive rights to all or part of  
15 amounts owed to the State (but not to the  
16 mother) for costs related to pregnancy, child-  
17 birth, and genetic testing and for public assist-  
18 ance paid to the family where the father cooper-  
19 ates or acknowledges paternity before or after  
20 genetic testing.

21 “(L) STANDING OF PUTATIVE FATHERS.—  
22 Procedures ensuring that the putative father  
23 has a reasonable opportunity to initiate a pater-  
24 nity action.”.



1 (b) TECHNICAL AMENDMENT.—Section 468 (42  
2 U.S.C. 668) is amended by striking “a simple civil process  
3 for voluntarily acknowledging paternity and”.

4 (c) EFFECTIVE DATES.—

5 (1) IN GENERAL.—Except as provided in para-  
6 graph (2), the amendments made by subsections (a)  
7 and (b) shall be effective with respect to calendar  
8 quarters beginning on or after October 1, 1996.

9 (2) SPECIAL RULE.—In the case of a State that  
10 the Secretary of Health and Human Services deter-  
11 mines requires State legislation (other than legisla-  
12 tion appropriating funds) in order to meet the addi-  
13 tional requirements imposed by the amendments  
14 made by this Act, the State shall not be regarded as  
15 failing to comply with the requirements of such  
16 amendments before the first day of the first calendar  
17 quarter beginning after the close of the first regular  
18 session of the State legislature that begins after the  
19 date of enactment of this Act. For purposes of this  
20 paragraph, in the case of a State that has a 2-year  
21 legislative session, each year of the session shall be  
22 treated as a separate regular session of the State  
23 legislature.

1 **SEC. 204. STATE LAWS PROVIDING EXPEDITED PROCE-**  
2 **DURES.**

3 (a) STATE LAW REQUIREMENTS.—Section 466 (42  
4 U.S.C. 666) is amended—

5 (1) in subsection (a)(2), by striking the first  
6 sentence and inserting: “Expedited administrative  
7 and judicial procedures (including the procedures  
8 specified in subsection (f)) for establishing paternity  
9 and for establishing, modifying, and enforcing sup-  
10 port obligations.”; and

11 (2) by adding after subsection (e) the following  
12 new subsection:

13 “(f) EXPEDITED PROCEDURES.—

14 “(1) ADMINISTRATIVE ACTION BY STATE AGEN-  
15 CY.—Procedures which give the State agency the au-  
16 thority (and recognize and enforce the authority of  
17 State agencies of other States), without the necessity  
18 of obtaining an order from any other judicial or ad-  
19 ministrative tribunal (but subject to due process  
20 safeguards, including (as appropriate) requirements  
21 for notice, opportunity to contest the action, and op-  
22 portunity for an appeal on the record to an inde-  
23 pendent administrative or judicial tribunal), to take  
24 the following actions relating to establishment or en-  
25 forcement of orders:

1           “(A) ESTABLISH AND MODIFY SUPPORT  
2 AMOUNT.—To establish and modify the amount  
3 of support awards in all cases in which services  
4 are being provided under this part.

5           “(B) GENETIC TESTING.—To order genetic  
6 testing for the purpose of paternity establish-  
7 ment as provided in section 466(a)(5).

8           “(C) DEFAULT ORDERS.—To enter a de-  
9 fault order, upon a showing of service of proc-  
10 ess and any additional showing required by  
11 State law—

12               “(i) establishing paternity, in the case  
13 of any putative father who refuses to sub-  
14 mit to genetic testing; and

15               “(ii) establishing or modifying a sup-  
16 port obligation, in the case of a parent (or  
17 other obligor or obligee) who fails to re-  
18 spond to notice to appear at a proceeding  
19 for such purpose.

20           “(D) SUBPOENAS.—To subpoena any fi-  
21 nancial or other information needed to estab-  
22 lish, modify, or enforce an order, and to sanc-  
23 tion failure to respond to any such subpoena.

