

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1471

To provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2001

Mrs. JOHNSON of Connecticut (for herself and Mr. CARDIN) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, 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.**

4       This Act may be cited as the “Child Support Dis-  
5       tribution Act of 2001”.

**1 SEC. 2. TABLE OF CONTENTS.**

**2 The table of contents for this Act is as follows:**

- Sec. 1. Short title.  
 Sec. 2. Table of contents.

**TITLE I—DISTRIBUTION OF CHILD SUPPORT**

- Sec. 101. Distribution of child support collected by States on behalf of children receiving certain welfare benefits.

**TITLE II—REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS**

- Sec. 201. Mandatory review and modification of child support orders for TANF recipients.

**TITLE III—DEMONSTRATION OF EXPANDED INFORMATION AND ENFORCEMENT**

- Sec. 301. Guidelines for involvement of public non-IV-D child support enforcement agencies in child support enforcement.  
 Sec. 302. Demonstrations involving establishment and enforcement of child support obligations by public non-IV-D child support enforcement agencies.  
 Sec. 303. GAO report to Congress on private child support enforcement agencies.  
 Sec. 304. Effective date.

**TITLE IV—EXPANDED ENFORCEMENT**

- Sec. 401. Decrease in amount of child support arrearage triggering passport denial.  
 Sec. 402. Use of tax refund intercept program to collect past-due child support on behalf of children who are not minors.  
 Sec. 403. Garnishment of compensation paid to veterans for service-connected disabilities in order to enforce child support obligations.

**TITLE V—FATHERHOOD PROGRAMS**

**Subtitle A—Fatherhood Grant Program**

- Sec. 501. Fatherhood grants.

**Subtitle B—Fatherhood Projects of National Significance**

- Sec. 511. Fatherhood projects of national significance.

**TITLE VI—MISCELLANEOUS**

- Sec. 601. Report on undistributed child support payments.  
 Sec. 602. Use of new hire information to assist in administration of unemployment compensation programs.  
 Sec. 603. Immigration provisions.  
 Sec. 604. Correction of errors in conforming amendments in the Welfare-To-Work and Child Support Amendments of 1999.  
 Sec. 605. Increase in payment rate to States for expenditures for short term training of staff of certain child welfare agencies.

## TITLE VII—EFFECTIVE DATE

Sec. 701. Effective date.

1           **TITLE I—DISTRIBUTION OF**  
2                           **CHILD SUPPORT**

3   **SEC. 101. DISTRIBUTION OF CHILD SUPPORT COLLECTED**  
4                           **BY STATES ON BEHALF OF CHILDREN RE-**  
5                           **CEIVING CERTAIN WELFARE BENEFITS.**

6           (a) MODIFICATION OF RULE REQUIRING ASSIGN-  
7   MENT OF SUPPORT RIGHTS AS A CONDITION OF RECEIV-  
8   ING TANF.—Section 408(a)(3) of the Social Security Act  
9   (42 U.S.C. 608(a)(3)) is amended to read as follows:

10                   “(3) NO ASSISTANCE FOR FAMILIES NOT AS-  
11   SIGNING CERTAIN SUPPORT RIGHTS TO THE  
12   STATE.—A State to which a grant is made under  
13   section 403 shall require, as a condition of providing  
14   assistance to a family under the State program  
15   funded under this part, that a member of the family  
16   assign to the State any rights the family member  
17   may have (on behalf of the family member or of any  
18   other person for whom the family member has ap-  
19   plied for or is receiving such assistance) to support  
20   from any other person, not exceeding the total  
21   amount of assistance so provided to the family,  
22   which accrues during the period that the family re-  
23   ceives assistance under the program.”.

1 (b) INCREASING CHILD SUPPORT PAYMENTS TO  
2 FAMILIES AND SIMPLIFYING CHILD SUPPORT DISTRIBU-  
3 TION RULES.—

4 (1) DISTRIBUTION RULES.—

5 (A) IN GENERAL.—Section 457(a) of such  
6 Act (42 U.S.C. 657(a)) is amended to read as  
7 follows:

8 “(a) IN GENERAL.—Subject to subsections (d) and  
9 (e), the amounts collected on behalf of a family as support  
10 by a State pursuant to a plan approved under this part  
11 shall be distributed as follows:

12 “(1) FAMILIES RECEIVING ASSISTANCE.—In the  
13 case of a family receiving assistance from the State,  
14 the State shall—

15 “(A) pay to the Federal Government the  
16 Federal share of the amount collected, subject  
17 to paragraph (3)(A);

18 “(B) retain, or pay to the family, the State  
19 share of the amount collected, subject to para-  
20 graph (3)(B); and

21 “(C) pay to the family any remaining  
22 amount.

23 “(2) FAMILIES THAT FORMERLY RECEIVED AS-  
24 SISTANCE.—In the case of a family that formerly re-  
25 ceived assistance from the State:

1           “(A) CURRENT SUPPORT.—To the extent  
2 that the amount collected does not exceed the  
3 current support amount, the State shall pay the  
4 amount to the family.

5           “(B) ARREARAGES.—To the extent that  
6 the amount collected exceeds the current sup-  
7 port amount, the State—

8                   “(i) shall first pay to the family the  
9 excess amount, to the extent necessary to  
10 satisfy support arrearages not assigned  
11 pursuant to section 408(a)(3);

12                   “(ii) if the amount collected exceeds  
13 the amount required to be paid to the fam-  
14 ily under clause (i), shall—

15                           “(I) pay to the Federal Govern-  
16 ment, the Federal share of the excess  
17 amount described in this clause, sub-  
18 ject to paragraph (3)(A); and

19                           “(II) retain, or pay to the family,  
20 the State share of the excess amount  
21 described in this clause, subject to  
22 paragraph (3)(B); and

23                   “(iii) shall pay to the family any re-  
24 maining amount.

25           “(3) LIMITATIONS.—

1           “(A) FEDERAL REIMBURSEMENTS.—The  
2           total of the amounts paid by the State to the  
3           Federal Government under paragraphs (1) and  
4           (2) of this subsection with respect to a family  
5           shall not exceed the Federal share of the  
6           amount assigned with respect to the family pur-  
7           suant to section 408(a)(3).

8           “(B) STATE REIMBURSEMENTS.—The  
9           total of the amounts retained by the State  
10          under paragraphs (1) and (2) of this subsection  
11          with respect to a family shall not exceed the  
12          State share of the amount assigned with respect  
13          to the family pursuant to section 408(a)(3).

14          “(4) FAMILIES THAT NEVER RECEIVED ASSIST-  
15          ANCE.—In the case of any other family, the State  
16          shall pay the amount collected to the family.

17          “(5) FAMILIES UNDER CERTAIN AGREE-  
18          MENTS.—Notwithstanding paragraphs (1) through  
19          (4), in the case of an amount collected for a family  
20          in accordance with a cooperative agreement under  
21          section 454(33), the State shall distribute the  
22          amount collected pursuant to the terms of the agree-  
23          ment.

24          “(6) STATE FINANCING OPTIONS.—To the ex-  
25          tent that the State share of the amount payable to

1 a family for a month pursuant to paragraph (2)(B)  
2 of this subsection exceeds the amount that the State  
3 estimates (under procedures approved by the Sec-  
4 retary) would have been payable to the family for  
5 the month pursuant to former section 457(a)(2) (as  
6 in effect for the State immediately before the date  
7 this subsection first applies to the State) if such  
8 former section had remained in effect, the State may  
9 elect to use the grant made to the State under sec-  
10 tion 403(a) to pay the amount, or to have the pay-  
11 ment considered a qualified State expenditure for  
12 purposes of section 409(a)(7), but not both.

13 “(7) STATE OPTION TO PASS THROUGH ADDI-  
14 TIONAL SUPPORT WITH FEDERAL FINANCIAL PAR-  
15 TICIPATION.—

16 “(A) IN GENERAL.—Notwithstanding  
17 paragraphs (1) and (2), a State shall not be re-  
18 quired to pay to the Federal Government the  
19 Federal share of an amount collected on behalf  
20 of a family that is not a recipient of assistance  
21 under the State program funded under part A,  
22 to the extent that the State pays the amount to  
23 the family.

