

[COMMITTEE PRINT]

OCTOBER 24, 2005

ENTITLEMENT
RECONCILIATION RECOMMENDATIONS
FOR FISCAL YEAR 2006
HOUSE COMMITTEE ON WAYS AND MEANS

Pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95, 109th Congress), the Committee on Ways and Means hereby submits the following recommendations to the Committee on the Budget for inclusion in reconciliation legislation to be reported to the House:

1 **TITLE VIII—COMMITTEE ON**
2 **WAYS AND MEANS**

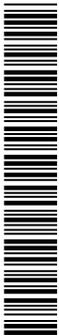
3 **SEC. 8001. SHORT TITLE.**

4 This title may be cited as the “Work, Marriage, and
5 Family Promotion Reconciliation Act of 2005”.

6 **SEC. 8002. TABLE OF CONTENTS.**

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

- Sec. 8001. Short title.
- Sec. 8002. Table of contents.
- Sec. 8003. References.



Sec. 8004. Findings.

SUBTITLE A—TANF

- Sec. 8101. Purposes.
- Sec. 8102. Family assistance grants.
- Sec. 8103. Promotion of family formation and healthy marriage.
- Sec. 8104. Supplemental grant for population increases in certain States.
- Sec. 8105. Elimination of high performance bonus.
- Sec. 8106. Contingency fund.
- Sec. 8107. Use of funds.
- Sec. 8108. Repeal of Federal loan for State welfare programs.
- Sec. 8109. Universal engagement and family self-sufficiency plan requirements.
- Sec. 8110. Work participation requirements.
- Sec. 8111. Maintenance of effort.
- Sec. 8112. Performance improvement.
- Sec. 8113. Data collection and reporting.
- Sec. 8114. Direct funding and administration by Indian tribes.
- Sec. 8115. Research, evaluations, and national studies.
- Sec. 8116. Study by the Census Bureau.
- Sec. 8117. Definition of assistance.
- Sec. 8118. Technical corrections.
- Sec. 8119. Fatherhood program.
- Sec. 8120. State option to make TANF programs mandatory partners with one-stop employment training centers.
- Sec. 8121. Sense of the Congress.
- Sec. 8122. Drug testing of applicants for and recipients of assistance.

SUBTITLE B—CHILD CARE

Sec. 8201. Entitlement funding.

SUBTITLE C—CHILD SUPPORT

- Sec. 8301. Federal matching funds for limited pass through of child support payments to families receiving TANF.
- Sec. 8302. State option to pass through all child support payments to families that formerly received TANF.
- Sec. 8303. Mandatory review and adjustment of child support orders for families receiving TANF.
- Sec. 8304. Mandatory fee for successful child support collection for family that has never received TANF.
- Sec. 8305. Report on undistributed child support payments.
- Sec. 8306. Decrease in amount of child support arrearage triggering passport denial.
- Sec. 8307. Use of tax refund intercept program to collect past-due child support on behalf of children who are not minors.
- Sec. 8308. Garnishment of compensation paid to veterans for service-connected disabilities in order to enforce child support obligations.
- Sec. 8309. Maintenance of technical assistance funding.
- Sec. 8310. Maintenance of Federal Parent Locator Service funding.
- Sec. 8311. Information comparisons with insurance data.
- Sec. 8312. Tribal access to the Federal Parent Locator Service.
- Sec. 8313. Reimbursement of Secretary's costs of information comparisons and disclosure for enforcement of obligations on Higher Education Act loans and grants.



- Sec. 8314. Technical amendment relating to cooperative agreements between States and Indian tribes.
- Sec. 8315. State option to use statewide automated data processing and information retrieval system for interstate cases.
- Sec. 8316. Modification of rule requiring assignment of support rights as a condition of receiving TANF.
- Sec. 8317. State option to discontinue certain support assignments.
- Sec. 8318. Technical correction.
- Sec. 8319. Reduction in rate of reimbursement of child support administrative expenses.

SUBTITLE D—CHILD WELFARE

- Sec. 8401. Extension of authority to approve demonstration projects.
- Sec. 8402. Elimination of limitation on number of waivers.
- Sec. 8403. Elimination of limitation on number of States that may be granted waivers to conduct demonstration projects on same topic.
- Sec. 8404. Elimination of limitation on number of waivers that may be granted to a single State for demonstration projects.
- Sec. 8405. Streamlined process for consideration of amendments to and extensions of demonstration projects requiring waivers.
- Sec. 8406. Availability of reports.
- Sec. 8407. Clarification of eligibility for foster care maintenance payments and adoption assistance.
- Sec. 8408. Clarification regarding Federal matching of certain administrative costs under the foster care maintenance payments program.
- Sec. 8409. Technical correction.
- Sec. 8410. Technical correction.

SUBTITLE E—SUPPLEMENTAL SECURITY INCOME

- Sec. 8501. Review of State agency blindness and disability determinations.
- Sec. 8502. Payment of certain lump sum benefits in installments under the Supplemental Security Income program.

SUBTITLE F—STATE AND LOCAL FLEXIBILITY

- Sec. 8601. Program coordination demonstration projects.

SUBTITLE G—REPEAL OF CONTINUED DUMPING AND SUBSIDY OFFSET

- Sec. 8701. Repeal of continued dumping and subsidy offset.

SUBTITLE H—EFFECTIVE DATE

- Sec. 8801. Effective date.

1 SEC. 8003. REFERENCES.

2 Except as otherwise expressly provided, wherever in
3 this title an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the amendment or repeal shall be considered to be



1 made to a section or other provision of the Social Security
2 Act.

3 **SEC. 8004. FINDINGS.**

4 The Congress makes the following findings:

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

11 (A) There has been a dramatic increase in
12 the employment of current and former welfare
13 recipients. The percentage of working recipients
14 reached an all-time high in fiscal year 1999 and
15 continued steady in fiscal years 2000 and 2001.
16 In fiscal year 2003, 31.3 percent of adult re-
17 cipients were counted as meeting the work par-
18 ticipation requirements. All States but one met
19 the overall participation rate standard in fiscal
20 year 2003, as did the District of Columbia and
21 Puerto Rico.

22 (B) Earnings for welfare recipients re-
23 maining on the rolls have also increased signifi-
24 cantly, as have earnings for female-headed
25 households. The increases have been particu-



1 larly large for the bottom 2 income quintiles,
2 that is, those women who are most likely to be
3 former or present welfare recipients.

4 (C) Welfare dependency has plummeted.
5 As of June 2004, 1,969,909 families and
6 4,727,291 individuals were receiving assistance.
7 Accordingly, the number of families in the wel-
8 fare caseload and the number of individuals re-
9 ceiving cash assistance declined 55 percent and
10 61 percent, respectively, since the enactment of
11 TANF.

12 (D) The child poverty rate continued to de-
13 cline between 1996 and 2003, falling 14 percent
14 from 20.5 to 17.6 percent. Child poverty rates
15 for African-American and Hispanic children
16 have also fallen dramatically during the past 7
17 years.

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

23 (A) The birth rate to teenagers declined 30
24 percent from its high in 1991 to 2002. The
25 2002 teenage birth rate of 43.0 per 1,000



1 women aged 15–19 is the lowest recorded birth
2 rate for teenagers.

3 (B) During the period from 1991 through
4 2001, teenage birth rates fell in all States and
5 the District of Columbia, Puerto Rico, Guam,
6 and the Virgin Islands. Declines also have
7 spanned age, racial, and ethnic groups. There
8 has been success in lowering the birth rate for
9 both younger and older teens. The birth rate
10 for those 15–17 years of age has declined 40
11 percent since 1991, and the rate for those 18
12 and 19 has declined 23 percent. The rate for
13 African American teens—until recently the
14 highest—has declined the most—42 percent
15 from 1991 through 2002.

16 (C) Since the enactment of the Personal
17 Responsibility and Work Opportunity Reconcili-
18 ation Act of 1996, child support collections
19 within the child support enforcement system
20 have grown every year, increasing from
21 \$12,000,000,000 in fiscal year 1996 to over
22 \$21,000,000,000 in fiscal year 2003. The num-
23 ber of paternities established or acknowledged
24 in fiscal year 2003 (over 1,500,000) includes a
25 more than 100 percent increase through in-hos-



1 pital acknowledgement programs—862,043 in
2 2003 compared to 324,652 in 1996. Child sup-
3 port collections were made in nearly 8,000,000
4 cases in fiscal year 2003, significantly more
5 than the almost 4,000,000 cases having a col-
6 lection in 1996.

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

13 (A) Total Federal and State TANF ex-
14 penditures in fiscal year 2003 were
15 \$26,300,000,000, up from \$25,400,000,000 in
16 fiscal year 2002 and \$22,600,000,000 in fiscal
17 year 1999. This increased spending is attrib-
18 utable to significant new investments in sup-
19 portive services in the TANF program, such as
20 child care and activities to support work.

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



1 in the caseload because recipients have left wel-
2 fare for work.

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

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

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

17 (iii) States are experimenting with
18 programs to promote marriage and pater-
19 nal involvement. Over half of the States
20 have eliminated restrictions on 2-parent
21 families. Many States use TANF, child
22 support, or State funds to support commu-
23 nity-based activities to help fathers become
24 more involved in their children's lives or



1 strengthen relationships between mothers
2 and fathers.

3 (4) However, despite this success, there is still
4 progress to be made. Policies that support and pro-
5 mote more work, strengthen families, and enhance
6 State flexibility are necessary to continue to build on
7 the success of welfare reform.

8 (A) Significant numbers of welfare recipi-
9 ents still are not engaged in employment-related
10 activities. While all States have met the overall
11 work participation rates required by law, in an
12 average month, only 41 percent of all families
13 with an adult participated in work activities
14 that were countable toward the State's partici-
15 pation rate. In fiscal year 2003, four jurisdic-
16 tions failed to meet the more rigorous 2-parent
17 work requirements, and 25 jurisdictions (States
18 and territories) are not subject to the 2-parent
19 requirements, most because they moved their 2-
20 parent cases to separate State programs where
21 they are not subject to a penalty for failing the
22 2-parent rates.

23 (B) In 2002, 34 percent of all births in the
24 U.S. were to unmarried women. And, with
25 fewer teens entering marriage, the proportion of



1 births to unmarried teens has increased dra-
2 matically (80 percent in 2002 versus 30 percent
3 in 1970). The negative consequences of out-of-
4 wedlock birth on the mother, the child, the fam-
5 ily, and society are well documented. These in-
6 clude increased likelihood of welfare depend-
7 ency, increased risks of low birth weight, poor
8 cognitive development, child abuse and neglect,
9 and teen parenthood, and decreased likelihood
10 of having an intact marriage during adulthood.

11 (C) There has been a dramatic rise in co-
12 habitation as marriages have declined. It is esti-
13 mated that 40 percent of children are expected
14 to live in a cohabiting-parent family at some
15 point during their childhood. Children in single-
16 parent households and cohabiting-parent house-
17 holds are at much higher risk of child abuse
18 than children in intact married families.

19 (D) Children who live apart from their bio-
20 logical fathers, on average, are more likely to be
21 poor, experience educational, health, emotional,
22 and psychological problems, be victims of child
23 abuse, engage in criminal behavior, and become
24 involved with the juvenile justice system than
25 their peers who live with their married, biologi-



1 cal mother and father. A child living with a sin-
2 gle mother is nearly 5 times as likely to be poor
3 as a child living in a married-couple family. In
4 2003, in married-couple families, the child pov-
5 erty rate was 8.6 percent, and in households
6 headed by a single mother the poverty rate was
7 41.7 percent.

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

16 **Subtitle A—TANF**

17 **SEC. 8101. PURPOSES.**

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

19 (1) in the matter preceding paragraph (1), by
20 striking “increase” and inserting “improve child
21 well-being by increasing”;

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



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

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

7 **SEC. 8102. FAMILY ASSISTANCE GRANTS.**

8 (a) EXTENSION OF AUTHORITY.—Section
9 403(a)(1)(A) (42 U.S.C. 603(a)(1)(A)) is amended—

10 (1) by striking “1996, 1997, 1998, 1999, 2000,
11 2001, 2002, and 2003” and inserting “2006
12 through 2010”; and

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

15 (b) STATE FAMILY ASSISTANCE GRANT.—Section
16 403(a)(1)(C) (42 U.S.C. 603(a)(1)(C)) is amended by
17 striking “fiscal year 2003” and inserting “each of fiscal
18 years 2006 through 2010”.

19 (c) MATCHING GRANTS FOR THE TERRITORIES.—
20 Section 1108(b)(2) (42 U.S.C. 1308(b)(2)) is amended by
21 striking “1997 through 2003” and inserting “2006
22 through 2010”.



1 **SEC. 8103. PROMOTION OF FAMILY FORMATION AND**
2 **HEALTHY MARRIAGE.**

3 (a) STATE PLANS.—Section 402(a)(1)(A) (42 U.S.C.
4 602(a)(1)(A)) is amended by adding at the end the fol-
5 lowing:

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

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

13 “(2) HEALTHY MARRIAGE PROMOTION
14 GRANTS.—

15 “(A) AUTHORITY.—The Secretary shall
16 award competitive grants to States, territories,
17 and tribal organizations for not more than 50
18 percent of the cost of developing and imple-
19 menting innovative programs to promote and
20 support healthy, married, 2-parent families.

