

107TH CONGRESS
2^D SESSION

H. R. 4735

To reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2002

Ms. PRYCE of Ohio introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Agriculture, and Financial Services, 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

A BILL

To reauthorize and improve the program of block grants to States for temporary assistance for needy families, improve access to quality child care, 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 “Personal Responsi-
5 bility, Work, and Family Promotion Act of 2002”.

1 SEC. 2. TABLE OF CONTENTS.

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
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- Sec. 4. Findings.

TITLE I—TANF

- Sec. 101. Purposes.
- Sec. 102. Family assistance grants.
- Sec. 103. Promotion of family formation and healthy marriage.
- Sec. 104. Supplemental grant for population increases in certain States.
- Sec. 105. Bonus to reward employment achievement.
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- Sec. 107. Use of funds.
- Sec. 108. Repeal of Federal loan for State welfare programs.
- Sec. 109. Universal engagement and family self-sufficiency plan requirements.
- Sec. 110. Work participation requirements.
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- Sec. 114. Direct funding and administration by Indian tribes.
- Sec. 115. Research, evaluations, and national studies.
- Sec. 116. Studies by the Census Bureau and the General Accounting Office.
- Sec. 117. Definition of assistance.
- Sec. 118. Technical corrections.
- Sec. 119. Fatherhood program.
- Sec. 120. State option to make TANF programs mandatory partners with one-stop employment training centers.
- Sec. 121. Sense of the Congress.

TITLE II—CHILD CARE

- Sec. 201. Short title.
- Sec. 202. Goals.
- Sec. 203. Authorization of appropriations.
- Sec. 204. Application and plan.
- Sec. 205. Activities to improve the quality of child care.
- Sec. 206. Report by Secretary.
- Sec. 207. Definitions.
- Sec. 208. Entitlement funding.

TITLE III—TAXPAYER PROTECTIONS

- Sec. 301. Exclusion from gross income for interest on overpayments of income tax by individuals.
- Sec. 302. Deposits made to suspend running of interest on potential underpayments.
- Sec. 303. Partial payment of tax liability in installment agreements.

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- Sec. 401. Federal matching funds for limited pass through of child support payments to families receiving TANF.

- Sec. 402. State option to pass through all child support payments to families that formerly received TANF.
- Sec. 403. Mandatory review and adjustment of child support orders for families receiving TANF.
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- Sec. 405. Report on undistributed child support payments.
- Sec. 406. Use of new hire information to assist in administration of unemployment compensation programs.
- Sec. 407. Decrease in amount of child support arrearage triggering passport denial.
- Sec. 408. Use of tax refund intercept program to collect past-due child support on behalf of children who are not minors.
- Sec. 409. Garnishment of compensation paid to veterans for service-connected disabilities in order to enforce child support obligations.
- Sec. 410. Improving Federal debt collection practices.
- Sec. 411. Maintenance of technical assistance funding.
- Sec. 412. Maintenance of Federal Parent Locator Service funding.

TITLE V—CHILD WELFARE

- Sec. 501. Extension of authority to approve demonstration projects.
- Sec. 502. Elimination of limitation on number of waivers.
- Sec. 503. Elimination of limitation on number of States that may be granted waivers to conduct demonstration projects on same topic.
- Sec. 504. Elimination of limitation on number of waivers that may be granted to a single State for demonstration projects.
- Sec. 505. Streamlined process for consideration of amendments to and extensions of demonstration projects requiring waivers.
- Sec. 506. Availability of reports.
- Sec. 507. Technical correction.

TITLE VI—SUPPLEMENTAL SECURITY INCOME

- Sec. 601. Review of State agency blindness and disability determinations.

TITLE VII—STATE AND LOCAL FLEXIBILITY

- Sec. 701. Program coordination demonstration projects.
- Sec. 702. State food assistance block grant demonstration project.

TITLE VIII—ABSTINENCE EDUCATION

- Sec. 801. Extension of abstinence education funding under maternal and child health program.

TITLE IX—TRANSITIONAL MEDICAL ASSISTANCE

- Sec. 901. One-year reauthorization of transitional medical assistance.
- Sec. 902. Adjustment to payments for medicaid administrative costs to prevent duplicative payments and to fund a 1-year extension of transitional medical assistance.

TITLE X—EFFECTIVE DATE

- Sec. 1001. Effective date.

1 **SEC. 3. REFERENCES.**

2 Except as otherwise expressly provided, wherever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the amendment or repeal shall be considered to be
6 made to a section or other provision of the Social Security
7 Act.

8 **SEC. 4. FINDINGS.**

9 The Congress makes the following findings:

10 (1) The Temporary Assistance for Needy Fami-
11 lies (TANF) Program established by the Personal
12 Responsibility and Work Opportunity Reconciliation
13 Act of 1996 (Public Law 104–193) has succeeded in
14 moving families from welfare to work and reducing
15 child poverty.

16 (A) There has been a dramatic increase in
17 the employment of current and former welfare
18 recipients. The percentage of working recipients
19 reached an all-time high in fiscal years 1999
20 and 2000. In fiscal year 1999, 33 percent of
21 adult recipients were working, compared to less
22 than 7 percent in fiscal year 1992, and 11 per-
23 cent in fiscal year 1996. All States met the
24 overall participation rate standard in fiscal year
25 2000, as did the District of Columbia and
26 Puerto Rico.

1 (B) Earnings for welfare recipients re-
2 maining on the rolls have also increased signifi-
3 cantly, as have earnings for female-headed
4 households. The increases have been particu-
5 larly large for the bottom 2 income quintiles,
6 that is, those women who are most likely to be
7 former or present welfare recipients.

8 (C) Welfare dependency has plummeted.
9 As of September 2001, 2,103,000 families and
10 5,333,000 individuals were receiving assistance.
11 Accordingly, the number of families in the wel-
12 fare caseload and the number of individuals re-
13 ceiving cash assistance declined 52 percent and
14 56 percent, respectively, since the enactment of
15 TANF. These declines have persisted even as
16 unemployment rates have increased: unemploy-
17 ment rates nationwide rose 25 percent, from
18 3.9 percent in September 2000 to 4.9 percent
19 in September 2001, while welfare caseloads con-
20 tinued to drop by 7 percent.

21 (D) The child poverty rate continued to de-
22 cline between 1996 and 2000, falling 21 percent
23 from 20.5 to 16.2 percent. The 2000 child pov-
24 erty rate is the lowest since 1979. Child poverty
25 rates for African-American and Hispanic chil-

1 dren have also fallen dramatically during the
2 past 6 years. African-American child poverty is
3 at the lowest rate on record and Hispanic child
4 poverty has had the largest 4-year decrease on
5 record.

6 (E) Despite these gains, States have had
7 mixed success in fully engaging welfare recipi-
8 ents in work activities. While all States have
9 met the overall work participation rates re-
10 quired by law, in 2000, in an average month,
11 only about $\frac{1}{3}$ of all families with an adult par-
12 ticipated in work activities that were countable
13 toward the State's participation rate. Eight ju-
14 risdictions failed to meet the more rigorous 2-
15 parent work requirements, and about 20 States
16 are not subject to the 2-parent requirements,
17 most because they moved their 2-parent cases
18 to separate State programs where they are not
19 subject to a penalty for failing the 2-parent
20 rates.

21 (2) As a Nation, we have made substantial
22 progress in reducing teen pregnancies and births,
23 slowing increases in nonmarital childbearing, and
24 improving child support collections and paternity es-
25 tablishment.

1 (A) The teen birth rate has fallen continu-
2 ously since 1991, down a dramatic 22 percent
3 by 2000. During the period of 1991–2000,
4 teenage birth rates fell in all States and the
5 District of Columbia, Puerto Rico, and the Vir-
6 gin Islands. Declines also have spanned age, ra-
7 cial, and ethnic groups. There has been success
8 in lowering the birth rate for both younger and
9 older teens. The birth rate for those 15–17
10 years of age is down 29 percent since 1991, and
11 the rate for those 18 and 19 is down 16 per-
12 cent. Between 1991 and 2000, teen birth rates
13 declined for all women ages 15–19—white, Afri-
14 can American, American Indian, Asian or Pa-
15 cific Islander, and Hispanic women ages 15–19.
16 The rate for African American teens—until re-
17 cently the highest—experienced the largest de-
18 cline, down 31 percent from 1991 to 2000, to
19 reach the lowest rate ever reported for this
20 group. Most births to teens are nonmarital; in
21 2000, about 73 percent of the births to teens
22 aged 15–19 occurred outside of marriage.

23 (B) Nonmarital childbearing continued to
24 increase slightly in 2000, however not at the
25 sharp rates of increase seen in recent decades.

1 The birth rate among unmarried women in
2 2000 was 3.5 percent lower than its peak
3 reached in 1994, while the proportion of births
4 occurring outside of marriage has remained at
5 approximately 33 percent since 1998.

6 (C) The negative consequences of out-of-
7 wedlock birth on the mother, the child, the fam-
8 ily, and society are well documented. These in-
9 clude increased likelihood of welfare depend-
10 ency, increased risks of low birth weight, poor
11 cognitive development, child abuse and neglect,
12 and teen parenthood, and decreased likelihood
13 of having an intact marriage during adulthood.

14 (D) An estimated 23,900,000 children do
15 not live with their biological father. 16,000,000
16 children live with their mother only. These facts
17 are attributable largely to declining marriage
18 rates, increasing divorce rates, and increasing
19 rates of nonmarital births during the latter part
20 of the 20th century.

21 (E) There has been a dramatic rise in co-
22 habitation as marriages have declined. Only 40
23 percent of children of cohabiting couples will
24 see their parents marry. Those who do marry
25 experience a 50 percent higher divorce rate.

1 Children in single-parent households and cohab-
2 iting households are at much higher risk of
3 child abuse than children in intact married and
4 stepparent families.

5 (F) Children who live apart from their bio-
6 logical fathers, on average, are more likely to be
7 poor, experience educational, health, emotional,
8 and psychological problems, be victims of child
9 abuse, engage in criminal behavior, and become
10 involved with the juvenile justice system than
11 their peers who live with their married, biologi-
12 cal mother and father. A child living in a single-
13 parent family is nearly 5 times as likely to be
14 poor as a child living in a married-couple fam-
15 ily. In married-couple families, the child poverty
16 rate is 8.1 percent, in households headed by a
17 single mother, the poverty rate is 39.7 percent.

18 (G) Since the enactment of the Personal
19 Responsibility and Work Opportunity Reconcili-
20 ation Act of 1996, child support collections
21 within the child support enforcement system
22 have grown every year, increasing from
23 \$12,000,000,000 in fiscal year 1996 to nearly
24 \$19,000,000,000 in fiscal year 2001. The num-
25 ber of paternities established or acknowledged

1 in fiscal year 2002 reached an historic high of
2 over 1,500,000—which includes a nearly 100
3 percent increase through in-hospital acknowl-
4 edgement programs to 688,510 in 2000 from
5 349,356 in 1996. Child support collections were
6 made in over 7,000,000 cases in fiscal year
7 2000, significantly more than the almost
8 4,000,000 cases having a collection in 1996.

9 (3) The Personal Responsibility and Work Op-
10 portunity Reconciliation Act of 1996 gave States
11 great flexibility in the use of Federal funds to de-
12 velop innovative programs to help families leave wel-
13 fare and begin employment and to encourage the
14 formation of 2-parent families.

15 (A) Total Federal and State TANF ex-
16 penditures in fiscal year 2000 were
17 \$24,000,000,000, up from \$22,600,000,000 for
18 the previous year. This increased spending is
19 attributable to significant new investments in
20 supportive services in the TANF program, such
21 as child care and activities to support work.

22 (B) Since the welfare reform effort began
23 there has been a dramatic increase in work par-
24 ticipation (including employment, community
25 service, and work experience) among welfare re-

1 recipients, as well as an unprecedented reduction
2 in the caseload because recipients have left wel-
3 fare for work.

4 (C) States are making policy choices and
5 investment decisions best suited to the needs of
6 their citizens.

7 (i) To expand aid to working families,
8 all States disregard a portion of a family's
9 earned income when determining benefit
10 levels.

11 (ii) Most States increased the limits
12 on countable assets above the former Aid
13 to Families with Dependent Children
14 (AFDC) program. Every State has in-
15 creased the vehicle asset level above the
16 prior AFDC limit for a family's primary
17 automobile.

18 (iii) States are experimenting with
19 programs to promote marriage and father
20 involvement. Over half the States have
21 eliminated restrictions on 2-parent fami-
22 lies. Many States use TANF, child sup-
23 port, or State funds to support community-
24 based activities to help fathers become
25 more involved in their children's lives or

1 strengthen relationships between mothers
2 and fathers.

3 (4) Therefore, it is the sense of the Congress
4 that increasing success in moving families from wel-
5 fare to work, as well as in promoting healthy mar-
6 riage and other means of improving child well-being,
7 are very important Government interests and the
8 policy contained in part A of title IV of the Social
9 Security Act (as amended by this Act) is intended
10 to serve these ends.

11 **TITLE I—TANF**

12 **SEC. 101. PURPOSES.**

13 Section 401(a) (42 U.S.C. 601(a)) is amended—

14 (1) in the matter preceding paragraph (1), by
15 striking “increase” and inserting “improve child
16 well-being by increasing”;

17 (2) in paragraph (1), by inserting “and serv-
18 ices” after “assistance”;

19 (3) in paragraph (2), by striking “parents on
20 government benefits” and inserting “families on gov-
21 ernment benefits and reduce poverty”; and

22 (4) in paragraph (4), by striking “two-parent
23 families” and inserting “healthy, 2-parent married
24 families, and encourage responsible fatherhood”.

1 **SEC. 102. FAMILY ASSISTANCE GRANTS.**

2 (a) EXTENSION OF AUTHORITY.—Section
3 403(a)(1)(A) (42 U.S.C. 603(a)(1)(A)) is amended—

4 (1) by striking “1996, 1997, 1998, 1999, 2000,
5 2001, and 2002” and inserting “2003 through
6 2007”; and

7 (2) by inserting “payable to the State for the
8 fiscal year” before the period.

9 (b) STATE FAMILY ASSISTANCE GRANT.—Section
10 403(a)(1) (42 U.S.C. 603(a)(1)) is amended by striking
11 subparagraphs (B) through (E) and inserting the fol-
12 lowing:

13 “(B) STATE FAMILY ASSISTANCE
14 GRANT.—The State family assistance grant
15 payable to a State for a fiscal year shall be the
16 amount that bears the same ratio to the
17 amount specified in subparagraph (C) of this
18 paragraph as the amount required to be paid to
19 the State under this paragraph for fiscal year
20 2002 (determined without regard to any reduc-
21 tion pursuant to section 412(a)(1)) bears to the
22 total amount required to be paid under this
23 paragraph for fiscal year 2002.

24 “(C) APPROPRIATION.—Out of any money
25 in the Treasury of the United States not other-
26 wise appropriated, there are appropriated for

1 each of fiscal years 2003 through 2007
2 \$16,566,542,000 for grants under this para-
3 graph.”.

4 (c) MATCHING GRANTS FOR THE TERRITORIES.—
5 Section 1108(b)(2) (42 U.S.C. 1308(b)(2)) is amended by
6 striking “1997 through 2002” and inserting “2003
7 through 2007”.

8 **SEC. 103. PROMOTION OF FAMILY FORMATION AND**
9 **HEALTHY MARRIAGE.**

10 (a) STATE PLANS.—Section 402(a)(1)(A) (42 U.S.C.
11 602(a)(1)(A)) is amended by adding at the end the fol-
12 lowing:

13 “(vii) Encourage equitable treatment
14 of married, 2-parent families under the
15 program referred to in clause (i).”.

16 (b) HEALTHY MARRIAGE PROMOTION GRANTS; RE-
17 PEAL OF BONUS FOR REDUCTION OF ILLEGITIMACY
18 RATIO.—Section 403(a)(2) (42 U.S.C. 603(a)(2)) is
19 amended to read as follows:

20 “(2) HEALTHY MARRIAGE PROMOTION
21 GRANTS.—

22 “(A) AUTHORITY.—The Secretary shall
23 award competitive grants to States, territories,
24 and tribal organizations for not more than 50
25 percent of the cost of developing and imple-

1 menting innovative programs to promote and
2 support healthy, married, 2-parent families.

3 “(B) HEALTHY MARRIAGE PROMOTION AC-
4 TIVITIES.—Funds provided under subparagraph
5 (A) shall be used to support any of the fol-
6 lowing programs or activities:

7 “(i) Public advertising campaigns on
8 the value of marriage and the skills needed
9 to increase marital stability and health.

10 “(ii) Education in high schools on the
11 value of marriage, relationship skills, and
12 budgeting.

13 “(iii) Marriage education, marriage
14 skills, and relationship skills programs,
15 that may include parenting skills, financial
16 management, conflict resolution, and job
17 and career advancement, for non-married
18 pregnant women and non-married expect-
19 ant fathers.

20 “(iv) Pre-marital education and mar-
21 riage skills training for engaged couples
22 and for couples interested in marriage.

23 “(v) Marriage enhancement and mar-
24 riage skills training programs for married
25 couples.

1 “(vi) Divorce reduction programs that
2 teach relationship skills.

3 “(vii) Marriage mentoring programs
4 which use married couples as role models
5 and mentors in at-risk communities.

6 “(viii) Programs to reduce the dis-
7 incentives to marriage in means-tested aid
8 programs, if offered in conjunction with
9 any activity described in this subpara-
10 graph.

11 “(C) APPROPRIATION.—Out of any money
12 in the Treasury of the United States not other-
13 wise appropriated, there are appropriated for
14 each of fiscal years 2003 through 2007
15 \$100,000,000 for grants under this para-
16 graph.”.

17 (c) COUNTING OF SPENDING ON NON-ELIGIBLE
18 FAMILIES TO PREVENT AND REDUCE INCIDENCE OF
19 OUT-OF-WEDLOCK BIRTHS, ENCOURAGE FORMATION
20 AND MAINTENANCE OF HEALTHY, 2-PARENT MARRIED
21 FAMILIES, OR ENCOURAGE RESPONSIBLE FATHER-
22 HOOD.—Section 409(a)(7)(B)(i) (42 U.S.C.
23 609(a)(7)(B)(i)) is amended by adding at the end the fol-
24 lowing:

1 “(V) COUNTING OF SPENDING
2 ON NON-ELIGIBLE FAMILIES TO PRE-
3 VENT AND REDUCE INCIDENCE OF
4 OUT-OF-WEDLOCK BIRTHS, ENCOUR-
5 AGE FORMATION AND MAINTENANCE
6 OF HEALTHY, 2-PARENT MARRIED
7 FAMILIES, OR ENCOURAGE RESPON-
8 SIBLE FATHERHOOD.—The term
9 ‘qualified State expenditures’ includes
10 the total expenditures by the State
11 during the fiscal year under all State
12 programs for a purpose described in
13 paragraph (3) or (4) of section
14 401(a).”.

15 **SEC. 104. SUPPLEMENTAL GRANT FOR POPULATION IN-**
16 **CREASES IN CERTAIN STATES.**

17 Section 403(a)(3)(H) (42 U.S.C. 603(a)(3)(H)) is
18 amended—

19 (1) in the subparagraph heading, by striking
20 “OF GRANTS FOR FISCAL YEAR 2002”;

21 (2) in clause (i), by striking “fiscal year 2002”
22 and inserting “each of fiscal years 2002 through
23 2006”;

24 (3) in clause (ii), by striking “2002” and in-
25 serting “2006”; and

1 (4) in clause (iii), by striking “fiscal year
2 2002” and inserting “each of fiscal years 2002
3 through 2006”.

