

106TH CONGRESS  
2D SESSION

# H. R. 4678

To provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2000

Mrs. JOHNSON of Connecticut (for herself, Mr. CAMP, and Mr. ENGLISH) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide more child support money to families leaving welfare, to simplify the rules governing the assignment and distribution of child support collected by States on behalf of children, to improve the collection of child support, to promote marriage, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Support Dis-  
5 tribution Act of 2000”.

**1 SEC. 2. TABLE OF CONTENTS.**

**2** The table of contents for this Act is as follows:

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

TITLE I—DISTRIBUTION OF CHILD SUPPORT

- Sec. 101. Distribution of child support collected by States on behalf of children receiving certain welfare benefits.

TITLE II—REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS

- Sec. 201. Mandatory review and modification of child support orders for TANF recipients.

TITLE III—EXPANDED INFORMATION AND ENFORCEMENT

- Sec. 301. Guidelines for involvement of public non-IV-D and private agencies in child support enforcement.

Subtitle A—State Option to Provide Information and Enforcement Mechanisms to Public Non-IV-D Child Support Enforcement Agencies

- Sec. 311. Establishment and enforcement of child support obligations by public non-IV-D child support enforcement agencies.
- Sec. 312. Use of certain enforcement mechanisms.
- Sec. 313. Effective date.

Subtitle B—State Option to Provide Information and Enforcement Mechanisms to Private Child Support Enforcement Agencies

- Sec. 321. Establishment and enforcement of child support obligations by private child support enforcement agencies.
- Sec. 322. Use of certain enforcement mechanisms.
- Sec. 323. Effective date.

TITLE IV—EXPANDED ENFORCEMENT

- Sec. 401. Decrease in amount of child support arrearage triggering passport denial.
- Sec. 402. Use of tax refund intercept program to collect past-due child support on behalf of children who are not minors.

TITLE V—FATHERHOOD PROGRAMS

Subtitle A—Fatherhood Grant Program

- Sec. 501. Fatherhood grants.

Subtitle B—Fatherhood Projects of National Significance

- Sec. 511. Fatherhood projects of national significance.

TITLE VI—MISCELLANEOUS

- Sec. 601. Change dates for abstinence evaluation.
- Sec. 602. Report on undistributed child support payments.

Sec. 603. Use of new hire information to assist in administration of unemployment compensation programs.

Sec. 604. Immigration provisions.

Sec. 605. Correction of errors in conforming amendments in the Welfare-To-Work and Child Support Amendments of 1999.

Sec. 606. Elimination of set-aside of welfare-to-work funds for successful performance bonus.

TITLE VII—EFFECTIVE DATE

Sec. 701. Effective date.

1           **TITLE I—DISTRIBUTION OF**  
 2                           **CHILD SUPPORT**

3   **SEC. 101. DISTRIBUTION OF CHILD SUPPORT COLLECTED**  
 4                           **BY STATES ON BEHALF OF CHILDREN RE-**  
 5                           **CEIVING CERTAIN WELFARE BENEFITS.**

6           (a) MODIFICATION OF RULE REQUIRING ASSIGN-  
 7   MENT OF SUPPORT RIGHTS AS A CONDITION OF RECEIV-  
 8   ING TANF.—Section 408(a)(3) of the Social Security Act  
 9   (42 U.S.C. 608(a)(3)) is amended to read as follows:

10                   “(3) NO ASSISTANCE FOR FAMILIES NOT AS-  
 11   SIGNING CERTAIN SUPPORT RIGHTS TO THE  
 12   STATE.—A State to which a grant is made under  
 13   section 403 shall require, as a condition of providing  
 14   assistance to a family under the State program  
 15   funded under this part, that a member of the family  
 16   assign to the State any rights the family member  
 17   may have or acquire (on behalf of the family mem-  
 18   ber or of any other person for whom the family  
 19   member has applied for or is receiving such assist-  
 20   ance) to support from any other person for any pe-

1       riod for which the family receives assistance under  
2       the program, in an amount equal to the lesser of—

3               “(A) the number of months for which the  
4               family receives or has received assistance from  
5               the State (within the meaning of section 457)  
6               and for which there is in effect a support order  
7               on behalf of the family member or such other  
8               person, multiplied by the amount of monthly  
9               support awarded by the order; or

10              “(B) the total amount of assistance so pro-  
11              vided to the family.”.

12       (b) INCREASING CHILD SUPPORT PAYMENTS TO  
13 FAMILIES AND SIMPLIFYING CHILD SUPPORT DISTRIBUTION  
14 RULES.—

15              (1) DISTRIBUTION RULES.—

16              (A) IN GENERAL.—Section 457(a) of such  
17              Act (42 U.S.C. 657(a)) is amended to read as  
18              follows:

19              “(a) IN GENERAL.—Subject to subsections (d) and  
20 (e), the amounts collected on behalf of a family as support  
21 by a State pursuant to a plan approved under this part  
22 shall be distributed as follows:

23              “(1) FAMILIES RECEIVING ASSISTANCE.—In the  
24              case of a family receiving assistance from the State,  
25              the State shall—

1           “(A) pay to the Federal Government the  
2 Federal share of the amount collected, subject  
3 to paragraph (3)(A);

4           “(B) retain, or pay to the family, the State  
5 share of the amount collected, subject to para-  
6 graph (3)(B); and

7           “(C) pay to the family any remaining  
8 amount.

9           “(2) FAMILIES THAT FORMERLY RECEIVED AS-  
10 SISTANCE.—In the case of a family that formerly re-  
11 ceived assistance from the State:

12           “(A) CURRENT SUPPORT.—To the extent  
13 that the amount collected does not exceed the  
14 current support amount, the State shall pay the  
15 amount to the family.

16           “(B) ARREARAGES.—To the extent that  
17 the amount collected exceeds the current sup-  
18 port amount, the State—

19           “(i) shall first pay to the family the  
20 excess amount, to the extent necessary to  
21 satisfy support arrearages not assigned  
22 pursuant to section 408(a)(3);

23           “(ii) if the amount collected exceeds  
24 the amount required to be paid to the fam-  
25 ily under clause (i), shall—

1                   “(I) pay to the Federal Govern-  
2                   ment, the Federal share of the excess  
3                   amount described in this clause, sub-  
4                   ject to paragraph (3)(A); and

5                   “(II) retain, or pay to the family,  
6                   the State share of the excess amount  
7                   described in this clause, subject to  
8                   paragraph (3)(B); and

9                   “(iii) shall pay to the family any re-  
10                  maining amount.

11                 “(3) LIMITATIONS.—

12                 “(A) FEDERAL REIMBURSEMENTS.—The  
13                 total of the amounts paid by the State to the  
14                 Federal Government under paragraphs (1) and  
15                 (2) of this subsection with respect to a family  
16                 shall not exceed the Federal share of the  
17                 amount assigned with respect to the family pur-  
18                 suant to section 408(a)(3).

19                 “(B) STATE REIMBURSEMENTS.—The  
20                 total of the amounts retained by the State  
21                 under paragraphs (1) and (2) of this subsection  
22                 with respect to a family shall not exceed the  
23                 State share of the amount assigned with respect  
24                 to the family pursuant to section 408(a)(3).

1           “(4) FAMILIES THAT NEVER RECEIVED ASSIST-  
2           ANCE.—In the case of any other family, the State  
3           shall pay the amount collected to the family.

4           “(5) FAMILIES UNDER CERTAIN AGREE-  
5           MENTS.—Notwithstanding paragraphs (1) through  
6           (4), in the case of an amount collected for a family  
7           in accordance with a cooperative agreement under  
8           section 454(33), the State shall distribute the  
9           amount collected pursuant to the terms of the agree-  
10          ment.

11          “(6) STATE FINANCING OPTIONS.—To the ex-  
12          tent that the State share of the amount payable to  
13          a family for a month pursuant to paragraph (2)(B)  
14          of this subsection exceeds the amount that the State  
15          estimates (under procedures approved by the Sec-  
16          retary) would have been payable to the family for  
17          the month pursuant to former section 457(a)(2) (as  
18          in effect for the State immediately before the date  
19          this subsection first applies to the State) if such  
20          former section had remained in effect, the State may  
21          elect to use the grant made to the State under sec-  
22          tion 403(a) to pay the amount, or to have the pay-  
23          ment considered a qualified State expenditure for  
24          purposes of section 409(a)(7), but not both. For  
25          purposes of section 455, any such payment from the

1 grant made to the State under section 403(a) shall  
2 be considered an amount expended for the operation  
3 of the plan approved under section 454.”.