21 “(B) HEALTHY MARRIAGE PROMOTION AC-
22 TIVITIES.—Funds provided under subparagraph
23 (A) shall be used to support any of the fol-
24 lowing programs or activities:



1 “(i) Public advertising campaigns on
2 the value of marriage and the skills needed
3 to increase marital stability and health.

4 “(ii) Education in high schools on the
5 value of marriage, relationship skills, and
6 budgeting.

7 “(iii) Marriage education, marriage
8 skills, and relationship skills programs,
9 that may include parenting skills, financial
10 management, conflict resolution, and job
11 and career advancement, for non-married
12 pregnant women and non-married expect-
13 ant fathers.

14 “(iv) Pre-marital education and mar-
15 riage skills training for engaged couples
16 and for couples or individuals interested in
17 marriage.

18 “(v) Marriage enhancement and mar-
19 riage skills training programs for married
20 couples.

21 “(vi) Divorce reduction programs that
22 teach relationship skills.

23 “(vii) Marriage mentoring programs
24 which use married couples as role models
25 and mentors in at-risk communities.



1 FAMILIES, OR ENCOURAGE RESPON-
2 SIBLE FATHERHOOD.—The term
3 ‘qualified State expenditures’ includes
4 the total expenditures by the State
5 during the fiscal year under all State
6 programs for a purpose described in
7 paragraph (3) or (4) of section
8 401(a).”.

9 **SEC. 8104. SUPPLEMENTAL GRANT FOR POPULATION IN-**
10 **CREASES IN CERTAIN STATES.**

11 Section 403(a)(3) (42 U.S.C. 603(a)(3)) is
12 amended—

13 (1) in subparagraph (E)—

14 (A) by striking “1998, 1999, 2000, and
15 2001” and inserting “2006 through 2009”; and

16 (B) by striking “, in a total amount not to
17 exceed \$800,000,000”;

18 (2) in subparagraph (G), by striking “2001”
19 and inserting “2009”; and

20 (3) by striking subparagraph (H) and inserting
21 the following:

22 “(H) FURTHER PRESERVATION OF GRANT
23 AMOUNTS.—A State that was a qualifying State
24 under this paragraph for fiscal year 2004 or
25 any prior fiscal year shall be entitled to receive



1 from the Secretary for each of fiscal years 2006
2 through 2009 a grant in an amount equal to
3 the amount required to be paid to the State
4 under this paragraph for the most recent fiscal
5 year for which the State was a qualifying
6 State.”.

7 **SEC. 8105. ELIMINATION OF HIGH PERFORMANCE BONUS.**

8 Section 403(a) (42 U.S.C. 603(a)) is amended by
9 striking paragraph (4).

10 **SEC. 8106. CONTINGENCY FUND.**

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

13 (1) by striking “1997, 1998, 1999, 2000, 2001,
14 2002, and 2003” and inserting “2006 through
15 2010”; and

16 (2) by striking all that follows
17 “\$2,000,000,000” and inserting a period.

18 (b) GRANTS.—Section 403(b)(3)(C)(ii) (42 U.S.C.
19 603(b)(3)(C)(ii)) is amended by striking “fiscal years
20 1997 through 2006” and inserting “fiscal years 2006
21 through 2010”.

22 (c) DEFINITION OF NEEDY STATE.—Clauses (i) and
23 (ii) of section 403(b)(5)(B) (42 U.S.C. 603(b)(5)(B)) are
24 amended by inserting after “1996” the following: “and the
25 Food Stamp Act of 1977 as in effect during the cor-



1 responding 3-month period in the fiscal year preceding
2 such most recently concluded 3-month period”.

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

7 (1) in subparagraph (A)(ii)—

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

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

12 (C) by striking subclause (III);

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

16 (3) by amending subparagraph (B)(ii)(I) to
17 read as follows:

18 “(I) the qualified State expendi-
19 tures (as defined in section
20 409(a)(7)(B)(i)) for the fiscal year;
21 plus”; and

22 (4) by striking subparagraph (C).

23 (e) CONSIDERATION OF CERTAIN CHILD CARE EX-
24 PENDITURES IN DETERMINING STATE COMPLIANCE
25 WITH CONTINGENCY FUND MAINTENANCE OF EFFORT



1 REQUIREMENT.—Section 409(a)(10) (42 U.S.C.
2 609(a)(10)) is amended—

3 (1) by striking “(other than the expenditures
4 described in subclause (I)(bb) of that paragraph)
5 under the State program funded under this part”
6 and inserting a close parenthesis; and

7 (2) by striking “excluding any amount ex-
8 pended by the State for child care under subsection
9 (g) or (i) of section 402 (as in effect during fiscal
10 year 1994) for fiscal year 1994.”.

11 (f) EFFECTIVE DATE.—The amendments made by
12 subsections (c), (d), and (e) shall take effect on October
13 1, 2007.

14 **SEC. 8107. USE OF FUNDS.**

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

18 (b) TREATMENT OF INTERSTATE IMMIGRANTS.—

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

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



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

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

7 “(B) APPLICABLE PERCENT.—For pur-
8 poses of subparagraph (A), the applicable per-
9 cent is 10 percent for fiscal year 2006 and each
10 succeeding fiscal year.”.

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

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

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

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



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

10 **SEC. 8108. REPEAL OF FEDERAL LOAN FOR STATE WEL-**
11 **FARE PROGRAMS.**

12 (a) REPEAL.—Effective as of October 1, 2006, sec-
13 tion 406 (42 U.S.C. 606) is repealed.

14 (b) CONFORMING AMENDMENTS.—

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

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

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



1 **SEC. 8109. UNIVERSAL ENGAGEMENT AND FAMILY SELF-**
2 **SUFFICIENCY PLAN REQUIREMENTS.**

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

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

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

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

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

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

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

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



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

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

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

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

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



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

3 “(A) in the case of a family that, as of Oc-
4 tober 1, 2005, is not receiving assistance from
5 the State program funded under this part, not
6 later than 60 days after the family first receives
7 assistance on the basis of the most recent appli-
8 cation for the assistance; or

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

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

21 “(4) RULE OF INTERPRETATION.—Nothing in
22 this part shall preclude a State from—

23 “(A) requiring participation in work and
24 any other activities the State deems appropriate



1 for helping families achieve self-sufficiency and
2 improving child well-being; or

3 “(B) using job search or other appropriate
4 job readiness or work activities to assess the
5 employability of individuals and to determine
6 appropriate future engagement activities.”.

7 (2) PENALTY FOR FAILURE TO ESTABLISH
8 FAMILY SELF-SUFFICIENCY PLAN.—Section
9 409(a)(3) (42 U.S.C. 609(a)(3)) is amended—

10 (A) in the paragraph heading, by inserting
11 “or establish family self-sufficiency plan” after
12 “rates”; and

13 (B) in subparagraph (A), by inserting “or
14 408(b)” after “407(a)”.

15 **SEC. 8110. WORK PARTICIPATION REQUIREMENTS.**

16 (a) ELIMINATION OF SEPARATE PARTICIPATION
17 RATE REQUIREMENTS FOR 2-PARENT FAMILIES.—

18 (1) Section 407 (42 U.S.C. 607) is amended in
19 each of subsections (a) and (b) by striking para-
20 graph (2).

21 (2) Section 407(b)(4) (42 U.S.C. 607(b)(4)) is
22 amended by striking “paragraphs (1)(B) and
23 (2)(B)” and inserting “paragraph (1)(B)”.

24 (3) Section 407(c)(1) (42 U.S.C. 607(c)(1)) is
25 amended by striking subparagraph (B).



1 (4) Section 407(c)(2)(D) (42 U.S.C.
2 607(c)(2)(D)) is amended by striking “paragraphs
3 (1)(B)(i) and (2)(B) of subsection (b)” and inserting
4 “subsection (b)(1)(B)(i)”.

5 (b) WORK PARTICIPATION REQUIREMENTS.—Section
6 407 (42 U.S.C. 607) is amended by striking all that pre-
7 cedes subsection (b)(3) and inserting the following:

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

9 “(a) PARTICIPATION RATE REQUIREMENTS.—A
10 State to which a grant is made under section 403 for a
11 fiscal year shall achieve a minimum participation rate
12 equal to not less than—

13 “(1) 50 percent for fiscal year 2006;

14 “(2) 55 percent for fiscal year 2007;

15 “(3) 60 percent for fiscal year 2008;

16 “(4) 65 percent for fiscal year 2009; and

17 “(5) 70 percent for fiscal year 2010 and each
18 succeeding fiscal year.

19 “(b) CALCULATION OF PARTICIPATION RATES.—

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

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



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

4 “(i) the total number of countable
5 hours (as defined in subsection (c)) with
6 respect to the counted families for the
7 State for the month; divided by

8 “(ii) 160 multiplied by the number of
9 counted families for the State for the
10 month.

11 “(B) COUNTED FAMILIES DEFINED.—

12 “(i) IN GENERAL.—In subparagraph
13 (A), the term ‘counted family’ means, with
14 respect to a State and a month, a family
15 that includes a work-eligible individual and
16 that receives assistance in the month under
17 the State program funded under this part,
18 subject to clause (ii).

19 “(ii) STATE OPTION TO EXCLUDE
20 CERTAIN FAMILIES.—At the option of a
21 State, the term ‘counted family’ shall not
22 include—

23 “(I) a family in the first month
24 for which the family receives assist-
25 ance from a State program funded



1 under this part on the basis of the
2 most recent application for such as-
3 sistance;

4 “(II) on a case-by-case basis, a
5 family in which the youngest child has
6 not attained 12 months of age; or

7 “(III) a family that is subject to
8 a sanction under this part or part D,
9 but that has not been subject to such
10 a sanction for more than 3 months
11 (whether or not consecutive) in the
12 preceding 12-month period.

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

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



1 “(i) who is married or a single head
2 of household; and

3 “(ii) whose needs are (or, but for
4 sanctions under this part or part D, would
5 be) included in determining the amount of
6 cash assistance to be provided to the fam-
7 ily under the State program funded under
8 this part.”.

9 (c) RECALIBRATION OF CASELOAD REDUCTION
10 CREDIT.—

11 (1) IN GENERAL.—Section 407(b)(3)(A)(ii) (42
12 U.S.C. 607(b)(3)(A)(ii)) is amended to read as fol-
13 lows:

14 “(ii) the average monthly number of
15 families that received assistance under the
16 State program funded under this part dur-
17 ing the base year.”.

18 (2) CONFORMING AMENDMENT.—Section
19 407(b)(3)(B) (42 U.S.C. 607(b)(3)(B)) is amended
20 by striking “and eligibility criteria” and all that fol-
21 lows through the close parenthesis and inserting
22 “and the eligibility criteria in effect during the then
23 applicable base year”.



1 (3) BASE YEAR DEFINED.—Section 407(b)(3)
2 (42 U.S.C. 607(b)(3)) is amended by adding at the
3 end the following:

4 “(C) BASE YEAR DEFINED.—In this para-
5 graph, the term ‘base year’ means, with respect
6 to a fiscal year—

7 “(i) if the fiscal year is fiscal year
8 2006, fiscal year 1996;

9 “(ii) if the fiscal year is fiscal year
10 2007, fiscal year 1998;

11 “(iii) if the fiscal year is fiscal year
12 2008, fiscal year 2001; or

13 “(iv) if the fiscal year is fiscal year
14 2009 or any succeeding fiscal year, the
15 then 4th preceding fiscal year.”.

16 (d) SUPERACHIEVER CREDIT.—Section 407(b) (42
17 U.S.C. 607(b)) is amended by striking paragraphs (4) and
18 (5) and inserting the following:

19 “(4) SUPERACHIEVER CREDIT.—

20 “(A) IN GENERAL.—The participation
21 rate, determined under paragraphs (1) and (2)
22 of this subsection, of a superachiever State for
23 a fiscal year shall be increased by the lesser
24 of—



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

3 “(ii) the number of percentage points
4 (if any) by which the minimum participa-
5 tion rate required by subsection (a) for the
6 fiscal year exceeds 50 percent.

7 “(B) SUPERACHIEVER STATE.—For pur-
8 poses of subparagraph (A), a State is a super-
9 achiever State if the State caseload for fiscal
10 year 2001 has declined by at least 60 percent
11 from the State caseload for fiscal year 1995.

12 “(C) AMOUNT OF CREDIT.—The super-
13 achiever credit applicable to a State is the num-
14 ber of percentage points (if any) by which the
15 decline referred to in subparagraph (B) exceeds
16 60 percent.

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

18 “(i) STATE CASELOAD FOR FISCAL
19 YEAR 2001.—The term ‘State caseload for
20 fiscal year 2001’ means the average
21 monthly number of families that received
22 assistance during fiscal year 2001 under
23 the State program funded under this part.

24 “(ii) STATE CASELOAD FOR FISCAL
25 YEAR 1995.—The term ‘State caseload for



1 fiscal year 1995’ means the average
2 monthly number of families that received
3 aid under the State plan approved under
4 part A (as in effect on September 30,
5 1995) during fiscal year 1995.”.

