

HATCH] was added as a cosponsor of Senate Resolution 149, a resolution expressing the sense of the Senate regarding the recent announcement by the Republic of France that it intends to conduct a series of underground nuclear test explosions despite the current international moratorium on nuclear testing.

SENATE CONCURRENT RESOLUTION 26—RELATIVE TO A MONUMENT DEDICATED TO THE BILL OF RIGHTS

Mr. LOTT submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 26

*Resolved by the Senate (the House of Representatives concurring).*

**SECTION 1. AUTHORIZATION.**

The Newington-Cropsey Foundation is authorized to erect on the Capitol Grounds and present to Congress and the people of the United States a monument dedicated to the Bill of Rights (referred to as the "monument"). The monument shall be erected without expense to the United States.

**SEC. 2. DESIGN AND REVIEW.**

The design and plans for the monument shall be subject to review and approval by the Architect of the Capitol. The monument shall be erected on a site to be determined by the Architect of the Capitol, subject to the approval of the Committee on Rules and Administration of the Senate and the Committee on House Oversight of the House of Representatives and in consultation with the Newington-Cropsey Foundation.

**SEC. 3. ACCEPTANCE OF MONUMENT.**

After the completion of the monument according to the approved plans and specifications, the monument shall be accepted by the Congress on behalf of the people of the United States for permanent placement on the Capitol Grounds.

Mr. LOTT. Mr. President, I rise today to recognize the work of Greg Wyatt, the sculptor-in-residence at the Cathedral of St. John the Divine.

Mr. Wyatt is exhibiting his sculpture, the bill of rights "Eagle", in the Russell Senate Office Building September 5-9, 1995.

By this exhibition of his craft, Mr. Wyatt expresses the freedoms we are guaranteed by the Bill of Rights through a work of art for all Americans.

As president of the Cathedral of St. John's fantasy fountain fund, Mr. Wyatt also contributes by instructing talented apprentices in appreciation for the renaissance tradition. Studio apprenticeship leads to the development and promotion of the arts, which benefits every American citizen.

Our Bill of Rights is an historic living document that should be the focus of our continuous study and appreciation, for it outlines the most fundamental freedoms and protections we enjoy as Americans.

The "Eagle" that Mr. Wyatt is presenting is a tribute to those freedoms and to the strength of a nation built on individual rights. As we return in September to begin the remainder of the year's work, I urge my colleagues to take time to view this work of art and reflect upon all that it represents.

The exhibit is made possible by the Newington-Cropsey Foundation, an organization which works for the preservation of 19th century art and culture of New York's Hudson River Valley.

Organized to preserve the paintings and historic studio of Jasper Francis Cropsey, the foundation has donated numerous works to significant institutions including the White House, the U.S. Department of State, the Metropolitan Museum of Art, Yale University, Princeton University, and other domestic and international fixtures.

Following the "Eagle" exhibit, the Newington-Cropsey Foundation has offered the sculpture for permanent placement on the Capitol Grounds.

At this time I would like to submit a resolution that will accept this gift from the Newington-Cropsey Foundation and urge that the Senate pass it expeditiously.

SENATE RESOLUTION 167—CONGRATULATING CAL RIPKEN, JR.

Ms. MIKULSKI (for herself, Mr. SARBANES, Mr. WARNER, and Mr. ROBB) submitted the following resolution; which was considered and agreed to:

S. RES. 167

Whereas on May 30, 1982, Cal Ripken, Jr. became the regular starting shortstop for the Baltimore Orioles baseball club;

Whereas Cal Ripken, Jr. has not missed a single day of work in the intervening 14 years;

Whereas on September 6, 1995, Cal Ripken, Jr. played in his 2,131st consecutive Major League Baseball game, breaking the long-standing record held by the great Lou Gehrig;

Whereas Cal Ripken, Jr. has been a first-rate role model for the young people of Baltimore, the State of Maryland, and the United States;

Whereas Cal Ripken, Jr. has been named by America's baseball fans to 13 American League All-Star teams;

Whereas Cal Ripken, Jr. was named the American League's Most Valuable Player for the 1983 and 1991 seasons;

Whereas Cal Ripken, Jr. was a member of the 1983 World Series Champion Baltimore Orioles baseball team;

Whereas Cal Ripken, Jr. was named the Most Valuable Player in the 1991 All-Star game;

Whereas Cal Ripken, Jr. has twice been awarded baseball's most prestigious award for excellence in fielding, the Gold Glove Award, for the 1991 and 1992 seasons;

Whereas in the distinguished career of Cal Ripken, Jr., he has demonstrated an extraordinary work ethic, and dedication to his profession, his family, and his fans; and

Whereas the humility, hard work, desire, and commitment of Cal Ripken, Jr. have made him one of the best-loved and the most enduring figures in the history of the game of baseball: Now, therefore, be it

*Resolved*, That the United States Senate congratulates Cal Ripken, Jr. for his outstanding achievement in becoming the first player in the history of Major League Baseball to compete in 2,131 consecutive games.

AMENDMENTS SUBMITTED

THE FAMILY SELF-SUFFICIENCY ACT OF 1995

BROWN (AND OTHERS)  
AMENDMENT NO. 2465

Mr. BROWN (for himself, Mr. MOYNIHAN, Mr. SIMPSON, Mr. MURKOWSKI, Mr. KOHL, Mr. CAMPBELL, Mr. FEINGOLD, Mr. BYRD, and Mr. HELMS) proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending and reduce welfare dependence; as follows:

At the appropriate place, insert the following:

**SEC. . EXPENDITURE OF FEDERAL FUNDS IN ACCORDANCE WITH LAWS AND PROCEDURES APPLICABLE TO EXPENDITURE OF STATE FUNDS.**

(a) IN GENERAL.—Notwithstanding any other provision of law, any funds received by a State under the provisions of law specified in subsection (b) shall be expended only in accordance with the laws and procedures applicable to expenditures of the State's own revenues, including appropriation by the State legislature, consistent with the terms and conditions required under such provisions of law.

(b) PROVISIONS OF LAW.—The provisions of law specified in this subsection are the following:

(1) Part A of title IV of the Social Security Act (relating to block grants for temporary assistance to needy families).

(2) Section 25 of the Food Stamp Act of 1977 (relating to the optional State food assistance block grant).

(3) Subtitles B and C of title VII of this Act (relating to workforce development).

(4) The Child Care and Development Block Grant Act of 1990 (relating to block grants for child care).

MOYNIHAN AMENDMENT NO. 2466

Mr. MOYNIHAN proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SHORT TITLE; TABLE OF CONTENTS.**

(a) SHORT TITLE.—This Act may be cited as the "Family Support Act of 1995".

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

Sec. 1. Short title; table of contents.

Sec. 2. References to Social Security Act.

**TITLE I—STRENGTHENING THE JOBS PROGRAM**

Sec. 101. Increase in required JOBS participation rates.

Sec. 102. Promoting work.

Sec. 103. Funding for the JOBS program and child care.

Sec. 104. Evaluation of the JOBS program.

**TITLE II—AID TO FAMILIES WITH DEPENDENT CHILDREN**

**Subtitle A—Requirements for Teenage Parents**

Sec. 201. Case management for parents under age 20.

Sec. 202. Participation in educational activity.

Sec. 203. Living arrangement requirements.

## Subtitle B—State Flexibility

## PART I—ESTABLISHMENT OF INTERAGENCY WELFARE REVIEW BOARD

- Sec. 211. Interagency Welfare Review Board.  
 Sec. 212. Waiver application.  
 Sec. 213. Review and approval of applications.  
 Sec. 214. Definition of State.

## PART II—ADDITIONAL PROVISIONS CONCERNING WAIVERS

- Sec. 221. Schedule for consideration of waiver applications.  
 Sec. 222. State authority to establish certain AFDC rules.  
 Sec. 223. Waiver authority for the JOBS program.

## TITLE III—CHILD SUPPORT ENFORCEMENT

- Sec. 300. Short title.

## Subtitle A—Improvements to the Child Support Collection System

## PART I—ELIGIBILITY AND OTHER MATTERS CONCERNING TITLE IV-D PROGRAM CLIENTS

- Sec. 301. Cooperation requirement and good cause exception.  
 Sec. 302. State obligation to provide paternity establishment and child support enforcement services.  
 Sec. 303. Distribution of payments.  
 Sec. 304. Rights to notification and hearings.  
 Sec. 305. Privacy safeguards.

## PART II—PROGRAM ADMINISTRATION AND FUNDING

- Sec. 311. Federal matching payments.  
 Sec. 312. Performance-based incentives and penalties.  
 Sec. 313. Federal and State reviews and audits.  
 Sec. 314. Required reporting procedures.  
 Sec. 315. Automated data processing requirements.  
 Sec. 316. Director of CSE program; staffing study.  
 Sec. 317. Funding for secretarial assistance to State programs.  
 Sec. 318. Data collection and reports by the Secretary.

## PART III—LOCATE AND CASE TRACKING

- Sec. 321. Central State and case registry.  
 Sec. 322. Centralized collection and disbursement of support payments.  
 Sec. 323. Amendments concerning income withholding.  
 Sec. 324. Locator information from interstate networks.  
 Sec. 325. Expanded Federal parent locator service.  
 Sec. 326. Use of social security numbers.

## PART IV—STREAMLINING AND UNIFORMITY OF PROCEDURES

- Sec. 331. Adoption of uniform State laws.  
 Sec. 332. Improvements to full faith and credit for child support orders.  
 Sec. 333. State laws providing expedited procedures.

## PART V—PATERNITY ESTABLISHMENT

- Sec. 341. State laws concerning paternity establishment.  
 Sec. 342. Outreach for voluntary paternity establishment.

## PART VI—ESTABLISHMENT AND MODIFICATION OF SUPPORT ORDERS

- Sec. 351. National Child Support Guidelines Commission.  
 Sec. 352. Simplified process for review and adjustment of child support orders.

## PART VII—ENFORCEMENT OF SUPPORT ORDERS

- Sec. 361. Federal income tax refund offset.  
 Sec. 362. Internal Revenue Service collection of arrearages.

- Sec. 363. Authority to collect support from Federal employees.

- Sec. 364. Enforcement of child support obligations of members of the Armed Forces.

- Sec. 365. Voiding of fraudulent transfers.

- Sec. 366. State law authorizing suspension of licenses.

- Sec. 367. Reporting arrearages to credit bureaus.

- Sec. 368. Extended statute of limitation for collection of arrearages.

- Sec. 369. Charges for arrearages.

- Sec. 370. Denial of passports for nonpayment of child support.

## PART VIII—MEDICAL SUPPORT

- Sec. 381. Technical correction to ERISA definition of medical child support order.

## PART IX—ACCESS AND VISITATION PROGRAMS

- Sec. 391. Grants to States for access and visitation programs.

## Subtitle B—Effect of Enactment

- Sec. 395. Effective dates.

- Sec. 396. Severability.

## TITLE IV—SUPPLEMENTAL SECURITY INCOME

- Sec. 401. Revised regulations applicable to the determination of disability in individuals under the age of 18.

- Sec. 402. Directory of services.

- Sec. 403. Use of standardized tests and their equivalent.

- Sec. 404. Graduated benefits for additional children.

- Sec. 405. Treatment requirements for disabled individuals under the age of 18.

- Sec. 406. Special accounts for individuals under the age of 18.

- Sec. 407. Continuing disability reviews for individuals under the age of 18.

- Sec. 408. Coordination of services for SSI children.

## TITLE V—MISCELLANEOUS PROVISIONS

- Sec. 501. Uniform alien eligibility criteria for public assistance programs.

- Sec. 502. Deeming of sponsor's income and resources to an alien under the supplemental security income, aid to families with dependent children, and food stamp programs.

- Sec. 503. Adjustment to thrifty food plan.

- Sec. 504. Failure to comply with other welfare and public assistance programs.

**SEC. 2. REFERENCES TO SOCIAL SECURITY ACT.**

Except as otherwise specifically provided, whenever in this Act an amendment is expressed in terms of an amendment to or repeal of a section or other provision, the reference shall be considered to be made to that section or other provision of the Social Security Act (42 U.S.C. 301 et seq.).

**TITLE I—STRENGTHENING THE JOBS PROGRAM****SEC. 101. INCREASE IN REQUIRED JOBS PARTICIPATION RATES.**

(a) IN GENERAL.—Section 403(j)(3) (42 U.S.C. 603(j)(3)) is amended—

- (1) in subparagraph (A)—  
 (A) in clause (v), by striking “and”;  
 (B) in clause (vi), by striking the period and inserting “or 1996;” and  
 (C) by adding at the end the following new clauses:

- “(vii) 30 percent if such year is 1997;  
 “(viii) 35 percent if such year is 1998;  
 “(ix) 40 percent if such year is 1999;  
 “(x) 45 percent if such year is 2000; and  
 “(xi) 50 percent if such year is 2001 or any year thereafter.”; and

(2) in subparagraph (B)—

(A) in clause (ii)(IV), by striking “fiscal years 1994 and 1995” and inserting “any fiscal year beginning after fiscal year 1993”; and

(B) in clause (iii), by striking subclauses (I) and (II) and inserting the following:

“(I) the average monthly number of individuals required or allowed by the State to participate in the program under part F who have participated in such program in months in the computation period (including individuals who combine employment and participation in such program for an average of 20 hours a week in that month in such period), plus the number of individuals who are employed for an average of 20 hours a week in that month in such period, divided by

“(II) the average monthly number of individuals required to participate under the program under part F in such period (other than individuals described in subparagraph (C)(iii)(I) or (D) of section 402(a)(19) with respect to whom the State has exercised its option to require their participation), minus the average monthly number of individuals who are being sanctioned in such period pursuant to section 402(a)(19)(G).”.

(b) CONFORMING AMENDMENTS.—The Family Support Act of 1988 (42 U.S.C. 1305 note) is amended by striking section 204(b)(2).

**SEC. 102. PROMOTING WORK.**

(a) INCREASED EMPLOYMENT AND JOB RETENTION.—Section 481(a) (42 U.S.C. 681(a)) is amended to read as follows:

“SEC. 481. (a) PURPOSE.—It is the purpose of this part to assist each State in providing such services as the State determines to be necessary to—

“(1) enable individuals receiving assistance under part A to enter employment as quickly as possible;

“(2) increase job retention; and

“(3) ensure that needy families with children obtain the education, training, and employment that will help them avoid long-term welfare dependence.”.

(b) STATE AGENCY RESPONSIBILITIES.—Section 482(a)(2) (42 U.S.C. 682(a)(2)) is amended—

(1) by striking “(2) The” and inserting “(2)(A) The”; and

(2) by adding at the end the following new subparagraphs:

“(B) The State agency shall establish procedures to—

“(i) encourage the placement of participants in jobs as quickly as possible, including using performance measures that reward staff performance, or such other management practice as the State may choose; and  
 “(ii) assist participants in retaining employment after they are hired.

“(C) The Secretary shall provide technical assistance and training to States to assist the States in implementing effective management practices and strategies in order to achieve the purpose of this part.”.

(c) SERVICES AND ACTIVITIES UNDER THE JOBS PROGRAM.—Section 482(d)(1)(A)(i) (42 U.S.C. 682(d)(1)(A)(i)) is amended—

(1) in the matter preceding subclause (I), by striking “shall” and inserting “may”; and

(2) in subclause (I), by striking “(as appropriate)” and all that follows through the semicolon and inserting a semicolon.

(d) JOB PLACEMENT VOUCHER PROGRAM.—

(1) ADDITION OF PROGRAM.—Section 482 (42 U.S.C. 682) is amended—

(A) in subsection (d)(1)(A)(ii)—

(i) in subclause (III), by striking “and” at the end;

(ii) in subclause (IV), by striking the period and inserting “; and”; and

(iii) by adding at the end the following new subclause:

“(V) a job placement voucher program as described in subsection (h).”;

(B) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(C) by inserting after subsection (g), the following subsection:

“(h) JOB PLACEMENT VOUCHER PROGRAM.—(1) The State agency may establish and operate a job placement voucher program for individuals participating in the program under this part.

“(2) A State that elects to operate a job placement voucher program under this subsection—

“(i) shall establish eligibility requirements for participation in the job placement voucher program; and

“(ii) may establish other requirements for such voucher program as the State deems appropriate.

“(3) A job placement voucher program operated by a State under this subsection shall include the following requirements:

“(A) The State shall identify, maintain, and make available to an individual applying for or receiving assistance under part A a list of State-approved job placement organizations that offer services in the area where the individual resides and a description of the job placement and support services each such organization provides. Such organizations may be publicly or privately owned and operated.

“(B)(i) An individual determined to be eligible for assistance under part A shall, at the time the individual becomes eligible for such assistance—

“(I) receive the list and description described in subparagraph (A);

“(II) agree, in exchange for job placement and support services, to—

“(aa) execute, within a period of time permitted by the State, a contract with a State-approved job placement organization which provides that the organization shall attempt to find employment for the individual; and

“(bb) comply with the terms of the contract; and

“(III) receive a job placement voucher (in an amount to be determined by the State) for payment to a State-approved job placement organization.

“(ii) The State shall impose the sanctions provided for in section 402(a)(19)(G) on any individual who does not fulfill the terms of a contract executed with a State-approved job placement organization.

“(C) At the time an individual executes a contract with a State-approved job placement organization, the individual shall provide the organization with the job placement voucher that the individual received pursuant to subparagraph (B).

“(D)(i) A State-approved job placement organization may redeem for payment from the State not more than 25 percent of the value of a job placement voucher upon the initial receipt of the voucher for payment of costs incurred in finding and placing an individual in an employment position. The remaining value of such voucher shall not be redeemed for payment from the State until the State-approved job placement organization—

“(I) finds an employment position (as determined by the State) for the individual who provided the voucher; and

“(II) certifies to the State that the individual remains employed with the employer that the organization originally placed the individual with for the greater of—

“(aa) 6 continuous months; or

“(bb) a period determined by the State.

“(ii) A State may modify, on a case-by-case basis, the requirement of clause (i)(II) under such terms and conditions as the State deems appropriate.

“(E)(i) The State shall establish performance-based standards to evaluate the success of the State job placement voucher program

operated under this subsection in achieving employment for individuals participating in such voucher program. Such standards shall take into account the economic conditions of the State in determining the rate of success.

“(ii) The State shall, not less than once a fiscal year, evaluate the job placement voucher program operated under this subsection in accordance with the performance-based standards established under clause (i).

“(iii) The State shall submit a report containing the results of an evaluation conducted under clause (ii) to the Secretary and a description of the performance-based standards used to conduct the evaluation in such form and under such conditions as the Secretary shall require. The Secretary shall review each report submitted under this clause and may require the State to revise the performance-based standards if the Secretary determines that the State is not achieving an adequate rate of success for such State.”.

(2) CONFORMING AMENDMENTS.—Title IV (42 U.S.C. 681 et seq.) is amended—

(A) in section 403(j) (42 U.S.C. 603(j))—

(i) in paragraph (1)(A), by striking “482(i)(2)” and inserting “482(j)(2)”; and

(ii) in paragraph (4)(A)(i), by inserting “a job placement voucher program,” after “on-the-job training.”; and

(B) in section 431(a)(6) (42 U.S.C. 629a(a)(6))—

(i) by striking “482(i)(5)” and inserting “482(j)(5)”; and

(ii) by striking “482(i)(7)(A)” and inserting “482(j)(7)(A)”.

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall be effective with respect to calendar quarters beginning with the second calendar quarter beginning after the date of the enactment of this Act.

(E) ELIMINATION OF REQUIREMENT TO PROVIDE EDUCATIONAL ACTIVITIES TO INDIVIDUALS AGE 20 OR OLDER; PERMITTING STATES TO PROVIDE EMPLOYMENT SERVICES FOR NON-CUSTODIAL PARENTS.—Section 482(d) (42 U.S.C. 682(d)) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraph (3) as paragraph (2); and

(3) in paragraph (2), as so redesignated—

(A) by striking “up to 5”; and

(B) by striking the second sentence.

(F) INCREASE IN PERIOD IN WHICH EARNED INCOME DISREGARD MAY APPLY UNDER WORK SUPPLEMENTATION PROGRAM.—Section 482(e) (42 U.S.C. 682(e)) is amended in paragraphs (2)(G) and (4), by striking “9 months” and inserting “12 months”.

(G) STATE FLEXIBILITY FOR THE JOB SEARCH PROGRAM.—Section 482(g) (42 U.S.C. 682(g)) is amended—

(1) in paragraph (2)—

(A) by inserting “, and subject to paragraph (3),” after “section 402(a)(19)(B)(i)”; and

(B) by striking “applies—” and all that follows through the period at the end and inserting “applies) at such time or times as the State agency may determine.”; and

(2) in paragraph (3), by inserting “, not including any period of job search that occurred at the same time that the individual was participating in another activity under this part” after “12 months”.

#### SEC. 103. FUNDING FOR THE JOBS PROGRAM AND CHILD CARE.

(a) FUNDING FOR THE JOBS PROGRAM.—

(1) INCREASE IN FUNDING.—Section 403(k)(3) (42 U.S.C. 603(k)(3)) is amended—

(A) in subparagraph (E), by striking “and”; and

(B) by striking subparagraph (F) and inserting the following:

“(F) \$1,200,000,000 in the case of the fiscal year 1996,

“(G) \$1,300,000,000 in the case of the fiscal year 1997,

“(H) \$1,600,000,000 in the case of the fiscal year 1998,

“(I) \$1,900,000,000 in the case of the fiscal year 1999,

“(J) \$2,200,000,000 in the case of the fiscal year 2000, and

“(K) \$2,500,000,000 in the case of the fiscal year 2001, and each succeeding fiscal year.”.

(2) APPLICABLE PERCENTAGES.—

(A) IN GENERAL.—Section 403(j)(1) (42 U.S.C. 603(j)(1)) is amended—

(i) by striking “(l)(1)(A) In lieu” and inserting “(l)(1) In lieu”; and

(ii) by striking “(including expenditures” and all that follows through subparagraph (B), and inserting “an amount equal to the greater of—

“(A) 70 percent; or

“(B) the Federal medical assistance percentage (as defined in section 1118 in the case of any State to which section 1108 applies, or as defined in section 1905(b) in the case of any other State) plus ten percentage points, in the case of expenditures made by a State in operating such a program for a fiscal year.”.

(B) CONFORMING AMENDMENTS.—Section 403(j) (42 U.S.C. 603(j)) is amended—

(i) in paragraph (2)(A), by striking “paragraph (1)(A)” and inserting “paragraph (1)”; and

(ii) in paragraph (3)(C), by striking “paragraph (1)(A)” and inserting “paragraph (1)”.

(b) FUNDING FOR CHILD CARE.—

(1) FUNDING FOR JOBS AND TRANSITIONAL CHILD CARE.—

(A) IN GENERAL.—Section 402(g)(3)(A) (42 U.S.C. 602(g)(3)(A)) is amended to read as follows:

“(3)(A) In the case of amounts expended for child care pursuant to clause (i) or (ii) of paragraph (1)(A), the applicable rate for purposes of section 403(a) shall be the greater of—

“(i) 70 percent; or

“(ii) the Federal medical assistance percentage (as defined in section 1118 in the case of any State to which section 1108 applies, or as defined in section 1905(b) in the case of any other State) plus ten percentage points.”.

(B) EXTENSION OF THE TRANSITIONAL CHILD CARE PROGRAM.—Section 304(b) of the Family Support Act of 1988 (42 U.S.C. 602 note) is amended—

(i) by striking “(1)”; and

(ii) by striking paragraph (2).

(2) FUNDING FOR AT-RISK CHILD CARE.—Section 403(n)(1)(A) (42 U.S.C. 603(n)(1)(A)) is amended to read as follows:

“(A) 70 percent, or, if higher, the Federal medical assistance percentage (as defined in section 1118 in the case of any State to which section 1108 applies, or as defined in section 1905(b) in the case of any other State) plus ten percentage points, of the expenditures by the State in providing child care services pursuant to section 402(i), and in administering the provision of such child care services, for any fiscal year; and”.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) APPLICABLE PERCENTAGES.—The amendments made by subsections (a)(2) and (b) shall take effect on October 1, 1996.

#### SEC. 104. EVALUATION OF THE JOBS PROGRAM.

(a) EVALUATION OBJECTIVES AND DEVELOPMENT.—

(1) OBJECTIVES.—The Secretary shall develop and implement a plan for evaluating

the programs operated by the States under part F of title IV of the Social Security Act (42 U.S.C. 681 et seq.). Such plan shall be designed to develop information to—

(A) assess the impacts of such programs with respect to—

- (i) cost effectiveness;
- (ii) the level of earnings achieved;
- (iii) welfare receipt;
- (iv) job retention;
- (v) the effects on children; and
- (vi) such other factors as the Secretary may determine;

(B) provide guidance to the Secretary in making any necessary changes and improvements in the performance standards required by section 487 of such Act (42 U.S.C. 687); and

(C) enable the Secretary to provide technical assistance to the States to assist them in improving such programs and in meeting such standards.

(2) DEVELOPMENT OF PLAN.—The plan described in paragraph (1) shall be developed by the Secretary in consultation with representatives of the States.

(b) DEFINITIONS.—For purposes of this section:

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

(2) STATE.—The term “State” means any of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for fiscal years 1996 through 2000 for the purpose of carrying out the provisions of this section. Any sums so appropriated shall remain available until expended.

## TITLE II—AID TO FAMILIES WITH DEPENDENT CHILDREN

### Subtitle A—Requirements for Teenage Parents

#### SEC. 201. CASE MANAGEMENT FOR PARENTS UNDER AGE 20.

(a) IN GENERAL.—Section 482(b) (42 U.S.C. 682(b)) is amended by adding at the end the following new paragraph:

“(4) CASE MANAGER.—The State agency shall—

“(A) assign a case manager to each custodial parent receiving aid under part A who is under age 20;

“(B) provide that case managers will have the training necessary (taking into consideration the recommendations of appropriate professional organizations) to enable them to carry out their responsibilities and will be assigned a caseload the size of which permits effective case management; and

“(C) provide that the case manager will be responsible for—

“(i) assisting such parent in obtaining appropriate services, including at a minimum, parenting education, family planning services, education and vocational training, and child care and transportation services,

“(ii) making the determinations required to implement the provision of section 402(a)(43),

“(iii) monitoring such parent’s compliance with all program requirements, and, where appropriate, providing incentives and applying sanctions, and

“(iv) providing general guidance, encouragement, and support to assist such parent in his or her role as a parent and in achieving self-sufficiency.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall be effective with respect to calendar quarters beginning on or after October 1, 1996.

#### SEC. 202. PARTICIPATION IN EDUCATIONAL ACTIVITY.

(a) IN GENERAL.—Section 402(a)(19)(E) (42 U.S.C. 602(a)(19)(E)) is amended to read as follows:

“(E) that the State agency shall—

“(i) in the case of a custodial parent who has not attained 20 years of age, has not successfully completed a high school education (or its equivalent), and is required to participate in the program (including an individual who would otherwise be exempt from participation in the program solely by reason of subparagraph (C)(iii)), require such parent to—

“(I) attend school,

“(II) participate in a program that combines classroom and job training, or

“(III) work toward attainment of a high school education (or its equivalent);

“(ii) in the case of custodial parent who has not attained 20 years of age, but has successfully completed a high school education (or its equivalent), and is required to participate in the program (including an individual who would otherwise be exempt from participation in the program solely by reason of subparagraph (C)(iii)), require such parent to participate in a JOBS activity (including a work activity) approved by the State;

“(iii) establish criteria in accordance with regulations of the Secretary under which a custodial parent described in clauses (i) and (ii) who has not attained 20 years of age may be exempted from the requirements under such clause but the number of such parents exempted from such requirements shall not exceed 50 percent in fiscal year 2000 or any fiscal year thereafter; and

“(iv) at the option of the State, some or all custodial parents who are under age 20 (and pregnant women under age 20) who are receiving aid under this part will be required to participate in a program of monetary incentives and penalties, consistent with subsection (j);”.

(b) STATE OPTION TO PROVIDE ADDITIONAL INCENTIVES AND PENALTIES TO ENCOURAGE TEENAGE PARENTS TO COMPLETE HIGH SCHOOL.—Section 402 (42 U.S.C. 602) is amended by adding at the end the following new subsection:

“(j)(1) If a State chooses to conduct a program of monetary incentives and penalties to encourage custodial parents (and pregnant women) who are under age 20 to complete their high school (or equivalent) education, and participate in parenting activities, the State shall amend its State plan—

“(A) to specify the one or more political subdivisions in which the State will conduct the program (or other clearly defined geographic area or areas), and

“(B) to describe its program in detail.