4 **SEC. 105. BONUS TO REWARD EMPLOYMENT ACHIEVE-**
5 **MENT.**

6 (a) REALLOCATION OF FUNDING.—Section 403(a)(4)
7 (42 U.S.C. 603(a)(4)) is amended—

8 (1) in the paragraph heading, by striking
9 “HIGH PERFORMANCE STATES” and inserting “EM-
10 PLOYMENT ACHIEVEMENT”;

11 (2) in subparagraph (D)(ii)—

12 (A) in subclause (I), by striking “equals
13 \$200,000,000” and inserting “(other than
14 2003) equals \$200,000,000, and for bonus year
15 2003 equals \$100,000,000”; and

16 (B) in subclause (II), by striking
17 “\$1,000,000,000” and inserting
18 “\$900,000,000”; and

19 (3) in subparagraph (F), by striking
20 “\$1,000,000,000” and inserting “\$900,000,000”.

21 (b) BONUS TO REWARD EMPLOYMENT ACHIEVE-
22 MENT.—

23 (1) IN GENERAL.—Section 403(a)(4) (42
24 U.S.C. 603(a)(4)) is amended by striking subpara-
25 graphs (A) through (F) and inserting the following:

1 “(A) IN GENERAL.—The Secretary shall
2 make a grant pursuant to this paragraph to
3 each State for each bonus year for which the
4 State is an employment achievement State.

5 “(B) AMOUNT OF GRANT.—

6 “(i) IN GENERAL.—Subject to clause
7 (ii) of this subparagraph, the Secretary
8 shall determine the amount of the grant
9 payable under this paragraph to an em-
10 ployment achievement State for a bonus
11 year, which shall be based on the perform-
12 ance of the State as determined under sub-
13 paragraph (D)(i) for the fiscal year that
14 immediately precedes the bonus year.

15 “(ii) LIMITATION.—The amount pay-
16 able to a State under this paragraph for a
17 bonus year shall not exceed 5 percent of
18 the State family assistance grant.

19 “(C) FORMULA FOR MEASURING STATE
20 PERFORMANCE.—

21 “(i) IN GENERAL.—Subject to clause
22 (ii), not later than October 1, 2003, the
23 Secretary, in consultation with the States,
24 shall develop a formula for measuring
25 State performance in operating the State

1 program funded under this part so as to
2 achieve the goals of employment entry, job
3 retention, and increased earnings from em-
4 ployment for families receiving assistance
5 under the program, as measured on an ab-
6 solute basis and on the basis of improve-
7 ment in State performance.

8 “(ii) SPECIAL RULE FOR BONUS YEAR
9 2004.—For the purposes of awarding a
10 bonus under this paragraph for bonus year
11 2004, the Secretary may measure the per-
12 formance of a State in fiscal year 2003
13 using the job entry rate, job retention rate,
14 and earnings gain rate components of the
15 formula developed under section
16 403(a)(4)(C) as in effect immediately be-
17 fore the effective date of this paragraph.

18 “(D) DETERMINATION OF STATE PER-
19 FORMANCE.—For each bonus year, the Sec-
20 retary shall—

21 “(i) use the formula developed under
22 subparagraph (C) to determine the per-
23 formance of each eligible State for the fis-
24 cal year that precedes the bonus year; and

1 “(ii) prescribe performance standards
2 in such a manner so as to ensure that—

3 “(I) the average annual total
4 amount of grants to be made under
5 this paragraph for each bonus year
6 equals \$100,000,000; and

7 “(II) the total amount of grants
8 to be made under this paragraph for
9 all bonus years equals \$500,000,000.

10 “(E) DEFINITIONS.—In this paragraph:

11 “(i) BONUS YEAR.—The term ‘bonus
12 year’ means each of fiscal years 2004
13 through 2008.

14 “(ii) EMPLOYMENT ACHIEVEMENT
15 STATE.—The term ‘employment achieve-
16 ment State’ means, with respect to a bonus
17 year, an eligible State whose performance
18 determined pursuant to subparagraph
19 (D)(i) for the fiscal year preceding the
20 bonus year equals or exceeds the perform-
21 ance standards prescribed under subpara-
22 graph (D)(ii) for such preceding fiscal
23 year.

24 “(F) APPROPRIATION.—Out of any money
25 in the Treasury of the United States not other-

1 wise appropriated, there are appropriated for
2 fiscal years 2004 through 2008 \$500,000,000
3 for grants under this paragraph.

4 “(G) GRANTS FOR TRIBAL ORGANIZA-
5 TIONS.—This paragraph shall apply with re-
6 spect to tribal organizations in the same man-
7 ner in which this paragraph applies with re-
8 spect to States. In determining the criteria
9 under which to make grants to tribal organiza-
10 tions under this paragraph, the Secretary shall
11 consult with tribal organizations.”.

12 (2) EFFECTIVE DATE.—The amendment made
13 by paragraph (1) shall take effect on October 1,
14 2003.

15 **SEC. 106. CONTINGENCY FUND.**

16 (a) DEPOSITS INTO FUND.—Section 403(b)(2) (42
17 U.S.C. 603(b)(2)) is amended—

18 (1) by striking “1997, 1998, 1999, 2000, 2001,
19 and 2002” and inserting “2003 through 2007”; and

20 (2) by striking all that follows
21 “\$2,000,000,000” and inserting a period.

22 (b) GRANTS.—Section 403(b)(3)(C)(ii) (42 U.S.C.
23 603(b)(3)(C)(ii)) is amended by striking “fiscal years
24 1997 through 2002” and inserting “fiscal years 2003
25 through 2007”.

1 (c) DEFINITION OF NEEDY STATE.—Clauses (i) and
 2 (ii) of section 403(b)(5)(B) (42 U.S.C. 603(b)(5)(B)) are
 3 amended by inserting after “1996” the following: “, and
 4 the Food Stamp Act of 1977 as in effect during the cor-
 5 responding 3-month period in the fiscal year preceding
 6 such most recently concluded 3-month period,”.

7 (d) ANNUAL RECONCILIATION: FEDERAL MATCHING
 8 OF STATE EXPENDITURES ABOVE “MAINTENANCE OF
 9 EFFORT” LEVEL.—Section 403(b)(6) (42 U.S.C.
 10 603(b)(6)) is amended—

11 (1) in subparagraph (A)(ii)—

12 (A) by adding “and” at the end of sub-
 13 clause (I);

14 (B) by striking “; and” at the end of sub-
 15 clause (II) and inserting a period; and

16 (C) by striking subclause (III);

17 (2) in subparagraph (B)(i)(II), by striking all
 18 that follows “section 409(a)(7)(B)(iii)” and insert-
 19 ing a period;

20 (3) by amending subparagraph (B)(ii)(I) to
 21 read as follows:

22 “(I) the qualified State expendi-
 23 tures (as defined in section
 24 409(a)(7)(B)(i)) for the fiscal year;
 25 plus”; and

1 (4) by striking subparagraph (C).

2 (e) CONSIDERATION OF CERTAIN CHILD CARE EX-
3 PENDITURES IN DETERMINING STATE COMPLIANCE
4 WITH CONTINGENCY FUND MAINTENANCE OF EFFORT
5 REQUIREMENT.—Section 409(a)(10) (42 U.S.C.
6 609(a)(10)) is amended—

7 (1) by striking “(other than the expenditures
8 described in subclause (I)(bb) of that paragraph)
9 under the State program funded under this part”
10 and inserting a close parenthesis; and

11 (2) by striking “excluding any amount ex-
12 pended by the State for child care under subsection
13 (g) or (i) of section 402 (as in effect during fiscal
14 year 1994) for fiscal year 1994,”.

15 **SEC. 107. USE OF FUNDS.**

16 (a) GENERAL RULES.—Section 404(a)(2) (42 U.S.C.
17 604(a)(2)) is amended by striking “in any manner that”
18 and inserting “for any purposes or activities for which”.

19 (b) TREATMENT OF INTERSTATE IMMIGRANTS.—

20 (1) STATE PLAN PROVISION.—Section
21 402(a)(1)(B) (42 U.S.C. 602(a)(1)(B)) is amended
22 by striking clause (i) and redesignating clauses (ii)
23 through (iv) as clauses (i) through (iii), respectively.

24 (2) USE OF FUNDS.—Section 404 (42 U.S.C.
25 604) is amended by striking subsection (c).

1 (c) INCREASE IN AMOUNT TRANSFERABLE TO CHILD
2 CARE.—Section 404(d)(1) (42 U.S.C. 604(d)(1)) is
3 amended by striking “30” and inserting “50”.

4 (d) INCREASE IN AMOUNT TRANSFERABLE TO TITLE
5 XX PROGRAMS.—Section 404(d)(2)(B) (42 U.S.C.
6 604(d)(2)(B)) is amended to read as follows:

7 “(B) APPLICABLE PERCENT.—For pur-
8 poses of subparagraph (A), the applicable per-
9 cent is 10 percent for fiscal year 2003 and each
10 succeeding fiscal year.”.

11 (e) CLARIFICATION OF AUTHORITY OF STATES TO
12 USE TANF FUNDS CARRIED OVER FROM PRIOR YEARS
13 TO PROVIDE TANF BENEFITS AND SERVICES.—Section
14 404(e) (42 U.S.C. 604(e)) is amended to read as follows:

15 “(e) AUTHORITY TO CARRYOVER OR RESERVE CER-
16 TAIN AMOUNTS FOR BENEFITS OR SERVICES OR FOR FU-
17 TURE CONTINGENCIES.—

18 “(1) CARRYOVER.—A State or tribe may use a
19 grant made to the State or tribe under this part for
20 any fiscal year to provide, without fiscal year limita-
21 tion, any benefit or service that may be provided
22 under the State or tribal program funded under this
23 part.

24 “(2) CONTINGENCY RESERVE.—A State or tribe
25 may designate any portion of a grant made to the

1 State or tribe under this part as a contingency re-
2 serve for future needs, and may use any amount so
3 designated to provide, without fiscal year limitation,
4 any benefit or service that may be provided under
5 the State or tribal program funded under this part.
6 If a State or tribe so designates a portion of such
7 a grant, the State shall, on an annual basis, include
8 in its report under section 411(a) the amount so
9 designated.”.

10 **SEC. 108. REPEAL OF FEDERAL LOAN FOR STATE WELFARE**
11 **PROGRAMS.**

12 (a) REPEAL.—Section 406 (42 U.S.C. 606) is re-
13 pealed.

14 (b) CONFORMING AMENDMENTS.—

15 (1) Section 409(a) (42 U.S.C. 609(a)) is
16 amended by striking paragraph (6).

17 (2) Section 412 (42 U.S.C. 612) is amended by
18 striking subsection (f) and redesignating subsections
19 (g) through (i) as subsections (f) through (h), re-
20 spectively.

21 (3) Section 1108(a)(2) (42 U.S.C. 1308(a)(2))
22 is amended by striking “406,”.

1 **SEC. 109. UNIVERSAL ENGAGEMENT AND FAMILY SELF-**
 2 **SUFFICIENCY PLAN REQUIREMENTS.**

3 (a) MODIFICATION OF STATE PLAN REQUIRE-
 4 MENTS.—Section 402(a)(1)(A) (42 U.S.C. 602(a)(1)(A))
 5 is amended by striking clauses (ii) and (iii) and inserting
 6 the following:

7 “(ii) Require a parent or caretaker re-
 8 ceiving assistance under the program to
 9 engage in work or alternative self-suffi-
 10 ciency activities (as defined by the State),
 11 consistent with section 407(e)(2).

12 “(iii) Require families receiving assist-
 13 ance under the program to engage in ac-
 14 tivities in accordance with family self-suffi-
 15 ciency plans developed pursuant to section
 16 408(b).”.

17 (b) ESTABLISHMENT OF FAMILY SELF-SUFFICIENCY
 18 PLANS.—

19 (1) IN GENERAL.—Section 408(b) (42 U.S.C.
 20 608(b)) is amended to read as follows:

21 “(b) FAMILY SELF-SUFFICIENCY PLANS.—

22 “(1) IN GENERAL.—A State to which a grant
 23 is made under section 403 shall—

24 “(A) assess, in the manner deemed appro-
 25 priate by the State, of the skills, prior work ex-
 26 perience, and employability of each work-eligible

1 individual (as defined in section 407(b)(2)(C))
2 receiving assistance under the State program
3 funded under this part;

4 “(B) establish for each family that in-
5 cludes such an individual, in consultation as the
6 State deems appropriate with the individual, a
7 self-sufficiency plan that specifies appropriate
8 activities described in the State plan submitted
9 pursuant to section 402, including direct work
10 activities as appropriate designed to assist the
11 family in achieving their maximum degree of
12 self-sufficiency, and that provides for the ongo-
13 ing participation of the individual in the activi-
14 ties;

15 “(C) require, at a minimum, each such in-
16 dividual to participate in activities in accord-
17 ance with the self-sufficiency plan;

18 “(D) monitor the participation of each
19 such individual in the activities specified in the
20 self sufficiency plan, and regularly review the
21 progress of the family toward self-sufficiency;

22 “(E) upon such a review, revise the self-
23 sufficiency plan and activities as the State
24 deems appropriate.

1 “(2) TIMING.—The State shall comply with
2 paragraph (1) with respect to a family—

3 “(A) in the case of a family that, as of Oc-
4 tober 1, 2002, is not receiving assistance from
5 the State program funded under this part, not
6 later than 60 days after the family first receives
7 assistance on the basis of the most recent appli-
8 cation for the assistance; or

9 “(B) in the case of a family that, as of
10 such date, is receiving the assistance, not later
11 than 12 months after the date of enactment of
12 this subsection.

13 “(3) STATE DISCRETION.—A State shall have
14 sole discretion, consistent with section 407, to define
15 and design activities for families for purposes of this
16 subsection, to develop methods for monitoring and
17 reviewing progress pursuant to this subsection, and
18 to make modifications to the plan as the State
19 deems appropriate to assist the individual in increas-
20 ing their degree of self-sufficiency.

21 “(4) RULE OF INTERPRETATION.—Nothing in
22 this part shall preclude a State from requiring par-
23 ticipation in work and any other activities the State
24 deems appropriate for helping families achieve self-
25 sufficiency and improving child well-being.”.

1 (2) PENALTY FOR FAILURE TO ESTABLISH
2 FAMILY SELF-SUFFICIENCY PLAN.—Section
3 409(a)(3) (42 U.S.C. 609(a)(3)) is amended—

4 (A) in the paragraph heading, by inserting
5 “OR ESTABLISH FAMILY SELF-SUFFICIENCY
6 PLAN” after “RATES”; and

7 (B) in subparagraph (A), by inserting “or
8 408(b)” after “407(a)”.

9 **SEC. 110. WORK PARTICIPATION REQUIREMENTS.**

10 (a) IN GENERAL.—Section 407 (42 U.S.C. 607) is
11 amended by striking all that precedes subsection (b)(3)
12 and inserting the following:

13 **“SEC. 407. WORK PARTICIPATION REQUIREMENTS.**

14 “(a) PARTICIPATION RATE REQUIREMENTS.—A
15 State to which a grant is made under section 403 for a
16 fiscal year shall achieve a minimum participation rate
17 equal to not less than—

18 “(1) 50 percent for fiscal year 2003;

19 “(2) 55 percent for fiscal year 2004;

20 “(3) 60 percent for fiscal year 2005;

21 “(4) 65 percent for fiscal year 2006; and

22 “(5) 70 percent for fiscal year 2007 and each
23 succeeding fiscal year.

24 “(b) CALCULATION OF PARTICIPATION RATES.—

1 “(1) AVERAGE MONTHLY RATE.—For purposes
2 of subsection (a), the participation rate of a State
3 for a fiscal year is the average of the participation
4 rates of the State for each month in the fiscal year.

5 “(2) MONTHLY PARTICIPATION RATES; INCOR-
6 PORATION OF 40-HOUR WORK WEEK STANDARD.—

7 “(A) IN GENERAL.—For purposes of para-
8 graph (1), the participation rate of a State for
9 a month is—

10 “(i) the total number of countable
11 hours (as defined in subsection (c)) with
12 respect to the counted families for the
13 State for the month; divided by

14 “(ii) 160 multiplied by the number of
15 counted families for the State for the
16 month.

17 “(B) COUNTED FAMILIES DEFINED.—

18 “(i) IN GENERAL.—In subparagraph
19 (A), the term ‘counted family’ means, with
20 respect to a State and a month, a family
21 that includes a work-eligible individual and
22 that receives assistance in the month under
23 the State program funded under this part,
24 subject to clause (ii).

1 “(ii) STATE OPTION TO EXCLUDE
2 CERTAIN FAMILIES.—At the option of a
3 State, the term ‘counted family’ shall not
4 include—

5 “(I) a family in the first month
6 for which the family receives assist-
7 ance from a State program funded
8 under this part on the basis of the
9 most recent application for such as-
10 sistance; or

11 “(II) on a case-by-case basis, a
12 family in which the youngest child has
13 not attained 12 months of age.

14 “(iii) STATE OPTION TO INCLUDE IN-
15 DIVIDUALS RECEIVING ASSISTANCE UNDER
16 A TRIBAL FAMILY ASSISTANCE PLAN OR
17 TRIBAL WORK PROGRAM.—At the option of
18 a State, the term ‘counted family’ may in-
19 clude families in the State that are receiv-
20 ing assistance under a tribal family assist-
21 ance plan approved under section 412 or
22 under a tribal work program to which
23 funds are provided under this part.

1 “(C) WORK-ELIGIBLE INDIVIDUAL DE-
2 FINED.—In this section, the term ‘work-eligible
3 individual’ means an individual—

4 “(i) who is married or a single head
5 of household; and

6 “(ii) whose needs are (or, but for
7 sanctions under this part that have been in
8 effect for more than 3 months (whether or
9 not consecutive) in the preceding 12
10 months or under part D, would be) in-
11 cluded in determining the amount of cash
12 assistance to be provided to the family
13 under the State program funded under this
14 part.”.

15 (b) RECALIBRATION OF CASELOAD REDUCTION
16 CREDIT.—Section 407(b)(3)(A)(ii) (42 U.S.C.
17 607(b)(3)(A)(ii)) is amended to read as follows:

18 “(ii) the average monthly number of
19 families that received assistance under the
20 State program funded under this part
21 during—

22 “(I) if the fiscal year is fiscal
23 year 2003, fiscal year 1996;

24 “(II) if the fiscal year is fiscal
25 year 2004, fiscal year 1998;

1 “(III) if the fiscal year is fiscal
2 year 2005, fiscal year 2001; or

3 “(IV) if the fiscal year is fiscal
4 year 2006 or any succeeding fiscal
5 year, the then 4th preceding fiscal
6 year.”.

7 (c) SUPERACHIEVER CREDIT.—Section 407(b) (42
8 U.S.C. 607(b)) is amended by striking paragraphs (4) and
9 (5) and inserting the following:

10 “(4) SUPERACHIEVER CREDIT.—

11 “(A) IN GENERAL.—The participation
12 rate, determined under paragraphs (1) and (2)
13 of this subsection, of a superachiever State for
14 a fiscal year shall be increased by the lesser
15 of—

16 “(i) the amount (if any) of the super-
17 achiever credit applicable to the State; or

18 “(ii) the number of percentage points
19 (if any) by which the minimum participa-
20 tion rate required by subsection (a) for the
21 fiscal year exceeds 50 percent.