4 (B) APPROVAL OF ESTIMATION PROCE-  
5 DURES.—Not later than October 1, 2001, the  
6 Secretary of Health and Human Services, in  
7 consultation with the States (as defined for  
8 purposes of part D of title IV of the Social Se-  
9 curity Act), shall establish the procedures to be  
10 used to make the estimate described in section  
11 457(a)(6) of such Act.

12 (2) CURRENT SUPPORT AMOUNT DEFINED.—  
13 Section 457(c) of such Act (42 U.S.C. 657(c)) is  
14 amended by adding at the end the following:

15 “(5) CURRENT SUPPORT AMOUNT.—The term  
16 ‘current support amount’ means, with respect to  
17 amounts collected as support on behalf of a family,  
18 the amount designated as the monthly support obli-  
19 gation of the noncustodial parent in the order re-  
20 quiring the support.”.

21 (3) CONVERSION OF PERMANENTLY ASSIGNED  
22 CHILD SUPPORT OBLIGATIONS.—Section 457(b) of  
23 such Act (42 U.S.C. 657(b)) is amended by insert-  
24 ing “until October 1, 2007 (or such earlier date as  
25 the State may select)” before the period.



1 (c) BAN ON RECOVERY OF MEDICAID COSTS FOR  
2 CERTAIN BIRTHS.—Section 454 of such Act (42 U.S.C.  
3 654) is amended—

4 (1) by striking “and” at the end of paragraph  
5 (32);

6 (2) by striking the period at the end of para-  
7 graph (33) and inserting “; and”; and

8 (3) by inserting after paragraph (33) the fol-  
9 lowing:

10 “(34) provide that the State shall not use the  
11 State program operated under this part to collect  
12 any amount owed to the State by reason of costs in-  
13 curred under the State plan approved under title  
14 XIX for the birth of a child for whom support rights  
15 have been assigned pursuant to section 408(a)(3),  
16 471(a)(17), or 1912.”.

17 (d) CONFORMING AMENDMENTS.—

18 (1) Section 409(a)(7)(B)(i)(I)(aa) of such Act  
19 (42 U.S.C. 609(a)(7)(B)(i)(I)(aa)) is amended by  
20 striking “457(a)(1)(B)” and inserting  
21 “457(a)(1)(B)(ii)”.

22 (2) Section 404(a) of such Act (42 U.S.C.  
23 604(a)) is amended—

24 (A) by striking “or” at the end of para-  
25 graph (1);

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

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

4 “(3) to fund payment of an amount pursuant to  
5 section 457(a)(2)(B)(i), but only to the extent that  
6 the State properly elects under section 457(a)(6) to  
7 use the grant to fund the payment.”.

8 (3) Section 409(a)(7)(B)(i) of such Act (42  
9 U.S.C. 609(a)(7)(B)(i)) is amended by adding at the  
10 end the following:

11 “(V) PORTIONS OF CERTAIN  
12 CHILD SUPPORT PAYMENTS COL-  
13 LECTED ON BEHALF OF AND DISTRIB-  
14 UTED TO FAMILIES NO LONGER RE-  
15 CEIVING ASSISTANCE.—Any amount  
16 paid by a State pursuant to section  
17 457(a)(2)(B)(i), but only to the extent  
18 that the State properly elects under  
19 section 457(a)(6) to have the payment  
20 considered a qualified State expendi-  
21 ture.”.

22 (e) EFFECTIVE DATE.—

23 (1) IN GENERAL.—The amendments made by  
24 this section shall take effect on October 1, 2005,  
25 and shall apply to payments under parts A and D

1 of title IV of the Social Security Act for calendar  
2 quarters beginning on or after such date, and with-  
3 out regard to whether regulations to implement such  
4 amendments (in the case of State programs operated  
5 under such part D) are promulgated by such date.

6 (2) STATE OPTION TO ACCELERATE EFFECTIVE  
7 DATE.—In addition, a State may elect to have the  
8 amendments made by this section apply to the State  
9 and to amounts collected by the State, on and after  
10 such date as the State may select that is after the  
11 date of the enactment of this Act and before October  
12 1, 2005.

13 **TITLE II—REVIEW AND ADJUST-**  
14 **MENT OF CHILD SUPPORT**  
15 **ORDERS**

16 **SEC. 201. MANDATORY REVIEW AND MODIFICATION OF**  
17 **CHILD SUPPORT ORDERS FOR TANF RECIPI-**  
18 **ENTS.**

19 (a) REVIEW EVERY 3 YEARS.—Section  
20 466(a)(10)(A)(i) of the Social Security Act (42 U.S.C.  
21 666(a)(10)(A)(i)) is amended—

22 (1) by striking “or,” and inserting “or”; and

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

25 (b) REVIEW UPON LEAVING TANF.—

1           (1) NOTICE OF CERTAIN FAMILIES LEAVING  
2 TANF.—Section 402(a) of such Act (42 U.S.C.  
3 602(a)) is amended by adding at the end the fol-  
4 lowing:

5           “(8) CERTIFICATION THAT THE CHILD SUP-  
6 PORT ENFORCEMENT PROGRAM WILL BE PROVIDED  
7 NOTICE OF CERTAIN FAMILIES LEAVING TANF PRO-  
8 GRAM.—A certification by the chief executive officer  
9 of the State that the State has established proce-  
10 dures to ensure that the State agency administering  
11 the child support enforcement program under the  
12 State plan approved under part D will be provided  
13 notice of the impending discontinuation of assistance  
14 to an individual under the State program funded  
15 under this part if the individual has custody of a  
16 child whose other parent is alive and not living at  
17 home with the child.”.

18           (2) REVIEW.—Section 466(a)(10) of such Act  
19 (42 U.S.C. 666(a)(10)) is amended—

20           (A) in the paragraph heading, by striking  
21 “UPON REQUEST”;

22           (B) in subparagraph (C), by striking “this  
23 paragraph” and inserting “subparagraph (A) or  
24 (B)”;

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

1           “(D) REVIEW UPON LEAVING TANF.—On  
2 receipt of a notice issued pursuant to section  
3 402(a)(8), the State child support enforcement  
4 agency shall—

5                   “(i) examine the case file involved;

6                   “(ii) determine what actions (if any)  
7 are needed to locate any noncustodial par-  
8 ent, establish paternity or a support order,  
9 or enforce a support order in the case;

10                   “(iii) immediately take the actions;

11                   and

12                   “(iv) if there is a support order in the  
13 case which the State has not reviewed dur-  
14 ing the 1-year period ending with receipt  
15 of the notice, notwithstanding subpara-  
16 graph (B), review and, if appropriate, ad-  
17 just the order in accordance with subpara-  
18 graph (A).”.

## 19 **TITLE III—EXPANDED INFORMA-** 20 **TION AND ENFORCEMENT**

### 21 **SEC. 301. GUIDELINES FOR INVOLVEMENT OF PUBLIC NON-** 22 **IV-D AND PRIVATE AGENCIES IN CHILD SUP-** 23 **PORT ENFORCEMENT.**

24           (a) IN GENERAL.—The Secretary of Health and  
25 Human Services, in consultation with States (as defined

1 for purposes of part D of title IV of the Social Security  
2 Act), local governments, and individuals or companies  
3 knowledgeable about involving entities, other than State  
4 agencies operating child support enforcement programs  
5 under such part, in child support enforcement, shall de-  
6 velop separate sets of recommendations which address the  
7 participation of public non-IV-D child support enforce-  
8 ment agencies (as defined in section 466(h) of such Act)  
9 and private child support enforcement agencies (as defined  
10 in section 466(i) of such Act) in child support enforcement  
11 pursuant to the amendments made by this title. The mat-  
12 ters addressed by the recommendations shall include sub-  
13 stantive and procedural rules which should be followed  
14 with respect to privacy safeguards, data security, due  
15 process rights, administrative compatibility with State and  
16 Federal automated systems, eligibility requirements (such  
17 as registration, licensing, and posting of bonds) for access  
18 to information and use of enforcement mechanisms, recov-  
19 ery of costs by charging fees, and penalties for violations  
20 of the rules.