“(2) A program under this subsection—

“(A) may, at the option of the State, include all such parents who are under age 21;

“(B) may, at the option of the State, require full-time participation in secondary school or equivalent educational activities, or participation in a course or program leading to a skills certificate found appropriate by the State agency or parenting education activities (or any combination of such activities and secondary education);

“(C) shall require that the case manager assigned to the custodial parent pursuant to paragraph (3) or (4) of section 482(b) will review the needs of such parent and will assure that, either in the initial development or revision of the parent’s employability plan, there will be included a description of the services that will be provided to the parent and the way in which the case manager and service providers will coordinate with the educational or skills training activities in which the custodial parent is participating;

“(D) shall provide monetary incentives for more than minimally acceptable performance of required educational activities; and

“(E) shall provide penalties which may be those required by subsection (a)(19)(G) or, with the approval of the Secretary, other monetary penalties that the State finds will better achieve the objectives of the program.

“(3) When a monetary incentive is payable because of the more than minimally acceptable performance of required educational activities by a custodial parent, the incentive shall be paid directly to such parent, regardless of whether the State agency makes payment of aid under the State plan directly to such parent.

“(4)(A) For purposes of this part, monetary incentives paid under this subsection shall be considered aid to families with dependent children.

“(B) For purposes of any other Federal or federally assisted program based on need, no monetary incentive paid under this subsection shall be considered income in determining a family’s eligibility for or amount of benefits under such program, and if aid is reduced by reason of a penalty under this subsection, such other program shall treat the family involved as if no such penalty has been applied.

“(5) The State agency shall from time to time provide such information as the Secretary may request, and otherwise cooperate with the Secretary, in order to permit evaluation of the effectiveness on a broad basis of the State’s program conducted under this subsection.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to calendar quarters beginning on or after October 1, 1996.

#### SEC. 203. LIVING ARRANGEMENT REQUIREMENTS.

(a) IN GENERAL.—Section 402(a)(43) (42 U.S.C. 602(a)(43)) is amended—

(1) in the matter preceding subparagraph (A), by striking “at the option of the State.”,

(2) in subparagraph (A), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively,

(3) by striking “(A) subject to subparagraph (B),” and inserting “(A)(i) subject to clause (ii),”

(4) in subclause (II) of subparagraph (A)(i), as redesignated—

(A) by striking “(where possible)”, and

(B) by striking “or other adult relative” and inserting “other adult relative, or other adult supervising the living arrangement”, and

(5) by striking subparagraph (B) and inserting the following:

“(ii) clause (i) does not apply in any case in which the State agency—

“(I) determines that the physical or emotional health or safety of such individual or such dependent child would be jeopardized if such individual and such dependent child lived in the same residence with such individual’s own parent or legal guardian; or

“(II) otherwise determines in accordance with regulations issued by the Secretary that there is good cause for waiving such clause; and

“(B) if an individual is not residing in an alternative adult-supervised living arrangement that is approved by the State agency, the State agency (in consultation with the child welfare agency) is required to assist the individual in locating an appropriate living arrangement;”.

(b) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to calendar quarters beginning on or after October 1, 1997.

**Subtitle B—State Flexibility****PART I—ESTABLISHMENT OF****INTERAGENCY WELFARE REVIEW BOARD****SEC. 211. INTERAGENCY WELFARE REVIEW BOARD.**

(a) **ESTABLISHMENT AND PURPOSE.**—In order to facilitate the consideration of welfare program requirement waiver requests that involve more than 1 Federal department or agency, there is established an Interagency Welfare Review Board (hereafter in this part referred to as the "Board").

(b) **MEMBERSHIP.**—The Board shall consist of the following members:

(1) The Secretary of Agriculture (or the designee of the Secretary).

(2) The Secretary of Health and Human Services (or the designee of the Secretary).

(3) The Secretary of Housing and Urban Development (or the designee of the Secretary).

(4) The Secretary of Labor (or the designee of the Secretary).

(5) The Secretary of Education (or the designee of the Secretary).

(6) Such other individuals as the President determines appropriate.

(c) **CHAIRPERSON.**—The President shall appoint 1 member of the Board to serve as Chairperson of the Board.

(d) **VACANCIES.**—A vacancy in the position of Chairperson shall be filled in the manner in which the original appointment was made.

(e) **NO ADDITIONAL COMPENSATION.**—The members of the Board may not be provided additional pay, allowances, or benefits by reason of their service on the Board.

(f) **POWERS.**—

(1) **ASSISTANCE OF OTHER FEDERAL ENTITIES.**—A member of the Board shall detail to the Chairperson, on a nonreimbursable basis, such officers and employees of the department or agency headed by the member, and shall make available to the Chairperson such assistance as the Chairperson may require to carry out the activities of the Board.

(2) **USE OF UNITED STATES MAILS.**—The Chairperson may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(g) **DUTIES.**—

(1) **IN GENERAL.**—The Board shall act as the central organization for coordinating the review of applications submitted under section 212 by States for waivers from the requirements of eligible Federal low-income assistance programs that involve more than 1 department or agency of the Federal Government.

(2) **DUTY TO PROVIDE TECHNICAL ASSISTANCE.**—The Board shall provide assistance and technical advice to entities submitting applications under section 212 and implementing an assistance plan under an application approved under section 213.

**SEC. 212. WAIVER APPLICATION.**

Any State that is receiving or is eligible to receive funds or other assistance under eligible Federal low-income assistance programs involving more than 1 Federal department or agency and desires a waiver authorized by law from the Federal requirements with respect to such programs may submit to the Board an application for such waiver. The application shall be submitted in the form and manner prescribed by the Board.

**SEC. 213. REVIEW AND APPROVAL OF APPLICATIONS.**

(a) **REVIEW OF APPLICATIONS.**—The Board shall review a waiver application submitted under section 212 and issue an advisory opinion with respect to such waiver application. Final decisions with respect to the waiver application shall be made by the Secretaries of the departments or agencies that have responsibility for administering the programs with respect to which the waiver is sought.

(b) **ACTION ON APPLICATION.**—The Board shall establish a schedule for the consideration of a waiver application submitted under section 212, to assure that the State will receive a final decision from the Secretaries described in subsection (a) on the waiver application not later than 90 days after the date the completed application is received by the Board.

**SEC. 214. DEFINITION OF STATE.**

(a) **IN GENERAL.**—For purposes of this part, the term "State" means any of the 50 States, the District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands.

(b) **INDIAN TRIBES.**—In the case of an eligible Federal low-income assistance program under which aid or assistance is provided with respect to an Indian tribe, the Indian tribal organization is deemed to be a State for purposes of this part.

**PART II—ADDITIONAL PROVISIONS CONCERNING WAIVERS****SEC. 221. SCHEDULE FOR CONSIDERATION OF WAIVER APPLICATIONS.**

Section 1115 (42 U.S.C. 1315) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking "(a) In" and inserting "(a)(1) In"; and

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

"(2) Not later than 90 days after the date a completed application from a State for a waiver under paragraph (1) is received by the Secretary, the Secretary shall approve or disapprove such application. In considering an application for a waiver, there shall be a presumption for approval in the case of a request for a waiver that is similar in substance and scale to one that the Secretary has previously approved."

**SEC. 222. STATE AUTHORITY TO ESTABLISH CERTAIN AFDC RULES.**

(a) **IN GENERAL.**—Section 1115 (42 U.S.C. 1315) is amended by adding at the end the following new subsection:

"(e)(1) Any State having an approved plan under part A of title IV may, without receiving a waiver from the Secretary pursuant to this section or otherwise, establish any of the program changes described in paragraph (2) for purposes of providing aid or assistance under part A of such title.

"(2) The program changes described in this paragraph are the following:

"(A) Income and resource requirements other than those specified in section 402(a)(7) in order to test the effect of such requirements on an individual's effort to obtain employment.

"(B) Requirements relating to the disregard of income other than those specified in section 402(a)(8).

"(C) Standards for defining unemployment other than those prescribed by the Secretary pursuant to section 407(a).

"(D) Rules for the eligibility for aid or assistance under part A of title IV of an unemployed parent without regard to section 407(b)(1)(A)(iii).

"(3)(A) The Secretary shall evaluate a sufficient number of the program changes described in paragraph (2) which are established by a State in order to determine the impact of such changes on the receipt of aid to families with dependent children program under part A of title IV in such State, earnings achieved, costs to the Federal and State governments, and such other factors as the Secretary may determine.

"(B) Any State chosen by the Secretary for an evaluation under subparagraph (A) shall cooperate with such evaluation.

"(C) There are authorized to be appropriated such sums as may be necessary for the purpose of conducting evaluations under this paragraph.

"(4) The authority provided by paragraphs (1) and (2) of this subsection shall expire 5 years after the date on which this subsection takes effect."

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on October 1, 1996.

**SEC. 223. WAIVER AUTHORITY FOR THE JOBS PROGRAM.**

Section 1115(a) (42 U.S.C. 1315(a)) is amended—

(1) in the matter preceding paragraph (1), by striking "part A or D of title IV" and inserting "part A, D, or F of title IV";

(2) in paragraph (1), by inserting "482," after "454,"; and

(3) in paragraph (2), by inserting "402(g)," after "section 3,".

**TITLE III—CHILD SUPPORT ENFORCEMENT****SEC. 300. SHORT TITLE.**

This title may be cited as the "Interstate Child Support Responsibility Act of 1995".

**Subtitle A—Improvements to the Child Support Collection System****PART I—ELIGIBILITY AND OTHER MATTERS CONCERNING TITLE IV-D PROGRAM CLIENTS****SEC. 301. COOPERATION REQUIREMENT AND GOOD CAUSE EXCEPTION.**

(a) **CHILD SUPPORT ENFORCEMENT REQUIREMENTS.**—Section 454 is amended—

(1) by striking "and" at the end of paragraph (23);

(2) by striking the period at the end of paragraph (24) and inserting "; and"; and

(3) by adding after paragraph (24) the following new paragraph:

"(25) provide that the State agency administering the plan under this part—

"(A) will make the determination specified under paragraph (4), as to whether an individual is cooperating with efforts to establish paternity and secure support (or has good cause not to cooperate with such efforts) for purposes of the requirements of sections 402(a)(26) and 1912;

"(B) will advise individuals, both orally and in writing, of the grounds for good cause exceptions to the requirement to cooperate with such efforts;

"(C) will take the best interests of the child into consideration in making the determination whether such individual has good cause not to cooperate with such efforts;

"(D)(i) will make the initial determination as to whether an individual is cooperating (or has good cause not to cooperate) with efforts to establish paternity within 10 days after such individual is referred to such State agency by the State agency administering the program under part A of title XIX;

"(ii) will make redeterminations as to cooperation or good cause at appropriate intervals; and

"(iii) will promptly notify the individual, and the State agencies administering such programs, of each such determination and redetermination;

"(E) with respect to any child born on or after the date 10 months after the date of the enactment of this provision—

"(i) will not determine (or redetermine) the mother of such child to be cooperating with efforts to establish paternity unless the mother furnishes—

"(I) the name of the putative father (or fathers); and

"(II) sufficient additional information to enable the State agency, if reasonable efforts were made, to verify the identity of the person named as the putative father (including such information as the putative father's present address, telephone number, date of birth, past or present place of employment,

school previously or currently attended, and names and addresses of parents, friends, or relatives able to provide location information, or other information that could enable service of process on such person; and

“(ii) in the case of a caretaker who is not the mother and who is receiving payments for the child under part A, will determine (or redetermine) such caretaker to be reasonably cooperating with efforts to establish paternity under regulations prescribed by the Secretary; and

“(F)(i) (where a custodial parent who was initially determined not to be cooperating (or to have good cause not to cooperate) is later determined to be cooperating or to have good cause not to cooperate) will immediately notify the State agencies administering the programs under part A of title XIX that this eligibility condition has been met; and

“(ii) (where a custodial parent was initially determined to be cooperating (or to have good cause not to cooperate)) will not later determine such individual not to be cooperating (or not to have good cause not to cooperate) until such individual has been afforded an opportunity for a hearing.”.

(b) AFDC AMENDMENTS.—

(1) Section 402(a)(11) is amended by striking “furnishing of” and inserting “application for”.

(2) Section 402(a)(26) is amended—

(A) in each of subparagraphs (A) and (B), by redesignating clauses (i) and (ii) as subclauses (I) and (II);

(B) by indenting and redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iv), respectively;

(C) in clause (ii), as redesignated—

(i) by striking “is claimed, or in obtaining any other payments or property due such applicant or such child,” and inserting “is claimed;”; and

(ii) by striking “unless” and all that follows through “aid is claimed; and”;

(D) by adding after clause (ii) the following new clause:

“(iii) to cooperate with the State in obtaining any other payments or property due such applicant or such child; and”;

(E) in the matter preceding clause (i), as redesignated, to read as follows:

“(26) provide—

“(A) that, as a condition of eligibility for aid, each applicant or recipient will be required (subject to subparagraph (C))—”;

(F) in subparagraph (A)(iv), as redesignated, by striking “, unless such individual” and all that follows through “individuals involved”;

(G) by adding at the end the following new subparagraphs:

“(B) that the State agency will immediately refer each applicant requiring paternity establishment services to the State agency administering the program under part D;

“(C) that an individual will not be required to cooperate with the State, as provided under subparagraph (A), if the individual is found to have good cause for refusing to cooperate, as determined in accordance with standards prescribed by the Secretary, which standards shall take into consideration the best interests of the child on whose behalf aid is claimed—

“(i) to the satisfaction of the State agency administering the program under part D, as determined in accordance with section 454(25), with respect to the requirements under clauses (i) and (ii) of subparagraph (A); and

“(ii) to the satisfaction of the State agency administering the program under this part, with respect to the requirements under clauses (iii) and (iv) of subparagraph (A);

“(D) that (except as provided in subparagraph (E)) an applicant requiring paternity establishment services (other than an individual eligible for emergency assistance as defined in section 406(e)) shall not be eligible for any aid under this part until such applicant—

“(i) has furnished to the agency administering the State plan under part D the information specified in section 454(25)(E); or

“(ii) has been determined by such agency to have good cause not to cooperate;

“(E) that the provisions of subparagraph (D) shall not apply—

“(i) if the State agency specified in such subparagraph has not, within 10 days after such individual was referred to such agency, provided the notification required by section 454(25)(D)(iii), until such notification is received; and

“(ii) if such individual appeals a determination that the individual lacks good cause for noncooperation, until after such determination is affirmed after notice and opportunity for a hearing; and”;

(H)(i) by relocating and redesignating as subparagraph (F) the text at the end of subparagraph (A)(ii) beginning with “that, if the relative” and all that follows through the semicolon;

(ii) in subparagraph (F), as so redesignated and relocated, by striking “subparagraphs (A) and (B) of this paragraph” and inserting “subparagraph (A)”;

(iii) by striking “and” at the end of subparagraph (a)(ii).

(c) MEDICAID AMENDMENTS.—Section 1912(a) is amended—

(1) in paragraph (1)(B), by inserting “(except as provided in paragraph (2))” after “to cooperate with the State”;

(2) in subparagraphs (B) and (C) of paragraph (1) by striking “, unless” and all that follows and inserting a semicolon; and

(3) by redesignating paragraph (2) as paragraph (5), and inserting after paragraph (1) the following new paragraphs:

“(2) provide that the State agency will immediately refer each applicant or recipient requiring paternity establishment services to the State agency administering the program under part D of title IV;

“(3) provide that an individual will not be required to cooperate with the State, as provided under paragraph (1), if the individual is found to have good cause for refusing to cooperate, as determined in accordance with standards prescribed by the Secretary, which standards shall take into consideration the best interests of the individuals involved—

“(A) to the satisfaction of the State agency administering the program under part D, as determined in accordance with section 454(25), with respect to the requirements to cooperate with efforts to establish paternity and to obtain support (including medical support) from a parent; and

“(B) to the satisfaction of the State agency administering the program under this title, with respect to other requirements to cooperate under paragraph (1);

“(4) provide that (except as provided in paragraph (5)) an applicant requiring paternity establishment services (other than an individual eligible for emergency assistance as defined in section 406(e), or presumptively eligible pursuant to section 1920) shall not be eligible for medical assistance under this title until such applicant—

“(i) has furnished to the agency administering the State plan under part D of title IV the information specified in section 454(25)(E); or

“(ii) has been determined by such agency to have good cause not to cooperate; and

“(5) provide that the provisions of paragraph (4) shall not apply with respect to an applicant—

“(i) if such agency has not, within 10 days after such individual was referred to such agency, provided the notification required by section 454(25)(D)(iii), until such notification is received; and

“(ii) if such individual appeals a determination that the individual lacks good cause for noncooperation, until after such determination is affirmed after notice and opportunity for a hearing.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to applications filed in or after the first calendar quarter beginning 10 months or more after the date of the enactment of this Act (or such earlier quarter as the State may select) for aid under part A of title IV of the Social Security Act or for medical assistance under title XIX of such Act.

**SEC. 302. STATE OBLIGATION TO PROVIDE PATERNITY ESTABLISHMENT AND CHILD SUPPORT ENFORCEMENT SERVICES.**

(a) STATE LAW REQUIREMENTS.—Section 466(a) (42 U.S.C. 666(a)) is amended by adding at the end the following new paragraph:

“(12) Procedures under which—

“(A) every child support order established or modified in the State on or after October 1, 1998, is recorded in the central case registry established in accordance with section 454A(e); and

“(B) child support payments are collected through the centralized collections unit established in accordance with section 454B—

“(i) on and after October 1, 1998, under each order subject to wage withholding under section 466(b); and

“(ii) on and after October 1, 1999, under each other order required to be recorded in such central case registry under this paragraph or section 454A(e)—

“(I) if requested by either party subject to such order, or

“(II) at the option of the State, regardless of whether application is made for services under this part.”.

(b) STATE PLAN REQUIREMENTS.—Section 454 (42 U.S.C. 654) is amended—

(1) by striking paragraph (4) and inserting the following new paragraph:

“(4) provide that such State will undertake to provide appropriate services under this part to—

“(A) each child with respect to whom an assignment is effective under section 402(a)(26), 471(a)(17), or 1912 (except in cases in which the State agency determines, in accordance with paragraph (25), that it is against the best interests of the child to do so); and

“(B) each child not described in subparagraph (A)—

“(i) with respect to whom an individual applies for such services; or

“(ii) on and after October 1, 1998, with respect to whom a support order is recorded in the central State case registry established under section 454A, if application is made for services under this part;”; and

(2) in paragraph (6)—

(A) by striking “(6) provide that” and all that follows through subparagraph (A) and inserting the following:

“(6) provide that—

“(A) services under the State plan shall be made available to nonresidents on the same terms as to residents;”;

(B) in subparagraph (B)—

(i) by inserting “on individuals not receiving assistance under part A” after “such services shall be imposed”; and

(ii) by inserting “but no fees or costs shall be imposed on any absent or custodial parent or other individual for inclusion in the central State registry maintained pursuant to section 454A(e)”;

(C) in each of subparagraphs (B), (C), (D), and (E), by indenting such subparagraph and aligning its left margin with the left margin of subparagraph (A); and

(D) in each of subparagraphs (B), (C), and (D), by striking the final comma and inserting a semicolon.

(C) CONFORMING AMENDMENTS.—

(1) PATERNITY ESTABLISHMENT PERCENTAGE.—Section 452(g)(2)(A) (42 U.S.C. 652(g)(2)(A)) is amended by striking “454(6)” each place it appears and inserting “454(4)(A)(ii)”.

(2) STATE PLAN.—Section 454(23) (42 U.S.C. 654(23)) is amended, effective October 1, 1998, by striking “information as to any application fees for such services and”.

(3) PROCEDURES TO IMPROVE ENFORCEMENT.—Section 466(a)(3)(B) (42 U.S.C. 666(a)(3)(B)) is amended by striking “in the case of overdue support which a State has agreed to collect under section 454(6)” and inserting “in any other case”.

(4) DEFINITION OF OVERDUE SUPPORT.—Section 466(e) (42 U.S.C. 666(e)) is amended by striking “or (6)”.

### SEC. 303. DISTRIBUTION OF PAYMENTS.

(a) DISTRIBUTIONS THROUGH STATE CHILD SUPPORT ENFORCEMENT AGENCY TO FORMER ASSISTANCE RECIPIENTS.—Section 454(5) (42 U.S.C. 654(5)) is amended—

(1) in subparagraph (A)—

(A) by inserting “except as otherwise specifically provided in section 464 or 466(a)(3),” after “is effective,”; and

(B) by striking “except that” and all that follows through the semicolon; and

(2) in subparagraph (B), by striking “, except” and all that follows through “medical assistance”.

(b) DISTRIBUTION TO A FAMILY CURRENTLY RECEIVING AFDC.—Section 457 (42 U.S.C. 657) is amended—

(1) by striking subsection (a) and redesignating subsection (b) as subsection (a);

(2) in subsection (a), as redesignated—

(A) in the matter preceding paragraph (2), to read as follows:

“(a) IN THE CASE OF A FAMILY RECEIVING AFDC.—Amounts collected under this part during any month as support of a child who is receiving assistance under part A (or a parent or caretaker relative of such a child) shall (except in the case of a State exercising the option under subsection (b)) be distributed as follows:

“(1) an amount equal to the amount that will be disregarded pursuant to section 402(a)(8)(A)(vi) shall be taken from each of—

“(A) the amounts received in a month which represent payments for that month; and

“(B) the amounts received in a month which represent payments for a prior month which were made by the absent parent in that prior month;

and shall be paid to the family without affecting its eligibility for assistance or decreasing any amount otherwise payable as assistance to such family during such month;”;

(B) in paragraph (4), by striking “or (B)” and all that follows through the period and inserting “; then (B) from any remainder, amounts equal to arrearages of such support obligations assigned, pursuant to part A, to any other State or States shall be paid to such other State or States and used to pay any such arrearages (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing); and then (C) any remainder shall be paid to the family.”; and

(3) by inserting after subsection (a), as redesignated, the following new subsection:

“(b) ALTERNATIVE DISTRIBUTION IN CASE OF FAMILY RECEIVING AFDC.—In the case of a

State electing the option under this subsection, amounts collected as described in subsection (a) shall be distributed as follows:

“(1) an amount equal to the amount that will be disregarded pursuant to section 402(a)(8)(A)(vi) shall be taken from each of—

“(A) the amounts received in a month which represent payments for that month; and

“(B) the amounts received in a month which represent payments for a prior month which were made by the absent parent in that prior month;

and shall be paid to the family without affecting its eligibility for assistance or decreasing any amount otherwise payable as assistance to such family during such month;

“(2) second, from any remainder, amounts equal to the balance of support owed for the current month shall be paid to the family;

“(3) third, from any remainder, amounts equal to arrearages of such support obligations assigned, pursuant to part A, to the State making the collection shall be retained and used by such State to pay any such arrearages (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing);

“(4) fourth, from any remainder, amounts equal to arrearages of such support obligations assigned, pursuant to part A, to any other State or States shall be paid to such other State or States and used to pay any such arrearages (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing); and

“(5) fifth, any remainder shall be paid to the family.”.

(c) DISTRIBUTION TO A FAMILY NOT RECEIVING AFDC.—

(1) IN GENERAL.—Section 457(c) (42 U.S.C. 657(c)) is amended to read as follows:

“(c) DISTRIBUTIONS IN CASE OF FAMILY NOT RECEIVING AFDC.—Amounts collected by a State agency under this part during any month as support of a child who is not receiving assistance under part A (or of a parent or caretaker relative of such a child) shall (subject to the remaining provisions of this section) be distributed as follows:

“(1) first, amounts equal to the total of such support owed for such month shall be paid to the family;

“(2) second, from any remainder, amounts equal to arrearages of such support obligations for months during which such child did not receive assistance under part A shall be paid to the family;

“(3) third, from any remainder, amounts equal to arrearages of such support obligations assigned to the State making the collection pursuant to part A shall be retained and used by such State to pay any such arrearages (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing); and

“(4) fourth, from any remainder, amounts equal to arrearages of such support obligations assigned to any other State pursuant to part A shall be paid to such other State or States, and used to pay such arrearages, in the order in which such arrearages accrued (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing).”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall become effective on October 1, 1999.

(d) DISTRIBUTION TO A CHILD RECEIVING ASSISTANCE UNDER TITLE IV-E.—Section 457(d) (42 U.S.C. 657(d)) is amended, in the matter preceding paragraph (1), by striking “Notwithstanding the preceding provisions of this section, amounts” and inserting the following:

“(d) DISTRIBUTIONS IN CASE OF A CHILD RECEIVING ASSISTANCE UNDER TITLE IV-E.—Amounts”.

(e) REGULATIONS.—The Secretary of Health and Human Services shall promulgate regulations—

(1) under part D of title IV of the Social Security Act, establishing a uniform nationwide standard for allocation of child support collections from an obligor owing support to more than 1 family; and

(2) under part A of such title, establishing standards applicable to States electing the alternative formula under section 457(b) of such Act for distribution of collections on behalf of families receiving Aid to Families with Dependent Children, designed to minimize irregular monthly payments to such families.

(f) CLERICAL AMENDMENTS.—Section 454 (42 U.S.C. 654) is amended—

(1) in paragraph (11)—

(A) by striking “(11)” and inserting “(11)(A)”;

(B) by inserting after the semicolon “and”;

(2) by redesignating paragraph (12) as subparagraph (B) of paragraph (11).

### SEC. 304. RIGHTS TO NOTIFICATION AND HEARINGS.

(a) IN GENERAL.—Section 454 (42 U.S.C. 654), as amended by section 302(f), is amended by inserting after paragraph (11) the following new paragraph:

“(12) establish procedures to provide that—

“(A) individuals who are applying for or receiving services under this part—

“(i) receive notice of all proceedings in which support obligations might be established or modified; and

“(ii) receive a copy of any order establishing or modifying a child support obligation, or (in the case of a petition for modification) a notice of determination that there should be no change in the amount of the child support award, within 14 days after issuance of such order or determination;

“(B) individuals applying for or receiving services under this part have access to a fair hearing or other formal complaint procedure that meets standards established by the Secretary and ensures prompt consideration and resolution of complaints (but the resort to such procedure shall not stay the enforcement of any support order); and

“(C) the State may not provide to any noncustodial parent of a child representation relating to the establishment or modification of an order for the payment of child support with respect to that child, unless the State makes provision for such representation outside the State agency.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall become effective on October 1, 1997.

### SEC. 305. PRIVACY SAFEGUARDS.

(a) STATE PLAN REQUIREMENT.—Section 454 (42 U.S.C. 654), as amended by section 301(a), is amended—

(1) by striking “and” at the end of paragraph (24);

(2) by striking the period at the end of paragraph (25) and inserting “; and”;

(3) by adding after paragraph (25) the following:

“(26) provide that the State will have in effect safeguards applicable to all sensitive and confidential information handled by the State agency designed to protect the privacy rights of the parties, including—

“(A) safeguards against unauthorized use or disclosure of information relating to proceedings or actions to establish paternity, or to establish or enforce support;

“(B) prohibitions on the release of information on the whereabouts of 1 party to another party against whom a protective order

with respect to the former party has been entered; and

“(C) prohibitions on the release of information on the whereabouts of 1 party to another party if the State has reason to believe that the release of the information may result in physical or emotional harm to the former party.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall become effective on October 1, 1997.

## PART II—PROGRAM ADMINISTRATION AND FUNDING

### SEC. 311. FEDERAL MATCHING PAYMENTS.

(a) INCREASED BASE MATCHING RATE.—Section 455(a)(2) (42 U.S.C. 655(a)(2)) is amended to read as follows:

“(2) The applicable percent for a quarter for purposes of paragraph (1)(A) is—

“(A) for fiscal years 1997 and 1998, 66 percent, and

“(B) for fiscal year 1999 and succeeding fiscal years, 75 percent.”.

(b) MAINTENANCE OF EFFORT.—Section 455 (42 U.S.C. 655) is amended—

(1) in subsection (a)(1), in the matter preceding subparagraph (A), by striking “From” and inserting “Subject to subsection (c), from”; and

(2) by inserting after subsection (b) the following new subsection:

“(c) Notwithstanding the provisions of subsection (a), total expenditures for the State program under this part for fiscal year 1997 and each succeeding fiscal year (excluding 1-time capital expenditures for automation), reduced by the percentage specified for such fiscal year under subsection (a)(2) shall not be less than such total expenditures for fiscal year 1996, reduced by 66 percent.”.

### SEC. 312. PERFORMANCE-BASED INCENTIVES AND PENALTIES.

(a) INCENTIVE ADJUSTMENTS TO FEDERAL MATCHING RATE.—Section 458 (42 U.S.C. 658) is amended to read as follows:

“INCENTIVE ADJUSTMENTS TO MATCHING RATE

“SEC. 458. (a) INCENTIVE ADJUSTMENT.—

“(1) IN GENERAL.—In order to encourage and reward State child support enforcement programs which perform in an effective manner, the Federal matching rate for payments to a State under section 455(a)(1)(A), for each fiscal year beginning on or after October 1, 1998, shall be increased by a factor reflecting the sum of the applicable incentive adjustments (if any) determined in accordance with regulations under this section with respect to Statewide paternity establishment and to overall performance in child support enforcement.