24           “(E) ACCESS TO PERSONAL AND FINAN-  
25 CIAL INFORMATION.—To obtain access, subject

1 to safeguards on privacy and information secu-  
2 rity, to the following records (including auto-  
3 mated access, in the case of records maintained  
4 in automated data bases):

5 “(i) Records of other State and local  
6 government agencies, including—

7 “(I) vital statistics (including  
8 records of marriage, birth, and di-  
9 vorce);

10 “(II) State and local tax and rev-  
11 enue records (including information  
12 on residence address, employer, in-  
13 come and assets);

14 “(III) records concerning real  
15 and titled personal property;

16 “(IV) records of occupational and  
17 professional licenses, and records con-  
18 cerning the ownership and control of  
19 corporations, partnerships, and other  
20 business entities;

21 “(V) employment security  
22 records;

23 “(VI) records of agencies admin-  
24 istering public assistance programs;

1 “(VII) records of the motor vehi-  
2 cle department; and

3 “(VIII) corrections records.

4 “(ii) Certain records held by private  
5 entities, including—

6 “(I) customer records of public  
7 utilities and cable television compa-  
8 nies; and

9 “(II) information (including in-  
10 formation on assets and liabilities) on  
11 individuals who owe or are owed sup-  
12 port (or against or with respect to  
13 whom a support obligation is sought)  
14 held by financial institutions (subject  
15 to limitations on liability of such enti-  
16 ties arising from affording such ac-  
17 cess).

18 “(F) INCOME WITHHOLDING.—To order  
19 income withholding in accordance with section  
20 466 (a)(1) and (b).

21 “(G) CHANGE IN PAYEE.—In cases where  
22 support is subject to an assignment under sec-  
23 tion 402(a)(26), 471(a)(17), or 1912.

1           “(H) SECURE ASSETS TO SATISFY AR-  
2 REARAGES.—For the purpose of securing over-  
3 due support—

4           “(i) to intercept and seize any peri-  
5 odic or lump-sum payment to the obligor  
6 by or through a State or local government  
7 agency, including—

8           “(I) unemployment compensa-  
9 tion, workers’ compensation, and  
10 other benefits;

11           “(II) judgments and settlements  
12 in cases under the jurisdiction of the  
13 State or local government; and

14           “(III) lottery winnings;

15           “(ii) to attach and seize assets of the  
16 obligor held by financial institutions;

17           “(iii) to attach public and private re-  
18 tirement funds in appropriate cases, as de-  
19 termined by the Secretary; and

20           “(iv) to impose liens in accordance  
21 with subsection (a)(4) and, in appropriate  
22 cases, to force sale of property and dis-  
23 tribution of proceeds.

24           “(I) INCREASE MONTHLY PAYMENTS.—For  
25 the purpose of securing overdue support, to in-

1           crease the amount of monthly support pay-  
2           ments to include amounts for arrearages (sub-  
3           ject to such conditions or restrictions as the  
4           State may provide).

5           “(J) SUSPENSION OF DRIVERS’ LI-  
6           CENSES.—To suspend drivers’ licenses of indi-  
7           viduals owing past-due support, in accordance  
8           with subsection (a)(12).

9           “(2) SUBSTANTIVE AND PROCEDURAL RULES.—  
10          The expedited procedures required under subsection  
11          (a)(2) shall include the following rules and author-  
12          ity, applicable with respect to all proceedings to es-  
13          tablish paternity or to establish, modify, or enforce  
14          support orders:

15                 “(A) LOCATOR INFORMATION; PRESUMP-  
16                 TIONS CONCERNING NOTICE.—Procedures  
17                 under which—

18                         “(i) the parties to any paternity or  
19                         child support proceedings are required  
20                         (subject to privacy safeguards) to file with  
21                         the tribunal before entry of an order, and  
22                         to update as appropriate, information on  
23                         location and identity (including social secu-  
24                         rity number, residential and mailing ad-  
25                         dresses, telephone number, driver’s license

1 number, and name, address, and telephone  
2 number of employer); and

3 “(ii) in any subsequent child support  
4 enforcement action between the same par-  
5 ties, the tribunal shall be authorized, upon  
6 sufficient showing that a diligent effort has  
7 been made to ascertain such a party’s cur-  
8 rent location, to deem due process require-  
9 ments for notice and service of process to  
10 be met, with respect to such party, by de-  
11 livery to the most recent residential or em-  
12 ployer address so filed pursuant to clause  
13 (i).

