

115TH CONGRESS
2D SESSION

S. 3700

To reauthorize the program of block grants to States for temporary assistance for needy families, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 4, 2018

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

A BILL

To reauthorize the program of block grants to States for temporary assistance for needy families, 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 “Promoting Employ-
5 ment and Economic Mobility Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

TITLE I—IMPROVING PARTICIPATION IN ACTIVITIES LEADING TO
EMPLOYMENT

- Sec. 101. Strengthening partnerships to improve results for families.
 Sec. 102. Increasing State incentives to help individuals secure employment.
 Sec. 103. Strengthening measurement of recipient participation.
 Sec. 104. Supporting treatment and rehabilitation to prepare recipients for employment and support employment.
 Sec. 105. Demonstration projects and improved data collection to improve engagement and outcomes.

TITLE II—STRENGTHENING FAMILIES

- Sec. 201. Uniform work requirement for families.
 Sec. 202. Supporting families by ending the marriage penalty.

TITLE III—RESTORING THE INTEGRITY OF TANF

- Sec. 301. Strengthening State requirements to engage recipients in employment and employment preparation activities.
 Sec. 302. Measuring TANF spending on families receiving assistance and on low-income families.
 Sec. 303. Report on child care provider criminal background checks.

TITLE IV—REAUTHORIZING THE TANF PROGRAM

- Sec. 401. 3-year reauthorization.

TITLE V—MISCELLANEOUS

- Sec. 501. Technical corrections to data exchange standards to improve program coordination.
 Sec. 502. Effective dates.

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 reference shall be considered to be made to a
 6 section or other provision of the Social Security Act.

1 **TITLE I—IMPROVING PARTICI-**
2 **PATION IN ACTIVITIES LEAD-**
3 **ING TO EMPLOYMENT**

4 **SEC. 101. STRENGTHENING PARTNERSHIPS TO IMPROVE**
5 **RESULTS FOR FAMILIES.**

6 Section 408(b) (42 U.S.C. 608(b)) is amended to
7 read as follows:

8 “(b) INDIVIDUAL OPPORTUNITY PLANS.—

9 “(1) ASSESSMENT.—The State agency respon-
10 sible for administering a State program funded
11 under this part or any other State program funded
12 with qualified State expenditures (as defined in sec-
13 tion 409(a)(7)(B)(i)) shall make an initial assess-
14 ment of the skills, prior work experience, and em-
15 ployability of each work-eligible individual (and, at
16 State option, any other adult who is a member of
17 the family of the individual) as well as of the well-
18 being of the children in the family of the individual.

19 “(2) CONTENTS OF PLANS.—On the basis of
20 the assessment required by paragraph (1) with re-
21 spect to the individual, the State agency, in con-
22 sultation with the individual, may develop a cus-
23 tomized individual opportunity plan with the indi-
24 vidual that contains the following:

1 “(A) IMMEDIATE NEEDS AND RE-
2 SOURCES.—Information that—

3 “(i) specifies the immediate needs of
4 the individual and the family;

5 “(ii) describes the resources the indi-
6 vidual and the family have to meet imme-
7 diate needs, including—

8 “(I) individual resources, such as
9 income and assets identified in the ap-
10 plication process, education, and work
11 experience;

12 “(II) household and family re-
13 sources that may assist the individual,
14 such as parents, children, siblings,
15 and others; and

16 “(III) other resources and how
17 they may help the individual meet im-
18 mediate needs; and

19 “(iii) describes the assistance and
20 services the State will provide to help the
21 individual meet immediate needs and im-
22 prove the well-being of the children in the
23 family.

24 “(B) INDIVIDUAL AND STATE RESPON-
25 SIBILITIES.—Information on the respective re-

1 responsibilities of the individual and the State
2 that—

3 “(i) includes a personal responsibility
4 agreement signed by the individual in
5 which the individual acknowledges receipt
6 of publicly funded benefits and responsi-
7 bility to comply with program requirements
8 in order to receive the benefits;

9 “(ii) sets forth an employment goal
10 chosen by the individual with assistance
11 from the State and a plan, jointly devel-
12 oped by the individual and the State, for
13 moving the individual into employment and
14 towards self-sufficiency;

15 “(iii) sets forth the obligations of the
16 individual, including specific and measur-
17 able benchmarks for success that will help
18 the individual become and remain em-
19 ployed;

20 “(iv) to the greatest extent possible
21 and consistent with the plan, is designed to
22 move the individual into the employment
23 the individual is capable of performing as
24 quickly as possible, and increase the re-

1 sponsibility and amount of work the indi-
2 vidual is to perform over time;

3 “(v) describes the services the State
4 will provide the individual so that the indi-
5 vidual will be able to obtain and maintain
6 employment;

7 “(vi) may direct the individual to un-
8 dergo appropriate treatment for substance
9 abuse or other treatment if the individual,
10 in consultation with the State, identifies
11 such treatment as necessary to obtain and
12 maintain employment; and

13 “(vii) specifies a timeline for meeting
14 the benchmarks contained in the plan with
15 short-, medium-, and long-term goals, in-
16 cluding a description of any incentives for
17 the individual if the individual meets or ex-
18 ceeds the obligations specified in the plan,
19 and any penalties that will apply if the in-
20 dividual fails without good cause to comply
21 with the plan.

22 “(3) TIMING.—The State agency shall comply
23 with paragraph (1) with respect to a work-eligible
24 individual—

1 “(A) in the case of a work-eligible indi-
2 vidual who, on October 1, 2020, is in a family
3 receiving assistance under the State program
4 funded under this part or any other State pro-
5 gram funded with qualified State expenditures
6 (as defined in section 409(a)(7)(B)(i)), at the
7 first periodic review for the individual that oc-
8 curs after that date; or

9 “(B) in the case of a work-eligible indi-
10 vidual who, after October 1, 2020, is in a fam-
11 ily determined to be eligible for assistance
12 under the State program funded under this
13 part or any other State program funded with
14 qualified State expenditures (as so defined),
15 within 60 days after the family is determined to
16 be eligible for such assistance.