“(2) STANDARDS.—

“(A) IN GENERAL.—The Secretary shall specify in regulations—

“(i) the levels of accomplishment, and rates of improvement as alternatives to such levels, which States must attain to qualify for incentive adjustments under this section; and

“(ii) the amounts of incentive adjustment that shall be awarded to States achieving specified accomplishment or improvement levels, which amounts shall be graduated, ranging up to—

“(I) 5 percentage points, in connection with Statewide paternity establishment; and

“(II) 10 percentage points, in connection with overall performance in child support enforcement.

“(B) LIMITATION.—In setting performance standards pursuant to subparagraph (A)(i) and adjustment amounts pursuant to subparagraph (A)(ii), the Secretary shall ensure that the aggregate number of percentage point increases as incentive adjustments to all States do not exceed such aggregate increases as assumed by the Secretary in esti-

mates of the cost of this section as of June 1995, unless the aggregate performance of all States exceeds the projected aggregate performance of all States in such cost estimates.

“(3) DETERMINATION OF INCENTIVE ADJUSTMENT.—The Secretary shall determine the amount (if any) of incentive adjustment due each State on the basis of the data submitted by the State pursuant to section 454(15)(B) concerning the levels of accomplishment (and rates of improvement) with respect to performance indicators specified by the Secretary pursuant to this section.

“(4) FISCAL YEAR SUBJECT TO INCENTIVE ADJUSTMENT.—The total percentage point increase determined pursuant to this section with respect to a State program in a fiscal year shall apply as an adjustment to the applicable percent under section 455(a)(2) for payments to such State for the succeeding fiscal year.

“(5) RECYCLING OF INCENTIVE ADJUSTMENT.—A State shall expend in the State program under this part all funds paid to the State by the Federal Government as a result of an incentive adjustment under this section.

“(b) MEANING OF TERMS.—

“(1) STATEWIDE PATERNITY ESTABLISHMENT PERCENTAGE.—

“(A) IN GENERAL.—For purposes of this section, the term ‘Statewide paternity establishment percentage’ means, with respect to a fiscal year, the ratio (expressed as a percentage) of—

“(i) the total number of out-of-wedlock children in the State under 1 year of age for whom paternity is established or acknowledged during the fiscal year, to

“(ii) the total number of children requiring paternity establishment born in the State during such fiscal year.

“(B) ALTERNATIVE MEASUREMENT.—The Secretary shall develop an alternate method of measurement for the Statewide paternity establishment percentage for any State that does not record the out-of-wedlock status of children on birth certificates.

“(2) OVERALL PERFORMANCE IN CHILD SUPPORT ENFORCEMENT.—The term ‘overall performance in child support enforcement’ means a measure or measures of the effectiveness of the State agency in a fiscal year which takes into account factors including—

“(A) the percentage of cases requiring a child support order in which such an order was established;

“(B) the percentage of cases in which child support is being paid;

“(C) the ratio of child support collected to child support due; and

“(D) the cost-effectiveness of the State program, as determined in accordance with standards established by the Secretary in regulations.”.

(b) ADJUSTMENT OF PAYMENTS UNDER PART D OF TITLE IV.—Section 455(a)(2) (42 U.S.C. 655(a)(2)), as amended by section 311(a), is amended—

(1) by striking the period at the end of subparagraph (C) and inserting a comma; and

(2) by adding after and below subparagraph (C), flush with the left margin of the paragraph, the following:

“increased by the incentive adjustment factor (if any) determined by the Secretary pursuant to section 458.”.

(c) CONFORMING AMENDMENTS.—Section 454(22) (42 U.S.C. 654(22)) is amended—

(1) by striking “incentive payments” the first place it appears and inserting “incentive adjustments”; and

(2) by striking “any such incentive payments made to the State for such period” and inserting “any increases in Federal payments to the State resulting from such incentive adjustments”.

(d) CALCULATION OF IV-D PATERNITY ESTABLISHMENT PERCENTAGE.—

(1) OVERALL PERFORMANCE.—Section 452(g)(1) (42 U.S.C. 652(g)(1)) is amended in the matter preceding subparagraph (A) by inserting “its overall performance in child support enforcement is satisfactory (as defined in section 458(b) and regulations of the Secretary), and” after “1994.”.

(2) DEFINITION.—Section 452(g)(2)(A) (42 U.S.C. 652(g)(2)(A)) is amended, in the matter preceding clause (i)—

(A) by striking “paternity establishment percentage” and inserting “IV-D paternity establishment percentage”; and

(B) by striking “(or all States, as the case may be)”.

(3) MODIFICATION OF REQUIREMENTS.—Section 452(g)(3) (42 U.S.C. 652(g)(3)) is amended—

(A) by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively;

(B) in subparagraph (A), as redesignated, by striking “the percentage of children born out-of-wedlock in the State” and inserting “the percentage of children in the State who are born out of wedlock or for whom support has not been established”; and

(C) in subparagraph (B), as redesignated—

(i) by inserting “and overall performance in child support enforcement” after “paternity establishment percentages”; and

(ii) by inserting “and securing support” before the period.

(e) REDUCTION OF PAYMENTS UNDER PART D OF TITLE IV.—

(1) NEW REQUIREMENTS.—Section 455 (42 U.S.C. 655) is amended—

(A) by redesignating subsection (e) as subsection (f); and

(B) by inserting after subsection (d) the following new subsection:

“(e)(1) Notwithstanding any other provision of law, if the Secretary finds, with respect to a State program under this part in a fiscal year beginning on or after October 1, 1997—

“(A)(i) on the basis of data submitted by a State pursuant to section 454(15)(B), that the State program in such fiscal year failed to achieve the IV-D paternity establishment percentage (as defined in section 452(g)(2)(A)) or the appropriate level of overall performance in child support enforcement (as defined in section 458(b)(2)), or to meet other performance measures that may be established by the Secretary, or

“(ii) on the basis of an audit or audits of such State data conducted pursuant to section 452(a)(4)(C), that the State data submitted pursuant to section 454(15)(B) is incomplete or unreliable; and

“(B) that, with respect to the succeeding fiscal year—

“(i) the State failed to take sufficient corrective action to achieve the appropriate performance levels as described in subparagraph (A)(i) of this paragraph, or

“(ii) the data submitted by the State pursuant to section 454(15)(B) is incomplete or unreliable,

the amounts otherwise payable to the State under this part for quarters following the end of such succeeding fiscal year, prior to quarters following the end of the first quarter throughout which the State program is in compliance with such performance requirement, shall be reduced by the percentage specified in paragraph (2).

“(2) The reductions required under paragraph (1) shall be—

“(A) not less than 3 nor more than 5 percent, or

“(B) not less than 5 nor more than 7 percent, if the finding is the second consecutive finding made pursuant to paragraph (1), or

“(C) not less than 7 nor more than 10 percent, if the finding is the third or a subsequent consecutive such finding.

“(3) For purposes of this subsection, section 402(a)(27), and section 452(a)(4), a State which is determined as a result of an audit to have submitted incomplete or unreliable data pursuant to section 454(15)(B), shall be determined to have submitted adequate data if the Secretary determines that the extent of the incompleteness or unreliability of the data is of a technical nature which does not adversely affect the determination of the level of the State’s performance.”.

(2) CONFORMING AMENDMENTS.—

(A) PAYMENTS TO STATES.—Section 403 (42 U.S.C. 603) is amended by striking subsection (h).

(B) DUTIES OF SECRETARY.—Subsections (d)(3)(A), (g)(1), and (g)(3)(A) of section 452 (42 U.S.C. 652) are each amended by striking “403(h)” and inserting “455(e)”.

(f) EFFECTIVE DATES.—

(1) INCENTIVE ADJUSTMENTS.—

(A) IN GENERAL.—The amendments made by subsections (a), (b), and (c) shall become effective on October 1, 1997, except to the extent provided in subparagraph (B).

(B) EXCEPTION.—Section 458 of the Social Security Act, as in effect prior to the enactment of this section, shall be effective for purposes of incentive payments to States for fiscal years prior to fiscal year 1999.

(2) PENALTY REDUCTIONS.—

(A) IN GENERAL.—The amendments made by subsection (d) shall become effective with respect to calendar quarters beginning on and after the date of the enactment of this Act.

(B) REDUCTIONS.—The amendments made by subsection (e) shall become effective with respect to calendar quarters beginning on and after the date which is 1 year after the date of the enactment of this Act.

**SEC. 313. FEDERAL AND STATE REVIEWS AND AUDITS.**

(a) STATE AGENCY ACTIVITIES.—Section 454 (42 U.S.C. 654) is amended—

(1) in paragraph (14)—

(A) by striking “(14)” and inserting “(14)(A)”; and

(B) by inserting after the semicolon “and”;

(2) by redesignating paragraph (15) as subparagraph (B) of paragraph (14); and

(3) by inserting after paragraph (14) the following new paragraph:

“(15) provide for—

“(A) a process for annual reviews of and reports to the Secretary on the State program under this part—

“(i) which shall include such information as may be necessary to measure State compliance with Federal requirements for expedited procedures and timely case processing, using such standards and procedures as are required by the Secretary; and

“(ii) under which the State agency will determine the extent to which such program is in conformity with applicable requirements with respect to the operation of State programs under this part (including the status of complaints filed under the procedure required under paragraph (12)(B)); and

“(B) a process of extracting from the State automated data processing system and transmitting to the Secretary data and calculations concerning the levels of accomplishment (and rates of improvement) with respect to applicable performance indicators (including IV-D paternity establishment percentages and overall performance in child support enforcement) to the extent necessary for purposes of sections 452(g) and 458.”.

(b) FEDERAL ACTIVITIES.—Section 452(a)(4) (42 U.S.C. 652(a)(4)) is amended to read as follows:

“(4)(A) review data and calculations transmitted by State agencies pursuant to section 454(15)(B) on State program accomplishments with respect to performance indicators for purposes of section 452(g) and 458, and determine the amount (if any) of penalty reductions pursuant to section 455(e) to be applied to the State;

“(B) review annual reports by State agencies pursuant to section 454(15)(A) on State program conformity with Federal requirements; evaluate any elements of a State program in which significant deficiencies are indicated by such report on the status of complaints under the State procedure under section 454(12)(B); and, as appropriate, provide to the State agency comments, recommendations for additional or alternative corrective actions, and technical assistance; and

“(C) conduct audits, in accordance with the government auditing standards of the United States Comptroller General—

“(i) at least once every 3 years (or more frequently, in the case of a State which fails to meet requirements of this part, or of regulations implementing such requirements, concerning performance standards and reliability of program data) to assess the completeness, reliability, and security of the data, and the accuracy of the reporting systems, used for the calculations of performance indicators specified in subsection (g) and section 458;

“(ii) of the adequacy of financial management of the State program, including assessments of—

“(I) whether Federal and other funds made available to carry out the State program under this part are being appropriately expended, and are properly and fully accounted for; and

“(II) whether collections and disbursements of support payments and program income are carried out correctly and are properly and fully accounted for; and

“(iii) for such other purposes as the Secretary may find necessary;”.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to calendar quarters beginning on or after the date which is 1 year after the enactment of this section.

**SEC. 314. REQUIRED REPORTING PROCEDURES.**

(a) ESTABLISHMENT.—Section 452(a)(5) (42 U.S.C. 652(a)(5)) is amended by inserting “, and establish procedures to be followed by States for collecting and reporting information required to be provided under this part, and establish uniform definitions (including those necessary to enable the measurement of State compliance with the requirements of this part relating to expedited processes and timely case processing) to be applied in following such procedures” before the semicolon.

(b) STATE PLAN REQUIREMENT.—Section 454 (42 U.S.C. 654), as amended by sections 301(a) and 305(a), is amended—

(1) by striking “and” at the end of paragraph (25);

(2) by striking the period at the end of paragraph (26) and inserting “; and”; and

(3) by adding after paragraph (26) the following:

“(27) provide that the State shall use the definitions established under section 452(a)(5) in collecting and reporting information as required under this part.”.

**SEC. 315. AUTOMATED DATA PROCESSING REQUIREMENTS.**

(a) REVISED REQUIREMENTS.—

(1) STATE PLAN.—Section 454(16) (42 U.S.C. 654(16)) is amended—

(A) by striking “, at the option of the State;”;

(B) by inserting “and operation by the State agency” after “for the establishment”;

(C) by inserting “meeting the requirements of section 454A” after “information retrieval system”;

(D) by striking “in the State and localities thereof, so as (A)” and inserting “so as”;

(E) by striking “(i)”; and

(F) by striking “(including, but not limited to,” and all that follows and to the semicolon.

(2) AUTOMATED DATA PROCESSING.—Part D of title IV (42 U.S.C. 651-669) is amended by inserting after section 454 the following new section:

“AUTOMATED DATA PROCESSING

“SEC. 454A. (a) IN GENERAL.—In order to meet the requirements of this section, for purposes of the requirement of section 454(16), a State agency shall have in operation a single statewide automated data processing and information retrieval system which has the capability to perform the tasks specified in this section, and performs such tasks with the frequency and in the manner specified in this part or in regulations or guidelines of the Secretary.

“(b) PROGRAM MANAGEMENT.—The automated system required under this section shall perform such functions as the Secretary may specify relating to management of the program under this part, including—

“(1) controlling and accounting for use of Federal, State, and local funds to carry out such program; and

“(2) maintaining the data necessary to meet Federal reporting requirements on a timely basis.

“(c) CALCULATION OF PERFORMANCE INDICATORS.—In order to enable the Secretary to determine the incentive and penalty adjustments required by sections 452(g) and 458, the State agency shall—

“(1) use the automated system—

“(A) to maintain the requisite data on State performance with respect to paternity establishment and child support enforcement in the State; and

“(B) to calculate the IV-D paternity establishment percentage and overall performance in child support enforcement for the State for each fiscal year; and

“(2) have in place systems controls to ensure the completeness, and reliability of, and ready access to, the data described in paragraph (1)(A), and the accuracy of the calculations described in paragraph (1)(B).

“(d) INFORMATION INTEGRITY AND SECURITY.—The State agency shall have in effect safeguards on the integrity, accuracy, and completeness of, access to, and use of data in the automated system required under this section, which shall include the following (in addition to such other safeguards as the Secretary specifies in regulations):

“(1) POLICIES RESTRICTING ACCESS.—Written policies concerning access to data by State agency personnel, and sharing of data with other persons, which—

“(A) permit access to and use of data only to the extent necessary to carry out program responsibilities;

“(B) specify the data which may be used for particular program purposes, and the personnel permitted access to such data; and

“(C) ensure that data obtained or disclosed for a limited program purpose is not used or redisclosed for another, impermissible purpose.

“(2) SYSTEMS CONTROLS.—Systems controls (such as passwords or blocking of fields) to ensure strict adherence to the policies specified under paragraph (1).

“(3) MONITORING OF ACCESS.—Routine monitoring of access to and use of the automated system, through methods such as audit trails and feedback mechanisms, to guard against and promptly identify unauthorized access or use.

"(4) TRAINING AND INFORMATION.—The State agency shall have in effect procedures to ensure that all personnel (including State and local agency staff and contractors) who may have access to or be required to use sensitive or confidential program data are fully informed of applicable requirements and penalties, and are adequately trained in security procedures.

"(5) PENALTIES.—The State agency shall have in effect administrative penalties (up to and including dismissal from employment) for unauthorized access to, or disclosure or use of, confidential data."

(3) REGULATIONS.—Section 452 (42 U.S.C. 652) is amended by adding at the end the following new subsection:

"(j) The Secretary shall prescribe final regulations for implementation of the requirements of section 454A not later than 2 years after the date of the enactment of this subsection."

(4) IMPLEMENTATION TIMETABLE.—Section 454(24) (42 U.S.C. 654(24)), as amended by sections 301(a), 305(a)(2) and 314(b)(1), is amended to read as follows:

"(24) provide that the State will have in effect an automated data processing and information retrieval system—

"(A) by October 1, 1996, meeting all requirements of this part which were enacted on or before the date of the enactment of the Family Support Act of 1988; and

"(B) by October 1, 1999, meeting all requirements of this part enacted on or before the date of the enactment of the Interstate Child Support Responsibility Act of 1995 (but this provision shall not be construed to alter earlier deadlines specified for elements of such system), except that such deadline shall be extended by 1 day for each day (if any) by which the Secretary fails to meet the deadline imposed by section 452(j)";

(b) SPECIAL FEDERAL MATCHING RATE FOR DEVELOPMENT COSTS OF AUTOMATED SYSTEMS.—Section 455(a) (42 U.S.C. 655(a)) is amended—

(1) in paragraph (1)(B)—

(A) by striking "90 percent" and inserting "the percent specified in paragraph (3)";

(B) by striking "so much of"; and

(C) by striking "which the Secretary" and all that follows through "thereof"; and

(2) by adding at the end the following new paragraph:

"(3)(A) The Secretary shall pay to each State, for each quarter in fiscal years 1996 through 2001, the percentage specified in subparagraph (B) of so much of State expenditures described in paragraph (1)(B) as the Secretary finds are for a system meeting the requirements specified in section 454(16) and 454A, subject to subparagraph (C).

"(B) The percentage specified in this subparagraph, for purposes of subparagraph (A), is the higher of—

"(i) 80 percent, or

"(ii) the percentage otherwise applicable to Federal payments to the State under paragraph (1)(A) (as adjusted pursuant to section 458).

"(C)(i) The Secretary may not pay more than \$260,000,000 in the aggregate under this paragraph for fiscal years 1996, 1997, 1998, 1999, 2000, and 2001.

"(ii) The total amount payable to a State under this paragraph for fiscal years 1996, 1997, 1998, 1999, 2000, and 2001 shall not exceed the limitation determined for the State by the Secretary in regulations.

"(iii) The regulations referred to in clause (ii) shall prescribe a formula for allocating the amount specified in clause (iii) among States with plans approved under this part, which shall take into account—

"(I) the relative size of State caseloads under this part; and

"(II) the level of automation needed to meet the automated data processing requirements of this part."

(c) CONFORMING AMENDMENT.—Section 123(c) of the Family Support Act of 1988 (102 Stat. 2352; Public Law 100-485) is repealed.

**SEC. 316. DIRECTOR OF CSE PROGRAM; STAFFING STUDY.**

(a) REPORTING TO SECRETARY.—Section 452(a) (42 U.S.C. 652(a)) is amended in the matter preceding paragraph (1) by striking "directly".

(b) STAFFING STUDIES.—

(1) SCOPE.—The Secretary of Health and Human Services (in this subsection referred to as the "Secretary") shall, directly or by contract, conduct studies of the staffing of each State child support enforcement program under part D of title IV of the Social Security Act. Such studies shall—

(A) include a review of the staffing needs created by requirements for automated data processing, maintenance of a central case registry and centralized collections of child support, and of changes in these needs resulting from changes in such requirements; and

(B) examine and report on effective staffing practices used by the States and on recommended staffing procedures.

(2) FREQUENCY OF STUDIES.—The Secretary shall complete the first staffing study required under paragraph (1) not later than October 1, 1997, and may conduct additional studies subsequently at appropriate intervals.

(3) REPORT TO THE CONGRESS.—The Secretary shall submit a report to the Congress stating the findings and conclusions of each study conducted under this subsection.

**SEC. 317. FUNDING FOR SECRETARIAL ASSISTANCE TO STATE PROGRAMS.**

Section 452 (42 U.S.C. 652), as amended by section 315(a)(3), is amended by adding at the end the following new subsection:

"(k)(1) There shall be available to the Secretary, from amounts appropriated for fiscal year 1996 and each succeeding fiscal year for payments to States under this part, the amount specified in paragraph (2) for the costs to the Secretary for—

"(A) information dissemination and technical assistance to States, training of State and Federal staff, staffing studies, and related activities needed to improve programs (including technical assistance concerning State automated systems);

"(B) research, demonstration, and special projects of regional or national significance relating to the operation of State programs under this part; and

"(C) operation of the Federal Parent Locator Service under section 453, to the extent such costs are not recovered through user fees.

"(2) The amount specified in this paragraph for a fiscal year is the amount equal to a percentage of the reduction in Federal payments to States under part A on account of child support (including arrearages) collected in the preceding fiscal year on behalf of children receiving aid under such part A in such preceding fiscal year (as determined on the basis of the most recent reliable data available to the Secretary as of the end of the third calendar quarter following the end of such preceding fiscal year), equal to—

"(A) 1 percent, for the activities specified in subparagraphs (A) and (B) of paragraph (1); and

"(B) 2 percent, for the activities specified in subparagraph (C) of paragraph (1)."

**SEC. 318. DATA COLLECTION AND REPORTS BY THE SECRETARY.**

(a) ANNUAL REPORT TO CONGRESS.—

(1) IN GENERAL.—Section 452(a)(10)(A) (42 U.S.C. 652(a)(10)(A)) is amended—

(A) by striking "this part;" and inserting "this part, including—"; and

(B) by adding at the end the following indented clauses:

"(i) the total amount of child support payments collected as a result of services furnished during such fiscal year to individuals receiving services under this part;

"(ii) the cost to the States and to the Federal Government of furnishing such services to those individuals; and

"(iii) the number of cases involving families—

"(I) who became ineligible for aid under part A during a month in such fiscal year; and

"(II) with respect to whom a child support payment was received in the same month;"

(2) CERTAIN DATA.—Section 452(a)(10)(C) (42 U.S.C. 652(a)(10)(C)) is amended—

(A) in the matter preceding clause (i), by striking "with the data required under each clause being separately stated for cases" and all that follows through "part:" and inserting "separately stated for cases where the child is receiving aid to families with dependent children (or foster care maintenance payments under part E), or formerly received such aid or payments and the State is continuing to collect support assigned to it under section 402(a)(26), 471(a)(17), or 1912, and all other cases under this part—";

(B) in each of clauses (i) and (ii), by striking ", and the total amount of such obligations";

(C) in clause (iii), by striking "described in" and all that follows through the semicolon and inserting "in which support was collected during the fiscal year";

(D) by striking clause (iv); and

(E) by redesignating clause (v) as clause (vii), and inserting after clause (iii) the following new clauses:

"(iv) the total amount of support collected during such fiscal year and distributed as current support;

"(v) the total amount of support collected during such fiscal year and distributed as arrearages;

"(vi) the total amount of support due and unpaid for all fiscal years; and"

(3) USE OF FEDERAL COURTS.—Section 452(a)(10)(G) (42 U.S.C. 652(a)(10)(G)) is amended by striking "on the use of Federal courts and"

(4) ADDITIONAL INFORMATION NOT NECESSARY.—Section 452(a)(10) (42 U.S.C. 652(a)(10)) is amended by striking all that follows subparagraph (I).

(b) DATA COLLECTION AND REPORTING.—Section 469 (42 U.S.C. 669) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) The Secretary shall collect and maintain, on a fiscal year basis, up-to-date statistics, by State, with respect to services to establish paternity and services to establish child support obligations, the data specified in subsection (b), separately stated, in the case of each such service, with respect to—

"(1) families (or dependent children) receiving aid under plans approved under part A (or E); and

"(2) families not receiving such aid.

"(b) The data referred to in subsection (a) are—

"(1) the number of cases in the caseload of the State agency administering the plan under this part in which such service is needed; and

"(2) the number of such cases in which the service has been provided.";

(2) in subsection (c), by striking "(a)(2)" and inserting "(b)(2)".

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to fiscal year 1996 and succeeding fiscal years.

**PART III—LOCATE AND CASE TRACKING****SEC. 321. CENTRAL STATE AND CASE REGISTRY.**

Section 454A, as added by section 315(a)(2), is amended by adding at the end the following new subsections:

**(e) CENTRAL CASE REGISTRY.—**

“(1) IN GENERAL.—The automated system required under this section shall perform the functions, in accordance with the provisions of this subsection, of a single central registry containing records with respect to each case in which services are being provided by the State agency (including, on and after October 1, 1998, each order specified in section 466(a)(12)), using such standardized data elements (such as names, social security numbers or other uniform identification numbers, dates of birth, and case identification numbers), and containing such other information (such as information on case status) as the Secretary may require.

“(2) PAYMENT RECORDS.—Each case record in the central registry shall include a record of—

“(A) the amount of monthly (or other periodic) support owed under the support order, and other amounts due or overdue (including arrearages, interest or late payment penalties, and fees);

“(B) all child support and related amounts collected (including such amounts as fees, late payment penalties, and interest on arrearages);

“(C) the distribution of such amounts collected; and

“(D) the birth date of the child for whom the child support order is entered.

“(3) UPDATING AND MONITORING.—The State agency shall promptly establish and maintain, and regularly monitor, case records in the registry required by this subsection, on the basis of—

“(A) information on administrative actions and administrative and judicial proceedings and orders relating to paternity and support;

“(B) information obtained from matches with Federal, State, or local data sources;

“(C) information on support collections and distributions; and

“(D) any other relevant information.

“(f) DATA MATCHES AND OTHER DISCLOSURES OF INFORMATION.—The automated system required under this section shall have the capacity, and be used by the State agency, to extract data at such times, and in such standardized format or formats, as may be required by the Secretary, and to share and match data with, and receive data from, other data bases and data matching services, in order to obtain (or provide) information necessary to enable the State agency (or Secretary or other State or Federal agencies) to carry out responsibilities under this part. Data matching activities of the State agency shall include at least the following:

“(1) DATA BANK OF CHILD SUPPORT ORDERS.—Furnishing to the Data Bank of Child Support Orders established under section 453(h) (and updating as necessary, with information, including notice of expiration of orders) minimal information specified by the Secretary on each child support case in the central case registry.

“(2) FEDERAL PARENT LOCATOR SERVICE.—Exchanging data with the Federal Parent Locator Service for the purposes specified in section 453.

“(3) AFDC AND MEDICAID AGENCIES.—Exchanging data with State agencies (of the State and of other States) administering the programs under part A and title XIX, as necessary for the performance of State agency responsibilities under this part and under such programs.

“(4) INTRA- AND INTERSTATE DATA MATCHES.—Exchanging data with other agencies of the State, agencies of other States,

and interstate information networks, as necessary and appropriate to carry out (or assist other States to carry out) the purposes of this part.”.

**SEC. 322. CENTRALIZED COLLECTION AND DISBURSEMENT OF SUPPORT PAYMENTS.**

(a) STATE PLAN REQUIREMENT.—Section 454 (42 U.S.C. 654), as amended by sections 301(a), 305(a) and 314(b), is amended—

(1) by striking “and” at the end of paragraph (26);

(2) by striking the period at the end of paragraph (27) and inserting “; and”; and

(3) by adding after paragraph (27) the following new paragraph:

“(28) provide that the State agency, on and after October 1, 1998—

“(A) will operate a centralized, automated unit for the collection and disbursement of child support under orders being enforced under this part, in accordance with section 454B; and

“(B) will have sufficient State staff (consisting of State employees), and, at State option, contractors reporting directly to the State agency to monitor and enforce support collections through such centralized unit, including carrying out the automated data processing responsibilities specified in section 454A(g) and to impose, as appropriate in particular cases, the administrative enforcement remedies specified in section 466(c)(1).”.

(b) ESTABLISHMENT OF CENTRALIZED COLLECTION UNIT.—Part D of title IV (42 U.S.C. 651-669) is amended by adding after section 454A the following new section:

**“CENTRALIZED COLLECTION AND DISBURSEMENT OF SUPPORT PAYMENTS**

“SEC. 454B. (a) IN GENERAL.—In order to meet the requirement of section 454(28), the State agency must operate a single, centralized, automated unit for the collection and disbursement of support payments, coordinated with the automated data system required under section 454A, in accordance with the provisions of this section, which shall be—

“(1) operated directly by the State agency (or by 2 or more State agencies under a regional cooperative agreement), or by a single contractor responsible directly to the State agency; and

“(2) used for the collection and disbursement (including interstate collection and disbursement) of payments under support orders in all cases being enforced by the State pursuant to section 454(4).

“(b) REQUIRED PROCEDURES.—The centralized collections unit shall use automated procedures, electronic processes, and computer-driven technology to the maximum extent feasible, efficient, and economical, for the collection and disbursement of support payments, including procedures—

“(1) for receipt of payments from parents, employers, and other States, and for disbursements to custodial parents and other obligees, the State agency, and the State agencies of other States;

“(2) for accurate identification of payments;

“(3) to ensure prompt disbursement of the custodial parent’s share of any payment; and

“(4) to furnish to either parent, upon request, timely information on the current status of support payments.”.

(c) USE OF AUTOMATED SYSTEM.—Section 454A, as added by section 315(a)(2) and as amended by section 321, is amended by adding at the end the following new subsection:

“(g) CENTRALIZED COLLECTION AND DISTRIBUTION OF SUPPORT PAYMENTS.—The automated system required under this section shall be used, to the maximum extent feasible, to assist and facilitate collections and

disbursement of support payments through the centralized collections unit operated pursuant to section 454B, through the performance of functions including at a minimum—

“(1) generation of orders and notices to employers (and other debtors) for the withholding of wages (and other income)—

“(A) within 2 working days after receipt (from the directory of New Hires established under section 453(i) or any other source) of notice of and the income source subject to such withholding; and

“(B) using uniform formats directed by the Secretary;

“(2) ongoing monitoring to promptly identify failures to make timely payment; and

“(3) automatic use of enforcement mechanisms (including mechanisms authorized pursuant to section 466(c)) where payments are not timely made.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall become effective on October 1, 1998.

