

109TH CONGRESS
1ST SESSION

S. 1385

To amend part A of title IV of the Social Security Act to ensure fair treatment and due process protections under the temporary assistance to needy families program, to facilitate enhanced data collection and reporting requirements under that program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2005

Mr. FEINGOLD (for himself, Mr. KENNEDY, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend part A of title IV of the Social Security Act to ensure fair treatment and due process protections under the temporary assistance to needy families program, to facilitate enhanced data collection and reporting requirements 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REF-**
 2 **ERENCES.**

3 (a) **SHORT TITLE.**—This Act may be cited as the
 4 “Fair Treatment and Due Process Protection Act of
 5 2005”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of
 7 this Act is as follows:

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

**TITLE I—ACCESS TO TRANSLATION SERVICES AND LANGUAGE
 EDUCATION PROGRAMS**

Sec. 101. Provision of interpretation and translation services.

Sec. 102. Assisting families with limited English proficiency.

TITLE II—SANCTIONS AND DUE PROCESS PROTECTIONS

Sec. 201. Sanctions and due process protections.

TITLE III—DATA COLLECTION AND REPORTING REQUIREMENTS

Sec. 301. Data collection and reporting requirements.

Sec. 302. Enhancement of understanding of the reasons individuals leave State
 TANF programs.

Sec. 303. Longitudinal studies of TANF applicants and recipients.

Sec. 304. Protection of individual privacy.

TITLE IV—EFFECTIVE DATE

Sec. 401. Effective date.

8 (c) **REFERENCES.**—Except as otherwise expressly
 9 provided, wherever in this Act an amendment or repeal
 10 is expressed in terms of an amendment to, or repeal of,
 11 a section or other provision, the amendment or repeal shall
 12 be considered to be made to a section or other provision
 13 of the Social Security Act.

1 **TITLE I—ACCESS TO TRANS-**
 2 **LATION SERVICES AND LAN-**
 3 **GUAGE EDUCATION PRO-**
 4 **GRAMS**

5 **SEC. 101. PROVISION OF INTERPRETATION AND TRANS-**
 6 **LATION SERVICES.**

7 (a) IN GENERAL.—Section 408(a) (42 U.S.C. 608(a)
 8 is amended by adding at the end the following:

9 “(12) PROVISION OF INTERPRETATION AND
 10 TRANSLATION SERVICES.—A State to which a grant
 11 is made under section 403(a) for a fiscal year shall,
 12 with respect to the State program funded under this
 13 part and all programs funded with qualified State
 14 expenditures (as defined in section 409(a)(7)(B)(i)),
 15 provide appropriate interpretation and translation
 16 services to individuals who lack English proficiency
 17 if the number or percentage of persons lacking
 18 English proficiency meets the standards established
 19 under section 272.4(b) of title 7 of the Code of Fed-
 20 eral Regulations (as in effect on the date of enact-
 21 ment of this paragraph).”.

22 (b) PENALTY.—Section 409(a) (42 U.S.C. 609(a)) is
 23 amended by adding at the end the following:

24 “(15) PENALTY FOR FAILURE TO PROVIDE IN-
 25 TERPRETATION AND TRANSLATION SERVICES.—

“(A) IN GENERAL.—If the Secretary determines that a State to which a grant is made under section 403 in a fiscal year has violated section 408(a)(12) during the fiscal year, the Secretary shall reduce the grant payable to the State under section 403(a)(1) for the immediately succeeding fiscal year by an amount equal to up to 5 percent of the State family assistance grant.

“(B) PENALTY BASED ON SEVERITY OF FAILURE.—The Secretary shall impose reductions under subparagraph (A) with respect to a fiscal year based on the degree of noncompliance.”.

SEC. 102. ASSISTING FAMILIES WITH LIMITED ENGLISH PROFICIENCY.