17 “(4) PENALTY FOR NONCOMPLIANCE BY INDI-
18 VIDUAL.—In addition to any other penalties required
19 under section 409(a), the State may reduce, by such
20 amount as the State considers appropriate, the
21 amount of assistance otherwise payable under the
22 State program to a family that includes the indi-
23 vidual who fails without good cause to comply with
24 the individual opportunity plan developed pursuant
25 to this subsection that is signed by the individual.

1 “(5) PERIODIC REVIEW.—The State shall de-
2 velop a plan to, not less frequently than every 90
3 days or at a period determined by the State—

4 “(A) review the individual opportunity plan
5 developed for the individual;

6 “(B) review with the individual the
7 progress made by the individual in achieving
8 the goals specified in the plan (in person or
9 through another communication method allow-
10 ing for discussion of progress made); and

11 “(C) update the plan, as necessary, to re-
12 flect any changes in the circumstances of the
13 individual since the plan was last reviewed.”.

14 **SEC. 102. INCREASING STATE INCENTIVES TO HELP INDI-**
15 **VIDUALS SECURE EMPLOYMENT.**

16 (a) WORK-ELIGIBLE INDIVIDUALS SERVED BY A
17 PERFORMANCE-BASED ENTITY, WORKING OR TRAINING
18 FOR A SPECIFIC JOB OFFER.—Section 407(c)(2) (42
19 U.S.C. 607(c)(2)), as amended by section 201(a)(3), is
20 amended—

21 (1) by redesignating subparagraphs (A) through
22 (D) as subparagraphs (B) through (E), respectively;
23 and

24 (2) by inserting before subparagraph (B) (as so
25 redesignated by paragraph (1)), the following:

1 “(A) WORK-ELIGIBLE INDIVIDUAL SERVED
2 BY A PERFORMANCE-BASED ENTITY FOCUSED
3 ON WORK, WORKING IN SUBSIDIZED EMPLOY-
4 MENT, OR TRAINING FOR A SPECIFIC JOB
5 OFFER DEEMED TO BE MEETING WORK RE-
6 QUIREMENTS.—For purposes of calculating the
7 number described in subsection (b)(1)(B)(i), a
8 work-eligible individual is deemed to be engaged
9 in work for a month in a fiscal year if—

10 “(i) the work-eligible individual is par-
11 ticipating in activities under the super-
12 vision of an entity funded by the State fo-
13 cused on moving work-eligible individuals
14 into employment and at least 50 percent of
15 the payment made to the entity is contin-
16 gent on work-eligible individuals becoming
17 employed or retaining employment;

18 “(ii) the work-eligible individual is
19 participating in an activity described in
20 subsection (d)(2) for at least 80 hours per
21 month and the State program funded
22 under this part pays for at least 25 per-
23 cent of the individual’s wage during the
24 countable period (not to exceed 6 months
25 with respect to any individual); or

1 “(iii) the work-eligible individual is
2 participating in activities (as defined by
3 the State) for not more than 3 months
4 that provide the competencies necessary
5 for the individual to secure employment
6 and an employer has entered into an
7 agreement to hire the individual upon suc-
8 cessful completion of the activities.”.

9 (b) VERIFICATION OF ENGAGEMENT.—Section 407(i)
10 (42 U.S.C. 607(i)) is amended by adding at the end the
11 following:

12 “(3) VERIFICATION OF ENGAGEMENT FOR
13 WORK-ELIGIBLE INDIVIDUALS SERVED BY A PER-
14 FORMANCE-BASED ENTITY FOCUSED ON WORK,
15 WORKING IN SUBSIDIZED EMPLOYMENT, OR TRAIN-
16 ING FOR A SPECIFIC JOB OFFER.—In addition to the
17 regulations and State procedures required under
18 paragraphs (1) and (2), not later than October 1,
19 2019, the Secretary shall promulgate regulations,
20 and States shall establish procedures consistent with
21 such regulations, for purposes of reporting and
22 verifying participation in activities described in sub-
23 section (c)(2)(A). In the case of activities described
24 in clause (i) of such subsection, such regulations and

1 procedures shall include information with respect to
2 the following:

3 “(A) How a State using performance-based
4 contracts will report how they use such con-
5 tracts to engage work-eligible individuals and
6 move them into work.

7 “(B) How a State will report demographic
8 characteristics of the work-eligible individuals
9 the State is serving through such contracts and
10 how such characteristics compare with those of
11 individuals not served through such contracts.

12 “(C) How a State will assess the effective-
13 ness of such contracts.

14 “(4) WORK-ELIGIBLE INDIVIDUAL.—In this
15 part, the term ‘work-eligible individual’ has the
16 meaning given that term in the regulations promul-
17 gated pursuant to paragraph (1)(A)(i).”

18 **SEC. 103. STRENGTHENING MEASUREMENT OF RECIPIENT**

19 **PARTICIPATION.**

20 (a) ALLOWING STATES TO RECEIVE LIMITED CRED-
21 IT FOR PARTIAL PARTICIPATION.—Section 407(c)(1)(B)
22 (42 U.S.C. 607(c)(1)(B)), as amended by section
23 201(a)(3), is amended to read as follows:

24 “(B) CREDIT FOR FAMILIES PARTICI-
25 PATING FOR LESS THAN THE MINIMUM HOURS

1 REQUIRED.—If a family includes a work-eligible
 2 individual who has participated in work activi-
 3 ties for an average of fewer than 30 hours per
 4 week during a month, but at least 15 hours (or
 5 10 hours, in the case of a single parent speci-
 6 fied in paragraph (2)(C) of this subsection) per
 7 week of which are attributable to an activity de-
 8 scribed in paragraphs (1) through (9) of sub-
 9 section (d), the family shall count as 0.5 of a
 10 family for purposes of calculating the number
 11 described in subsection (b)(1)(B)(i) for the
 12 month.”.