14 “(B) STATEWIDE JURISDICTION.—Proce-  
15 dures under which—

16 “(i) the State agency and any admin-  
17 istrative or judicial tribunal with authority  
18 to hear child support and paternity cases  
19 exerts statewide jurisdiction over the par-  
20 ties, and orders issued in such cases have  
21 statewide effect; and

22 “(ii) in the case of a State in which  
23 orders in such cases are issued by local ju-  
24 risdictions, a case may be transferred be-  
25 tween jurisdictions in the State without



1           need for any additional filing by the peti-  
2           tioner, or service of process upon the re-  
3           spondent, to retain jurisdiction over the  
4           parties.”.

5           (c) EXEMPTIONS FROM STATE LAW REQUIRE-  
6           MENTS.—Section 466(d) (42 U.S.C. 666(d)) is amend-  
7           ed—

8           (1) by striking “(d) If” and inserting “(d) EX-  
9           EMPTIONS FROM REQUIREMENTS.—(1) IN GEN-  
10          ERAL.—Subject to paragraph (2), if”; and

11          (2) by adding at the end the following new  
12          paragraph:

13          “(2) NONEXEMPT REQUIREMENTS.—The Sec-  
14          retary shall not grant an exemption from the re-  
15          quirements of—

16                 “(A) subsection (a)(5) (concerning proce-  
17                 dures for paternity establishment);

18                 “(B) subsection (a)(10) (concerning modi-  
19                 fication of orders); and

20                 “(C) subsection (f) (concerning expedited  
21                 procedures), other than paragraph (1)(A) there-  
22                 of (concerning establishment or modification of  
23                 support amount).”.

24          (d) EFFECTIVE DATES.—

1           (1) IN GENERAL.—Except as provided in para-  
2 graph (2), the amendments made by subsections (a),  
3 (b), and (c) shall be effective with respect to cal-  
4 endar quarters beginning on or after October 1,  
5 1995.

6           (2) SPECIAL RULE.—In the case of a State that  
7 the Secretary of Health and Human Services deter-  
8 mines requires State legislation (other than legisla-  
9 tion appropriating funds) in order to meet the addi-  
10 tional requirements imposed by the amendments  
11 made by this Act, the State shall not be regarded as  
12 failing to comply with the requirements of such  
13 amendments before the first day of the first calendar  
14 quarter beginning after the close of the first regular  
15 session of the State legislature that begins after the  
16 date of enactment of this Act. For purposes of this  
17 paragraph, in the case of a State that has a 2-year  
18 legislative session, each year of the session shall be  
19 treated as a separate regular session of the State  
20 legislature.

21 **SEC. 205. OUTREACH FOR VOLUNTARY PATERNITY ESTAB-**  
22 **LISHMENT.**

23 (a) STATE PLAN REQUIREMENT.—

24           (1) IN GENERAL.—Section 454(23) (42 U.S.C.  
25 654(23)) is amended—

1 (A) by inserting “(A)” after “(23)”;

2 (B) by adding after subparagraph (A), as  
3 so redesignated, the following new subpara-  
4 graph:

5 “(B) provide that the State will regularly  
6 and frequently publicize the availability and en-  
7 courage the use of procedures for voluntary es-  
8 tablishment of paternity and child support  
9 through a variety of means, which—

10 “(i) may include distribution of writ-  
11 ten materials at health care facilities (in-  
12 cluding hospitals and clinics), and other lo-  
13 cations such as schools;

14 “(ii) may include prenatal programs  
15 to educate expectant couples on individual  
16 and joint rights and responsibilities with  
17 respect to paternity (and may require all  
18 expectant recipients of assistance under  
19 part A to participate in such prenatal pro-  
20 grams, as an element of cooperation with  
21 efforts to establish paternity and child sup-  
22 port);