6 (e) COUNTABLE HOURS.—Section 407 of such Act
7 (42 U.S.C. 607) is amended by striking subsections (c)
8 and (d) and inserting the following:

9 “(c) COUNTABLE HOURS.—

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

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

21 “(A) MINIMUM WEEKLY AVERAGE OF 24
22 HOURS OF DIRECT WORK ACTIVITIES RE-
23 QUIRED.—If the work-eligible individuals in a
24 family are engaged in a direct work activity for
25 an average total of fewer than 24 hours per



1 week in a month, then the number of countable
2 hours with respect to the family for the month
3 shall be zero.

4 “(B) MAXIMUM WEEKLY AVERAGE OF 16
5 HOURS OF OTHER ACTIVITIES.—An average of
6 not more than 16 hours per week of activities
7 specified by the State (subject to the exclusion
8 described in paragraph (1)) may be considered
9 countable hours in a month with respect to a
10 family.

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

13 “(A) PARTICIPATION IN QUALIFIED AC-
14 TIVITIES.—

15 “(i) IN GENERAL.—If, with the ap-
16 proval of the State, the work-eligible indi-
17 viduals in a family are engaged in 1 or
18 more qualified activities for an average
19 total of at least 24 hours per week in a
20 month, then all such engagement in the
21 month shall be considered engagement in a
22 direct work activity, subject to clause (iii).

23 “(ii) QUALIFIED ACTIVITY DE-
24 FINED.—The term ‘qualified activity’
25 means an activity specified by the State



1 (subject to the exclusion described in para-
2 graph (1)) that meets such standards and
3 criteria as the State may specify,
4 including—

5 “(I) substance abuse counseling
6 or treatment;

7 “(II) rehabilitation treatment
8 and services;

9 “(III) work-related education or
10 training directed at enabling the fam-
11 ily member to work;

12 “(IV) job search or job readiness
13 assistance; and

14 “(V) any other activity that ad-
15 dresses a purpose specified in section
16 401(a).

17 “(iii) LIMITATION.—

18 “(I) IN GENERAL.—Except as
19 provided in subclause (II), clause (i)
20 shall not apply to a family for more
21 than 3 months in any period of 24
22 consecutive months.

23 “(II) SPECIAL RULE APPLICABLE
24 TO EDUCATION AND TRAINING.—A
25 State may, on a case-by-case basis,



1 apply clause (i) to a work-eligible indi-
2 vidual so that participation by the in-
3 dividual in education or training, if
4 needed to permit the individual to
5 complete a certificate program or
6 other work-related education or train-
7 ing directed at enabling the individual
8 to fill a known job need in a local
9 area, may be considered countable
10 hours with respect to the family of the
11 individual for not more than 4 months
12 in any period of 24 consecutive
13 months.

14 “(B) SCHOOL ATTENDANCE BY TEEN
15 HEAD OF HOUSEHOLD.—The work-eligible
16 members of a family shall be considered to be
17 engaged in a direct work activity for an average
18 of 40 hours per week in a month if the family
19 includes an individual who is married, or is a
20 single head of household, who has not attained
21 20 years of age, and the individual—

22 “(i) maintains satisfactory attendance
23 at secondary school or the equivalent in
24 the month; or



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

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

- 6 “(1) unsubsidized employment;
- 7 “(2) subsidized private sector employment;
- 8 “(3) subsidized public sector employment;
- 9 “(4) on-the-job training;
- 10 “(5) supervised work experience; or
- 11 “(6) supervised community service.”.

12 (f) PENALTIES AGAINST INDIVIDUALS.—Section
13 407(e)(1) (42 U.S.C. 607(e)(1)) is amended to read as
14 follows:

15 “(1) REDUCTION OR TERMINATION OF ASSIST-
16 ANCE.—

17 “(A) IN GENERAL.—Except as provided in
18 paragraph (2), if an individual in a family re-
19 ceiving assistance under a State program fund-
20 ed under this part fails to engage in activities
21 required in accordance with this section, or
22 other activities required by the State under the
23 program, and the family does not otherwise en-
24 gage in activities in accordance with the self-



1 sufficiency plan established for the family pur-
2 suant to section 408(b), the State shall—

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

5 “(I) reduce the amount of assist-
6 ance otherwise payable to the family
7 pro rata (or more, at the option of the
8 State) with respect to any period dur-
9 ing a month in which the failure oc-
10 curs; or

11 “(II) terminate all assistance to
12 the family, subject to such good cause
13 exceptions as the State may establish;
14 or

15 “(ii) if the failure is total and persists
16 for at least 2 consecutive months, termi-
17 nate all cash payments to the family in-
18 cluding qualified State expenditures (as de-
19 fined in section 409(a)(7)(B)(i)) for at
20 least 1 month and thereafter until the
21 State determines that the individual has
22 resumed full participation in the activities,
23 subject to such good cause exceptions as
24 the State may establish.

25 “(B) SPECIAL RULE.—



1 “(i) IN GENERAL.—In the event of a
2 conflict between a requirement of clause
3 (i)(II) or (ii) of subparagraph (A) and a
4 requirement of a State constitution, or of
5 a State statute that, before 1966, obligated
6 local government to provide assistance to
7 needy parents and children, the State con-
8 stitutional or statutory requirement shall
9 control.

10 “(ii) LIMITATION.—Clause (i) of this
11 subparagraph shall not apply after the 1-
12 year period that begins with the date of
13 the enactment of this subparagraph.”.

14 (g) CONFORMING AMENDMENTS.—

15 (1) Section 407(f) (42 U.S.C. 607(f)) is amend-
16 ed in each of paragraphs (1) and (2) by striking
17 “work activity described in subsection (d)” and in-
18 serting “direct work activity”.

19 (2) The heading of section 409(a)(14) (42
20 U.S.C. 609(a)(14)) is amended by inserting “or re-
21 fusing to engage in activities under a family self-suf-
22 ficiency plan” after “work”.

23 **SEC. 8111. MAINTENANCE OF EFFORT.**

24 (a) IN GENERAL.—Section 409(a)(7) (42 U.S.C.
25 609(a)(7)) is amended—



1 (1) in subparagraph (A), by striking “fiscal
2 year 1998, 1999, 2000, 2001, 2002, 2003, 2004,
3 2005, 2006, or 2007” and inserting “fiscal year
4 2006, 2007, 2008, 2009, 2010, or 2011”; and

5 (2) in subparagraph (B)(ii)—

6 (A) by inserting “preceding” before “fiscal
7 year”; and

8 (B) by striking “for fiscal years 1997
9 through 2006,”.

10 (b) STATE SPENDING ON PROMOTING HEALTHY
11 MARRIAGE.—

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

14 “(1) MARRIAGE PROMOTION.—A State, territory, or
15 tribal organization to which a grant is made under section
16 403(a)(2) may use a grant made to the State, territory,
17 or tribe under any other provision of section 403 for mar-
18 riage promotion activities, and the amount of any such
19 grant so used shall be considered State funds for purposes
20 of section 403(a)(2).”.

21 (2) FEDERAL TANF FUNDS USED FOR MAR-
22 RIAGE PROMOTION DISREGARDED FOR PURPOSES OF
23 MAINTENANCE OF EFFORT REQUIREMENT.—Section
24 409(a)(7)(B)(i) (42 U.S.C. 609(a)(7)(B)(i)), as



1 amended by section 8103(e) of this Act, is amended
2 by adding at the end the following:

3 “(VI) EXCLUSION OF FEDERAL
4 TANF FUNDS USED FOR MARRIAGE
5 PROMOTION ACTIVITIES.—Such term
6 does not include the amount of any
7 grant made to the State under section
8 403 that is expended for a marriage
9 promotion activity.”.

10 **SEC. 8112. PERFORMANCE IMPROVEMENT.**

11 (a) STATE PLANS.—Section 402(a) (42 U.S.C.
12 602(a)) is amended—

13 (1) in paragraph (1)—

14 (A) in subparagraph (A)—

15 (i) by redesignating clause (vi) and
16 clause (vii) (as added by section 8103(a) of
17 this Act) as clauses (vii) and (viii), respec-
18 tively; and

19 (ii) by striking clause (v) and insert-
20 ing the following:

21 “(v) The document shall—

22 “(I) describe how the State will
23 pursue ending dependence of needy
24 families on government benefits and



1 reducing poverty by promoting job
2 preparation and work;

3 “(II) describe how the State will
4 encourage the formation and mainte-
5 nance of healthy 2-parent married
6 families, encourage responsible father-
7 hood, and prevent and reduce the inci-
8 dence of out-of-wedlock pregnancies;

9 “(III) include specific, numerical,
10 and measurable performance objec-
11 tives for accomplishing subclauses (I)
12 and (II); and

13 “(IV) describe the methodology
14 that the State will use to measure
15 State performance in relation to each
16 such objective.

17 “(vi) Describe any strategies and pro-
18 grams the State may be undertaking to
19 address—

20 “(I) employment retention and
21 advancement for recipients of assist-
22 ance under the program, including
23 placement into high-demand jobs, and
24 whether the jobs are identified using
25 labor market information;



1 “(II) efforts to reduce teen preg-
2 nancy;

3 “(III) services for struggling and
4 noncompliant families, and for clients
5 with special problems; and

6 “(IV) program integration, in-
7 cluding the extent to which employ-
8 ment and training services under the
9 program are provided through the
10 One-Stop delivery system created
11 under the Workforce Investment Act
12 of 1998, and the extent to which
13 former recipients of such assistance
14 have access to additional core, inten-
15 sive, or training services funded
16 through such Act.”; and

17 (B) in subparagraph (B), by striking
18 clause (iii) (as so redesignated by section
19 8107(b)(1) of this Act) and inserting the fol-
20 lowing:

21 “(iii) The document shall describe
22 strategies and programs the State is un-
23 dertaking to engage religious organizations
24 in the provision of services funded under
25 this part and efforts related to section 104



1 of the Personal Responsibility and Work
2 Opportunity Reconciliation Act of 1996.

3 “(iv) The document shall describe
4 strategies to improve program manage-
5 ment and performance.”; and

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

8 (b) CONSULTATION WITH STATE REGARDING PLAN
9 AND DESIGN OF TRIBAL PROGRAMS.—Section 412(b)(1)
10 (42 U.S.C. 612(b)(1)) is amended—

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

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

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

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

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

22 “(k) PERFORMANCE IMPROVEMENT.—The Secretary,
23 in consultation with the States, shall develop uniform per-
24 formance measures designed to assess the degree of effec-
25 tiveness, and the degree of improvement, of State pro-



1 grams funded under this part in accomplishing the pur-
2 poses of this part.”.

3 (d) ANNUAL RANKING OF STATES.—Section
4 413(d)(1) (42 U.S.C. 613(d)(1)) is amended by striking
5 “long-term private sector jobs” and inserting “private sec-
6 tor jobs, the success of the recipients in retaining employ-
7 ment, the ability of the recipients to increase their wages”.

8 **SEC. 8113. DATA COLLECTION AND REPORTING.**

9 (a) CONTENTS OF REPORT.—Section 411(a)(1)(A)
10 (42 U.S.C. 611(a)(1)(A)) is amended—

11 (1) in the matter preceding clause (i), by insert-
12 ing “and on families receiving assistance under
13 State programs funded with other qualified State ex-
14 penditures (as defined in section 409(a)(7)(B))” be-
15 fore the colon;

16 (2) in clause (vii), by inserting “and minor par-
17 ent” after “of each adult”;

18 (3) in clause (viii), by striking “and educational
19 level”;

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

22 (5) in clause (x)—

23 (A) by striking “each type of”; and



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

4 (6) in clause (xi), by striking the subclauses
5 and inserting the following:

6 “(I) Subsidized private sector
7 employment.

8 “(II) Unsubsidized employment.

9 “(III) Public sector employment,
10 supervised work experience, or super-
11 vised community service.

12 “(IV) On-the-job training.

13 “(V) Job search and placement.

14 “(VI) Training.

15 “(VII) Education.

16 “(VIII) Other activities directed
17 at the purposes of this part, as speci-
18 fied in the State plan submitted pur-
19 suant to section 402.”;

20 (7) in clause (xii), by inserting “and progress
21 toward universal engagement” after “participation
22 rates”;

23 (8) in clause (xiii), by striking “type and” be-
24 fore “amount of assistance”;



1 (9) in clause (xvi), by striking subclause (II)
2 and redesignating subclauses (III) through (V) as
3 subclauses (II) through (IV), respectively; and

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

5 “(xviii) The date the family first re-
6 ceived assistance from the State program
7 on the basis of the most recent application
8 for such assistance.

9 “(xix) Whether a self-sufficiency plan
10 is established for the family in accordance
11 with section 408(b).

12 “(xx) With respect to any child in the
13 family, the marital status of the parents at
14 the birth of the child, and if the parents
15 were not then married, whether the pater-
16 nity of the child has been established.”

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

19 (1) in clause (i)—

20 (A) by striking “a sample” and inserting
21 “samples”; and

22 (B) by inserting before the period “, except
23 that the Secretary may designate core data ele-
24 ments that must be reported on all families”;
25 and



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

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

7 (1) by striking paragraph (5);

8 (2) by redesignating paragraph (6) as para-
9 graph (5); and

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

12 “(6) REPORT ON FAMILIES THAT BECOME IN-
13 ELIGIBLE TO RECEIVE ASSISTANCE.—The report re-
14 quired by paragraph (1) for a fiscal quarter shall in-
15 clude for each month in the quarter the number of
16 families and total number of individuals that, during
17 the month, became ineligible to receive assistance
18 under the State program funded under this part
19 (broken down by the number of families that become
20 so ineligible due to earnings, changes in family com-
21 position that result in increased earnings, sanctions,
22 time limits, or other specified reasons).”.