**SEC. 323. AMENDMENTS CONCERNING INCOME WITHHOLDING.**

(a) MANDATORY INCOME WITHHOLDING.—

(1) FROM WAGES.—Section 466(a)(1) (42 U.S.C. 666(a)(1)) is amended to read as follows:

“(1)(A) Procedures described in subsection (b) for the withholding from income of amounts payable as support in cases subject to enforcement under the State plan.

“(B) Procedures under which all child support orders issued (or modified) before October 1, 1996, and which are not otherwise subject to withholding under subsection (b), shall become subject to withholding from wages as provided in subsection (b) if arrearages occur, without the need for a judicial or administrative hearing.”.

(2) REPEAL OF CERTAIN PROVISIONS CONCERNING ARREARAGES.—Section 466(a)(8) (42 U.S.C. 666(a)(8)) is repealed.

(3) PROCEDURES DESCRIBED.—Section 466(b) (42 U.S.C. 666(b)) is amended—

(A) in the matter preceding paragraph (1), by striking “subsection (a)(1)” and inserting “subsection (a)(1)(A)”;

(B) in paragraph (5), by striking “a public agency” and all that follows through the period and inserting “the State through the centralized collections unit established pursuant to section 454B, in accordance with the requirements of such section 454B.”;

(C) in paragraph (6)(A)(i)—

(i) by inserting “, in accordance with time-tables established by the Secretary,” after “must be required”; and

(ii) by striking “to the appropriate agency” and all that follows through the period and inserting “to the State centralized collections unit within 5 working days after the date such amount would (but for this subsection) have been paid or credited to the employee, for distribution in accordance with this part.”;

(D) in paragraph (6)(A)(ii), by inserting “be in a standard format prescribed by the Secretary, and” after “shall”; and

(E) in paragraph (6)(D) to read as follows:

“(D) Provision must be made for the imposition of a fine against any employer who—

“(i) discharges from employment, refuses to employ, or takes disciplinary action against any absent parent subject to wage withholding required by this subsection because of the existence of such withholding and the obligations or additional obligations which it imposes upon the employer; or

“(ii) fails to withhold support from wages, or to pay such amounts to the State centralized collections unit in accordance with this subsection.”.

(b) CONFORMING AMENDMENT.—Section 466(c) (42 U.S.C. 666(c)) is repealed.

(c) DEFINITION OF TERMS.—The Secretary of Health and Human Services shall promulgate regulations providing definitions, for purposes of part D of title IV of the Social Security Act, for the term "income" and for such other terms relating to income withholding under section 466(b) of such Act as the Secretary may find it necessary or advisable to define.

**SEC. 324. LOCATOR INFORMATION FROM INTERSTATE NETWORKS.**

Section 466(a) (42 U.S.C. 666(a)), as amended by section 323(a)(2), is amended by inserting after paragraph (7) the following new paragraph:

"(8) Procedures ensuring that the State will neither provide funding for, nor use for any purpose (including any purpose unrelated to the purposes of this part), any automated interstate network or system used to locate individuals—

"(A) for purposes relating to the use of motor vehicles; or

"(B) providing information for law enforcement purposes (where child support enforcement agencies are otherwise allowed access by State and Federal law),

unless all Federal and State agencies administering programs under this part (including the entities established under section 453) have access to information in such system or network to the same extent as any other user of such system or network."

**SEC. 325. EXPANDED FEDERAL PARENT LOCATOR SERVICE.**

(a) EXPANDED AUTHORITY TO LOCATE INDIVIDUALS AND ASSETS.—Section 453 (42 U.S.C. 653) is amended—

(1) in subsection (a), by striking "information as to the whereabouts" and all that follows through the period and inserting " , for the purpose of establishing parentage, establishing, setting the amount of, modifying, or enforcing child support obligations—

"(1) information on, or facilitating the discovery of, the location of any individual—

"(A) who is under an obligation to pay child support;

"(B) against whom such an obligation is sought; or

"(C) to whom such an obligation is owed, including such individual's social security number (or numbers), most recent residential address, and the name, address, and employer identification number of such individual's employer; and

"(2) information on the individual's wages (or other income) from, and benefits of, employment (including rights to or enrollment in group health care coverage); and

"(3) information on the type, status, location, and amount of any assets of, or debts owed by or to, any such individual.";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking "social security" and all that follows through "absent parent" and inserting "information specified in subsection (a)"; and

(B) in paragraph (2), by inserting before the period " , or from any consumer reporting agency (as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f))"; and

(3) in subsection (e)(1), by inserting before the period " , or by consumer reporting agencies".

(b) REIMBURSEMENT FOR DATA FROM FEDERAL AGENCIES.—Section 453(e)(2) (42 U.S.C. 653(e)(2)) is amended in the fourth sentence by inserting before the period "in an amount which the Secretary determines to be reasonable payment for the data exchange (which amount shall not include payment for the costs of obtaining, compiling, or maintaining the data)".

(c) ACCESS TO CONSUMER REPORTS UNDER FAIR CREDIT REPORTING ACT.—

(1) IN GENERAL.—Section 608 of the Fair Credit Reporting Act (15 U.S.C. 1681f) is amended—

(A) by striking " , limited to" and inserting "to a governmental agency (including the entire consumer report, in the case of a Federal, State, or local agency administering a program under part D of title IV of the Social Security Act, and limited to"; and

(B) by striking "employment, to a governmental agency" and inserting "employment, in the case of any other governmental agency)".

(2) REIMBURSEMENT FOR REPORTS BY STATE AGENCIES AND CREDIT BUREAUS.—Section 453 (42 U.S.C. 653) is amended by adding at the end the following new subsection:

"(g) The Secretary is authorized to reimburse to State agencies and consumer credit reporting agencies the costs incurred by such entities in furnishing information requested by the Secretary pursuant to this section in an amount which the Secretary determines to be reasonable payment for the data exchange (which amount shall not include payment for the costs of obtaining, compiling, or maintaining the data)."

(d) TECHNICAL AMENDMENTS.—

(1) Sections 452(a)(9), 453(a), 453(b), 463(a), and 463(e) (42 U.S.C. 652(a)(9), 653(a), 653(b), 663(a), and 663(e)) are each amended by inserting "Federal" before "Parent" each place it appears.

(2) Section 453 (42 U.S.C. 653) is amended in the heading by inserting "FEDERAL" before "PARENT".

(e) NEW COMPONENTS.—Section 453 (42 U.S.C. 653), as amended by subsection (c)(2), is amended by adding at the end the following new subsections:

"(h) DATA BANK OF CHILD SUPPORT ORDERS.—

"(1) IN GENERAL.—Not later than October 1, 1998, in order to assist States in administering their State plans under this part and parts A, F, and G, and for the other purposes specified in this section, the Secretary shall establish and maintain in the Federal Parent Locator Service an automated registry to be known as the Data Bank of Child Support Orders, which shall contain abstracts of child support orders and other information described in paragraph (2) on each case in each State central case registry maintained pursuant to section 454A(e), as furnished (and regularly updated), pursuant to section 454A(f), by State agencies administering programs under this part.

"(2) CASE INFORMATION.—The information referred to in paragraph (1), as specified by the Secretary, shall include sufficient information (including names, social security numbers or other uniform identification numbers, and State case identification numbers) to identify the individuals who owe or are owed support (or with respect to or on behalf of whom support obligations are sought to be established), and the State or States which have established or modified, or are enforcing or seeking to establish, such an order.

"(i) DIRECTORY OF NEW HIRES.—

"(1) IN GENERAL.—Not later than October 1, 1998, in order to assist States in administering their State plans under this part and parts A, F, and G, and for the other purposes specified in this section, the Secretary shall establish and maintain in the Federal Parent Locator Service an automated directory to be known as the directory of New Hires, containing—

"(A) information supplied by employers on each newly hired individual, in accordance with paragraph (2); and

"(B) information supplied by State agencies administering State unemployment compensation laws, in accordance with paragraph (3).

"(2) EMPLOYER INFORMATION.—

"(A) INFORMATION REQUIRED.—Subject to subparagraph (D), each employer shall furnish to the Secretary, for inclusion in the directory under this subsection, not later than 10 days after the date (on or after October 1, 1998) on which the employer hires a new employee (as defined in subparagraph (C)), a report containing the name, date of birth, and social security number of such employee, and the employer identification number of the employer.

"(B) REPORTING METHOD AND FORMAT.—The Secretary shall provide for transmission of the reports required under subparagraph (A) using formats and methods which minimize the burden on employers, which shall include—

"(i) automated or electronic transmission of such reports;

"(ii) transmission by regular mail; and

"(iii) transmission of a copy of the form required for purposes of compliance with section 3402 of the Internal Revenue Code of 1986.

"(C) EMPLOYEE DEFINED.—For purposes of this paragraph, the term 'employee' means any individual subject to the requirement of section 3402(f)(2) of the Internal Revenue Code of 1986.

"(D) PAPERWORK REDUCTION REQUIREMENT.—As required by the information resources management policies published by the Director of the Office of Management and Budget pursuant to section 3504(b)(1) of title 44, United States Code, the Secretary, in order to minimize the cost and reporting burden on employers, shall not require reporting pursuant to this paragraph if an alternative reporting mechanism can be developed that either relies on existing Federal or State reporting or enables the Secretary to collect the needed information in a more cost-effective and equally expeditious manner, taking into account the reporting costs on employers.

"(E) CIVIL MONEY PENALTY ON NONCOMPLYING EMPLOYERS.—

"(i) IN GENERAL.—Any employer that fails to make a timely report in accordance with this paragraph with respect to an individual shall be subject to a civil money penalty, for each calendar year in which the failure occurs, of the lesser of \$500 or 1 percent of the wages or other compensation paid by such employer to such individual during such calendar year.

"(ii) APPLICATION OF SECTION 1128A.—Subject to clause (iii), the provisions of section 1128A (other than subsections (a) and (b) thereof) shall apply to a civil money penalty under clause (i) in the same manner as they apply to a civil money penalty or proceeding under section 1128A(a).

"(iii) COSTS TO SECRETARY.—Any employer with respect to whom a penalty under this subparagraph is upheld after an administrative hearing shall be liable to pay all costs of the Secretary with respect to such hearing.

"(3) EMPLOYMENT SECURITY INFORMATION.—

"(A) REPORTING REQUIREMENT.—Each State agency administering a State unemployment compensation law approved by the Secretary of Labor under the Federal Unemployment Tax Act shall furnish to the Secretary extracts of the reports to the Secretary of Labor concerning the wages and unemployment compensation paid to individuals required under section 303(a)(6), in accordance with subparagraph (B).

"(B) MANNER OF COMPLIANCE.—The extracts required under subparagraph (A) shall be furnished to the Secretary on a quarterly basis, with respect to calendar quarters beginning on and after October 1, 1996, by such dates, in such format, and containing such information as required by that Secretary in regulations.

“(j) DATA MATCHES AND OTHER DISCLOSURES.—

“(1) VERIFICATION BY SOCIAL SECURITY ADMINISTRATION.—

“(A) TRANSMISSION OF DATA.—The Secretary shall transmit data on individuals and employers in the registries maintained under this section to the Social Security Administration to the extent necessary for verification in accordance with subparagraph (B).

“(B) VERIFICATION.—The Commissioner of Social Security shall verify the accuracy of, correct or supply to the extent necessary and feasible, and report to the Secretary, the following information in data supplied by the Secretary pursuant to subparagraph (A):

“(i) the name, social security number, and birth date of each individual; and

“(ii) the employer identification number of each employer.

“(2) CHILD SUPPORT LOCATOR MATCHES.—For the purpose of locating individuals for purposes of paternity establishment and establishment and enforcement of child support, the Secretary shall—

“(A) match data in the directory of New Hires against the child support order abstracts in the Data Bank of Child Support Orders not less than every 2 working days; and

“(B) report information obtained from a match established under subparagraph (A) to concerned State agencies operating programs under this part not later than 2 working days after such match.

“(3) DATA MATCHES AND DISCLOSURES OF DATA IN ALL REGISTRIES FOR TITLE IV PROGRAM PURPOSES.—The Secretary shall—

“(A) perform matches of data in each component of the Federal Parent Locator Service maintained under this section against data in each other such component (other than the matches required pursuant to paragraph (1)), and report information resulting from such matches to State agencies operating programs under this part and parts A, F, and G; and

“(B) disclose data in such registries to such State agencies,

to the extent, and with the frequency, that the Secretary determines to be effective in assisting such States to carry out their responsibilities under such programs.

“(k) FEES.—

“(1) FOR SSA VERIFICATION.—The Secretary shall reimburse the Commissioner of Social Security, at a rate negotiated between the Secretary and the Commissioner, the costs incurred by the Commissioner in performing the verification services specified in subsection (j).

“(2) FOR INFORMATION FROM SESAS.—The Secretary shall reimburse costs incurred by State employment security agencies in furnishing data as required by subsection (i)(3), at rates which the Secretary determines to be reasonable (which rates shall not include payment for the costs of obtaining, compiling, or maintaining such data).

“(3) FOR INFORMATION FURNISHED TO STATE AND FEDERAL AGENCIES.—State and Federal agencies receiving data or information from the Secretary pursuant to this section shall reimburse the costs incurred by the Secretary in furnishing such data or information, at rates which the Secretary determines to be reasonable (which rates shall include payment for the costs of obtaining, verifying, maintaining, and matching such data or information).

“(l) RESTRICTION ON DISCLOSURE AND USE.—Data in the Federal Parent Locator Service, and information resulting from matches using such data, shall not be used or disclosed except as specifically provided in this section.

“(m) RETENTION OF DATA.—Data in the Federal Parent Locator Service, and data re-

sulting from matches performed pursuant to this section, shall be retained for such period (determined by the Secretary) as appropriate for the data uses specified in this section.

“(n) INFORMATION INTEGRITY AND SECURITY.—The Secretary shall establish and implement safeguards with respect to the entities established under this section designed to—

“(1) ensure the accuracy and completeness of information in the Federal Parent Locator Service; and

“(2) restrict access to confidential information in the Federal Parent Locator Service to authorized persons, and restrict use of such information to authorized purposes.

“(o) LIMIT ON LIABILITY.—The Secretary shall not be liable to either a State or an individual for inaccurate information provided to a component of the Federal Parent Locator Service and disclosed by the Secretary in accordance with this section.”

(f) CONFORMING AMENDMENTS.—

(1) TO PART D OF TITLE IV OF THE SOCIAL SECURITY ACT.—Section 454(8)(B) (42 U.S.C. 654(8)(B)) is amended to read as follows:

“(B) the Federal Parent Locator Service established under section 453;”

(2) TO FEDERAL UNEMPLOYMENT TAX ACT.—Section 3304(16) of the Internal Revenue Code of 1986 (relating to approval of State laws) is amended—

(A) by striking “Secretary of Health, Education, and Welfare” each place it appears and inserting “Secretary of Health and Human Services”;;

(B) in subparagraph (B), by striking “such information” and all that follows through the semicolon and inserting “information furnished under subparagraph (A) or (B) is used only for the purposes authorized under such subparagraph;”;

(C) by striking “and” at the end of subparagraph (A);

(D) by redesignating subparagraph (B) as subparagraph (C); and

(E) by inserting after subparagraph (A) the following new subparagraph:

“(B) wage and unemployment compensation information contained in the records of such agency shall be furnished to the Secretary of Health and Human Services (in accordance with regulations promulgated by such Secretary) as necessary for the purposes of the directory of New Hires established under section 453(i) of the Social Security Act, and”.

(3) TO STATE GRANT PROGRAM UNDER TITLE III OF THE SOCIAL SECURITY ACT.—Section 303(a) (42 U.S.C. 503(a)) is amended—

(A) by striking “and” at the end of paragraph (8);

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

(C) by adding after paragraph (9) the following new paragraph:

“(10) The making of quarterly electronic reports, at such dates, in such format, and containing such information, as required by the Secretary under section 453(i)(3), and compliance with such provisions as such Secretary may find necessary to ensure the correctness and verification of such reports.”

**SEC. 326. USE OF SOCIAL SECURITY NUMBERS.**

(a) STATE LAW REQUIREMENT.—Section 466(a) (42 U.S.C. 666(a)), as amended by section 302(a), is amended by adding at the end the following new paragraph:

“(13) Procedures requiring the recording of social security numbers—

“(A) of both parties on marriage licenses and divorce decrees;

“(B) of both parents, on birth records and child support and paternity orders; and

“(C) on all applications for motor vehicle licenses and professional licenses.”.

(b) CLARIFICATION OF FEDERAL POLICY.—Section 205(c)(2)(C)(ii) (42 U.S.C.

405(c)(2)(C)(ii)) is amended by striking the third sentence and inserting “This clause shall not be considered to authorize disclosure of such numbers except as provided in the preceding sentence.”.

#### PART IV—STREAMLINING AND UNIFORMITY OF PROCEDURES

##### SEC. 331. ADOPTION OF UNIFORM STATE LAWS.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 302(a) and 326(a), is amended by adding at the end the following new paragraph:

“(14)(A) Procedures under which the State adopts in its entirety (with the modifications and additions specified in this paragraph) not later than January 1, 1997, and uses on and after such date, the Uniform Interstate Family Support Act, as approved by the National Conference of Commissioners on Uniform State Laws in August 1992.

“(B) The State law adopted pursuant to subparagraph (A) shall be applied to any case—

“(i) involving an order established or modified in one State and for which a subsequent modification is sought in another State; or

“(ii) in which interstate activity is required to enforce an order.

“(C) The State law adopted pursuant to subparagraph (A) of this paragraph shall contain the following provision in lieu of section 611(a)(1) of the Uniform Interstate Family Support Act described in such subparagraph (A):

“(1) the following requirements are met:

“(i) the child, the individual obligee, and the obligor—

“(I) do not reside in the issuing State; and

“(II) either reside in this State or are subject to the jurisdiction of this State pursuant to section 201; and

“(ii) in any case where another State is exercising or seeks to exercise jurisdiction to modify the order, the conditions of section 204 are met to the same extent as required for proceedings to establish orders; or.

“(D) The State law adopted pursuant to subparagraph (A) shall recognize as valid, for purposes of any proceeding subject to such State law, service of process upon persons in the State (and proof of such service) by any means acceptable in another State which is the initiating or responding State in such proceeding.”.

##### SEC. 332. IMPROVEMENTS TO FULL FAITH AND CREDIT FOR CHILD SUPPORT ORDERS.

Section 1738B of title 28, United States Code, is amended—

(1) in subsection (a)(2), by striking “subsection (e)” and inserting “subsections (e), (f), and (i)”;

(2) in subsection (b), by inserting after the first undesignated paragraph the following:

“‘child’s home State’ means the State in which a child lived with a parent or a person acting as parent for at least 6 consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than 6 months old, the State in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the 6-month period.”;

(3) in subsection (c), by inserting “by a court of a State” before “is made”;

(4) in subsection (c)(1), by inserting “and subsections (e), (f), and (g)” after “located”;

(5) in subsection (d)—

(A) by inserting “individual” before “contestant”; and

(B) by striking “subsection (e)” and inserting “subsections (e) and (f)”;

(6) in subsection (e), by striking "make a modification of a child support order with respect to a child that is made" and inserting "modify a child support order issued";

(7) in subsection (e)(1), by inserting "pursuant to subsection (i)" before the semicolon;

(8) in subsection (e)(2)—

(A) by inserting "individual" before "contestant" each place such term appears; and

(B) by striking "to that court's making the modification and assuming" and inserting "with the State of continuing, exclusive jurisdiction for a court of another State to modify the order and assume";

(9) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(10) by inserting after subsection (e) the following new subsection:

"(f) **RECOGNITION OF CHILD SUPPORT ORDERS.**—If 1 or more child support orders have been issued in this or another State with regard to an obligor and a child, a court shall apply the following rules in determining which order to recognize for purposes of continuing, exclusive jurisdiction and enforcement:

"(1) If only 1 court has issued a child support order, the order of that court must be recognized.

"(2) If 2 or more courts have issued child support orders for the same obligor and child, and only 1 of the courts would have continuing, exclusive jurisdiction under this section, the order of that court must be recognized.

"(3) If 2 or more courts have issued child support orders for the same obligor and child, and only 1 of the courts would have continuing, exclusive jurisdiction under this section, an order issued by a court in the current home State of the child must be recognized, but if an order has not been issued in the current home State of the child, the order most recently issued must be recognized.

"(4) If 2 or more courts have issued child support orders for the same obligor and child, and none of the courts would have continuing, exclusive jurisdiction under this section, a court may issue a child support order, which must be recognized.

"(5) The court that has issued an order recognized under this subsection is the court having continuing, exclusive jurisdiction.";

(11) in subsection (g) (as so redesignated)—

(A) by striking "PRIOR" and inserting "MODIFIED"; and

(B) by striking "subsection (e)" and inserting "subsections (e) and (f)";

(12) in subsection (h) (as so redesignated)—

(A) in paragraph (2), by inserting "including the duration of current payments and other obligations of support" before the comma; and

(B) in paragraph (3), by inserting "arrearages under" after "enforce"; and

(13) by adding at the end the following new subsection:

"(i) **REGISTRATION FOR MODIFICATION.**—If there is no individual contestant or child residing in the issuing State, the party or support enforcement agency seeking to modify, or to modify and enforce, a child support order issued in another State shall register that order in a State with jurisdiction over the nonmovant for the purpose of modification."

**SEC. 333. STATE LAWS PROVIDING EXPEDITED PROCEDURES.**

(a) **STATE LAW REQUIREMENTS.**—Section 466 (42 U.S.C. 666), as amended by section 323(b), is amended—

(1) in subsection (a)(2), in the first sentence, to read as follows: "Expedited administrative and judicial procedures (including the procedures specified in subsection (c)) for establishing paternity and for establishing,

modifying, and enforcing support obligations."; and

(2) by adding after subsection (b) the following new subsection:

"(c) The procedures specified in this subsection are the following:

"(I) Procedures which give the State agency the authority (and recognize and enforce the authority of State agencies of other States), without the necessity of obtaining an order from any other judicial or administrative tribunal (but subject to due process safeguards, including (as appropriate) requirements for notice, opportunity to contest the action, and opportunity for an appeal on the record to an independent administrative or judicial tribunal), to take the following actions relating to establishment or enforcement of orders:

"(A) To order genetic testing for the purpose of paternity establishment as provided in section 466(a)(5).

"(B) To enter a default order, upon a showing of service of process and any additional showing required by State law—

"(i) establishing paternity, in the case of any putative father who refuses to submit to genetic testing; and

"(ii) establishing or modifying a support obligation, in the case of a parent (or other obligor or obligee) who fails to respond to notice to appear at a proceeding for such purpose.

"(C) To subpoena any financial or other information needed to establish, modify, or enforce an order, and to sanction failure to respond to any such subpoena.

"(D) To require all entities in the State (including for-profit, nonprofit, and governmental employers) to provide promptly, in response to a request by the State agency of that or any other State administering a program under this part, information on the employment, compensation, and benefits of any individual employed by such entity as an employee or contractor, and to sanction failure to respond to any such request.

"(E) To obtain access, subject to safeguards on privacy and information security, to the following records (including automated access, in the case of records maintained in automated data bases):

"(i) Records of other State and local government agencies, including—

"(I) vital statistics (including records of marriage, birth, and divorce);

"(II) State and local tax and revenue records (including information on residence address, employer, income and assets);

"(III) records concerning real and titled personal property;

"(IV) records of occupational and professional licenses, and records concerning the ownership and control of corporations, partnerships, and other business entities;

"(V) employment security records;

"(VI) records of agencies administering public assistance programs;

"(VII) records of the motor vehicle department; and

"(VIII) corrections records.

"(ii) Certain records held by private entities, including—

"(I) customer records of public utilities and cable television companies; and

"(II) information (including information on assets and liabilities) on individuals who owe or are owed support (or against or with respect to whom a support obligation is sought) held by financial institutions (subject to limitations on liability of such entities arising from affording such access).

"(F) To order income withholding in accordance with subsection (a)(1) and (b) of section 466.

"(G) In cases where support is subject to an assignment under section 402(a)(2)(f), 471(a)(17), or 1912, or to a requirement to pay

through the centralized collections unit under section 454B) upon providing notice to obligor and obligee, to direct the obligor or other payor to change the payee to the appropriate government entity.

"(H) For the purpose of securing overdue support—

"(i) to intercept and seize any periodic or lump-sum payment to the obligor by or through a State or local government agency, including—

"(I) unemployment compensation, workers' compensation, and other benefits;

"(II) judgments and settlements in cases under the jurisdiction of the State or local government; and

"(III) lottery winnings;

"(ii) to attach and seize assets of the obligor held by financial institutions;

"(iii) to attach public and private retirement funds in appropriate cases, as determined by the Secretary; and

"(iv) to impose liens in accordance with paragraph (a)(4) and, in appropriate cases, to force sale of property and distribution of proceeds.

"(I) For the purpose of securing overdue support, to increase the amount of monthly support payments to include amounts for arrearages (subject to such conditions or restrictions as the State may provide).

"(J) To suspend drivers' licenses of individuals owing past-due support, in accordance with subsection (a)(1)(f).

"(2) The expedited procedures required under subsection (a)(2) shall include the following rules and authority, applicable with respect to all proceedings to establish paternity or to establish, modify, or enforce support orders:

"(A) Procedures under which—

"(i) the parties to any paternity or child support proceedings are required (subject to privacy safeguards) to file with the tribunal before entry of an order, and to update as appropriate, information on location and identity (including social security number, residential and mailing addresses, telephone number, driver's license number, and name, address, and telephone number of employer); and

"(ii) in any subsequent child support enforcement action between the same parties, the tribunal shall be authorized, upon sufficient showing that diligent effort has been made to ascertain such party's current location, to deem due process requirements for notice and service of process to be met, with respect to such party, by delivery to the most recent residential or employer address so filed pursuant to clause (i).

"(B) Procedures under which—

"(i) the State agency and any administrative or judicial tribunal with authority to hear child support and paternity cases exerts statewide jurisdiction over the parties, and orders issued in such cases have statewide effect; and

"(ii) in the case of a State in which orders in such cases are issued by local jurisdictions, a case may be transferred between jurisdictions in the State without need for any additional filing by the petitioner, or service of process upon the respondent, to retain jurisdiction over the parties."

(b) **EXCEPTIONS FROM STATE LAW REQUIREMENTS.**—Section 466(d) (42 U.S.C. 666(d)) is amended—

(1) by striking "(d) If" and inserting "(d)(1) Subject to paragraph (2), if"; and

(2) by adding at the end the following new paragraph:

"(2) The Secretary shall not grant an exemption from the requirements of—

"(A) subsection (a)(5) (concerning procedures for paternity establishment);

"(B) subsection (a)(10) (concerning modification of orders);

“(C) subsection (a)(12) (concerning recording of orders in the central State case registry);

“(D) subsection (a)(13) (concerning recording of social security numbers);

“(E) subsection (a)(14) (concerning interstate enforcement); or

“(F) subsection (c) (concerning expedited procedures), other than paragraph (1)(A) thereof (concerning establishment or modification of support amount).”.

(C) AUTOMATION OF STATE AGENCY FUNCTIONS.—Section 454A, as added by section 315(a)(2) and as amended by sections 321 and 322(c), is amended by adding at the end the following new subsection:

“(h) EXPEDITED ADMINISTRATIVE PROCEDURES.—The automated system required under this section shall be used, to the maximum extent feasible, to implement any expedited administrative procedures required under section 466(C).”.

#### PART V—PATERNITY ESTABLISHMENT

##### SEC. 341. STATE LAWS CONCERNING PATERNITY ESTABLISHMENT.

(a) STATE LAWS REQUIRED.—Section 466(a)(5) (42 U.S.C. 666(a)(5)) is amended—

(1) in subparagraph (B)—

(A) by striking “(B)” and inserting “(B)(i)”;

(B) in clause (i), as redesignated, by inserting before the period “, where such request is supported by a sworn statement—

“(I) by such party alleging paternity setting forth facts establishing a reasonable possibility of the requisite sexual contact of the parties; or

“(II) by such party denying paternity setting forth facts establishing a reasonable possibility of the nonexistence of sexual contact of the parties;” and

(C) by inserting after clause (i) (as redesignated) the following new clause:

“(ii) Procedures which require the State agency, in any case in which such agency orders genetic testing—

“(I) to pay the costs of such tests, subject to recoupment (where the State so elects) from the putative father if paternity is established; and

“(II) to obtain additional testing in any case where an original test result is disputed, upon request and advance payment by the disputing party.”;

(2) by striking subparagraphs (C), (D), (E), and (F) and inserting the following:

“(C)(i) Procedures for a simple civil process for voluntarily acknowledging paternity under which the State must provide that, before a mother and a putative father can sign an acknowledgment of paternity, the putative father and the mother must be given notice, orally, in writing, and in a language that each can understand, of the alternatives to, the legal consequences of, and the rights (including, if 1 parent is a minor, any rights afforded due to minority status) and responsibilities that arise from, signing the acknowledgment.