23 “(iii) may include, with respect to  
24 each child discharged from a hospital after  
25 birth for whom paternity or child support

1 has not been established, reasonable follow  
2 up efforts (including at least one contact of  
3 each parent whose whereabouts are known,  
4 except where there is reason to believe  
5 such follow up efforts would put mother or  
6 child at risk), providing—

7 “(I) in the case of a child for  
8 whom paternity has not been estab-  
9 lished, information on the benefits of  
10 and procedures for establishing pater-  
11 nity; and

12 “(II) in the case of a child for  
13 whom paternity has been established  
14 but child support has not been estab-  
15 lished, information on the benefits of  
16 and procedures for establishing a  
17 child support order, and an applica-  
18 tion for child support services; and”.

19 (2) ENHANCED FEDERAL MATCHING.—Section  
20 455(a)(1)(C) (42 U.S.C. 655(a)(1)(C)) is amend-  
21 ed—

22 (A) by inserting “(i)” before “laboratory  
23 costs”, and

24 (B) by inserting before the semicolon “,  
25 and (ii) costs of outreach programs designed to

1 encourage voluntary acknowledgment of pater-  
2 nity”.

3 (3) EFFECTIVE DATES.—

4 (A) IN GENERAL.—The amendments made  
5 by paragraph (1) shall become effective October  
6 1, 1996.

7 (B) ENHANCED MATCH.—The amend-  
8 ments made by paragraph (2) shall be effective  
9 with respect to calendar quarters beginning on  
10 and after October 1, 1995.

11 (b) STATE OUTREACH AS PART OF VOLUNTARY CON-  
12 SENT PROCEDURES.—

13 (1) IN GENERAL.—Section 466(a)(5)(C) (42  
14 U.S.C. 666(a)(5)(C)), as amended by section  
15 303(a)(4), is further amended—

16 (A) by striking “and” at the end of clause  
17 (ii); and

18 (B) by inserting after clause (iii) the fol-  
19 lowing new clause:

20 “(iv) in coordination with the  
21 Public Health Service, the State shall  
22 directly or under contract with hos-  
23 pitals, and other health care facilities  
24 providing inpatient or outpatient ma-  
25 ternity and pediatric services (includ-

1           ing prenatal clinics, well-baby clinics,  
2           in-home public health service visita-  
3           tions, family planning clinics, and cen-  
4           ters participating in the program de-  
5           scribed in section 17 of the Child Nu-  
6           trition Act of 1966 (42 U.S.C. 1786))  
7           provide that the benefits, rights and  
8           responsibilities of acknowledging pa-  
9           ternity are explained to unwed par-  
10          ents; and”.

11          (2) EFFECTIVE DATE.—

12           (A) IN GENERAL.—Except as provided in  
13          subparagraph (B), the amendments made by  
14          paragraph (1) shall be effective with respect to  
15          calendar quarters beginning on or after October  
16          1, 1995.

17           (B) SPECIAL RULE.—In the case of a  
18          State that the Secretary of Health and Human  
19          Services determines requires State legislation  
20          (other than legislation appropriating funds) in  
21          order to meet the additional requirements im-  
22          posed by the amendments made by this Act, the  
23          State shall not be regarded as failing to comply  
24          with the requirements of such amendments be-  
25          fore the first day of the first calendar quarter

1 beginning after the close of the first regular  
2 session of the State legislature that begins after  
3 the date of enactment of this Act. For purposes  
4 of this paragraph, in the case of a State that  
5 has a 2-year legislative session, each year of the  
6 session shall be treated as a separate regular  
7 session of the State legislature.

8 (c) JOINT OUTREACH PROGRAM.—

9 (1) IN GENERAL.—The Department of Health  
10 and Human Services, the Public Health Service, and  
11 the Department of Education shall cooperatively de-  
12 velop and implement a substantial outreach program  
13 and media campaign to—

14 (A) reinforce the importance of paternity  
15 establishment; and

16 (B) promote the message that parenting is  
17 a joint right and responsibility.