23 (d) REGULATIONS.—Section 411(a)(7) (42 U.S.C.
24 611(a)(7)) is amended—



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

3 (2) by striking “subsection” and inserting “sec-
4 tion”; and

5 (3) by striking “in defining the data elements”
6 and all that follows and inserting “, the National
7 Governors’ Association, the American Public Human
8 Services Association, the National Conference of
9 State Legislatures, and others in defining the data
10 elements.”.

11 (e) ADDITIONAL REPORTS BY STATES.—Section 411
12 (42 U.S.C. 611) is amended—

13 (1) by redesignating subsection (b) as sub-
14 section (e); and

15 (2) by inserting after subsection (a) the fol-
16 lowing:

17 “(b) ANNUAL REPORTS ON PROGRAM CHARACTERIS-
18 TICS.—Not later than 90 days after the end of fiscal year
19 2006 and each succeeding fiscal year, each eligible State
20 shall submit to the Secretary a report on the characteris-
21 ties of the State program funded under this part and other
22 State programs funded with qualified State expenditures
23 (as defined in section 409(a)(7)(B)(i)). The report shall
24 include, with respect to each such program, the program
25 name, a description of program activities, the program



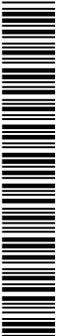
1 purpose, the program eligibility criteria, the sources of
2 program funding, the number of program beneficiaries,
3 sanction policies, and any program work requirements.

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

11 “(d) ANNUAL REPORT ON PERFORMANCE IMPROVE-
12 MENT.—Beginning with fiscal year 2007, not later than
13 January 1 of each fiscal year, each eligible State shall sub-
14 mit to the Secretary a report on achievement and improve-
15 ment during the preceding fiscal year under the numerical
16 performance goals and measures under the State program
17 funded under this part with respect to each of the matters
18 described in section 402(a)(1)(A)(v).”.

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

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



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

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

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

11 “(f) INCREASED ANALYSIS OF STATE SINGLE AUDIT
12 REPORTS.—

13 “(1) IN GENERAL.—Within 3 months after a
14 State submits to the Secretary a report pursuant to
15 section 7502(a)(1)(A) of title 31, United States
16 Code, the Secretary shall analyze the report for the
17 purpose of identifying the extent and nature of prob-
18 lems related to the oversight by the State of non-
19 governmental entities with respect to contracts en-
20 tered into by such entities with the State program
21 funded under this part, and determining what addi-
22 tional actions may be appropriate to help prevent
23 and correct the problems.

24 “(2) INCLUSION OF PROGRAM OVERSIGHT SEC-
25 TION IN ANNUAL REPORT TO THE CONGRESS.—The



1 Secretary shall include in each report under sub-
2 section (e) a section on oversight of State programs
3 funded under this part, including findings on the ex-
4 tent and nature of the problems referred to in para-
5 graph (1), actions taken to resolve the problems, and
6 to the extent the Secretary deems appropriate make
7 recommendations on changes needed to resolve the
8 problems.”.

9 **SEC. 8114. DIRECT FUNDING AND ADMINISTRATION BY IN-**
10 **DIAN TRIBES.**

11 (a) TRIBAL FAMILY ASSISTANCE GRANT.—Section
12 412(a)(1)(A) (42 U.S.C. 612(a)(1)(A)) is amended by
13 striking “1997, 1998, 1999, 2000, 2001, 2002, and 2003”
14 and inserting “2006 through 2010”.

15 (b) GRANTS FOR INDIAN TRIBES THAT RECEIVED
16 JOBS FUNDS.—Section 412(a)(2)(A) (42 U.S.C.
17 612(a)(2)(A)) is amended by striking “1997, 1998, 1999,
18 2000, 2001, 2002, and 2003” and inserting “2006
19 through 2010”.

20 **SEC. 8115. RESEARCH, EVALUATIONS, AND NATIONAL**
21 **STUDIES.**

22 (a) SECRETARY’S FUND FOR RESEARCH, DEM-
23 ONSTRATIONS, AND TECHNICAL ASSISTANCE.—Section
24 413 (42 U.S.C. 613), as amended by section 8112(c) of



1 this Act, is further amended by adding at the end the fol-
2 lowing:

3 “(1) FUNDING FOR RESEARCH, DEMONSTRATIONS,
4 AND TECHNICAL ASSISTANCE.—

5 “(1) APPROPRIATION.—Out of any money in
6 the Treasury of the United States not otherwise ap-
7 propriated, there are appropriated \$102,000,000 for
8 each of fiscal years 2006 through 2010, which shall
9 be available to the Secretary for the purpose of con-
10 ducting and supporting research and demonstration
11 projects by public or private entities, and providing
12 technical assistance to States, Indian tribal organi-
13 zations, and such other entities as the Secretary
14 may specify that are receiving a grant under this
15 part, which shall be expended primarily on activities
16 described in section 403(a)(2)(B), and which shall
17 be in addition to any other funds made available
18 under this part.

19 “(2) SET ASIDE FOR DEMONSTRATION
20 PROJECTS FOR COORDINATION OF PROVISION OF
21 CHILD WELFARE AND TANF SERVICES TO TRIBAL
22 FAMILIES AT RISK OF CHILD ABUSE OR NEGLECT.—

23 “(A) IN GENERAL.—Of the amounts made
24 available under paragraph (1) for a fiscal year,
25 \$2,000,000 shall be awarded on a competitive



1 basis to fund demonstration projects designed
2 to test the effectiveness of tribal governments
3 or tribal consortia in coordinating the provision
4 to tribal families at risk of child abuse or ne-
5 glect of child welfare services and services
6 under tribal programs funded under this part.

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

9 “(i) to improve case management for
10 families eligible for assistance from such a
11 tribal program;

12 “(ii) for supportive services and as-
13 sistance to tribal children in out-of-home
14 placements and the tribal families caring
15 for such children, including families who
16 adopt such children; and

17 “(iii) for prevention services and as-
18 sistance to tribal families at risk of child
19 abuse and neglect.

20 “(C) REPORTS.—The Secretary may re-
21 quire a recipient of funds awarded under this
22 paragraph to provide the Secretary with such
23 information as the Secretary deems relevant to
24 enable the Secretary to facilitate and oversee



1 the administration of any project for which
2 funds are provided under this paragraph.”.

3 (b) FUNDING OF STUDIES AND DEMONSTRATIONS.—

4 Section 413(h)(1) (42 U.S.C. 613(h)(1)) is amended in
5 the matter preceding subparagraph (A) by striking “1997
6 through 2002” and inserting “2006 through 2010”.

7 (c) REPORT ON ENFORCEMENT OF CERTAIN AFFIDA-

8 VITS OF SUPPORT AND SPONSOR DEEMING.—Not later
9 than March 31, 2006, the Secretary of Health and Human
10 Services, in consultation with the Attorney General, shall
11 submit to the Congress a report on the enforcement of
12 affidavits of support and sponsor deeming as required by
13 section 421, 422, and 432 of the Personal Responsibility
14 and Work Opportunity Reconciliation Act of 1996.

15 (d) REPORT ON COORDINATION.—Not later than 6

16 months after the date of the enactment of this Act, the
17 Secretary of Health and Human Services and the Sec-
18 retary of Labor shall jointly submit a report to the Con-
19 gress describing common or conflicting data elements,
20 definitions, performance measures, and reporting require-
21 ments in the Workforce Investment Act of 1998 and part
22 A of title IV of the Social Security Act, and, to the degree
23 each Secretary deems appropriate, at the discretion of ei-
24 ther Secretary, any other program administered by the re-



1 spective Secretary, to allow greater coordination between
2 the welfare and workforce development systems.

3 **SEC. 8116. STUDY BY THE CENSUS BUREAU.**

4 (a) IN GENERAL.—Section 414(a) (42 U.S.C.
5 614(a)) is amended to read as follows:

6 “(a) IN GENERAL.—The Bureau of the Census shall
7 implement or enhance a longitudinal survey of program
8 participation, developed in consultation with the Secretary
9 and made available to interested parties, to allow for the
10 assessment of the outcomes of continued welfare reform
11 on the economic and child well-being of low-income fami-
12 lies with children, including those who received assistance
13 or services from a State program funded under this part,
14 and, to the extent possible, shall provide State representa-
15 tive samples. The content of the survey should include
16 such information as may be necessary to examine the
17 issues of out-of-wedlock childbearing, marriage, welfare
18 dependency and compliance with work requirements, the
19 beginning and ending of spells of assistance, work, earn-
20 ings and employment stability, and the well-being of chil-
21 dren.”.

22 (b) APPROPRIATION.—Section 414(b) (42 U.S.C.
23 614(b)) is amended—



1 (1) by striking “1996,” and all that follows
2 through “2003” and inserting “2006 through
3 2010”; and

4 (2) by adding at the end the following: “Funds
5 appropriated under this subsection shall remain
6 available through fiscal year 2010 to carry out sub-
7 section (a).”.

8 **SEC. 8117. DEFINITION OF ASSISTANCE.**

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

11 “(6) ASSISTANCE.—

12 “(A) IN GENERAL.—The term ‘assistance’
13 means payment, by cash, voucher, or other
14 means, to or for an individual or family for the
15 purpose of meeting a subsistence need of the in-
16 dividual or family (including food, clothing,
17 shelter, and related items, but not including
18 costs of transportation or child care).

19 “(B) EXCEPTION.—The term ‘assistance’
20 does not include a payment described in sub-
21 paragraph (A) to or for an individual or family
22 on a short-term, nonrecurring basis (as defined
23 by the State in accordance with regulations pre-
24 scribed by the Secretary).”.

25 (b) CONFORMING AMENDMENTS.—



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

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

7 (3) Section 408(a)(5)(B)(i) (42 U.S.C.
8 608(a)(5)(B)(i)) is amended in the heading by strik-
9 ing “ASSISTANCE” and inserting “AID”.

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

13 **SEC. 8118. TECHNICAL CORRECTIONS.**

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

16 (b) Section 411(a)(1)(A)(ii)(III) (42 U.S.C.
17 611(a)(1)(A)(ii)(III)) is amended by striking the last close
18 parenthesis.

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

21 (d)(1) Section 413 (42 U.S.C. 613) is amended by
22 striking subsection (g) and redesignating subsections (h)
23 through (j) and subsections (k) and (l) (as added by sec-
24 tions 8112(c) and 8115(a) of this Act, respectively) as
25 subsections (g) through (k), respectively.



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

3 (A) Section 403(a)(5)(A)(ii)(III) (42 U.S.C.
4 603(a)(5)(A)(ii)(III)).

5 (B) Section 403(a)(5)(F) (42 U.S.C.
6 603(a)(5)(F)).

7 (C) Section 403(a)(5)(G)(ii) (42 U.S.C.
8 603(a)(5)(G)(ii)).

9 (D) Section 412(a)(3)(B)(iv) (42 U.S.C.
10 612(a)(3)(B)(iv)).

11 **SEC. 8119. FATHERHOOD PROGRAM.**

12 (a) SHORT TITLE.—This section may be cited as the
13 “Promotion and Support of Responsible Fatherhood and
14 Healthy Marriage Act of 2005”.

15 (b) FATHERHOOD PROGRAM.—

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

20 **“SEC. 117. FATHERHOOD PROGRAM.**

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



1 **‘PART C—FATHERHOOD PROGRAM**

2 **‘SEC. 441. FINDINGS AND PURPOSES.**

3 ‘(a) FINDINGS.—The Congress finds that there is
4 substantial evidence strongly indicating the urgent need
5 to promote and support involved, committed, and respon-
6 sible fatherhood, and to encourage and support healthy
7 marriages between parents raising children, including data
8 demonstrating the following:

9 ‘(1) In approximately 84 percent of cases where
10 a parent is absent, that parent is the father.

11 ‘(2) If current trends continue, half of all chil-
12 dren born today will live apart from one of their par-
13 ents, usually their father, at some point before they
14 turn 18.

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

18 ‘(4) Committed and responsible fathering dur-
19 ing infancy and early childhood contributes to the
20 development of emotional security, curiosity, and
21 math and verbal skills.

22 ‘(5) An estimated 19,400,000 children (27 per-
23 cent) live apart from their biological father.

24 ‘(6) Forty percent of children under age 18 not
25 living with their biological father had not seen their



1 father even once in the last 12 months, according to
2 national survey data.

3 ‘(b) PURPOSES.—The purposes of this part are:

4 ‘(1) To provide for projects and activities by
5 public entities and by nonprofit community entities,
6 including religious organizations, designed to test
7 promising approaches to accomplishing the following
8 objectives:

9 ‘(A) Promoting responsible, caring, and ef-
10 fective parenting through counseling, men-
11 toring, and parenting education, dissemination
12 of educational materials and information on
13 parenting skills, encouragement of positive fa-
14 ther involvement, including the positive involve-
15 ment of nonresident fathers, and other meth-
16 ods.