13 (b) STATE OPTION TO USE UNIVERSAL WORK PAR-
 14 TICIPATION RATE CALCULATION.—

15 (1) IN GENERAL.—Section 407(b) (42 U.S.C.
 16 607(b)), as amended by section 201(a)(2), is amend-
 17 ed—

18 (A) by redesignating paragraphs (3)
 19 through (5) as paragraphs (4) through (6), re-
 20 spectively;

21 (B) by striking all that precedes paragraph
 22 (4) (as so redesignated by subparagraph (A))
 23 and inserting the following:

24 “(b) CALCULATION OF PARTICIPATION RATES.—

25 “(1) IN GENERAL.—

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

6 “(B) MONTHLY PARTICIPATION RATES.—
7 The participation rate of a State for all families
8 of the State for a month, expressed as a per-
9 centage, is—

10 “(i) the number of families in the
11 State that include a work-eligible indi-
12 vidual who is engaged in work for the
13 month; divided by

14 “(ii) the total number of families in
15 the State that include a work-eligible indi-
16 vidual during the month.

17 “(2) UNIVERSAL WORK PARTICIPATION RATE
18 CALCULATION.—

19 “(A) APPLICATION.—A State may apply to
20 the Secretary to apply this paragraph with re-
21 spect to the State for a fiscal year.

22 “(B) CALCULATION.—

23 “(i) IN GENERAL.—A State whose ap-
24 plication under this paragraph is approved
25 by the Secretary for a fiscal year shall be

1 considered to be in compliance with sub-
2 section (a) for a month in the fiscal year
3 if the total number of countable hours of
4 work participation activities of families
5 with work-eligible individuals in the State
6 for the month is not less than the target
7 number of hours of work participation ac-
8 tivities for the State for the month.

9 “(ii) TARGET NUMBER OF HOURS OF
10 WORK PARTICIPATION ACTIVITIES.—For
11 purposes of clause (i), the target number
12 of hours of work participation activities for
13 a State for a month in a fiscal year is the
14 amount equal to the number of weeks in
15 the month multiplied by the product of—

16 “(I) the percentage equal to the
17 minimum participation rate in effect
18 under subsection (a) for the fiscal
19 year (after the application of any re-
20 duction in such rate under paragraph
21 (4) and the application of the min-
22 imum State engagement requirement
23 in paragraph (8)); and

24 “(II) the sum of—

1 “(aa) 20 times the number
2 of families with work-eligible in-
3 dividuals in the State to whom
4 the State may apply subpara-
5 graph (C) or (D) of subsection
6 (c)(2) for the month; and

7 “(bb) 30 times the number
8 of families with work-eligible in-
9 dividuals not described in item
10 (aa) in the State for the month.

11 “(iii) TOTAL NUMBER OF COUNTABLE
12 HOURS OF WORK PARTICIPATION ACTIVI-
13 TIES OF FAMILIES WITH WORK-ELIGIBLE
14 INDIVIDUALS.—

15 “(I) IN GENERAL.—For purposes
16 of clause (i), subject to subclause (II),
17 the total number of countable hours
18 of work participation activities of fam-
19 ilies with work-eligible individuals in a
20 State for a month in a fiscal year, is
21 the sum of the following number of
22 hours determined for the month with
23 respect to each family with a work-eli-
24 gible individual:

1 “(aa) In the case of a family
2 with an individual to whom the
3 State applies subsection (c)(2)(A)
4 for the month, 30 times the num-
5 ber of weeks in the month (or 20
6 times the number of weeks in the
7 month in the case of a single par-
8 ent or caretaker relative de-
9 scribed in subsection (c)(2)(C)).

10 “(bb) In the case of a family
11 with a single parent or caretaker
12 relative to whom the State ap-
13 plies subsection (c)(2)(C) for the
14 month, the lesser of the actual
15 number of hours for which the
16 single parent or caretaker rel-
17 ative participates in work activi-
18 ties in the month and 20 times
19 the number of weeks in the
20 month.

21 “(cc) In the case of a family
22 with a single teen head of house-
23 hold or married teen to whom the
24 State applies subsection
25 (c)(2)(D)(i) for the month, 20

1 times the number of weeks in the
2 month.

3 “(dd) In the case of a family
4 with a single teen head of house-
5 hold or married teen to whom the
6 State applies subsection
7 (c)(2)(D)(ii) for the month, the
8 lesser of the actual number of
9 hours for which the teen partici-
10 pates in education directly re-
11 lated to employment and 20
12 times the number of weeks in the
13 month.

14 “(ee) In the case of a family
15 with any other work-eligible indi-
16 vidual, the lesser of the actual
17 number of hours for which the
18 individual participates in work
19 activities in the month and 30
20 times the number of weeks in the
21 month.

22 “(II) DISREGARD OF CERTAIN
23 WORK PARTICIPATION HOURS.—In
24 calculating the countable hours of
25 work participation activities of a fam-

1 ily with a work-eligible individual in a
 2 State for a month, the Secretary shall
 3 disregard any hour of participation
 4 that would not be countable if the
 5 participation rate of the State for the
 6 month were determined without re-
 7 gard to this paragraph and the limita-
 8 tions on counting activities under sub-
 9 sections (c) or (d) were applied.