22 “(B) SUPERACHIEVER STATE.—For pur-
23 poses of subparagraph (A), a State is a super-
24 achiever State if the State caseload for fiscal

1 year 2001 has declined by at least 60 percent
2 from the State caseload for fiscal year 1995.

3 “(C) AMOUNT OF CREDIT.—The super-
4 achiever credit applicable to a State is the num-
5 ber of percentage points (if any) by which the
6 decline referred to in subparagraph (B) exceeds
7 60 percent.

8 “(D) DEFINITIONS.—In this paragraph:

9 “(i) STATE CASELOAD FOR FISCAL
10 YEAR 2001.—The term ‘State caseload for
11 fiscal year 2001’ means the average
12 monthly number of families that received
13 assistance during fiscal year 2001 under
14 the State program funded under this part.

15 “(ii) STATE CASELOAD FOR FISCAL
16 YEAR 1995.—The term ‘State caseload for
17 fiscal year 1995’ means the average
18 monthly number of families that received
19 aid under the State plan approved under
20 part A (as in effect on September 30,
21 1995) during fiscal year 1995.”.

22 (d) COUNTABLE HOURS.—Section 407 of such Act
23 (42 U.S.C. 607) is amended by striking subsections (c)
24 and (d) and inserting the following:

25 “(c) COUNTABLE HOURS.—

1 “(1) DEFINITION.—In subsection (b)(2), the
2 term ‘countable hours’ means, with respect to a fam-
3 ily for a month, the total number of hours in the
4 month in which any member of the family who is a
5 work-eligible individual is engaged in a direct work
6 activity or other activities specified by the State (ex-
7 cluding an activity that does not address a purpose
8 specified in section 401(a)), subject to the other pro-
9 visions of this subsection.

10 “(2) LIMITATIONS.—Subject to such regula-
11 tions as the Secretary may prescribe:

12 “(A) MINIMUM WEEKLY AVERAGE OF 24
13 HOURS OF DIRECT WORK ACTIVITIES RE-
14 QUIRED.—If the work-eligible individuals in a
15 family are engaged in a direct work activity for
16 an average total of fewer than 24 hours per
17 week in a month, then the number of countable
18 hours with respect to the family for the month
19 shall be zero.

20 “(B) MAXIMUM WEEKLY AVERAGE OF 16
21 HOURS OF OTHER ACTIVITIES.—An average of
22 not more than 16 hours per week of activities
23 specified by the State (subject to the exclusion
24 described in paragraph (1)) may be considered

1 countable hours in a month with respect to a
2 family.

3 “(3) SPECIAL RULES.—For purposes of para-
4 graph (1):

5 “(A) PARTICIPATION IN QUALIFIED AC-
6 TIVITIES.—

7 “(i) IN GENERAL.—If, with the ap-
8 proval of the State, the work-eligible indi-
9 viduals in a family are engaged in 1 or
10 more qualified activities for an average
11 total of at least 24 hours per week in a
12 month, then all such engagement in the
13 month shall be considered engagement in a
14 direct work activity, subject to clause (iii).

15 “(ii) QUALIFIED ACTIVITY DE-
16 FINED.—The term ‘qualified activity’
17 means an activity specified by the State
18 (subject to the exclusion described in para-
19 graph (1)) that meets such standards and
20 criteria as the State may specify,
21 including—

22 “(I) substance abuse counseling
23 or treatment;

24 “(II) rehabilitation treatment
25 and services;

1 “(III) work-related education or
2 training directed at enabling the fam-
3 ily member to work;

4 “(IV) job search or job readiness
5 assistance; and

6 “(V) any other activity that ad-
7 dresses a purpose specified in section
8 401(a).

9 “(iii) LIMITATION.—

10 “(I) IN GENERAL.—Except as
11 provided in subclause (II), clause (i)
12 shall not apply to a family for more
13 than 3 months in any period of 24
14 consecutive months.

15 “(II) SPECIAL RULE APPLICABLE
16 TO EDUCATION AND TRAINING.—A
17 State may, on a case-by-case basis,
18 apply clause (i) to a work-eligible indi-
19 vidual so that participation by the in-
20 dividual in education or training, if
21 needed to permit the individual to
22 complete a certificate program or
23 other work-related education or train-
24 ing directed at enabling the individual
25 to fill a known job need in a local

1 area, may be considered countable
2 hours with respect to the family of the
3 individual for not more than 4 months
4 in any period of 24 consecutive
5 months.

6 “(B) SCHOOL ATTENDANCE BY TEEN
7 HEAD OF HOUSEHOLD.—The work-eligible
8 members of a family shall be considered to be
9 engaged in a direct work activity for an average
10 of 40 hours per week in a month if the family
11 includes an individual who is married, or is a
12 single head of household, who has not attained
13 20 years of age, and the individual—

14 “(i) maintains satisfactory attendance
15 at secondary school or the equivalent in
16 the month; or

17 “(ii) participates in education directly
18 related to employment for an average of at
19 least 20 hours per week in the month.

20 “(d) DIRECT WORK ACTIVITY.—In this section, the
21 term ‘direct work activity’ means—

22 “(1) unsubsidized employment;

23 “(2) subsidized private sector employment;

24 “(3) subsidized public sector employment;

25 “(4) on-the-job training;

1 “(5) supervised work experience; or

2 “(6) supervised community service.”

3 (e) PENALTIES AGAINST INDIVIDUALS.—Section
4 407(e)(1) (42 U.S.C. 607(e)(1)) is amended to read as
5 follows:

6 “(1) REDUCTION OR TERMINATION OF ASSIST-
7 ANCE.—

8 “(A) IN GENERAL.—Except as provided in
9 paragraph (2), if an individual in a family re-
10 ceiving assistance under a State program fund-
11 ed under this part fails to engage in activities
12 required in accordance with this section, or
13 other activities required by the State under the
14 program, and the family does not otherwise en-
15 gage in activities in accordance with the self-
16 sufficiency plan established for the family pur-
17 suant to section 408(b), the State shall—

18 “(i) if the failure is partial or persists
19 for not more than 1 month—

20 “(I) reduce the amount of assist-
21 ance otherwise payable to the family
22 pro rata (or more, at the option of the
23 State) with respect to any period dur-
24 ing a month in which the failure oc-
25 curs; or

1 “(II) terminate all assistance to
2 the family, subject to such good cause
3 exceptions as the State may establish;
4 or

5 “(ii) if the failure is total and persists
6 for at least 2 consecutive months, termi-
7 nate all cash payments to the family in-
8 cluding qualified State expenditures (as de-
9 fined in section 409(a)(7)(B)(i)) for at
10 least 1 month and thereafter until the
11 State determines that the individual has
12 resumed full participation in the activities,
13 subject to such good cause exceptions as
14 the State may establish.

15 “(B) SPECIAL RULE.—In the event of a
16 conflict between a requirement of clause (i)(II)
17 or (ii) of subparagraph (A) and a requirement
18 of a State constitution, or of a State statute
19 that, before 1966, obligated local government to
20 provide assistance to needy parents and chil-
21 dren, the State constitutional or statutory re-
22 quirement shall control.”.

23 (f) CONFORMING AMENDMENTS.—

24 (1) Section 407(f) (42 U.S.C. 607(f)) is amend-
25 ed in each of paragraphs (1) and (2) by striking

1 “work activity described in subsection (d)” and in-
2 serting “direct work activity”.

3 (2) The heading of section 409(a)(14) (42
4 U.S.C. 609(a)(14)) is amended by inserting “OR RE-
5 FUSING TO ENGAGE IN ACTIVITIES UNDER A FAMILY
6 SELF-SUFFICIENCY PLAN” after “WORK”.

7 **SEC. 111. MAINTENANCE OF EFFORT.**

8 (a) IN GENERAL.—Section 409(a)(7) (42 U.S.C.
9 609(a)(7)) is amended—

10 (1) in subparagraph (A) by striking “fiscal year
11 1998, 1999, 2000, 2001, 2002, or 2003” and insert-
12 ing “fiscal year 2003, 2004, 2005, 2006, 2007 or
13 2008”; and

14 (2) in subparagraph (B)(ii)—

15 (A) by inserting “preceding” before “fiscal
16 year”; and

17 (B) by striking “for fiscal years 1997
18 through 2002,”.

19 (b) STATE SPENDING ON PROMOTING HEALTHY
20 MARRIAGE.—

21 (1) IN GENERAL.—Section 404 (42 U.S.C. 604)
22 is amended by adding at the end the following:

23 “(1) MARRIAGE PROMOTION.—A State, territory, or
24 tribal organization to which a grant is made under section
25 403(a)(2) may use a grant made to the State, territory,

1 or tribal organization under any other provision of section
2 403 for marriage promotion activities, and the amount of
3 any such grant so used shall be considered State funds
4 for purposes of section 403(a)(2).”.

5 (2) FEDERAL TANF FUNDS USED FOR MAR-
6 RIAGE PROMOTION DISREGARDED FOR PURPOSES OF
7 MAINTENANCE OF EFFORT REQUIREMENT.—Section
8 409(a)(7)(B)(i) (42 U.S.C. 609(a)(7)(B)(i)), as
9 amended by section 103(c) of this Act, is amended
10 by adding at the end the following:

11 “(VI) EXCLUSION OF FEDERAL
12 TANF FUNDS USED FOR MARRIAGE
13 PROMOTION ACTIVITIES.—Such term
14 does not include the amount of any
15 grant made to the State under section
16 403 that is expended for a marriage
17 promotion activity.”.

18 **SEC. 112. PERFORMANCE IMPROVEMENT.**

19 (a) STATE PLANS.—Section 402(a) (42 U.S.C.
20 602(a)) is amended—

21 (1) in paragraph (1)—

22 (A) in subparagraph (A)—

23 (i) by redesignating clause (vi) and
24 clause (vii) (as added by section 103(a) of

1 this Act) as clauses (vii) and (viii), respec-
2 tively; and

3 (ii) by striking clause (v) and insert-
4 ing the following:

5 “(v) The document shall—

6 “(I) describe how the State will
7 pursue ending dependence of needy
8 families on government benefits and
9 reducing poverty by promoting job
10 preparation and work;

11 “(II) describe how the State will
12 encourage the formation and mainte-
13 nance of healthy 2-parent married
14 families, encourage responsible father-
15 hood, and prevent and reduce the inci-
16 dence of out-of-wedlock pregnancies;

17 “(III) include specific, numerical,
18 and measurable performance objec-
19 tives for accomplishing subclauses (I)
20 and (II), and with respect to sub-
21 clause (I), include objectives con-
22 sistent with the criteria used by the
23 Secretary in establishing performance
24 targets under section 403(a)(4)(B) if
25 available; and

1 “(IV) describe the methodology
2 that the State will use to measure
3 State performance in relation to each
4 such objective.

5 “(vi) Describe any strategies and pro-
6 grams the State may be undertaking to
7 address—

8 “(I) employment retention and
9 advancement for recipients of assist-
10 ance under the program, including
11 placement into high-demand jobs, and
12 whether the jobs are identified using
13 labor market information;

14 “(II) efforts to reduce teen preg-
15 nancy;

16 “(III) services for struggling and
17 noncompliant families, and for clients
18 with special problems; and

19 “(IV) program integration, in-
20 cluding the extent to which employ-
21 ment and training services under the
22 program are provided through the
23 One-Stop delivery system created
24 under the Workforce Investment Act
25 of 1998, and the extent to which

1 former recipients of such assistance
2 have access to additional core, inten-
3 sive, or training services funded
4 through such Act.”; and

5 (B) in subparagraph (B), by striking
6 clause (iii) (as so redesignated by section
7 107(b)(1) of this Act) and inserting the fol-
8 lowing:

9 “(iii) The document shall describe
10 strategies and programs the State is un-
11 dertaking to engage religious organizations
12 in the provision of services funded under
13 this part and efforts related to section 104
14 of the Personal Responsibility and Work
15 Opportunity Reconciliation Act of 1996.

16 “(iv) The document shall describe
17 strategies to improve program manage-
18 ment and performance.”; and

19 (2) in paragraph (4), by inserting “and tribal”
20 after “that local”.

21 (b) CONSULTATION WITH STATE REGARDING PLAN
22 AND DESIGN OF TRIBAL PROGRAMS.—Section 412(b)(1)
23 (42 U.S.C. 612(b)(1)) is amended—

24 (1) by striking “and” at the end of subpara-
25 graph (E);

1 (2) by striking the period at the end of sub-
2 paragraph (F) and inserting “; and”; and

3 (3) by adding at the end the following:

4 “(G) provides an assurance that the State
5 in which the tribe is located has been consulted
6 regarding the plan and its design.”.

7 (c) PERFORMANCE MEASURES.—Section 413 (42
8 U.S.C. 613) is amended by adding at the end the fol-
9 lowing:

10 “(k) PERFORMANCE IMPROVEMENT.—The Secretary,
11 in consultation with the States, shall develop uniform per-
12 formance measures designed to assess the degree of effec-
13 tiveness, and the degree of improvement, of State pro-
14 grams funded under this part in accomplishing the pur-
15 poses of this part.”.

16 (d) ANNUAL RANKING OF STATES.—Section
17 413(d)(1) (42 U.S.C. 613(d)(1)) is amended by striking
18 “long-term private sector jobs” and inserting “private sec-
19 tor jobs, the success of the recipients in retaining employ-
20 ment, the ability of the recipients to increase their wages”.

21 **SEC. 113. DATA COLLECTION AND REPORTING.**

22 (a) CONTENTS OF REPORT.— Section 411(a)(1)(A)
23 (42 U.S.C. 611(a)(1)(A)) is amended—

24 (1) in clause (vii), by inserting “and minor par-
25 ent” after “of each adult”;

1 (2) in clause (viii), by striking “and educational
2 level”;

3 (3) in clause (ix), by striking “, and if the lat-
4 ter 2, the amount received”;

5 (4) in clause (x)—

6 (A) by striking “each type of”; and

7 (B) by inserting before the period “and, if
8 applicable, the reason for receipt of the assist-
9 ance for a total of more than 60 months”;

10 (5) in clause (xi), by striking the subclauses
11 and inserting the following:

12 “(I) Subsidized private sector
13 employment.

14 “(II) Unsubsidized employment.

15 “(III) Public sector employment,
16 supervised work experience, or super-
17 vised community service.

18 “(IV) On-the-job training.

19 “(V) Job search and placement.

20 “(VI) Training.

21 “(VII) Education.

22 “(VIII) Other activities directed
23 at the purposes of this part, as speci-
24 fied in the State plan submitted pur-
25 suant to section 402.”;

1 (6) in clause (xii), by inserting “and progress
2 toward universal engagement” after “participation
3 rates”;

4 (7) in clause (xiii), by striking “type and” be-
5 fore “amount of assistance”;

6 (8) in clause (xvi), by striking subclause (II)
7 and redesignating subclauses (III) through (V) as
8 subclauses (II) through (IV), respectively; and

9 (9) by adding at the end the following:

10 “(xviii) The date the family first re-
11 ceived assistance from the State program
12 on the basis of the most recent application
13 for such assistance.

14 “(xix) Whether a self-sufficiency plan
15 is established for the family in accordance
16 with section 408(b).

17 “(xx) With respect to any child in the
18 family, the marital status of the parents at
19 the birth of the child, and if the parents
20 were not then married, whether the pater-
21 nity of the child has been established.”.

22 (b) USE OF SAMPLES.—Section 411(a)(1)(B) (42
23 U.S.C. 611(a)(1)(B)) is amended—

24 (1) in clause (i)—

1 (A) by striking “a sample” and inserting
2 “samples”; and

3 (B) by inserting before the period “, except
4 that the Secretary may designate core data ele-
5 ments that must be reported on all families”;
6 and

7 (2) in clause (ii), by striking “funded under this
8 part” and inserting “described in subparagraph
9 (A)”.

10 (c) REPORT ON FAMILIES THAT BECOME INELI-
11 GIBLE TO RECEIVE ASSISTANCE.—Section 411(a) (42
12 U.S.C. 611(a)) is amended—

13 (1) by striking paragraph (5);

14 (2) by redesignating paragraph (6) as para-
15 graph (5); and

16 (3) by inserting after paragraph (5) (as so re-
17 designated) the following:

18 “(6) REPORT ON FAMILIES THAT BECOME IN-
19 ELIGIBLE TO RECEIVE ASSISTANCE.—The report re-
20 quired by paragraph (1) for a fiscal quarter shall in-
21 clude for each month in the quarter the number of
22 families and total number of individuals that, during
23 the month, became ineligible to receive assistance
24 under the State program funded under this part
25 (broken down by the number of families that become

1 so ineligible due to earnings, changes in family com-
2 position that result in increased earnings, sanctions,
3 time limits, or other specified reasons).”.

4 (d) REGULATIONS.—Section 411(a)(7) (42 U.S.C.
5 611(a)(7)) is amended—

6 (1) by inserting “and to collect the necessary
7 data” before “with respect to which reports”;

8 (2) by striking “subsection” and inserting “sec-
9 tion”; and

10 (3) by striking “in defining the data elements”
11 and all that follows and inserting “, the National
12 Governors’ Association, the American Public Human
13 Services Association, the National Conference of
14 State Legislatures, and others in defining the data
15 elements.”.

16 (e) ADDITIONAL REPORTS BY STATES.—Section 411
17 (42 U.S.C. 611) is amended—

18 (1) by redesignating subsection (b) as sub-
19 section (e); and

20 (2) by inserting after subsection (a) the fol-
21 lowing:

22 “(b) ANNUAL REPORTS ON PROGRAM CHARACTERIS-
23 TICS.—Not later than 90 days after the end of fiscal year
24 2004 and each succeeding fiscal year, each eligible State
25 shall submit to the Secretary a report on the characteris-

1 ties of the State program funded under this part and other
2 State programs funded with qualified State expenditures
3 (as defined in section 409(a)(7)(B)(i)). The report shall
4 include, with respect to each such program, the program
5 name, a description of program activities, the program
6 purpose, the program eligibility criteria, the sources of
7 program funding, the number of program beneficiaries,
8 sanction policies, and any program work requirements.

9 “(c) MONTHLY REPORTS ON CASELOAD.—Not later
10 than 3 months after the end of a calendar month that
11 begins 1 year or more after the enactment of this sub-
12 section, each eligible State shall submit to the Secretary
13 a report on the number of families and total number of
14 individuals receiving assistance in the calendar month
15 under the State program funded under this part.

16 “(d) ANNUAL REPORT ON PERFORMANCE IMPROVE-
17 MENT.—Beginning with fiscal year 2004, not later than
18 January 1 of each fiscal year, each eligible State shall sub-
19 mit to the Secretary a report on achievement and improve-
20 ment during the preceding fiscal year under the numerical
21 performance goals and measures under the State program
22 funded under this part with respect to each of the matters
23 described in section 402(a)(1)(A)(v).”.

1 (f) ANNUAL REPORTS TO CONGRESS BY THE SEC-
2 RETARY.—Section 411(e), as so redesignated by sub-
3 section (e) of this section, is amended—

4 (1) in the matter preceding paragraph (1), by
5 striking “and each fiscal year thereafter” and insert-
6 ing “and by July 1 of each fiscal year thereafter”;

7 (2) in paragraph (2), by striking “families ap-
8 plying for assistance,” and by striking the last
9 comma; and

10 (3) in paragraph (3), by inserting “and other
11 programs funded with qualified State expenditures
12 (as defined in section 409(a)(7)(B)(i))” before the
13 semicolon.