17 ‘(B) Enhancing the abilities and commit-
18 ment of unemployed or low-income fathers to
19 provide material support for their families and
20 to avoid or leave welfare programs by assisting
21 them to take full advantage of education, job
22 training, and job search programs, to improve
23 work habits and work skills, to secure career
24 advancement by activities such as outreach and
25 information dissemination, coordination, as ap-



1 appropriate, with employment services and job
2 training programs, including the One-Stop de-
3 livery system established under title I of the
4 Workforce Investment Act of 1998, encourage-
5 ment and support of timely payment of current
6 child support and regular payment toward past
7 due child support obligations in appropriate
8 cases, and other methods.

9 ‘(C) Improving fathers’ ability to effec-
10 tively manage family business affairs by means
11 such as education, counseling, and mentoring in
12 matters including household management,
13 budgeting, banking, and handling of financial
14 transactions, time management, and home
15 maintenance.

16 ‘(D) Encouraging and supporting healthy
17 marriages and married fatherhood through such
18 activities as premarital education, including the
19 use of premarital inventories, marriage prepara-
20 tion programs, skills-based marriage education
21 programs, marital therapy, couples counseling,
22 divorce education and reduction programs, di-
23 vorce mediation and counseling, relationship
24 skills enhancement programs, including those
25 designed to reduce child abuse and domestic vi-



1 olence, and dissemination of information about
2 the benefits of marriage for both parents and
3 children.

4 ‘(2) Through the projects and activities de-
5 scribed in paragraph (1), to improve outcomes for
6 children with respect to measures such as increased
7 family income and economic security, improved
8 school performance, better health, improved emo-
9 tional and behavioral stability and social adjustment,
10 and reduced risk of delinquency, crime, substance
11 abuse, child abuse and neglect, teen sexual activity,
12 and teen suicide.

13 ‘(3) To evaluate the effectiveness of various ap-
14 proaches and to disseminate findings concerning out-
15 comes and other information in order to encourage
16 and facilitate the replication of effective approaches
17 to accomplishing these objectives.

18 **‘SEC. 442. DEFINITIONS.**

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

23 **‘SEC. 443. COMPETITIVE GRANTS FOR SERVICE PROJECTS.**

24 ‘(a) IN GENERAL.—The Secretary may make grants
25 for fiscal years 2006 through 2010 to public and nonprofit



1 community entities, including religious organizations, and
2 to Indian tribes and tribal organizations, for demonstra-
3 tion service projects and activities designed to test the ef-
4 fectiveness of various approaches to accomplish the objec-
5 tives specified in section 441(b)(1).

6 ‘(b) ELIGIBILITY CRITERIA FOR FULL SERVICE
7 GRANTS.—In order to be eligible for a grant under this
8 section, except as specified in subsection (c), an entity
9 shall submit an application to the Secretary containing the
10 following:

11 ‘(1) PROJECT DESCRIPTION.—A statement
12 including—

13 ‘(A) a description of the project and how
14 it will be carried out, including the geographical
15 area to be covered and the number and charac-
16 teristics of clients to be served, and how it will
17 address each of the 4 objectives specified in sec-
18 tion 441(b)(1); and

19 ‘(B) a description of the methods to be
20 used by the entity or its contractor to assess
21 the extent to which the project was successful
22 in accomplishing its specific objectives and the
23 general objectives specified in section 441(b)(1).

24 ‘(2) EXPERIENCE AND QUALIFICATIONS.—A
25 demonstration of ability to carry out the project, by



1 means such as demonstration of experience in suc-
2 cessfully carrying out projects of similar design and
3 scope, and such other information as the Secretary
4 may find necessary to demonstrate the entity's ca-
5 pacity to carry out the project, including the entity's
6 ability to provide the non-Federal share of project
7 resources.

8 '(3) ADDRESSING CHILD ABUSE AND NEGLECT
9 AND DOMESTIC VIOLENCE.—A description of how
10 the entity will assess for the presence of, and inter-
11 vene to resolve, domestic violence and child abuse
12 and neglect, including how the entity will coordinate
13 with State and local child protective service and do-
14 mestic violence programs.

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



1 ‘(5) COORDINATION WITH SPECIFIED PRO-
2 GRAMS.—An undertaking to coordinate, as appro-
3 priate, with State and local entities responsible for
4 the programs under parts A, B, and D of this title,
5 including programs under title I of the Workforce
6 Investment Act of 1998 (including the One-Stop de-
7 livery system), and such other programs as the Sec-
8 retary may require.

9 ‘(6) RECORDS, REPORTS, AND AUDITS.—An
10 agreement to maintain such records, make such re-
11 ports, and cooperate with such reviews or audits as
12 the Secretary may find necessary for purposes of
13 oversight of project activities and expenditures.

14 ‘(7) SELF-INITIATED EVALUATION.—If the enti-
15 ty elects to contract for independent evaluation of
16 the project (part or all of the cost of which may be
17 paid for using grant funds), a commitment to sub-
18 mit to the Secretary a copy of the evaluation report
19 within 30 days after completion of the report and
20 not more than 1 year after completion of the project.

21 ‘(8) COOPERATION WITH SECRETARY’S OVER-
22 SIGHT AND EVALUATION.—An agreement to cooper-
23 ate with the Secretary’s evaluation of projects as-
24 sisted under this section, by means including ran-
25 dom assignment of clients to service recipient and



1 control groups, if determined by the Secretary to be
2 appropriate, and affording the Secretary access to
3 the project and to project-related records and docu-
4 ments, staff, and clients.

5 ‘(c) ELIGIBILITY CRITERIA FOR LIMITED PURPOSE
6 GRANTS.—In order to be eligible for a grant under this
7 section in an amount under \$25,000 per fiscal year, an
8 entity shall submit an application to the Secretary con-
9 taining the following:

10 ‘(1) PROJECT DESCRIPTION.—A description of
11 the project and how it will be carried out, including
12 the number and characteristics of clients to be
13 served, the proposed duration of the project, and
14 how it will address at least 1 of the 4 objectives
15 specified in section 441(b)(1).

16 ‘(2) QUALIFICATIONS.—Such information as
17 the Secretary may require as to the capacity of the
18 entity to carry out the project, including any pre-
19 vious experience with similar activities.

20 ‘(3) COORDINATION WITH RELATED PRO-
21 GRAMS.—As required by the Secretary in appro-
22 priate cases, an undertaking to coordinate and co-
23 operate with State and local entities responsible for
24 specific programs relating to the objectives of the



1 project including, as appropriate, jobs programs and
2 programs serving children and families.

3 ‘(4) RECORDS, REPORTS, AND AUDITS.—An
4 agreement to maintain such records, make such re-
5 ports, and cooperate with such reviews or audits as
6 the Secretary may find necessary for purposes of
7 oversight of project activities and expenditures.

8 ‘(5) COOPERATION WITH SECRETARY’S OVER-
9 SIGHT AND EVALUATION.—An agreement to cooper-
10 ate with the Secretary’s evaluation of projects as-
11 sisted under this section, by means including afford-
12 ing the Secretary access to the project and to
13 project-related records and documents, staff, and cli-
14 ents.

15 ‘(d) CONSIDERATIONS IN AWARDING GRANTS.—

16 ‘(1) DIVERSITY OF PROJECTS.—In awarding
17 grants under this section, the Secretary shall seek to
18 achieve a balance among entities of differing sizes,
19 entities in differing geographic areas, entities in
20 urban and in rural areas, and entities employing dif-
21 fering methods of achieving the purposes of this sec-
22 tion, including working with the State agency re-
23 sponsible for the administration of part D to help fa-
24 thers satisfy child support arrearage obligations.



1 ‘(2) PREFERENCE FOR PROJECTS SERVING
2 LOW-INCOME FATHERS.—In awarding grants under
3 this section, the Secretary may give preference to
4 applications for projects in which a majority of the
5 clients to be served are low-income fathers.

6 ‘(e) FEDERAL SHARE.—

7 ‘(1) IN GENERAL.—Grants for a project under
8 this section for a fiscal year shall be available for a
9 share of the cost of such project in such fiscal year
10 equal to—

11 ‘(A) up to 80 percent (or up to 90 percent,
12 if the entity demonstrates to the Secretary’s
13 satisfaction circumstances limiting the entity’s
14 ability to secure non-Federal resources) in the
15 case of a project under subsection (b); and

16 ‘(B) up to 100 percent, in the case of a
17 project under subsection (c).

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



1 **‘SEC. 444. MULTICITY, MULTISTATE DEMONSTRATION**
2 **PROJECTS.**

3 (a) IN GENERAL.—The Secretary may make grants
4 under this section for fiscal years 2006 through 2010 to
5 eligible entities (as specified in subsection (b)) for
6 multicity, multistate projects demonstrating approaches to
7 achieving the objectives specified in section 441(b)(1). One
8 of the projects shall test the use of married couples to
9 deliver program services.

10 (b) ELIGIBLE ENTITIES.—An entity eligible for a
11 grant under this section must be a national nonprofit fa-
12 therhood promotion organization that meets the following
13 requirements:

14 (1) EXPERIENCE WITH FATHERHOOD PRO-
15 GRAMS.—The organization must have substantial ex-
16 perience in designing and successfully conducting
17 programs that meet the purposes described in sec-
18 tion 441.

19 (2) EXPERIENCE WITH MULTICITY,
20 MULTISTATE PROGRAMS AND GOVERNMENT COORDI-
21 NATION.—The organization must have experience in
22 simultaneously conducting such programs in more
23 than 1 major metropolitan area in more than 1
24 State and in coordinating such programs, where ap-
25 propriate, with State and local government agencies
26 and private, nonprofit agencies (including commu-



1 nity-based and religious organizations), including
2 State or local agencies responsible for child support
3 enforcement and workforce development.

4 ‘(c) APPLICATION REQUIREMENTS.—In order to be
5 eligible for a grant under this section, an entity must sub-
6 mit to the Secretary an application that includes the fol-
7 lowing:

8 ‘(1) QUALIFICATIONS.—

9 ‘(A) ELIGIBLE ENTITY.—A demonstration
10 that the entity meets the requirements of sub-
11 section (b).

12 ‘(B) OTHER.—Such other information as
13 the Secretary may find necessary to dem-
14 onstrate the entity’s capacity to carry out the
15 project, including the entity’s ability to provide
16 the non-Federal share of project resources.

17 ‘(2) PROJECT DESCRIPTION.—A description of
18 and commitments concerning the project design, in-
19 cluding the following:

20 ‘(A) IN GENERAL.—A detailed description
21 of the proposed project design and how it will
22 be carried out, which shall—

23 ‘(i) provide for the project to be con-
24 ducted in at least 3 major metropolitan
25 areas;



1 ‘(ii) state how it will address each of
2 the 4 objectives specified in section
3 441(b)(1);

4 ‘(iii) demonstrate that there is a suffi-
5 cient number of potential clients to allow
6 for the random selection of individuals to
7 participate in the project and for compari-
8 sons with appropriate control groups com-
9 posed of individuals who have not partici-
10 pated in such projects; and

11 ‘(iv) demonstrate that the project is
12 designed to direct a majority of project re-
13 sources to activities serving low-income fa-
14 thers (but the project need not make serv-
15 ices available on a means-tested basis).

16 ‘(B) OVERSIGHT, EVALUATION, AND AD-
17 JUSTMENT COMPONENT.—An agreement that
18 the entity—

19 ‘(i) in consultation with the evaluator
20 selected pursuant to section 445, and as
21 required by the Secretary, will modify the
22 project design, initially and (if necessary)
23 subsequently throughout the duration of
24 the project, in order to facilitate ongoing
25 and final oversight and evaluation of



1 project operation and outcomes (by means
2 including, to the maximum extent feasible,
3 random assignment of clients to service re-
4 cipient and control groups), and to provide
5 for mid-course adjustments in project de-
6 sign indicated by interim evaluations;

7 (ii) will submit to the Secretary re-
8 vised descriptions of the project design as
9 modified in accordance with clause (i); and

10 (iii) will cooperate fully with the Sec-
11 retary's ongoing oversight and ongoing and
12 final evaluation of the project, by means
13 including affording the Secretary access to
14 the project and to project-related records
15 and documents, staff, and clients.

16 (3) ADDRESSING CHILD ABUSE AND NEGLECT
17 AND DOMESTIC VIOLENCE.—A description of how
18 the entity will assess for the presence of, and inter-
19 vene to resolve, domestic violence and child abuse
20 and neglect, including how the entity will coordinate
21 with State and local child protective service and do-
22 mestic violence programs.

23 (4) ADDRESSING CONCERNS RELATING TO
24 SUBSTANCE ABUSE AND SEXUAL ACTIVITY.—A com-
25 mitment to make available to each individual partici-



1 pating in the project education about alcohol, to-
2 bacco, and other drugs, and about the health risks
3 associated with abusing such substances, and infor-
4 mation about diseases and conditions transmitted
5 through substance abuse and sexual contact, includ-
6 ing HIV/AIDS, and to coordinate with providers of
7 services addressing such problems, as appropriate.

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

16 ‘(6) RECORDS, REPORTS, AND AUDITS.—An
17 agreement to maintain such records, make such re-
18 ports, and cooperate with such reviews or audits (in
19 addition to those required under the preceding provi-
20 sions of paragraph (2)) as the Secretary may find
21 necessary for purposes of oversight of project activi-
22 ties and expenditures.