10 “(iv) SOURCE OF DATA.—The number
 11 of families with work-eligible individuals in
 12 a State and the number of hours of par-
 13 ticipation of the individuals in work activi-
 14 ties shall be determined on the basis of in-
 15 formation reported monthly under section
 16 411.”; and

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

18 “(7) STATE OPTION TO INCLUDE INDIVIDUALS
 19 FORMERLY RECEIVING ASSISTANCE PARTICIPATING
 20 IN SUBSIDIZED EMPLOYMENT.—In determining the
 21 participation rate under this section, a State may in-
 22 clude, on a case-by-case basis and for not more than
 23 6 months, a family with a former recipient of assist-
 24 ance participating in subsidized employment if the
 25 individual began participation in subsidized employ-

1 ment while receiving assistance but is no longer a re-
2 cipient due to their participation in subsidized em-
3 ployment.”.

4 (2) CONFORMING AMENDMENTS.—

5 (A) Section 407(b)(5) (42 U.S.C.
6 607(b)(5)) (as redesignated by paragraph
7 (1)(A), is amended—

8 (i) by striking “paragraph (1)(B)”
9 and inserting “calculating a participation
10 rate under this section”; and

11 (ii) by inserting “that include a work-
12 eligible individual” before “that are receiv-
13 ing”.

14 (B) Each of the following provisions is
15 amended by striking “recipient” each place it
16 appears and inserting “work-eligible indi-
17 vidual”:

18 (i) Section 407(c)(1)(A) (42 U.S.C.
19 607(c)(1)).

20 (ii) Section 407(c)(2)(C) (42 U.S.C.
21 607(c)(2)(C)) (as redesignated by section
22 102(a)(1)(A)).

23 (iii) Section 407(c)(2)(D) (42 U.S.C.
24 607(c)(2)(D)) (as so redesignated).

1 (iv) Paragraphs (10) and (11) of sec-
 2 tion 407(d) (42 U.S.C. 607(d)).

3 (C) Subparagraphs (C), (D), and (E) of
 4 section 407(c)(2) (42 U.S.C. 607(c)(2)), (as re-
 5 designated by section 102(a)(1)(A) and amend-
 6 ed by subparagraph (B)) are each amended by
 7 striking “determining monthly participation
 8 rates under” and inserting “calculating the
 9 number described in”.

10 (c) CLARIFICATION OF EXEMPTIONS FROM PARTICI-
 11 PATION REQUIREMENT.—Section 407(b)(6) (42 U.S.C.
 12 607(b)(6)) (as redesignated by subsection (b)(1)(A)) is
 13 amended—

14 (1) by striking all that precedes “any fiscal
 15 year” and inserting the following:

16 “(6) EXEMPTIONS FROM PARTICIPATION RE-
 17 QUIREMENT.—

18 “(A) STATE OPTION TO DISREGARD SIN-
 19 GLE CUSTODIAL PARENT CARING FOR A CHILD
 20 UNDER AGE 1.—For”; and

21 (2) by adding after and below the end the fol-
 22 lowing:

23 “(B) DISREGARD OF FAMILY WITH WORK-
 24 ELIGIBLE INDIVIDUAL SUBJECT TO PENALTY
 25 FOR REFUSING TO ENGAGE IN WORK.—In cal-

1 culating a participation rate under this section,
 2 a State shall disregard a family with a work-eli-
 3 gible individual that is subject to a penalty im-
 4 posed pursuant to subsection (e)(1) but has not
 5 been subject to the penalty for more than 3
 6 months in the preceding 12-month period.”.

7 **SEC. 104. SUPPORTING TREATMENT AND REHABILITATION**
 8 **TO PREPARE RECIPIENTS FOR EMPLOYMENT**
 9 **AND SUPPORT EMPLOYMENT.**

10 Section 407(c)(2)(B) (42 U.S.C. 607(c)(2)(B)), (as
 11 so redesignated by section 102(a)(1)(A)), is amended—

12 (1) in the subparagraph heading, by inserting
 13 “AND JOB READINESS ASSISTANCE” after “JOB
 14 SEARCH”; and

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

16 “(iii) PARTICIPATION IN TREATMENT
 17 OR REHABILITATION ACTIVITIES TO PRE-
 18 PARE RECIPIENTS FOR EMPLOYMENT AND
 19 SUPPORT EMPLOYMENT.—Notwithstanding
 20 any limitation specified in clause (i), if an
 21 individual participates in substance abuse
 22 treatment, mental health treatment, or re-
 23 habilitation activities, the need for which
 24 has been determined to be necessary by a
 25 qualified independent medical, substance

1 abuse, or mental health professional to
 2 prepare the individual for employment or
 3 to support the individual in employment,
 4 up to 12 weeks of such participation shall
 5 be disregarded for purposes of applying the
 6 limitation under clause (i).”.

7 **SEC. 105. DEMONSTRATION PROJECTS AND IMPROVED**
 8 **DATA COLLECTION TO IMPROVE ENGAGE-**
 9 **MENT AND OUTCOMES.**

10 (a) IN GENERAL.—Section 415 (42 U.S.C. 615) is
 11 amended to read as follows:

12 **“SEC. 415. DEMONSTRATION PROJECTS AND IMPROVED**
 13 **DATA COLLECTION TO IMPROVE ENGAGE-**
 14 **MENT AND OUTCOMES.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) ENGAGEMENT STRATEGIES.—The term
 17 ‘engagement strategies’ means, with respect to a
 18 State carrying out a demonstration project under
 19 subsection (b), such policies, procedures, and activi-
 20 ties as the State and Secretary shall determine nec-
 21 essary to achieve the desired outcomes of the
 22 project.

23 “(2) POVERTY LINE.—The term ‘poverty line’
 24 has the meaning given that term in section
 25 2110(e)(5).

1 “(3) STATE.—The term ‘State’ has the mean-
2 ing given that term in section 419(5).