14 (g) INCREASED ANALYSIS OF STATE SINGLE AUDIT
15 REPORTS.—Section 411 (42 U.S.C. 611) is amended by
16 adding at the end the following:

17 “(f) INCREASED ANALYSIS OF STATE SINGLE AUDIT
18 REPORTS.—

19 “(1) IN GENERAL.—Within 3 months after a
20 State submits to the Secretary a report pursuant to
21 section 7502(a)(1)(A) of title 31, United States
22 Code, the Secretary shall analyze the report for the
23 purpose of identifying the extent and nature of prob-
24 lems related to the oversight by the State of non-
25 governmental entities with respect to contracts en-

1 tered into by such entities with the State program
2 funded under this part, and determining what addi-
3 tional actions may be appropriate to help prevent
4 and correct the problems.

5 “(2) INCLUSION OF PROGRAM OVERSIGHT SEC-
6 TION IN ANNUAL REPORT TO THE CONGRESS.—The
7 Secretary shall include in each report under sub-
8 section (a) a section on oversight of State programs
9 funded under this part, including findings on the ex-
10 tent and nature of the problems referred to in para-
11 graph (1), actions taken to resolve the problems, and
12 to the extent the Secretary deems appropriate make
13 recommendations on changes needed to resolve the
14 problems.”.

15 **SEC. 114. DIRECT FUNDING AND ADMINISTRATION BY IN-**
16 **DIAN TRIBES.**

17 (a) TRIBAL FAMILY ASSISTANCE GRANT.—Section
18 412(a)(1)(A) (42 U.S.C. 612(a)(1)(A)) is amended by
19 striking “1997, 1998, 1999, 2000, 2001, and 2002” and
20 inserting “2003 through 2007”.

21 (b) GRANTS FOR INDIAN TRIBES THAT RECEIVED
22 JOBS FUNDS.—Section 412(a)(2)(A) (42 U.S.C.
23 612(a)(2)(A)) is amended by striking “1997, 1998, 1999,
24 2000, 2001, and 2002” and inserting “2003 through
25 2007”.

1 **SEC. 115. RESEARCH, EVALUATIONS, AND NATIONAL STUD-**
2 **IES.**

3 (a) SECRETARY'S FUND FOR RESEARCH, DEM-
4 ONSTRATIONS, AND TECHNICAL ASSISTANCE.—Section
5 413 (42 U.S.C. 613), as amended by section 112(c) of
6 this Act, is further amended by adding at the end the fol-
7 lowing:

8 “(1) FUNDING FOR RESEARCH, DEMONSTRATIONS,
9 AND TECHNICAL ASSISTANCE.—

10 “(1) IN GENERAL.—Out of any money in the
11 Treasury of the United States not otherwise appro-
12 priated, there are appropriated \$102,000,000 for
13 each of fiscal years 2003 through 2007, which shall
14 be available to the Secretary for the purpose of con-
15 ducting and supporting research and demonstration
16 projects by public or private entities, and providing
17 technical assistance to States, Indian tribal organi-
18 zations, and such other entities as the Secretary
19 may specify that are receiving a grant under this
20 part, which shall be expended primarily on activities
21 described in section 403(a)(2)(B), and which shall
22 be in addition to any other funds made available
23 under this part.

24 “(2) SET-ASIDE FOR DEMONSTRATION
25 PROJECTS FOR COORDINATION OF PROVISION OF

1 CHILD WELFARE AND TANF SERVICES TO TRIBAL
2 FAMILIES AT RISK OF CHILD ABUSE OR NEGLECT.—

3 “(A) IN GENERAL.—Of the amounts made
4 available under paragraph (1) for a fiscal year,
5 \$2,000,000 shall be awarded on a competitive
6 basis to fund demonstration projects designed
7 to test the effectiveness of tribal governments
8 or tribal consortia in coordinating the provision
9 to tribal families at risk of child abuse or ne-
10 glect of child welfare services and services
11 under tribal programs funded under this part.

12 “(B) USE OF FUNDS.—A grant made to
13 such a project shall be used—

14 “(i) to improve case management for
15 families eligible for assistance from such a
16 tribal program;

17 “(ii) for supportive services and as-
18 sistance to tribal children in out-of-home
19 placements and the tribal families caring
20 for such children, including families who
21 adopt such children; and

22 “(iii) for prevention services and as-
23 sistance to tribal families at risk of child
24 abuse and neglect.

1 “(C) REPORTS.—The Secretary may re-
2 quire a recipient of funds awarded under this
3 paragraph to provide the Secretary with such
4 information as the Secretary deems relevant to
5 enable the Secretary to facilitate and oversee
6 the administration of any project for which
7 funds are provided under this paragraph.”.

8 (b) FUNDING OF STUDIES AND DEMONSTRATIONS.—
9 Section 413(h)(1) (42 U.S.C. 613(h)(1)) is amended in
10 the matter preceding subparagraph (A) by striking “1997
11 through 2002” and inserting “2003 through 2007”.

12 (c) REPORT ON ENFORCEMENT OF CERTAIN AFFIDA-
13 VITS OF SUPPORT AND SPONSOR DEEMING.—Not later
14 than March 31, 2004, the Secretary of Health and Human
15 Services, in consultation with the Attorney General, shall
16 submit to the Congress a report on the enforcement of
17 affidavits of support and sponsor deeming as required by
18 section 421, 422, and 432 of the Personal Responsibility
19 and Work Opportunity Reconciliation Act of 1996.

20 (d) REPORT ON COORDINATION.—Not later than 6
21 months after the date of the enactment of this Act, the
22 Secretary of Health and Human Services and the Sec-
23 retary of Labor shall jointly submit a report to the Con-
24 gress describing common or conflicting data elements,
25 definitions, performance measures, and reporting require-

1 ments in the Workforce Investment Act of 1998 and part
2 A of title IV of the Social Security Act, and, to the degree
3 each Secretary deems appropriate, at the discretion of ei-
4 ther Secretary, any other program administered by the re-
5 spective Secretary, to allow greater coordination between
6 the welfare and workforce development systems.

7 **SEC. 116. STUDIES BY THE CENSUS BUREAU AND THE GEN-**
8 **ERAL ACCOUNTING OFFICE.**

9 (a) CENSUS BUREAU STUDY.—

10 (1) IN GENERAL.—Section 414(a) (42 U.S.C.
11 614(a)) is amended to read as follows:

12 “(a) IN GENERAL.—The Bureau of the Census shall
13 implement a new longitudinal survey of program dynam-
14 ics, developed in consultation with the Secretary and made
15 available to interested parties, to allow for the assessment
16 of the outcomes of continued welfare reform on the eco-
17 nomic and child well-being of low-income families with
18 children, including those who received assistance or serv-
19 ices from a State program funded under this part, and,
20 to the extent possible, shall provide State representative
21 samples. The content of the survey should include such
22 information as may be necessary to examine the issues of
23 out-of-wedlock childbearing, marriage, welfare dependency
24 and compliance with work requirements, the beginning

1 and ending of spells of assistance, work, earnings and em-
2 ployment stability, and the well-being of children.”.

3 (2) APPROPRIATION.—Section 414(b) (42
4 U.S.C. 614(b)) is amended by striking “1996,” and
5 all that follows through “2002” and inserting “2003
6 through 2007”.

7 (b) GAO STUDY.—

8 (1) IN GENERAL.—The Comptroller General of
9 the United States shall conduct a study to determine
10 the combined effect of the phase-out rates for Fed-
11 eral programs and policies which provide support to
12 low-income families and individuals as they move
13 from welfare to work, at all earning levels up to
14 \$35,000 per year, for at least 5 States including
15 Wisconsin and California, and any potential dis-
16 incentives the combined phase-out rates create for
17 families to achieve independence or to marry.

18 (2) REPORT.—Not later than 1 year after the
19 date of the enactment of this subsection, the Comp-
20 troller General shall submit a report to Congress
21 containing the results of the study conducted under
22 this section and, as appropriate, any recommenda-
23 tions consistent with the results.

1 **SEC. 117. DEFINITION OF ASSISTANCE.**

2 (a) IN GENERAL.—Section 419 (42 U.S.C. 619) is
3 amended by adding at the end the following:

4 “(6) ASSISTANCE.—

5 “(A) IN GENERAL.—The term ‘assistance’
6 means payment, by cash, voucher, or other
7 means, to or for an individual or family for the
8 purpose of meeting a subsistence need of the in-
9 dividual or family (including food, clothing,
10 shelter, and related items, but not including
11 costs of transportation or child care).

12 “(B) EXCEPTION.—The term ‘assistance’
13 does not include a payment described in sub-
14 paragraph (A) to or for an individual or family
15 on a short-term, nonrecurring basis (as defined
16 by the State in accordance with regulations pre-
17 scribed by the Secretary).”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) Section 404(a)(1) (42 U.S.C. 604(a)(1)) is
20 amended by striking “assistance” and inserting
21 “aid”.

22 (2) Section 404(f) (42 U.S.C. 604(f)) is amend-
23 ed by striking “assistance” and inserting “benefits
24 or services”.

1 (3) Section 408(a)(5)(B)(i) (42 U.S.C.
2 608(a)(5)(B)(i)) is amended in the heading by strik-
3 ing “ASSISTANCE” and inserting “AID”.

4 (4) Section 413(d)(2) (42 U.S.C. 613(d)(2)) is
5 amended by striking “assistance” and inserting
6 “aid”.

7 **SEC. 118. TECHNICAL CORRECTIONS.**

8 (a) Section 409(c)(2) (42 U.S.C. 609(c)(2)) is
9 amended by inserting a comma after “appropriate”.

10 (b) Section 411(a)(1)(A)(ii)(III) (42 U.S.C.
11 611(a)(1)(A)(ii)(III)) is amended by striking the last close
12 parenthesis.

13 (c) Section 413(j)(2)(A) (42 U.S.C. 613(j)(2)(A)) is
14 amended by striking “section” and inserting “sections”.

15 (d)(1) Section 413 (42 U.S.C. 613) is amended by
16 striking subsection (g) and redesignating subsections (h)
17 through (j) and subsections (k) and (l) (as added by sec-
18 tions 112(c) and 115(a) of this Act, respectively) as sub-
19 sections (g) through (k), respectively.

20 (2) Each of the following provisions is amended by
21 striking “413(j)” and inserting “413(i)”:

22 (A) Section 403(a)(5)(A)(ii)(III) (42 U.S.C.
23 603(a)(5)(A)(ii)(III)).

24 (B) Section 403(a)(5)(F) (42 U.S.C.
25 603(a)(5)(F)).

1 (C) Section 403(a)(5)(G)(ii) (42 U.S.C.
2 603(a)(5)(G)(ii)).

3 (D) Section 412(a)(3)(B)(iv) (42 U.S.C.
4 612(a)(3)(B)(iv)).

5 **SEC. 119. FATHERHOOD PROGRAM.**

6 (a) SHORT TITLE.—This section may be cited as the
7 “Promotion and Support of Responsible Fatherhood and
8 Healthy Marriage Act of 2002”.

9 (b) FATHERHOOD PROGRAM.—

10 (1) IN GENERAL.—Title I of the Personal Re-
11 sponsibility and Work Opportunity Reconciliation
12 Act of 1996 (Public Law 104–193) is amended by
13 adding at the end the following:

14 **“SEC. 117. FATHERHOOD PROGRAM.**

15 “(a) IN GENERAL.—Title IV (42 U.S.C. 601–679b)
16 is amended by inserting after part B the following:

17 **“PART C—FATHERHOOD PROGRAM**

18 **“SEC. 441. FINDINGS AND PURPOSES.**

19 “(a) FINDINGS.—The Congress finds that there is
20 substantial evidence strongly indicating the urgent need
21 to promote and support involved, committed, and respon-
22 sible fatherhood, and to encourage and support healthy
23 marriages between parents raising children, including data
24 demonstrating the following:

1 “(1) In approximately 90 percent of cases
2 where a parent is absent, that parent is the father.

3 “(2) By some estimates, 60 percent of children
4 born in the 1990’s will spend a significant portion
5 of their childhood in a home without a father.

6 “(3) Nearly 75 percent of children in single-
7 parent homes will experience poverty before they are
8 11 years old, compared with only 20 percent of chil-
9 dren in 2-parent families.

10 “(4) Low income is positively correlated with
11 children’s difficulties with education, social adjust-
12 ment, and delinquency, and single-parent households
13 constitute a disproportionate share of low-income
14 households.

15 “(5) Where families (whether intact or with a
16 parent absent) are living in poverty, a significant
17 factor is the father’s lack of job skills.

18 “(6) Children raised in 2-parent married fami-
19 lies, on average, fare better as a group in key areas,
20 including better school performance, reduced rates of
21 substance abuse, crime, and delinquency, fewer
22 health, emotional, and behavioral problems, lower
23 rates of teenage sexual activity, less risk of abuse or
24 neglect, and lower risk of teen suicide.

1 “(7) Committed and responsible fathering dur-
2 ing infancy and early childhood contributes to the
3 development of emotional security, curiosity, and
4 math and verbal skills.

5 “(8) An estimated 24,000,000 children (33.5
6 percent) live apart from their biological father.

7 “(9) A recent national survey indicates that of
8 all children under age 18 not living with their bio-
9 logical father, 29 percent had not seen their father
10 even once in the last 12 months.

11 “(b) PURPOSES.—The purposes of this part are:

12 “(1) To provide for projects and activities by
13 public entities and by nonprofit community entities,
14 including religious organizations, designed to test
15 promising approaches to accomplishing the following
16 objectives:

17 “(A) Promoting responsible, caring, and
18 effective parenting through counseling, men-
19 toring, and parenting education, dissemination
20 of educational materials and information on
21 parenting skills, encouragement of positive fa-
22 ther involvement, including the positive involve-
23 ment of nonresident fathers, and other meth-
24 ods.

1 “(B) Enhancing the abilities and commit-
2 ment of unemployed or low-income fathers to
3 provide material support for their families and
4 to avoid or leave welfare programs by assisting
5 them to take full advantage of education, job
6 training, and job search programs, to improve
7 work habits and work skills, to secure career
8 advancement by activities such as outreach and
9 information dissemination, coordination, as ap-
10 propriate, with employment services and job
11 training programs, including the One-Stop de-
12 livery system established under title I of the
13 Workforce Investment Act of 1998, encourage-
14 ment and support of timely payment of current
15 child support and regular payment toward past
16 due child support obligations in appropriate
17 cases, and other methods.

18 “(C) Improving fathers’ ability to effec-
19 tively manage family business affairs by means
20 such as education, counseling, and mentoring in
21 matters including household management,
22 budgeting, banking, and handling of financial
23 transactions, time management, and home
24 maintenance.

1 “(D) Encouraging and supporting healthy
2 marriages and married fatherhood through such
3 activities as premarital education, including the
4 use of premarital inventories, marriage prepara-
5 tion programs, skills-based marriage education
6 programs, marital therapy, couples counseling,
7 divorce education and reduction programs, di-
8 vorce mediation and counseling, relationship
9 skills enhancement programs, including those
10 designed to reduce child abuse and domestic vi-
11 olence, and dissemination of information about
12 the benefits of marriage for both parents and
13 children.

14 “(2) Through the projects and activities de-
15 scribed in paragraph (1), to improve outcomes for
16 children with respect to measures such as increased
17 family income and economic security, improved
18 school performance, better health, improved emo-
19 tional and behavioral stability and social adjustment,
20 and reduced risk of delinquency, crime, substance
21 abuse, child abuse and neglect, teen sexual activity,
22 and teen suicide.

23 “(3) To evaluate the effectiveness of various
24 approaches and to disseminate findings concerning
25 outcomes and other information in order to encour-

1 age and facilitate the replication of effective ap-
2 proaches to accomplishing these objectives.

3 **“SEC. 442. DEFINITIONS.**

4 “‘In this part, the terms “Indian tribe” and “tribal
5 organization” have the meanings given them in sub-
6 sections (e) and (l), respectively, of section 4 of the Indian
7 Self-Determination and Education Assistance Act.

8 **“SEC. 443. COMPETITIVE GRANTS FOR SERVICE PROJECTS.**

9 “‘(a) IN GENERAL.—The Secretary may make
10 grants for fiscal years 2003 through 2007 to public and
11 nonprofit community entities, including religious organiza-
12 tions, and to Indian tribes and tribal organizations, for
13 demonstration service projects and activities designed to
14 test the effectiveness of various approaches to accomplish
15 the objectives specified in section 441(b)(1).

16 “‘(b) ELIGIBILITY CRITERIA FOR FULL SERVICE
17 GRANTS.—In order to be eligible for a grant under this
18 section, except as specified in subsection (c), an entity
19 shall submit an application to the Secretary containing the
20 following:

21 “‘(1) PROJECT DESCRIPTION.—A statement
22 including—

23 “‘(A) a description of the project and how
24 it will be carried out, including the geographical
25 area to be covered and the number and charac-

1 teristics of clients to be served, and how it will
2 address each of the 4 objectives specified in sec-
3 tion 441(b)(1); and

4 “(B) a description of the methods to be
5 used by the entity or its contractor to assess
6 the extent to which the project was successful
7 in accomplishing its specific objectives and the
8 general objectives specified in section 441(b)(1).

9 “(2) EXPERIENCE AND QUALIFICATIONS.—A
10 demonstration of ability to carry out the project, by
11 means such as demonstration of experience in suc-
12 cessfully carrying out projects of similar design and
13 scope, and such other information as the Secretary
14 may find necessary to demonstrate the entity’s ca-
15 pacity to carry out the project, including the entity’s
16 ability to provide the non-Federal share of project
17 resources.

18 “(3) ADDRESSING CHILD ABUSE AND NE-
19 GLECT AND DOMESTIC VIOLENCE.—A description of
20 how the entity will assess for the presence of, and
21 intervene to resolve, domestic violence and child
22 abuse and neglect, including how the entity will co-
23 ordinate with State and local child protective service
24 and domestic violence programs.

1 “(4) ADDRESSING CONCERNS RELATING TO
2 SUBSTANCE ABUSE AND SEXUAL ACTIVITY.—A com-
3 mitment to make available to each individual partici-
4 pating in the project education about alcohol, to-
5 bacco, and other drugs, and about the health risks
6 associated with abusing such substances, and infor-
7 mation about diseases and conditions transmitted
8 through substance abuse and sexual contact, includ-
9 ing HIV/AIDS, and to coordinate with providers of
10 services addressing such problems, as appropriate.

11 “(5) COORDINATION WITH SPECIFIED PRO-
12 GRAMS.—An undertaking to coordinate, as appro-
13 priate, with State and local entities responsible for
14 the programs under parts A, B, and D of this title,
15 including programs under title I of the Workforce
16 Investment Act of 1998 (including the One-Stop de-
17 livery system), and such other programs as the Sec-
18 retary may require.

19 “(6) RECORDS, REPORTS, AND AUDITS.—An
20 agreement to maintain such records, make such re-
21 ports, and cooperate with such reviews or audits as
22 the Secretary may find necessary for purposes of
23 oversight of project activities and expenditures.

24 “(7) SELF-INITIATED EVALUATION.—If the
25 entity elects to contract for independent evaluation

1 of the project (part or all of the cost of which may
2 be paid for using grant funds), a commitment to
3 submit to the Secretary a copy of the evaluation re-
4 port within 30 days after completion of the report
5 and not more than 1 year after completion of the
6 project.