(a) IN GENERAL.—Section 407(c)(2) (42 U.S.C. 607(c)(2)) is amended by adding at the end the following:

“(E) INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.—In the case of an adult recipient who lacks English language proficiency, as defined by the State, the State shall—

“(i) advise the adult recipient of available programs or activities in the commu-

1 nity to address the recipient's education
2 needs;

3 “(ii) if the adult recipient elects to
4 participate in such a program or activity,
5 allow the recipient to participate in such a
6 program or activity; and

7 “(iii) consider an adult recipient who
8 participates in such a program or activity
9 on a satisfactory basis as being engaged in
10 work for purposes of determining monthly
11 participation rates under this section, ex-
12 cept that the State—

13 “(I) may elect to require addi-
14 tional hours of participation or activ-
15 ity if necessary to ensure that the re-
16 cipient is participating in work-related
17 activities for a sufficient number of
18 hours to count as being engaged in
19 work under this section; and

20 “(II) shall attempt to ensure that
21 any additional hours of participation
22 or activity do not unreasonably inter-
23 fere with the education activity of the
24 recipient.”.

1 (b) PENALTY.—Section 409(a) (42 U.S.C. 609(a)),
 2 as amended by section 101(b), is amended by adding at
 3 the end the following:

4 “(16) PENALTY FOR FAILURE TO PROVIDE IN-
 5 TERPRETATION AND TRANSLATION SERVICES.—

6 “(A) IN GENERAL.—If the Secretary deter-
 7 mines that a State to which a grant is made
 8 under section 403 in a fiscal year has violated
 9 section 407(c)(2)(E) during the fiscal year, the
 10 Secretary shall reduce the grant payable to the
 11 State under section 403(a)(1) for the imme-
 12 diately succeeding fiscal year by an amount
 13 equal to up to 5 percent of the State family as-
 14 sistance grant.

15 “(B) PENALTY BASED ON SEVERITY OF
 16 FAILURE.—The Secretary shall impose reduc-
 17 tions under subparagraph (A) with respect to a
 18 fiscal year based on the degree of noncompli-
 19 ance.”.

20 **TITLE II—SANCTIONS AND DUE** 21 **PROCESS PROTECTIONS**

22 **SEC. 201. SANCTIONS AND DUE PROCESS PROTECTIONS.**

23 (a) IN GENERAL.—Section 408(a) (42 U.S.C.
 24 608(a)), as amended by section 101(a), is amended by
 25 adding at the end the following:

1 “(13) SANCTION PROCEDURES.—

2 “(A) PRE-SANCTION REVIEW PROCESS.—

3 Prior to the imposition of a sanction against an
4 individual or family receiving assistance under
5 the State program funded under this part or
6 under a program funded with qualified State
7 expenditures (as defined in section
8 409(a)(7)(B)(i)) for failure to comply with pro-
9 gram requirements, the State shall take the fol-
10 lowing steps:

11 “(i) Provide or send notice to the indi-
12 vidual or family, and, if the recipient’s na-
13 tive language is not English, through a
14 culturally competent translation, of the fol-
15 lowing information:

16 “(I) The specific reason for the
17 proposed sanction.

18 “(II) The amount of the pro-
19 posed sanction.

20 “(III) The length of time during
21 which the proposed sanction would be
22 in effect.

23 “(IV) The steps required to come
24 into compliance or to show good cause
25 for noncompliance.

1 “(V) That the agency will provide
2 assistance to the individual in deter-
3 mining if good cause for noncompli-
4 ance exists, or in coming into compli-
5 ance with program requirements.

6 “(VI) That the individual may
7 appeal the determination to impose a
8 sanction, and the steps that the indi-
9 vidual must take to pursue an appeal.

10 “(ii)(I) Ensure that, subject to clause
11 (iii)—

12 “(aa) an individual other than
13 the individual who determined that a
14 sanction be imposed shall review the
15 determination and have the authority
16 to take the actions described in sub-
17 clause (II); and

18 “(bb) the individual or family
19 against whom the sanction is to be
20 imposed shall be afforded the oppor-
21 tunity to meet with the individual
22 who, as provided for in item (aa), is
23 reviewing the determination with re-
24 spect to the sanction.