3 “(4) STATE TANF PROGRAM.—The term ‘State
4 TANF program’ means the State program funded
5 under this part and includes a tribal program car-
6 ried out under section 412.

7 “(b) AUTHORITY.—

8 “(1) SELECTION OF DEMONSTRATION
9 PROJECTS.—

10 “(A) IN GENERAL.—Not later than Octo-
11 ber 1, 2019, from the amounts reserved under
12 paragraph (7) to carry out this subsection, the
13 Secretary shall select and award grants to up to
14 10 States to develop and carry out demonstra-
15 tion projects for the purposes of evaluating the
16 impact of different engagement strategies in
17 State TANF programs on employment, earn-
18 ings, family stability, and other outcomes on a
19 subset of families in the State with a work-eli-
20 gible individual who receive assistance under such
21 programs.

22 “(B) REQUIREMENTS.—In selecting and
23 awarding grantees, the Secretary shall prioritize
24 regional diversity and select demonstration

1 projects that represent both urban and rural
2 populations.

3 “(C) APPLICATIONS.—In order to be se-
4 lected to carry out a demonstration project
5 under this subsection, a State shall submit an
6 application to the Secretary, at such time, in
7 such manner, and containing such information
8 as the Secretary shall require.

9 “(2) REQUIREMENTS.—

10 “(A) OUTCOMES AND MEASURES.—The
11 Secretary, in collaboration with the States se-
12 lected to carry out demonstration projects
13 under this subsection, shall determine a core set
14 of outcomes and measures that the States car-
15 rying out such projects shall report on. At a
16 minimum, the core set of outcomes and meas-
17 ures shall include standard measures of employ-
18 ment, earnings, program participation, receipt
19 of means-tested benefits or assistance, poverty,
20 and deep poverty that have been included in
21 previous evaluations of this type for the 4 years
22 following the quarter in which such individuals
23 first participated in the project.

24 “(B) OTHER MEASURES.—In addition to
25 the core set of outcomes and measures, a State

1 carrying out a demonstration project under this
2 subsection may select and specify supplemental
3 targeted outcomes the State seeks to achieve
4 through the demonstration project and how
5 such outcomes shall be measured. If a State
6 demonstration project focuses on intensive em-
7 ployment and training engagement strategies,
8 to the extent possible, the State shall ensure the
9 outcome measures align with those used under
10 the Workforce Innovation and Opportunity Act
11 (29 U.S.C. 3101 et seq.).

12 “(C) CASELOAD.—All families partici-
13 pating in a demonstration project carried out
14 under this subsection must be families with a
15 work-eligible individual where the family is re-
16 ceiving assistance under the State TANF pro-
17 gram when the family’s participation in the
18 demonstration project begins and may continue
19 to participate in the demonstration project
20 without regard to whether the family continues
21 to receive such assistance.

22 “(D) CONTROL GROUP.—A State carrying
23 out a demonstration project under this sub-
24 section shall establish a valid random assign-
25 ment control group on behalf of whom the State

1 (or, if applicable, a county or other political
2 subdivision of the State) shall continue to oper-
3 ate the traditional State TANF program in
4 order to compare outcomes for families partici-
5 pating in the demonstration project with out-
6 comes for families in the control group.

7 “(E) TRIBAL PROJECTS.—In addition to
8 the up to 10 States selected to carry out a dem-
9 onstration project under this subsection, the
10 Secretary shall select at least 1, but not more
11 than 3, Indian tribes with a tribal family assist-
12 ance plan approved under section 412 with
13 which to work on related implementation and
14 outcomes studies to improve the engagement of
15 and outcomes for tribal families with a work-eli-
16 gible individual.

17 “(3) DURATION.—Each State carrying out a
18 demonstration project under this subsection shall be
19 authorized to enroll new participants in the dem-
20 onstration group or control group for not more than
21 4 years from the date on which any work-eligible in-
22 dividuals first begin to participate in the project.
23 The Secretary may allow for additional time to oper-
24 ate the demonstration project after the time to en-
25 roll new participants has expired for the purposes of

1 evaluating the impacts of the demonstration
2 projects.

3 “(4) SUSPENSION AUTHORITY.—With respect
4 to the families participating in a demonstration
5 project carried out under this subsection, the Sec-
6 retary shall suspend compliance with any require-
7 ment under section 407 for families participating in
8 the project which, if applied, would prevent the State
9 from carrying out the demonstration project or pre-
10 vent the State from effectively achieving the pur-
11 poses of the project for the period during which the
12 project is carried out.

13 “(5) EVALUATION.—The Secretary, through
14 grant, contract, or interagency agreement, shall
15 evaluate the demonstration projects carried out
16 under this subsection by comparing the employment,
17 earnings, program participation, receipt of means-
18 tested benefits or assistance, poverty, deep poverty,
19 and other specific outcomes of families participating
20 in the projects with the employment, earnings, and
21 same specific outcomes for the families in the con-
22 trol groups for the projects. In addition, the evalua-
23 tion shall analyze the relationships between engage-
24 ment strategies, performance measures, and impacts

1 of the engagement strategies, along with such other
2 criteria as the Secretary determines appropriate.

3 “(6) ANNUAL REPORT.—Beginning October 1,
4 2021, and until all evaluations of the demonstration
5 projects are complete, the Secretary shall annually
6 submit to Congress reports containing—

7 “(A) analyses of the demographic charac-
8 teristics of the individuals who participated in
9 the demonstration projects carried out under
10 this subsection with the demographics of the in-
11 dividuals in the control groups for the projects;

12 “(B) analyses of the design, interventions,
13 and objectives of the projects;

14 “(C) the most recent available results of
15 the evaluation described in paragraph (5); and

16 “(D) recommendations for such legislation
17 and administrative action as the Secretary de-
18 termines appropriate.

