

105TH CONGRESS  
1ST SESSION

# H. R. 1646

To authorize States to provide temporary assistance for needy families in a manner that complements the efforts of certain adults who are caring for the children of relatives.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 1997

Ms. WATERS (for herself, Mr. CUMMINGS, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Florida, Ms. MCKINNEY, Mrs. MEEK of Florida, Mr. THOMPSON, Ms. BROWN of Florida, Mr. RUSH, Mr. TOWNS, Mr. DIXON, Mr. STOKES, Mr. CONYERS, Mr. DELLUMS, Mr. RANGEL, Mrs. CLAYTON, Ms. KILPATRICK, Mr. CLYBURN, Mr. FORD, Mr. DAVIS of Illinois, Mr. OWENS, Mr. WATT of North Carolina, Mr. WYNN, Mr. SCOTT, Mr. HASTINGS of Florida, Ms. CHRISTIAN-GREEN, Ms. CARSON, Ms. NORTON, Mr. PAYNE, Mr. CLAY, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FATTAH, Mr. LEWIS of Georgia, and Ms. MILLENDER-MCDONALD) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To authorize States to provide temporary assistance for needy families in a manner that complements the efforts of certain adults who are caring for the children of relatives.

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

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Grandparent and Fam-  
3 ily Caregiver Support Act of 1997”.

4 **SEC. 2. WORK REQUIREMENTS NOT TO APPLY TO FAMILIES**  
5                   **HEADED BY AN ADULT NONPARENTAL REL-**  
6                   **ATIVE CAREGIVER.**

7       (a) WORK PARTICIPATION RATES TO BE DETER-  
8 MINED WITHOUT REGARD TO FAMILIES HEADED BY AN  
9 ADULT NONPARENTAL RELATIVE CAREGIVER.—Section  
10 407(b) of the Social Security Act (42 U.S.C. 607(b)), as  
11 added by section 103(a) of the Personal Responsibility and  
12 Work Opportunity Reconciliation Act of 1996, is amended  
13 by adding at the end the following:

14               “(6) DISREGARD OF FAMILIES HEADED BY AN  
15 ADULT NONPARENTAL RELATIVE CAREGIVER.—In  
16 determining the participation rates under this sub-  
17 section, a State shall disregard any exempt family.”.

18       (b) ADULT NONPARENTAL RELATIVE CAREGIVER  
19 HEAD OF FAMILY EXEMPTED FROM PENALTIES FOR RE-  
20 FUSAL TO WORK.—Section 407(e) of the Social Security  
21 Act (42 U.S.C. 607(e)), as added by section 103(a) of the  
22 Personal Responsibility and Work Opportunity Reconcili-  
23 ation Act of 1996, is amended by adding at the end the  
24 following:

1           “(3) EXCEPTION FOR ADULT NONPARENTAL  
2       RELATIVE CAREGIVER HEAD OF FAMILY.—Para-  
3       graph (1) shall not apply to any exempt adult.”.

4       (c) PROHIBITION AGAINST IMPOSITION OF WORK  
5       REQUIREMENTS.—Section 408(a) of the Social Security  
6       Act (42 U.S.C. 608(a)), as added by section 103(a) of the  
7       Personal Responsibility and Work Opportunity Reconcili-  
8       ation Act of 1996, is amended by adding at the end the  
9       following:

10           “(12) PROHIBITION AGAINST IMPOSITION OF  
11       WORK REQUIREMENTS ON FAMILIES HEADED BY AN  
12       ADULT NONPARENTAL RELATIVE CAREGIVER.—A  
13       State to which a grant is made under this part shall  
14       not use any part of the grant to require an exempt  
15       adult to work, or to otherwise penalize an exempt  
16       adult or an exempt family for the refusal of an ex-  
17       empt adult to work.

18       (d) PENALTY FOR IMPOSITION OF WORK REQUIRE-  
19       MENTS.—Section 409(a) of the Social Security Act (42  
20       U.S.C. 609(a)), as added by section 103(a) of the Per-  
21       sonal Responsibility and Work Opportunity Reconciliation  
22       Act of 1996, is amended by redesignating paragraph (12)  
23       as paragraph (13) and inserting after paragraph (11) the  
24       following:

1           “(12) PENALTY FOR IMPOSITION OF WORK RE-  
 2           QUIREMENTS ON FAMILIES HEADED BY AN ADULT  
 3           NONPARENTAL RELATIVE CAREGIVER.—If the Sec-  
 4           retary determines that a State to which a grant is  
 5           made under section 403 for a fiscal year has violated  
 6           section 408(a)(12) during the fiscal year, the Sec-  
 7           retary shall reduce the grant payable to the State  
 8           under section 403(a)(1) for the immediately succeed-  
 9           ing fiscal year by 5 percent.”.

10 **SEC. 3. TIME LIMITS NOT TO APPLY TO ADULT NONPAREN-**  
 11 **TAL RELATIVE CAREGIVER HEADS OF FAMI-**  
 12 **LIES.**

13           (a) INAPPLICABILITY OF TIME LIMIT PROVISIONS.—

14                 (1) 2-YEAR WORK PROVISION.—Section  
 15           402(a)(1)(A)(ii) of the Social Security Act (42  
 16           U.S.C. 602(a)(1)(A)(ii)), as added by section 103(a)  
 17           of the Personal Responsibility and Work Oppor-  
 18           tunity Reconciliation Act of 1996, is amended by in-  
 19           serting “, except as provided in section 407(e)(3)”  
 20           before the period.