“(ii) Such procedures must include a hospital-based program for the voluntary acknowledgment of paternity focusing on the period immediately before or after the birth of a child.

“(iii) Such procedures must require the State agency responsible for maintaining birth records to offer voluntary paternity establishment services.

“(iv) The Secretary shall prescribe regulations governing voluntary paternity establishment services offered by hospitals and birth record agencies. The Secretary shall prescribe regulations specifying the types of other entities that may offer voluntary paternity establishment services, and governing the provision of such services, which shall include a requirement that such an en-

tity must use the same notice provisions used by, the same materials used by, provide the personnel providing such services with the same training provided by, and evaluate the provision of such services in the same manner as, voluntary paternity establishment programs of hospitals and birth record agencies.

“(D)(i) Procedures under which a signed acknowledgment of paternity is considered a legal finding of paternity, subject to the right of any signatory to rescind the acknowledgment within 60 days.

“(ii)(I) Procedures under which, after the 60-day period referred to in clause (i), a signed acknowledgment of paternity may be challenged in court only on the basis of fraud, duress, or material mistake of fact, with the burden of proof upon the challenger, and under which the legal responsibilities (including child support obligations) of any signatory arising from the acknowledgment may not be suspended during the challenge, except for good cause shown.

“(II) Procedures under which, after the 60-day period referred to in clause (i), a minor who signs an acknowledgment of paternity other than in the presence of a parent or court-appointed guardian ad litem may rescind the acknowledgment in a judicial or administrative proceeding, until the earlier of—

“(aa) attaining the age of majority; or

“(bb) the date of the first judicial or administrative proceeding brought (after the signing) to establish a child support obligation, visitation rights, or custody rights with respect to the child whose paternity is the subject of the acknowledgment, and at which the minor is represented by a parent, guardian ad litem, or attorney.

“(E) Procedures under which no judicial or administrative proceedings are required or permitted to ratify an unchallenged acknowledgment of paternity.

“(F) Procedures requiring—

“(i) that the State admit into evidence, for purposes of establishing paternity, results of any genetic test that is—

“(I) of a type generally acknowledged, by accreditation bodies designated by the Secretary, as reliable evidence of paternity; and

“(II) performed by a laboratory approved by such an accreditation body;

“(ii) that any objection to genetic testing results must be made in writing not later than a specified number of days before any hearing at which such results may be introduced into evidence (or, at State option, not later than a specified number of days after receipt of such results); and

“(iii) that, if no objection is made, the test results are admissible as evidence of paternity without the need for foundation testimony or other proof of authenticity or accuracy.”; and

(3) by adding after subparagraph (H) the following new subparagraphs:

“(I) Procedures providing that the parties to an action to establish paternity are not entitled to a jury trial.

“(J) Procedures which require that a temporary order be issued, upon motion by a party, requiring the provision of child support pending an administrative or judicial determination of parentage, where there is clear and convincing evidence of paternity (on the basis of genetic tests or other evidence).

“(K) Procedures under which bills for pregnancy, childbirth, and genetic testing are admissible as evidence without requiring third-party foundation testimony, and shall constitute prima facie evidence of amounts incurred for such services and testing on behalf of the child.

“(L) At the option of the State, procedures under which the tribunal establishing pater-

nity and support has discretion to waive rights to all or part of amounts owed to the State (but not to the mother) for costs related to pregnancy, childbirth, and genetic testing and for public assistance paid to the family where the father cooperates or acknowledges paternity before or after genetic testing.

“(M) Procedures ensuring that the putative father has a reasonable opportunity to initiate a paternity action.”.

(b) TECHNICAL AMENDMENT.—Section 468 (42 U.S.C. 668) is amended by striking “a simple civil process for voluntarily acknowledging paternity and”.

##### SEC. 342. OUTREACH FOR VOLUNTARY PATERNITY ESTABLISHMENT.

(a) STATE PLAN REQUIREMENT.—Section 454(23) (42 U.S.C. 654(23)) is amended—

(1) by striking “(23)” and inserting “(23)(A)”;

(2) by inserting “and” after the semicolon; and

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

“(B) publicize the availability and encourage the use of procedures for voluntary establishment of paternity and child support through a variety of means, which—

“(i) include distribution of written materials at health care facilities (including hospitals and clinics), and other locations such as schools;

“(ii) may include pre-natal programs to educate expectant couples on individual and joint rights and responsibilities with respect to paternity (and may require all expectant recipients of assistance under part A to participate in such pre-natal programs, as an element of cooperation with efforts to establish paternity and child support);

“(iii) include, with respect to each child discharged from a hospital after birth for whom paternity or child support has not been established, reasonable follow-up efforts, providing—

“(I) in the case of a child for whom paternity has not been established, information on the benefits of and procedures for establishing paternity; and

“(II) in the case of a child for whom paternity has been established but child support has not been established, information on the benefits of and procedures for establishing a child support order, and an application for child support services;”.

(b) ENHANCED FEDERAL MATCHING.—Section 455(a)(1)(C) (42 U.S.C. 655(a)(1)(C)) is amended—

(1) by inserting “(i)” before “laboratory costs”; and

(2) by inserting before the semicolon “, and (ii) costs of outreach programs designed to encourage voluntary acknowledgment of paternity”.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsection (a) shall become effective October 1, 1997.

(2) EXCEPTION.—The amendments made by subsection (b) shall be effective with respect to calendar quarters beginning on and after October 1, 1996.

#### PART VI—ESTABLISHMENT AND MODIFICATION OF SUPPORT ORDERS

##### SEC. 351. NATIONAL CHILD SUPPORT GUIDELINES COMMISSION.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the “National Child Support Guidelines Commission” (in this section referred to as the “Commission”).

(b) GENERAL DUTIES.—

(1) IN GENERAL.—The Commission shall determine—

(A) whether it is appropriate to develop a national child support guideline for consideration by the Congress or for adoption by individual States; or

(B) based on a study of various guideline models, the benefits and deficiencies of such models, and any needed improvements.

(2) DEVELOPMENT OF MODELS.—If the Commission determines under paragraph (1)(A) that a national child support guideline is needed or under paragraph (1)(B) that improvements to guideline models are needed, the Commission shall develop such national guideline or improvements.

(c) MATTERS FOR CONSIDERATION BY THE COMMISSION.—In making the recommendations concerning guidelines required under subsection (b), the Commission shall consider—

(1) the adequacy of State child support guidelines established pursuant to section 467 of the Social Security Act;

(2) matters generally applicable to all support orders, including—

(A) the feasibility of adopting uniform terms in all child support orders;

(B) how to define income and under what circumstances income should be imputed; and

(C) tax treatment of child support payments;

(3) the appropriate treatment of cases in which either or both parents have financial obligations to more than 1 family, including the effect (if any) to be given to—

(A) the income of either parent's spouse; and

(B) the financial responsibilities of either parent for other children or stepchildren;

(4) the appropriate treatment of expenses for child care (including care of the children of either parent, and work-related or job-training-related child care);

(5) the appropriate treatment of expenses for health care (including uninsured health care) and other extraordinary expenses for children with special needs;

(6) the appropriate duration of support by 1 or both parents, including

(A) support (including shared support) for post-secondary or vocational education; and

(B) support for disabled adult children;

(7) procedures to automatically adjust child support orders periodically to address changed economic circumstances, including changes in the consumer price index or either parent's income and expenses in particular cases;

(8) procedures to help non-custodial parents address grievances regarding visitation and custody orders to prevent such parents from withholding child support payments until such grievances are resolved; and

(9) whether, or to what extent, support levels should be adjusted in cases in which custody is shared or in which the noncustodial parent has extended visitation rights.

(d) MEMBERSHIP.—

(1) NUMBER; APPOINTMENT.—

(A) IN GENERAL.—The Commission shall be composed of 12 individuals appointed jointly by the Secretary of Health and Human Services and the Congress, not later than January 15, 1997, of which—

(i) 2 shall be appointed by the Chairman of the Committee on Finance of the Senate, and 1 shall be appointed by the ranking minority member of the Committee;

(ii) 2 shall be appointed by the Chairman of the Committee on Ways and Means of the House of Representatives, and 1 shall be appointed by the ranking minority member of the Committee; and

(iii) 6 shall be appointed by the Secretary of Health and Human Services.

(B) QUALIFICATIONS OF MEMBERS.—Members of the Commission shall have expertise and experience in the evaluation and develop-

ment of child support guidelines. At least 1 member shall represent advocacy groups for custodial parents, at least 1 member shall represent advocacy groups for noncustodial parents, and at least 1 member shall be the director of a State program under part D of title IV of the Social Security Act.

(2) TERMS OF OFFICE.—Each member shall be appointed for a term of 2 years. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(e) COMMISSION POWERS, COMPENSATION, ACCESS TO INFORMATION, AND SUPERVISION.—The first sentence of subparagraph (C), the first and third sentences of subparagraph (D), subparagraph (F) (except with respect to the conduct of medical studies), clauses (ii) and (iii) of subparagraph (G), and subparagraph (H) of section 1886(e)(6) of the Social Security Act shall apply to the Commission in the same manner in which such provisions apply to the Prospective Payment Assessment Commission.

(f) REPORT.—Not later than 2 years after the appointment of members, the Commission shall submit to the President, the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate, a recommended national child support guideline and a final assessment of issues relating to such a proposed national child support guideline.

(g) TERMINATION.—The Commission shall terminate 6 months after the submission of the report described in subsection (e).

**SEC. 352. SIMPLIFIED PROCESS FOR REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS.**

Section 466(a)(10) (42 U.S.C. 666(a)(10)) is amended to read as follows:

“(10)(A)(i) Procedures under which—

“(I) every 3 years, at the request of either parent subject to a child support order, the State shall review and, as appropriate, adjust the order in accordance with the guidelines established under section 467(a) if the amount of the child support award under the order differs from the amount that would be awarded in accordance with such guidelines, without a requirement for any other change in circumstances; and

“(II) upon request at any time of either parent subject to a child support order, the State shall review and, as appropriate, adjust the order in accordance with the guidelines established under section 467(a) based on a substantial change in the circumstances of either such parent.

“(ii) Such procedures shall require both parents subject to a child support order to be notified of their rights and responsibilities provided for under clause (i) at the time the order is issued and in the annual information exchange form provided under subparagraph (B).

“(B) Procedures under which each child support order issued or modified in the State after the effective date of this subparagraph shall require the parents subject to the order to provide each other with a complete statement of their respective financial condition annually on a form which shall be provided by the State. The Secretary shall establish regulations for the enforcement of such exchange of information.”

**PART VII—ENFORCEMENT OF SUPPORT ORDERS**

**SEC. 361. FEDERAL INCOME TAX REFUND OFFSET.**

(a) CHANGED ORDER OF REFUND DISTRIBUTION UNDER INTERNAL REVENUE CODE.—Section 6402(c) of the Internal Revenue Code of 1986 (relating to offset of past-due support against overpayments) is amended—

(1) by striking “The amount” and inserting “(1) IN GENERAL.—The amount”;

(2) by striking “paid to the State. A reduction” and inserting “paid to the State”.

“(2) PRIORITIES FOR OFFSET.—A reduction”;

(3) by striking “has been assigned” and inserting “has not been assigned”; and

(4) by striking “and shall be applied” and all that follows and inserting “and shall thereafter be applied to satisfy any past-due support that has been so assigned.”

(b) ELIMINATION OF DISPARITIES IN TREATMENT OF ASSIGNED AND NON-ASSIGNED ARREARAGES.—

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

(A) in paragraph (1)—

(i) in the first sentence, by striking “which has been assigned to such State pursuant to section 402(a)(26) or section 471(a)(17)”;

(ii) in the second sentence, by striking “in accordance with section 457 (b)(4) or (d)(3)” and inserting “as provided in paragraph (2)”;

(B) in paragraph (2), to read as follows:

“(2) The State agency shall distribute amounts paid by the Secretary of the Treasury pursuant to paragraph (1)—

“(A) in accordance with subsection (a)(4) or (d)(3) of section 457, in the case of past-due support assigned to a State pursuant to section 402(a)(26) or section 471(a)(17); and

“(B) to or on behalf of the child to whom the support was owed, in the case of past-due support not so assigned.”;

(C) in paragraph (3)—

(i) by striking “or (2)” each place it appears; and

(ii) in subparagraph (B), by striking “under paragraph (2)” and inserting “on account of past-due support described in paragraph (2)(B)”.

(2) NOTICES OF PAST-DUE SUPPORT.—Section 464(b) (42 U.S.C. 664(b)) is amended—

(A) by striking “(b)(1)” and inserting “(b)”;

(B) by striking paragraph (2).

(3) DEFINITION OF PAST-DUE SUPPORT.—Section 464(c) (42 U.S.C. 664(c)) is amended—

(A) by striking “(c)(1) Except as provided in paragraph (2), as” and inserting “(c) As”; and

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

(c) TREATMENT OF LUMP-SUM TAX REFUND UNDER AFDC.—

(1) EXEMPTION FROM LUMP-SUM RULE.—Section 402(a)(17) (42 U.S.C. 602(a)(17)) is amended by inserting before the semicolon at the end the following: “, but this paragraph shall not apply to income received by a family that is attributable to a child support obligation owed with respect to a member of the family and that is paid to the family from amounts withheld from a Federal income tax refund otherwise payable to the person owing such obligation, to the extent that such income is placed in a qualified asset account (as defined in section 406(i)) the total amounts in which, after such placement, does not exceed \$10,000”.

(2) QUALIFIED ASSET ACCOUNT DEFINED.—Section 406 (42 U.S.C. 606) is amended by adding at the end the following new subsection:

“(i)(1) The term ‘qualified asset account’ means a mechanism approved by the State (such as individual retirement accounts, escrow accounts, or savings bonds) that allows savings of a family receiving aid to families with dependent children to be used for qualified distributions.

“(2) The term ‘qualified distribution’ means a distribution from a qualified asset account for expenses directly related to 1 or more of the following purposes:

“(A) The attendance of a member of the family at any education or training program.

“(B) The improvement of the employability (including self-employment) of a member of the family (such as through the purchase of an automobile).

“(C) The purchase of a home for the family.”

“(D) A change of the family residence.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall become effective October 1, 1999.

**SEC. 362. INTERNAL REVENUE SERVICE COLLECTION OF ARREARAGES.**

(a) AMENDMENT TO INTERNAL REVENUE CODE.—Section 6305(a) of the Internal Revenue Code of 1986 (relating to collection of certain liability) is amended—

(1) in paragraph (1), by inserting “except as provided in paragraph (5)” after “collected”;

(2) by striking “and” at the end of paragraph (3);

(3) by striking the period at the end of paragraph (4) and inserting “, and”;

(4) by adding at the end the following new paragraph:

“(5) no additional fee may be assessed for adjustments to an amount previously certified pursuant to such section 452(b) with respect to the same obligor.”; and

(5) by striking “Secretary of Health, Education, and Welfare” each place it appears and inserting “Secretary of Health and Human Services”.

(b) EFFECTIVE DATE.—The amendments made by this section shall become effective October 1, 1997.

**SEC. 363. AUTHORITY TO COLLECT SUPPORT FROM FEDERAL EMPLOYEES.**

(a) CONSOLIDATION AND STREAMLINING OF AUTHORITIES.—Section 459 (42 U.S.C. 659) is amended—

(1) in the heading, by inserting “INCOME WITHHOLDING,” before “GARNISHMENT”;

(2) in subsection (a)—

(A) by striking “section 207” and inserting “section 207 and section 5301 of title 38, United States Code”; and

(B) by striking “to legal process” and all that follows through the period and inserting “to withholding in accordance with State law pursuant to subsections (a)(1) and (b) of section 466 and regulations of the Secretary thereunder, and to any other legal process brought, by a State agency administering a program under this part or by an individual obligee, to enforce the legal obligation of such individual to provide child support or alimony.”;

(3) by striking subsection (b) and inserting the following new subsection:

“(b) Except as otherwise provided herein, each entity specified in subsection (a) shall be subject, with respect to notice to withhold income pursuant to subsection (a)(1) or (b) of section 466, or to any other order or process to enforce support obligations against an individual (if such order or process contains or is accompanied by sufficient data to permit prompt identification of the individual and the moneys involved), to the same requirements as would apply if such entity were a private person.”;

(4) by striking subsections (c) and (d) and inserting the following new subsections:

“(c)(1) The head of each agency subject to the requirements of this section shall—

“(A) designate an agent or agents to receive orders and accept service of process; and

“(B) publish—

“(i) in the appendix of such regulations;

“(ii) in each subsequent republication of such regulations; and

“(iii) annually in the Federal Register, the designation of such agent or agents, identified by title of position, mailing address, and telephone number.

“(2) Whenever an agent designated pursuant to paragraph (1) receives notice pursuant to subsection (a)(1) or (b) of section 466, or is effectively served with any order, process, or interrogatories, with respect to an individ-

ual’s child support or alimony payment obligations, such agent shall—

“(A) as soon as possible (but not later than 15 days) thereafter, send written notice of such notice or service (together with a copy thereof) to such individual at his duty station or last-known home address;

“(B) not later than 30 days (or such longer period as may be prescribed by applicable State law) after receipt of a notice pursuant to subsection (a)(1) or (b) of section 466, comply with all applicable provisions of such section 466; and

“(C) not later than 30 days (or such longer period as may be prescribed by applicable State law) after effective service of any other such order, process, or interrogatories, respond thereto.

“(d) In the event that a governmental entity receives notice or is served with process, as provided in this section, concerning amounts owed by an individual to more than 1 person—

“(1) support collection under section 466(b) must be given priority over any other process, as provided in section 466(b)(7);

“(2) allocation of moneys due or payable to an individual among claimants under section 466(b) shall be governed by the provisions of such section 466(b) and regulations thereunder; and

“(3) such moneys as remain after compliance with subparagraphs (A) and (B) shall be available to satisfy any other such processes on a first-come, first-served basis, with any such process being satisfied out of such moneys as remain after the satisfaction of all such processes which have been previously served.”;

(5) in subsection (f)—

(A) by striking “(f)” and inserting “(f)(1)”;

and

(B) by adding at the end the following new paragraph:

“(2) No Federal employee whose duties include taking actions necessary to comply with the requirements of subsection (a) with regard to any individual shall be subject under any law to any disciplinary action or civil or criminal liability or penalty for, or on account of, any disclosure of information made by him in connection with the carrying out of such duties.”; and

(6) by adding at the end the following new subsections:

“(g) Authority to promulgate regulations for the implementation of the provisions of this section shall, insofar as the provisions of this section are applicable to moneys due from (or payable by)—

“(1) the executive branch of the Federal Government (including in such branch, for the purposes of this subsection, the territories and possessions of the United States, the United States Postal Service, the Postal Rate Commission, any wholly owned Federal corporation created by an Act of Congress, and the government of the District of Columbia), be vested in the President (or the President’s designee);

“(2) the legislative branch of the Federal Government, be vested jointly in the President pro tempore of the Senate and the Speaker of the House of Representatives (or their designees); and

“(3) the judicial branch of the Federal Government, be vested in the Chief Justice of the United States (or the Chief Justice’s designee).

“(h) Subject to subsection (i), moneys paid or payable to an individual which are considered to be based upon remuneration for employment, for purposes of this section—

“(1) consist of—

“(A) compensation paid or payable for personal services of such individual, whether such compensation is denominated as wages, salary, commission, bonus, pay, allowances,

or otherwise (including severance pay, sick pay, and incentive pay);

“(B) periodic benefits (including a periodic benefit as defined in section 228(h)(3)) or other payments—

“(i) under the insurance system established by title II;

“(ii) under any other system or fund established by the United States which provides for the payment of pensions, retirement or retired pay, annuities, dependents’ or survivors’ benefits, or similar amounts payable on account of personal services performed by the individual or any other individual;

“(iii) as compensation for death under any Federal program;

“(iv) under any Federal program established to provide ‘black lung’ benefits; or

“(v) by the Secretary of Veterans Affairs as pension, or as compensation for a service-connected disability or death (except any compensation paid by such Secretary to a former member of the Armed Forces who is in receipt of retired or retainer pay if such former member has waived a portion of his retired pay in order to receive such compensation); and

“(C) worker’s compensation benefits paid under Federal or State law; but

“(2) do not include any payment—

“(A) by way of reimbursement or otherwise, to defray expenses incurred by such individual in carrying out duties associated with his employment; or

“(B) as allowances for members of the uniformed services payable pursuant to chapter 7 of title 37, United States Code, as prescribed by the Secretaries concerned (defined by section 101(5) of such title) as necessary for the efficient performance of duty.

“(i) In determining the amount of any moneys due from, or payable by, the United States to any individual, there shall be excluded amounts which—

“(1) are owed by such individual to the United States;

“(2) are required by law to be, and are, deducted from the remuneration or other payment involved, including Federal employment taxes, and fines and forfeitures ordered by court-martial;

“(3) are properly withheld for Federal, State, or local income tax purposes, if the withholding of such amounts is authorized or required by law and if amounts withheld are not greater than would be the case if such individual claimed all the dependents that the individual was entitled to (the withholding of additional amounts pursuant to section 3402(i) of the Internal Revenue Code of 1986 may be permitted only when such individual presents evidence of a tax obligation which supports the additional withholding);

“(4) are deducted as health insurance premiums;

“(5) are deducted as normal retirement contributions (not including amounts deducted for supplementary coverage); or

“(6) are deducted as normal life insurance premiums from salary or other remuneration for employment (not including amounts deducted for supplementary coverage).”.

“(j) For purposes of this section—

(b) TRANSFER OF SUBSECTIONS.—Subsections (a) through (d) of section 462 (42 U.S.C. 662), are transferred and redesignated as paragraphs (1) through (4), respectively, of section 459(j) (as added by subsection (a)(6)), and the left margin of each of such paragraphs (1) through (4) is indented 2 ems to the right of the left margin of subsection (j) (as added by subsection (a)(6)).

(c) CONFORMING AMENDMENTS.—

(1) TO PART D OF TITLE IV.—Sections 461 and 462 (42 U.S.C. 661) are repealed.

(2) TO TITLE 5, UNITED STATES CODE.—Section 5520a of title 5, United States Code, is amended, in subsections (h)(2) and (i), by

striking "sections 459, 461, and 462 of the Social Security Act (42 U.S.C. 659, 661, and 662)" each place it appears and inserting "section 459 of the Social Security Act (42 U.S.C. 659)".

(d) **MILITARY RETIRED AND RETAINER PAY.**—Section 1408 of title 10, United States Code, is amended—

- (1) in subsection (a)—
- (A) in paragraph (1)—
- (i) in subparagraph (B), by striking "and";
- (ii) in subparagraph (C), by striking the period and inserting "; and"; and
- (iii) by adding at the end the following new subparagraph:

"(D) any administrative or judicial tribunal of a State competent to enter orders for support or maintenance (including a State agency administering a State program under part D of title IV of the Social Security Act).";

(B) in paragraph (2), by inserting "or a court order for the payment of child support not included in or accompanied by such a decree or settlement," before "which—";

(2) in subsection (d)—

(A) in the heading, by inserting "(OR FOR BENEFIT OF)" after "CONCERNED"; and

(B) in paragraph (1), in the first sentence, by inserting "(or for the benefit of such spouse or former spouse to a State central collections unit or other public payee designated by a State, in accordance with part D of title IV of the Social Security Act, as directed by court order, or as otherwise directed in accordance with such part D)" before "in an amount sufficient"; and

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

"(j) **RELATIONSHIP TO OTHER LAWS.**—In any case involving a child support order against a member who has never been married to the other parent of the child, the provisions of this section shall not apply, and the case shall be subject to the provisions of section 459 of the Social Security Act.".

(e) **EFFECTIVE DATE.**—The amendments made by this section shall become effective 6 months after the date of the enactment of this Act.

**SEC. 364. ENFORCEMENT OF CHILD SUPPORT OBLIGATIONS OF MEMBERS OF THE ARMED FORCES.**

(a) **AVAILABILITY OF LOCATOR INFORMATION.**—

(1) **MAINTENANCE OF ADDRESS INFORMATION.**—The Secretary of Defense shall establish a centralized personnel locator service that includes the address of each member of the Armed Forces under the jurisdiction of the Secretary. Upon request of the Secretary of Transportation, addresses for members of the Coast Guard shall be included in the centralized personnel locator service.

(2) **TYPE OF ADDRESS.**—

(A) **RESIDENTIAL ADDRESS.**—Except as provided in subparagraph (B), the address for a member of the Armed Forces shown in the locator service shall be the residential address of that member.

(B) **DUTY ADDRESS.**—The address for a member of the Armed Forces shown in the locator service shall be the duty address of that member in the case of a member—

(i) who is permanently assigned overseas, to a vessel, or to a routinely deployable unit; or

(ii) with respect to whom the Secretary concerned makes a determination that the member's residential address should not be disclosed due to national security or safety concerns.

(3) **UPDATING OF LOCATOR INFORMATION.**—Not later than 30 days after a member listed in the locator service establishes a new residential address (or a new duty address, in the case of a member covered by paragraph (2)(B)), the Secretary concerned shall update

the locator service to indicate the new address of the member.

(4) **AVAILABILITY OF INFORMATION.**—The Secretary of Defense shall make information regarding the address of a member of the Armed Forces listed in the locator service available, on request, to the Federal Parent Locator Service.

(b) **FACILITATING GRANTING OF LEAVE FOR ATTENDANCE AT HEARINGS.**—

(1) **REGULATIONS.**—The Secretary of each military department, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, shall prescribe regulations to facilitate the granting of leave to a member of the Armed Forces under the jurisdiction of that Secretary in a case in which—

(A) the leave is needed for the member to attend a hearing described in paragraph (2);

(B) the member is not serving in or with a unit deployed in a contingency operation (as defined in section 101 of title 10, United States Code); and

(C) the exigencies of military service (as determined by the Secretary concerned) do not otherwise require that such leave not be granted.

(2) **COVERED HEARINGS.**—Paragraph (1) applies to a hearing that is conducted by a court or pursuant to an administrative process established under State law, in connection with a civil action—

(A) to determine whether a member of the Armed Forces is a natural parent of a child; or

(B) to determine an obligation of a member of the Armed Forces to provide child support.

(3) **DEFINITIONS.**—For purposes of this subsection:

(A) The term "court" has the meaning given that term in section 1408(a) of title 10, United States Code.

(B) The term "child support" has the meaning given such term in section 462 of the Social Security Act (42 U.S.C. 662).

(c) **PAYMENT OF MILITARY RETIRED PAY IN COMPLIANCE WITH CHILD SUPPORT ORDERS.**—Section 1408 of title 10, United States Code, as amended by section 363(d)(3), is amended—

(1) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively;

(2) by inserting after subsection (h) the following new subsection:

"(i) **CERTIFICATION DATE.**—It is not necessary that the date of a certification of the authenticity or completeness of a copy of a court order or an order of an administrative process established under State law for child support received by the Secretary concerned for the purposes of this section be recent in relation to the date of receipt by the Secretary."; and

(3) in subsection (d)—

(A) in paragraph (1), by inserting after the first sentence the following: "In the case of a spouse or former spouse who, pursuant to section 402(a)(26) of the Social Security Act (42 U.S.C. 602(26)), assigns to a State the rights of the spouse or former spouse to receive support, the Secretary concerned may make the child support payments referred to in the preceding sentence to that State in amounts consistent with that assignment of rights."; and

(B) by adding at the end the following new paragraph:

"(6) In the case of a court order or an order of an administrative process established under State law for which effective service is made on the Secretary concerned on or after the date of the enactment of this paragraph and which provides for payments from the disposable retired pay of a member to satisfy the amount of child support set forth in the order, the authority provided in paragraph (1) to make payments from the disposable re-

tired pay of a member to satisfy the amount of child support set forth in a court order or an order of an administrative process established under State law shall apply to payment of any amount of child support arrearages set forth in that order as well as to amounts of child support that currently become due.".

**SEC. 365. VOIDING OF FRAUDULENT TRANSFERS.**

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 302(a), 326(a), and 331, is amended by adding at the end the following new paragraph:

"(15) Procedures under which—

"(A) the State has in effect—

"(i) the Uniform Fraudulent Conveyance Act of 1981,

"(ii) the Uniform Fraudulent Transfer Act of 1984, or

"(iii) another law, specifying indicia of fraud which create a prima facie case that a debtor transferred income or property to avoid payment to a child support creditor, which the Secretary finds affords comparable rights to child support creditors; and

"(B) in any case in which the State knows of a transfer by a child support debtor with respect to which such a prima facie case is established, the State must—

"(i) seek to void such transfer; or

"(ii) obtain a settlement in the best interests of the child support creditor.".

**SEC. 366. STATE LAW AUTHORIZING SUSPENSION OF LICENSES.**

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 302(a), 326(a), 331, and 365, is amended by adding at the end the following new paragraph:

"(16) Procedures under which the State has (and uses in appropriate cases) authority (subject to appropriate due process safeguards) to withhold or suspend, or to restrict the use of driver's licenses, professional and occupational licenses, and recreational licenses of individuals owing overdue child support or failing, after receiving appropriate notice, to comply with subpoenas or warrants relating to paternity or child support proceedings.".