24 “(B) RECIPIENTS OF TANF FOR LESS  
25 THAN 5 YEARS.—

1           “(i) IN GENERAL.—Notwithstanding  
2 paragraphs (1) and (2), a State shall not  
3 be required to pay to the Federal Govern-  
4 ment the Federal share of an amount col-  
5 lected on behalf of a family that is a recipi-  
6 ent of assistance under the State program  
7 funded under part A and that has received  
8 the assistance for not more than 5 years  
9 after the date of the enactment of this  
10 paragraph, to the extent that—

11                   “(I) the State pays the amount  
12 to the family; and

13                   “(II) subject to clause (ii), the  
14 amount is disregarded in determining  
15 the amount and type of the assistance  
16 provided to the family.

17           “(ii) LIMITATION.—Of the amount  
18 disregarded as described in clause (i)(II),  
19 the maximum amount that may be taken  
20 into account for purposes of clause (i) shall  
21 not exceed \$400 per month, except that, in  
22 the case of a family that includes two or  
23 more children, the State may elect to in-  
24 crease the maximum amount to not more  
25 than \$600 per month.”.



1 (B) APPROVAL OF ESTIMATION PROCE-  
2 DURES.—Not later than October 1, 2002, the  
3 Secretary of Health and Human Services, in  
4 consultation with the States (as defined for  
5 purposes of part D of title IV of the Social Se-  
6 curity Act), shall establish the procedures to be  
7 used to make the estimate described in section  
8 457(a)(6) of such Act.

9 (2) CURRENT SUPPORT AMOUNT DEFINED.—  
10 Section 457(c) of such Act (42 U.S.C. 657(c)) is  
11 amended by adding at the end the following:

12 “(5) CURRENT SUPPORT AMOUNT.—The term  
13 ‘current support amount’ means, with respect to  
14 amounts collected as support on behalf of a family,  
15 the amount designated as the monthly support obli-  
16 gation of the noncustodial parent in the order re-  
17 quiring the support.”.

18 (c) BAN ON RECOVERY OF MEDICAID COSTS FOR  
19 CERTAIN BIRTHS.—Section 454 of such Act (42 U.S.C.  
20 654) is amended—

21 (1) by striking “and” at the end of paragraph  
22 (32);

23 (2) by striking the period at the end of para-  
24 graph (33) and inserting “; and”; and

1           (3) by inserting after paragraph (33) the fol-  
2           lowing:

3           “(34) provide that the State shall not use the  
4           State program operated under this part to collect  
5           any amount owed to the State by reason of costs in-  
6           curred under the State plan approved under title  
7           XIX for the birth of a child for whom support rights  
8           have been assigned pursuant to section 408(a)(3),  
9           471(a)(17), or 1912.”.

10          (d) STATE OPTION TO DISCONTINUE CERTAIN SUP-  
11          PORT ASSIGNMENTS.—Section 457(b) of such Act (42  
12          U.S.C. 657(b)) is amended by striking “shall” and insert-  
13          ing “may”.

14          (e) CONFORMING AMENDMENTS.—

15                 (1) Section 409(a)(7)(B)(i)(I)(aa) of such Act  
16                 (42 U.S.C. 609(a)(7)(B)(i)(I)(aa)) is amended by  
17                 striking “457(a)(1)(B)” and inserting “457(a)(1)”.

18                 (2) Section 404(a) of such Act (42 U.S.C.  
19                 604(a)) is amended—

20                         (A) by striking “or” at the end of para-  
21                         graph (1);

22                         (B) by striking the period at the end of  
23                         paragraph (2) and inserting “; or”; and

24                         (C) by adding at the end the following:



1 out regard to whether regulations to implement such  
 2 amendments (in the case of State programs operated  
 3 under such part D) are promulgated by such date.

4 (2) STATE OPTION TO ACCELERATE EFFECTIVE  
 5 DATE.—In addition, a State may elect to have the  
 6 amendments made by this section apply to the State  
 7 and to amounts collected by the State, on and after  
 8 such date as the State may select that is after the  
 9 date of the enactment of this Act and before October  
 10 1, 2006.

11 **TITLE II—REVIEW AND ADJUST-**  
 12 **MENT OF CHILD SUPPORT**  
 13 **ORDERS**

14 **SEC. 201. MANDATORY REVIEW AND MODIFICATION OF**  
 15 **CHILD SUPPORT ORDERS FOR TANF RECIPI-**  
 16 **ENTS.**

17 (a) REVIEW EVERY 3 YEARS.—Section  
 18 466(a)(10)(A)(i) of the Social Security Act (42 U.S.C.  
 19 666(a)(10)(A)(i)) is amended—

20 (1) by striking “or,” and inserting “or”; and

21 (2) by striking “upon the request of the State  
 22 agency under the State plan or of either parent,”.

23 (b) REVIEW UPON LEAVING TANF.—

24 (1) NOTICE OF CERTAIN FAMILIES LEAVING  
 25 TANF.—Section 402(a) of such Act (42 U.S.C.

1       602(a)) is amended by adding at the end the fol-  
2       lowing:

3           “(8) CERTIFICATION THAT THE CHILD SUP-  
4       PORT ENFORCEMENT PROGRAM WILL BE PROVIDED  
5       NOTICE OF CERTAIN FAMILIES LEAVING TANF PRO-  
6       GRAM.—A certification by the chief executive officer  
7       of the State that the State has established proce-  
8       dures to ensure that the State agency administering  
9       the child support enforcement program under the  
10      State plan approved under part D will be provided  
11      notice of the impending discontinuation of assistance  
12      to an individual under the State program funded  
13      under this part if the individual has custody of a  
14      child whose other parent is alive and not living at  
15      home with the child.”.

16           (2) REVIEW.—Section 466(a)(10) of such Act  
17      (42 U.S.C. 666(a)(10)) is amended—

18           (A) in the paragraph heading, by striking  
19      “UPON REQUEST”;

20           (B) in subparagraph (C), by striking “this  
21      paragraph” and inserting “subparagraph (A) or  
22      (B)”;

23           (C) by adding at the end the following:

24           “(D) REVIEW UPON LEAVING TANF.—On  
25      receipt of a notice issued pursuant to section

1           402(a)(8), the State child support enforcement  
2           agency shall—

3                   “(i) examine the case file involved;

4                   “(ii) determine what actions (if any)  
5                   are needed to locate any noncustodial par-  
6                   ent, establish paternity or a support order,  
7                   or enforce a support order in the case;

8                   “(iii) immediately take the actions;  
9                   and

10                   “(iv) if there is a support order in the  
11                   case which the State has not reviewed dur-  
12                   ing the 1-year period ending with receipt  
13                   of the notice, notwithstanding subpara-  
14                   graph (B), review and, if appropriate, ad-  
15                   just the order in accordance with subpara-  
16                   graph (A).”.

17 **TITLE III—DEMONSTRATIONS OF**  
18 **EXPANDED            INFORMATION**  
19 **AND ENFORCEMENT**

20 **SEC. 301. GUIDELINES FOR INVOLVEMENT OF PUBLIC NON-**  
21 **IV-D CHILD SUPPORT ENFORCEMENT AGEN-**  
22 **CIES IN CHILD SUPPORT ENFORCEMENT.**

23           (a) IN GENERAL.—Not later than October 1, 2002,  
24 the Secretary, in consultation with States, local govern-  
25 ments, and individuals or companies knowledgeable about

1 involving public non-IV-D child support enforcement  
2 agencies in child support enforcement, shall develop rec-  
3 ommendations which address the participation of public  
4 non-IV-D child support enforcement agencies in the es-  
5 tablishment and enforcement of child support obligations.  
6 The matters addressed by the recommendations shall in-  
7 clude substantive and procedural rules which should be  
8 followed with respect to privacy safeguards, data security,  
9 due process rights, administrative compatibility with State  
10 and Federal automated systems, eligibility requirements  
11 (such as registration, licensing, and posting of bonds) for  
12 access to information and use of enforcement mechanisms,  
13 recovery of costs by charging fees, penalties for violations  
14 of the rules, treatment of collections for purposes of sec-  
15 tion 458 of such Act, and avoidance of duplication of ef-  
16 fort.