7 ““(8) COOPERATION WITH SECRETARY’S OVER-
8 SIGHT AND EVALUATION.—An agreement to cooper-
9 ate with the Secretary’s evaluation of projects as-
10 sisted under this section, by means including ran-
11 dom assignment of clients to service recipient and
12 control groups, if determined by the Secretary to be
13 appropriate, and affording the Secretary access to
14 the project and to project-related records and docu-
15 ments, staff, and clients.

16 ““(c) ELIGIBILITY CRITERIA FOR LIMITED PURPOSE
17 GRANTS.—In order to be eligible for a grant under this
18 section in an amount under \$25,000 per fiscal year, an
19 entity shall submit an application to the Secretary con-
20 taining the following:

21 ““(1) PROJECT DESCRIPTION.—A description of
22 the project and how it will be carried out, including
23 the number and characteristics of clients to be
24 served, the proposed duration of the project, and

1 how it will address at least 1 of the 4 objectives
2 specified in section 441(b)(1).

3 “(2) QUALIFICATIONS.—Such information as
4 the Secretary may require as to the capacity of the
5 entity to carry out the project, including any pre-
6 vious experience with similar activities.

7 “(3) COORDINATION WITH RELATED PRO-
8 GRAMS.—As required by the Secretary in appro-
9 priate cases, an undertaking to coordinate and co-
10 operate with State and local entities responsible for
11 specific programs relating to the objectives of the
12 project including, as appropriate, jobs programs and
13 programs serving children and families.

14 “(4) RECORDS, REPORTS, AND AUDITS.—An
15 agreement to maintain such records, make such re-
16 ports, and cooperate with such reviews or audits as
17 the Secretary may find necessary for purposes of
18 oversight of project activities and expenditures.

19 “(5) COOPERATION WITH SECRETARY’S OVER-
20 SIGHT AND EVALUATION.—An agreement to cooper-
21 ate with the Secretary’s evaluation of projects as-
22 sisted under this section, by means including afford-
23 ing the Secretary access to the project and to
24 project-related records and documents, staff, and cli-
25 ents.

1 “(d) CONSIDERATIONS IN AWARDING GRANTS.—

2 “(1) DIVERSITY OF PROJECTS.—In awarding
3 grants under this section, the Secretary shall seek to
4 achieve a balance among entities of differing sizes,
5 entities in differing geographic areas, entities in
6 urban and in rural areas, and entities employing dif-
7 fering methods of achieving the purposes of this sec-
8 tion, including working with the State agency re-
9 sponsible for the administration of part D to help fa-
10 thers satisfy child support arrearage obligations.

11 “(2) PREFERENCE FOR PROJECTS SERVING
12 LOW-INCOME FATHERS.—In awarding grants under
13 this section, the Secretary may give preference to
14 applications for projects in which a majority of the
15 clients to be served are low-income fathers.

16 “(e) FEDERAL SHARE.—

17 “(1) IN GENERAL.—Grants for a project under
18 this section for a fiscal year shall be available for a
19 share of the cost of such project in such fiscal year
20 equal to—

21 “(A) up to 80 percent (or up to 90 per-
22 cent, if the entity demonstrates to the Sec-
23 retary’s satisfaction circumstances limiting the
24 entity’s ability to secure non-Federal resources)

1 in the case of a project under subsection (b);
2 and

3 ““(B) up to 100 percent, in the case of a
4 project under subsection (c).

5 ““(2) NON-FEDERAL SHARE.—The non-Federal
6 share may be in cash or in kind. In determining the
7 amount of the non-Federal share, the Secretary may
8 attribute fair market value to goods, services, and
9 facilities contributed from non-Federal sources.

10 **““SEC. 444. MULTICITY, MULTISTATE DEMONSTRATION**
11 **PROJECTS.**

12 ““(a) IN GENERAL.—The Secretary may make
13 grants under this section for fiscal years 2003 through
14 2007 to eligible entities (as specified in subsection (b)) for
15 2 multicity, multistate projects demonstrating approaches
16 to achieving the objectives specified in section 441(b)(1).
17 One of the projects shall test the use of married couples
18 to deliver program services.

19 ““(b) ELIGIBLE ENTITIES.—An entity eligible for a
20 grant under this section must be a national nonprofit fa-
21 therhood promotion organization that meets the following
22 requirements:

23 ““(1) EXPERIENCE WITH FATHERHOOD PRO-
24 GRAMS.—The organization must have substantial ex-
25 perience in designing and successfully conducting

1 programs that meet the purposes described in sec-
2 tion 441.

3 ““(2) EXPERIENCE WITH MULTICITY,
4 MULTISTATE PROGRAMS AND GOVERNMENT COORDI-
5 NATION.—The organization must have experience in
6 simultaneously conducting such programs in more
7 than 1 major metropolitan area in more than 1
8 State and in coordinating such programs, where ap-
9 propriate, with State and local government agencies
10 and private, nonprofit agencies (including commu-
11 nity-based and religious organizations), including
12 State or local agencies responsible for child support
13 enforcement and workforce development.

14 ““(c) APPLICATION REQUIREMENTS.—In order to be
15 eligible for a grant under this section, an entity must sub-
16 mit to the Secretary an application that includes the fol-
17 lowing:

18 ““(1) QUALIFICATIONS.—

19 ““(A) ELIGIBLE ENTITY.—A demonstra-
20 tion that the entity meets the requirements of
21 subsection (b).

22 ““(B) OTHER.—Such other information as
23 the Secretary may find necessary to dem-
24 onstrate the entity’s capacity to carry out the

1 project, including the entity’s ability to provide
2 the non-Federal share of project resources.

3 ““(2) PROJECT DESCRIPTION.—A description of
4 and commitments concerning the project design, in-
5 cluding the following:

6 ““(A) IN GENERAL.—A detailed descrip-
7 tion of the proposed project design and how it
8 will be carried out, which shall—

9 ““(i) provide for the project to be con-
10 ducted in at least 3 major metropolitan
11 areas;

12 ““(ii) state how it will address each of
13 the 4 objectives specified in section
14 441(b)(1);

15 ““(iii) demonstrate that there is a suf-
16 ficient number of potential clients to allow
17 for the random selection of individuals to
18 participate in the project and for compari-
19 sons with appropriate control groups com-
20 posed of individuals who have not partici-
21 pated in such projects; and

22 ““(iv) demonstrate that the project is
23 designed to direct a majority of project re-
24 sources to activities serving low-income fa-

1 thers (but the project need not make serv-
2 ices available on a means-tested basis).

3 “(B) OVERSIGHT, EVALUATION, AND AD-
4 JUSTMENT COMPONENT.—An agreement that
5 the entity—

6 “(i) in consultation with the eval-
7 uator selected pursuant to section 445, and
8 as required by the Secretary, will modify
9 the project design, initially and (if nec-
10 essary) subsequently throughout the dura-
11 tion of the project, in order to facilitate on-
12 going and final oversight and evaluation of
13 project operation and outcomes (by means
14 including, to the maximum extent feasible,
15 random assignment of clients to service re-
16 cipient and control groups), and to provide
17 for mid-course adjustments in project de-
18 sign indicated by interim evaluations;

19 “(ii) will submit to the Secretary re-
20 vised descriptions of the project design as
21 modified in accordance with clause (i); and

22 “(iii) will cooperate fully with the
23 Secretary’s ongoing oversight and ongoing
24 and final evaluation of the project, by
25 means including affording the Secretary

1 access to the project and to project-related
2 records and documents, staff, and clients.

3 ““(3) ADDRESSING CHILD ABUSE AND NE-
4 GLECT AND DOMESTIC VIOLENCE.—A description of
5 how the entity will assess for the presence of, and
6 intervene to resolve, domestic violence and child
7 abuse and neglect, including how the entity will co-
8 ordinate with State and local child protective service
9 and domestic violence programs.

10 ““(4) ADDRESSING CONCERNS RELATING TO
11 SUBSTANCE ABUSE AND SEXUAL ACTIVITY.—A com-
12 mitment to make available to each individual partici-
13 pating in the project education about alcohol, to-
14 bacco, and other drugs, and about the health risks
15 associated with abusing such substances, and infor-
16 mation about diseases and conditions transmitted
17 through substance abuse and sexual contact, includ-
18 ing HIV/AIDS, and to coordinate with providers of
19 services addressing such problems, as appropriate.

20 ““(5) COORDINATION WITH SPECIFIED PRO-
21 GRAMS.—An undertaking to coordinate, as appro-
22 priate, with State and local entities responsible for
23 the programs funded under parts A, B, and D of
24 this title, programs under title I of the Workforce
25 Investment Act of 1998 (including the One-Stop de-

1 livery system), and such other programs as the Sec-
2 retary may require.

3 ““(6) RECORDS, REPORTS, AND AUDITS.—An
4 agreement to maintain such records, make such re-
5 ports, and cooperate with such reviews or audits (in
6 addition to those required under the preceding provi-
7 sions of paragraph (2)) as the Secretary may find
8 necessary for purposes of oversight of project activi-
9 ties and expenditures.

10 ““(d) FEDERAL SHARE.—

11 ““(1) IN GENERAL.—Grants for a project under
12 this section for a fiscal year shall be available for up
13 to 80 percent of the cost of such project in such fis-
14 cal year.

15 ““(2) NON-FEDERAL SHARE.—The non-Federal
16 share may be in cash or in kind. In determining the
17 amount of the non-Federal share, the Secretary may
18 attribute fair market value to goods, services, and
19 facilities contributed from non-Federal sources.

20 “**SEC. 445. EVALUATION.**

21 ““(a) IN GENERAL.—The Secretary, directly or by
22 contract or cooperative agreement, shall evaluate the effec-
23 tiveness of service projects funded under sections 443 and
24 444 from the standpoint of the purposes specified in sec-
25 tion 441(b)(1).

1 “(b) EVALUATION METHODOLOGY.—Evaluations
2 under this section shall—

3 “(1) include, to the maximum extent feasible,
4 random assignment of clients to service delivery and
5 control groups and other appropriate comparisons of
6 groups of individuals receiving and not receiving
7 services;

8 “(2) describe and measure the effectiveness of
9 the projects in achieving their specific project goals;
10 and

11 “(3) describe and assess, as appropriate, the
12 impact of such projects on marriage, parenting, do-
13 mestic violence, child abuse and neglect, money man-
14 agement, employment and earnings, payment of
15 child support, and child well-being, health, and edu-
16 cation.

17 “(c) EVALUATION REPORTS.—The Secretary shall
18 publish the following reports on the results of the evalua-
19 tion:

20 “(1) An implementation evaluation report cov-
21 ering the first 24 months of the activities under this
22 part to be completed by 36 months after initiation
23 of such activities.

24 “(2) A final report on the evaluation to be
25 completed by September 30, 2010.

1 **“SEC. 446. PROJECTS OF NATIONAL SIGNIFICANCE.**

2 “The Secretary is authorized, by grant, contract, or
3 cooperative agreement, to carry out projects and activities
4 of national significance relating to fatherhood promotion,
5 including—

6 ““(1) **COLLECTION AND DISSEMINATION OF IN-**
7 **FORMATION.**—Assisting States, communities, and
8 private entities, including religious organizations, in
9 efforts to promote and support marriage and respon-
10 sible fatherhood by collecting, evaluating, developing,
11 and making available (through the Internet and by
12 other means) to all interested parties information re-
13 garding approaches to accomplishing the objectives
14 specified in section 441(b)(1).

15 ““(2) **MEDIA CAMPAIGN.**—Developing, pro-
16 moting, and distributing to interested States, local
17 governments, public agencies, and private nonprofit
18 organizations, including charitable and religious or-
19 ganizations, a media campaign that promotes and
20 encourages involved, committed, and responsible fa-
21 therhood and married fatherhood.

22 ““(3) **TECHNICAL ASSISTANCE.**—Providing
23 technical assistance, including consultation and
24 training, to public and private entities, including
25 community organizations and faith-based organiza-

1 tions, in the implementation of local fatherhood pro-
2 motion programs.

3 ““(4) RESEARCH.—Conducting research related
4 to the purposes of this part.

5 **“SEC. 447. NONDISCRIMINATION.**

6 ““The projects and activities assisted under this part
7 shall be available on the same basis to all fathers and ex-
8 pectant fathers able to benefit from such projects and ac-
9 tivities, including married and unmarried fathers and cus-
10 todial and noncustodial fathers, with particular attention
11 to low-income fathers, and to mothers and expectant
12 mothers on the same basis as to fathers.

13 **“SEC. 448. AUTHORIZATION OF APPROPRIATIONS; RES-**
14 **ERVATION FOR CERTAIN PURPOSE.**

15 ““(a) AUTHORIZATION.—There are authorized to be
16 appropriated \$20,000,000 for each of fiscal years 2003
17 through 2007 to carry out the provisions of this part.

18 ““(b) RESERVATION.—Of the amount appropriated
19 under this section for each fiscal year, not more than 15
20 percent shall be available for the costs of the multicounty,
21 multicounty, multistate demonstration projects under sec-
22 tion 444, evaluations under section 445, and projects of
23 national significance under section 446.’.”

1 “(b) INAPPLICABILITY OF EFFECTIVE DATE PROVI-
2 SIONS.—Section 116 shall not apply to the amendment
3 made by subsection (a) of this section.”.

4 (2) CLERICAL AMENDMENT.—Section 2 of such
5 Act is amended in the table of contents by inserting
6 after the item relating to section 116 the following
7 new item:

“Sec. 117. Fatherhood program.”.

8 **SEC. 120. STATE OPTION TO MAKE TANF PROGRAMS MAN-**
9 **DATORY PARTNERS WITH ONE-STOP EMPLOY-**
10 **MENT TRAINING CENTERS.**

11 Section 408 of the Social Security Act (42 U.S.C.
12 608) is amended by adding at the end the following:

13 “(h) STATE OPTION TO MAKE TANF PROGRAMS
14 MANDATORY PARTNERS WITH ONE-STOP EMPLOYMENT
15 TRAINING CENTERS.—For purposes of section 121(b) of
16 the Workforce Investment Act of 1998, a State program
17 funded under part A of title IV of the Social Security Act
18 shall be considered a program referred to in paragraph
19 (1)(B) of such section, unless, after the date of the enact-
20 ment of this subsection, the Governor of the State notifies
21 the Secretaries of Health and Human Services and Labor
22 in writing of the decision of the Governor not to make
23 the State program a mandatory partner.”.

1 **SEC. 121. SENSE OF THE CONGRESS.**

2 It is the sense of the Congress that a State welfare-
3 to-work program should include a mentoring program.

4 **TITLE II—CHILD CARE**

5 **SEC. 201. SHORT TITLE.**

6 This title may be cited as the “Caring for Children
7 Act of 2002”.

8 **SEC. 202. GOALS.**

9 (a) GOALS.—Section 658A(b) of the Child Care and
10 Development Block Grant Act of 1990 (42 U.S.C. 9801
11 note) is amended—

12 (1) in paragraph (3) by striking “encourage”
13 and inserting “assist”,

14 (2) by amending paragraph (4) to read as fol-
15 lows:

16 “(4) to assist State to provide child care to low-
17 income parents;”,

18 (3) by redesignating paragraph (5) as para-
19 graph (7), and

20 (4) by inserting after paragraph (4) the fol-
21 lowing:

22 “(5) to encourage States to improve the quality
23 of child care available to families;

24 “(6) to promote school readiness by encour-
25 aging the exposure of young children in child care to
26 nurturing environments and developmentally-appro-

1 p r i a t e a c t i v i t i e s , i n c l u d i n g a c t i v i t i e s t o f o s t e r e a r l y
2 c o g n i t i v e a n d l i t e r a c y d e v e l o p m e n t ; a n d ” .

3 (b) C O N F O R M I N G A M E N D M E N T . — S e c t i o n
4 6 5 8 E (c) (3) (B) o f t h e C h i l d C a r e a n d D e v e l o p m e n t B l o c k
5 G r a n t A c t o f 1 9 9 0 (4 2 U . S . C . 9 8 5 8 c (c) (3) (B)) i s a m e n d e d
6 b y s t r i k i n g “ t h r o u g h (5) ” a n d i n s e r t i n g “ t h r o u g h (7) ” .

7 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS.**

8 S e c t i o n 6 5 8 B o f t h e C h i l d C a r e a n d D e v e l o p m e n t
9 B l o c k G r a n t A c t o f 1 9 9 0 (4 2 U . S . C . 9 8 5 8) i s a m e n d e d —

10 (1) b y s t r i k i n g “ i s ” a n d i n s e r t i n g “ a r e ” , a n d

11 (2) b y s t r i k i n g “ \$ 1 , 0 0 0 , 0 0 0 , 0 0 0 f o r e a c h o f t h e
12 f i s c a l y e a r s 1 9 9 6 t h r o u g h 2 0 0 2 ” a n d i n s e r t i n g
13 “ \$ 2 , 3 0 0 , 0 0 0 , 0 0 0 f o r f i s c a l y e a r 2 0 0 3 ,
14 \$ 2 , 5 0 0 , 0 0 0 , 0 0 0 f o r f i s c a l y e a r 2 0 0 4 ,
15 \$ 2 , 7 0 0 , 0 0 0 , 0 0 0 f o r f i s c a l y e a r 2 0 0 5 ,
16 \$ 2 , 9 0 0 , 0 0 0 , 0 0 0 f o r f i s c a l y e a r 2 0 0 6 , a n d
17 \$ 3 , 1 0 0 , 0 0 0 , 0 0 0 f o r f i s c a l y e a r 2 0 0 7 ” .

18 **SEC. 204. APPLICATION AND PLAN.**

19 S e c t i o n 6 5 8 E (c) (2) o f t h e C h i l d C a r e a n d D e v e l o p -
20 m e n t B l o c k G r a n t A c t o f 1 9 9 0 (4 2 U . S . C . 9 8 5 8 C (c) (2))
21 i s a m e n d e d —

22 (1) b y a m e n d i n g s u b p a r a g r a p h (D) t o r e a d a s
23 f o l l o w s :

24 “ (D) C O N S U M E R A N D C H I L D C A R E P R O -
25 V I D E R E D U C A T I O N I N F O R M A T I O N . — C e r t i f y t h a t

1 the State will collect and disseminate, through
2 resource and referral services and other means
3 as determined by the State, to parents of eligi-
4 ble children, child care providers, and the gen-
5 eral public, information regarding—

6 “(i) the promotion of informed child
7 care choices, including information about
8 the quality and availability of child care
9 services;

10 “(ii) research and best practices on
11 children’s development, including early cog-
12 nitive development;

13 “(iii) the availability of assistance to
14 obtain child care services; and

15 “(iv) other programs for which fami-
16 lies that receive child care services for
17 which financial assistance is provided
18 under this subchapter may be eligible, in-
19 cluding the food stamp program, the WIC
20 program under section 17 of the Child Nu-
21 trition Act of 1966, the child and adult
22 care food program under section 17 of the
23 Richard B. Russell National School Lunch
24 Act, and the medicaid and CHIP programs

1 under titles XIX and XXI of the Social Se-
2 curity Act.”, and

3 (2) by inserting after subparagraph (H) the fol-
4 lowing:

5 “(I) COORDINATION WITH OTHER EARLY
6 CHILD CARE SERVICES AND EARLY CHILDHOOD
7 EDUCATION PROGRAMS.—Demonstrate how the
8 State is coordinating child care services pro-
9 vided under this subchapter with Head Start,
10 Early Reading First, Even Start, Ready-To-
11 Learn Television, State pre-kindergarten pro-
12 grams, and other early childhood education pro-
13 grams to expand accessibility to and continuity
14 of care and early education without displacing
15 services provided by the current early care and
16 education delivery system.