21                 (2) 5-YEAR LIMIT.—

22                         (A) IN GENERAL.—Section 408(a)(7) of  
 23           the Social Security Act (42 U.S.C. 608(a)(7)),  
 24           as added by section 103(a) of the Personal Re-  
 25           sponsibility and Work Opportunity Reconcili-

ation Act of 1996, is amended by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and by inserting after subparagraph (D) the following:

“(E) DISREGARD OF MONTHS OF ASSISTANCE RECEIVED BY FAMILY HEAD WHO IS AN ADULT NONPARENTAL RELATIVE CAREGIVER.—

In determining the number of months for which an adult has received assistance under the State program funded under this part, the State shall disregard any month during which the adult is an exempt adult.”.

(B) CONFORMING AMENDMENT.—Section 408(a)(1)(B) of the Social Security Act (42 U.S.C. 608(a)(1)(B)), as added by section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, is amended by striking “or (D)” and inserting “, (D), or (E)”.

(b) PROHIBITION AGAINST IMPOSITION OF TIME LIMITS.—Section 408(a) of the Social Security Act (42 U.S.C. 608(a)), as added by section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 and as amended by section 2(c) of this Act, is amended by adding at the end the following:

1           “(13) PROHIBITION AGAINST IMPOSITION OF  
 2           TIME LIMITS ON FAMILIES HEADED BY AN ADULT  
 3           NONPARENTAL RELATIVE CAREGIVER.—A State to  
 4           which a grant is made under this part shall not use  
 5           any part of the grant to impose a limit on the dura-  
 6           tion of assistance to an exempt adult or an exempt  
 7           family under any Federal, State, or local program,  
 8           or to otherwise penalize an exempt adult or an ex-  
 9           empt family by reason of such status.

10          (d) PENALTY FOR IMPOSITION OF TIME LIMITS.—  
 11          Section 409(a) of the Social Security Act (42 U.S.C.  
 12          609(a)), as added by section 103(a) of the Personal Re-  
 13          sponsibility and Work Opportunity Reconciliation Act of  
 14          1996 and as amended by section 2(d) of this Act, is  
 15          amended by redesignating paragraph (13) as paragraph  
 16          (14) and inserting after paragraph (12) the following:

17               “(13) PENALTY FOR IMPOSITION OF TIME LIM-  
 18               ITS ON FAMILIES HEADED BY AN ADULT NONPAREN-  
 19               TAL RELATIVE CAREGIVER.—If the Secretary deter-  
 20               mines that a State to which a grant is made under  
 21               section 403 for a fiscal year has violated section  
 22               408(a)(13) during the fiscal year, the Secretary  
 23               shall reduce the grant payable to the State under  
 24               section 403(a)(1) for the immediately succeeding fis-  
 25               cal year by 5 percent.”.

1 **SEC. 4. GRANTS TO STATES FOR ASSISTANCE PROVIDED**  
2 **FOR ADULT NONPARENTAL RELATIVE**  
3 **CAREGIVERS.**

4 Section 403(a) of the Social Security Act (42 U.S.C.  
5 607(b)), as added by section 103(a) of the Personal Re-  
6 sponsibility and Work Opportunity Reconciliation Act of  
7 1996, is amended by adding at the end the following:

8 “(5) GRANTS FOR SUPPORT PROVIDED FOR  
9 ADULT NONPARENTAL RELATIVE CAREGIVERS.—

10 “(A) IN GENERAL.—Each eligible State  
11 shall be entitled to receive from the Secretary  
12 a grant for each fiscal year in an amount equal  
13 to the total amount expended by the State dur-  
14 ing the immediately preceding fiscal year under  
15 the State program funded under this part for  
16 assistance to any exempt family or exempt  
17 adult for any month for which the family or the  
18 adult, in the absence of section 408(a)(7)(E),  
19 would not be eligible for such assistance.

20 “(B) APPROPRIATION.—Out of any money  
21 in the Treasury of the United States not other-  
22 wise appropriated, there are appropriated for  
23 grants under this paragraph such sums as may  
24 be necessary for each fiscal year.”.

1 **SEC. 5. DEFINITIONS.**

2 Section 419 of the Social Security Act (42 U.S.C.  
3 607(b)), as added by section 103(a) of the Personal Re-  
4 sponsibility and Work Opportunity Reconciliation Act of  
5 1996, is amended by redesignating paragraphs (2)  
6 through (5) as paragraphs (4) through (7), respectively,  
7 and by inserting after paragraph (1) the following:

8 “(2) EXEMPT ADULT.—The term ‘exempt  
9 adult’ means an adult who is—

10 “(A) living with and caring for a minor  
11 child who is related to (but not a biological  
12 child of) the adult; and

13 “(B) the head of a family that—

14 “(i) does not include a parent of any  
15 such minor child; and

16 “(ii) does not include a biological child  
17 of the adult.

18 “(3) EXEMPT FAMILY.—The term ‘exempt fam-  
19 ily’ means a family which—

20 “(A) is headed by an adult who is living  
21 with and caring for a minor child who is related  
22 to (but not a biological child of) the adult;

23 “(B) does not include a parent of any such  
24 minor child; and

25 “(C) does not include a biological child of  
26 the adult.”.



1 **SEC. 6. EFFECTIVE DATE.**

2       The amendments made by this Act shall take effect  
3 as if included in the enactment of the Personal Respon-  
4 sibility and Work Opportunity Reconciliation Act of 1996.

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