23 ‘(d) FEDERAL SHARE.—

24 ‘(1) IN GENERAL.—Grants for a project under
25 this section for a fiscal year shall be available for up



1 to 80 percent of the cost of such project in such fis-
2 cal year.

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

8 **'SEC. 445. EVALUATION.**

9 '(a) IN GENERAL.—The Secretary, directly or by con-
10 tract or cooperative agreement, shall evaluate the effec-
11 tiveness of service projects funded under sections 443 and
12 444 from the standpoint of the purposes specified in sec-
13 tion 441(b)(1).

14 '(b) EVALUATION METHODOLOGY.—Evaluations
15 under this section shall—

16 '(1) include, to the maximum extent feasible,
17 random assignment of clients to service delivery and
18 control groups and other appropriate comparisons of
19 groups of individuals receiving and not receiving
20 services;

21 '(2) describe and measure the effectiveness of
22 the projects in achieving their specific project goals;
23 and

24 '(3) describe and assess, as appropriate, the im-
25 pact of such projects on marriage, parenting, domes-



1 tic violence, child abuse and neglect, money manage-
2 ment, employment and earnings, payment of child
3 support, and child well-being, health, and education.

4 ‘(c) EVALUATION REPORTS.—The Secretary shall
5 publish the following reports on the results of the evalua-
6 tion:

7 ‘(1) An implementation evaluation report cov-
8 ering the first 24 months of the activities under this
9 part to be completed by 36 months after initiation
10 of such activities.

11 ‘(2) A final report on the evaluation to be com-
12 pleted by September 30, 2013.

13 **‘SEC. 446. PROJECTS OF NATIONAL SIGNIFICANCE.**

14 ‘The Secretary is authorized, by grant, contract, or
15 cooperative agreement, to carry out projects and activities
16 of national significance relating to fatherhood promotion,
17 including—

18 ‘(1) COLLECTION AND DISSEMINATION OF IN-
19 FORMATION.—Assisting States, communities, and
20 private entities, including religious organizations, in
21 efforts to promote and support marriage and respon-
22 sible fatherhood by collecting, evaluating, developing,
23 and making available (through the Internet and by
24 other means) to all interested parties information re-



1 garding approaches to accomplishing the objectives
2 specified in section 441(b)(1).

3 ‘(2) MEDIA CAMPAIGN.—Developing, promoting,
4 and distributing to interested States, local govern-
5 ments, public agencies, and private nonprofit organi-
6 zations, including charitable and religious organiza-
7 tions, a media campaign that promotes and encour-
8 ages involved, committed, and responsible fatherhood
9 and married fatherhood.

10 ‘(3) TECHNICAL ASSISTANCE.—Providing tech-
11 nical assistance, including consultation and training,
12 to public and private entities, including community
13 organizations and faith-based organizations, in the
14 implementation of local fatherhood promotion pro-
15 grams.

16 ‘(4) RESEARCH.—Conducting research related
17 to the purposes of this part.

18 **‘SEC. 447. NONDISCRIMINATION.**

19 ‘The projects and activities assisted under this part
20 shall be available on the same basis to all fathers and ex-
21 pectant fathers able to benefit from such projects and ac-
22 tivities, including married and unmarried fathers and cus-
23 todial and noncustodial fathers, with particular attention
24 to low-income fathers, and to mothers and expectant
25 mothers on the same basis as to fathers.



1 **SEC. 448. AUTHORIZATION OF APPROPRIATIONS; RES-**
2 **ERVATION FOR CERTAIN PURPOSE.**

3 (a) AUTHORIZATION.—There are authorized to be
4 appropriated \$20,000,000 for each of fiscal years 2006
5 through 2010 to carry out the provisions of this part.

6 (b) RESERVATION.—Of the amount appropriated
7 under this section for each fiscal year, not more than 15
8 percent shall be available for the costs of the multicounty,
9 multicounty, multistate demonstration projects under sec-
10 tion 444, evaluations under section 445, and projects of
11 national significance under section 446.’.

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

15 (2) CLERICAL AMENDMENT.—Section 2 of such
16 Act is amended in the table of contents by inserting
17 after the item relating to section 116 the following
18 new item:

“117. Fatherhood program.”.

19 **SEC. 8120. STATE OPTION TO MAKE TANF PROGRAMS MAN-**
20 **DATORY PARTNERS WITH ONE-STOP EMPLOY-**
21 **MENT TRAINING CENTERS.**

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

24 “(h) STATE OPTION TO MAKE TANF PROGRAMS
25 MANDATORY PARTNERS WITH ONE-STOP EMPLOYMENT



1 TRAINING CENTERS.—For purposes of section 121(b) of
2 the Workforce Investment Act of 1998, a State program
3 funded under part A of title IV of the Social Security Act
4 shall be considered a program referred to in paragraph
5 (1)(B) of such section, unless, after the date of the enact-
6 ment of this subsection, the Governor of the State notifies
7 the Secretaries of Health and Human Services and Labor
8 in writing of the decision of the Governor not to make
9 the State program a mandatory partner.”.

10 **SEC. 8121. SENSE OF THE CONGRESS.**

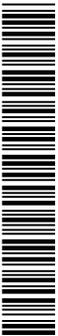
11 It is the sense of the Congress that a State welfare-
12 to-work program should include a mentoring program.

13 **SEC. 8122. DRUG TESTING OF APPLICANTS FOR AND RE-**
14 **CIPIENTS OF ASSISTANCE.**

15 (a) REQUIREMENT.—Section 408(a) (42 U.S.C.
16 608(a)) is amended by adding at the end the following:

17 “(12) DRUG TESTING REQUIREMENTS.—A
18 State to which a grant is made under section 403(a)
19 for a fiscal year shall—

20 “(A) require an individual who has applied
21 for, or is a recipient of, assistance from the
22 State program funded under this part to under-
23 go a physical test designed to detect the use by
24 the individual of any controlled substance (as
25 defined in section 102(6) of the Controlled Sub-



1 stances Act) if the State has reason to believe
2 that the person has unlawfully used such a sub-
3 stance recently;

4 “(B) if a test administered pursuant to
5 this paragraph indicates that an individual has
6 so used such a substance recently, or if the
7 State otherwise determines (on the basis of
8 such indicators as the State may establish) that
9 an individual is likely to have so used such a
10 substance recently—

11 “(i) ensure that the self-sufficiency
12 plan developed under section 408(b) with
13 respect to the individual addresses the use
14 of the substance;

15 “(ii) suspend the provision of cash as-
16 sistance under the program to the family
17 of the individual until a subsequent such
18 test indicates that the individual has not
19 been using the substance; and

20 “(iii) require, as a condition of pro-
21 viding any benefit under the program to
22 the family of the individual, that the indi-
23 vidual comply with the self-sufficiency
24 plan, including the provisions of the plan
25 that address the use of the substance, and



1 undergo additional such tests every 30 or
2 60 days, as the State deems appropriate;
3 and

4 “(C) terminate for 3 years the participa-
5 tion in the program of the family of any indi-
6 vidual who tests positive for such use of such
7 a substance in such number of consecutive tests
8 administered pursuant to this paragraph (which
9 shall be not less than 3 and not more than 6)
10 as the State deems appropriate.”.

11 (b) PENALTY FOR NONCOMPLIANCE.—Section
12 409(a) (42 U.S.C. 609(a)) is amended by adding at the
13 end the following:

14 “(15) PENALTY FOR FAILURE TO COMPLY WITH
15 DRUG TESTING REQUIREMENTS.—If the Secretary
16 determines that a State has not complied with sec-
17 tion 408(a)(12) during a fiscal year, the Secretary
18 shall reduce the grant payable to the State under
19 section 403(a)(1) for the immediately succeeding fis-
20 cal year by an amount equal to not less than 5 per-
21 cent and not more than 10 percent of the State fam-
22 ily assistance grant, as the Secretary deems appro-
23 priate based on the frequency and severity of the
24 noncompliance.”.



1 **Subtitle B—Child Care**

2 **SEC. 8201. ENTITLEMENT FUNDING.**

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

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

7 (2) by striking the period at the end of sub-
8 paragraph (F) and inserting a semicolon; and

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

10 “(G) \$2,717,000,000 for fiscal year 2006;

11 “(H) \$2,767,000,000 for fiscal year 2007;

12 “(I) \$2,817,000,000 for fiscal year 2008;

13 “(J) \$2,867,000,000 for fiscal year 2009;

14 and

15 “(K) \$2,917,000,000 for fiscal year
16 2010.”.

17 **Subtitle C—Child Support**

18 **SEC. 8301. FEDERAL MATCHING FUNDS FOR LIMITED PASS**
19 **THROUGH OF CHILD SUPPORT PAYMENTS TO**
20 **FAMILIES RECEIVING TANF.**

21 (a) IN GENERAL.—Section 457(a) (42 U.S.C.
22 657(a)) is amended—

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

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



1 “(7) FEDERAL MATCHING FUNDS FOR LIMITED
2 PASS THROUGH OF CHILD SUPPORT PAYMENTS TO
3 FAMILIES RECEIVING TANF.—Notwithstanding para-
4 graph (1), a State shall not be required to pay to
5 the Federal Government the Federal share of an
6 amount collected during a month on behalf of a fam-
7 ily that is a recipient of assistance under the State
8 program funded under part A, to the extent that—

9 “(A) the State distributes the amount to
10 the family;

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

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

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

18 “(I) \$100; or

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

21 “(C) the amount is disregarded in deter-
22 mining the amount and type of assistance pro-
23 vided to the family under the State program
24 funded under part A.”.



1 (b) APPLICABILITY.—The amendments made by sub-
2 section (a) shall apply to amounts distributed on or after
3 October 1, 2008.

4 **SEC. 8302. STATE OPTION TO PASS THROUGH ALL CHILD**
5 **SUPPORT PAYMENTS TO FAMILIES THAT**
6 **FORMERLY RECEIVED TANF.**

7 (a) IN GENERAL.—Section 457(a) (42 U.S.C.
8 657(a)), as amended by section 8301(a) of this Act, is
9 amended—

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

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

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

20 (b) APPLICABILITY.—The amendments made by sub-
21 section (a) shall apply to amounts distributed on or after
22 October 1, 2008.



1 **SEC. 8303. MANDATORY REVIEW AND ADJUSTMENT OF**
2 **CHILD SUPPORT ORDERS FOR FAMILIES RE-**
3 **CEIVING TANF.**

4 (a) IN GENERAL.—Section 466(a)(10)(A)(i) (42
5 U.S.C. 666(a)(10)(A)(i)) is amended—

6 (1) by striking “parent, or,” and inserting
7 “parent or”; and

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

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) shall take effect on October 1, 2007.

12 **SEC. 8304. MANDATORY FEE FOR SUCCESSFUL CHILD SUP-**
13 **PORT COLLECTION FOR FAMILY THAT HAS**
14 **NEVER RECEIVED TANF.**

15 (a) IN GENERAL.—Section 454(6)(B) (42 U.S.C.
16 654(6)(B)) is amended—

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

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

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

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

23 “(ii) in the case of an individual who has
24 never received assistance under a State pro-
25 gram funded under part A and for whom the
26 State has collected at least \$500 of support, the



1 State shall impose an annual fee of \$25 for
2 each case in which services are furnished, which
3 shall be retained by the State from support col-
4 lected on behalf of the individual (but not from
5 the 1st \$500 so collected), paid by the indi-
6 vidual applying for the services, recovered from
7 the absent parent, or paid by the State out of
8 its own funds (the payment of which from State
9 funds shall not be considered as an administra-
10 tive cost of the State for the operation of the
11 plan, and such fees shall be considered income
12 to the program);”.

13 (b) CONFORMING AMENDMENT.—Section 457(a)(3)
14 (42 U.S.C. 657(a)(3)) is amended to read as follows:

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

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall take effect on October 1, 2006.

22 **SEC. 8305. REPORT ON UNDISTRIBUTED CHILD SUPPORT**
23 **PAYMENTS.**

24 Not later than 6 months after the date of the enact-
25 ment of this Act, the Secretary of Health and Human



1 Services shall submit to the Committee on Ways and
2 Means of the House of Representatives and the Committee
3 on Finance of the Senate a report on the procedures that
4 the States use generally to locate custodial parents for
5 whom child support has been collected but not yet distrib-
6 uted. The report shall include an estimate of the total
7 amount of undistributed child support and the average
8 length of time it takes undistributed child support to be
9 distributed. To the extent the Secretary deems appro-
10 priate, the Secretary shall include in the report rec-
11 ommendations as to whether additional procedures should
12 be established at the State or Federal level to expedite
13 the payment of undistributed child support.

14 **SEC. 8306. DECREASE IN AMOUNT OF CHILD SUPPORT AR-**
15 **REARAGE TRIGGERING PASSPORT DENIAL.**

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

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

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on October 1, 2006.



1 **SEC. 8307. USE OF TAX REFUND INTERCEPT PROGRAM TO**
2 **COLLECT PAST-DUE CHILD SUPPORT ON BE-**
3 **HALF OF CHILDREN WHO ARE NOT MINORS.**

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

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

9 (2) in subsection (c)—

10 (A) in paragraph (1)—

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

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

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

18 (b) EFFECTIVE DATE.—The amendments made by
19 subsection (a) shall take effect on October 1, 2007.