19 “(7) FUNDING.—For each fiscal year in which
20 demonstration projects are developed or carried out
21 under this subsection, the Secretary shall use
22 amounts made available under section 413(h)(1) for
23 the fiscal year to carry out this subsection.”.

24 (b) IMPROVED DATA COLLECTION TO STRENGTHEN
25 OUTCOMES.—

1 (1) DATA COLLECTION.—Section 411(a) is
2 amended—

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

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

7 “(7) INFORMATION ON EMPLOYMENT AND
8 EARNINGS OUTCOMES FOR INDIVIDUALS RECEIVING
9 OR FORMERLY RECEIVING ASSISTANCE.—

10 “(A) REPORTING AGREEMENT.—Each eli-
11 gible State and the Secretary shall enter into an
12 agreement specifying the manner by which the
13 information and data described in this para-
14 graph shall be collected and reported to the
15 Secretary.

16 “(B) OUTCOMES FOR FORMER RECIPI-
17 ENTS.—Information and data regarding individ-
18 uals in families who formerly received assist-
19 ance under the State program funded under
20 this part or under any State program funded
21 with qualified State expenditures (as defined in
22 section 409(a)(7)(B)(i)) and were work-eligible
23 individuals before the family ceased receiving
24 assistance, with respect to the following:

1 “(i) The following data determined for
2 the 1st and 4th full quarters ending after
3 the quarter of exit from assistance:

4 “(I) The percentage of such indi-
5 viduals who have any level of earn-
6 ings.

7 “(II) The percentage of such in-
8 dividuals who have earnings at or
9 below 50 percent of the poverty line
10 applicable to the quarter.

11 “(III) The distribution of income
12 and earnings of such individuals rel-
13 ative to the poverty line.

14 “(IV) The percentage of such in-
15 dividuals receiving supplemental nutri-
16 tion program benefits (as defined in
17 section 3(t) of the Food and Nutrition
18 Act of 2008 (7 U.S.C. 2012(t)) for
19 the quarter.

20 “(V) The percentage of such in-
21 dividuals receiving medical assistance
22 under a State plan or a waiver of such
23 plan under title XIX for the quarter.

24 “(ii) The percentage of such individ-
25 uals who are in unsubsidized employment

1 during the 2d quarter after exiting from
2 the program.

3 “(iii) The percentage of such individ-
4 uals who are in unsubsidized employment
5 during the 4th quarter after exiting from
6 the program.

7 “(iv) The median earnings of such in-
8 dividuals who are in unsubsidized employ-
9 ment during the 2d quarter after exiting
10 from the program.

11 “(C) ENGAGEMENT AND EMPLOYMENT OF
12 CURRENT RECIPIENTS.—In the case of work-eli-
13 gible individuals in families who received assist-
14 ance under the State program funded under
15 this part or under any State program funded
16 with qualified State expenditures (as defined in
17 section 409(a)(7)(B)(i)), the following informa-
18 tion and data relative to a reference quarter:

19 “(i) Employment and earnings in each
20 of the 4 quarters prior to the reference
21 quarter.

22 “(ii) Standard measures of employ-
23 ment, earnings, receipt of assistance, and
24 participation in work activities (as defined

1 in section 407(d)) in each of the 4 quar-
2 ters following the reference quarter.

3 “(D) OTHER INFORMATION.—With respect
4 to the populations described in subparagraph
5 (B) or (C)—

6 “(i) such other information or data as
7 the Secretary may require; and

8 “(ii) such other measures of employ-
9 ment, earnings, program participation, re-
10 ceipt of means-tested benefits or assist-
11 ance, and poverty as the Secretary may re-
12 quire and which, to the greatest extent
13 practicable, shall be based on the informa-
14 tion required for State performance reports
15 under section 116(d)(2) of the Workforce
16 Innovation and Opportunity Act (29
17 U.S.C. 3141(d)(2)).

18 “(E) STATISTICAL ADJUSTMENT MODEL
19 FOR EMPLOYMENT OUTCOMES.—The Secretary,
20 in consultation with the Secretary of Labor and
21 relevant experts, shall commission a study to
22 develop recommendations on how to and dis-
23 seminate an objective statistical model that will
24 allow the Secretary to make adjustments to
25 data reported pursuant to this paragraph based

1 on actual economic conditions and the charac-
 2 teristics of participants. To the extent prac-
 3 ticable, the recommendations shall be compat-
 4 ible with the statistical adjustment model devel-
 5 oped under subparagraph (A)(viii) of section
 6 116(b)(3) of the Workforce Innovation and Op-
 7 portunity Act (29 U.S.C. 3141(b)(3)(A)(viii))
 8 and, with respect to a State, the State adjusted
 9 levels of performance established for the State
 10 under that section.”.

11 (2) CONFORMING AMENDMENT.—Paragraph (8)
 12 of section 411(a), as redesignated by paragraph
 13 (1)(A), is amended by inserting “and with respect to
 14 the information required under paragraph (7)” be-
 15 fore the period.