**SEC. 367. REPORTING ARREARAGES TO CREDIT BUREAUS.**

Section 466(a)(7) (42 U.S.C. 666(a)(7)) is amended to read as follows:

"(7)(A) Procedures (subject to safeguards pursuant to subparagraph (B)) requiring the State to report periodically to consumer reporting agencies (as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) the name of any absent parent who is delinquent in the payment of support, and the amount of overdue support owed by such parent.

"(B) Procedures ensuring that, in carrying out subparagraph (A), information with respect to an absent parent is reported—

"(i) only after such parent has been afforded all due process required under State law, including notice and a reasonable opportunity to contest the accuracy of such information; and

"(ii) only to an entity that has furnished evidence satisfactory to the State that the entity is a consumer reporting agency.".

**SEC. 368. EXTENDED STATUTE OF LIMITATION FOR COLLECTION OF ARREARAGES.**

(a) **IN GENERAL.**—Section 466(a)(9) (42 U.S.C. 666(a)(9)) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) by striking "(9)" and inserting "(9)(A)"; and

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

"(B) Procedures under which the statute of limitations on any arrearages of child support extends at least until the child owed such support is 30 years of age.".

(b) APPLICATION OF REQUIREMENT.—The amendment made by this section shall not be interpreted to require any State law to revive any payment obligation which had lapsed prior to the effective date of such State law.

**SEC. 369. CHARGES FOR ARREARAGES.**

(a) STATE LAW REQUIREMENT.—Section 466(a) (42 U.S.C. 666(a)), as amended by sections 302(a), 326(a), 331, 365, and 367, is amended by adding at the end the following new paragraph:

“(17) Procedures providing for the calculation and collection of interest or penalties for arrearages of child support, and for distribution of such interest or penalties collected for the benefit of the child (except where the right to support has been assigned to the State).”

(b) REGULATIONS.—The Secretary of Health and Human Services shall establish by regulation a rule to resolve choice of law conflicts arising in the implementation of the amendment made by subsection (a).

(c) CONFORMING AMENDMENT.—Section 454(21) (42 U.S.C. 654(21)) is repealed.

(d) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to arrearages accruing on or after October 1, 1998.

**SEC. 370. DENIAL OF PASSPORTS FOR NONPAYMENT OF CHILD SUPPORT.**

(a) HHS CERTIFICATION PROCEDURE.—

(1) SECRETARIAL RESPONSIBILITY.—Section 452 (42 U.S.C. 652), as amended by sections 315(a)(3) and 317, is amended by adding at the end the following new subsection:

“(1)(I) If the Secretary receives a certification by a State agency in accordance with the requirements of section 454(29) that an individual owes arrearages of child support in an amount exceeding \$5,000 or in an amount exceeding 24 months’ worth of child support, the Secretary shall transmit such certification to the Secretary of State for action (with respect to denial, revocation, or limitation of passports) pursuant to section 370(b) of the Interstate Child Support Responsibility Act of 1995.

“(2) The Secretary shall not be liable to an individual for any action with respect to a certification by a State agency under this section.”

(2) STATE CSE AGENCY RESPONSIBILITY.—Section 454 (42 U.S.C. 654), as amended by sections 301(a), 305(a), 314(b), and 322(a), is amended—

(A) by striking “and” at the end of paragraph (27);

(B) by striking the period at the end of paragraph (28) and inserting “; and”; and

(C) by adding after paragraph (28) the following new paragraph:

“(29) provide that the State agency will have in effect a procedure (which may be combined with the procedure for tax refund offset under section 464) for certifying to the Secretary, for purposes of the procedure under section 452(l) (concerning denial of passports) determinations that individuals owe arrearages of child support in an amount exceeding \$5,000 or in an amount exceeding 24 months’ worth of child support, under which procedure—

“(A) each individual concerned is afforded notice of such determination and the consequences thereof, and an opportunity to contest the determination; and

“(B) the certification by the State agency is furnished to the Secretary in such format, and accompanied by such supporting documentation, as the Secretary may require.”

(b) STATE DEPARTMENT PROCEDURE FOR DENIAL OF PASSPORTS.—

(1) IN GENERAL.—The Secretary of State, upon certification by the Secretary of Health and Human Services, in accordance with sec-

tion 452(l) of the Social Security Act, that an individual owes arrearages of child support in excess of \$5,000 or in an amount exceeding 24 months’ worth of child support, shall refuse to issue a passport to such individual, and may revoke, restrict, or limit a passport issued previously to such individual.

(2) LIMIT ON LIABILITY.—The Secretary of State shall not be liable to an individual for any action with respect to a certification by a State agency under this section.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall become effective October 1, 1996.

**PART VIII—MEDICAL SUPPORT**

**SEC. 381. TECHNICAL CORRECTION TO ERISA DEFINITION OF MEDICAL CHILD SUPPORT ORDER.**

(a) IN GENERAL.—Section 609(a)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1169(a)(2)(B)) is amended—

(1) by striking “issued by a court of competent jurisdiction”;

(2) in clause (ii) by striking the period and inserting a comma; and

(3) by adding after clause (ii), the following flush left language:

“if such judgment, decree, or order (I) is issued by a court of competent jurisdiction or (II) is issued by an administrative adjudicator and has the force and effect of law under applicable State law.”

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall become effective on the date of the enactment of this Act.

(2) PLAN AMENDMENTS NOT REQUIRED UNTIL JANUARY 1, 1996.—

(A) IN GENERAL.—Any amendment to a plan required to be made by an amendment made by this section shall not be required to be made before the first plan year beginning on or after January 1, 1996, if—

(i) during the period after the date before the date of the enactment of this Act and before such first plan year, the plan is operated in accordance with the requirements of the amendments made by this section; and

(ii) such plan amendment applies retroactively to the period after the date before the date of the enactment of this Act and before such first plan year.

(B) NO FAILURE FOR COMPLIANCE WITH THIS PARAGRAPH.—A plan shall not be treated as failing to be operated in accordance with the provisions of the plan merely because it operates in accordance with this paragraph.

**PART IX—ACCESS AND VISITATION PROGRAMS**

**SEC. 391. GRANTS TO STATES FOR ACCESS AND VISITATION PROGRAMS.**

Part D of title IV is amended by adding at the end the following new section:

**“GRANTS TO STATES FOR ACCESS AND VISITATION PROGRAMS**

“SEC. 469A. (a) PURPOSES; AUTHORIZATION OF APPROPRIATIONS.—For purposes of enabling States to establish and administer programs to support and facilitate absent parents’ access to and visitation of their children, by means of activities including mediation (both voluntary and mandatory), counseling, education, development of parenting plans, visitation enforcement (including monitoring, supervision, and neutral drop-off and pickup), and development of guidelines for visitation and alternative custody arrangements, there are authorized to be appropriated \$5,000,000 for each of fiscal years 1996 and 1997, and \$10,000,000 for each succeeding fiscal year.

“(b) PAYMENTS TO STATES.—

“(1) IN GENERAL.—Each State shall be entitled to payment under this section for each fiscal year in an amount equal to its allotment under subsection (c) for such fiscal

year, to be used for payment of 90 percent of State expenditures for the purposes specified in subsection (a).

“(2) SUPPLEMENTARY USE.—Payments under this section shall be used by a State to supplement (and not to substitute for) expenditures by the State, for activities specified in subsection (a), at a level at least equal to the level of such expenditures for fiscal year 1994.

“(c) ALLOTMENTS TO STATES.—

“(1) IN GENERAL.—For purposes of subsection (b), each State shall be entitled (subject to paragraph (2)) to an amount for each fiscal year bearing the same ratio to the amount authorized to be appropriated pursuant to subsection (a) for such fiscal year as the number of children in the State living with only 1 biological parent bears to the total number of such children in all States.

“(2) MINIMUM ALLOTMENT.—Allotments to States under paragraph (1) shall be adjusted as necessary to ensure that no State is allotted less than \$50,000 for fiscal year 1996 or 1997, or \$100,000 for any succeeding fiscal year.

“(d) FEDERAL ADMINISTRATION.—The program under this section shall be administered by the Administration for Children and Families.

“(e) STATE PROGRAM ADMINISTRATION.—

“(1) IN GENERAL.—Each State may administer the program under this section directly or through grants to or contracts with courts, local public agencies, or nonprofit private entities.

“(2) STATEWIDE PLAN PERMISSIBLE.—State programs under this section may, but need not, be statewide.

“(3) EVALUATION.—States administering programs under this section shall monitor, evaluate, and report on such programs in accordance with requirements established by the Secretary.”

**Subtitle B—Effect of Enactment**

**SEC. 395. EFFECTIVE DATES.**

(a) IN GENERAL.—Except as otherwise specifically provided (but subject to subsections (b) and (c))—

(1) provisions of subtitle A requiring enactment or amendment of State laws under section 466 of the Social Security Act, or revision of State plans under section 454 of such Act, shall be effective with respect to periods beginning on and after October 1, 1996; and

(2) all other provisions of subtitle A shall become effective upon the date of the enactment of this Act.

(b) GRACE PERIOD FOR STATE LAW CHANGES.—The provisions of subtitle A shall become effective with respect to a State on the later of—

(1) the date specified in subtitle A, or

(2) the effective date of laws enacted by the legislature of such State implementing such provisions.

but in no event later than the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

(c) GRACE PERIOD FOR STATE CONSTITUTIONAL AMENDMENT.—A State shall not be found out of compliance with any requirement enacted by subtitle A if it is unable to comply without amending the State constitution until the earlier of—

(1) the date which is 1 year after the effective date of the necessary State constitutional amendment, or

(2) the date which is 5 years after the date of the enactment of this Act.

**SEC. 396. SEVERABILITY.**

If any provision of subtitle A or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of subtitle A which can be given effect without regard to the invalid provision or application, and to this end the provisions of subtitle A shall be severable.

**TITLE IV—SUPPLEMENTAL SECURITY INCOME**

**SEC. 401. REVISED REGULATIONS APPLICABLE TO THE DETERMINATION OF DISABILITY IN INDIVIDUALS UNDER THE AGE OF 18.**

(a) REGULATIONS APPLICABLE TO THE DETERMINATION OF DISABILITY IN INDIVIDUALS UNDER THE AGE OF 18.—

(1) IN GENERAL.—The Commissioner of Social Security (hereafter in this section referred to as the “Commissioner”) is directed to issue revised regulations applicable to the determination of disability in individuals under the age of 18 for purposes of establishing eligibility for supplemental security income benefits under title XVI of the Social Security Act that ensure that such eligibility is limited to those individuals whose impairments are sufficiently severe as to meet the statutory definition of disability contained in section 1614(a)(3)(A) of such Act (42 U.S.C. 1382c(a)(3)(A)).

(2) SPECIFIC REQUIREMENTS.—

(A) IN GENERAL.—The regulations described in paragraph (1) shall provide that an individual under the age of 18 may be determined to be under a disability only if the individual’s impairment or combination of impairments is so severe as to cause, at minimum—

- (i) a marked limitation in at least 2 domains of functioning or development; or
- (ii) an extreme limitation in at least 1 such domain.

(B) DOMAIN DEFINED.—As used in subparagraph (A), the term “domain” refers to a broad but, to the maximum extent practicable, discrete area of function or development that can be identified in infancy and traced through an individual’s maturation. Subject to subparagraph (C), the Commissioner shall specify domains and describe the age-appropriate activities and behaviors that characterize each domain. Under no circumstance may the Commissioner specify a domain of maladaptive behavior or consider the limitations caused by such behavior in more than 1 domain.

(C) LIMITATION ON NUMBER OF DOMAINS.—For the purpose of making individualized functional assessments in individuals under the age of 18, the Commissioner shall specify a set of domains consisting of fewer domains than the number in use for such purpose on the date of the enactment of this Act.

(3) DEADLINE.—The Commissioner shall issue the regulations required by this subsection not later than the last day of the ninth month that begins after the date of the enactment of this Act.

(b) DISABILITY REVIEW REQUIRED FOR CERTAIN RECIPIENTS.—

(1) IN GENERAL.—During the period that begins on the effective date of the regulations required by subsection (a) and that ends 2 years after such date, the Commissioner shall redetermine the eligibility for supplemental security income benefits under title XVI of the Social Security Act by reason of disability of each individual receiving such benefits on the basis of a finding of disability made before the effective date of such regulations. The provisions of section 1614(a)(4) of such Act (42 U.S.C. 1382c(a)(4)) shall not apply to redeterminations conducted pursuant to this paragraph. The Commissioner shall except from the requirement of this paragraph any individual whose impairment

or combination of impairments was determined to be disabling in accordance with regulations that were not subject to revision pursuant to subsection (a).

(2) NOTICE.—In any case in which the Commissioner initiates a review under this subsection, the Commissioner shall notify the individual whose case is to be reviewed in the same manner as required under section 221(i)(4) of the Social Security Act (42 U.S.C. 421(i)(4)).

**SEC. 402. DIRECTORY OF SERVICES.**

Section 1631 (42 U.S.C. 1383) is amended by redesignating the second subsection (n) (relating to notice requirements) as subsection (o) and by adding at the end the following new subsection:

“Directory of Services

“(p) For the purpose of expanding the information base available to members of the public who contact the Social Security Administration, the Commissioner of Social Security shall establish a directory of services for disabled children that are available within the area served by each Social Security Administration office. Each such directory shall include the names of service providers, along with each provider’s address and telephone number, and shall be accessible electronically by all agency personnel who provide direct service to the public.”.

**SEC. 403. USE OF STANDARDIZED TESTS AND THEIR EQUIVALENT.**

Section 1614(a)(3)(H) (42 U.S.C. 1382c(a)(3)(H)) is amended—

- (1) by inserting “(i)” after “(H)”; and
- (2) by adding after and below the end the following:

“(i) In making any determination under this title with respect to the disability of an individual who is under the age of 18, the Commissioner shall use—

- “(I) standardized tests that provide measures of childhood development or functioning, or

- “(II) criteria of childhood development or function that are equivalent to the findings of a standardized test, whenever such tests or criteria are available and the Commissioner determines their use to be appropriate.”.

**SEC. 404. GRADUATED BENEFITS FOR ADDITIONAL CHILDREN.**

(a) IN GENERAL.—Section 1611(b) of the Social Security Act (42 U.S.C. 1382(b)) is amended by adding at the end the following new paragraph:

“(3)(A) The benefit under this title for each eligible blind or disabled individual as determined pursuant to section 1611(a)(1) who—

- “(i) is a child under the age of 18,
- “(ii) lives in the same household as 1 or more persons who are also eligible blind or disabled children under the age of 18, and
- “(iii) does not live in a group or foster home,

shall be equal to the applicable percentage of the amount in section 1611(b)(1), reduced by the amount of any income of such child, including income deemed to such child under section 1614(f)(2).

“(B) For purposes of this paragraph, the applicable percentage shall be determined under the following table:

| <b>“If the household has:</b>     | <b>The applicable percentage for each eligible child is:</b> |
|-----------------------------------|--|
| 2 eligible children .....         | 90 percent   |
| 3 eligible children .....         | 80 percent   |
| 4 eligible children .....         | 70 percent   |
| 5 eligible children .....         | 65 percent   |
| 6 eligible children .....         | 60 percent   |
| 7 eligible children .....         | 55 percent   |
| 8 eligible children .....         | 50 percent   |
| 9 eligible children or more ..... | 45 percent   |

“(C) For purposes of this paragraph, the applicable household size shall be determined by the number of eligible blind and disabled children under the age of 18 in such household whose countable income and resources do not exceed the limits specified in section 1611(a)(1).”.

(b) PRESERVATION OF MEDICAID ELIGIBILITY.—Section 1634 (42 U.S.C. 1383c) is amended by adding at the end the following new subsection:

“(f) Any child under the age of 18 who would be eligible for a payment under this title but for the limitation on payment amount imposed by section 1611(b)(3) shall be deemed receiving such benefit for purposes of establishing such child’s eligibility for medical assistance under a State plan approved under title XIX of this Act.”.

(c) CONFORMING AMENDMENT.—Section 1618(e) (42 U.S.C. 1382g(e)) is amended by adding at the end the following new paragraph:

“(3) In determining whether the requirements of paragraph (1) of this subsection are met, the difference between the benefit amounts authorized by section 1611(b)(1) and the benefits authorized after the application of section 1611(b)(3) shall be disregarded.

“(4) For purposes of determining compliance with section 1618(b), decreases or increases in a State’s expenditures in a 12-month period due solely to reductions in amounts of benefits paid pursuant to section 1611(b)(3) shall be disregarded.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect—

- (1) on the date of the enactment of this Act, with respect to payments made on the basis of determinations of eligibility made on or after such date, and

- (2) 180 days after the date of the enactment of this Act, with respect to payments made for months beginning after such date on the basis of determinations of eligibility made before the date of the enactment of this Act.

**SEC. 405. TREATMENT REQUIREMENTS FOR DISABLED INDIVIDUALS UNDER THE AGE OF 18.**

(a) IN GENERAL.—Section 1631(a)(2) (42 U.S.C. 1383(a)(2)) is amended—

- (1) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

- (2) by inserting after subparagraph (D) the following new subparagraph:

“(E)(i) Not later than 3 months after the Commissioner determines that an individual under the age of 18 is eligible for benefits under this title by reason of disability (and periodically thereafter, as the Commissioner may require), the representative payee of such individual shall file with the State agency that makes disability determinations on behalf of the Commissioner of Social Security in the State in which such individual resides, a copy of the treatment plan required by clause (ii).

“(ii) The treatment plan required by this clause shall be developed by the individual’s treating physician or other medical provider, or if approved by the Commissioner, other service provider, and shall describe the services that such physician or provider determines is appropriate for the treatment of such individual’s impairment or combination of impairments. Such plan shall be in such form and contain such information as the Commissioner may prescribe.

“(iii) The representative payee of any individual described in clause (i) shall provide evidence of adherence to the treatment plan described in clause (ii) at the time of any redetermination of eligibility conducted pursuant to section 1614(a)(3)(G)(ii), and at such other time as the Commissioner may prescribe.

“(iv) The failure of a representative payee to comply without good cause with the requirements of clause (i) or (iii) shall constitute misuse of benefits to which subparagraph (A)(iii) (but not subparagraph (F)) shall apply. In providing for an alternative representative payee as required by subparagraph (A)(iii), the Commissioner shall give preference to the State agency that administers the State plan approved under title XIX for the State in which the individual described in clause (i) resides or any other State agency designated by the State for such responsibility, unless the Commissioner determines that selection of another organization or person would be appropriate. Any such State agency that serves as a representative payee shall be a ‘qualified organization’ for purposes of subparagraph (D) of this paragraph.

“(v) This subparagraph shall not apply to the representative payee of any individual with respect to whom the Commissioner determines such application would be inappropriate or unnecessary. In making such determinations, the Commissioner shall take into consideration the nature of the individual’s impairment (or combination of impairments) and the availability of treatment for such impairment (or impairments). Section 1631(c) shall not apply to a finding by the Commissioner that the requirements of this subparagraph should not apply to an individual’s representative payee.”

(b) ACCESS TO MEDICAID RECORDS.—

(1) REQUIREMENT TO FURNISH INFORMATION.—Section 1902(a) (42 U.S.C. 1396a(a)) is amended—

(A) by striking “and” at the end of paragraph (61);

(B) by striking the period at the end of paragraph (62) and inserting “; and”; and

(C) by adding after paragraph (62) the following new paragraph:

“(63) provide that the State agency that administers the plan described in this section shall make available to the Commissioner of Social Security such information as the Commissioner may request in connection with the verification of information furnished to the Commissioner by a representative payee pursuant to section 1631(a)(2)(E)(iii).”

(2) REIMBURSEMENT OF STATE COSTS.—Section 1633 (42 U.S.C. 1383b) is amended by adding at the end the following new subsection:

“(d) The Commissioner of Social Security shall reimburse a State for the costs of providing information pursuant to section 1902(a)(63) from funds available for carrying out this title.”

(c) REPORT TO THE CONGRESS.—Not later than the last day of the thirty-sixth month beginning after the date of the enactment of this Act, the Inspector General of the Social Security Administration shall report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate on the implementation of this section.

(d) EFFECTIVE DATE.—This section shall take effect on the first day of the twelfth month that begins after the date of the enactment of this Act.

**SEC. 406. SPECIAL ACCOUNTS FOR INDIVIDUALS UNDER THE AGE OF 18.**

(a) REQUIREMENT TO ESTABLISH ACCOUNT.—Section 1631(a)(2) (42 U.S.C. 1383(a)(2)), as amended by section 405(a), is amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively; and

(2) by inserting after subparagraph (E) the following new subparagraph:

“(F)(i)(I) Each representative payee of an eligible individual under the age of 18 who is eligible for the payment of benefits described in subclause (II) shall establish on behalf of

such individual an account in a financial institution into which such benefits shall be paid, and shall thereafter maintain such account for use in accordance with clause (ii).

“(II) Benefits described in this subclause are past-due monthly benefits under this title (which, for purposes of this subclause, include State supplementary payments made by the Commissioner pursuant to an agreement under section 1616 or section 212(b) of Public Law 93-66) in an amount (after any withholding by the Commissioner for reimbursement to a State for interim assistance under subsection (g)) that exceeds the product of—

“(aa) 6, and

“(bb) the maximum monthly benefit payable under this title to an eligible individual.

“(ii)(I) A representative payee may use funds in the account established under clause (i) to pay for allowable expenses described in subclause (II).

“(II) An allowable expense described in this subclause is an expense for—

“(aa) education or job skills training;

“(bb) personal needs assistance;

“(cc) special equipment;

“(dd) housing modification;

“(ee) medical treatment;

“(ff) therapy or rehabilitation; or

“(gg) any other item or service that the Commissioner determines to be appropriate; provided that such expense benefits such individual and, in the case of an expense described in division (cc), (dd), (ff), or (gg), is related to the impairment (or combination of impairments) of such individual.

“(III) The use of funds from an account established under clause (i) in any manner not authorized by this clause—

“(aa) by a representative payee shall constitute misuse of benefits for all purposes of this paragraph, and any representative payee who knowingly misuses benefits from such an account shall be liable to the Commissioner in an amount equal to the total amount of such misused benefits; and

“(bb) by an eligible individual who is his or her own representative payee shall be considered an overpayment subject to recovery under subsection (b).

“(IV) This clause shall continue to apply to funds in the account after the child has reached age 18, regardless of whether benefits are paid directly to the beneficiary or through a representative payee.

“(iii) The representative payee may deposit into the account established pursuant to clause (i)—

“(I) past-due benefits payable to the eligible individual in an amount less than that specified in clause (i)(II), and

“(II) any other funds representing an underpayment under this title to such individual, provided that the amount of such underpayment is equal to or exceeds the maximum monthly benefit payable under this title to an eligible individual.

“(iv) The Commissioner of Social Security shall establish a system for accountability monitoring whereby such representative payee shall report, at such time and in such manner as the Commissioner shall require, on activity respecting funds in the account established pursuant to clause (i).”

(b) EXCLUSION FROM RESOURCES.—Section 1613(a) (42 U.S.C. 1382b(a)) is amended—

(1) in paragraph (9), by striking “; and” and inserting a semicolon;

(2) in the first paragraph (10), by striking the period and inserting a semicolon;

(3) by redesignating the second paragraph (10) as paragraph (11), and by striking the period and inserting “; and”; and

(4) by adding at the end the following:

“(12) the assets and accrued interest or other earnings of any account established and maintained in accordance with section 1631(a)(2)(F).”

(c) EXCLUSION FROM INCOME.—Section 1612(b) (42 U.S.C. 1382a(b)) is amended—

(1) by striking “and” at the end of paragraph (19);

(2) by striking the period at the end of paragraph (20) and inserting “; and”; and

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

“(21) the interest or other earnings on any account established and maintained in accordance with section 1631(a)(2)(F).”

(d) CONFORMING AMENDMENT.—Section 1631(a)(2)(E)(iv) of the Act (as added by section 405(a)) is amended by striking “subparagraph (F)” and inserting “subparagraph (G).”

(e) EFFECTIVE DATE.—This section shall take effect on the date which is 180 days after the date of the enactment of this Act.

**SEC. 407. CONTINUING DISABILITY REVIEWS FOR INDIVIDUALS UNDER THE AGE OF 18.**

(a) IN GENERAL.—Section 1614(a)(3) (42 U.S.C. 1382c(a)(3)) is amended by redesignating subparagraph (H) as subparagraph (I) and by inserting after subparagraph (G) the following new subparagraph—

“(H)(i)(I) Except as provided in subclauses (II), (III), and (IV), the Commissioner of Social Security shall redetermine the eligibility for benefits under this title by reason of disability of each individual under the age of 18 at least once every 3 years.

“(II) In any case in which the Commissioner does not expect improvement in the condition of such an individual, the redetermination of eligibility for such benefits shall be made at such times as the Commissioner determines to be appropriate.

“(III) In any case in which the Commissioner determines that the condition of such an individual may be expected to improve within 3 years, such redetermination shall be made at more frequent intervals.

“(IV) The Commissioner shall redetermine the eligibility for benefits under this title by reason of disability of each individual whose low birth weight is a contributing factor material to the Commissioner’s determination that the individual is disabled. Such redetermination shall be made not later than 18 months after such individual was initially determined to be eligible for such benefits on the basis, in whole or in part, of low birth weight.

“(ii) The Commissioner shall determine the most cost-effective means for complying with the requirements of this subparagraph.

“(iii) The provisions of paragraph (4) shall apply to all redeterminations required by this subparagraph.”

(b) CONFORMING AMENDMENT.—Section 208(a) of the Social Security Independence and Program Improvements Act of 1994 is amended by striking “100,000” and inserting “80,000 adult”.

**SEC. 408. COORDINATION OF SERVICES FOR SSI CHILDREN.**

(a) IN GENERAL.—Section 505(a) (42 U.S.C. 705(a)) is amended—

(1) in paragraph 5—

(A) by striking “and” at the end of subparagraph (E);

(B) by striking the period at the end of subparagraph (F) and inserting “; and”; and

(C) by inserting after subparagraph (F) the following new subparagraph:

“(G) the agency administering the State’s program under this title shall be responsible for developing a care coordination plan for each child receiving benefits under title XVI on the basis of disability to assure that such child has access to available medical and other support services, that services are provided in an efficient and effective manner, and that gaps in the provision of services are identified.”; and

(2) by adding at the end the following new subsection:

“(c) For purposes of subsection (a)(5)(G), the Secretary, the Secretary of Education, and the Commissioner of Social Security shall take such steps as may be necessary, through issuance of regulations, guidelines, or such other means as they may determine, to assure that, where appropriate, the State agency administering title XIX, the State Department of Mental Health, the State Disability Determination Service that makes determinations under title II, the State Vocational Rehabilitation agency, the State Developmental Disabilities Council, and the State Department of Education—

“(1) assist the agency administering the State’s program under this title in the development of the child’s care coordination plan;

“(2) participate in the planning and delivery of the services specified in the care coordination plan; and

“(3) assist such agency in providing to the Secretary for each fiscal year information on—

“(A) the number of children receiving benefits under title XVI who were referred to such agency for services,

“(B) the number of such children who were referred who were served,

“(C) the services provided (including intensity of services, duration of services, types of providers, and costs of services),

“(D) the number of children referred to other agencies or departments for services, and

“(E) the number of care coordination plans developed during such fiscal year.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to fiscal years beginning after September 30, 1995.

#### TITLE V—MISCELLANEOUS PROVISIONS

##### SEC. 501. UNIFORM ALIEN ELIGIBILITY CRITERIA FOR PUBLIC ASSISTANCE PROGRAMS.

(a) FEDERAL AND FEDERALLY-ASSISTED PROGRAMS.—

(1) PROGRAM ELIGIBILITY CRITERIA.—

(A) AID TO FAMILIES WITH DEPENDENT CHILDREN.—Section 402(a)(33) (42 U.S.C. 602(a)(33)) is amended by striking “(A) a citizen” and all that follows through “of such Act;” and inserting the following:

“(A) a citizen or national of the United States, or

“(B) a qualified alien, as defined in section 1101(a)(10), provided that such alien is not disqualified from receiving aid under a State plan approved under this part pursuant to section 210(f) or 245A(h) of the Immigration and Nationality Act or any other provision of law;”.

(B) SUPPLEMENTAL SECURITY INCOME.—Section 1614(a)(1)(B)(i) (42 U.S.C. 1382c(a)(1)(B)(i)) is amended to read as follows:

“(B)(i) is a resident of the United States, and is either—

“(I) a citizen or national of the United States, or

“(II) a qualified alien, as defined in section 1101(a)(10), or”.