1 “(II) An individual to which this sub-
2 clause applies may—

3 “(aa) modify the determination
4 to impose a sanction;

5 “(bb) determine that there was
6 good cause for the individual or fam-
7 ily’s failure to comply;

8 “(cc) recommend modifications to
9 the individual’s individual responsi-
10 bility or employment plan; and

11 “(dd) make such other deter-
12 minations and take such other actions
13 as may be appropriate under the cir-
14 cumstances.

15 “(iii) The review required under
16 clause (ii) shall include consideration of the
17 following:

18 “(I) To the extent applicable,
19 whether barriers to compliance exist,
20 such as a physical or mental impair-
21 ment, including mental illness, sub-
22 stance abuse, mental retardation, a
23 learning disability, domestic or sexual
24 violence, limited proficiency in
25 English, limited literacy, homeless-

1 ness, or the need to care for a child
2 with a disability or health condition,
3 that contributed to the noncompliance
4 of the person.

5 “(II) Whether the individual or
6 family’s failure to comply resulted
7 from failure to receive or have access
8 to services previously identified as
9 necessary in an individual responsi-
10 bility or employment plan.

11 “(III) Whether changes to the in-
12 dividual responsibility or employment
13 plan should be made in order for the
14 individual to comply with program re-
15 quirements.

16 “(IV) Whether the individual or
17 family has good cause for any non-
18 compliance.

19 “(V) Whether the State’s sanc-
20 tion policies have been applied prop-
21 erly.

22 “(B) SANCTION FOLLOW-UP REQUIRE-
23 MENTS.—If a State imposes a sanction on a
24 family or individual for failing to comply with
25 program requirements, the State shall—

1 “(i) provide or send notice to the indi-
2 vidual or family, in language calculated to
3 be understood by the individual or family,
4 and, if the individual’s or family’s native
5 language is not English, through a cul-
6 turally competent translation, of the reason
7 for the sanction and the steps the indi-
8 vidual or family must take to end the sanc-
9 tion;

10 “(ii) resume the individual’s or fam-
11 ily’s full assistance, services, or benefits
12 provided under this program (provided
13 that the individual or family is otherwise
14 eligible for such assistance, services, or
15 benefits) once the individual who failed to
16 meet program requirements that led to the
17 sanction complies with program require-
18 ments for a reasonable period of time, as
19 determined by the State and subject to
20 State discretion to reduce such period; and

21 “(iii) if assistance, services, or bene-
22 fits have not resumed, as of the period that
23 begins on the date that is 60 days after
24 the date on which the sanction was im-
25 posed, and end on the date that is 120

1 days after such date, provide notice to the
 2 individual or family, in language calculated
 3 to be understood by the individual or fam-
 4 ily, of the steps the individual or family
 5 must take to end the sanction, and of the
 6 availability of assistance to come into com-
 7 pliance or demonstrate good cause for non-
 8 compliance with program requirements.”.

9 (b) PENALTY.—Section 409(a) (42 U.S.C. 609(a)),
 10 as amended by section 102(b), is amended by adding at
 11 the end the following:

12 “(17) PENALTY FOR FAILURE TO FOLLOW
 13 SANCTION PROCEDURES.—

14 “(A) IN GENERAL.—If the Secretary deter-
 15 mines that a State to which a grant is made
 16 under section 403 in a fiscal year has violated
 17 section 408(a)(13) during the fiscal year, the
 18 Secretary shall reduce the grant payable to the
 19 State under section 403(a)(1) for the imme-
 20 diately succeeding fiscal year by an amount
 21 equal to up to 5 percent of the State family as-
 22 sistance grant.

23 “(B) PENALTY BASED ON SEVERITY OF
 24 FAILURE.—The Secretary shall impose reduc-
 25 tions under subparagraph (A) with respect to a

1 fiscal year based on the degree of noncompli-
2 ance.”.