21 (b) ISSUANCE OF REPORT.—Not later than October  
22 1, 2001, the Secretary of Health and Human Services  
23 shall issue to the general public a written report con-  
24 taining the separate sets of recommendations required by  
25 subsection (a).

1 (c) EFFECTIVE DATE.—This section shall take effect  
2 on the date of the enactment of this Act.

3 **Subtitle A—State Option to Pro-**  
4 **vide Information and Enforce-**  
5 **ment Mechanisms to Public**  
6 **Non-IV-D Child Support En-**  
7 **forcement Agencies**

8 **SEC. 311. ESTABLISHMENT AND ENFORCEMENT OF CHILD**  
9 **SUPPORT OBLIGATIONS BY PUBLIC NON-IV-D**  
10 **CHILD SUPPORT ENFORCEMENT AGENCIES.**

11 (a) STATE PLAN REQUIREMENTS.—Section 454 of  
12 the Social Security Act (42 U.S.C. 654), as amended by  
13 section 101(c) of this Act, is amended—

14 (1) in paragraph (33), by striking “and” at the  
15 end;

16 (2) in paragraph (34), by striking the period  
17 and inserting “; and”; and

18 (3) by inserting after paragraph (34) the fol-  
19 lowing:

20 “(35) at the option of the State, provide that—

21 “(A) subject to the privacy safeguards of  
22 paragraph (26), the State agency responsible  
23 for administering the State plan under this part  
24 may provide to a public non-IV-D child support  
25 enforcement agency (as defined in section

1 466(h)) all information in the State Directory  
2 of New Hires and any information obtained  
3 through information comparisons under section  
4 453(j)(3) about an individual with respect to  
5 whom the public agency is seeking to establish  
6 or enforce a child support obligation, if the pub-  
7 lic agency meets such requirements as the State  
8 may establish and has entered into an agree-  
9 ment with the State under which the public  
10 agency has made a binding commitment to  
11 carry out establishment and enforcement activi-  
12 ties with respect to the child support obligation  
13 subject to the same data security, privacy pro-  
14 tection, and due process requirements applica-  
15 ble to the State agency and in accordance with  
16 procedures approved by the head of the State  
17 agency;

18 “(B) the State agency may charge and col-  
19 lect fees from any such public agency to recover  
20 costs incurred by the State agency in providing  
21 information and services to the public agency  
22 pursuant to this part.”.

23 (b) PUBLIC NON-IV-D CHILD SUPPORT ENFORCE-  
24 MENT AGENCY DEFINED.—Section 466 of such Act (42



1 U.S.C. 666) is amended by adding at the end the fol-  
2 lowing:

3       “(h) PUBLIC NON-IV–D CHILD SUPPORT ENFORCE-  
4 MENT AGENCY DEFINED.—In this part, the term ‘public  
5 non-IV–D child support enforcement agency’ means an  
6 agency, of a political subdivision of a State, which is prin-  
7 cipally responsible for the operation of a child support reg-  
8 istry or for the establishment or enforcement of an obliga-  
9 tion to pay child support (as defined in section 459(i)(2))  
10 other than pursuant to the State plan approved under this  
11 part.”.

12 **SEC. 312. USE OF CERTAIN ENFORCEMENT MECHANISMS.**

13       (a) FEDERAL TAX REFUND INTERCEPT.—

14               (1) ADDITIONAL STATE PLAN REQUIREMENT.—

15       Section 454(35) of the Social Security Act, as added  
16       by section 311(a) of this Act, is amended—

17               (1) by striking the period at the end of sub-  
18       paragraph (B) and inserting “; and”; and

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

20                       “(C) the State agency may transmit to the  
21       Secretary of the Treasury pursuant to section  
22       464 a notice submitted by a public non-IV–D  
23       child support enforcement agency (in such form  
24       and manner as the State agency may prescribe)  
25       that a named individual owes past-due child

1 support (as defined in section 464(e)) which the  
2 public agency has agreed to collect, and may  
3 collect from the public agency any fee which the  
4 State is required to pay for the cost of applying  
5 the offset procedure in the case.”.

6 (2) CONFORMING AMENDMENTS.—Section 464  
7 of such Act (42 U.S.C. 664) is amended—

8 (A) in subsection (a)(2)(A)—

9 (i) in the 1st sentence, by striking  
10 “, and that the State agency” and insert-  
11 ing “or which a public non-IV–D child sup-  
12 port enforcement agency in the State has  
13 agreed to collect, and that the State agen-  
14 cy (or the public non-IV–D child support  
15 enforcement agency)”;

16 (ii) in the 2nd sentence, by striking  
17 “he” and inserting “the Secretary of the  
18 Treasury”;

19 (B) in subsection (a)(3)(A)—

20 (i) in the 1st sentence, by inserting  
21 “(or, in the case the State is acting on be-  
22 half of a public non-IV–D child support  
23 enforcement agency, the public non-IV–D  
24 child support enforcement agency)” after  
25 “the State”; and

1 (ii) in the 2nd sentence, by inserting  
2 “(or, as applicable, the public non-IV–D  
3 child support enforcement agency’s)” after  
4 “State’s”.

5 (b) REPORTING ARREARAGES TO CREDIT BU-  
6 REAUS.—Section 466(a)(7)(A) of such Act (42 U.S.C.  
7 666(a)(7)(A)) is amended by inserting “, and allowing the  
8 State to include in the report similar information provided  
9 (in such form and manner as the State agency may pre-  
10 scribe) by a public non-IV–D child support enforcement  
11 agency” before the period.

12 (c) PASSPORT SANCTIONS.—Section 454(31) of such  
13 Act (42 U.S.C. 654(31)) is amended—

14 (1) by striking “and” at the end of subpara-  
15 graph (A);

16 (2) by adding “and” at the end of subpara-  
17 graph (B); and

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

19 “(C) the State agency may include in the  
20 certification any such determination, notice of  
21 which is provided to the State agency (in such  
22 form and manner as the State agency may re-  
23 quire) by a public non-IV–D child support en-  
24 forcement agency;”.

25 (d) FINANCIAL INSTITUTION DATA MATCHES.—

1           (1) IN GENERAL.—Section 466(a)(17) of such  
2 Act (42 U.S.C. 666(a)(17)) is amended by redesignig-  
3 nating subparagraph (D) as subparagraph (E) and  
4 inserting after subparagraph (C) the following:

5           “(D) COORDINATION WITH PUBLIC NON-  
6 IV–D CHILD SUPPORT ENFORCEMENT AGEN-  
7 CIES.—The identifying information described in  
8 subparagraph (A)(i) which is provided by the  
9 State may include any such identifying informa-  
10 tion that is provided to the State agency by a  
11 public non-IV–D child support enforcement  
12 agency in such form and manner as the State  
13 agency may require.”.

14           (2) LIABILITY PROTECTIONS.—Section 469A(d)  
15 of such Act (42 U.S.C. 669a(d)) is amended by add-  
16 ing at the end the following:

17           “(3) STATE CHILD SUPPORT ENFORCEMENT  
18 AGENCY.—The term ‘State child support enforce-  
19 ment agency’ includes, with respect to a financial  
20 record of an individual, a public non-IV–D child sup-  
21 port enforcement agency if the public agency is seek-  
22 ing to establish or enforce a child support obligation  
23 with respect to the individual pursuant to an agree-  
24 ment described in section 454(35)(A).”.

1 (e) USE OF INCOME WITHHOLDING FOR UNEMPLOY-  
2 MENT INSURANCE BENEFITS.—

3 (1) DISCLOSURE OF WAGE INFORMATION.—Sec-  
4 tion 303(e)(1) of such Act (42 U.S.C. 503(e)(1)) is  
5 amended by striking the second sentence and insert-  
6 ing the following:

7 “For purposes of this subsection, the term ‘child support  
8 obligations’ means obligations to pay child support (as de-  
9 fined in section 459(i)(2) of the Social Security Act).”.