17 (b) DEFINITIONS.—In this title:

18 (1) CHILD SUPPORT.—The term “child sup-  
19 port” has the meaning given in section 459(i)(2) of  
20 the Social Security Act.

21 (2) PUBLIC NON-IV-D CHILD SUPPORT EN-  
22 FORCEMENT AGENCY.—The term “public non-IV-D  
23 child support enforcement agency” means an agency,  
24 of a political subdivision of a State, which is prin-  
25 cipally responsible for the operation of a child sup-

1 port registry or for the establishment or enforcement  
2 of an obligation to pay child support other than pur-  
3 suant to the State plan approved under part D of  
4 title IV of such Act, or a clerk of court office of a  
5 political subdivision of a State.

6 (3) SECRETARY.—The term “Secretary” means  
7 the Secretary of Health and Human Services.

8 (4) STATE.—The term “State” shall have the  
9 meaning given in section 1101(a)(1) of the Social  
10 Security Act for purposes of part D of title IV of  
11 such Act.

12 **SEC. 302. DEMONSTRATIONS INVOLVING ESTABLISHMENT**  
13 **AND ENFORCEMENT OF CHILD SUPPORT OB-**  
14 **LIGATIONS BY PUBLIC NON-IV-D CHILD SUP-**  
15 **PORT ENFORCEMENT AGENCIES.**

16 (a) PURPOSE.—The purpose of this section is to de-  
17 termine the extent to which public non-IV–D child support  
18 enforcement agencies may contribute effectively to the es-  
19 tablishment and enforcement of child support obligations.

20 (b) APPLICATIONS.—

21 (1) CONSIDERATION.—The Secretary shall con-  
22 sider all applications received from States desiring to  
23 conduct demonstration projects under this section.

24 (2) PREFERENCES.—In considering which ap-  
25 plications to approve under this section, the Sec-



1       retary shall give preference to applications submitted  
2       by States that had a public non-IV–D child support  
3       enforcement agency as of January 1, 2001.

4               (3) APPROVAL.—

5                       (A) TIMING; LIMITATION ON NUMBER OF  
6                       PROJECTS.—On July 1, 2003, the Secretary  
7                       may approve not more than 10 applications for  
8                       projects providing for the participation of a  
9                       public non-IV–D child support enforcement  
10                      agency in the establishment and enforcement of  
11                      child support obligations, and, if the Secretary  
12                      receives at least five such applications that meet  
13                      such requirements as the Secretary may estab-  
14                      lish, shall approve not less than five such appli-  
15                      cations.

16                     (B) REQUIREMENTS.—The Secretary may  
17                     not approve an application for a project  
18                     unless—

19                               (i) the applicant and the Secretary  
20                               have entered into a written agreement  
21                               which addresses at a minimum, privacy  
22                               safeguards, data security, due process  
23                               rights, automated systems, liability, over-  
24                               sight, and fees, and the applicant has  
25                               made a commitment to conduct the project

1 in accordance with the written agreement  
2 and such other requirements as the Sec-  
3 retary may establish;

4 (ii) the project includes a research  
5 plan (but such plan shall not be required  
6 to use random assignment) that is focused  
7 on assessing the costs and benefits of the  
8 project; and

9 (iii) the project appears likely to con-  
10 tribute significantly to the achievement of  
11 the purpose of this title.

12 (c) DEMONSTRATION AUTHORITY.—On approval of  
13 an application submitted by a State under this section—

14 (1) the State agency responsible for admin-  
15 istering the State plan under part D of title IV of  
16 the Social Security Act may, subject to the privacy  
17 safeguards of section 454(26) of such Act, provide  
18 to any public non-IV–D child support enforcement  
19 agency participating in the demonstration project all  
20 information in the State Directory of New Hires and  
21 any information obtained through information com-  
22 parisons under section 453(j)(3) of such Act about  
23 an individual with respect to whom the public non-  
24 IV–D agency is seeking to establish or enforce a  
25 child support obligation, if the public non-IV–D

1 agency meets such requirements as the State may  
2 establish and has entered into an agreement with  
3 the State under which the public non-IV-D agency  
4 has made a binding commitment to carry out estab-  
5 lishment and enforcement activities with respect to  
6 the child support obligation subject to the same data  
7 security, privacy protection, and due process require-  
8 ments applicable to the State agency and in accord-  
9 ance with procedures approved by the head of the  
10 State agency;

11 (2) the State agency may charge and collect  
12 fees from any such public non-IV-D agency to re-  
13 cover costs incurred by the State agency in providing  
14 information and services to the public non-IV-D  
15 agency under the demonstration project;

16 (3) if a public non-IV-D child support enforce-  
17 ment agency has agreed to collect past-due support  
18 (as defined in section 464(c) of such Act) owed by  
19 a named individual, and the State agency has sub-  
20 mitted a notice to the Secretary of the Treasury  
21 pursuant to section 464 of such Act on behalf of the  
22 public non-IV-D agency, then the Secretary of the  
23 Treasury shall consider the State agency to have  
24 agreed to collect such support for purposes of such  
25 section 464, and the State agency may collect from

1 the public non-IV-D agency any fee which the State  
2 is required to pay for the cost of applying the offset  
3 procedure in the case;

4 (4) for so long as a public non-IV-D child sup-  
5 port enforcement agency is participating in the dem-  
6 onstration project, the public non-IV-D agency shall  
7 be considered part of the State agency for purposes  
8 of section 469A of such Act; and

9 (5) for so long as a public non-IV-D child sup-  
10 port enforcement agency is participating in the dem-  
11 onstration project, the public non-IV-D agency shall  
12 be considered part of the State agency for purposes  
13 of section 303(e) of such Act but only with respect  
14 to any child support obligation that the public non-  
15 IV-D agency has agreed to collect.

16 (d) WAIVER AUTHORITY.—The Secretary may waive  
17 or vary the applicability of any provision of section 303(e),  
18 454(31), 464, 466(a)(7), 466(a)(17), and 469A of the So-  
19 cial Security Act to the extent necessary to enable the con-  
20 duct of demonstration projects under this section, subject  
21 to the preservation of the data security, privacy protection,  
22 and due process requirements of part D of title IV of such  
23 Act.

24 (e) FEDERAL AUDIT.—

1           (1) IN GENERAL.—The Comptroller General of  
2 the United States shall conduct an audit of the dem-  
3 onstration projects conducted under this section for  
4 the purpose of examining and evaluating the manner  
5 in which information and enforcement tools are used  
6 by the public non-IV–D child support enforcement  
7 agencies participating in the projects.

8           (2) REPORT TO THE CONGRESS.—

9           (A) IN GENERAL.—The Comptroller Gen-  
10 eral of the United States shall submit to the  
11 Congress a report on the audit required by  
12 paragraph (1).

13           (B) TIMING.—The report required by sub-  
14 paragraph (A) shall be so submitted not later  
15 than October 1, 2005.

16 (f) SECRETARIAL REPORT TO THE CONGRESS.—

17           (1) IN GENERAL.—The Secretary shall submit  
18 to the Congress a report on the demonstration  
19 projects conducted under this section, which shall in-  
20 clude the results of any research or evaluation con-  
21 ducted pursuant to this title, and shall include policy  
22 recommendations regarding the establishment and  
23 enforcement of child support obligations by the  
24 agencies involved.

1           (2) TIMING.—The report required by paragraph  
2           (1) shall be so submitted not later than October 1,  
3           2006.

4 **SEC. 303. GAO REPORT TO CONGRESS ON PRIVATE CHILD**  
5 **SUPPORT ENFORCEMENT AGENCIES.**

6           (a) IN GENERAL.—Not later than October 1, 2002,  
7 the Comptroller General of the United States shall submit  
8 to the Congress a report on the activities of private child  
9 support enforcement agencies that shall be designed to  
10 help the Congress determine whether the agencies are pro-  
11 viding a needed service in a fair manner using accepted  
12 debt collection practices and at a reasonable fee.