18 (2) AUTHORIZATION OF APPROPRIATIONS.—

19 There are authorized to be appropriated such sums  
20 as may be necessary to carry out the purposes of  
21 this subsection.

1           **TITLE III—COMBATING**  
2           **TEENAGE PREGNANCY**

3   **SEC. 301. TARGETING YOUTH AT RISK OF TEENAGE PREG-**  
4                           **NANCY.**

5           (a) IN GENERAL.—Section 402 (42 U.S.C. 602), as  
6 amended by section 103(b)(2), is further amended by add-  
7 ing at the end the following new subsection:

8           “(k)(1) Each State agency may, to the extent it de-  
9 termines resources are available, provide for the operation  
10 of projects to reduce teenage pregnancy. Such projects  
11 shall be operated by eligible entities that have submitted  
12 applications described in paragraph (3) that have been ap-  
13 proved in accordance with paragraph (4).

14           “(2) For purposes of this subsection, the term ‘eligi-  
15 ble entity’ includes State agencies, local agencies, publicly  
16 supported organizations, private nonprofit organizations,  
17 and consortia of such entities.

18           “(3) An application described in this paragraph  
19 shall—

20                   “(A) describe the project;

21                   “(B) include an endorsement of the project by  
22 the chief elected official of the jurisdiction in which  
23 the project is to be located;



1           “(C) demonstrate strong local commitment and  
2           local involvement in the planning and implementa-  
3           tion of the project; and

4           “(D) be submitted in such manner and contain-  
5           ing such information as the Secretary may require.

6           “(4)(A) Subject to subparagraph (B), the Governor  
7           of a State may approve an application under this para-  
8           graph based on selection criteria (to be determined by the  
9           Governor).

10          “(B) Preference in approving a project shall be ac-  
11          corded to be projects that target—

12                 “(i) both young men and women;

13                 “(ii) areas with high teenage pregnancy rates;

14          or

15                 “(iii) areas with a high incidence of individuals  
16          receiving aid to families with dependent children.

17          “(5)(A) An Indian tribe may apply to the Secretary  
18          to provide for the operation of projects to reduce teenage  
19          pregnancy in accordance with an application procedure to  
20          be determined by the Secretary. Except as otherwise pro-  
21          vided in this subsection, the provisions of this section shall  
22          apply to Indian tribes receiving funds under this sub-  
23          section in the same manner and to the same extent as  
24          the other provisions of this section apply to States.

1       “(B) The Secretary shall limit the number of applica-  
2 tions approved under this paragraph to ensure that pay-  
3 ments under section 403(o) to Indian tribes with approved  
4 applications would not result in payments of less than  
5 a minimum payment amount (to be determined by the  
6 Secretary).

7       “(C) For purposes of this subsection, the term ‘In-  
8 dian tribe’ means any Indian tribe, band, nation, pueblo,  
9 or other organized group or community, including any  
10 Alaska Native entity which is recognized as eligible for the  
11 special programs and services provided by the United  
12 States to Indian tribes because of their status as Indians.

13       “(6) A project conducted under this subsection shall  
14 be conducted for not less than 3 years.

15       “(7)(A) The Secretary shall conduct a study in ac-  
16 cordance with subparagraph (B) to determine the relative  
17 effectiveness of the different approaches for preventing  
18 teenage pregnancy utilized in the projects conducted under  
19 this subsection.

20       “(B) The study required under subparagraph (A)  
21 shall—

22               “(i) be based on data gathered from projects  
23 conducted in 5 States chosen by the Secretary from  
24 among the States in which projects under this sub-  
25 section are operated;

1           “(ii) use specific outcome measures (determined  
2           by the Secretary) to test the effectiveness of the  
3           projects;

4           “(iii) use experimental and control groups (to  
5           the extent possible) that are composed of a random  
6           sample of participants in the projects; and

7           “(iv) be conducted in accordance with an exper-  
8           imental design determined by the Secretary to result  
9           in a comparable design among all projects.