10 (2) AUTHORITY TO WITHHOLD.—Section  
11 303(e)(2)(A) of such Act (42 U.S.C. 503(e)(2)(A))  
12 is amended—

13 (A) in clause (i), by inserting “and the  
14 identity and location of the State or local child  
15 support enforcement agency enforcing the obli-  
16 gations (to the extent known)” before the  
17 comma;

18 (B) in clause (iii)(III), by striking  
19 “462(e)” and inserting “459(i)(5)”; and

20 (C) in the matter following clause (iv), by  
21 striking “his” and inserting “the individual’s”.

22 (3) CONFORMING AMENDMENT.—Section  
23 303(e)(4) of such Act (42 U.S.C. 503(e)(4)) is  
24 amended by striking “the last sentence of paragraph  
25 (1)” and inserting “section 454 which has been ap-

1 proved by the Secretary of Health and Human Serv-  
 2 ices under part D of title IV or pursuant to an  
 3 agreement described in section 454(35)(A)”.

4 **SEC. 313. EFFECTIVE DATE.**

5 Except as provided in section 701(b), the amend-  
 6 ments made by this subtitle shall take effect on October  
 7 1, 2002, and shall apply to payments under part D of title  
 8 IV of the Social Security Act for calendar quarters begin-  
 9 ning on or after such date, and without regard to whether  
 10 regulations to implement such amendments are promul-  
 11 gated by such date.

12 **Subtitle B—State Option To Pro-**  
 13 **vide Information and Enforce-**  
 14 **ment Mechanisms to Private**  
 15 **Child Support Enforcement**  
 16 **Agencies**

17 **SEC. 321. ESTABLISHMENT AND ENFORCEMENT OF CHILD**  
 18 **SUPPORT OBLIGATIONS BY PRIVATE CHILD**  
 19 **SUPPORT ENFORCEMENT AGENCIES.**

20 (a) STATE PLAN REQUIREMENTS.—Section 454 of  
 21 the Social Security Act (42 U.S.C. 654), as amended by  
 22 sections 101(e), 311(a), and 312(a)(1) of this Act, is  
 23 amended—

24 (1) in paragraph (34), by striking “and” at the  
 25 end;

1           (2) in paragraph (35), by striking the period  
2           and inserting “; and”; and

3           (3) by inserting after paragraph (35) the fol-  
4           lowing:

5           “(36) at the option of the State, provide that—

6           “(A) subject to the privacy safeguards of  
7           paragraph (26), the State agency responsible  
8           for administering the State plan under this part  
9           may provide to a private child support enforce-  
10          ment agency (as defined in section 466(i)) any  
11          information in the State Directory of New  
12          Hires and any information obtained through in-  
13          formation comparisons under section 453(j)(3)  
14          about an individual with respect to whom the  
15          private agency is seeking to establish or enforce  
16          a child support obligation, if the private agency  
17          meets such requirements as the State may es-  
18          tablish and has entered into an agreement with  
19          the State under which the private agency has  
20          made a binding commitment to carry out estab-  
21          lishment and enforcement activities with respect  
22          to the child support obligation subject to the  
23          same data security, privacy protection, and due  
24          process requirements applicable to the State

1 agency and in accordance with procedures ap-  
2 proved by the head of the State agency;

3 “(B) the State agency may charge and col-  
4 lect fees from any such private agency to re-  
5 cover costs incurred by the State agency in pro-  
6 viding information and services to the private  
7 agency pursuant to this part.”.

8 (b) PRIVATE CHILD SUPPORT ENFORCEMENT AGEN-  
9 CY DEFINED.—Section 466 of such Act (42 U.S.C. 666),  
10 as amended by section 311(b) of this Act, is amended by  
11 adding at the end the following:

12 “(i) PRIVATE CHILD SUPPORT ENFORCEMENT  
13 AGENCY DEFINED.—In this part, the term ‘private child  
14 support enforcement agency’ means a person or any other  
15 non-public entity which seeks to establish or enforce an  
16 obligation to pay child support (as defined in section  
17 459(i)(2)).”.

18 **SEC. 322. USE OF CERTAIN ENFORCEMENT MECHANISMS.**

19 (a) FEDERAL TAX REFUND INTERCEPT.—

20 (1) ADDITIONAL STATE PLAN REQUIREMENT.—

21 Section 454(36) of the Social Security Act, as added  
22 by section 321(a) of this Act, is amended—

23 (1) by striking the period at the end of sub-  
24 paragraph (A) and inserting “; and”; and

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



1           “(C) the State agency may transmit to the  
2           Secretary of the Treasury pursuant to section  
3           464 any notice submitted by a private child  
4           support enforcement agency (in such form and  
5           manner as the State agency may prescribe) that  
6           a named individual owes past-due child support  
7           (as defined in section 464(c)) which the private  
8           agency has agreed to collect, and may collect  
9           from the private agency any fee which the State  
10          is required to pay for the cost of applying the  
11          offset procedure in the case.”.

12          (2) CONFORMING AMENDMENTS.—Section  
13          464(a) of such Act (42 U.S.C. 664(a)), as amended  
14          by section 312(a)(2) of this Act, is amended by in-  
15          serting “(or private)” after “public non-IV–D” each  
16          place it appears.

17          (b) REPORTING ARREARAGES TO CREDIT BU-  
18          REAUS.—Section 466(a)(7)(A) of such Act (42 U.S.C.  
19          666(a)(7)(A)), as amended by section 312(b) of this Act,  
20          is amended by inserting “(or private)” after “public non-  
21          IV–D”.

22          (c) PASSPORT SANCTIONS.—Section 454(31)(C) of  
23          such Act (42 U.S.C. 654(31)), as amended by section  
24          312(c) of this Act, is amended by inserting “(or private)”  
25          after “public non-IV–D”.

1 (d) FINANCIAL INSTITUTION DATA MATCHES.—

2 (1) IN GENERAL.—Section 466(a)(17)(D) of  
3 such Act, as added by section 311(d) of this Act, is  
4 amended by inserting “(or private)” after “public  
5 non-IV-D”.

6 (2) LIABILITY PROTECTIONS.—Section  
7 469A(d)(3) of such Act, as added by section  
8 312(d)(2) of this Act, is amended—

9 (A) by inserting “(or private)” after “pub-  
10 lic non-IV-D”;

11 (B) by inserting “(or private) after “the  
12 public” each place it appears; and

13 (C) by inserting “(or 454(36)(A))” before  
14 the period.

15 (e) USE OF INCOME WITHHOLDING FOR UNEMPLOY-  
16 MENT INSURANCE BENEFITS.—Section 303(e)(4) of such  
17 Act (42 U.S.C. 503(e)(4)), as amended by section  
18 312(e)(3) of this Act, is amended by inserting “, and in-  
19 cludes a private child support enforcement agency (as de-  
20 fined in section 466(i)) with respect to an individual who  
21 is an applicant for, or who is determined to be eligible  
22 for unemployment compensation if the State in which the  
23 private child support enforcement agency is located con-  
24 firms that the private child support enforcement agency  
25 is seeking to establish, modify, or enforce a child support

1 obligation of the individual pursuant to an agreement de-  
 2 scribed in section 454(36)(A)” before the period.

3 **SEC. 323. EFFECTIVE DATE.**

4 Except as provided in section 801(b), the amend-  
 5 ments made by this subtitle shall take effect on October  
 6 1, 2003, and shall apply to payments under part D of title  
 7 IV of the Social Security Act for calendar quarters begin-  
 8 ning on or after such date, and without regard to whether  
 9 regulations to implement such amendments are promul-  
 10 gated by such date.

11 **TITLE IV—EXPANDED**  
 12 **ENFORCEMENT**

13 **SEC. 401. DECREASE IN AMOUNT OF CHILD SUPPORT AR-**  
 14 **REARAGE TRIGGERING PASSPORT DENIAL.**

15 Section 452(k) of the Social Security Act (42 U.S.C.  
 16 652(k)) is amended by striking “\$5,000” and inserting  
 17 “\$2,500”.