16 **TITLE II—STRENGTHENING**
 17 **FAMILIES**

18 **SEC. 201. UNIFORM WORK REQUIREMENT FOR FAMILIES.**

19 (a) ELIMINATION OF SEPARATE PARTICIPATION
 20 RATE REQUIREMENTS FOR 2-PARENT FAMILIES.—Sec-
 21 tion 407 (42 U.S.C. 607) is amended—

22 (1) in subsection (a)—

23 (A) by striking all through “A State” the
 24 1st place it appears and inserting the following:

1 “(a) PARTICIPATION RATE REQUIREMENTS.—A
2 State”; and

3 (B) by striking paragraph (2);

4 (2) in subsection (b)—

5 (A) in the subsection heading, by striking
6 “RATES” and inserting “RATE”;

7 (B) in paragraph (1)(A), by striking
8 “(a)(1)” and inserting “(a)”;

9 (C) by striking paragraph (2) and insert-
10 ing the following:

11 “(2) **【Reserved.】**”;

12 (D) in paragraph (4), by striking “para-
13 graphs (1)(B) and (2)(B)” and inserting “para-
14 graph (1)(B)”;

15 (E) in paragraph (5), by striking “rates”
16 and inserting “rate”; and

17 (3) in subsection (c)—

18 (A) in paragraph (1), by striking subpara-
19 graph (B) and inserting the following:

20 “(B) **【Reserved】**.”; and

21 (B) in paragraph (2)(D)—

22 (i) by striking “paragraphs (1)(B)(i)
23 and (2)(B) of subsection (b)” and insert-
24 ing “subsection (b)(1)(B)(i)”;

1 (ii) by striking “in all families and in
2 2-parent families, respectively,”.

3 (b) CONFORMING AMENDMENT.—The paragraph
4 heading for section 409(a)(3) (42 U.S.C. 609(a)(3)) is
5 amended by striking “RATES” and inserting “RATE”.

6 **SEC. 202. SUPPORTING FAMILIES BY ENDING THE MAR-**
7 **RIAGE PENALTY.**

8 Not later than October 1, 2020, each State with a
9 State plan approved under part A of title IV of the Social
10 Security Act (42 U.S.C. 607 et seq.) shall report to the
11 Secretary of Health and Human Services information re-
12 garding the eligibility criteria applied by the State to 2-
13 parent families applying for or receiving assistance under
14 the State program funded under such part or under any
15 other State program funded with qualified State expendi-
16 tures (as defined in section 409(a)(7)(B)(i) of such Act
17 (42 U.S.C. 609(a)(7)(B)(i))) that are not applied to sin-
18 gle-parent families applying for or receiving such assist-
19 ance, as well as provide an explanation as to how such
20 differences do not impose additional barriers for 2-parent
21 families or what efforts the State is undertaking to ensure
22 any such eligibility criteria do not disadvantage 2-parent
23 families.

1 **TITLE III—RESTORING THE**
 2 **INTEGRITY OF TANF**

3 **SEC. 301. STRENGTHENING STATE REQUIREMENTS TO EN-**
 4 **GAGE RECIPIENTS IN EMPLOYMENT AND EM-**
 5 **PLOYMENT PREPARATION ACTIVITIES.**

6 Section 407(b) (42 U.S.C. 607(b)), as amended by
 7 section 103(b)(1)(C), is amended by adding at the end the
 8 following:

9 “(8) MINIMUM STATE ENGAGEMENT REQUIRE-
 10 MENT.—Notwithstanding any other provision of this
 11 section, the minimum participation rate for purposes
 12 of subsection (a) of this section shall be not less
 13 than 10 percent in fiscal year 2020 and 20 percent
 14 in fiscal year 2021 and each fiscal year thereafter.”.

15 **SEC. 302. MEASURING TANF SPENDING ON FAMILIES RE-**
 16 **CEIVING ASSISTANCE AND ON LOW-INCOME**
 17 **FAMILIES.**

18 Section 411 (42 U.S.C. 611) is amended by adding
 19 at the end the following:

20 “(e) STATE REQUIREMENT TO REPORT SPENDING
 21 ON FAMILIES RECEIVING ASSISTANCE AND ON LOW-IN-
 22 COME FAMILIES.—Each eligible State shall report the fol-
 23 lowing information, with respect to fiscal year 2019, not
 24 later than July 1, 2020, and, with respect to each fiscal

1 year beginning after that date, not later than such date
2 as the Secretary shall require:

3 “(1) The amount and percent of the State
4 spending of the grant made under section 403(a)(1)
5 and any qualified State expenditures (as defined in
6 section 409(a)(7)(B)(i)) on families receiving assist-
7 ance by category of spending.

8 “(2) An estimate of the amount and percent of
9 State spending of the grant made under section
10 403(a)(1) and any qualified State expenditures (as
11 so defined) that consists of benefits and services—

12 “(A) for families in the State whose in-
13 come is below the income official poverty line
14 (as defined by the Office of Management and
15 Budget, and revised annually in accordance
16 with section 673(2) of the Omnibus Budget
17 Reconciliation Act of 1981) applicable to a fam-
18 ily of the size involved; and

19 “(B) for families in the State whose in-
20 come is below twice the income official poverty
21 line (as so defined) applicable to a family of the
22 size involved.

23 “(3) Information explaining who is eligible for
24 assistance in the State and the specific criteria used
25 to determine eligibility for assistance.”.

1 **SEC. 303. REPORT ON CHILD CARE PROVIDER CRIMINAL**
2 **BACKGROUND CHECKS.**

3 (a) IN GENERAL.—Not later than 1 year after the
4 date of enactment of this Act, the Secretary of Health and
5 Human Services, in consultation with the Director of the
6 Federal Bureau of Investigation, shall submit to the Com-
7 mittee on Finance of the Senate and the Committee on
8 Ways and Means of the House of Representatives a report
9 that includes the following:

10 (1) Information on the requirements for crimi-
11 nal background checks for child care providers re-
12 ceiving funds directly from the TANF program. The
13 report shall include descriptions of such require-
14 ments for each eligible State and analyses of—

15 (A) how such checks are conducted;

16 (B) the extent to which child care pro-
17 viders comply with such requirements; and

18 (C) how the requirements for such back-
19 ground checks are similar to or differ from the
20 requirements for criminal background checks
21 for child care staff members (including prospec-
22 tive child care staff members) of child care pro-
23 viders under section 658H(b) of the Child Care
24 and Development Block Grant Act of 1990. (42
25 U.S.C. 9858f(b)).