3 (c) STATE PLAN REQUIREMENT TO DESCRIBE HOW
4 STATES WILL NOTIFY APPLICANTS AND RECIPIENTS OF
5 THEIR RIGHTS UNDER THE PROGRAM AND OF POTEN-
6 TIAL BENEFITS AND SERVICES AVAILABLE UNDER THE
7 PROGRAM.—Section 402(a)(1)(B)(iii) (42 U.S.C.
8 602(a)(1)(B)(iii)) is amended by inserting “, and will no-
9 tify applicants and recipients of assistance under the pro-
10 gram of the rights of individuals under all laws applicable
11 to program activities and of all potential benefits and serv-
12 ices available under the program” before the period.

13 (d) REQUIREMENT TO PROVIDE NOTICE TO APPLI-
14 CANTS AND RECIPIENTS OF RIGHTS AND OF POTENTIAL
15 PROGRAM BENEFITS AND SERVICES, AND TO TRAIN PRO-
16 GRAM PERSONNEL TO RESPECT SUCH RIGHTS.—

17 (1) IN GENERAL.—Section 408(a) (42 U.S.C.
18 608(a)), as amended by subsection (a), is amended
19 by adding at the end the following:

20 “(14) REQUIREMENT TO PROVIDE NOTICE TO
21 APPLICANTS AND RECIPIENTS OF RIGHTS AND OF
22 POTENTIAL PROGRAM BENEFITS AND SERVICES, AND
23 TO TRAIN PROGRAM PERSONNEL TO RESPECT SUCH
24 RIGHTS.—A State to which a grant is made under
25 section 403 shall—

1 “(A) notify each applicant for, and each
2 recipient of, assistance under the State program
3 funded under this part or under a program
4 funded with qualified State expenditures (as de-
5 fined in section 409(a)(7)(B)(i)) of the rights of
6 applicants and recipients under all laws applica-
7 ble to the activities of such program (including
8 the right to claim good cause exceptions to pro-
9 gram requirements), and shall provide the no-
10 tice—

11 “(i) to a recipient when the recipient
12 first receives assistance, benefits, or serv-
13 ices under the program;

14 “(ii) to all such recipients on a semi-
15 annual basis; and

16 “(iii) orally and in writing, in the na-
17 tive language of the recipient and at not
18 higher than a 6th grade level, and, if the
19 recipient’s native language is not English,
20 through a culturally competent translation;
21 and

22 “(B) train all program personnel on a reg-
23 ular basis regarding how to carry out the pro-
24 gram consistent with such rights.”.

1 (2) PENALTY.—Section 409(a) (42 U.S.C.
2 609(a)), as amended by subsection (b), is amended
3 by adding at the end the following:

4 “(18) PENALTY FOR FAILURE TO PROVIDE NO-
5 TICE TO APPLICANTS AND RECIPIENTS OF RIGHTS
6 AND OF POTENTIAL PROGRAM BENEFITS AND SERV-
7 ICES, AND TO TRAIN PROGRAM PERSONNEL TO RE-
8 SPECT SUCH RIGHTS.—

9 “(A) IN GENERAL.—If the Secretary deter-
10 mines that a State to which a grant is made
11 under section 403 in a fiscal year has violated
12 section 408(a)(14) during the fiscal year, the
13 Secretary shall reduce the grant payable to the
14 State under section 403(a)(1) for the imme-
15 diately succeeding fiscal year by an amount
16 equal to up to 5 percent of the State family as-
17 sistance grant.

18 “(B) PENALTY BASED ON SEVERITY OF
19 FAILURE.—The Secretary shall impose reduc-
20 tions under subparagraph (A) with respect to a
21 fiscal year based on the degree of noncompli-
22 ance.”.