18 **SEC. 402. USE OF TAX REFUND INTERCEPT PROGRAM TO**  
 19 **COLLECT PAST-DUE CHILD SUPPORT ON BE-**  
 20 **HALF OF CHILDREN WHO ARE NOT MINORS.**

21 Section 464 of the Social Security Act (42 U.S.C.  
 22 664) is amended—

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

1 (2) in subsection (c)—

2 (A) in paragraph (1)—

3 (i) by striking “(1) Except as pro-  
4 vided in paragraph (2), as used in” and in-  
5 serting “In”; and

6 (ii) by inserting “(whether or not a  
7 minor)” after “a child” each place it ap-  
8 pears; and

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

10 **TITLE V—FATHERHOOD**  
11 **PROGRAMS**  
12 **Subtitle A—Fatherhood Grant**  
13 **Program**

14 **SEC. 501. FATHERHOOD GRANTS.**

15 (a) IN GENERAL.—Part A of title IV of the Social  
16 Security Act (42 U.S.C. 601–619) is amended by inserting  
17 after section 403 the following:

18 **“SEC. 403A. FATHERHOOD PROGRAMS.**

19 “(a) PURPOSE.—The purpose of this section is to  
20 make grants available to public and private entities for  
21 projects designed to—

22 “(1) promote marriage through counseling,  
23 mentoring, disseminating information about the ad-  
24 vantages of marriage, enhancing relationship skills,

1 teaching how to control aggressive behavior, and  
2 other methods;

3 “(2) promote successful parenting through  
4 counseling, mentoring, disseminating information  
5 about good parenting practices including  
6 pre-pregnancy, family planning, training parents in  
7 money management, encouraging child support pay-  
8 ments, encouraging regular visitation between fa-  
9 thers and their children, and other methods; and

10 “(3) help fathers and their families avoid or  
11 leave cash welfare provided by the program under  
12 part A and improve their economic status by pro-  
13 viding work first services, job search, job training,  
14 subsidized employment, career-advancing education,  
15 job retention, job enhancement, and other methods.

16 “(b) FATHERHOOD GRANTS.—

17 “(1) APPLICATIONS.—An entity desiring a  
18 grant to carry out a project described in subsection  
19 (a) may submit to the Secretary an application that  
20 contains the following:

21 “(A) A description of the project and how  
22 the project will be carried out.

23 “(B) A description of how the project will  
24 address all three of the purposes of this section.

1           “(C) A written commitment by the entity  
2 that the project will allow an individual to par-  
3 ticipate in the project only if the individual is—

4                   “(i) a father of a child who is, or  
5 within the past 24 months has been, a re-  
6 cipient of assistance or services under a  
7 State program funded under this part;

8                   “(ii) a father, including an expectant  
9 or married father, whose income (net of  
10 court-ordered child support) is less than  
11 150 percent of the poverty line (as defined  
12 in section 673(2) of the Omnibus Budget  
13 Reconciliation Act of 1981, including any  
14 revision required by such section, applica-  
15 ble to a family of the size involved); or

16                   “(iii) a parent referred to in para-  
17 graph (3)(A)(iii).

18           “(D) A written commitment by the entity  
19 that the entity will provide for the project, from  
20 funds obtained from non-Federal sources,  
21 amounts (including in-kind contributions) equal  
22 in value to—

23                   “(i) 20 percent of the amount of any  
24 grant made to the entity under this sub-  
25 section; or

1           “(ii) such lesser percentage as the  
2           Secretary deems appropriate (which shall  
3           be not less than 10 percent) of such  
4           amount, if the application demonstrates  
5           that there are circumstances that limit the  
6           ability of the entity to raise funds or ob-  
7           tain resources.

8           “(E) A written commitment by the entity  
9           that the entity will make available to each indi-  
10          vidual participating in the project education  
11          about alcohol, tobacco, and other drugs and the  
12          effects of abusing such substances, and infor-  
13          mation about HIV/AIDS and its transmission.

14          “(2) CONSIDERATION OF APPLICATIONS BY  
15          INTERAGENCY PANEL.—

16                 “(A) ESTABLISHMENT.—There is estab-  
17                 lished a panel to be known as the ‘Fatherhood  
18                 Grants Recommendations Panel’ (in this sub-  
19                 paragraph referred to as the ‘Panel’).

20                 “(B) MEMBERSHIP.—

21                         “(i) IN GENERAL.—The Panel shall be  
22                         composed of 10 members, as follows:

23                                 “(I) Two members of the Panel  
24                                 shall be appointed by the Secretary.

1           “(II) Two members of the Panel  
2 shall be appointed by the Secretary of  
3 Labor.

4           “(III) Two members of the Panel  
5 shall be appointed by the Chairman of  
6 the Committee on Ways and Means of  
7 the House of Representatives.

8           “(IV) One member of the Panel  
9 shall be appointed by the ranking mi-  
10 nority member of the Committee on  
11 Ways and Means of the House of  
12 Representatives.

13           “(V) Two members of the Panel  
14 shall be appointed by the Chairman of  
15 the Committee on Finance of the Sen-  
16 ate.

17           “(VI) One member of the Panel  
18 shall be appointed by the ranking mi-  
19 nority member of the Committee on  
20 Finance of the Senate.

21           “(ii) QUALIFICATIONS.—An individual  
22 shall not be eligible to serve on the Panel  
23 unless the individual has experience in pro-  
24 grams for fathers, programs for the poor,



1 programs for children, program adminis-  
2 tration, or program research.

3 “(iii) CONFLICTS OF INTEREST.—An  
4 individual shall not be eligible to serve on  
5 the Panel if such service would pose a con-  
6 flict of interest for the individual.

7 “(iv) TIMING OF APPOINTMENTS.—  
8 The appointment of members to the Panel  
9 shall be completed not later than April 1,  
10 2001.

11 “(C) DUTIES.—

12 “(i) REVIEW AND MAKE REC-  
13 OMMENDATIONS ON PROJECT APPLICA-  
14 TIONS.—The Panel shall review all applica-  
15 tions submitted pursuant to paragraph (1),  
16 and make recommendations to the Sec-  
17 retary regarding which applicants should  
18 be awarded grants under this subsection,  
19 with due regard for the provisions of para-  
20 graph (3), but shall not recommend that a  
21 project be awarded such a grant if the ap-  
22 plication describing the project does not at-  
23 tempt to meet the requirement of para-  
24 graph (1)(B).

1                   “(ii) TIMING.—The Panel shall make  
2                   such recommendations not later than Octo-  
3                   ber 1, 2001.

4                   “(D) TERM OF OFFICE.—Each member  
5                   appointed to the Panel shall serve for the life  
6                   of the Panel.

7                   “(E) PROHIBITION ON COMPENSATION.—  
8                   Members of the Panel may not receive pay, al-  
9                   lowances, or benefits by reason of their service  
10                  on the Panel.

11                  “(F) TRAVEL EXPENSES.—Each member  
12                  of the Panel shall receive travel expenses, in-  
13                  cluding per diem in lieu of subsistence, in ac-  
14                  cordance with sections 5702 and 5703 of title  
15                  5, United States Code.

16                  “(G) MEETINGS.—The Panel shall meet as  
17                  often as is necessary to complete the business  
18                  of the Panel.

19                  “(H) CHAIRPERSON.—The Chairperson of  
20                  the Panel shall be designated by the Secretary  
21                  at the time of appointment.

22                  “(I) STAFF OF FEDERAL AGENCIES.—The  
23                  Secretary may detail any personnel of the De-  
24                  partment of Health and Human Services and  
25                  the Secretary of Labor may detail any per-

1           sonnel of the Department of Labor to the Panel  
2           to assist the Panel in carrying out its duties  
3           under this paragraph.

4           “(J) OBTAINING OFFICIAL DATA.—The  
5           Panel may secure directly from any department  
6           or agency of the United States information nec-  
7           essary to enable it to carry out this paragraph.  
8           On request of the Chairperson of the Panel, the  
9           head of the department or agency shall furnish  
10          that information to the Panel.

11          “(K) MAILS.—The Panel may use the  
12          United States mails in the same manner and  
13          under the same conditions as other departments  
14          and agencies of the United States.

15          “(L) TERMINATION.—The Panel shall ter-  
16          minate on October 1, 2001.

17          “(3) RULES GOVERNING GRANTS.—

18                  “(A) GRANT AWARDS.—

19                          “(i) IN GENERAL.—The Secretary  
20                          shall award matching grants, on a competi-  
21                          tive basis, among entities submitting appli-  
22                          cations therefor which meet the require-  
23                          ments of paragraph (1), in amounts that  
24                          take into account the written commitments  
25                          referred to in paragraph (1)(D).