17 “(J) PUBLIC-PRIVATE PARTNERSHIPS.—
18 Demonstrate how the State encourages partner-
19 ships with private and other public entities to
20 leverage existing service delivery systems of
21 early childhood education and increase the sup-
22 ply and quality of child care services.

23 “(K) CHILD CARE SERVICE QUALITY.—

24 “(i) CERTIFICATION.—For each fiscal
25 year after fiscal year 2003, certify that

1 during the then preceding fiscal year the
2 State was in compliance with section 658G
3 and describe how funds were used to com-
4 ply with such section during such pre-
5 ceding fiscal year.

6 “(ii) STRATEGY.—For each fiscal year
7 after fiscal year 2003, contain an outline
8 of the strategy the State will implement
9 during such fiscal year for which the State
10 plan is submitted, to address the quality of
11 child care services in child care settings
12 that provide services for which assistance
13 is made available under this subchapter,
14 and include in such strategy—

15 “(I) a statement specifying how
16 the State will address the activities
17 described in paragraphs (1), (2), and
18 (3) of section 658G;

19 “(II) a description of quantifi-
20 able, objective measures for evaluating
21 the quality of child care services sepa-
22 rately with respect to the activities
23 listed in each of such paragraphs that
24 the State will use to evaluate its

1 progress in improving the quality of
2 such child care services;

3 “(III) a list of State-developed
4 child care service quality targets for
5 such fiscal year quantified on the
6 basis of such measures; and

7 “(IV) for each fiscal year after
8 fiscal year 2003, a report on the
9 progress made to achieve such targets
10 during the then preceding fiscal year.

11 “(iii) RULE OF CONSTRUCTION.—
12 Nothing in this subparagraph shall be con-
13 strued to require that the State apply
14 measures for evaluating quality to specific
15 types of child care providers.

16 “(L) ACCESS TO CARE FOR CERTAIN POPU-
17 LATIONS.—Demonstrate how the State is ad-
18 dressing the child care needs of parents eligible
19 for child care services for which financial assist-
20 ance is provided under this subchapter who
21 have children with special needs, work nontradi-
22 tional hours, or require child care services for
23 infants or toddlers.”.

1 **SEC. 205. ACTIVITIES TO IMPROVE THE QUALITY OF CHILD**
2 **CARE.**

3 Section 658G of the Child Care and Development
4 Block Grant Act of 1990 (42 U.S.C. 9858e) is amended
5 to read as follows:

6 **“SEC. 658G. ACTIVITIES TO IMPROVE THE QUALITY OF**
7 **CHILD CARE SERVICES.**

8 “A State that receives funds to carry out this sub-
9 chapter for a fiscal year, shall use not less than 6 percent
10 of the amount of such funds for activities provided
11 through resource and referral services or other means,
12 that are designed to improve the quality of child care serv-
13 ices for which financial assistance is made available under
14 this subchapter. Such activities include—

15 “(1) programs that provide training, education,
16 and other professional development activities to en-
17 hance the skills of the child care workforce, includ-
18 ing training opportunities for caregivers in informal
19 care settings;

20 “(2) activities within child care settings to en-
21 hance early learning for young children, to promote
22 early literacy, and to foster school readiness;

23 “(3) initiatives to increase the retention and
24 compensation of child care providers, including
25 tiered reimbursement rates for providers that meet
26 quality standards as defined by the State; or

1 “(4) other activities deemed by the State to im-
2 prove the quality of child care services provided in
3 such State.”.

4 **SEC. 206. REPORT BY SECRETARY.**

5 Section 658L of the Child Care and Development
6 Block Grant Act of 1990 (42 U.S.C. 9858j) is amended
7 to read as follows:

8 **“SEC. 658L. REPORT BY SECRETARY.**

9 “(a) REPORT REQUIRED.—Not later than October 1,
10 2004, and biennially thereafter, the Secretary shall pre-
11 pare and submit to the Committee on Education and the
12 Workforce of the House of Representatives and the Com-
13 mittee on Health, Education, Labor and Pensions of the
14 Senate a report that contains the following:

15 “(1) A summary and analysis of the data and
16 information provided to the Secretary in the State
17 reports submitted under section 658K.

18 “(2) Aggregated statistics on the supply of, de-
19 mand for, and quality of child care, early education,
20 and non-school-hours programs.

21 “(3) An assessment, and where appropriate,
22 recommendations for the Congress concerning ef-
23 forts that should be undertaken to improve the ac-
24 cess of the public to quality and affordable child care
25 in the United States.

1 “(b) COLLECTION OF INFORMATION.—The Secretary
2 may utilize the national child care data system available
3 through resource and referral organizations at the local,
4 State, and national level to collect the information re-
5 quired by subsection (a)(2).

6 **SEC. 207. DEFINITIONS.**

7 Section 658P(4)(B) of the Child Care and Develop-
8 ment Block Grant Act of 1990 (42 U.S.C. 9858N(4)(B))
9 is amended by striking “85 percent of the State median
10 income” and inserting “income levels as established by the
11 State, prioritized by need,”.

12 **SEC. 208. ENTITLEMENT FUNDING.**

13 Section 418(a)(3) (42 U.S.C. 618(a)(3)) is
14 amended—

15 (1) by striking “and” at the end of subpara-
16 graph (E);

17 (2) by striking the period at the end of sub-
18 paragraph (F) and inserting “; and”; and

19 (3) by adding at the end the following:

20 “(G) \$2,917,000,000 for each of fiscal
21 years 2003 through 2007.”.

1 **TITLE III—TAXPAYER**
2 **PROTECTIONS**

3 **SEC. 301. EXCLUSION FROM GROSS INCOME FOR INTEREST**
4 **ON OVERPAYMENTS OF INCOME TAX BY INDI-**
5 **VIDUALS.**

6 (a) IN GENERAL.—Part III of subchapter B of chap-
7 ter 1 of the Internal Revenue Code of 1986 (relating to
8 items specifically excluded from gross income) is amended
9 by inserting after section 139 the following new section:

10 **“SEC. 139A. EXCLUSION FROM GROSS INCOME FOR INTER-**
11 **EST ON OVERPAYMENTS OF INCOME TAX BY**
12 **INDIVIDUALS.**

13 “(a) IN GENERAL.—In the case of an individual,
14 gross income shall not include interest paid under section
15 6611 on any overpayment of tax imposed by this subtitle.

16 “(b) EXCEPTION.—Subsection (a) shall not apply in
17 the case of a failure to claim items resulting in the over-
18 payment on the original return if the Secretary determines
19 that the principal purpose of such failure is to take advan-
20 tage of subsection (a).

21 “(c) SPECIAL RULE FOR DETERMINING MODIFIED
22 ADJUSTED GROSS INCOME.—For purposes of this title,
23 interest not included in gross income under subsection (a)
24 shall not be treated as interest which is exempt from tax
25 for purposes of sections 32(i)(2)(B) and 6012(d) or any

1 computation in which interest exempt from tax under this
2 title is added to adjusted gross income.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 for part III of subchapter B of chapter 1 of such Code
5 is amended by inserting after the item relating to section
6 139 the following new item:

“Sec. 139A. Exclusion from gross income for interest on over-
payments of income tax by individuals.”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to interest received after December
9 31, 2006.

10 **SEC. 302. DEPOSITS MADE TO SUSPEND RUNNING OF IN-**
11 **TEREST ON POTENTIAL UNDERPAYMENTS.**

12 (a) IN GENERAL.—Subchapter A of chapter 67 of the
13 Internal Revenue Code of 1986 (relating to interest on un-
14 derpayments) is amended by adding at the end the fol-
15 lowing new section:

16 **“SEC. 6603. DEPOSITS MADE TO SUSPEND RUNNING OF IN-**
17 **TEREST ON POTENTIAL UNDERPAYMENTS,**
18 **ETC.**

19 “(a) AUTHORITY TO MAKE DEPOSITS OTHER THAN
20 AS PAYMENT OF TAX.—A taxpayer may make a cash de-
21 posit with the Secretary which may be used by the Sec-
22 retary to pay any tax imposed under subtitle A or B or
23 chapter 41, 42, 43, or 44 which has not been assessed

1 at the time of the deposit. Such a deposit shall be made
2 in such manner as the Secretary shall prescribe.

3 “(b) NO INTEREST IMPOSED.—To the extent that
4 such deposit is used by the Secretary to pay tax, for pur-
5 poses of section 6601 (relating to interest on underpay-
6 ments), the tax shall be treated as paid when the deposit
7 is made.

8 “(c) RETURN OF DEPOSIT.—Except in a case where
9 the Secretary determines that collection of tax is in jeop-
10 ardy, the Secretary shall return to the taxpayer any
11 amount of the deposit (to the extent not used for a pay-
12 ment of tax) which the taxpayer requests in writing.

13 “(d) PAYMENT OF INTEREST.—

14 “(1) IN GENERAL.—For purposes of section
15 6611 (relating to interest on overpayments), a de-
16 posit which is returned to a taxpayer shall be treated
17 as a payment of tax for any period to the extent
18 (and only to the extent) attributable to a disputable
19 tax for such period. Under regulations prescribed by
20 the Secretary, rules similar to the rules of section
21 6611(b)(2) shall apply.

22 “(2) DISPUTABLE TAX.—

23 “(A) IN GENERAL.—For purposes of this
24 section, the term ‘disputable tax’ means the
25 amount of tax specified at the time of the de-

1 posit as the taxpayer’s reasonable estimate of
2 the maximum amount of any tax attributable to
3 disputable items.

4 “(B) SAFE HARBOR BASED ON 30-DAY
5 LETTER.—In the case of a taxpayer who has
6 been issued a 30-day letter, the maximum
7 amount of tax under subparagraph (A) shall
8 not be less than the amount of the proposed de-
9 ficiency specified in such letter.

10 “(3) OTHER DEFINITIONS.—For purposes of
11 paragraph (2)—

12 “(A) DISPUTABLE ITEM.—The term ‘dis-
13 putable item’ means any item of income, gain,
14 loss, deduction, or credit if the taxpayer—

15 “(i) has a reasonable basis for its
16 treatment of such item, and

17 “(ii) reasonably believes that the Sec-
18 retary also has a reasonable basis for dis-
19 allowing the taxpayer’s treatment of such
20 item.

21 “(B) 30-DAY LETTER.—The term ‘30-day
22 letter’ means the first letter of proposed defi-
23 ciency which allows the taxpayer an opportunity
24 for administrative review in the Internal Rev-
25 enue Service Office of Appeals.

1 “(4) RATE OF INTEREST.—The rate of interest
2 allowable under this subsection shall be the Federal
3 short-term rate determined under section 6621(b),
4 compounded daily.

5 “(e) USE OF DEPOSITS.—

6 “(1) PAYMENT OF TAX.—Except as otherwise
7 provided by the taxpayer, deposits shall be treated
8 as used for the payment of tax in the order depos-
9 ited.

10 “(2) RETURNS OF DEPOSITS.—Deposits shall
11 be treated as returned to the taxpayer on a last-in,
12 first-out basis.”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 for subchapter A of chapter 67 of such Code is amended
15 by adding at the end the following new item:

 “Sec. 6603. Deposits made to suspend running of interest on po-
 tential underpayments, etc.”.

16 (c) EFFECTIVE DATE.—

17 (1) IN GENERAL.—The amendments made by
18 this section shall apply to deposits made after the
19 date of the enactment of this Act.

20 (2) COORDINATION WITH DEPOSITS MADE
21 UNDER REVENUE PROCEDURE 84–58.—In the case of
22 an amount held by the Secretary of the Treasury or
23 his delegate on the date of the enactment of this Act
24 as a deposit in the nature of a cash bond deposit

1 pursuant to Revenue Procedure 84-58, the date that
2 the taxpayer identifies such amount as a deposit
3 made pursuant to section 6603 of the Internal Rev-
4 enue Code (as added by this Act) shall be treated as
5 the date such amount is deposited for purposes of
6 such section 6603.

7 **SEC. 303. PARTIAL PAYMENT OF TAX LIABILITY IN IN-**
8 **STALLMENT AGREEMENTS.**

9 (a) IN GENERAL.—

10 (1) Section 6159(a) of the Internal Revenue
11 Code of 1986 (relating to authorization of agree-
12 ments) is amended—

13 (A) by striking “satisfy liability for pay-
14 ment of” and inserting “make payment on”,
15 and

16 (B) by inserting “full or partial” after “fa-
17 cilitate”.

18 (2) Section 6159(c) of such Code (relating to
19 Secretary required to enter into installment agree-
20 ments in certain cases) is amended in the matter
21 preceding paragraph (1) by inserting “full” before
22 “payment”.

23 (b) REQUIREMENT TO REVIEW PARTIAL PAYMENT
24 AGREEMENTS EVERY TWO YEARS.—Section 6159 of such
25 Code is amended by redesignating subsections (d) and (e)

1 as subsections (e) and (f), respectively, and inserting after
2 subsection (e) the following new subsection:

3 “(d) SECRETARY REQUIRED TO REVIEW INSTALL-
4 MENT AGREEMENTS FOR PARTIAL COLLECTION EVERY
5 TWO YEARS.—In the case of an agreement entered into
6 by the Secretary under subsection (a) for partial collection
7 of a tax liability, the Secretary shall review the agreement
8 at least once every 2 years.”.

9 (c) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to agreements entered into on or
11 after the date of the enactment of this Act.

12 **TITLE IV—CHILD SUPPORT**

13 **SEC. 401. FEDERAL MATCHING FUNDS FOR LIMITED PASS** 14 **THROUGH OF CHILD SUPPORT PAYMENTS TO** 15 **FAMILIES RECEIVING TANF.**

16 (a) IN GENERAL.—Section 457(a) (42 U.S.C.
17 657(a)) is amended—

18 (1) in paragraph (1)(A), by inserting “subject
19 to paragraph (7)” before the semicolon; and

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

21 “(7) FEDERAL MATCHING FUNDS FOR LIMITED
22 PASS THROUGH OF CHILD SUPPORT PAYMENTS TO
23 FAMILIES RECEIVING TANF.—Notwithstanding para-
24 graph (1), a State shall not be required to pay to
25 the Federal Government the Federal share of an

1 amount collected during a month on behalf of a fam-
2 ily that is a recipient of assistance under the State
3 program funded under part A, to the extent that—

4 “(A) the State distributes the amount to
5 the family;

6 “(B) the total of the amounts so distrib-
7 uted to the family during the month—

8 “(i) exceeds the amount (if any) that,
9 as of December 31, 2001, was required
10 under State law to be distributed to a fam-
11 ily under paragraph (1)(B); and

12 “(ii) does not exceed the greater of—

13 “(I) \$100; or

14 “(II) \$50 plus the amount de-
15 scribed in clause (i); and

16 “(C) the amount is disregarded in deter-
17 mining the amount and type of assistance pro-
18 vided to the family under the State program
19 funded under part A.”.

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall apply to amounts distributed on or
22 after October 1, 2004.

1 **SEC. 402. STATE OPTION TO PASS THROUGH ALL CHILD**
2 **SUPPORT PAYMENTS TO FAMILIES THAT**
3 **FORMERLY RECEIVED TANF.**

4 (a) **IN GENERAL.**—Section 457(a) (42 U.S.C.
5 657(a)), as amended by section 401(a) of this Act, is
6 amended—

7 (1) in paragraph (2)(B), in the matter pre-
8 ceding clause (i), by inserting “, except as provided
9 in paragraph (8),” after “shall”; and

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

11 “(8) **STATE OPTION TO PASS THROUGH ALL**
12 **CHILD SUPPORT PAYMENTS TO FAMILIES THAT FOR-**
13 **MERLY RECEIVED TANF.**—In lieu of applying para-
14 graph (2) to any family described in paragraph (2),
15 a State may distribute to the family any amount col-
16 lected during a month on behalf of the family.”.

17 (b) **EFFECTIVE DATE.**—The amendments made by
18 subsection (a) shall apply to amounts distributed on or
19 after October 1, 2004.

20 **SEC. 403. MANDATORY REVIEW AND ADJUSTMENT OF**
21 **CHILD SUPPORT ORDERS FOR FAMILIES RE-**
22 **CEIVING TANF.**

23 (a) **IN GENERAL.**—Section 466(a)(10)(A)(i) (42
24 U.S.C. 666(a)(10)(A)(i)) is amended—

25 (1) by striking “parent, or,” and inserting
26 “parent or”; and

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

3 (b) **EFFECTIVE DATE.**—The amendment made by
4 subsection (a) shall take effect on October 1, 2004.

5 **SEC. 404. MANDATORY FEE FOR SUCCESSFUL CHILD SUP-**
6 **PORT COLLECTION FOR FAMILY THAT HAS**
7 **NEVER RECEIVED TANF.**

8 (a) **IN GENERAL.**—Section 454(6)(B) (42 U.S.C.
9 654(6)(B)) is amended—

10 (1) by inserting “(i)” after “(B)”;

11 (2) by redesignating clauses (i) and (ii) as sub-
12 clauses (I) and (II), respectively;

13 (3) by adding “and” after the semicolon; and

14 (4) by adding after and below the end the fol-
15 lowing new clause:

16 “(ii) in the case of an individual who has
17 never received assistance under a State pro-
18 gram funded under part A and for whom the
19 State has collected at least \$500 of support, the
20 State shall impose an annual fee of \$25 for
21 each case in which services are furnished, which
22 shall be retained by the State from support col-
23 lected on behalf of the individual (but not from
24 the 1st \$500 so collected), paid by the indi-
25 vidual applying for the services, recovered from

1 the absent parent, or paid by the State out of
2 its own funds (the payment of which from State
3 funds shall not be considered as an administra-
4 tive cost of the State for the operation of the
5 plan, and shall be considered income to the pro-
6 gram);”.

7 (b) CONFORMING AMENDMENT.—Section 457(a)(3)
8 (42 U.S.C. 657(a)(3)) is amended to read as follows:

9 “(3) FAMILIES THAT NEVER RECEIVED ASSIST-
10 ANCE.—In the case of any other family, the State
11 shall distribute to the family the portion of the
12 amount so collected that remains after withholding
13 any fee pursuant to section 454(6)(B)(ii).”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on October 1, 2003.

16 **SEC. 405. 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. The report shall include an estimate of the total

1 amount of such undistributed child support and the aver-
2 age length of time it takes for such child support to be
3 distributed. To the extent the Secretary deems appro-
4 priate, the Secretary shall include in the report rec-
5 ommendations as to whether additional procedures should
6 be established at the State or Federal level to expedite
7 the payment of undistributed child support.

8 **SEC. 406. USE OF NEW HIRE INFORMATION TO ASSIST IN**
9 **ADMINISTRATION OF UNEMPLOYMENT COM-**
10 **PENSATION PROGRAMS.**

11 (a) IN GENERAL.—Section 453(j) (42 U.S.C. 653(j))
12 is amended by adding at the end the following:

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

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

1 tative employer of the individual, subject to this
2 paragraph.

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

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

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall take effect on October 1, 2003.

15 **SEC. 407. DECREASE IN AMOUNT OF CHILD SUPPORT AR-**
16 **REARAGE TRIGGERING PASSPORT DENIAL.**

17 (a) IN GENERAL.—Section 452(k)(1) (42 U.S.C.
18 652(k)(1)) is amended by striking “\$5,000” and inserting
19 “\$2,500”.

20 (b) CONFORMING AMENDMENT.—Section 454(31)
21 (42 U.S.C. 654(31)) is amended by striking “\$5,000” and
22 inserting “\$2,500”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on October 1, 2003.