1 (2) A list of eligible States that are not re-
2 sponding to requests for interstate child care pro-
3 vider criminal background checks and the reasons
4 for why such States are not responding to a request
5 from another State.

6 (3) For each eligible State, information regard-
7 ing the average interstate criminal background check
8 processing time and fees.

9 (4) A list of eligible States that have closed
10 record laws or systems that prevent such States
11 from sharing complete criminal background check
12 data with another eligible State.

13 (b) DATA REQUIREMENT.—The Secretary shall use
14 data for the 3 most recent fiscal years for which data are
15 available to prepare the report.

16 (c) DEFINITIONS.—In this section:

17 (1) ELIGIBLE STATE.—The term “eligible
18 State” has the meaning given that term in section
19 402(a) of the Social Security Act (42 U.S.C.
20 602(a)).

21 (2) TANF PROGRAM.—The term “TANF pro-
22 gram” means the temporary assistance for needy
23 families program funded under part A of title IV of
24 the Social Security Act (42 U.S.C. 601 et seq.) and
25 includes any State program funded with qualified

1 State expenditures (as defined in section
2 409(a)(7)(B)(i) of such Act (42 U.S.C.
3 609(a)(7)(B)(i)).

4 **TITLE IV—REAUTHORIZING THE** 5 **TANF PROGRAM**

6 **SEC. 401. 3-YEAR REAUTHORIZATION.**

7 (a) FAMILY ASSISTANCE GRANTS.—Section
8 403(a)(1) (42 U.S.C. 603(a)(1)) is amended in each of
9 subparagraphs (A) and (C) by striking “2017 and 2018”
10 and inserting “2019 through 2021”.

11 (b) HEALTHY MARRIAGE PROMOTION AND RESPON-
12 SIBLE FATHERHOOD GRANTS.—Section 403(a)(2)(D) (42
13 U.S.C. 603(a)(2)(D)) is amended—

14 (1) by striking “2017 and 2018” and inserting
15 “2019 through 2021”; and

16 (2) by striking “for fiscal year 2017 or 2018”.

17 (c) CONTINGENCY FUND.—Section 403(b)(2) (42
18 U.S.C. 603(b)(2)) is amended by striking “for fiscal year
19 2018” and inserting “for each of fiscal years 2019
20 through 2021”.

21 (d) TRIBAL FAMILY ASSISTANCE GRANTS.—Para-
22 graphs (1)(A) and (2)(A) of section 412(a) (42 U.S.C.
23 612(a)) are each amended by striking “2017 and 2018”
24 and inserting “2019 through 2021”.

1 (e) CHILD CARE.—Section 418(a)(3) (42 U.S.C.
2 618(a)(3)) is amended by striking “and 2018” and insert-
3 ing “through 2021”.

4 (f) GRANTS TO THE TERRITORIES.—Section
5 1108(b)(2) (42 U.S.C. 1308(b)(2)) is amended by striking
6 “2017 and 2018” and inserting “2019 through 2021”.

7 **TITLE V—MISCELLANEOUS**

8 **SEC. 501. TECHNICAL CORRECTIONS TO DATA EXCHANGE**

9 **STANDARDS TO IMPROVE PROGRAM COORDI-** 10 **NATION.**

11 (a) IN GENERAL.—Section 411(d) (42 U.S.C.
12 611(d)) is amended to read as follows:

13 “(d) DATA EXCHANGE STANDARDS FOR IMPROVED
14 INTEROPERABILITY.—

15 “(1) DESIGNATION.—The Secretary shall, in
16 consultation with an interagency work group estab-
17 lished by the Office of Management and Budget and
18 considering State government perspectives, by rule,
19 designate data exchange standards to govern, under
20 this part—

21 “(A) necessary categories of information
22 that State agencies operating programs under
23 State plans approved under this part are re-
24 quired under applicable Federal law to elec-

1 tronically exchange with another State agency;
2 and

3 “(B) Federal reporting and data exchange
4 required under applicable Federal law.

5 “(2) REQUIREMENTS.—The data exchange
6 standards required by paragraph (1) shall, to the extent practicable—
7

8 “(A) incorporate a widely accepted, non-
9 proprietary, searchable, computer-readable format, such as the eXtensible Markup Language;
10

11 “(B) contain interoperable standards developed and maintained by intergovernmental
12 partnerships, such as the National Information
13 Exchange Model;
14

15 “(C) incorporate interoperable standards
16 developed and maintained by Federal entities
17 with authority over contracting and financial
18 assistance;

19 “(D) be consistent with and implement applicable accounting principles;
20

21 “(E) be implemented in a manner that is
22 cost-effective and improves program efficiency
23 and effectiveness; and

24 “(F) be capable of being continually up-
25 graded as necessary.

1 “(3) RULE OF CONSTRUCTION.—Nothing in
2 this subsection shall be construed to require a
3 change to existing data exchange standards found to
4 be effective and efficient.”.

5 (b) IMPLEMENTATION.—Not later than the date that
6 is 24 months after the date of the enactment of this sec-
7 tion, the Secretary of Health and Human Services shall
8 issue a proposed rule that—

9 (1) identifies federally required data exchanges,
10 include specification and timing of exchanges to be
11 standardized, and address the factors used in deter-
12 mining whether and when to standardize data ex-
13 changes; and

14 (2) specifies State implementation options and
15 describes future milestones.

16 **SEC. 502. EFFECTIVE DATES.**

17 (a) IN GENERAL.—Except as provided in subsection
18 (b), the amendments made by this Act shall take effect
19 as if enacted on October 1, 2018.

20 (b) IMPROVING PARTICIPATION IN ACTIVITIES LEAD-
21 ING TO EMPLOYMENT.—The amendments made by sec-
22 tions 101, 102, 103, 104, and 301 take effect on October
23 1, 2019.

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