(C) MEDICAID.—

(i) IN GENERAL.—Section 1903(v) (42 U.S.C. 1396b(v)) is amended—

(I) in paragraph (1), to read as follows:

“(v)(I) Notwithstanding the preceding provisions of this section—

“(A) no payment may be made to a State under this section for medical assistance furnished to an individual who is disqualified from receiving such assistance pursuant to section 210(f) or 245A(h) of the Immigration and Nationality Act (8 U.S.C. 1160(f), 1255a(h)) or any other provision of law; and

“(B) except as provided in paragraph (2), no such payment may be made for medical assistance furnished to an individual who is not—

“(i) a citizen or national of the United States; or

“(ii) a qualified alien, as defined in section 1101(a)(10).”;

(II) in paragraph (2)—

(aa) by striking “paragraph (1)” and inserting “paragraph (1)(B)”;

(bb) by striking “alien” each place it appears and inserting “individual”.

(ii) CONFORMING AMENDMENTS.—Section 1902 (42 U.S.C. 1396a) is amended—

(I) in subsection (a), in the last sentence by striking “alien” and all that follows through “1903(v).” and inserting “individual who is not (A) a citizen or national of the United States, or (B) a qualified alien, as defined in section 1101(a)(10), only in accordance with section 1903(v).”;

(II) in subsection (b)(33), by inserting “or national” after “citizen”.

(2) DEFINITION OF QUALIFIED ALIEN.—Section 1101(a) (42 U.S.C. 1301(a)) is amended by adding at the end the following new paragraph:

“(10) The term ‘qualified alien’ means an alien—

“(A) who is lawfully admitted for permanent residence within the meaning of section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20));

“(B) who is admitted as a refugee pursuant to section 207 of such Act (8 U.S.C. 1157);

“(C) who is granted asylum pursuant to section 208 of such Act (8 U.S.C. 1158);

“(D) whose deportation is withheld pursuant to section 243(h) of such Act (8 U.S.C. 1253(h));

“(E) whose deportation is suspended pursuant to section 244 of such Act (8 U.S.C. 1254);

“(F) who was granted conditional entry pursuant to section 203(a)(7) of such Act (8 U.S.C. 1153(a)(7)), as in effect prior to April 1, 1980;

“(G) who is lawfully admitted for temporary residence pursuant to section 210 or 245A of such Act (8 U.S.C. 1160, 1255a);

“(H) who is within a class of aliens lawfully present within the United States pursuant to any other provision of such Act, provided that—

“(i) the Attorney General determines that the continued presence of such class of aliens serves a humanitarian or other compelling public interest; and

“(ii) the Secretary of Health and Human Services determines that such interest would be further served by treating each alien within such class as a ‘qualified alien’ for purposes of this Act; or

“(I) who is the spouse or unmarried child under 21 years of age of a citizen of the United States, or the parent of such a citizen if the citizen is 21 years of age or older, and with respect to whom an application for adjustment to lawful permanent residence is pending.”.

(3) CONFORMING AMENDMENT.—Section 244A(f)(1) of the Immigration and Nationality Act (8 U.S.C. 1254a(f)(1)) is amended by inserting “and shall not be considered to be a ‘qualified alien’ within the meaning of section 1101(a)(10) of the Social Security Act” after “color or law”.

(4) EFFECTIVE DATE.—The amendments made by this subsection are effective with respect to benefits payable on the basis of any application filed after the date of the enactment of this Act.

(b) STATE AND LOCAL PROGRAMS.—A State or political subdivision therein may provide that an alien is not eligible for any program of assistance based on need that is furnished by such State or political subdivision unless such alien is a “qualified alien” within the meaning of section 1101(a)(10) of the Social Security Act (as added by subsection (a)(2) of this section).

##### SEC. 502. DEEMING OF SPONSOR’S INCOME AND RESOURCES TO AN ALIEN UNDER THE SUPPLEMENTAL SECURITY INCOME, AID TO FAMILIES WITH DEPENDENT CHILDREN, AND FOOD STAMP PROGRAMS.

(a) LENGTH OF DEEMING PERIOD.—

(1) MAKING THE SSI 5-YEAR PERIOD PERMANENT.—Subsection (b) of section 7 of the Unemployment Compensation Amendments of 1993 (Public Law 103-152) is repealed.

(2) INCREASING THE AFDC PERIOD FROM 3 TO 5 YEARS.—Section 415 (42 U.S.C. 615) is amended in subsections (a), (c)(1), and (d) by striking “three years” each place it appears and inserting “5 years”.

(3) INCREASING THE FOOD STAMP PERIOD FROM 3 TO 5 YEARS.—Section 5(i) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)) is amended by striking “three years” each place it appears and inserting “5 years”.

(b) INAPPLICABILITY IN THE CASE OF ANY ALIEN WHOSE SPONSOR RECEIVES SSI OR AFDC BENEFITS.—

(1) SSI.—Section 1621(f) (42 U.S.C. 1382j(f)) is amended by adding at the end the following new paragraph:

“(3) The provisions of this section shall not apply to any alien for any month for which such alien’s sponsor receives a benefit under this title (which includes, for purposes of this paragraph, the program of federally administered State supplementary payments made pursuant to section 1616(a) or section 212(b) of Public Law 93-66 (42 U.S.C. 1382 note)) or under the program of aid to families with dependent children under part A of title IV.”.

(2) AFDC.—Section 415(f) (42 U.S.C. 615(f)) is amended—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(B) by striking “(f)” and inserting “(f)(1)”;

and

(C) by adding at the end the following new paragraph:

“(2) The provisions of this section shall not apply to any alien for any month for which such alien’s sponsor receives a benefit under the program authorized under this part, or the program of supplemental security income authorized under title XVI (which includes, for purposes of this paragraph, the program of federally administered State supplementary payments made pursuant to section 1616(a) or section 212(b) of Public Law 93-66 (42 U.S.C. 1382 note)).”.

(3) FOOD STAMPS.—Section 5(i)(2)(E) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(2)(E)) is amended—

(A) by striking “(E)” and inserting “(E)(i)”;

and

(B) by adding at the end the following new clause:

“(ii) The provisions of this subsection shall not apply to any alien for any month for which such alien’s sponsor receives a benefit under the program of aid to families with dependent children under part A of title IV of the Social Security Act or the program of supplemental security income under title XVI of such Act (which includes, for purposes of this paragraph, the program of federally administered State supplementary payments made pursuant to section 1616(a) of such Act or section 212(b) of Public Law 93-66 (42 U.S.C. 1382 note)).”.

(c) INEQUITABLE CIRCUMSTANCES.—

(1) SSI.—Section 1621 (42 U.S.C. 1382j) is amended by adding at the end the following new subsection:

“(g) The Commissioner may, pursuant to regulations promulgated after consultation with the Secretary of Agriculture, alter or suspend the application of this section in any case in which the Secretary determines that such application would be inequitable under the circumstances.”

(2) AFDC.—Section 415 (42 U.S.C. 615) is amended by adding at the end the following new subsection:

“(g) The Secretary may, pursuant to regulations promulgated after consultation with the Secretary of Agriculture, alter or suspend the application of this section in any case in which the Secretary determines that such application would be inequitable under the circumstances.”

(3) FOOD STAMPS.—Section 5(i)(2) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(2)) is amended by adding at the end the following new subparagraph:

“(F) The Secretary may, pursuant to regulations promulgated after consultation with the Secretary of Health and Human Services, alter or suspend the application of this section in any case in which the Secretary determines that such application would be inequitable under the circumstances.”

(d) FOOD STAMPS EXEMPTION FOR BLIND OR DISABLED ALIENS.—Section 5(i)(2)(E) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(2)(E)), as amended by subsection (a)(2)(C), is amended by adding at the end the following new clause:

“(iii) The provisions of this subsection shall not apply with respect to any individual for any month for which such individual receives a benefit under the program of supplemental security income authorized by title XVI of the Social Security Act by reason of blindness, as determined under section 1614(a)(2) of such Act, or disability, as determined under section 1614(a)(3) of such Act, provided that such blindness or disability commenced after the date of such individual's admission into the United States for permanent residence.”

(e) STATE AND LOCAL PROGRAMS.—A State or political subdivision therein may provide that an alien is not eligible for any program of assistance based on need that is furnished by such State or political subdivision for any month if such alien has been determined to be ineligible for such month for benefits under—

(A) the program of aid to families with dependent children authorized by part A of title IV of the Social Security Act, as a result of the application of section 415 of such Act;

(B) the program of supplemental security income authorized by title XVI of the Social Security Act, as a result of the application of section 1621 of such Act; or

(C) the Food Stamp Act of 1977, as a result of the application of section 5(i) of such Act.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) through (d) shall be effective with respect to benefits under the program of aid to families with dependent children under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the program of supplemental security income under title XVI of such Act (42 U.S.C. 1381 et seq.), and the program under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), payable for months beginning after September 30, 1995, on the basis of—

(A) an application filed after such date, or

(B) an application filed on or before such date by or on behalf of an individual subject to the provisions of section 1621(a) or 415(a) of the Social Security Act (42 U.S.C. 1382j(a), 615(a)) or section 5(i)(1) of the Food Stamp Act of 1977 (7 U.S.C. 2014(i)(1)) (as the case may be) on such date.

(2) STATE AND LOCAL PROGRAMS.—Subsection (e) shall be effective on October 1, 1995.

#### SEC. 503. ADJUSTMENT TO THRIFTY FOOD PLAN.

The second sentence of section 3(o) of the Food Stamp Act (7 U.S.C. 2012(o)) is amended—

(1) by striking “shall (1) make” and inserting the following: “shall—

“(1) make”;

(2) by striking “scale, (2) make” and inserting “scale;

“(2) make”;

(3) by striking “Alaska, (3) make” and inserting the following: “Alaska;

“(3) make”;

(4) by striking “Columbia, (4) through” and all that follows through the end of the subsection and inserting the following: “Columbia; and

“(4) on October 1, 1995, and each October 1 thereafter, adjust the cost of the diet to reflect the cost of the diet, in the preceding June, and round the result to the nearest lower dollar increment for each household size.”

#### SEC. 504. FAILURE TO COMPLY WITH OTHER WELFARE AND PUBLIC ASSISTANCE PROGRAMS.

Section 8 of the Food Stamp Act of 1977 (7 U.S.C. 2017) is amended by striking subsection (d) and inserting the following:

“(d) REDUCTION OF PUBLIC ASSISTANCE BENEFITS.—If the benefits of a household are reduced under a Federal, State, or local law relating to welfare or a public assistance program for the failure to perform an action required under the law or program, for the duration of the reduction the household may not receive an increased allotment as the result of a decrease in the income of the household to the extent that the decrease is the result of the reduction.”

#### HATFIELD (AND OTHERS) AMENDMENT NO. 2467

(Ordered to lie on the table.)

Mr. HATFIELD (for himself, Mr. DODD, and Mr. GLENN) submitted an amendment intended to be proposed by them to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

In section 714(d)(1)(K), strike “and”.

In section 714(d)(1)(L), strike the semicolon and insert “, and”.

In section 714(d)(1), insert after subparagraph (L) the following:

“(M) representatives of secondary school students involved in workforce education activities carried out under this title and parents of such students.”

In section 716(b)(6) strike “and”.

In section 716(b)(7) strike the period and insert “; and”.

In section 716(b), add at the end the following:

(8) with respect to secondary education activities—

(A) establishing effective procedures, including an expedited appeals procedure, by which secondary school teachers, secondary school students involved in workforce education activities carried out under this title, parents of such students, and residents of substate areas will be able to directly participate in State and local decisions that influence the character of secondary education activities carried out under this title that affect their interests;

(B) providing technical assistance, and designing the procedures described in subparagraph (A), to ensure that the individuals described in subparagraph (A) obtain access to the information needed to use such procedures; and

(C) subject to subsection (h), carrying out the secondary education activities, and implementing the procedures described in subparagraph (A), so as to implement the programs, activities, and procedures for the involvement of parents described in section 1118 of the Elementary and Secondary Edu-

cation Act of 1965 (20 U.S.C. 6319) in accordance with the requirements of such section.

In section 716, add at the following:

(h) PARENTAL INVOLVEMENT.—

(1) COMPARABLE REQUIREMENTS.—For purposes of implementing the requirements of section 1118 of the Elementary and Secondary Education Act (20 U.S.C. 6319) with respect to secondary education activities as required in subsection (b)(8)(C), a reference in such section 1118—

(A) to a local educational agency shall refer to an eligible entity, as defined in subsection (a)(2) of section 727;

(B) to part A of title I of such Act (20 U.S.C. 6311 et seq.) shall refer to this subtitle;

(C) to a plan developed under section 1112 of such Act (20 U.S.C. 6312) shall refer to a local application developed under such section 727;

(D) to the process of school review and improvement under section 1116 of such Act (20 U.S.C. 6317) shall refer to the performance improvement process described in subsection (b)(4) of such section 727;

(E) to an allocation under part A of title I of such Act shall refer to the funds received by an eligible entity under this subtitle;

(F) to the profiles, results, and interpretation described in section 1118(c)(4)(B) of such Act (20 U.S.C. 6319(c)(4)(B)) shall refer to information on the progress of secondary school students participating in workforce education activities carried out under this subtitle, and interpretation of the information; and

(G) to State content or student performance standards shall refer to the State benchmarks of the State.

(2) NONCOMPARABLE REQUIREMENTS.—For purposes of carrying out the requirements of such section 1118 as described in paragraph (1), the requirements of such section relating to a schoolwide program plan developed under section 1114(b) of such Act (20 U.S.C. 6314(b)) or to section 1111(b)(8) of such Act (20 U.S.C. 6311(b)(8)), and the provisions of section 1118(e)(4) of such Act (20 U.S.C. 6319(e)(4)), shall not apply.

In section 728(a)(2)(A), strike “and veterans” and insert “veterans, secondary school students (including such students who are at-risk youth) involved in workforce education activities carried out under this title, and parents of such students”.

In section 728(b)(2)(B)(iv), strike “and”.

In section 728(b)(2)(B)(v), strike the period and insert “; and”.

In section 728(b)(2)(B), add at the end the following:

“(vi) representatives of secondary school students involved in workforce education activities carried out under this title and parents of such students.”

In section 728(b)(4)(A)(iii), strike “participation” and all that follows and insert “participation, in the development and continuous improvement of the workforce development activities carried out in the substate area—

“(I) of business, industry, and labor; and

“(II) with regard to workforce education activities, of secondary school teachers, secondary school students involved in workforce education activities carried out under this title, and parents of such students.”

#### SIMON AMENDMENT NO. 2468

(Ordered to lie on the table.)

Mr. SIMON submitted an amendment intended to be proposed by him to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

On page 17, line 22, strike "amount (if any) determined under subparagraph (B)" and insert "amount determined under subparagraphs (B) and (C)".

On page 18, between lines 15 and 16, insert the following:

"(C) AMOUNT DETERMINED.—The amount determined under this subparagraph is the amount which bears the same ratio to \$240,000,000 (or, \$240,000,000 reduced by the amount, if any, available for such fiscal year in accordance with section \_\_\_09(c) of the Community Works Progress Act, whichever is lesser) as the amount otherwise determined for such State under subparagraph (A) (without regard to the reduction determined under this subparagraph) bears to \$16,795,323,000.

On page 18, line 16, strike "(C)" and insert "(D)".

On page 18, line 21, strike "subparagraph (B)" and insert "subparagraphs (B) and (C)".

On page 22, strike lines 10 through 17, and insert the following:

"(A) IN GENERAL.—There are authorized to be appropriated and there are appropriated \$16,795,323,000 for each fiscal year described in paragraph (1)—

"(i) \$16,555,323,000 of which shall be for the purpose of paying—

"(I) grants to States under paragraph (1)(A); and

"(II) tribal family assistance grants under paragraph (1)(B); and

"(ii) \$240,000,000 of which shall be for the purpose of paying grants beginning with fiscal years after fiscal year 1996 to States for the operation of community works progress programs in accordance with the Community Works Progress Act.

Notwithstanding any other provision of this part, the amount appropriated in accordance with clause (ii) shall be paid to States in accordance with the requirements of the Community Works Progress Act and shall not be subject to any requirements of this part.

On page 36, line 7, insert "(including participation in a community works progress program under the Community Works Progress Act)" after "programs".

At the appropriate place, insert the following new title:

**TITLE \_\_\_—COMMUNITY WORKS  
PROGRESS ACT**

**SEC. \_\_\_00. SHORT TITLE.**

This title may be cited as the "Community Works Progress Act".

**SEC. \_\_\_01. ESTABLISHMENT.**

In the case of any fiscal year after fiscal year 1996, the Secretary of Labor (hereafter referred to in this title as the "Secretary") shall award grants to 4 States for the establishment of community works progress programs.

**SEC. \_\_\_02. DEFINITIONS.**

For purposes of this title:

(1) COMMUNITY WORKS PROGRESS PROGRAM.—The terms "community works progress program" and "program" mean a program designated by a State under which the State will select governmental and nonprofit entities to conduct community works progress projects which serve a significant public purpose in fields such as health, social service, environmental protection, education, urban and rural development and redevelopment, welfare, recreation, public facilities, public safety, and child care.

(2) COMMUNITY WORKS PROGRESS PROJECT.—The terms "community works progress project" and "project" mean an activity conducted by a governmental or nonprofit entity that results in a specific, identifiable service or product that, but for this title, would not otherwise be done with existing funds and that supplements but does not supplant existing services.

(3) NONPROFIT ENTITY.—The term "nonprofit entity" means an organization—

(A) described in section 501(c) of the Internal Revenue Code of 1986; and

(B) exempt from taxation under section 501(a) of such Code.

**SEC. \_\_\_03. APPLICATIONS BY STATES.**

(a) IN GENERAL.—Each State desiring to conduct, or to continue to conduct, a community works progress program under this title shall submit an annual application to the Secretary at such time and in such manner as the Secretary shall require. Such application shall include—

(1) identification of the State agency or agencies that will administer the program and be the grant recipient of funds for the State, and

(2) a detailed description of the geographic area in which the project is to be carried out, including such demographic and economic data as are necessary to enable the Secretary to consider the factors required by subsection (b).

(b) CONSIDERATION OF APPLICATIONS.—

(1) IN GENERAL.—In reviewing all applications received from States desiring to conduct or continue to conduct a community works progress program under this title, the Secretary shall consider—

(A) the unemployment rate for the area in which each project will be conducted,

(B) the proportion of the population receiving public assistance in each area in which a project will be conducted,

(C) the per capita income for each area in which a project will be conducted,

(D) the degree of involvement and commitment demonstrated by public officials in each area in which projects will be conducted,

(E) the likelihood that projects will be successful,

(F) the contribution that projects are likely to make toward improving the quality of life of residents of the area in which projects will be conducted,

(G) geographic distribution,

(H) the extent to which projects will encourage team approaches to work on real, identifiable needs,

(I) the extent to which private and community agencies will be involved in projects, and

(J) such other criteria as the Secretary deems appropriate.

(2) INDIAN TRIBES AND URBANIZED AREAS.—

(A) IN GENERAL.—The Secretary shall ensure that—

(i) one grant under this title shall be awarded to a State that will conduct a community works progress project that will serve one or more Indian tribes; and

(ii) one grant under this title shall be awarded to a State that will implement a

community works progress project in a city that is within an Urbanized Area (as defined by the Bureau of the Census).

(B) INDIAN TRIBE.—For purposes of this paragraph, the term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C.A. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(c) MODIFICATION TO APPLICATIONS.—If changes in labor market conditions, costs, or other factors require substantial deviation from the terms of an application approved by the Secretary, the State shall submit a modification of such application to the Secretary.

**SEC. \_\_\_04. PROJECT SELECTION BOARD.**

(a) ESTABLISHMENT.—Each State that receives a grant under this title shall establish a Project Selection Board (hereafter referred to as the "Board") in the geographic area or areas identified by the State under section \_\_\_03(b)(2).

(b) MEMBERSHIP.—

(1) IN GENERAL.—Each Board shall be composed of 13 members who shall reside in the geographic area identified by the State under section \_\_\_03(b)(2). Subject to paragraph (2), the members of the Board shall be appointed by the Governor of the State in consultation with local elected officials in the geographic area.

(2) REPRESENTATIVES OF BUSINESS AND LABOR ORGANIZATIONS.—The Board—

(A) shall have at least one member who is an officer of a recognized labor organization; and

(B) shall have at least one member who is a representative of the business community.

(c) DUTIES OF THE BOARD.—The Board shall—

(1) recommend appropriate projects to the Governor;

(2) select a manager to coordinate and supervise all approved projects; and

(3) periodically report to the Governor on the project activities in a manner to be determined by the Governor.

(d) VETO OF A PROJECT.—One member of the Board who is described in subparagraph (A) of subsection (b)(2) and one member of the Board who is described in subparagraph (B) of such subsection shall have the authority to veto any proposed project. The Governor shall determine which Board members shall have the veto authority described under this subsection.

(e) TERMS AND COMPENSATION OF MEMBERS.—The Governor shall establish the terms for Board members and specify procedures for the filling vacancies and the removal of such members. Any compensation or reimbursement for expenses paid to Board members shall be paid by the State, as determined by the Governor.

**SEC. \_\_\_05. PARTICIPATION IN PROJECTS.**

To be eligible to participate in projects under this title, an individual shall be—

(1) receiving, eligible to receive, or have exhausted unemployment compensation under an unemployment compensation law of a State or of the United States,

(2) receiving, eligible to receive, or at risk of becoming eligible to receive, assistance under a State program funded under part A of title IV of the Social Security Act,

(3) a noncustodial parent of a child who is receiving assistance under a State program funded under part A of title IV of the Social Security Act,

(4) a noncustodial parent who is not employed, or

(5) an individual who—

(A) is not receiving unemployment compensation under an unemployment compensation law of a State or of the United States;

(B) if under the age of 20 years, has graduated from high school or is continuing studies toward a high school equivalency degree;

(C) has resided in the geographic area in which the project is located for a period of at least 60 consecutive days prior to the awarding of the project grant by the Secretary; and

(D) is a citizen of the United States.

**SEC. 06. HOURS AND COMPENSATION.**

(a) DETERMINATION OF COMPENSATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), project participants in a community works progress project shall be paid the applicable Federal or State minimum wage, whichever is greater.

(2) EXCEPTIONS.—If a participant in a community works progress project is—

(A) eligible for benefits under a State program funded under part A of title IV of the Social Security Act and such benefits exceed the amount described in paragraph (1), such participant shall be paid an amount that exceeds by 10 percent of the amount of such benefits; or

(B) eligible for benefits under an unemployment compensation law of a State or the United States such benefits exceed the amount described in paragraph (1), such participant shall be paid an amount that exceeds by 10 percent the amount of such benefits.

(b) WORK REQUIREMENTS RELATED TO PARTICIPATION.—

(1) IN GENERAL.—

(A) MAXIMUM HOURS.—In order to assure that each individual participating in a project will have time to seek alternative employment or to participate in an alternative employability enhancement activity, no individual may work as a participant in a project under this title for more than 32 hours per week.

(B) REQUIRED JOB SEARCH ACTIVITY.—Individuals participating in a project who are not receiving assistance under a State program funded under part A of title IV of the Social Security Act or unemployment compensation under an unemployment compensation law of a State or of the United States shall be required to participate in job search activities on a weekly basis.

(c) COMPENSATION FOR PARTICIPANTS.—

(1) PAYMENTS OF ASSISTANCE UNDER A STATE PROGRAM FUNDED UNDER PART A OF TITLE IV AND UNEMPLOYMENT COMPENSATION.—Any State agency responsible for making a payment of benefits to a participant in a project under a State program funded under part A of title IV of the Social Security Act or under an unemployment compensation law of a State or of the United States may transfer such payment to the governmental or nonprofit entity conducting such project and such payment shall be made by such entity to such participant in conjunction with any payment of compensation made under subsection (a).

(2) TREATMENT OF COMPENSATION OR BENEFITS UNDER OTHER PROGRAMS.—

(A) HIGHER EDUCATION ACT OF 1965.—In determining any grant, loan, or other form of assistance for an individual under any program under the Higher Education Act of 1965, the Secretary of Education shall not take into consideration the compensation and benefits received by such individual under this section for participation in a project.

(B) RELATIONSHIP TO OTHER FEDERAL BENEFITS.—Notwithstanding any other provision of law, any compensation or benefits received by an individual under this section for

participation in a community works progress project shall be excluded from any determination of income for the purposes of determining eligibility for benefits under a State program funded under part A of title IV, title XVI, and title XIX of the Social Security Act, or any other Federal or federally assisted program which is based on need.

(3) SUPPORTIVE SERVICES.—Each participant in a project conducted under this title shall be eligible to receive, out of grant funds awarded to the State agency administering such project, assistance to meet necessary costs of transportation, child care, vision testing, eyeglasses, uniforms and other work materials.

**SEC. 07. ADDITIONAL PROGRAM REQUIREMENTS.**

(a) NONDUPLICATION AND NONDISPLACEMENT.—(1) NONDUPLICATION.—

(A) IN GENERAL.—Amounts from a grant provided under this title shall be used only for a project that does not duplicate, and is in addition to, an activity otherwise available in the State or unit of general local government in which the project is carried out.

(B) NONPROFIT ENTITY.—Amounts from a grant provided to a State under this title shall not be provided to a nonprofit entity to conduct activities that are the same or substantially equivalent to activities provided by a State or local government agency in which such entity resides, unless the requirements of paragraph (2) are met.

(2) NONDISPLACEMENT.—

(A) IN GENERAL.—A governmental or nonprofit entity shall not displace any employee or position, including partial displacement such as reduction in hours, wages, or employment benefits, as a result of the use by such entity of a participant in a project funded by a grant under this title.

(B) LIMITATION ON SERVICES.—

(i) DUPLICATION OF SERVICES.—A participant in a project funded by a grant under this title shall not perform any services or duties or engage in activities that would otherwise be performed by any employee as part of the assigned duties of such employee.

(ii) SUPPLANTATION OF HIRING.—A participant in a project funded by a grant under this title shall not perform any services or duties or engage in activities that will supplant the hiring of other workers.

(iii) DUTIES FORMERLY PERFORMED BY ANOTHER EMPLOYEE.—A participant in a project funded by a grant under this title shall not perform services or duties that have been performed by or were assigned to any presently employed worker, employee who recently resigned or was discharged, employee who is subject to a reduction in force, employee who is on leave (terminal, temporary, vacation, emergency, or sick), or employee who is on strike or who is being locked out.

(b) FAILURE TO MEET REQUIREMENTS.—The Secretary may suspend or terminate payments under this title for a project if the Secretary determines that the governmental or nonprofit entity conducting such project has materially failed to comply with this title, or any other terms and conditions of a grant under this title agreed to by the State agency administering the project and the Secretary.

(c) GRIEVANCE PROCEDURE.—

(1) IN GENERAL.—Each State conducting a community works progress program or programs under this title shall establish and maintain a procedure for the filing and adjudication of grievances from participants in any project conducted under such program, labor organizations, and other interested individuals concerning such program, including grievances regarding proposed placements of such participants in projects conducted under such program.

(2) DEADLINE FOR GRIEVANCES.—Except for a grievance that alleges fraud or criminal activity, a grievance under this paragraph shall be filed not later than 6 months after the date of the alleged occurrence of the event that is the subject of the grievance.

(d) TESTING AND EDUCATION REQUIREMENTS.—

(1) TESTING.—Each participant in a project shall be tested for basic reading and writing competence prior to employment under such project.

(2) EDUCATION REQUIREMENT.—

(A) FAILURE TO SATISFACTORILY COMPLETE TEST.—Participants who fail to complete satisfactorily the basic competency test required in paragraph (1) shall be furnished counseling and instruction.

(B) LIMITED-ENGLISH.—Participants with limited-English speaking ability may be furnished such instruction as the governmental or nonprofit entity conducting the project deems appropriate.

(e) COMPLETION OF PROJECTS.—

(1) IN GENERAL.—A governmental or nonprofit entity conducting a project or projects under this title shall complete such project or projects within the 2-year period beginning on a date determined appropriate by such entity, the State agency administering the project, and the Secretary.

(2) MODIFICATION.—The period referred to in paragraph (1) may be modified in the discretion of the Secretary upon application by the State in which a project is being conducted.

**SEC. 08. EVALUATIONS AND REPORTS.**

(a) BY THE STATE.—Each State conducting a community works progress program or programs under this title shall conduct ongoing evaluations of the effectiveness of such program (including the effectiveness of such program in meeting the goals and objectives described in the application approved by the Secretary) and, for each year in which such program is conducted, shall submit an annual report to the Secretary concerning the results of such evaluations at such time, and in such manner, as the Secretary shall require. The report shall incorporate information from annual reports submitted to the State by governmental and nonprofit entities conducting projects under the program. The report shall include an analysis of the effect of such projects on the economic condition of the area, including its effect on welfare dependency, the local crime rate, general business activity (including business revenues and tax receipts), and business and community leaders' evaluation of the projects' success. Up to 2 percent of the amount granted to a State may be used to conduct the evaluations required under this subsection.

(b) BY THE SECRETARY.—The Secretary shall submit an annual report to the Congress concerning the effectiveness of the community works progress programs conducted under this title. Such report shall analyze the reports received by the Secretary under subsection (a).