13           (b) MATTERS TO BE ADDRESSED.—Among the mat-  
14 ters addressed by the report required by subsection (a)  
15 shall be the following:

16           (1) The number of private child support en-  
17           forcement agencies.

18           (2) The types of debt collection activities con-  
19           ducted by the private agencies.

20           (3) The fees charged by the private agencies.

21           (4) The methods used by the private agencies  
22           to collect fees from custodial parents.

23           (5) The nature and degree of cooperation the  
24           private agencies receive from State agencies respon-

1 sible for administering State plans under part D of  
2 title IV of the Social Security Act.

3 (6) The extent to which the conduct of the pri-  
4 vate agencies is subject to State or Federal regula-  
5 tion, and if so, the extent to which the regulations  
6 are effectively enforced.

7 (7) The amount of child support owed but un-  
8 collected and changes in this amount in recent years.

9 (8) The average period of time required for the  
10 completion of successful enforcement actions yielding  
11 collections of past-due child support by both the  
12 child support enforcement programs operated pursu-  
13 ant to State plans approved under part D of title IV  
14 of the Social Security Act and, to the extent known,  
15 by private child support enforcement agencies.

16 (9) The types of Federal and State child sup-  
17 port enforcement remedies and resources currently  
18 available to private child support enforcement agen-  
19 cies, and the types of such remedies and resources  
20 now restricted to use by State agencies admin-  
21 istering State plans referred to in paragraph (8).

22 (c) PRIVATE CHILD SUPPORT ENFORCEMENT AGEN-  
23 CY DEFINED.—In this section, the term “private child  
24 support enforcement agency” means a person or any other  
25 non-public entity which seeks to establish or enforce an

1 obligation to pay child support (as defined in section  
2 459(i)(2) of the Social Security Act).

3 **SEC. 304. EFFECTIVE DATE.**

4 This title shall take effect on the date of the enact-  
5 ment of this Act.

6 **TITLE IV—EXPANDED**  
7 **ENFORCEMENT**

8 **SEC. 401. DECREASE IN AMOUNT OF CHILD SUPPORT AR-**  
9 **REARAGE TRIGGERING PASSPORT DENIAL.**

10 Section 452(k) of the Social Security Act (42 U.S.C.  
11 652(k)) is amended by striking “\$5,000” and inserting  
12 “\$2,500”.

13 **SEC. 402. USE OF TAX REFUND INTERCEPT PROGRAM TO**  
14 **COLLECT PAST-DUE CHILD SUPPORT ON BE-**  
15 **HALF OF CHILDREN WHO ARE NOT MINORS.**

16 Section 464 of the Social Security Act (42 U.S.C.  
17 664) is amended—

18 (1) in subsection (a)(2)(A), by striking “(as  
19 that term is defined for purposes of this paragraph  
20 under subsection (c))”; and

21 (2) in subsection (c)—

22 (A) in paragraph (1)—

23 (i) by striking “(1) Except as pro-  
24 vided in paragraph (2), as used in” and in-  
25 serting “In”; and



1 (ii) by inserting “(whether or not a  
2 minor)” after “a child” each place it ap-  
3 pears; and

4 (B) by striking paragraphs (2) and (3).

5 **SEC. 403. GARNISHMENT OF COMPENSATION PAID TO VET-**  
6 **ERANS FOR SERVICE-CONNECTED DISABIL-**  
7 **ITIES IN ORDER TO ENFORCE CHILD SUP-**  
8 **PORT OBLIGATIONS.**

9 Section 459(h) of the Social Security Act (42 U.S.C.  
10 659(h)) is amended—

11 (1) in paragraph (1)(A)(ii)(V), by striking all  
12 that follows “Armed Forces” and inserting a semi-  
13 colon; and

14 (2) by adding at the end the following:

15 “(3) LIMITATIONS WITH RESPECT TO COM-  
16 PENSATION PAID TO VETERANS FOR SERVICE-CON-  
17 NECTED DISABILITIES.—Notwithstanding any other  
18 provision of this section:

19 “(A) Compensation described in paragraph  
20 (1)(A)(ii)(V) shall not be subject to withholding  
21 pursuant to this section—

22 “(i) for payment of alimony; or

23 “(ii) for payment of child support if  
24 the individual is fewer than 60 days in ar-  
25 rears in payment of the support.

1           “(B) Not more than 50 percent of any  
2           payment of compensation described in para-  
3           graph (1)(A)(ii)(V) may be withheld pursuant  
4           to this section.”.

5           **TITLE V—FATHERHOOD**  
6           **PROGRAMS**  
7           **Subtitle A—Fatherhood Grant**  
8           **Program**

9           **SEC. 501. FATHERHOOD GRANTS.**

10          (a) IN GENERAL.—Part A of title IV of the Social  
11          Security Act (42 U.S.C. 601–619) is amended by inserting  
12          after section 403 the following:

13          **“SEC. 403A. FATHERHOOD PROGRAMS.**

14          “(a) PURPOSE.—The purpose of this section is to  
15          make grants available to public and private entities for  
16          projects designed to—

17                  “(1) promote marriage through such activities  
18          as—

19                          “(A) counseling, mentoring, disseminating  
20                          information about the advantages of marriage,  
21                          enhancing relationship skills, teaching how to  
22                          control aggressive behavior, disseminating infor-  
23                          mation on the causes and treatment of domestic  
24                          violence and child abuse, and other methods;  
25                          and

1           “(B) sustaining marriages through mar-  
2           riage preparation programs, premarital coun-  
3           seling, and marital inventories, and through di-  
4           vorce education and reduction programs, includ-  
5           ing mediation and counseling;

6           “(2) promote successful parenting through such  
7           activities as counseling, mentoring, disseminating in-  
8           formation about good parenting practices including  
9           pregnancy family planning, training parents in  
10          money management, encouraging child support pay-  
11          ments, encouraging regular visitation between fa-  
12          thers and their children, and other methods; and

13          “(3) help fathers and their families avoid or  
14          leave cash welfare provided by the program under  
15          part A and improve their economic status by pro-  
16          viding such activities as work first services, job  
17          search, job training, subsidized employment, career-  
18          advancing education, job retention, job enhancement,  
19          and other methods.

20          “(b) FATHERHOOD GRANTS.—

21                 “(1) APPLICATIONS.—An entity desiring a  
22                 grant to carry out a project described in subsection  
23                 (a) may submit to the Secretary an application that  
24                 contains the following:

1           “(A) A description of the project and how  
2 the project will be carried out.

3           “(B) A description of how the project will  
4 address all three of the purposes of this section.

5           “(C) A written commitment by the entity  
6 that the project will allow an individual to par-  
7 ticipate in the project only if the individual is—

8                   “(i) a father of a child who is, or  
9 within the past 24 months has been, a re-  
10 cipient of assistance or services under a  
11 State program funded under this part;

12                   “(ii) a father, including an expectant  
13 or married father, whose income (net of  
14 court-ordered child support) is less than  
15 150 percent of the poverty line (as defined  
16 in section 673(2) of the Omnibus Budget  
17 Reconciliation Act of 1981, including any  
18 revision required by such section, applica-  
19 ble to a family of the size involved);

20                   “(iii) a parent referred to in para-  
21 graph (3)(A)(iii); or

22                   “(iv) at risk of parenthood outside  
23 marriage, but not more than 25 percent of  
24 the participants in the project may qualify  
25 for participation under this clause.

1           “(D) A written commitment by the entity  
2           that the entity will provide for the project, from  
3           funds obtained from non-Federal sources,  
4           amounts (including in-kind contributions) equal  
5           in value to—

6                   “(i) 20 percent of the amount of any  
7                   grant made to the entity under this sub-  
8                   section; or

9                   “(ii) such lesser percentage as the  
10                  Secretary deems appropriate (which shall  
11                  be not less than 10 percent) of such  
12                  amount, if the application demonstrates  
13                  that there are circumstances that limit the  
14                  ability of the entity to raise funds or ob-  
15                  tain resources.