1           “(ii) TIMING.—On October 1, 2001,  
2           the Secretary shall award not more than  
3           \$140,000,000 in matching grants after  
4           considering the recommendations sub-  
5           mitted pursuant to paragraph (2)(C)(i).

6           “(iii) NONDISCRIMINATION.—The pro-  
7           visions of this section shall be applied and  
8           administered so as to ensure that mothers,  
9           expectant mothers, and married mothers  
10          are eligible for benefits and services under  
11          projects awarded grants under this section  
12          on the same basis as fathers, expectant fa-  
13          thers, and married fathers.

14          “(B) PREFERENCES.—In determining  
15          which entities to which to award grants under  
16          this subsection, the Secretary shall give pref-  
17          erence to an entity—

18                 “(i) to the extent that the application  
19                 submitted by the entity describes actions  
20                 that the entity will take that are designed  
21                 to encourage or facilitate the payment of  
22                 child support, including but not limited  
23                 to—

24                         “(I) obtaining a written commit-  
25                         ment by the agency responsible for

1 administering the State plan approved  
2 under part D for the State in which  
3 the project is to be carried out that  
4 the State will voluntarily cancel child  
5 support arrearages owed to the State  
6 by the father as a result of the father  
7 providing various supports to the fam-  
8 ily such as maintaining a regular child  
9 support payment schedule or living  
10 with his children;

11 “(II) obtaining a written commit-  
12 ment by the entity that the entity will  
13 help participating fathers who cooper-  
14 ate with the agency in improving their  
15 credit rating; and

16 “(III) helping fathers arrange  
17 and maintain a consistent schedule of  
18 visits with their children, unless it  
19 would be unsafe;

20 “(ii) to the extent that the application  
21 includes written agreements of cooperation  
22 with other private and governmental agen-  
23 cies, including the State or local program  
24 funded under this part, the local Work-  
25 force Investment Board, the State or local

1 program funded under part D, community-  
2 based domestic violence programs, and the  
3 State or local program funded under part  
4 E, which should include a description of  
5 the services each such agency will provide  
6 to fathers participating in the project de-  
7 scribed in the application;

8 “(iii) to the extent that the applica-  
9 tion describes a project that will enroll a  
10 high percentage of project participants  
11 within 6 months before or after the birth  
12 of the child; or

13 “(iv) to the extent that the application  
14 sets forth clear and practical methods by  
15 which fathers will be recruited to partici-  
16 pate in the project.

17 “(C) MINIMUM PERCENTAGE OF RECIPI-  
18 ENTS OF GRANT FUNDS TO BE NONGOVERN-  
19 MENTAL (INCLUDING FAITH-BASED) ORGANIZA-  
20 TIONS.—Not less than 75 percent of the enti-  
21 ties awarded grants under this subsection in  
22 each fiscal year (other than entities awarded  
23 such grants pursuant to the preferences re-  
24 quired by subparagraph (B)) shall be awarded  
25 to—

1           “(i) nongovernmental (including faith-  
2 based) organizations; or

3           “(ii) governmental organizations that  
4 pass through to organizations referred to  
5 in clause (i) at least 50 percent of the  
6 amount of the grant.

7           “(D) DIVERSITY OF PROJECTS.—

8           “(i) IN GENERAL.—In determining  
9 which entities to which to award grants  
10 under this subsection, the Secretary shall  
11 attempt to achieve a balance among enti-  
12 ties of differing sizes, entities in differing  
13 geographic areas, entities in urban versus  
14 rural areas, and entities employing dif-  
15 fering methods of achieving the purposes  
16 of this section.

17           “(ii) REPORT TO THE CONGRESS.—  
18 Within 90 days after each award of grants  
19 under subparagraph (A)(ii), the Secretary  
20 shall submit to the Committee on Ways  
21 and Means of the House of Representa-  
22 tives and the Committee on Finance of the  
23 Senate a brief report on the diversity of  
24 projectes selected to receive funds under  
25 the grant program. The report shall in-

1           clude a comparison of funding for projects  
2           located in urban areas, projects located in  
3           suburban areas, and projects located in  
4           rural areas.

5           “(E) PAYMENT OF GRANT IN FOUR EQUAL  
6           ANNUAL INSTALLMENTS.—During the fiscal  
7           year in which a grant is awarded under this  
8           subsection and each of the succeeding three fis-  
9           cal years, the Secretary shall provide to the en-  
10          tity awarded the grant an amount equal to  $\frac{1}{4}$   
11          of the amount of the grant.

12          “(4) USE OF FUNDS.—

13                 “(A) IN GENERAL.—Each entity to which  
14                 a grant is made under this subsection shall use  
15                 grant funds provided under this subsection in  
16                 accordance with the application requesting the  
17                 grant, the requirements of this subsection, and  
18                 the regulations prescribed under this sub-  
19                 section, and may use the grant funds to support  
20                 community-wide initiatives to address the pur-  
21                 poses of this section.

22          “(B) NONDISPLACEMENT.—

23                 “(i) IN GENERAL.—An adult in a  
24                 work activity described in section 407(d)  
25                 which is funded, in whole or in part, by



1 funds provided under this section shall not  
2 be employed or assigned—

3 “(I) when any other individual is  
4 on layoff from the same or any sub-  
5 stantially equivalent job; or

6 “(II) if the employer has termi-  
7 nated the employment of any regular  
8 employee or otherwise caused an in-  
9 voluntary reduction of its workforce in  
10 order to fill the vacancy so created  
11 with such an adult.

12 “(ii) GRIEVANCE PROCEDURE.—

13 “(I) IN GENERAL.—Complaints  
14 alleging violations of clause (i) in a  
15 State may be resolved—

16 “(aa) if the State has estab-  
17 lished a grievance procedure  
18 under section 403(a)(5)(I)(iv),  
19 pursuant to the grievance proce-  
20 dure; or

21 “(bb) otherwise, pursuant to  
22 the grievance procedure estab-  
23 lished by the State under section  
24 407(f)(3).

1                   “(II) FORFEITURE OF GRANT IF  
2                   GRIEVANCE PROCEDURE NOT AVAIL-  
3                   ABLE.—If a complaint referred to in  
4                   subclause (I) is made against an enti-  
5                   ty to which a grant has been made  
6                   under this section with respect to a  
7                   project, and the complaint cannot be  
8                   brought to, or cannot be resolved  
9                   within 90 days after being brought, by  
10                  a grievance procedure referred to in  
11                  subclause (I), then the entity shall im-  
12                  mediately return to the Secretary all  
13                  funds provided to the entity under  
14                  this section for the project, and the  
15                  Secretary shall immediately rescind  
16                  the grant.

17                  “(C) RULE OF CONSTRUCTION.—This sec-  
18                  tion shall not be construed to require the par-  
19                  ticipation of a father in a project funded under  
20                  this section to be discontinued by the project on  
21                  the basis of changed economic circumstances of  
22                  the father.

23                  “(D) RULE OF CONSTRUCTION ON MAR-  
24                  RIAGE.—This section shall not be construed to

1 authorize the Secretary to define marriage for  
2 purposes of this section.

3 “(E) PENALTY FOR MISUSE OF GRANT  
4 FUNDS.—If the Secretary determines that an  
5 entity to which a grant is made under this sub-  
6 section has used any amount of the grant in  
7 violation of subparagraph (A), the Secretary  
8 shall require the entity to remit to the Sec-  
9 retary an amount equal to the amount so used,  
10 plus all remaining grant funds, and the entity  
11 shall thereafter be ineligible for any grant  
12 under this subsection.

13 “(F) REMITTANCE OF UNUSED GRANT  
14 FUNDS.—Each entity to which a grant is  
15 awarded under this subsection shall remit to  
16 the Secretary all funds paid under the grant  
17 that remain at the end of the fifth fiscal year  
18 ending after the initial grant award.

19 “(5) AUTHORITY OF AGENCIES TO EXCHANGE  
20 INFORMATION.—Each agency administering a pro-  
21 gram funded under this part or a State plan ap-  
22 proved under part D may share the name, address,  
23 telephone number, and identifying case number in-  
24 formation in the State program funded under this  
25 part, of fathers for purposes of assisting in deter-

1 mining the eligibility of fathers to participate in  
2 projects receiving grants under this section, and in  
3 contacting fathers potentially eligible to participate  
4 in the projects, subject to all applicable privacy laws.