1 **TITLE III—DATA COLLECTION**
 2 **AND REPORTING REQUIRE-**
 3 **MENTS**

4 **SEC. 301. DATA COLLECTION AND REPORTING REQUIRE-**
 5 **MENTS.**

6 Section 411(a)(1) (42 U.S.C. 611(a)(1)) is amend-
 7 ed—

8 (1) in subparagraph (A)—

9 (A) in the matter preceding clause (i), by
 10 striking “(except for information relating to ac-
 11 tivities carried out under section 403(a)(5))”
 12 and inserting “, and, in complying with this re-
 13 quirement, shall ensure that such information is
 14 reported in a manner that permits analysis of
 15 the information by race, ethnicity or national
 16 origin, primary language, gender, and edu-
 17 cational level, including analysis using a com-
 18 bination of these factors, and that all data, in-
 19 cluding Federal, State, and local data (whether
 20 collected by public or private local agencies or
 21 entities that administer or operate the State
 22 program funded under this part) is made public
 23 and easily accessible”;

24 (B) by striking clause (v) and inserting the
 25 following:

1 “(v) The employment status, occupa-
 2 tion (as defined by the most current Fed-
 3 eral Standard Occupational Classification
 4 system, as of the date of the collection of
 5 the data), and earnings of each employed
 6 adult in the family.”;

7 (C) in clause (vii), by striking “and edu-
 8 cational level” and inserting “, educational
 9 level, and primary language”;

10 (D) in clause (viii), by striking “and edu-
 11 cational level” and inserting “, educational
 12 level, and primary language”; and

13 (E) in clause (xi), in the matter preceding
 14 subclause (I), by inserting “, including, to the
 15 extent such information is available, informa-
 16 tion on the specific type of job, or education or
 17 training program” before the semicolon;

18 (2) by redesignating subparagraph (B) as sub-
 19 paragraph (C); and

20 (3) by inserting after subparagraph (A), the fol-
 21 lowing:

22 “(B) INFORMATION REGARDING APPLI-
 23 CANTS.—

24 “(i) IN GENERAL.—Each eligible
 25 State shall collect on a monthly basis, and

1 report to the Secretary on a quarterly
 2 basis, disaggregated case record informa-
 3 tion on the number of individuals who
 4 apply for but do not receive assistance
 5 under the State program funded under this
 6 part, the reason such assistance were not
 7 provided, and the overall percentage of ap-
 8 plications for assistance that are approved
 9 compared to those that are disapproved
 10 with respect to such month.

11 “(ii) REQUIREMENT.—In complying
 12 with clause (i), each eligible State shall en-
 13 sure that the information required under
 14 that clause is reported in a manner that
 15 permits analysis of such information by
 16 race, ethnicity or national origin, primary
 17 language, gender, and educational level, in-
 18 cluding analysis using a combination of
 19 these factors.”.

20 **SEC. 302. ENHANCEMENT OF UNDERSTANDING OF THE**
 21 **REASONS INDIVIDUALS LEAVE STATE TANF**
 22 **PROGRAMS.**

23 (a) CASE CLOSURE REASONS.—Section 411(a)(1)
 24 (42 U.S.C. 611(a)(1)), as amended by section 301, is
 25 amended—

(1) by redesignating subparagraph (C) (as redesignated by such section 301) as subparagraph (D); and

(2) by inserting after subparagraph (B) (as added by such section 301) the following:

“(C) DEVELOPMENT OF COMPREHENSIVE
LIST OF CASE CLOSURE REASONS.—

“(i) IN GENERAL.—The Secretary shall develop, in consultation with States and individuals or organizations with expertise related to the provision of assistance under the State program funded under this part, a comprehensive list of reasons why individuals leave State programs funded under this part. In developing such list, the Secretary shall consider the full range of reasons for case closures, including the following:

“(I) Lack of access to specific programs or services, such as child care, transportation, or English as a second language classes for individuals with limited English proficiency.

“(II) The medical or health problems of a recipient.

1 “(III) The family responsibilities
2 of a recipient, such as caring for a
3 family member with a disability.

4 “(IV) Changes in eligibility sta-
5 tus.

6 “(V) Other administrative rea-
7 sons.

8 “(ii) OTHER REQUIREMENTS.—The
9 list required under clause (i) shall be devel-
10 oped with the goal of substantially reduc-
11 ing the number of case closures under the
12 State programs funded under this part for
13 which a reason is not known.