16           “(E) A written commitment by the entity  
17           that the entity will make available to each indi-  
18           vidual participating in the project education  
19           about the causes of domestic violence and child  
20           abuse and local programs to prevent and treat  
21           abuse, education about alcohol, tobacco, and  
22           other drugs and the effects of abusing such  
23           substances, and information about sexually  
24           transmitted diseases and their transmission, in-

1 including HIV/AIDS and human papillomavirus  
2 (HPV).

3 “(2) CONSIDERATION OF APPLICATIONS BY  
4 INTERAGENCY PANEL.—

5 “(A) ESTABLISHMENT.—There is estab-  
6 lished a panel to be known as the ‘Fatherhood  
7 Grants Recommendations Panel’ (in this sub-  
8 paragraph referred to as the ‘Panel’).

9 “(B) MEMBERSHIP.—

10 “(i) IN GENERAL.—The Panel shall be  
11 composed of 10 members, as follows:

12 “(I) Two members of the Panel  
13 shall be appointed by the Secretary.

14 “(II) Two members of the Panel  
15 shall be appointed by the Secretary of  
16 Labor.

17 “(III) Two members of the Panel  
18 shall be appointed by the Chairman of  
19 the Committee on Ways and Means of  
20 the House of Representatives.

21 “(IV) One member of the Panel  
22 shall be appointed by the ranking mi-  
23 nority member of the Committee on  
24 Ways and Means of the House of  
25 Representatives.

1                   “(V) Two members of the Panel  
2                   shall be appointed by the Chairman of  
3                   the Committee on Finance of the Sen-  
4                   ate.

5                   “(VI) One member of the Panel  
6                   shall be appointed by the ranking mi-  
7                   nority member of the Committee on  
8                   Finance of the Senate.

9                   “(ii) QUALIFICATIONS.—An individual  
10                  shall not be eligible to serve on the Panel  
11                  unless the individual has experience in pro-  
12                  grams for fathers, programs for the poor,  
13                  programs for children, program adminis-  
14                  tration, program research, or programs of  
15                  domestic violence prevention and treat-  
16                  ment.

17                  “(iii) CONFLICTS OF INTEREST.—An  
18                  individual shall not be eligible to serve on  
19                  the Panel if such service would pose a con-  
20                  flict of interest for the individual.

21                  “(iv) TIMING OF APPOINTMENTS.—  
22                  The appointment of members to the Panel  
23                  shall be completed not later than April 1,  
24                  2002.

25                  “(C) DUTIES.—

1                   “(i) REVIEW AND MAKE REC-  
2                   COMMENDATIONS ON PROJECT APPLICA-  
3                   TIONS.—The Panel shall review all applica-  
4                   tions submitted pursuant to paragraph (1),  
5                   and make recommendations to the Sec-  
6                   retary regarding which applicants should  
7                   be awarded grants under this subsection,  
8                   with due regard for the provisions of para-  
9                   graph (3), but shall not recommend that a  
10                  project be awarded such a grant if the ap-  
11                  plication describing the project does not at-  
12                  tempt to meet the requirement of para-  
13                  graph (1)(B).

14                  “(ii) TIMING.—The Panel shall make  
15                  such recommendations not later than Octo-  
16                  ber 1, 2002.

17                  “(D) TERM OF OFFICE.—Each member  
18                  appointed to the Panel shall serve for the life  
19                  of the Panel.

20                  “(E) PROHIBITION ON COMPENSATION.—  
21                  Members of the Panel may not receive pay, al-  
22                  lowances, or benefits by reason of their service  
23                  on the Panel.

24                  “(F) TRAVEL EXPENSES.—Each member  
25                  of the Panel shall receive travel expenses, in-



1 including per diem in lieu of subsistence, in ac-  
2 cordance with sections 5702 and 5703 of title  
3 5, United States Code.

4 “(G) MEETINGS.—The Panel shall meet as  
5 often as is necessary to complete the business  
6 of the Panel.

7 “(H) CHAIRPERSON.—The Chairperson of  
8 the Panel shall be designated by the Secretary  
9 at the time of appointment.

10 “(I) STAFF OF FEDERAL AGENCIES.—The  
11 Secretary may detail any personnel of the De-  
12 partment of Health and Human Services and  
13 the Secretary of Labor may detail any per-  
14 sonnel of the Department of Labor to the Panel  
15 to assist the Panel in carrying out its duties  
16 under this paragraph.

17 “(J) OBTAINING OFFICIAL DATA.—The  
18 Panel may secure directly from any department  
19 or agency of the United States information nec-  
20 essary to enable it to carry out this paragraph.  
21 On request of the Chairperson of the Panel, the  
22 head of the department or agency shall furnish  
23 that information to the Panel.

24 “(K) MAILS.—The Panel may use the  
25 United States mails in the same manner and

1 under the same conditions as other departments  
2 and agencies of the United States.

3 “(L) TERMINATION.—The Panel shall ter-  
4minate on October 1, 2001.

5 “(3) RULES GOVERNING GRANTS.—

6 “(A) GRANT AWARDS.—

7 “(i) IN GENERAL.—The Secretary  
8 shall award matching grants, on a competi-  
9tive basis, among entities submitting appli-  
10cations therefor which meet the require-  
11ments of paragraph (1), in amounts that  
12take into account the written commitments  
13referred to in paragraph (1)(D).

14 “(ii) TIMING.—On October 1, 2002,  
15the Secretary shall award not more than  
16\$140,000,000 in matching grants after  
17considering the recommendations sub-  
18mitted pursuant to paragraph (2)(C)(i).

19 “(iii) NONDISCRIMINATION.—The pro-  
20visions of this section shall be applied and  
21administered so as to ensure that mothers,  
22expectant mothers, and married mothers  
23are eligible for benefits and services under  
24projects awarded grants under this section

1 on the same basis as fathers, expectant fa-  
2 thers, and married fathers.

3 “(B) PREFERENCES.—In determining  
4 which entities to which to award grants under  
5 this subsection, the Secretary shall give pref-  
6 erence to an entity—

7 “(i) to the extent that the application  
8 submitted by the entity sets forth clear  
9 and practical methods to encourage and  
10 sustain marriage;

11 “(ii) to the extent that the application  
12 submitted by the entity describes actions  
13 that the entity will take that are designed  
14 to encourage or facilitate the payment of  
15 child support, including but not limited  
16 to—

17 “(I) obtaining a written commit-  
18 ment by the agency responsible for  
19 administering the State plan approved  
20 under part D for the State in which  
21 the project is to be carried out that  
22 the State will voluntarily cancel child  
23 support arrearages owed to the State  
24 by the father as a result of the father  
25 providing various supports to the fam-

1                   ily such as maintaining a regular child  
2                   support payment schedule, living with  
3                   his children, or marrying the mother  
4                   of his children, unless the father has  
5                   been convicted of a crime involving  
6                   domestic violence or child abuse;

7                   “(II) obtaining a written commit-  
8                   ment by the entity that the entity will  
9                   help participating fathers who cooper-  
10                  ate with the agency in improving their  
11                  credit rating; and

12                  “(III) helping fathers arrange  
13                  and maintain a consistent schedule of  
14                  visits with their children, unless it  
15                  would be unsafe;

16                  “(iii) to the extent that the applica-  
17                  tion includes written agreements of co-  
18                  operation with other private and govern-  
19                  mental agencies, including the State or  
20                  local program funded under this part, the  
21                  local Workforce Investment Board, the  
22                  State or local program funded under part  
23                  D, community-based domestic violence pro-  
24                  grams, and the State or local program  
25                  funded under part E, which should include

1 a description of the services each such  
2 agency will provide to fathers participating  
3 in the project described in the application;

4 “(iv) to the extent that the application  
5 describes a project that will enroll a high  
6 percentage of project participants within 6  
7 months before or after the birth of the  
8 child; or

9 “(v) to the extent that the application  
10 sets forth clear and practical methods by  
11 which fathers will be recruited to partici-  
12 pate in the project.