20 **SEC. 8308. GARNISHMENT OF COMPENSATION PAID TO VET-**
21 **ERANS FOR SERVICE-CONNECTED DISABIL-**
22 **ITIES IN ORDER TO ENFORCE CHILD SUP-**
23 **PORT OBLIGATIONS.**

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



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

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

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

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

12 “(i) for payment of alimony; or

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

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

20 (b) EFFECTIVE DATE.—The amendments made by
21 subsection (a) shall take effect on October 1, 2007.

22 **SEC. 8309. MAINTENANCE OF TECHNICAL ASSISTANCE**
23 **FUNDING.**

24 Section 452(j) (42 U.S.C. 652(j)) is amended by in-
25 serting “or the amount appropriated under this paragraph



1 for fiscal year 2002, whichever is greater,” before “which
2 shall be available”.

3 **SEC. 8310. MAINTENANCE OF FEDERAL PARENT LOCATOR**
4 **SERVICE FUNDING.**

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

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

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

12 **SEC. 8311. INFORMATION COMPARISONS WITH INSURANCE**
13 **DATA.**

14 (a) DUTIES OF THE SECRETARY.—Section 452 (42
15 U.S.C. 652) is amended by adding at the end the fol-
16 lowing:

17 “(m) COMPARISONS WITH INSURANCE INFORMA-
18 TION.—

19 “(1) IN GENERAL.—The Secretary, through the
20 Federal Parent Locator Service, may—

21 “(A) compare information concerning indi-
22 viduals owing past-due support with informa-
23 tion maintained by insurers (or their agents)
24 concerning insurance claims, settlements,
25 awards, and payments, and



1 **SEC. 8314. TECHNICAL AMENDMENT RELATING TO COOP-**
2 **ERATIVE AGREEMENTS BETWEEN STATES**
3 **AND INDIAN TRIBES.**

4 Section 454(33) (42 U.S.C. 654(33)) is amended by
5 striking “that receives funding pursuant to section 428
6 and”.

7 **SEC. 8315. STATE OPTION TO USE STATEWIDE AUTOMATED**
8 **DATA PROCESSING AND INFORMATION RE-**
9 **TRIEVAL SYSTEM FOR INTERSTATE CASES.**

10 Section 466(a)(14)(A)(iii) (42 U.S.C.
11 666(a)(14)(A)(iii)) is amended by inserting “(but the as-
12 sisting State may establish a corresponding case based on
13 such other State’s request for assistance)”before the semi-
14 colon.

15 **SEC. 8316. MODIFICATION OF RULE REQUIRING ASSIGN-**
16 **MENT OF SUPPORT RIGHTS AS A CONDITION**
17 **OF RECEIVING TANF.**

18 (a) IN GENERAL.—Section 408(a)(3) (42 U.S.C.
19 608(a)(3)) is amended to read as follows:

20 “(3) NO ASSISTANCE FOR FAMILIES NOT AS-
21 SIGNING CERTAIN SUPPORT RIGHTS TO THE
22 STATE.—

23 “(A) IN GENERAL.—Subject to subpara-
24 graph (B), a State to which a grant is made
25 under section 403 shall require, as a condition
26 of providing assistance to a family under the



1 State program funded under this part, that a
2 member of the family assign to the State any
3 rights the family member may have (on behalf
4 of the family member or of any other person for
5 whom the family member has applied for or is
6 receiving such assistance) to—

7 “(i) support from any other person
8 which accrues during the period that the
9 family receives assistance under the pro-
10 gram; and

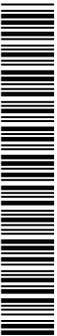
11 “(ii) at the option of the State, sup-
12 port from any other person which has ac-
13 crued before such period.

14 “(B) LIMITATION.—The total amount of
15 support that may be required to be provided
16 with respect to rights assigned to a State by a
17 family member pursuant to subparagraph (A)
18 shall not exceed the total amount of assistance
19 provided by the State to the family.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 subsection (a) shall take effect on October 1, 2008.

22 **SEC. 8317. STATE OPTION TO DISCONTINUE CERTAIN SUP-**
23 **PORT ASSIGNMENTS.**

24 Section 457(b) (42 U.S.C. 657(b)) is amended by
25 striking “shall” and inserting “may”.



1 **SEC. 8318. TECHNICAL CORRECTION.**

2 The second paragraph (7) of section 453(j) (42
3 U.S.C. 653(j)) is amended by striking “(7)” and inserting
4 “(9)”.

5 **SEC. 8319. REDUCTION IN RATE OF REIMBURSEMENT OF**
6 **CHILD SUPPORT ADMINISTRATIVE EX-**
7 **PENSES.**

8 Section 455(a)(2) (42 U.S.C. 655(a)(2)) is
9 amended—

10 (1) in subparagraph (B), by striking “, and”
11 and inserting a semicolon;

12 (2) in subparagraph (C), by striking “fiscal
13 year 1990 and each fiscal year thereafter.” and in-
14 serting “fiscal years 1990 through 2006;” and

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

16 “(D) 62 percent for fiscal year 2007;

17 “(E) 58 percent for fiscal year 2008;

18 “(F) 54 percent for fiscal year 2009; and

19 “(G) 50 percent for fiscal year 2010 and
20 each fiscal year thereafter.”.

21 **Subtitle D—Child Welfare**

22 **SEC. 8401. EXTENSION OF AUTHORITY TO APPROVE DEM-**
23 **ONSTRATION PROJECTS.**

24 Section 1130(a)(2) (42 U.S.C. 1320a-9(a)(2)) is
25 amended by striking “2002” and inserting “2010”.



1 **SEC. 8402. ELIMINATION OF LIMITATION ON NUMBER OF**
2 **WAIVERS.**

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

5 **SEC. 8403. ELIMINATION OF LIMITATION ON NUMBER OF**
6 **STATES THAT MAY BE GRANTED WAIVERS TO**
7 **CONDUCT DEMONSTRATION PROJECTS ON**
8 **SAME TOPIC.**

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

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

20 **SEC. 8404. ELIMINATION OF LIMITATION ON NUMBER OF**
21 **WAIVERS THAT MAY BE GRANTED TO A SIN-**
22 **GLE STATE FOR DEMONSTRATION PROJECTS.**

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

25 “(i) NO LIMIT ON NUMBER OF WAIVERS GRANTED
26 TO, OR DEMONSTRATION PROJECTS THAT MAY BE CON-



1 DUCTED BY, A SINGLE STATE.—The Secretary shall not
2 impose any limit on the number of waivers that may be
3 granted to a State, or the number of demonstration
4 projects that a State may be authorized to conduct, under
5 this section.”.

6 **SEC. 8405. STREAMLINED PROCESS FOR CONSIDERATION**
7 **OF AMENDMENTS TO AND EXTENSIONS OF**
8 **DEMONSTRATION PROJECTS REQUIRING**
9 **WAIVERS.**

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

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

17 **SEC. 8406. AVAILABILITY OF REPORTS.**

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

20 “(k) AVAILABILITY OF REPORTS.—The Secretary
21 shall make available to any State or other interested party
22 any report provided to the Secretary under subsection
23 (f)(2), and any evaluation or report made by the Secretary
24 with respect to a demonstration project conducted under



1 this section, with a focus on information that may promote
2 best practices and program improvements.”.

3 **SEC. 8407. CLARIFICATION OF ELIGIBILITY FOR FOSTER**
4 **CARE MAINTENANCE PAYMENTS AND ADOPTI-**
5 **ON ASSISTANCE.**

6 (a) FOSTER CARE MAINTENANCE PAYMENTS.—Sec-
7 tion 472(a) (42 U.S.C. 672(a)) is amended to read as fol-
8 lows:

9 “(a) IN GENERAL.—

10 “(1) ELIGIBILITY.—Each State with a plan ap-
11 proved under this part shall make foster care main-
12 tenance payments on behalf of each child who has
13 been removed from the home of a relative specified
14 in section 406(a) (as in effect on July 16, 1996)
15 into foster care if—

16 “(A) the removal and foster care place-
17 ment met, and the placement continues to meet,
18 the requirements of paragraph (2); and

19 “(B) the child, while in the home, would
20 have met the AFDC eligibility requirement of
21 paragraph (3).

22 “(2) REMOVAL AND FOSTER CARE PLACEMENT
23 REQUIREMENTS.—The removal and foster care
24 placement of a child meet the requirements of this
25 paragraph if—



1 “(A) the removal and foster care place-
2 ment are in accordance with—

3 “(i) a voluntary placement agreement
4 entered into by a parent or legal guardian
5 of the child who is the relative referred to
6 in paragraph (1); or

7 “(ii) a judicial determination to the
8 effect that continuation in the home from
9 which removed would be contrary to the
10 welfare of the child and that reasonable ef-
11 forts of the type described in section
12 471(a)(15) for a child have been made;

13 “(B) the child’s placement and care are
14 the responsibility of—

15 “(i) the State agency administering
16 the State plan approved under section 471;
17 or

18 “(ii) any other public agency with
19 which the State agency administering or
20 supervising the administration of the State
21 plan has made an agreement which is in
22 effect; and

23 “(C) the child has been placed in a foster
24 family home or child-care institution.

25 “(3) AFDC ELIGIBILITY REQUIREMENT.—



1 “(A) IN GENERAL.—A child in the home
2 referred to in paragraph (1) would have met
3 the AFDC eligibility requirement of this para-
4 graph if the child—

5 “(i) would have received aid under the
6 State plan approved under section 402 (as
7 in effect on July 16, 1996) in the home, in
8 or for the month in which the agreement
9 was entered into or court proceedings lead-
10 ing to the determination referred to in
11 paragraph (2)(A)(ii) of this subsection
12 were initiated; or

13 “(ii)(I) would have received the aid in
14 the home, in or for the month referred to
15 in clause (i), if application had been made
16 therefor; or

17 “(II) had been living in the home
18 within 6 months before the month in which
19 the agreement was entered into or the pro-
20 ceedings were initiated, and would have re-
21 ceived the aid in or for such month, if, in
22 such month, the child had been living in
23 the home with the relative referred to in
24 paragraph (1) and application for the aid
25 had been made.



1 “(B) RESOURCES DETERMINATION.—For
2 purposes of subparagraph (A), in determining
3 whether a child would have received aid under
4 a State plan approved under section 402 (as in
5 effect on July 16, 1996), a child whose re-
6 sources (determined pursuant to section
7 402(a)(7)(B), as so in effect) have a combined
8 value of not more than \$10,000 shall be consid-
9 ered a child whose resources have a combined
10 value of not more than \$1,000 (or such lower
11 amount as the State may determine for pur-
12 poses of section 402(a)(7)(B)).

13 “(4) ELIGIBILITY OF CERTAIN ALIEN CHIL-
14 DREN.—Subject to title IV of the Personal Responsi-
15 bility and Work Opportunity Reconciliation Act of
16 1996, if the child is an alien disqualified under sec-
17 tion 245A(h) or 210(f) of the Immigration and Na-
18 tionality Act from receiving aid under the State plan
19 approved under section 402 in or for the month in
20 which the agreement described in paragraph
21 (2)(A)(i) was entered into or court proceedings lead-
22 ing to the determination described in paragraph
23 (2)(A)(ii) were initiated, the child shall be consid-
24 ered to satisfy the requirements of paragraph (3),
25 with respect to the month, if the child would have



1 satisfied the requirements but for the disqualifica-
2 tion.”.

3 (b) ADOPTION ASSISTANCE.—Section 473(a)(2) (42
4 U.S.C. 673(a)(2)) is amended to read as follows:

5 “(2)(A) For purposes of paragraph (1)(B)(ii), a child
6 meets the requirements of this paragraph if the child—

7 “(i)(I)(aa) was removed from the home of a rel-
8 ative specified in section 406(a) (as in effect on July
9 16, 1996) and placed in foster care in accordance
10 with a voluntary placement agreement with respect
11 to which Federal payments are provided under sec-
12 tion 474 (or section 403, as such section was in ef-
13 fect on July 16, 1996), or in accordance with a judi-
14 cial determination to the effect that continuation in
15 the home would be contrary to the welfare of the
16 child; and

17 “(bb) met the requirements of section 472(a)(3)
18 with respect to the home referred to in item (aa) of
19 this subclause;

20 “(II) meets all of the requirements of title XVI
21 with respect to eligibility for supplemental security
22 income benefits; or

23 “(III) is a child whose costs in a foster family
24 home or child-care institution are covered by the fos-
25 ter care maintenance payments being made with re-



1 spect to the minor parent of the child as provided
2 in section 475(4)(B); and

3 “(ii) has been determined by the State, pursu-
4 ant to subsection (c) of this section, to be a child
5 with special needs.

6 “(B) Section 472(a)(4) shall apply for purposes of
7 subparagraph (A) of this paragraph, in any case in which
8 the child is an alien described in such section.