**SEC. 09. FUNDING.**

(a) IN GENERAL.—There are available for making grants under this title for a fiscal year such amounts as are appropriated for the fiscal year under section 403(a)(2)(A) of the Social Security Act (42 U.S.C. 603(a)(2)(A)).

(b) LIMITATIONS ON COSTS.—

(1) ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the amount of each grant awarded to a State may be used for administrative expenses.

(2) COMPENSATION AND SUPPORTIVE SERVICES.—Not less than 70 percent of the amount of each grant awarded to a State may be used to provide compensation and supportive services to project participants.

(3) WAIVER OF COST LIMITATIONS.—The limitations under paragraphs (1) and (2) may be waived for good cause, as determined appropriate by the Secretary.

(c) AMOUNTS REMAINING AVAILABLE FOR STATE FAMILY ASSISTANCE GRANTS.—Any amounts appropriated for making grants under this title for a fiscal year under section 403(a)(4)(A)(i) of the Social Security Act (42 U.S.C. 603(a)(2)(A)(4)(A)(i)) that are not paid as grants to States in accordance with this title in such fiscal year shall be available for making State family assistance grants for such fiscal year in accordance with subsection (a)(1) of such section.

#### SEC. 10. EVALUATION.

Not later than October 1, 2000, the Secretary shall submit to the Congress a comprehensive evaluation of the effectiveness of community works progress programs in reducing welfare dependency, crime, and teenage pregnancy in the geographic areas in which such programs are conducted.

#### FEINSTEIN AMENDMENTS NOS. 2469-2470

Mrs. FEINSTEIN proposed two amendments to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

##### AMENDMENT No. 2469

Beginning on page 17, line 16, strike all through page 21, line 3, and insert the following:

“(3) SUPPLEMENTAL GRANT AMOUNT FOR POVERTY POPULATION INCREASES IN CERTAIN STATES.—

“(A) IN GENERAL.—The amount of the grant payable under paragraph (1) to a qualifying State for each of fiscal years 1997, 1998, 1999, and 2000 shall be increased by the supplemental grant amount for such State.

“(B) QUALIFYING STATE.—For purposes of this paragraph, the term ‘qualifying State’, with respect to any fiscal year, means a State that had an increase in the number of poor people as determined by the Secretary under subparagraph (D) for the most recent fiscal year for which information is available.

“(C) SUPPLEMENTAL GRANT AMOUNT.—For purposes of this paragraph, the supplemental grant amount for a State, with respect to any fiscal year, is an amount which bears the same ratio to the total amount appropriated under paragraph (4)(B) for such fiscal year as the increase in the number of poor people as so determined for such State bears to the total increase of poor people as so determined for all States.

“(D) REQUIREMENT THAT DATA RELATING TO THE INCIDENCE OF POVERTY IN THE UNITED STATES BE PUBLISHED.—

“(i) IN GENERAL.—The Secretary shall, to the extent feasible, produce and publish for each State, county, and local unit of general purpose government for which data have been compiled in the then most recent census of population under section 141(a) of title 13, United States Code, and for each school district, data relating to the incidence of poverty. Such data may be produced by means of sampling, estimation, or any other method that the Secretary determines will produce current, comprehensive, and reliable data.

“(ii) CONTENT; FREQUENCY.—Data under this subparagraph—

“(I) shall include—

“(aa) for each school district, the number of children age 5 to 17, inclusive, in families below the poverty level; and

“(bb) for each State and county referred to in clause (i), the number of individuals age 65 or older below the poverty level; and

“(II) shall be published—

“(aa) for each State, annually beginning in 1996;

“(bb) for each county and local unit of general purpose government referred to in clause (i), in 1996 and at least every second year thereafter; and

“(ccb) for each school district, in 1998 and at least every second year thereafter.

“(iii) AUTHORITY TO AGGREGATE.—

“(I) IN GENERAL.—If reliable data could not otherwise be produced, the Secretary may, for purposes of clause (ii)(I)(aa), aggregate school districts, but only to the extent necessary to achieve reliability.

“(II) INFORMATION RELATING TO USE OF AUTHORITY.—Any data produced under this clause shall be appropriately identified and shall be accompanied by a detailed explanation as to how and why aggregation was used (including the measures taken to minimize any such aggregation).

“(iv) REPORT TO BE SUBMITTED WHENEVER DATA IS NOT TIMELY PUBLISHED.—If the Secretary is unable to produce and publish the data required under this subparagraph for any county, local unit of general purpose government, or school district in any year specified in clause (ii)(II), a report shall be submitted by the Secretary to the President of the Senate and the Speaker of the House of Representatives, not later than 90 days before the start of the following year, enumerating each government or school district excluded and giving the reasons for the exclusion.

“(v) CRITERIA RELATING TO POVERTY.—In carrying out this subparagraph, the Secretary shall use the same criteria relating to poverty as were used in the then most recent census of population under section 141(a) of title 13, United States Code (subject to such periodic adjustments as may be necessary to compensate for inflation and other similar factors).

“(vi) CONSULTATION.—The Secretary shall consult with the Secretary of Education in carrying out the requirements of this subparagraph relating to school districts.

“(vii) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subparagraph \$1,500,000 for each of fiscal years 1996 through 2000.

##### AMENDMENT No. 2470

On page 654, between lines 15 and 16, insert the following:

#### SEC. 11. ENFORCEMENT OF ORDERS AGAINST PATERNAL GRANDPARENTS IN CASES OF MINOR PARENTS.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 915, 917(a), 923, 965, 969, and 976, is amended by adding at the end the following new paragraph:

“(17) Procedures under which any child support order enforced under this part with respect to a child of minor parents, if the mother of such child is receiving assistance under the State grant under part A, shall be enforceable, jointly and severally, against the paternal grandparents of such child.”.

#### MOSELEY-BRAUN AMENDMENTS NOS. 2471-2474

Ms. MOSELEY-BRAUN proposed four amendments to amendment No. 2280 proposed by Mr. DOLE to the bill, H.R. 4, supra, as follows:

##### AMENDMENT No. 2471

On page 12, between lines 22 and 23, insert the following:

“(G) Assess and provide for the needs of a minor child who is eligible for the child voucher program established under subsection (c).

On page 15, between lines 19 and 20, insert the following:

“(d) CHILD VOUCHER PROGRAM.—

“(1) ELIGIBILITY.—

“(A) IN GENERAL.—A State to which a grant is made under section 403 shall establish and operate a voucher program to provide assistance to each minor child who resides with a family that is eligible for but not receiving assistance under the State program as a result of any reason identified by the State, including—

“(i) the time limit imposed under section 405(b);

“(ii) a penalty imposed under section 404(d); or

“(iii) placement on a waiting list established by the State for recipients of assistance under the State program.

“(B) PERIODIC ASSESSMENTS.—The State shall conduct periodic assessments to determine the continued eligibility of a minor child for a voucher under this subsection.

“(2) AMOUNT OF VOUCHER.—

“(A) IN GENERAL.—The amount of a voucher provided under the program established under paragraph (1) shall be equal to—

“(i) the number of minor children in the family; multiplied by

“(ii) the per capita assistance amount determined under subparagraph (B).

“(B) PER CAPITA ASSISTANCE AMOUNT.—For purposes of subparagraph (A), the per capita assistance amount is an amount equal to—

“(i) the amount of assistance that would have been provided to a family described in paragraph (1) under the State program; divided by

“(ii) the number of family members in such family.

“(3) USE OF VOUCHER.—A voucher provided under this subsection may be used to obtain—

“(A) housing;

“(B) food;

“(C) transportation;

“(D) child care; and

“(E) any other item or service that the State deems appropriate.

“(4) DELIVERY OF ITEMS OR SERVICES.—A State shall arrange for the delivery of or directly provide the items and services for which a voucher issued under this subsection may be used.

On page 15, line 20, strike “(d)” and insert “(e)”.

On page 24, line 24, insert “(including the operation of a child voucher program described in section 402(c))” after “part”.

##### AMENDMENT No. 2472

On page 40, between lines 16 and 17, insert the following:

“(4) FAILURE OF STATE TO PROVIDE WORK-ACTIVITY RELATED SERVICES.—The limitation described in paragraph (1) shall not apply to a family receiving assistance under this part if the State fails to provide the work experience, assistance in finding employment, and other work preparation activities and support services described in section 402(a)(1)(A)(ii) to the adult individual described in paragraph (1).

##### AMENDMENT No. 2473

On page 122, between lines 11 and 12, insert the following:

#### SEC. 111. MODIFICATIONS TO THE JOB OPPORTUNITIES FOR CERTAIN LOW-INCOME INDIVIDUALS PROGRAM.

Section 505 of the Family Support Act of 1988 (42 U.S.C. 1315 note) is amended—

(1) in the heading, by striking “demonstration”;

(2) by striking “demonstration” each place it appears;

(3) in subsection (a), by striking “in each of fiscal years” and all that follows through

"10" and inserting "shall enter into agreements with";

(4) in subsection (b)(3), by striking "aid to families with dependent children under part A of title IV of the Social Security Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act in the State in which the individual resides";

(5) in subsection (c)—

(A) in paragraph (1)(C), by striking "aid to families with dependent children under part A of title IV of the Social Security Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act";

(B) in paragraph (2), by striking "aid to families with dependent children under title IV of such Act" and inserting "assistance under the State program funded part A of title IV of the Social Security Act";

(6) in subsection (d), by striking "job opportunities and basic skills training program (as provided for under title IV of the Social Security Act" and inserting "the State program funded under part A of title IV of the Social Security Act"; and

(7) by striking subsections (e) through (g) and inserting the following:

"(e) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of conducting projects under this section, there is authorized to be appropriated an amount not to exceed \$25,000,000 for any fiscal year."

Redesignate the succeeding sections accordingly.

#### AMENDMENT NO. 2474

On page 25, strike lines 13 through 18, and insert the following:

"(3) AUTHORITY TO RESERVE CERTAIN AMOUNTS FOR ASSISTANCE.—

"(A) IN GENERAL.—A State may reserve amounts paid to the State under this part for any fiscal year for the purpose of providing, without fiscal year limitation, assistance under the State program operated under this part.

"(B) EXCEPTION.—In any fiscal year, a State may not exercise the authority described in subparagraph (A) if the State has reduced the amount of cash assistance provided per family member to families under the State program during the preceding fiscal year.

#### PELL AMENDMENT NO. 2475

(Ordered to lie on the table.)

Mr. PELL submitted an amendment intended to be proposed by him to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

On page 439, strike lines 10 through 15.

On page 439, line 16, strike "C)" and insert "(B)".

On page 440, between lines 14 and 15, insert the following new subsection:

(d) COVERAGE OF STATES.—Notwithstanding any other provision of this subtitle, prior to July 1, 1998, the Secretary shall ensure that all States have at least 1 Job Corps center in the State.

#### ABRAHAM (AND LIEBERMAN) AMENDMENT NO. 2476

(Ordered to lie on the table.)

Mr. ABRAHAM (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by them to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

At the appropriate place in the bill, add the following new section:

#### SEC. . SENSE OF THE SENATE REGARDING ENTERPRISE ZONES.

(a) FINDINGS.—The Senate finds that—

(1) Many of the Nation's urban centers are places with high levels of poverty, high rates of welfare dependency, high crime rates, poor schools, and joblessness;

(2) Federal tax incentives and regulatory reforms can encourage economic growth, job creation and small business formation in many urban centers;

(3) Encouraging private sector investment in America's economically distressed urban and rural areas is essential to breaking the cycle of poverty and the related ills of crime, drug abuse, illiteracy, welfare dependency, and unemployment;

(4) The empowerment zones enacted in 1993 should be enhanced by providing incentives to increase entrepreneurial growth, capital formation, job creation educational opportunities, and homeownership in the designated communities and zones;

(b) SENSE OF THE SENATE.—Therefore, it is the Sense of the Senate that the Congress should adopt enterprise zone legislation in the 104th Congress, and that such enterprise zone legislation provide the following incentives and provisions:

(1) Federal tax incentives that expand access to capital, increase the formation and expansion of small businesses, and promote commercial revitalization;

(2) Regulatory reforms that allow localities to petition Federal agencies, subject to the relevant agencies' approval, for waivers or modifications of regulations to improve job creation, small business formation and expansion, community development, or economic revitalization objectives of the enterprise zones;

(3) Homeownership incentives and grants to encourage resident management of public housing and home ownership of public housing;

(4) School reform pilot projects in certain designated enterprise zones to provide low-income parents with new and expanded educational options for their children's elementary and secondary schooling.

#### SANTORUM (AND NICKLES) AMENDMENT NO. 2477

Mr. SANTORUM (for himself and Mr. NICKLES) proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

On page 42, line 2, insert ", Social Security number, and photograph (if applicable)" before "of any recipient".

On page 42, between lines 21 and 22, insert the following new subsection:

"(e) DENIAL OF ASSISTANCE FOR ABSENT CHILD.—Each State to which a grant is made under section 403—

"(1) may not use any part of the grant to provide assistance to a family with respect to any minor child who has been, or is expected by the caretaker relative in the family to be, absent from the home for a period of 45 consecutive days or, at the option of the State, such period of not less than 30 and not more than 90 consecutive days as the State may provide for in the State plan;

"(2) at the option of the State, may establish such good cause exceptions to paragraph (1) as the State considers appropriate if such exceptions are provided for in the State plan; and

"(3) shall provide that a caretaker relative shall not be considered an eligible individual for purposes of this part if the caretaker relative fails to notify the State agency of an absence of a minor child from the home for the period specified in or provided for under

paragraph (1), by the end of the 5-day period that begins on the date that it becomes clear to the caretaker relative that the minor child will be absent for the period so specified or provided for in paragraph (1).

On page 130, line 8, insert ", Social Security number, and photograph (if applicable)" before "of any recipient".

On page 198, between lines 14 and 15, insert the following new section:

#### SEC. . DISQUALIFICATION OF FLEEING FELONS.

Section 6 of the Food Stamp Act of 1977 (7 U.S.C. 2015), as amended by section 319(a), is further amended by adding at the end the following new subsection:

"(o) No member of a household who is otherwise eligible to participate in the food stamp program shall be eligible to participate in the program as a member of that or any other household during any period during which the individual is—

"(1) fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(2) violating a condition of probation or parole imposed under Federal or State law."

On page 302 after line 5, add the following new section:

#### SEC. 504. INFORMATION REPORTING.

(a) TITLE IV OF THE SOCIAL SECURITY ACT.—Section 405 of the Social Security Act, as added by section 101(b), is amended by adding at the end the following new subsection:

"(f) STATE REQUIRED TO PROVIDE CERTAIN INFORMATION.—Each State to which a grant is made under section 403 shall, at least 4 times annually and upon request of the Immigration and Naturalization Service, furnish the Immigration and Naturalization Service with the name and address of, and other identifying information on, any individual who the State knows is unlawfully in the United States."

(b) SSI.—Section 1631(e) of such Act (42 U.S.C. 1383(e)) is amended—

(1) by redesignating the paragraphs (6) and (7) inserted by sections 206(d)(2) and 206(f)(1) of the Social Security Independence and Programs Improvement Act of 1994 (Public Law 103-296; 108 Stat. 1514, 1515) as paragraphs (7) and (8), respectively; and

(2) by adding at the end the following new paragraph:

"(9) Notwithstanding any other provision of law, the Commissioner shall, at least 4 times annually and upon request of the Immigration and Naturalization Service (hereafter in this paragraph referred to as the 'Service'), furnish the Service with the name and address of, and other identifying information on, any individual who the Commissioner knows is unlawfully in the United States, and shall ensure that each agreement entered into under section 1616(a) with a State provides that the State shall furnish such information at such times with respect to any individual who the State knows is unlawfully in the United States."

(c) HOUSING PROGRAMS.—Title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), as amended by section 1004, is further amended by adding at the end the following new section:

#### "SEC. 28. PROVISION OF INFORMATION TO LAW ENFORCEMENT AND OTHER AGENCIES.

"(a) NOTICE TO IMMIGRATION AND NATURALIZATION SERVICE OF ILLEGAL ALIENS.—Notwithstanding any other provision of law,

the Secretary shall, at least 4 times annually and upon request of the Immigration and Naturalization Service (hereafter in this subsection referred to as the 'Service'), furnish the Service with the name and address of, and other identifying information on, any individual who the Secretary knows is unlawfully in the United States, and shall ensure that each contract for assistance entered into under section 6 or 8 of this Act with a public housing agency provides that the public housing agency shall furnish such information at such times with respect to any individual who the public housing agency knows is unlawfully in the United States."

At the appropriate place, insert the following new section:

**SEC. —. ELIMINATION OF HOUSING ASSISTANCE WITH RESPECT TO FUGITIVE FELONS AND PROBATION AND PAROLE VIOLATORS.**

(a) ELIGIBILITY FOR ASSISTANCE.—The United States Housing Act of 1937 (42 U.S.C. 1437 et seq.) is amended—

(1) in section 6(l)—

(A) in paragraph (5), by striking "and" at the end;

(B) in paragraph (6), by striking the period at the end and inserting "; and"; and

(C) by inserting immediately after paragraph (6) the following new paragraph:

"(7) provide that it shall be cause for immediate termination of the tenancy of a public housing tenant if such tenant—

"(A) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(2) is violating a condition of probation or parole imposed under Federal or State law."; and

(2) in section 8(d)(1)(B)—

(A) in clause (iii), by striking "and" at the end;

(B) in clause (iv), by striking the period at the end and inserting "; and"; and

(C) by adding after clause (iv) the following new clause:

"(v) it shall be cause for termination of the tenancy of a tenant if such tenant—

"(I) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(II) is violating a condition of probation or parole imposed under Federal or State law;"

(b) PROVISION OF INFORMATION TO LAW ENFORCEMENT AGENCIES.—Section 28 of the United States Housing Act of 1937, as added by section 504(c) of this Act, is amended by adding at the end the following new subsection:

"(b) EXCHANGE OF INFORMATION WITH LAW ENFORCEMENT AGENCIES.—Notwithstanding any other provision of law, each public housing agency that enters into a contract for assistance under section 6 or 8 of this Act with the Secretary shall furnish any Federal, State, or local law enforcement officer, upon the request of the officer, with the current address, Social Security number, and photograph (if applicable) of any recipient of assistance under this Act, if the officer—

"(1) furnishes the public housing agency with the name of the recipient; and

"(2) notifies the agency that—

"(A) such recipient—

"(i) is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which the individual flees, for a crime, or attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or which, in the case of the State of New Jersey, is a high misdemeanor under the laws of such State; or

"(ii) is violating a condition of probation or parole imposed under Federal or State law; or

"(iii) has information that is necessary for the officer to conduct the officer's official duties;

"(B) the location or apprehension of the recipient is within such officer's official duties; and

"(C) the request is made in the proper exercise of the officer's official duties."

**FEINSTEIN AMENDMENTS NOS. 2478-2479**

Mrs. FEINSTEIN proposed two amendments to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

**AMENDMENT NO. 2478**

On page 274, lines 23 and 24, strike "individual (whether a citizen or national of the United States or an alien)" and insert "alien".

On page 275, line 5, strike "individual" and insert "alien".

On page 275, line 10, strike "individual's" and insert "alien's".

On page 275, line 11, strike "individual" and insert "alien".

On page 275, line 14, strike "individual" and insert "alien".

On page 275, line 20, strike "individual" and insert "alien".

On page 275, line 21, strike "individual" and insert "alien".

On page 276, lines 2 and 3, strike "individual (whether a citizen or national of the United States or an alien)" and insert "alien".

On page 276, line 14, strike "individual" and insert "alien".

On page 278, line 1, strike "NONCITIZENS" and insert "ALIENS".

On page 278, line 8, strike "a noncitizen" and insert "an alien".

On page 278, line 13, strike "a noncitizen" and insert "an alien".

On page 278, line 16, strike "a noncitizen" and insert "an alien".

On page 278, line 22, strike "a noncitizen" and insert "an alien".

On page 279, line 4, strike "a noncitizen" and insert "an alien".

On page 279, line 6, strike "A noncitizen" and insert "An alien".

On page 279, line 8, strike "noncitizen" and insert "alien".

**AMENDMENT NO. 2479**

On page 69, strike lines 18 through 22, and insert the following:

**"SEC. 413. STATE AND COUNTY DEMONSTRATION PROGRAMS.**

"(a) NO LIMITATION OF STATE DEMONSTRATION PROJECTS.—Nothing in this part shall be construed as limiting a State's ability to conduct demonstration projects for the purpose of identifying innovative or effective program designs in 1 or more political subdivisions of the State.

"(b) COUNTY WELFARE DEMONSTRATION PROJECT.—

"(1) IN GENERAL.—The Secretary of Health and Human Services and the Secretary of Agriculture shall jointly enter into negotiations with all counties or a group of counties

having a population greater than 500,000 desiring to conduct a demonstration project describing in paragraph (2) of the purpose of establishing appropriate rules to govern the establishment and operation of such project.

"(2) DEMONSTRATION PROJECT DESCRIBED.—The demonstration project described in this paragraph shall provide that—

"(A) a county participating in the demonstration project shall have the authority and duty to administer the operation of the program described under this part as if the county were considered a State for the purpose of this part;

"(B) the State in which the county participating in the demonstration project is located shall pass through directly to the county the portion of the grant received by the State under section 403 which the State determines is attributable to the residents of such county; and

"(C) the duration of the project shall be for 5 years.

"(3) COMMENCEMENT OF PROJECT.—After the conclusion of the negotiations described in paragraph (2), the Secretary of Health and Human Services and the the Secretary of Agriculture may authorize a county to conduct to demonstration project described in paragraph (2) in accordance with the rules established under the negotiations.

"(4) REPORT.—Not later than 6 months after the termination of a demonstration project operated under this subsection, the Secretary of Health and Human Services and the Secretary of Agriculture shall submit to the Congress a report that includes—

"(A) a description of the demonstration project;

"(B) the rules negotiated with respect to the project; and

"(C) the innovations (if any) that the county was able to initiate under the project.

**FEINGOLD AMENDMENT NO. 2480**

Mr. FEINGOLD proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

**AMENDMENT NO. 2480**

On page 283, after 23, insert the following:  
(f) STUDY OF IMPACT OF AMENDMENTS ON PROGRAM PARTICIPATION AND FAMILY DAY CARE LICENSING.—

(1) IN GENERAL.—The Secretary of Agriculture, in conjunction with the Secretary of Health and Human Services, shall study the impact of the amendments made by this section on—

(A) the number of family day care homes participating in the child and adult care food program established under section 17 of the National School Lunch Act (42 U.S.C. 1766);

(B) the number of day care home sponsoring organizations participating in the program;

(C) the number of day care homes that are licensed, certified, registered, or approved by each State in accordance with regulations issued by the Secretary;

(D) the rate of growth of the numbers referred to in subparagraphs (A) through (C);

(E) the nutritional adequacy and quality of meals served in family day care homes that—

(i) received reimbursement under the program prior to the amendments made by this section but do not receive reimbursement after the amendments made by this section; or

(ii) received full reimbursement under the program prior to the amendments made by this section but do not receive full reimbursement after the amendments made by this section; and

(F) the proportion of low-income children participating in the program prior to the

amendments made by this section and the proportion of low-income children participating in the program after the amendments made by this section.

(2) **REQUIRED DATA.**—Each State agency participating in the child and adult care food program under section 17 of the National School Lunch Act (42 U.S.C. 1766) shall submit to the Secretary data on—

(A) the number of family day care homes participating in the program on July 31, 1996, and July 31, 1997;

(B) the number of family day care homes licensed, certified, registered, or approved for service on July 31, 1996, and July 31, 1997; and

(C) such other data as the Secretary may require to carry out this subsection.

(3) **SUBMISSION OF REPORT.**—Not later than 2 years after the effective date of section 423 of this Act, the Secretary shall submit the study required under this subsection to the Committee on Economic and Educational Opportunities of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

#### FEINGOLD (AND KOHL) AMENDMENT NO. 2481

Mr. FEINGOLD (for himself and Mr. KOHL) proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

At the appropriate place in title X add the following:

#### **SEC. 10. DEMONSTRATION PROJECT FOR ELIMINATION OF TAKE-ONE-TAKE-ALL REQUIREMENT.**

In order to demonstrate the effects of eliminating the requirement under section 8(t) of the United States Housing Act of 1937, notwithstanding any other provision of law, beginning on the date of enactment of this Act, section 8(t) of such the United States Housing Act of 1937 shall not apply with respect to the multifamily housing project (as such term is defined in section 8(t)(2) of the United States Housing Act of 1937) consisting of the dwelling units located at 2401-2479 Somerset Circle, in Madison, Wisconsin.

Amend the table of contents accordingly.

#### BOXER AMENDMENT NO. 2482

Mrs. BOXER proposed an amendment to amendment No. 2280 proposed by Mr. DOLE to the bill H.R. 4, supra, as follows:

#### AMENDMENT NO. 2482

On page 712, between lines 9 and 10, insert the following:

#### **SEC. 972. DENIAL OF MEANS-TESTED FEDERAL BENEFITS TO NONCUSTODIAL PARENTS WHO ARE DELINQUENT IN PAYING CHILD SUPPORT.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, a non-custodial parent who is more than 2 months delinquent in paying child support shall not be eligible to receive any means-tested Federal benefits.

(b) **EXCEPTION.**—

(1) **IN GENERAL.**—Subsection (a) shall not apply to an unemployed non-custodial parent who is more than 2 months delinquent in paying child support if such parent—

(A) enters into a schedule of repayment for past due child support with the entity that issued the underlying child support order; and

(B) meets all of the terms of repayment specified in the schedule of repayment as enforced by the appropriate disbursing entity.

(2) **2-YEAR EXCLUSION.**—(A) A non-custodial parent who becomes delinquent in child sup-

port a second time or any subsequent time shall not be eligible to receive any means-tested Federal benefits for a 2-year period beginning on the date that such parent failed to meet such terms.

(B) At the end of that two-year period, paragraph (A) shall once again apply to that individual.

(c) **MEANS-TESTED FEDERAL BENEFITS.**—For purposes of this section, the term "means-tested Federal benefits" means benefits under any program of assistance, funded in whole or in part, by the Federal Government, for which eligibility for benefits is based on need.

### NOTICES OF HEARING

#### COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will hold a hearing on Wednesday, September 13, 1995, beginning at 9 a.m., in room 485 of the Russell Senate Office Building. The purpose of the hearing is to consider the nomination of Paul N. Homan to be Special Trustee in the Office of the Special Trustee for American Indians in the Department of the Interior.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

#### SUBCOMMITTEE ON ENERGY PRODUCTION AND REGULATION

Mr. NICKLES. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy Production and Regulation to consider S. 1014, to improve the management of royalties from Federal and Outer Continental Shelf oil and gas leases, and for other purposes, and S. 1012, to extend time for construction of certain FERC-licensed hydro projects.

The hearing will take place Thursday, September 14, 1995, at 3 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

Those wishing to testify or who wish to submit written statements should write to the Committee on Energy and Natural Resources, U.S. Senate, Washington, DC 20510. For further information regarding S. 1014, please call Michael Poling at (202) 224-8276 or Judy Brown at 224-7556, and regarding S. 1012, please call Howard Useem at (202) 224-6567 or Judy Brown at 224-7556.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. GRAMS. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, September 7, at 10 a.m. for a markup on the following agenda:

Legislation:

S. 929, the Department of Commerce Dismantling Act.

S. 177 to repeal the Ramspeck Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. GRAMS. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for a hearing on the nomination of Harris Wofford to be Chief Executive Officer of the Corporation for National and Community Service, during the session of the Senate on Thursday, September 7, 1995, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON THE CONSTITUTION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on the Constitution of the Committee on the Judiciary, be authorized to hold a hearing during the session of the Senate on Thursday, September 7, 1995, at 10 a.m. to consider an overview of affirmative action.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 7, 1995, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND GOVERNMENT INFORMATION

Mr. GRAMS. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Technology, and Government Information for the Committee on the Judiciary be authorized to meet during the session of the Senate on Thursday, September 7, 1995, at 2 p.m. in SH-216 to hold a hearing on the Ruby Ridge Incident.

The PRESIDING OFFICER. Without objection, it is so ordered.

### ADDITIONAL STATEMENTS

#### POSITION ON VOTES

● Mr. AKAKA. Mr. President, on September 5 and 6, 1995, I missed several votes because I was attending a memorial service in Hawaii. Were I present on September 5, I would have voted "aye" on rollcall vote No. 397, final passage of S. 1087, the Department of Defense appropriations bill.

On September 6, I missed rollcall votes No. 398 and No. 399. Were I present, I would have voted "aye" on rollcall vote No. 398, the Nunn amendment pertaining to our Nation's missile defense policy. I would have also voted "aye" on rollcall vote No. 399, final passage of the Department of Defense authorization bill. ●

#### RECOGNIZING RICHARD TISSIERE

● Mr. LAUTENBERG. Mr. President, I rise today to pay tribute to Richard Tisiere, an outstanding New Jerseyan,