13 “(C) MINIMUM PERCENTAGE OF RECIPI-  
14 ENTS OF GRANT FUNDS TO BE NONGOVERN-  
15 MENTAL (INCLUDING FAITH-BASED) ORGANIZA-  
16 TIONS.—Not less than 75 percent of the enti-  
17 ties awarded grants under this subsection in  
18 each fiscal year (other than entities awarded  
19 such grants pursuant to the preferences re-  
20 quired by subparagraph (B)) shall be awarded  
21 to—

22 “(i) nongovernmental (including faith-  
23 based) organizations; or

24 “(ii) governmental organizations that  
25 pass through to organizations referred to

1 in clause (i) at least 50 percent of the  
2 amount of the grant.

3 “(D) DIVERSITY OF PROJECTS.—

4 “(i) IN GENERAL.—In determining  
5 which entities to which to award grants  
6 under this subsection, the Secretary shall  
7 attempt to achieve a balance among enti-  
8 ties of differing sizes, entities in differing  
9 geographic areas, entities in urban versus  
10 rural areas, and entities employing dif-  
11 fering methods of achieving the purposes  
12 of this section.

13 “(ii) REPORT TO THE CONGRESS.—  
14 Within 90 days after each award of grants  
15 under subparagraph (A)(ii), the Secretary  
16 shall submit to the Committee on Ways  
17 and Means of the House of Representa-  
18 tives and the Committee on Finance of the  
19 Senate a brief report on the diversity of  
20 projects selected to receive funds under the  
21 grant program. The report shall include a  
22 comparison of funding for projects located  
23 in urban areas, projects located in subur-  
24 ban areas, and projects located in rural  
25 areas.

1           “(E) PAYMENT OF GRANT IN FOUR EQUAL  
2 ANNUAL INSTALLMENTS.—During the fiscal  
3 year in which a grant is awarded under this  
4 subsection and each of the succeeding 3 fiscal  
5 years, the Secretary shall provide to the entity  
6 awarded the grant an amount equal to one-  
7 fourth of the amount of the grant.

8           “(4) USE OF FUNDS.—

9           “(A) IN GENERAL.—Each entity to which  
10 a grant is made under this section shall use  
11 grant funds provided under this section in ac-  
12 cordance with the application requesting the  
13 grant, the requirements of this section, and the  
14 regulations prescribed under this section, and  
15 may use grant funds to support community-  
16 wide initiatives to address the purposes of this  
17 section, but may not use grant funds for court  
18 proceedings on matters of child visitation or  
19 child custody or for legislative advocacy.

20           “(B) NONDISPLACEMENT.—

21           “(i) IN GENERAL.—An adult in a  
22 work activity described in section 407(d)  
23 which is funded, in whole or in part, by  
24 funds provided under this section shall not  
25 be employed or assigned—

1 “(I) when any other individual is  
2 on layoff from the same or any sub-  
3 stantially equivalent job; or

4 “(II) if the employer has termi-  
5 nated the employment of any regular  
6 employee or otherwise caused an in-  
7 voluntary reduction of its workforce in  
8 order to fill the vacancy so created  
9 with such an adult.

10 “(ii) GRIEVANCE PROCEDURE.—

11 “(I) IN GENERAL.—Complaints  
12 alleging violations of clause (i) in a  
13 State may be resolved—

14 “(aa) if the State has estab-  
15 lished a grievance procedure  
16 under section 403(a)(5)(I)(iv),  
17 pursuant to the grievance proce-  
18 dure; or

19 “(bb) otherwise, pursuant to  
20 the grievance procedure estab-  
21 lished by the State under section  
22 407(f)(3).

23 “(II) FORFEITURE OF GRANT IF  
24 GRIEVANCE PROCEDURE NOT AVAIL-  
25 ABLE.—If a complaint referred to in



1           subclause (I) is made against an enti-  
2           ty to which a grant has been made  
3           under this section with respect to a  
4           project, and the complaint cannot be  
5           brought to, or cannot be resolved  
6           within 90 days after being brought, by  
7           a grievance procedure referred to in  
8           subclause (I), then the entity shall im-  
9           mediately return to the Secretary all  
10          funds provided to the entity under  
11          this section for the project, and the  
12          Secretary shall immediately rescind  
13          the grant.

14           “(C) RULE OF CONSTRUCTION.—This sec-  
15          tion shall not be construed to require the par-  
16          ticipation of a father in a project funded under  
17          this section to be discontinued by the project on  
18          the basis of changed economic circumstances of  
19          the father.

20           “(D) RULE OF CONSTRUCTION ON MAR-  
21          RIAGE.—This section shall not be construed to  
22          authorize the Secretary to define marriage for  
23          purposes of this section.

24           “(E) PENALTY FOR MISUSE OF GRANT  
25          FUNDS.—If the Secretary determines that an

1           entity to which a grant is made under this sub-  
2           section has used any amount of the grant in  
3           violation of subparagraph (A), the Secretary  
4           shall require the entity to remit to the Sec-  
5           retary an amount equal to the amount so used,  
6           plus all remaining grant funds, and the entity  
7           shall thereafter be ineligible for any grant  
8           under this subsection.

9           “(F) REMITTANCE OF UNUSED GRANT  
10          FUNDS.—Each entity to which a grant is  
11          awarded under this subsection shall remit to  
12          the Secretary all funds paid under the grant  
13          that remain at the end of the fifth fiscal year  
14          ending after the initial grant award.

15          “(5) AUTHORITY OF AGENCIES TO EXCHANGE  
16          INFORMATION.—Each agency administering a pro-  
17          gram funded under this part or a State plan ap-  
18          proved under part D may share the name, address,  
19          telephone number, and identifying case number in-  
20          formation in the State program funded under this  
21          part, of fathers for purposes of assisting in deter-  
22          mining the eligibility of fathers to participate in  
23          projects receiving grants under this section, and in  
24          contacting fathers potentially eligible to participate  
25          in the projects, subject to all applicable privacy laws.

1           “(6) EVALUATION.—The Secretary, in consulta-  
2           tion with the Secretary of Labor, shall, directly or  
3           by grant, contract, or interagency agreement, con-  
4           duct an evaluation of projects funded under this sec-  
5           tion (other than under subsection (c)(1)). The eval-  
6           uation shall assess, among other outcomes selected  
7           by the Secretary, effects of the projects on marriage,  
8           parenting, employment, earnings, payment of child  
9           support, and incidence of domestic violence and child  
10          abuse. In selecting projects for the evaluation, the  
11          Secretary should include projects that, in the Sec-  
12          retary’s judgment, are most likely to impact the  
13          matters described in the purposes of this section. In  
14          conducting the evaluation, random assignment  
15          should be used wherever possible.

16          “(7) REGULATIONS.—The Secretary shall pre-  
17          scribe such regulations as may be necessary to carry  
18          out this subsection.

19          “(8) LIMITATION ON APPLICABILITY OF OTHER  
20          PROVISIONS OF THIS PART.—Sections 404 through  
21          410 shall not apply to this section or to amounts  
22          paid under this section, and shall not be applied to  
23          an entity solely by reason of receipt of funds pursu-  
24          ant to this section. A project shall not be considered

1 a State program funded under this part solely by  
2 reason of receipt of funds paid under this section.

3 “(9) FUNDING.—

4 “(A) IN GENERAL.—

5 “(i) INTERAGENCY PANEL.—Of the  
6 amounts made available pursuant to sec-  
7 tion 403(a)(1)(E) to carry out this section  
8 for fiscal year 2002, a total of \$150,000  
9 shall be made available for the interagency  
10 panel established by paragraph (2) of this  
11 subsection.

12 “(ii) GRANTS.—Of the amounts made  
13 available pursuant to section 403(a)(1)(E)  
14 to carry out this section for fiscal years  
15 2003 through 2006, a total of  
16 \$140,000,000 shall be made available for  
17 grants under this subsection.

18 “(iii) EVALUATION.—Of the amounts  
19 made available pursuant to section  
20 403(a)(1)(E) to carry out this section for  
21 fiscal years 2002 through 2007, a total of  
22 \$6,000,000 shall be made available for the  
23 evaluation required by paragraph (6) of  
24 this subsection.