10          “(C) Each eligible entity conducting a project under  
11          this subsection shall provide to the Secretary in such form  
12          and with such frequency as the Secretary requires interim  
13          data from the projects conducted under this subsection.  
14          The Secretary shall report to the Congress annually on  
15          the progress of such projects and shall, not later than Jan-  
16          uary 1, 2003, submit to the Congress the study required  
17          under subparagraph (A).

18          “(D) There are authorized to be appropriated  
19          \$500,000 for each of fiscal years 1996 through 2002 for  
20          the purpose of conducting the study required under sub-  
21          paragraph (A).”.

22          (b) PAYMENT.—Section 403 (42 U.S.C. 603) is  
23          amended by adding at the end the following new sub-  
24          section:

1       “(o)(1) In addition to any payment under subsection  
2 (a) or (l), each State shall be entitled to payment from  
3 the Secretary for each of fiscal years 1996 through 2002  
4 of an amount equal to the lesser of—

5           “(A) 75 percent of the expenditures by the  
6 State in providing for the operation of the projects  
7 under section 402(k), and in administering the  
8 projects under such section; or

9           “(B) the limitation determined under paragraph  
10 (2) with respect to the State for the fiscal year.

11       “(2)(A) The limitation determined under this para-  
12 graph with respect to a State for any fiscal year is the  
13 amount that bears the same ratio to \$71,250,000 as the  
14 population with an income below the poverty line (as such  
15 term is defined in section 673(2) of the Community Serv-  
16 ices Block Grant Act (42 U.S.C. 9902(2)), including any  
17 revision required by such section) in the State in the sec-  
18 ond preceding fiscal year bears to such population residing  
19 in the United States in the second preceding fiscal year.

20       “(B) If the limitation determined under subpara-  
21 graph (A) with respect to a State for a fiscal year exceeds  
22 the amount paid to the State under this subsection for  
23 the fiscal year, the limitation determined under this para-  
24 graph with respect to the State for the immediately suc-

1 ceeding fiscal year shall be increased by the amount of  
2 such excess.

3 “(3)(A) Notwithstanding any other provision of this  
4 title, for purposes of this subsection, an Indian tribe with  
5 an application approved under section 402(k)(5) shall be  
6 entitled to payment from the Secretary for each of fiscal  
7 years 1996 through 2002 of an amount equal to the lesser  
8 of—

9 “(i) 75 percent of the expenditures by the In-  
10 dian tribe in providing for the operation of the  
11 projects under section 402(k)(5), and in administer-  
12 ing the projects under such section; or

13 “(ii) the limitation determined under subpara-  
14 graph (B) with respect to the Indian tribe for the  
15 fiscal year.

16 “(B)(i) The limitation determined under this sub-  
17 paragraph with respect to an Indian tribe for any fiscal  
18 year is the amount that bears the same ratio to  
19 \$3,750,000 as the population with an income below the  
20 poverty line (as such term is defined in section 673(2) of  
21 the Community Services Block Grant Act (42 U.S.C.  
22 9902(2)), including any revision required by such section)  
23 in the Indian tribe in the second preceding fiscal year  
24 bears to such population of all Indian tribes with applica-

1 tions approved under section 402(k)(5) in the second pre-  
2 ceding fiscal year.

3 “(ii) If the limitation determined under clause (i)  
4 with respect to an Indian tribe for a fiscal year exceeds  
5 the amount paid to the Indian tribe under this paragraph  
6 for the fiscal year, the limitation determined under this  
7 subparagraph with respect to the Indian tribe for the im-  
8 mediately succeeding fiscal year shall be increased by the  
9 amount of such excess.

10 “(4) Amounts appropriated for a fiscal year to carry  
11 out this part shall be made available for payments under  
12 this subsection for such fiscal year.”.