5 “(6) EVALUATION.—The Secretary, in consulta-  
6 tion with the Secretary of Labor, shall, directly or  
7 by grant, contract, or interagency agreement, con-  
8 duct an evaluation of projects funded under this sec-  
9 tion (other than under subsection (c)(1)). The eval-  
10 uation shall assess, among other outcomes selected  
11 by the Secretary, effects of the projects on marriage,  
12 parenting, employment, earnings, and payment of  
13 child support. In selecting projects for the evalua-  
14 tion, the Secretary should include projects that, in  
15 the Secretary’s judgment, are most likely to impact  
16 the matters described in the purposes of this section.  
17 In conducting the evaluation, random assignment  
18 should be used wherever possible.

19 “(7) REGULATIONS.—The Secretary shall pre-  
20 scribe such regulations as may be necessary to carry  
21 out this subsection.

22 “(8) LIMITATION ON APPLICABILITY OF OTHER  
23 PROVISIONS OF THIS PART.—Sections 404 through  
24 410 shall not apply to this section or to amounts  
25 paid under this section, and shall not be applied to

1 an entity solely by reason of receipt of funds pursu-  
2 ant to this section. A project shall not be considered  
3 a State program funded under this part solely by  
4 reason of receipt of funds paid under this section.

5 “(9) FUNDING.—

6 “(A) IN GENERAL.—

7 “(i) INTERAGENCY PANEL.—Of the  
8 amounts made available pursuant to sec-  
9 tion 403(a)(1)(E) to carry out this section  
10 for fiscal year 2001, a total of \$150,000  
11 shall be made available for the interagency  
12 panel established by paragraph (2) of this  
13 subsection.

14 “(ii) GRANTS.—Of the amounts made  
15 available pursuant to section 403(a)(1)(E)  
16 to carry out this section for fiscal years  
17 2002 through 2005, a total of  
18 \$140,000,000 shall be made available for  
19 grants under this subsection.

20 “(iii) EVALUATION.—Of the amounts  
21 made available pursuant to section  
22 403(a)(1)(E) to carry out this section for  
23 fiscal years 2001 through 2006, a total of  
24 \$6,000,000 shall be made available for the

1 evaluation required by paragraph (6) of  
2 this subsection.

3 “(B) AVAILABILITY.—

4 “(i) GRANT FUNDS.—The amounts  
5 made available pursuant to subparagraph  
6 (A)(ii) shall remain available until the end  
7 of fiscal year 2006.

8 “(ii) EVALUATION FUNDS.—The  
9 amounts made available pursuant to sub-  
10 paragraph (A)(iii) shall remain available  
11 until the end of fiscal year 2008.”.

12 (b) FUNDING.—Section 403(a)(1)(E) of such Act (42  
13 U.S.C. 603(a)(1)(E)) is amended by inserting “, and for  
14 fiscal years 2001 through 2007, such sums as are nec-  
15 essary to carry out section 403A” before the period.

16 (c) APPLICABILITY OF CHARITABLE CHOICE PROVI-  
17 SIONS OF WELFARE REFORM.—Section 104 of the Per-  
18 sonal Responsibility and Work Opportunity Reconciliation  
19 Act of 1996 (42 U.S.C. 604a) is amended by adding at  
20 the end the following:

21 “(l) Notwithstanding the preceding provisions of this  
22 section, this section shall apply to any entity to which  
23 funds have been provided under section 403A of the Social  
24 Security Act in the same manner in which this section ap-  
25 plies to States, and, for purposes of this section, any

1 project for which such funds are so provided shall be con-  
2 sidered a program described in subsection (a)(2).”.

3 **Subtitle B—Fatherhood Projects of**  
4 **National Significance**

5 **SEC. 511. FATHERHOOD PROJECTS OF NATIONAL SIGNIFI-**  
6 **CANCE.**

7 Section 403A of the Social Security Act, as added  
8 by subtitle A of this title, is amended by adding at the  
9 end the following:

10 “(c) FATHERHOOD PROJECTS OF NATIONAL SIG-  
11 NIFICANCE.—

12 “(1) NATIONAL CLEARINGHOUSE.—The Sec-  
13 retary shall award a \$5,000,000 grant to a nation-  
14 ally recognized, nonprofit fatherhood promotion or-  
15 ganization with at least 4 years of experience in de-  
16 signing and disseminating a national public edu-  
17 cation campaign, including the production and suc-  
18 cessful placement of television, radio, and print pub-  
19 lic service announcements which promote the impor-  
20 tance of responsible fatherhood, and with at least 4  
21 years experience providing consultation and training  
22 to community-based organizations interested in im-  
23 plementing fatherhood outreach, support, or skill de-  
24 velopment programs with an emphasis on promoting  
25 married fatherhood as the ideal, to—

1           “(A) develop, promote, and distribute to  
2 interested States, local governments, public  
3 agencies, and private nonprofit organizations,  
4 including charitable and religious organizations,  
5 a media campaign that encourages the appro-  
6 priate involvement of both parents in the life of  
7 any child of the parents, and encourages such  
8 organizations to develop or sponsor programs  
9 that specifically address the issue of responsible  
10 fatherhood and the advantages conferred on  
11 children by marriage;

12           “(B) develop a national clearinghouse to  
13 assist States, communities, and private entities  
14 in efforts to promote and support marriage and  
15 responsible fatherhood by collecting, evaluating,  
16 and making available (through the Internet and  
17 by other means) to all interested parties, infor-  
18 mation regarding media campaigns and father-  
19 hood programs;

20           “(C) develop and distribute materials that  
21 are for use by entities described in subpara-  
22 graph (A) or (B) and that help young adults  
23 manage their money, develop the knowledge and  
24 skills needed to promote successful marriages,



1 plan for future expenditures and investments,  
2 and plan for retirement;

3 “(D) develop and distribute materials that  
4 are for use by entities described in subpara-  
5 graphs (A) and (B) and that list all the sources  
6 of public support for education and training  
7 that are available to young adults, including  
8 government spending programs as well as bene-  
9 fits under Federal and State tax laws.

10 “(2) MULTICITY FATHERHOOD PROJECTS.—

11 “(A) IN GENERAL.—The Secretary shall  
12 award a \$5,000,000 grant to each of two na-  
13 tionally recognized nonprofit fatherhood pro-  
14 motion organizations which meet the require-  
15 ments of subparagraph (B), at least one of  
16 which organizations meets the requirement of  
17 subparagraph (C).

18 “(B) REQUIREMENTS.—The requirements  
19 of this subparagraph are the following:

20 “(i) The organization must have sev-  
21 eral years of experience in designing and  
22 conducting programs that meet the pur-  
23 poses described in paragraph (1).

24 “(ii) The organization must have ex-  
25 perience in simultaneously conducting such

1 programs in more than one major metro-  
2 politan area and in coordinating such pro-  
3 grams with local government agencies and  
4 private, nonprofit agencies, including State  
5 or local agencies responsible for conducting  
6 the program under part D and Workforce  
7 Investment Boards.

8 “(iii) The organization must submit to  
9 the Secretary an application that meets all  
10 the conditions applicable to the organiza-  
11 tion under this section and that provides  
12 for projects to be conducted in three major  
13 metropolitan areas.

14 “(C) USE OF MARRIED COUPLES TO DE-  
15 LIVER SERVICES IN THE INNER CITY.—The re-  
16 quirement of this subparagraph is that the or-  
17 ganization has extensive experience in using  
18 married couples to deliver program services in  
19 the inner city.

20 “(3) PAYMENT OF GRANTS IN FOUR EQUAL AN-  
21 NUAL INSTALLMENTS.—During each of fiscal years  
22 2002 through 2005, the Secretary shall provide to  
23 each entity awarded a grant under this subsection  
24 an amount equal to  $\frac{1}{4}$  of the amount of the grant.

25 “(4) FUNDING.—

1           “(A) IN GENERAL.—Of the amounts made  
2           available pursuant to section 403(a)(1)(E) to  
3           carry out this section, \$3,750,000 shall be  
4           made available for grants under this subsection  
5           for each of fiscal years 2002 through 2005.

6           “(B) AVAILABILITY.—The amounts made  
7           available pursuant to subparagraph (A) shall  
8           remain available until the end of fiscal year  
9           2005.”.