25 “(B) AVAILABILITY.—

1                   “(i) GRANT FUNDS.—The amounts  
2                   made available pursuant to subparagraph  
3                   (A)(ii) shall remain available until the end  
4                   of fiscal year 2007.

5                   “(ii) EVALUATION FUNDS.—The  
6                   amounts made available pursuant to sub-  
7                   paragraph (A)(iii) shall remain available  
8                   until the end of fiscal year 2009.”.

9           (b) FUNDING.—Section 403(a)(1)(E) of such Act (42  
10 U.S.C. 603(a)(1)(E)) is amended by inserting “, and for  
11 fiscal years 2002 through 2008, such sums as are nec-  
12 essary to carry out section 403A” before the period.

13           (c) APPLICABILITY OF CHARITABLE CHOICE PROVI-  
14 SIONS OF WELFARE REFORM.—Section 104 of the Per-  
15 sonal Responsibility and Work Opportunity Reconciliation  
16 Act of 1996 (42 U.S.C. 604a) is amended by adding at  
17 the end the following:

18           “(l) Notwithstanding the preceding provisions of this  
19 section, this section shall apply to any entity to which  
20 funds have been provided under section 403A of the Social  
21 Security Act in the same manner in which this section ap-  
22 plies to States, and, for purposes of this section, any  
23 project for which such funds are so provided shall be con-  
24 sidered a program described in subsection (a)(2).”.

1 **Subtitle B—Fatherhood Projects of**  
2 **National Significance**

3 **SEC. 511. FATHERHOOD PROJECTS OF NATIONAL SIGNIFI-**  
4 **CANCE.**

5 Section 403A of the Social Security Act, as added  
6 by subtitle A of this title, is amended by adding at the  
7 end the following:

8 “(c) FATHERHOOD PROJECTS OF NATIONAL SIG-  
9 NIFICANCE.—

10 “(1) NATIONAL CLEARINGHOUSE.—The Sec-  
11 retary shall award a \$5,000,000 grant to a nation-  
12 ally recognized, nonprofit fatherhood promotion or-  
13 ganization with at least 4 years of experience in de-  
14 signing and disseminating a national public edu-  
15 cation campaign, including the production and suc-  
16 cessful placement of television, radio, and print pub-  
17 lic service announcements which promote the impor-  
18 tance of responsible fatherhood, and with at least 4  
19 years experience providing consultation and training  
20 to community-based organizations interested in im-  
21 plementing fatherhood outreach, support, or skill de-  
22 velopment programs with an emphasis on promoting  
23 married fatherhood as the ideal, to—

24 “(A) develop, promote, and distribute to  
25 interested States, local governments, public

1 agencies, and private nonprofit organizations,  
2 including charitable and religious organizations,  
3 a media campaign that encourages the appro-  
4 priate involvement of both parents in the life of  
5 any child of the parents, and encourages such  
6 organizations to develop or sponsor programs  
7 that specifically address the issue of responsible  
8 fatherhood and the advantages conferred on  
9 children by marriage;

10 “(B) develop a national clearinghouse to  
11 assist States, communities, and private entities  
12 in efforts to promote and support marriage and  
13 responsible fatherhood by collecting, evaluating,  
14 and making available (through the Internet and  
15 by other means) to all interested parties, infor-  
16 mation regarding media campaigns and father-  
17 hood programs;

18 “(C) develop and distribute materials that  
19 are for use by entities described in subpara-  
20 graph (A) or (B) and that help young adults  
21 manage their money, develop the knowledge and  
22 skills needed to promote successful marriages,  
23 plan for future expenditures and investments,  
24 and plan for retirement;

1           “(D) develop and distribute materials that  
2           are for use by entities described in subpara-  
3           graphs (A) and (B) and that list all the sources  
4           of public support for education and training  
5           that are available to young adults, including  
6           government spending programs as well as bene-  
7           fits under Federal and State tax laws; and

8           “(E) develop and distribute materials that  
9           are for use by entities described in subpara-  
10          graphs (A) and (B) and that provide informa-  
11          tion on domestic violence and child abuse pre-  
12          vention and treatment.

13          “(2) MULTICITY FATHERHOOD PROJECTS.—

14                 “(A) IN GENERAL.—The Secretary shall  
15                 award a \$5,000,000 grant to each of two na-  
16                 tionally recognized nonprofit fatherhood pro-  
17                 motion organizations which meet the require-  
18                 ments of subparagraph (B), at least one of  
19                 which organizations meets the requirement of  
20                 subparagraph (C).

21                 “(B) REQUIREMENTS.—The requirements  
22                 of this subparagraph are the following:

23                         “(i) The organization must have sev-  
24                         eral years of experience in designing and



1           conducting programs that meet the pur-  
2           poses described in paragraph (1).

3           “(ii) The organization must have ex-  
4           perience in simultaneously conducting such  
5           programs in more than one major metro-  
6           politan area and in coordinating such pro-  
7           grams with local government agencies and  
8           private, nonprofit agencies, including State  
9           or local agencies responsible for conducting  
10          the program under part D and Workforce  
11          Investment Boards.

12          “(iii) The organization must submit to  
13          the Secretary an application that meets all  
14          the conditions applicable to the organiza-  
15          tion under this section and that provides  
16          for projects to be conducted in three major  
17          metropolitan areas.

18          “(C) USE OF MARRIED COUPLES TO DE-  
19          LIVER SERVICES IN THE INNER CITY.—The re-  
20          quirement of this subparagraph is that the or-  
21          ganization has extensive experience in using  
22          married couples to deliver program services in  
23          the inner city.

24          “(3) PAYMENT OF GRANTS IN FOUR EQUAL AN-  
25          NUAL INSTALLMENTS.—During each of fiscal years

1 2003 through 2006, the Secretary shall provide to  
2 each entity awarded a grant under this subsection  
3 an amount equal to one-fourth of the amount of the  
4 grant.

5 “(4) FUNDING.—

6 “(A) IN GENERAL.—Of the amounts made  
7 available pursuant to section 403(a)(1)(E) to  
8 carry out this section, \$3,750,000 shall be  
9 made available for grants under this subsection  
10 for each of fiscal years 2003 through 2006.

11 “(B) AVAILABILITY.—The amounts made  
12 available pursuant to subparagraph (A) shall  
13 remain available until the end of fiscal year  
14 2006.”.

## 15 **TITLE VI—MISCELLANEOUS**

### 16 **SEC. 601. REPORT ON UNDISTRIBUTED CHILD SUPPORT** 17 **PAYMENTS.**

18 Not later than 6 months after the date of the enact-  
19 ment of this Act, the Secretary of Health and Human  
20 Services shall submit to the Committee on Ways and  
21 Means of the House of Representatives and the Committee  
22 on Finance of the Senate a report on the procedures that  
23 the States use generally to locate custodial parents for  
24 whom child support has been collected but not yet distrib-  
25 uted due to a change in address. The report shall include

1 an estimate of the total amount of such undistributed  
2 child support and the average length of time it takes for  
3 such child support to be distributed. The Secretary shall  
4 include in the report recommendations as to whether addi-  
5 tional procedures should be established at the State or  
6 Federal level to expedite the payment of undistributed  
7 child support.

8 **SEC. 602. USE OF NEW HIRE INFORMATION TO ASSIST IN**  
9 **ADMINISTRATION OF UNEMPLOYMENT COM-**  
10 **PENSATION PROGRAMS.**

11 (a) IN GENERAL.—Section 453(j) of the Social Secu-  
12 rity Act (42 U.S.C. 653(j)) is amended by adding at the  
13 end the following:

14 “(7) INFORMATION COMPARISONS AND DISCLO-  
15 SURE TO ASSIST IN ADMINISTRATION OF UNEMPLOY-  
16 MENT COMPENSATION PROGRAMS.—

17 “(A) IN GENERAL.—If a State agency re-  
18 sponsible for the administration of an unem-  
19 ployment compensation program under Federal  
20 or State law transmits to the Secretary the  
21 name and social security account number of an  
22 individual, the Secretary shall, if the informa-  
23 tion in the National Directory of New Hires in-  
24 dicates that the individual may be employed,  
25 disclose to the State agency the name, address,

1 and employer identification number of any pu-  
2 tative employer of the individual, subject to this  
3 paragraph.

