

107<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2548

To amend the temporary assistance to needy families program under part A of title IV of the Social Security Act to improve the provision of education and job training under that program, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 22, 2002

Mr. BINGAMAN (for himself and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend the temporary assistance to needy families program under part A of title IV of the Social Security Act to improve the provision of education and job training under that program, 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 “Education Works Act  
5 of 2002”.

6       **SEC. 2. COUNTING EDUCATION AND TRAINING AS WORK.**

7       Section 407(d)(8) of the Social Security Act (42  
8 U.S.C. 607(d)(8)) is amended to read as follows:

1           “(8) participation in vocational educational  
2           training, postsecondary education, an English-as-a-  
3           second-language program, or an adult basic edu-  
4           cation program;”.

5 **SEC. 3. ELIMINATION OF LIMIT ON NUMBER OF TANF RE-**  
6                           **CIPIENTS ENROLLED IN VOCATIONAL EDU-**  
7                           **CATION OR HIGH SCHOOL WHO MAY BE**  
8                           **COUNTED TOWARDS THE WORK PARTICIPA-**  
9                           **TION REQUIREMENT.**

10          Section 407(c)(2) of the Social Security Act (42  
11 U.S.C. 607(c)(2)) is amended by striking subparagraph  
12 (D).

13 **SEC. 4. NONAPPLICATION OF TIME LIMIT TO INDIVIDUALS**  
14                           **WHO DO NOT RECEIVE CASH ASSISTANCE**  
15                           **AND ARE ENGAGED IN EDUCATION OR EM-**  
16                           **PLOYMENT.**

17          Section 408(a)(7) of the Social Security Act (42  
18 U.S.C. 608(a)(7)) is amended by adding at the end the  
19 following:

20                           “(H) LIMITATION ON MEANING OF ‘AS-

21                           SISTANCE’ FOR CERTAIN INDIVIDUALS.—For

22                           purposes of this paragraph, child care or trans-

23                           portation benefits provided during a month

24                           under the State program funded under this

25                           part to an individual who is participating in a

1 full-time educational program or who is em-  
2 ployed shall not be considered assistance under  
3 the State program.”.

4 **SEC. 5. EFFECTIVE DATE.**

5 (a) IN GENERAL.—Except as otherwise provided in  
6 this Act, the amendments made by this Act shall take ef-  
7 fect on October 1, 2002, and shall apply to payments  
8 made under part A of title IV of the Social Security Act  
9 for calendar quarters beginning on or after such date,  
10 without regard to whether regulations to implement the  
11 amendments are promulgated by such date.

12 (b) DELAY PERMITTED IF STATE LEGISLATION RE-  
13 QUIRED.—In the case of a State plan under section 402(a)  
14 of the Social Security Act which the Secretary of Health  
15 and Human Services determines requires State legislation  
16 (other than legislation appropriating funds) in order for  
17 the plan to meet the additional requirements imposed by  
18 the amendments made by this Act, the State plan shall  
19 not be regarded as failing to comply with the requirements  
20 of such section 402(a) solely on the basis of the failure  
21 of the plan to meet such additional requirements before  
22 the 1st day of the 1st calendar quarter beginning after  
23 the close of the 1st regular session of the State legislature  
24 that begins after the date of enactment of this Act. For  
25 purposes of the previous sentence, in the case of a State

1 that has a 2-year legislative session, each year of such ses-  
2 sion shall be deemed to be a separate regular session of  
3 the State legislature.

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