13 **SEC. 302. NATIONAL CLEARINGHOUSE ON TEENAGE PREG-**  
14 **NANCY.**

15 (a) ESTABLISHMENT.—The Secretary of Education,  
16 the Secretary of Health and Human Services, and the  
17 Chief Executive Officer of the Corporation for National  
18 and Community Service shall establish a national center  
19 for the collection and provision of information that relates  
20 to adolescent pregnancy prevention programs, to be known  
21 as the “National Clearinghouse on Teenage Pregnancy  
22 Prevention Programs”.

23 (b) FUNCTIONS.—The national center established  
24 under subsection (a) shall serve as a national information  
25 and data clearinghouse, and as a material development

1 source for adolescent pregnancy prevention programs.

2 Such center shall—

3           (1) develop and maintain a system for dissemi-  
4           nating information on all types of adolescent preg-  
5           nancy prevention programs and on the state of ado-  
6           lescent pregnancy prevention program development,  
7           including information concerning the most effective  
8           model programs;

9           (2) identify model programs representing the  
10          various types of adolescent pregnancy prevention  
11          programs;

12          (3) develop networks of adolescent pregnancy  
13          prevention programs for the purpose of sharing and  
14          disseminating information;

15          (4) develop technical assistance materials to as-  
16          sist other entities in establishing and improving ado-  
17          lescent pregnancy prevention programs;

18          (5) participate in activities designed to encour-  
19          age and enhance public media campaigns on the  
20          issue of adolescent pregnancy; and

21          (6) conduct such other activities as the respon-  
22          sible Federal officials find will assist in developing  
23          and carrying out programs or activities to reduce ad-  
24          olescent pregnancy.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated such sums as may be  
3 necessary to carry out the purposes of this section.

## 4 **TITLE IV—FINANCING**

### 5 **SEC. 401. UNIFORM ALIEN ELIGIBILITY CRITERIA FOR PUB-** 6 **LIC ASSISTANCE PROGRAMS.**

7 (a) FEDERAL AND FEDERALLY ASSISTED PRO-  
8 GRAMS.—

9 (1) PROGRAM ELIGIBILITY CRITERIA.—

10 (A) AID TO FAMILIES WITH DEPENDENT  
11 CHILDREN.—Section 402(a)(33) (42 U.S.C.  
12 602(a)(33)) is amended—

13 (i) by striking “either” and inserting  
14 “either—”; and

15 (ii) by striking “(A) a citizen” and all  
16 that follows through the semicolon and in-  
17 serting the following:

18 “(A) a citizen or national of the United  
19 States, or

20 “(B) a qualified alien (as defined in section  
21 1101(a)(10)), if such alien is not disqualified  
22 from receiving aid under a State plan approved  
23 under this part by or pursuant to section 210(f)  
24 or 245A(h) of the Immigration and Nationality  
25 Act or any other provision of law;”.



1 (B) SUPPLEMENTAL SECURITY INCOME.—  
2 Section 1614(a)(1)(B)(i) (42 U.S.C.  
3 1382c(a)(1)(B)(i)) is amended to read as fol-  
4 lows:

5 “(B)(i) is a resident of the United States,  
6 and is either (I) a citizen or national of the  
7 United States, or (II) a qualified alien (as de-  
8 fined in section 1101(a)(10)), or”.

9 (C) MEDICAID—(i) Section 1903(v)(1) (42  
10 U.S.C. 1396b(v)(1)) is amended to read as fol-  
11 lows:

12 “(v)(1) Notwithstanding the preceding provisions of  
13 this section—

14 “(A) no payment may be made to a State under  
15 this section for medical assistance furnished to an  
16 individual who is disqualified from receiving such as-  
17 sistance by or pursuant to section 210(f) or 245A(h)  
18 of the Immigration and Nationality Act or any other  
19 provision of law, and

20 “(B) except as provided in paragraph (2), no  
21 such payment may be made for medical assistance  
22 furnished to an individual who is not—

23 “(i) a citizen or national of the United  
24 States, or

1           “(ii) a qualified alien (as defined in section  
2           1101(a)(10)).”.

3           (ii) Section 1903(v)(2) (42 U.S.C.  
4           1396b(v)(2)) is amended—

5                   (I) by striking “paragraph (1)” and  
6                   inserting “paragraph (1)(B)”; and

7                   (II) by striking “alien” each place it  
8                   appears and inserting “individual”.