4 “(B) CONDITION ON DISCLOSURE.—The  
5 Secretary shall make a disclosure under sub-  
6 paragraph (A) only to the extent that the Sec-  
7 retary determines that the disclosure would not  
8 interfere with the effective operation of the pro-  
9 gram under this part.

10 “(C) USE OF INFORMATION.—A State  
11 agency may use information provided under this  
12 paragraph only for purposes of administering a  
13 program referred to in subparagraph (A).”.

14 (b) EFFECTIVE DATE.—The amendment made by  
15 subsection (a) shall take effect on October 1, 2001.

16 **SEC. 603. IMMIGRATION PROVISIONS.**

17 (a) NONIMMIGRANT ALIENS INELIGIBLE TO RE-  
18 CEIVE VISAS AND EXCLUDED FROM ADMISSION FOR  
19 NONPAYMENT OF CHILD SUPPORT.—

20 (1) IN GENERAL.—Section 212(a)(10) of the  
21 Immigration and Nationality Act (8 U.S.C.  
22 1182(a)(10)) is amended by adding at the end the  
23 following:

24 “(F) NONPAYMENT OF CHILD SUPPORT.—

1           “(i) IN GENERAL.—Any non-  
2 immigrant alien is inadmissible who is le-  
3 gally obligated under a judgment, decree,  
4 or order to pay child support (as defined in  
5 section 459(i) of the Social Security Act),  
6 and whose failure to pay such child sup-  
7 port has resulted in an arrearage exceeding  
8 \$2,500, until child support payments  
9 under the judgment, decree, or order are  
10 satisfied or the nonimmigrant alien is in  
11 compliance with an approved payment  
12 agreement.

13           “(ii) WAIVER AUTHORIZED.—The At-  
14 torney General may waive the application  
15 of clause (i) in the case of an alien, if the  
16 Attorney General—

17           “(I) has received a request for  
18 the waiver from the court or adminis-  
19 trative agency having jurisdiction over  
20 the judgment, decree, or order obli-  
21 gating the alien to pay child support  
22 that is referred to in such clause; or

23           “(II) determines that there are  
24 prevailing humanitarian or public in-  
25 terest concerns.”.

1           (2) EFFECTIVE DATE.—The amendment made  
2           by this subsection shall take effect 180 days after  
3           the date of the enactment of this Act.

4           (b) AUTHORIZATION TO SERVE LEGAL PROCESS IN  
5 CHILD SUPPORT CASES ON CERTAIN ARRIVING  
6 ALIENS.—

7           (1) IN GENERAL.—Section 235(d) of the Immi-  
8           gration and Nationality Act (8 U.S.C. 1225(d)) is  
9           amended by adding at the end the following:

10           “(5) AUTHORITY TO SERVE PROCESS IN CHILD  
11 SUPPORT CASES.—

12           “(A) IN GENERAL.—To the extent con-  
13           sistent with State law, immigration officers are  
14           authorized to serve on any alien who is an ap-  
15           plicant for admission to the United States legal  
16           process with respect to any action to enforce or  
17           establish a legal obligation of an individual to  
18           pay child support (as defined in section 459(i)  
19           of the Social Security Act).

20           “(B) DEFINITION.—For purposes of sub-  
21           paragraph (A), the term ‘legal process’ means  
22           any writ, order, summons or other similar proc-  
23           ess, which is issued by—

24           “(i) a court or an administrative  
25           agency of competent jurisdiction in any

1 State, territory, or possession of the  
2 United States; or

3 “(ii) an authorized official pursuant to  
4 an order of such a court or agency or pur-  
5 suant to State or local law.”.

6 (2) EFFECTIVE DATE.—The amendment made  
7 by this subsection shall apply to aliens applying for  
8 admission to the United States on or after 180 days  
9 after the date of the enactment of this Act.

10 (c) AUTHORIZATION TO SHARE CHILD SUPPORT EN-  
11 FORCEMENT INFORMATION TO ENFORCE IMMIGRATION  
12 AND NATURALIZATION LAW.—

13 (1) SECRETARIAL RESPONSIBILITY.—Section  
14 452 of the Social Security Act (42 U.S.C. 652) is  
15 amended by adding at the end the following:

16 “(m) If the Secretary receives a certification by a  
17 State agency, in accordance with section 454(35), that an  
18 individual who is a nonimmigrant alien (as defined in sec-  
19 tion 101(a)(15) of the Immigration and Nationality Act)  
20 owes arrearages of child support in an amount exceeding  
21 \$2,500, the Secretary may, at the request of the State  
22 agency, the Secretary of State, or the Attorney General,  
23 or on the Secretary’s own initiative, provide such certifi-  
24 cation to the Secretary of State and the Attorney General  
25 information in order to enable them to carry out their re-

1 sponsibilities under sections 212(a)(10) and 235(d) of  
2 such Act.”.

3 (2) STATE AGENCY RESPONSIBILITY.—Section  
4 454 of the Social Security Act (42 U.S.C. 654), as  
5 amended by section 101(c) of this Act, is amended—

6 (A) by striking “and” at the end of para-  
7 graph (33);

8 (B) by striking the period at the end of  
9 paragraph (34) and inserting “; and”; and

10 (C) by inserting after paragraph (34) the  
11 following:

12 “(35) provide that the State agency will have in  
13 effect a procedure for certifying to the Secretary, in  
14 such format and accompanied by such supporting  
15 documentation as the Secretary may require, deter-  
16 minations that nonimmigrant aliens owe arrearages  
17 of child support in an amount exceeding \$2,500.”.

18 **SEC. 604. CORRECTION OF ERRORS IN CONFORMING**  
19 **AMENDMENTS IN THE WELFARE-TO-WORK**  
20 **AND CHILD SUPPORT AMENDMENTS OF 1999.**

21 The amendments made by section 2402 of Public  
22 Law 106–246 shall take effect as if included in the enact-  
23 ment of section 806 of H.R. 3424 of the 106th Congress  
24 by section 1000(a)(4) of Public Law 106–113.



1 **SEC. 605. INCREASE IN PAYMENT RATE TO STATES FOR EX-**  
2 **PENDITURES FOR SHORT TERM TRAINING OF**  
3 **STAFF OF CERTAIN CHILD WELFARE AGEN-**  
4 **CIES.**

5 Section 474(a)(3)(B) of the Social Security Act (42  
6 U.S.C. 674(a)(3)(B)) is amended by inserting “, or State-  
7 licensed or State-approved child welfare agencies providing  
8 services,” after “child care institutions”.

9 **TITLE VII—EFFECTIVE DATE**

10 **SEC. 701. EFFECTIVE DATE.**

11 (a) IN GENERAL.—Except as provided in sections  
12 101(e), 304, 602(b), and 604(b), and in subsection (b)  
13 of this section, this Act and the amendments made by this  
14 Act shall take effect on October 1, 2002, and shall apply  
15 to payments under part D of title IV of the Social Security  
16 Act for calendar quarters beginning on or after such date,  
17 and without regard to whether regulations to implement  
18 such amendments are promulgated by such date.

19 (b) DELAY PERMITTED IF STATE LEGISLATION RE-  
20 QUIRED.—In the case of a State plan approved under sec-  
21 tion 454 of the Social Security Act which requires State  
22 legislation (other than legislation appropriating funds) in  
23 order for the plan to meet the additional requirements im-  
24 posed by the amendments made by this Act, the State plan  
25 shall not be regarded as failing to comply with the addi-  
26 tional requirements solely on the basis of the failure of

1 the plan to meet the additional requirements before the  
2 first day of the first calendar quarter beginning after the  
3 close of the first regular session of the State legislature  
4 that begins after the date of the enactment of this Act.  
5 For purposes of the previous sentence, in the case of a  
6 State that has a 2-year legislative session, each year of  
7 such session shall be deemed to be a separate regular ses-  
8 sion of the State legislature.

○