14 “(iii) PUBLIC COMMENT.—The Sec-
15 retary shall promulgate for public comment
16 regulations that—

17 “(I) list the case closure reasons
18 developed under clause (i);

19 “(II) require States, not later
20 than October 1, 2006, to use such
21 reasons in accordance with subpara-
22 graph (A)(xvi); and

23 “(III) require States to report on
24 efforts to improve State tracking of
25 reasons for case closures, including

1 the identification of additional reasons
 2 for case closures not included on the
 3 list developed under clause (i).

4 “(iv) REVIEW AND MODIFICATION.—

5 The Secretary, through consultation and
 6 analysis of quarterly State reports sub-
 7 mitted under this paragraph, shall review
 8 on an annual basis whether the list of case
 9 closure reasons developed under clause (i)
 10 requires modification and, to the extent the
 11 Secretary determines that modification of
 12 the list is necessary, shall publish proposed
 13 modifications for notice and comment,
 14 prior to the modifications taking effect.”.

15 (b) INCLUSION IN QUARTERLY STATE REPORTS.—

16 Section 411 (a)(1)(A) (42 U.S.C. 611(a)(1)(A)) is amend-
 17 ed—

18 (1) in clause (xvi)—

19 (A) in subclause (IV), by striking “or” at
 20 the end;

21 (B) in subclause (V), by striking the period
 22 and inserting “; or”; and

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

24 “(VI) a reason specified in the
 25 list developed under subparagraph

1 (C), including any modifications of
2 such list.”;

3 (2) by redesignating clause (xvii) as clause
4 (xviii); and

5 (3) by inserting after clause (xvi), the following:

6 “(xvii) The efforts the State is under-
7 taking, and the progress with respect to
8 such efforts, to improve the tracking of
9 reasons for case closures.”.

10 **SEC. 303. LONGITUDINAL STUDIES OF TANF APPLICANTS**
11 **AND RECIPIENTS.**

12 (a) IN GENERAL.—Section 413 (42 U.S.C. 613) is
13 amended by striking subsection (d) and inserting the fol-
14 lowing:

15 “(d) LONGITUDINAL STUDIES OF APPLICANTS AND
16 RECIPIENTS TO DETERMINE THE FACTORS THAT CON-
17 TRIBUTE TO POSITIVE EMPLOYMENT AND FAMILY OUT-
18 COMES.—

19 “(1) IN GENERAL.—The Secretary, directly or
20 through grants, contracts, or interagency agree-
21 ments, shall conduct longitudinal studies in at least
22 5, and not more than 10, States (or sub-State areas,
23 except that no such area shall be located in a State
24 in which a Statewide study is being conducted under
25 this paragraph) of a representative sample of fami-

1 lies that receive, and applicants for, assistance under
 2 a State program funded under this part or under a
 3 program funded with qualified State expenditures
 4 (as defined in section 409(a)(7)(B)(i)).

5 “(2) REQUIREMENTS.—The studies conducted
 6 under this subsection shall—

7 “(A) follow families that cease to receive
 8 assistance, families that receive assistance
 9 throughout the study period, and families di-
 10 verted from assistance programs; and

11 “(B) collect information on—

12 “(i) family and adult demographics
 13 (including race, ethnicity or national ori-
 14 gin, primary language, gender, barriers to
 15 employment, educational status of adults,
 16 prior work history, prior history of welfare
 17 receipt);

18 “(ii) family income (including earn-
 19 ings, unemployment compensation, and
 20 child support);

21 “(iii) receipt of assistance, benefits, or
 22 services under other needs-based assistance
 23 programs (including the food stamp pro-
 24 gram, the medicaid program under title
 25 XIX, earned income tax credits, housing

1 assistance, and the type and amount of
2 any child care);

3 “(iv) the reasons for leaving or re-
4 turning to needs-based assistance pro-
5 grams;

6 “(v) work participation status and ac-
7 tivities (including the scope and duration
8 of work activities and the types of indus-
9 tries and occupations for which training is
10 provided);

11 “(vi) sanction status (including rea-
12 sons for sanction);

13 “(vii) time limit for receipt of assist-
14 ance status (including months remaining
15 with respect to such time limit);

16 “(viii) recipient views regarding pro-
17 gram participation; and

18 “(ix) measures of income change, pov-
19 erty, extreme poverty, food security and
20 use of food pantries and soup kitchens,
21 homelessness and the use of shelters, and
22 other measures of family well-being and
23 hardship over a 5-year period.