9           (iii) Section 1902(a) (42 U.S.C. 1396a(a))  
10           is amended in the last sentence by striking  
11           “alien” and all that follows through the period  
12           and inserting “individual who is not (A) a citi-  
13           zen or national of the United States, or (B) a  
14           qualified alien (as defined in section  
15           1101(a)(10)) only in accordance with section  
16           1903(v).”.

17           (iv) Section 1902(b)(3) (42 U.S.C.  
18           1396a(b)(3)) is amended by inserting “or na-  
19           tional” after “citizen”.

20           (2) QUALIFIED ALIEN DEFINED.—Section 1101(a)  
21           (42 U.S.C. 1301(a)) is amended by adding at the end the  
22           following new paragraph:

23                   “(10) The term ‘qualified alien’ means an  
24           alien—

1           “(A) who is lawfully admitted for perma-  
2           nent residence within the meaning of section  
3           101(a)(20) of the Immigration and Nationality  
4           Act;

5           “(B) who is admitted as a refugee pursu-  
6           ant to section 207 of such Act;

7           “(C) who is granted asylum pursuant to  
8           section 208 of such Act;

9           “(D) whose deportation is withheld pursu-  
10          ant to section 243(h) of such Act;

11          “(E) whose deportation is suspended pur-  
12          suant to section 244 of such Act;

13          “(F) who is granted conditional entry pur-  
14          suant to section 203(a)(7) of such Act as in ef-  
15          fect prior to April 1, 1980;

16          “(G) who is lawfully admitted for tem-  
17          porary residence pursuant to section 210 or  
18          245A of such Act;

19          “(H) who is within a class of aliens law-  
20          fully present within the United States pursuant  
21          to any other provision of such Act, if—

22                 “(i) the Attorney General determines  
23                 that the continued presence of such class  
24                 of aliens serves a humanitarian or other  
25                 compelling public interest, and

1           “(ii) the Secretary of Health and  
2           Human Services determines that such in-  
3           terest would be further served by treating  
4           each alien within such class as a ‘qualified  
5           alien’ for purposes of this Act; or

6           “(I) who is the spouse or unmarried child  
7           under 21 years of age of a citizen of the United  
8           States, or the parent of such a citizen if the cit-  
9           izen is 21 years of age or older, and with re-  
10          spect to whom an application for adjustment to  
11          lawful permanent residence is pending;  
12          such status not having changed.”.

13          (3)    CONFORMING    AMENDMENT.—Section  
14          244A(f)(1) of the Immigration and Nationality Act  
15          (8 U.S.C. 1254(a)(f)(1)) is amended by inserting  
16          “and shall not be considered to be a ‘qualified alien’  
17          within the meaning of section 1101(a)(10) of the So-  
18          cial Security Act” before the semicolon at the end.

19          (b) STATE AND LOCAL PROGRAMS.—A State or polit-  
20          ical subdivision therein may provide that an alien is not  
21          eligible for any program of assistance based on need that  
22          is furnished by such State or political subdivision unless  
23          such alien is a “qualified alien” within the meaning of sec-  
24          tion 1101(a)(10) of the Social Security Act (as added by  
25          subsection (a)(2) of this section).

1 (c) EFFECTIVE DATE.—(1) The amendments made  
2 by subsection (a) are effective with respect to benefits pay-  
3 able on the basis of any application filed after the date  
4 of enactment of this Act.

5 (2) Subsection (b) is effective upon the date of enact-  
6 ment of this Act.

7 **SEC. 402. STATE RETENTION OF AMOUNTS RECOVERED.**

8 Section 16(a) of the Food Stamp Act of 1977 (7  
9 U.S.C. 2025(a)) is amended in the proviso of the first sen-  
10 tence by striking “1995” each place such term appears  
11 and inserting “2004”.



S 8 IS—2

S 8 IS—3

S 8 IS—4

S 8 IS—5