1 **SEC. 408. USE OF TAX REFUND INTERCEPT PROGRAM TO**
2 **COLLECT PAST-DUE CHILD SUPPORT ON BE-**
3 **HALF OF CHILDREN WHO ARE NOT MINORS.**

4 (a) IN GENERAL.—Section 464 (42 U.S.C. 664) is
5 amended—

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

9 (2) in subsection (c)—

10 (A) in paragraph (1)—

11 (i) by striking “(1) Except as pro-
12 vided in paragraph (2), as used in” and in-
13 serting “In”; and

14 (ii) by inserting “(whether or not a
15 minor)” after “a child” each place it ap-
16 pears; and

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

18 (b) EFFECTIVE DATE.—The amendments made by
19 subsection (a) shall take effect on October 1, 2004.

20 **SEC. 409. GARNISHMENT OF COMPENSATION PAID TO VET-**
21 **ERANS FOR SERVICE-CONNECTED DISABIL-**
22 **ITIES IN ORDER TO ENFORCE CHILD SUP-**
23 **PORT OBLIGATIONS.**

24 (a) IN GENERAL.—Section 459(h) (42 U.S.C.
25 659(h)) is amended—

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

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

5 “(3) LIMITATIONS WITH RESPECT TO COM-
6 PENSATION PAID TO VETERANS FOR SERVICE-CON-
7 NECTED DISABILITIES.—Notwithstanding any other
8 provision of this section:

9 “(A) Compensation described in paragraph
10 (1)(A)(ii)(V) shall not be subject to withholding
11 pursuant to this section—

12 “(i) for payment of alimony; or

13 “(ii) for payment of child support if
14 the individual is fewer than 60 days in ar-
15 rears in payment of the support.

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

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall take effect on October 1, 2004.

22 **SEC. 410. IMPROVING FEDERAL DEBT COLLECTION PRAC-**
23 **TICES.**

24 Section 3716(h)(3) of title 31, United States Code,
25 is amended to read as follows:

1 “(3) In applying this subsection with respect to any
2 debt owed to a State, other than past due support being
3 enforced by the State, subsection (c)(3)(A) shall not apply.
4 Subsection (c)(3)(A) shall apply with respect to past due
5 support being enforced by the State notwithstanding any
6 other provision of law, including sections 207 and
7 1631(d)(1) of the Social Security Act (42 U.S.C. 407 and
8 1383(d)(1)), section 413(b) of Public Law 91–173 (30
9 U.S.C. 923(b)), and section 14 of the Act of August 29,
10 1935 (45 U.S.C. 231m).”

11 **SEC. 411. MAINTENANCE OF TECHNICAL ASSISTANCE**
12 **FUNDING.**

13 Section 452(j) (42 U.S.C. 652(j)) is amended by in-
14 serting “or the amount appropriated under this paragraph
15 for fiscal year 2002, whichever is greater,” before “which
16 shall be available”.

17 **SEC. 412. MAINTENANCE OF FEDERAL PARENT LOCATOR**
18 **SERVICE FUNDING.**

19 Section 453(o) (42 U.S.C. 653(o)) is amended—

20 (1) in the 1st sentence, by inserting “or the
21 amount appropriated under this paragraph for fiscal
22 year 2002, whichever is greater,” before “which
23 shall be available”; and

24 (2) in the 2nd sentence, by striking “for each
25 of fiscal years 1997 through 2001”.

1 **TITLE V—CHILD WELFARE**

2 **SEC. 501. EXTENSION OF AUTHORITY TO APPROVE DEM-**
3 **ONSTRATION PROJECTS.**

4 Section 1130(a)(2) (42 U.S.C. 1320a–9(a)(2)) is
5 amended by striking “2002” and inserting “2007”.

6 **SEC. 502. ELIMINATION OF LIMITATION ON NUMBER OF**
7 **WAIVERS.**

8 Section 1130(a)(2) (42 U.S.C. 1320a–9(a)(2)) is
9 amended by striking “not more than 10”.

10 **SEC. 503. ELIMINATION OF LIMITATION ON NUMBER OF**
11 **STATES THAT MAY BE GRANTED WAIVERS TO**
12 **CONDUCT DEMONSTRATION PROJECTS ON**
13 **SAME TOPIC.**

14 Section 1130 (42 U.S.C. 1320a–9) is amended by
15 adding at the end the following:

16 “(h) NO LIMIT ON NUMBER OF STATES THAT MAY
17 BE GRANTED WAIVERS TO CONDUCT SAME OR SIMILAR
18 DEMONSTRATION PROJECTS.—The Secretary shall not
19 refuse to grant a waiver to a State under this section on
20 the grounds that a purpose of the waiver or of the dem-
21 onstration project for which the waiver is necessary would
22 be the same as or similar to a purpose of another waiver
23 or project that is or may be conducted under this sec-
24 tion.”.

1 **SEC. 504. ELIMINATION OF LIMITATION ON NUMBER OF**
2 **WAIVERS THAT MAY BE GRANTED TO A SIN-**
3 **GLE STATE FOR DEMONSTRATION PROJECTS.**

4 Section 1130 (42 U.S.C. 1320a–9) is further amend-
5 ed by adding at the end the following:

6 “(i) NO LIMIT ON NUMBER OF WAIVERS GRANTED
7 TO, OR DEMONSTRATION PROJECTS THAT MAY BE CON-
8 DUCTED BY, A SINGLE STATE.—The Secretary shall not
9 impose any limit on the number of waivers that may be
10 granted to a State, or the number of demonstration
11 projects that a State may be authorized to conduct, under
12 this section.”.

13 **SEC. 505. STREAMLINED PROCESS FOR CONSIDERATION OF**
14 **AMENDMENTS TO AND EXTENSIONS OF DEM-**
15 **ONSTRATION PROJECTS REQUIRING WAIV-**
16 **ERS.**

17 Section 1130 (42 U.S.C. 1320a–9) is further amend-
18 ed by adding at the end the following:

19 “(j) STREAMLINED PROCESS FOR CONSIDERATION
20 OF AMENDMENTS AND EXTENSIONS.—The Secretary
21 shall develop a streamlined process for consideration of
22 amendments and extensions proposed by States to dem-
23 onstration projects conducted under this section.”.

24 **SEC. 506. AVAILABILITY OF REPORTS.**

25 Section 1130 (42 U.S.C. 1320a–9) is further amend-
26 ed by adding at the end the following:

1 “(k) AVAILABILITY OF REPORTS.—The Secretary
2 shall make available to any State or other interested party
3 any report provided to the Secretary under subsection
4 (f)(2), and any evaluation or report made by the Secretary
5 with respect to a demonstration project conducted under
6 this section, with a focus on information that may promote
7 best practices and program improvements.”.

8 **SEC. 507. TECHNICAL CORRECTION.**

9 Section 1130(b)(1) (42 U.S.C. 1320a–9(b)(1)) is
10 amended by striking “422(b)(9)” and inserting
11 “422(b)(10)”.

12 **TITLE VI—SUPPLEMENTAL**
13 **SECURITY INCOME**

14 **SEC. 601. REVIEW OF STATE AGENCY BLINDNESS AND DIS-**
15 **ABILITY DETERMINATIONS.**

16 Section 1633 (42 U.S.C. 1383b) is amended by add-
17 ing at the end the following:

18 “(e)(1) The Commissioner of Social Security shall re-
19 view determinations, made by State agencies pursuant to
20 subsection (a) in connection with applications for benefits
21 under this title on the basis of blindness or disability, that
22 individuals who have attained 18 years of age are blind
23 or disabled as of a specified onset date. The Commissioner
24 of Social Security shall review such a determination before
25 any action is taken to implement the determination.

1 “(2)(A) In carrying out paragraph (1), the Commis-
 2 sioner of Social Security shall review—

3 “(i) at least 20 percent of all determinations re-
 4 ferred to in paragraph (1) that are made in fiscal
 5 year 2003;

6 “(ii) at least 40 percent of all such determina-
 7 tions that are made in fiscal year 2004; and

8 “(iii) at least 50 percent of all such determina-
 9 tions that are made in fiscal year 2005 or thereafter.

10 “(B) In carrying out subparagraph (A), the Commis-
 11 sioner of Social Security shall, to the extent feasible, select
 12 for review the determinations which the Commissioner of
 13 Social Security identifies as being the most likely to be
 14 incorrect.”.

15 **TITLE VII—STATE AND LOCAL**
 16 **FLEXIBILITY**

17 **SEC. 701. PROGRAM COORDINATION DEMONSTRATION**
 18 **PROJECTS.**

19 (a) PURPOSE.—The purpose of this section is to es-
 20 tablish a program of demonstration projects in a State or
 21 portion of a State to coordinate multiple public assistance,
 22 workforce development, and other programs, for the pur-
 23 pose of supporting working individuals and families, help-
 24 ing families escape welfare dependency, promoting child
 25 well-being, or helping build stronger families, using inno-

1 vative approaches to strengthen service systems and pro-
2 vide more coordinated and effective service delivery.

3 (b) DEFINITIONS.—In this section:

4 (1) ADMINISTERING SECRETARY.—The term
5 “administering Secretary” means, with respect to a
6 qualified program, the head of the Federal agency
7 responsible for administering the program.

8 (2) QUALIFIED PROGRAM.—The term “qualified
9 program” means—

10 (A) a program under part A of title IV of
11 the Social Security Act;

12 (B) the program under title XX of such
13 Act;

14 (C) activities funded under title I of the
15 Workforce Investment Act of 1998, except sub-
16 title C of such title;

17 (D) a demonstration project authorized
18 under section 505 of the Family Support Act of
19 1988;

20 (E) activities funded under the Wagner-
21 Peyser Act;

22 (F) activities funded under the Adult Edu-
23 cation and Family Literacy Act;

24 (G) activities funded under the Child Care
25 and Development Block Grant Act of 1990;

1 (H) activities funded under the United
2 States Housing Act of 1937 (42 U.S.C. 1437 et
3 seq.), except that such term shall not include—

4 (i) any program for rental assistance
5 under section 8 of such Act (42 U.S.C.
6 1437f); and

7 (ii) the program under section 7 of
8 such Act (42 U.S.C. 1437e) for desig-
9 nating public housing for occupancy by
10 certain populations;

11 (I) activities funded under title I, II, III,
12 or IV of the McKinney-Vento Homeless Assist-
13 ance Act (42 U.S.C. 11301 et seq.); or

14 (J) the food stamp program as defined in
15 section 3(h) of the Food Stamp Act of 1977 (7
16 U.S.C. 2012(h)).

17 (c) APPLICATION REQUIREMENTS.—The head of a
18 State entity or of a sub-State entity administering 2 or
19 more qualified programs proposed to be included in a dem-
20 onstration project under this section shall (or, if the
21 project is proposed to include qualified programs adminis-
22 tered by 2 or more such entities, the heads of the admin-
23 istering entities (each of whom shall be considered an ap-
24 plicant for purposes of this section) shall jointly) submit

1 to the administering Secretary of each such program an
2 application that contains the following:

3 (1) PROGRAMS INCLUDED.—A statement identi-
4 fying each qualified program to be included in the
5 project, and describing how the purposes of each
6 such program will be achieved by the project.

7 (2) POPULATION SERVED.—A statement identi-
8 fying the population to be served by the project and
9 specifying the eligibility criteria to be used.

10 (3) DESCRIPTION AND JUSTIFICATION.—A de-
11 tailed description of the project, including—

12 (A) a description of how the project is ex-
13 pected to improve or enhance achievement of
14 the purposes of the programs to be included in
15 the project, from the standpoint of quality, of
16 cost-effectiveness, or of both; and

17 (B) a description of the performance objec-
18 tives for the project, including any proposed
19 modifications to the performance measures and
20 reporting requirements used in the programs.

21 (4) WAIVERS REQUESTED.—A description of
22 the statutory and regulatory requirements with re-
23 spect to which a waiver is requested in order to
24 carry out the project, and a justification of the need
25 for each such waiver.

1 (5) COST NEUTRALITY.—Such information and
2 assurances as necessary to establish to the satisfac-
3 tion of the administering Secretary, in consultation
4 with the Director of the Office of Management and
5 Budget, that the proposed project is reasonably ex-
6 pected to meet the applicable cost neutrality require-
7 ments of subsection (d)(4).

8 (6) EVALUATION AND REPORTS.—An assurance
9 that the applicant will conduct ongoing and final
10 evaluations of the project, and make interim and
11 final reports to the administering Secretary, at such
12 times and in such manner as the administering Sec-
13 retary may require.

14 (7) PUBLIC HOUSING AGENCY PLAN.—In the
15 case of an application proposing a demonstration
16 project that includes activities referred to in sub-
17 section (b)(2)(H) of this section—

18 (A) a certification that the applicable an-
19 nual public housing agency plan of any agency
20 affected by the project that is approved under
21 section 5A of the United States Housing Act of
22 1937 (42 U.S.C. 1437e–1) by the Secretary in-
23 cludes the information specified in paragraphs
24 (1) through (4) of this subsection; and

1 (B) any resident advisory board rec-
2 ommendations, and other information, relating
3 to the project that, pursuant to section
4 5A(e)(2) of the United States Housing Act of
5 1937 (42 U.S.C. 1437c-1(e)(2)), is required to
6 be included in the public housing agency plan of
7 any public housing agency affected by the
8 project.

9 (8) OTHER INFORMATION AND ASSURANCES.—

10 Such other information and assurances as the ad-
11 ministering Secretary may require.

12 (d) APPROVAL OF APPLICATIONS.—

13 (1) IN GENERAL.—The administering Secretary
14 with respect to a qualified program that is identified
15 in an application submitted pursuant to subsection
16 (c) may approve the application and, except as pro-
17 vided in paragraph (2), waive any requirement appli-
18 cable to the program, to the extent consistent with
19 this section and necessary and appropriate for the
20 conduct of the demonstration project proposed in the
21 application, if the administering Secretary deter-
22 mines that the project—

23 (A) has a reasonable likelihood of achieving
24 the objectives of the programs to be included in
25 the project;

1 (B) may reasonably be expected to meet
2 the applicable cost neutrality requirements of
3 paragraph (4), as determined by the Director of
4 the Office of Management and Budget; and

5 (C) includes the coordination of 2 or more
6 qualified programs.

7 (2) PROVISIONS EXCLUDED FROM WAIVER AU-
8 THORITY.—A waiver shall not be granted under
9 paragraph (1)—

10 (A) with respect to any provision of law re-
11 lating to—

12 (i) civil rights or prohibition of dis-
13 crimination;

14 (ii) purposes or goals of any program;

15 (iii) maintenance of effort require-
16 ments;

17 (iv) health or safety;

18 (v) labor standards under the Fair
19 Labor Standards Act of 1938; or

20 (vi) environmental protection;

21 (B) with respect to section 241(a) of the
22 Adult Education and Family Literacy Act;

23 (C) in the case of a program under the
24 United States Housing Act of 1937 (42 U.S.C.
25 1437 et seq.), with respect to any requirement

1 under section 5A of such Act (42 U.S.C.
2 1437e-1; relating to public housing agency
3 plans and resident advisory boards);

4 (D) in the case of a program under the
5 Workforce Investment Act, with respect to any
6 requirement the waiver of which would violate
7 section 189(i)(4)(A)(i) of such Act;

8 (E) in the case of the food stamp program
9 (as defined in section 3(h) of the Food Stamp
10 Act of 1977 (7 U.S.C. 2012(h)), with respect to
11 any requirement under—

12 (i) section 6 (if waiving a requirement
13 under such section would have the effect of
14 expanding eligibility for the program), 7(b)
15 or 16(c) of the Food Stamp Act of 1977
16 (7 U.S.C. 2011 et seq.); or

17 (ii) title IV of the Personal Responsi-
18 bility and Work Opportunity Reconciliation
19 Act of 1996 (8 U.S.C. 1601 et seq.);

20 (F) with respect to any requirement that a
21 State pass through to a sub-State entity part or
22 all of an amount paid to the State; or

23 (G) if the waiver would waive any funding
24 restriction or limitation provided in an appro-
25 priations Act, or would have the effect of trans-

1 ferring appropriated funds from 1 appropria-
2 tions account to another.

3 (3) AGREEMENT OF EACH ADMINISTERING SEC-
4 RETARY REQUIRED.—

5 (A) IN GENERAL.—An applicant may not
6 conduct a demonstration project under this sec-
7 tion unless each administering Secretary with
8 respect to any program proposed to be included
9 in the project has approved the application to
10 conduct the project.

11 (B) AGREEMENT WITH RESPECT TO FUND-
12 ING AND IMPLEMENTATION.—Before approving
13 an application to conduct a demonstration
14 project under this section, an administering
15 Secretary shall have in place an agreement with
16 the applicant with respect to the payment of
17 funds and responsibilities required of the ad-
18 ministering Secretary with respect to the
19 project.

20 (4) COST-NEUTRALITY REQUIREMENT.—

21 (A) GENERAL RULE.—Notwithstanding
22 any other provision of law (except subparagraph
23 (B)), the total of the amounts that may be paid
24 by the Federal Government for a fiscal year
25 with respect to the programs in the State in

1 which an entity conducting a demonstration
2 project under this section is located that are af-
3 fected by the project shall not exceed the esti-
4 mated total amount that the Federal Govern-
5 ment would have paid for the fiscal year with
6 respect to the programs if the project had not
7 been conducted, as determined by the Director
8 of the Office of Management and Budget.

9 (B) SPECIAL RULE.—If an applicant sub-
10 mits to the Director of the Office of Manage-
11 ment and Budget a request to apply the rules
12 of this subparagraph to the programs in the
13 State in which the applicant is located that are
14 affected by a demonstration project proposed in
15 an application submitted by the applicant pur-
16 suant to this section, during such period of not
17 more than 5 consecutive fiscal years in which
18 the project is in effect, and the Director deter-
19 mines, on the basis of supporting information
20 provided by the applicant, to grant the request,
21 then, notwithstanding any other provision of
22 law, the total of the amounts that may be paid
23 by the Federal Government for the period with
24 respect to the programs shall not exceed the es-
25 timated total amount that the Federal Govern-

1 ment would have paid for the period with re-
2 spect to the programs if the project had not
3 been conducted.

4 (5) 90-DAY APPROVAL DEADLINE.—

5 (A) IN GENERAL.—If an administering
6 Secretary receives an application to conduct a
7 demonstration project under this section and
8 does not disapprove the application within 90
9 days after the receipt, then—

10 (i) the administering Secretary is
11 deemed to have approved the application
12 for such period as is requested in the ap-
13 plication, except to the extent inconsistent
14 with subsection (e); and

15 (ii) any waiver requested in the appli-
16 cation which applies to a qualified program
17 that is identified in the application and is
18 administered by the administering Sec-
19 retary is deemed to be granted, except to
20 the extent inconsistent with paragraph (2)
21 or (4) of this subsection.

22 (B) DEADLINE EXTENDED IF ADDITIONAL
23 INFORMATION IS SOUGHT.—The 90-day period
24 referred to in subparagraph (A) shall not in-
25 clude any period that begins with the date the

1 Secretary requests the applicant to provide ad-
2 ditional information with respect to the applica-
3 tion and ends with the date the additional in-
4 formation is provided.

5 (e) DURATION OF PROJECTS.—A demonstration
6 project under this section may be approved for a term of
7 not more than 5 years.