24 “(3) COMPARABILITY OF RESULTS.—The Sec-
25 retary shall, to the extent possible, ensure that the

1 studies conducted under this subsection produce com-
2 parable results and information.

3 “(4) REPORTS.—

4 “(A) INTERIM REPORTS.—Not later than
5 October 1, 2008, the Secretary shall publish in-
6 terim findings from at least 12 months of longi-
7 tudinal data collected under the studies con-
8 ducted under this subsection.

9 “(B) SUBSEQUENT REPORTS.—Not later
10 than October 1, 2010, the Secretary shall pub-
11 lish findings from at least 36 months of longi-
12 tudinal data collected under the studies con-
13 ducted under this subsection.”.

14 (b) ANNUAL REPORT TO CONGRESS.—

15 (1) IN GENERAL.—Section 411(b) (42 U.S.C.
16 611(b)) is amended—

17 (A) in paragraph (2)—

18 (i) by inserting “(including types of
19 sanctions or other grant reductions)” after
20 “financial characteristics”; and

21 (ii) by inserting “, disaggregated by
22 race, ethnicity or national origin, primary
23 language, gender, education level, and,
24 with respect to closed cases, the reason the
25 case was closed” before the semicolon;

1 (B) in paragraph (3), by striking “and” at
2 the end;

3 (C) in paragraph (4), by striking the pe-
4 riod and inserting “; and”; and

5 (D) by adding at the end the following:

6 “(5) the economic well-being of children and
7 families receiving assistance under the State pro-
8 grams funded under this part and of children and
9 families that have ceased to receive such assistance,
10 using longitudinal matched data gathered from fed-
11 erally supported programs, and including State-by-
12 State data that details the distribution of earnings
13 and stability of employment of such families and (to
14 the extent feasible) describes, with respect to such
15 families, the distribution of income from known
16 sources (including employer-reported wages, assist-
17 ance under the State program funded under this
18 part, and benefits under the food stamp program),
19 the ratio of such families’ income to the poverty line,
20 and the extent to which such families receive or re-
21 ceived noncash benefits and child care assistance,
22 disaggregated by race, ethnicity or national origin,
23 primary language, gender, education level, whether
24 the case remains open, and, with respect to closed
25 cases, the reason the case was closed.”.

1 (2) CONFORMING AMENDMENTS.—Section
2 411(a) (42 U.S.C. 611(a)) is amended—

3 (A) by redesignating paragraph (7) as
4 paragraph (8); and

5 (B) by inserting after paragraph (6), the
6 following:

7 “(7) REPORT ON ECONOMIC WELL-BEING OF
8 CURRENT AND FORMER RECIPIENTS.—The report
9 required by paragraph (1) for a fiscal quarter shall
10 include for that quarter such information as the Sec-
11 retary may specify in order for the Secretary to in-
12 clude in the annual reports to Congress required
13 under subsection (b) the information described in
14 paragraph (5) of that subsection.”.

15 **SEC. 304. PROTECTION OF INDIVIDUAL PRIVACY.**

16 Section 411 of the Social Security Act (42 U.S.C.
17 611) is amended by adding at the end the following:

18 “(c) PROTECTION OF INDIVIDUAL PRIVACY.—With
19 respect to any information concerning individuals or fami-
20 lies receiving assistance, or applying for assistance, under
21 the State programs funded under this part that is publicly
22 disclosed by the Secretary, the Secretary shall ensure that
23 such disclosure is made in a manner that protects the pri-
24 vacy of such individuals and families.”.

1 **TITLE IV—EFFECTIVE DATE**

2 **SEC. 401. EFFECTIVE DATE.**

3 The amendments made by this Act take effect on Oc-
4 tober 1, 2005.