9 “(C) A child shall be treated as meeting the require-
10 ments of this paragraph for the purpose of paragraph
11 (1)(B)(ii) if the child—

12 “(i) meets the requirements of subparagraph
13 (A)(ii);

14 “(ii) was determined eligible for adoption assist-
15 ance payments under this part with respect to a
16 prior adoption;

17 “(iii) is available for adoption because—

18 “(I) the prior adoption has been dissolved,
19 and the parental rights of the adoptive parents
20 have been terminated; or

21 “(II) the child’s adoptive parents have
22 died; and

23 “(iv) fails to meet the requirements of subpara-
24 graph (A) but would meet such requirements if—



1 “(I) the child were treated as if the child
2 were in the same financial and other cir-
3 cumstances the child was in the last time the
4 child was determined eligible for adoption as-
5 sistance payments under this part; and

6 “(II) the prior adoption were treated as
7 never having occurred.”.

8 **SEC. 8408. CLARIFICATION REGARDING FEDERAL MATCH-**
9 **ING OF CERTAIN ADMINISTRATIVE COSTS**
10 **UNDER THE FOSTER CARE MAINTENANCE**
11 **PAYMENTS PROGRAM.**

12 (a) ADMINISTRATIVE COSTS RELATING TO UNLI-
13 CENSED CARE.—Section 472 (42 U.S.C. 672) is amended
14 by inserting after subsection (h) the following:

15 “(i) ADMINISTRATIVE COSTS ASSOCIATED WITH
16 OTHERWISE ELIGIBLE CHILDREN NOT IN LICENSED FOS-
17 TER CARE SETTINGS.—Expenditures by a State that
18 would be considered administrative expenditures for pur-
19 poses of section 474(a)(3) if made with respect to a child
20 who was residing in a foster family home or child-care in-
21 stitution shall be so considered with respect to a child not
22 residing in such a home or institution—

23 “(1) in the case of a child who has been re-
24 moved in accordance with subsection (a) of this sec-
25 tion from the home of a relative specified in section



1 406(a) (as in effect on July 16, 1996), only for
2 expenditures—

3 “(A) with respect to a period of not more
4 than the lesser of 12 months or the average
5 length of time it takes for the State to license
6 or approve a home as a foster home, in which
7 the child is in the home of a relative and an ap-
8 plication is pending for licensing or approval of
9 the home as a foster family home; or

10 “(B) with respect to a period of not more
11 than 1 calendar month when a child moves
12 from a facility not eligible for payments under
13 this part into a foster family home or child care
14 institution licensed or approved by the State;
15 and

16 “(2) in the case of any other child who is poten-
17 tially eligible for benefits under a State plan ap-
18 proved under this part and at imminent risk of re-
19 moval from the home, only if—

20 “(A) reasonable efforts are being made in
21 accordance with section 471(a)(15) to prevent
22 the need for, or if necessary to pursue, removal
23 of the child from the home; and

24 “(B) the State agency has made, not less
25 often than every 6 months, a determination (or



1 redetermination) as to whether the child re-
2 mains at imminent risk of removal from the
3 home.”.

4 (b) CONFORMING AMENDMENT.—Section 474(a)(3)
5 of such Act (42 U.S.C. 674(a)(3)) is amended by inserting
6 “subject to section 472(i)” before “an amount equal to”.

7 **SEC. 8409. TECHNICAL CORRECTION.**

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

11 **SEC. 8410. TECHNICAL CORRECTION.**

12 Section 470 (42 U.S.C. 670) is amended by striking
13 “June 1, 1995” and inserting “July 16, 1996”.

14 **Subtitle E—Supplemental Security**
15 **Income**

16 **SEC. 8501. REVIEW OF STATE AGENCY BLINDNESS AND DIS-**
17 **ABILITY DETERMINATIONS.**

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

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



1 of Social Security shall review such a determination before
2 any action is taken to implement the determination.

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

5 “(i) at least 20 percent of all determinations re-
6 ferred to in paragraph (1) that are made in fiscal
7 year 2006;

8 “(ii) at least 40 percent of all such determina-
9 tions that are made in fiscal year 2007; and

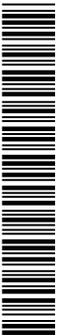
10 “(iii) at least 50 percent of all such determina-
11 tions that are made in fiscal year 2008 or thereafter.

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

17 **SEC. 8502. PAYMENT OF CERTAIN LUMP SUM BENEFITS IN**
18 **INSTALLMENTS UNDER THE SUPPLEMENTAL**
19 **SECURITY INCOME PROGRAM.**

20 (a) IN GENERAL.—Section 1631(a)(10)(A)(i) (42
21 U.S.C. 1383(a)(10)(A)(i)) is amended by striking “12”
22 and inserting “3”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 subsection (a) shall take effect 3 months after the date
25 of the enactment of this Act.



1 **Subtitle F—State and Local**
2 **Flexibility**

3 **SEC. 8601. PROGRAM COORDINATION DEMONSTRATION**
4 **PROJECTS.**

5 (a) PURPOSE.—The purpose of this section is to es-
6 tablish a program of demonstration projects in a State or
7 portion of a State to coordinate multiple public assistance,
8 workforce development, and other programs, for the pur-
9 pose of supporting working individuals and families, help-
10 ing families escape welfare dependency, promoting child
11 well-being, or helping build stronger families, using inno-
12 vative approaches to strengthen service systems and pro-
13 vide more coordinated and effective service delivery.

14 (b) DEFINITIONS.—In this section:

15 (1) ADMINISTERING SECRETARY.—The term
16 “administering Secretary” means, with respect to a
17 qualified program, the head of the Federal agency
18 responsible for administering the program.

19 (2) QUALIFIED PROGRAM.—The term “qualified
20 program” means—

21 (A) a program under part A of title IV of
22 the Social Security Act; or

23 (B) the program under title XX of such
24 Act.



1 (c) APPLICATION REQUIREMENTS.—The head of a
2 State entity or of a sub-State entity administering 2 or
3 more qualified programs proposed to be included in a dem-
4 onstration project under this section shall (or, if the
5 project is proposed to include qualified programs adminis-
6 tered by 2 or more such entities, the heads of the admin-
7 istering entities (each of whom shall be considered an ap-
8 plicant for purposes of this section) shall jointly) submit
9 to the administering Secretary of each such program an
10 application that contains the following:

11 (1) PROGRAMS INCLUDED.—A statement identi-
12 fying each qualified program to be included in the
13 project, and describing how the purposes of each
14 such program will be achieved by the project.

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

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

20 (A) a description of how the project is ex-
21 pected to improve or enhance achievement of
22 the purposes of the programs to be included in
23 the project, from the standpoint of quality, of
24 cost-effectiveness, or of both; and



1 (B) a description of the performance objec-
2 tives for the project, including any proposed
3 modifications to the performance measures and
4 reporting requirements used in the programs.

5 (4) WAIVERS REQUESTED.—A description of
6 the statutory and regulatory requirements with re-
7 spect to which a waiver is requested in order to
8 carry out the project, and a justification of the need
9 for each such waiver.

10 (5) COST NEUTRALITY.—Such information and
11 assurances as necessary to establish to the satisfac-
12 tion of the administering Secretary, in consultation
13 with the Director of the Office of Management and
14 Budget, that the proposed project is reasonably ex-
15 pected to meet the applicable cost neutrality require-
16 ments of subsection (d)(4).

17 (6) EVALUATION AND REPORTS.—An assurance
18 that the applicant will conduct ongoing and final
19 evaluations of the project, and make interim and
20 final reports to the administering Secretary, at such
21 times and in such manner as the administering Sec-
22 retary may require.

23 (7) OTHER INFORMATION AND ASSURANCES.—
24 Such other information and assurances as the ad-
25 ministering Secretary may require.



1 (d) APPROVAL OF APPLICATIONS.—

2 (1) IN GENERAL.—The administering Secretary
3 with respect to a qualified program that is identified
4 in an application submitted pursuant to subsection
5 (c) may approve the application and, except as pro-
6 vided in paragraph (2), waive any requirement appli-
7 cable to the program, to the extent consistent with
8 this section and necessary and appropriate for the
9 conduct of the demonstration project proposed in the
10 application, if the administering Secretary deter-
11 mines that the project—

12 (A) has a reasonable likelihood of achieving
13 the objectives of the programs to be included in
14 the project;

15 (B) may reasonably be expected to meet
16 the applicable cost neutrality requirements of
17 paragraph (4), as determined by the Director of
18 the Office of Management and Budget; and

19 (C) includes the coordination of 2 or more
20 qualified programs.

21 (2) PROVISIONS EXCLUDED FROM WAIVER AU-
22 THORITY.—A waiver shall not be granted under
23 paragraph (1) with respect to any provision of law
24 relating to—



1 (A) civil rights or prohibition of discrimi-
2 nation;

3 (B) purposes or goals of any program;

4 (C) maintenance of effort requirements;

5 (D) health or safety;

6 (E) labor standards under the Fair Labor
7 Standards Act of 1938; or

8 (F) environmental protection;

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

11 (A) IN GENERAL.—An applicant may not
12 conduct a demonstration project under this sec-
13 tion unless each administering Secretary with
14 respect to any program proposed to be included
15 in the project has approved the application to
16 conduct the project.

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



1 (4) COST-NEUTRALITY REQUIREMENT.—

2 (A) GENERAL RULE.—Notwithstanding
3 any other provision of law (except subparagraph
4 (B)), the total of the amounts that may be paid
5 by the Federal Government for a fiscal year
6 with respect to the programs in the State in
7 which an entity conducting a demonstration
8 project under this section is located that are af-
9 fected by the project shall not exceed the esti-
10 mated total amount that the Federal Govern-
11 ment would have paid for the fiscal year with
12 respect to the programs if the project had not
13 been conducted, as determined by the Director
14 of the Office of Management and Budget.

15 (B) SPECIAL RULE.—If an applicant sub-
16 mits to the Director of the Office of Manage-
17 ment and Budget a request to apply the rules
18 of this subparagraph to the programs in the
19 State in which the applicant is located that are
20 affected by a demonstration project proposed in
21 an application submitted by the applicant pur-
22 suant to this section, during such period of not
23 more than 5 consecutive fiscal years in which
24 the project is in effect, and the Director deter-
25 mines, on the basis of supporting information



1 provided by the applicant, to grant the request,
2 then, notwithstanding any other provision of
3 law, the total of the amounts that may be paid
4 by the Federal Government for the period with
5 respect to the programs shall not exceed the es-
6 timated total amount that the Federal Govern-
7 ment would have paid for the period with re-
8 spect to the programs if the project had not
9 been conducted.

10 (5) 90-DAY APPROVAL DEADLINE.—

11 (A) IN GENERAL.—If an administering
12 Secretary receives an application to conduct a
13 demonstration project under this section and
14 does not disapprove the application within 90
15 days after the receipt, then—

16 (i) the administering Secretary is
17 deemed to have approved the application
18 for such period as is requested in the ap-
19 plication, except to the extent inconsistent
20 with subsection (e); and

21 (ii) any waiver requested in the appli-
22 cation which applies to a qualified program
23 that is identified in the application and is
24 administered by the administering Sec-
25 retary is deemed to be granted, except to



1 the extent inconsistent with paragraph (2)
2 or (4) of this subsection.

3 (B) DEADLINE EXTENDED IF ADDITIONAL
4 INFORMATION IS SOUGHT.—The 90-day period
5 referred to in subparagraph (A) shall not in-
6 clude any period that begins with the date the
7 Secretary requests the applicant to provide ad-
8 ditional information with respect to the applica-
9 tion and ends with the date the additional in-
10 formation is provided.

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

14 (f) REPORTS TO CONGRESS.—

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



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

5 (A) the projects approved for each appli-
6 cant;

7 (B) the number of waivers granted under
8 this section, and the specific statutory provi-
9 sions waived;

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

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

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

20 (F) to the extent the administering Sec-
21 retary deems appropriate, recommendations for
22 modification of programs based on outcomes of
23 the projects.



1 **Subtitle G—Repeal of Continued**
2 **Dumping and Subsidy Offset**

3 **SEC. 8701. REPEAL OF CONTINUED DUMPING AND SUBSIDY**
4 **OFFSET.**

5 (a) REPEAL.—Section 754 of the Tariff Act of 1930
6 (19 U.S.C. 1675c), and the item relating to section 754
7 in the table of contents for title VII of that Act, are re-
8 pealed.

9 (b) EXISTING ACCOUNTS.—All amounts remaining in
10 any special account established under section 754(e)(1) of
11 the Tariff Act of 1930 (as in effect on the day before the
12 effective date of this title) shall be deposited in the general
13 fund of the Treasury.

14 **Subtitle H—Effective Date**

15 **SEC. 8801. EFFECTIVE DATE.**

16 (a) IN GENERAL.—Except as otherwise provided in
17 this title, this title and the amendments made by this title
18 shall be effective as of October 1, 2005.

19 (b) EXCEPTION.—In the case of a State plan under
20 part A or D of title IV of the Social Security Act which
21 the Secretary determines requires State legislation in
22 order for the plan to meet the additional requirements im-
23 posed by the amendments made by this title, the effective
24 date of the amendments imposing the additional require-
25 ments shall be 3 months after the first day of the first



1 calendar quarter beginning after the close of the first reg-
2 ular session of the State legislature that begins after the
3 date of the enactment of this Act. For purposes of the
4 preceding sentence, in the case of a State that has a 2-
5 year legislative session, each year of the session shall be
6 considered to be a separate regular session of the State
7 legislature.