8 (f) REPORTS TO CONGRESS.—

9 (1) REPORT ON DISPOSITION OF APPLICA-
10 TIONS.—Within 90 days after an administering Sec-
11 retary receives an application submitted pursuant to
12 this section, the administering Secretary shall sub-
13 mit to each Committee of the Congress which has
14 jurisdiction over a qualified program identified in
15 the application notice of the receipt, a description of
16 the decision of the administering Secretary with re-
17 spect to the application, and the reasons for approv-
18 ing or disapproving the application.

19 (2) REPORTS ON PROJECTS.—Each admin-
20 istering Secretary shall provide annually to the Con-
21 gress a report concerning demonstration projects ap-
22 proved under this section, including—

23 (A) the projects approved for each appli-
24 cant;

1 (B) the number of waivers granted under
2 this section, and the specific statutory provi-
3 sions waived;

4 (C) how well each project for which a waiv-
5 er is granted is improving or enhancing pro-
6 gram achievement from the standpoint of qual-
7 ity, cost-effectiveness, or both;

8 (D) how well each project for which a
9 waiver is granted is meeting the performance
10 objectives specified in subsection (c)(3)(B);

11 (E) how each project for which a waiver is
12 granted is conforming with the cost-neutrality
13 requirements of subsection (d)(4); and

14 (F) to the extent the administering Sec-
15 retary deems appropriate, recommendations for
16 modification of programs based on outcomes of
17 the projects.

18 (g) AMENDMENT TO UNITED STATES HOUSING ACT
19 OF 1937.—Section 5A(d) of the United States Housing
20 Act of 1937 (42 U.S.C. 1437c–1(d)) is amended—

21 (1) by redesignating paragraph (18) as para-
22 graph (19); and

23 (2) by inserting after paragraph (17) the fol-
24 lowing new paragraph:

1 “(18) PROGRAM COORDINATION DEMONSTRATION PROJECTS.—In the case of an agency that administers an activity referred to in section 2 701(b)(2)(H) of the Personal Responsibility, Work, and Family Promotion Act of 2002 that, during 3 such fiscal year, will be included in a demonstration 4 project under section 701 of such Act, the information that is required to be included in the application 5 for the project pursuant to paragraphs (1) through 6 (4) of section 701(b) of such Act.”.

11 **SEC. 702. STATE FOOD ASSISTANCE BLOCK GRANT DEMONSTRATION PROJECT.**

12 The Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.)
13 is amended by adding at the end the following:

14 **“SEC. 28. STATE FOOD ASSISTANCE BLOCK GRANT DEMONSTRATION PROJECT.**

15 “(a) ESTABLISHMENT.—The Secretary shall establish a program to make grants to States in accordance 16 with this section to provide—

17 “(1) food assistance to needy individuals and
18 families residing in the State;

19 “(2) funds to operate an employment and training program under subsection (g) for needy individuals under the program; and
20
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1 “(3) funds for administrative costs incurred in
2 providing the assistance.

3 “(b) ELECTION.—

4 “(1) IN GENERAL.—A State may elect to par-
5 ticipate in the program established under subsection
6 (a).

7 “(2) ELECTION REVOCABLE.—A State that
8 elects to participate in the program established
9 under subsection (a) may subsequently reverse the
10 election of the State only once thereafter. Following
11 the reversal, the State shall only be eligible to par-
12 ticipate in the food stamp program in accordance
13 with the other sections of this Act and shall not re-
14 ceive a block grant under this section.

15 “(3) PROGRAM EXCLUSIVE.—A State that is
16 participating in the program established under sub-
17 section (a) shall not be subject to, or receive any
18 benefit under, this Act except as provided in this
19 section.

20 “(c) LEAD AGENCY.—

21 “(1) DESIGNATION.—A State desiring to par-
22 ticipate in the program established under subsection
23 (a) shall designate, in an application submitted to
24 the Secretary under subsection (d)(1), an appro-

1 appropriate State agency that complies with paragraph
2 (2) to act as the lead agency for the State.

3 “(2) DUTIES.—The lead agency shall—

4 “(A) administer, either directly, through
5 other State agencies, or through local agencies,
6 the assistance received under this section by the
7 State;

8 “(B) develop the State plan to be sub-
9 mitted to the Secretary under subsection (d)(1);
10 and

11 “(C) coordinate the provision of food as-
12 sistance under this section with other Federal,
13 State, and local programs.

14 “(d) APPLICATION AND PLAN.—

15 “(1) APPLICATION.—To be eligible to receive
16 assistance under this section, a State shall prepare
17 and submit to the Secretary an application at such
18 time, in such manner, and containing such informa-
19 tion as the Secretary shall by regulation require,
20 including—

21 “(A) an assurance that the State will com-
22 ply with the requirements of this section;

23 “(B) a State plan that meets the require-
24 ments of paragraph (2); and

1 “(C) an assurance that the State will com-
2 ply with the requirements of the State plan
3 under paragraph (2).

4 “(2) REQUIREMENTS OF PLAN.—

5 “(A) LEAD AGENCY.—The State plan shall
6 identify the lead agency.

7 “(B) USE OF BLOCK GRANT FUNDS.—The
8 State plan shall provide that the State shall use
9 the amounts provided to the State for each fis-
10 cal year under this section—

11 “(i) to provide food assistance to
12 needy individuals and families residing in
13 the State, other than residents of institu-
14 tions who are ineligible for food stamps
15 under section 3(i);

16 “(ii) to administer an employment
17 and training program under subsection (g)
18 for needy individuals under the program
19 and to provide reimbursements to needy
20 individuals and families as would be al-
21 lowed under section 16(h)(3); and

22 “(iii) to pay administrative costs in-
23 curred in providing the assistance.

24 “(C) ASSISTANCE FOR ENTIRE STATE.—

25 The State plan shall provide that benefits under

1 this section shall be available throughout the
2 entire State.

3 “(D) NOTICE AND HEARINGS.—The State
4 plan shall provide that an individual or family
5 who applies for, or receives, assistance under
6 this section shall be provided with notice of, and
7 an opportunity for a hearing on, any action
8 under this section that adversely affects the in-
9 dividual or family.

10 “(E) OTHER ASSISTANCE.—

11 “(i) COORDINATION.—The State plan
12 may coordinate assistance received under
13 this section with assistance provided under
14 the State program funded under part A of
15 title IV of the Social Security Act (42
16 U.S.C. 601 et seq.).

17 “(ii) PENALTIES.—If an individual or
18 family is penalized for violating part A of
19 title IV of the Act, the State plan may re-
20 duce the amount of assistance provided
21 under this section or otherwise penalize the
22 individual or family.

23 “(F) ELIGIBILITY LIMITATIONS.—The
24 State plan shall describe the income and re-

1 source eligibility limitations that are established
2 for the receipt of assistance under this section.

3 “(G) RECEIVING BENEFITS IN MORE THAN
4 1 JURISDICTION.—The State plan shall estab-
5 lish a system to verify and otherwise ensure
6 that no individual or family shall receive bene-
7 fits under this section in more than 1 jurisdic-
8 tion within the State.

9 “(H) PRIVACY.—The State plan shall pro-
10 vide for safeguarding and restricting the use
11 and disclosure of information about any indi-
12 vidual or family receiving assistance under this
13 section.

14 “(I) OTHER INFORMATION.—The State
15 plan shall contain such other information as
16 may be required by the Secretary.

17 “(3) APPROVAL OF APPLICATION AND PLAN.—
18 During fiscal years 2003 through 2007, the Sec-
19 retary may approve the applications and State plans
20 that satisfy the requirements of this section of not
21 more than 5 States for a term of not more than 5
22 years.

23 “(e) CONSTRUCTION OF FACILITIES.—No funds
24 made available under this section shall be expended for
25 the purchase or improvement of land, or for the purchase,

1 construction, or permanent improvement of any building
2 or facility.

3 “(f) BENEFITS FOR ALIENS.—No individual shall be
4 eligible to receive benefits under a State plan approved
5 under subsection (d)(3) if the individual is not eligible to
6 participate in the food stamp program under title IV of
7 the Personal Responsibility and Work Opportunity Rec-
8 onciliation Act of 1996 (8 U.S.C. 1601 et seq.).

9 “(g) EMPLOYMENT AND TRAINING.—Each State
10 shall implement an employment and training program for
11 needy individuals under the program.

12 “(h) ENFORCEMENT.—

13 “(1) REVIEW OF COMPLIANCE WITH STATE
14 PLAN.—The Secretary shall review and monitor
15 State compliance with this section and the State
16 plan approved under subsection (d)(3).

17 “(2) NONCOMPLIANCE.—

18 “(A) IN GENERAL.—If the Secretary, after
19 reasonable notice to a State and opportunity for
20 a hearing, finds that—

21 “(i) there has been a failure by the
22 State to comply substantially with any pro-
23 vision or requirement set forth in the State
24 plan approved under subsection (d)(3); or

1 “(ii) in the operation of any program
2 or activity for which assistance is provided
3 under this section, there is a failure by the
4 State to comply substantially with any pro-
5 vision of this section, the Secretary shall
6 notify the State of the finding and that no
7 further payments will be made to the State
8 under this section (or, in the case of non-
9 compliance in the operation of a program
10 or activity, that no further payments to the
11 State will be made with respect to the pro-
12 gram or activity) until the Secretary is sat-
13 isfied that there is no longer any failure to
14 comply or that the noncompliance will be
15 promptly corrected.

16 “(B) OTHER SANCTIONS.—In the case of a
17 finding of noncompliance made pursuant to
18 subparagraph (A), the Secretary may, in addi-
19 tion to, or in lieu of, imposing the sanctions de-
20 scribed in subparagraph (A), impose other ap-
21 propriate sanctions, including recoupment of
22 money improperly expended for purposes pro-
23 hibited or not authorized by this section and
24 disqualification from the receipt of financial as-
25 sistance under this section.

1 “(C) NOTICE.—The notice required under
2 subparagraph (A) shall include a specific identi-
3 fication of any additional sanction being im-
4 posed under subparagraph (B).

5 “(3) ISSUANCE OF REGULATIONS.—The Sec-
6 retary shall establish by regulation procedures for—

7 “(A) receiving, processing, and deter-
8 mining the validity of complaints concerning
9 any failure of a State to comply with the State
10 plan or any requirement of this section; and

11 “(B) imposing sanctions under this sec-
12 tion.

13 “(i) PAYMENTS.—

14 “(1) IN GENERAL.—For each fiscal year, the
15 Secretary shall pay to a State that has an applica-
16 tion approved by the Secretary under subsection
17 (d)(3) an amount that is equal to the allotment of
18 the State under subsection (l)(2) for the fiscal year.

19 “(2) METHOD OF PAYMENT.—The Secretary
20 shall make payments to a State for a fiscal year
21 under this section by issuing 1 or more letters of
22 credit for the fiscal year, with necessary adjustments
23 on account of overpayments or underpayments, as
24 determined by the Secretary.

25 “(3) SPENDING OF FUNDS BY STATE.—

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B), payments to a State from an
3 allotment under subsection (1)(2) for a fiscal
4 year may be expended by the State only in the
5 fiscal year.

6 “(B) CARRYOVER.—The State may reserve
7 up to 10 percent of an allotment under sub-
8 section (1)(2) for a fiscal year to provide assist-
9 ance under this section in subsequent fiscal
10 years, except that the reserved funds may not
11 exceed 30 percent of the total allotment re-
12 ceived under this section for a fiscal year.

13 “(4) PROVISION OF FOOD ASSISTANCE.—A
14 State may provide food assistance under this section
15 in any manner determined appropriate by the State
16 to provide food assistance to needy individuals and
17 families in the State, such as electronic benefits
18 transfer limited to food purchases, coupons limited
19 to food purchases, or direct provision of commod-
20 ities.

21 “(5) DEFINITION OF FOOD ASSISTANCE.—In
22 this section, the term ‘food assistance’ means assist-
23 ance that may be used only to obtain food, as de-
24 fined in section 3(g).

25 “(j) AUDITS.—

1 “(1) REQUIREMENT.—After the close of each
2 fiscal year, a State shall arrange for an audit of the
3 expenditures of the State during the program period
4 from amounts received under this section.

5 “(2) INDEPENDENT AUDITOR.—An audit under
6 this section shall be conducted by an entity that is
7 independent of any agency administering activities
8 that receive assistance under this section and be in
9 accordance with generally accepted auditing prin-
10 ciples.

11 “(3) PAYMENT ACCURACY.—Each annual audit
12 under this section shall include an audit of payment
13 accuracy under this section that shall be based on a
14 statistically valid sample of the caseload in the
15 State.

16 “(4) SUBMISSION.—Not later than 30 days
17 after the completion of an audit under this section,
18 the State shall submit a copy of the audit to the leg-
19 islature of the State and to the Secretary.

20 “(5) REPAYMENT OF AMOUNTS.—Each State
21 shall repay to the United States any amounts deter-
22 mined through an audit under this section to have
23 not been expended in accordance with this section or
24 to have not been expended in accordance with the
25 State plan, or the Secretary may offset the amounts

1 against any other amount paid to the State under
2 this section.

3 “(k) NONDISCRIMINATION.—

4 “(1) IN GENERAL.—The Secretary shall not
5 provide financial assistance for any program,
6 project, or activity under this section if any person
7 with responsibilities for the operation of the pro-
8 gram, project, or activity discriminates with respect
9 to the program, project, or activity because of race,
10 religion, color, national origin, sex, or disability.

11 “(2) ENFORCEMENT.—The powers, remedies,
12 and procedures set forth in title VI of the Civil
13 Rights Act of 1964 (42 U.S.C. 2000d et seq.) may
14 be used by the Secretary to enforce paragraph (1).

15 “(l) ALLOTMENTS.—

16 “(1) DEFINITION OF STATE.—In this section,
17 the term ‘State’ means each of the 50 States, the
18 District of Columbia, Guam, and the Virgin Islands
19 of the United States.

20 “(2) STATE ALLOTMENT.—

21 “(A) IN GENERAL.—Except as provided in
22 subparagraph (B), from the amounts made
23 available under section 18 of this Act for each
24 fiscal year, the Secretary shall allot to each
25 State participating in the program established

1 under subsection (a) an amount that is equal to
2 the sum of—

3 “(i) the greater of, as determined by
4 the Secretary—

5 “(I) the total dollar value of all
6 benefits issued under the food stamp
7 program established under this Act by
8 the State during fiscal year 2002; or

9 “(II) the average per fiscal year
10 of the total dollar value of all benefits
11 issued under the food stamp program
12 by the State during each of fiscal
13 years 2000 through 2002; and

14 “(ii) the greater of, as determined by
15 the Secretary—

16 “(I) the total amount received by
17 the State for administrative costs and
18 the employment and training program
19 under subsections (a) and (h), respec-
20 tively, of section 16 of this Act for fis-
21 cal year 2002; or

22 “(II) the average per fiscal year
23 of the total amount received by the
24 State for administrative costs and the
25 employment and training program

1 under subsections (a) and (h), respec-
2 tively, of section 16 of this Act for
3 each of fiscal years 2000 through
4 2002.

5 “(B) INSUFFICIENT FUNDS.—If the Sec-
6 retary finds that the total amount of allotments
7 to which States would otherwise be entitled for
8 a fiscal year under subparagraph (A) will ex-
9 ceed the amount of funds that will be made
10 available to provide the allotments for the fiscal
11 year, the Secretary shall reduce the allotments
12 made to States under this subsection, on a pro
13 rata basis, to the extent necessary to allot
14 under this subsection a total amount that is
15 equal to the funds that will be made available.”.

16 **TITLE VIII—ABSTINENCE**
17 **EDUCATION**

18 **SEC. 801. EXTENSION OF ABSTINENCE EDUCATION FUND-**
19 **ING UNDER MATERNAL AND CHILD HEALTH**
20 **PROGRAM.**

21 Section 510(d) (42 U.S.C. 710(d)) is amended by
22 striking “2002” and inserting “2007”.

1 **TITLE IX—TRANSITIONAL**
2 **MEDICAL ASSISTANCE**

3 **SEC. 901. ONE-YEAR REAUTHORIZATION OF TRANSITIONAL**
4 **MEDICAL ASSISTANCE.**

5 (a) IN GENERAL.—Section 1925(f) (42 U.S.C.
6 1396r–6(f)) is amended by striking “2002” and inserting
7 “2003”.

8 (b) CONFORMING AMENDMENT.—Section
9 1902(e)(1)(B) (42 U.S.C. 1396a(e)(1)(B)) is amended by
10 striking “2002” and inserting “2003”.

11 **SEC. 902. ADJUSTMENT TO PAYMENTS FOR MEDICAID AD-**
12 **MINISTRATIVE COSTS TO PREVENT DUPLICA-**
13 **TIVE PAYMENTS AND TO FUND A 1-YEAR EX-**
14 **TENSION OF TRANSITIONAL MEDICAL AS-**
15 **SISTANCE.**

16 Section 1903 (42 U.S.C. 1396b) is amended—

17 (1) in subsection (a)(7), by striking “section
18 1919(g)(3)(B)” and inserting “subsection (x) and
19 section 1919(g)(3)(C)”; and

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

21 “(x) ADJUSTMENTS TO PAYMENTS FOR ADMINISTRA-
22 TIVE COSTS TO FUND 1-YEAR EXTENSION OF TRANSI-
23 TIONAL MEDICAL ASSISTANCE.—

24 “(1) REDUCTIONS IN PAYMENTS FOR ADMINIS-
25 TRATIVE COSTS.—Effective for each calendar quar-

1 ter in fiscal year 2003 and fiscal year 2004, the Sec-
2 retary shall reduce the amount paid under sub-
3 section (a)(7) to each State by an amount equal to
4 50 percent for fiscal year 2003, and 75 percent for
5 fiscal year 2004, of one-quarter of the annualized
6 amount determined for the medicaid program under
7 section 16(k)(2)(B) of the Food Stamp Act of 1977
8 (7 U.S.C. 2025(k)(2)(B)).

9 “(2) ALLOCATION OF ADMINISTRATIVE
10 COSTS.—None of the funds or expenditures de-
11 scribed in section 16(k)(5)(B) of the Food Stamp
12 Act of 1977 (7 U.S.C. 2025(k)(5)(B)) may be used
13 to pay for costs—

14 “(A) eligible for reimbursement under sub-
15 section (a)(7) (or costs that would have been el-
16 igible for reimbursement but for this sub-
17 section); and

18 “(B) allocated for reimbursement to the
19 program under this title under a plan submitted
20 by a State to the Secretary to allocate adminis-
21 trative costs for public assistance programs;
22 except that, for purposes of subparagraph (A), the
23 reference in clause (iii) of that section to ‘subsection
24 (a)’ is deemed a reference to subsection (a)(7) and
25 clause (iv)(II) of that section shall be applied as if

1 ‘medicaid program’ were substituted for ‘food stamp
2 program’.”.

3 **TITLE X—EFFECTIVE DATE**

4 **SEC. 1001. EFFECTIVE DATE.**

5 (a) IN GENERAL.—Except as otherwise provided, the
6 amendments made by this Act shall take effect on October
7 1, 2002.

8 (b) EXCEPTION.—In the case of a State plan under
9 part A or D of title IV of the Social Security Act which
10 the Secretary determines requires State legislation in
11 order for the plan to meet the additional requirements im-
12 posed by the amendments made by this Act, the effective
13 date of the amendments imposing the additional require-
14 ments shall be 3 months after the first day of the first
15 calendar quarter beginning after the close of the first reg-
16 ular session of the State legislature that begins after the
17 date of the enactment of this Act. For purposes of the
18 preceding sentence, in the case of a State that has a 2-
19 year legislative session, each year of the session shall be
20 considered to be a separate regular session of the State
21 legislature.

○