## 10           **TITLE VI—MISCELLANEOUS**

### 11           **SEC. 601. CHANGE DATES FOR ABSTINENCE EVALUATION.**

12           (a) IN GENERAL.—Section 403(a)(5)(G)(iii) of the  
13           Social Security Act (42 U.S.C. 603(a)(5)(G)(iii)), as  
14           amended by section 606(a) of this Act, is amended by  
15           striking “2001” and inserting “2005”.

16           (b) INTERIM REPORT REQUIRED.—Section  
17           403(a)(5)(G) of such Act (42 U.S.C. 603(a)(5)(G)), as so  
18           amended, is amended by adding at the end the following:

19                           “(iv) INTERIM REPORT.—Not later  
20                           than January 1, 2002, the Secretary shall  
21                           submit to the Congress a interim report on  
22                           the evaluations referred to in clause (i).”.

1 **SEC. 602. REPORT ON UNDISTRIBUTED CHILD SUPPORT**  
2 **PAYMENTS.**

3 Not later than 6 months after the date of the enact-  
4 ment of this Act, the Secretary of Health and Human  
5 Services shall submit to the Committee on Ways and  
6 Means of the House of Representatives and the Committee  
7 on Finance of the Senate a report on the procedures that  
8 the States use generally to locate custodial parents for  
9 whom child support has been collected but not yet distrib-  
10 uted due to a change in address. The report shall include  
11 an estimate of the total amount of such undistributed  
12 child support and the average length of time it takes for  
13 such child support to be distributed. The Secretary shall  
14 include in the report recommendations as to whether addi-  
15 tional procedures should be established at the State or  
16 Federal level to expedite the payment of undistributed  
17 child support.

18 **SEC. 603. USE OF NEW HIRE INFORMATION TO ASSIST IN**  
19 **ADMINISTRATION OF UNEMPLOYMENT COM-**  
20 **PENSATION PROGRAMS.**

21 (a) IN GENERAL.—Section 453(j) of the Social Secu-  
22 rity Act (42 U.S.C. 653(j)) is amended by adding at the  
23 end the following:

24 “(7) INFORMATION COMPARISONS AND DISCLO-  
25 SURE TO ASSIST IN ADMINISTRATION OF UNEMPLOY-  
26 MENT COMPENSATION PROGRAMS.—

1           “(A) IN GENERAL.—If a State agency re-  
2           sponsible for the administration of an unem-  
3           ployment compensation program under Federal  
4           or State law transmits to the Secretary the  
5           name and social security account number of an  
6           individual, the Secretary shall, if the informa-  
7           tion in the National Directory of New Hires in-  
8           dicates that the individual may be employed,  
9           disclose to the State agency the name, address,  
10          and employer identification number of any pu-  
11          tative employer of the individual, subject to this  
12          paragraph.

13          “(B) CONDITION ON DISCLOSURE.—The  
14          Secretary shall make a disclosure under sub-  
15          paragraph (A) only to the extent that the Sec-  
16          retary determines that the disclosure would not  
17          interfere with the effective operation of the pro-  
18          gram under this part.

19          “(C) USE OF INFORMATION.—A State  
20          agency may use information provided under this  
21          paragraph only for purposes of administering a  
22          program referred to in subparagraph (A).”.

23          (b) EFFECTIVE DATE.—The amendment made by  
24          subsection (a) shall take effect on October 1, 2000.

1 **SEC. 604. IMMIGRATION PROVISIONS.**

2 (a) NONIMMIGRANT ALIENS INELIGIBLE TO RECEIVE  
3 VISAS AND EXCLUDED FROM ADMISSION FOR NON-  
4 PAYMENT OF CHILD SUPPORT.—

5 (1) IN GENERAL.—Section 212(a)(10) of the  
6 Immigration and Nationality Act (8 U.S.C.  
7 1182(a)(10)) is amended by adding at the end the  
8 following:

9 “(F) NONPAYMENT OF CHILD SUPPORT.—  
10 “(i) IN GENERAL.—Any non-  
11 immigrant alien is inadmissible who is le-  
12 gally obligated under a judgment, decree,  
13 or order to pay child support (as defined in  
14 section 459(i) of the Social Security Act),  
15 and whose failure to pay such child sup-  
16 port has resulted in an arrearage exceeding  
17 \$2,500, until child support payments  
18 under the judgment, decree, or order are  
19 satisfied or the nonimmigrant alien is in  
20 compliance with an approved payment  
21 agreement.

22 “(ii) WAIVER AUTHORIZED.—The At-  
23 torney General may waive the application  
24 of clause (i) in the case of an alien, if the  
25 Attorney General—

1                   “(I) has received a request for  
2                   the waiver from the court or adminis-  
3                   trative agency having jurisdiction over  
4                   the judgment, decree, or order obli-  
5                   gating the alien to pay child support  
6                   that is referred to in such clause; or

7                   “(II) determines that there are  
8                   prevailing humanitarian or public in-  
9                   terest concerns.”.

10                   (2) EFFECTIVE DATE.—The amendment made  
11                   by this subsection shall take effect 180 days after  
12                   the date of the enactment of this Act.

13                   (b) AUTHORIZATION TO SERVE LEGAL PROCESS IN  
14 CHILD SUPPORT CASES ON CERTAIN ARRIVING  
15 ALIENS.—

16                   (1) IN GENERAL.—Section 235(d) of the Immi-  
17                   gration and Nationality Act (8 U.S.C. 1225(d)) is  
18                   amended by adding at the end the following:

19                   “(5) AUTHORITY TO SERVE PROCESS IN CHILD  
20 SUPPORT CASES.—

21                   “(A) IN GENERAL.—To the extent con-  
22                   sistent with State law, immigration officers are  
23                   authorized to serve on any alien who is an ap-  
24                   plicant for admission to the United States legal  
25                   process with respect to any action to enforce or

1 establish a legal obligation of an individual to  
2 pay child support (as defined in section 459(i)  
3 of the Social Security Act).

4 “(B) DEFINITION.—For purposes of sub-  
5 paragraph (A), the term ‘legal process’ means  
6 any writ, order, summons or other similar proc-  
7 ess, which is issued by—

8 “(i) a court or an administrative  
9 agency of competent jurisdiction in any  
10 State, territory, or possession of the  
11 United States; or

12 “(ii) an authorized official pursuant to  
13 an order of such a court or agency or pur-  
14 suant to State or local law.”.

15 (2) EFFECTIVE DATE.—The amendment made  
16 by this subsection shall apply to aliens applying for  
17 admission to the United States on or after 180 days  
18 after the date of the enactment of this Act.

19 (c) AUTHORIZATION TO SHARE CHILD SUPPORT EN-  
20 FORCEMENT INFORMATION TO ENFORCE IMMIGRATION  
21 AND NATURALIZATION LAW.—

22 (1) SECRETARIAL RESPONSIBILITY.—Section  
23 452 of the Social Security Act (42 U.S.C. 652) is  
24 amended by adding at the end the following:



1       “(m) If the Secretary receives a certification by a  
2 State agency, in accordance with section 454(37), that an  
3 individual who is a nonimmigrant alien (as defined in sec-  
4 tion 101(a)(15) of the Immigration and Nationality Act)  
5 owes arrearages of child support in an amount exceeding  
6 \$2,500, the Secretary may, at the request of the State  
7 agency, the Secretary of State, or the Attorney General,  
8 or on the Secretary’s own initiative, provide such certifi-  
9 cation to the Secretary of State and the Attorney General  
10 information in order to enable them to carry out their re-  
11 sponsibilities under sections 212(a)(10) and 235(d) of  
12 such Act.”.

13           (2) STATE AGENCY RESPONSIBILITY.—Section  
14 454 of the Social Security Act (42 U.S.C. 654), as  
15 amended by sections 101(c), 311(a), 312(a)(1),  
16 321(a), and 322(a) of this Act, is amended—

17           (A) by striking “and” at the end of para-  
18 graph (35);

19           (B) by striking the period at the end of  
20 paragraph (36) and inserting “; and”; and

21           (C) by inserting after paragraph (36) the  
22 following:

23           “(37) provide that the State agency will have in  
24 effect a procedure for certifying to the Secretary, in  
25 such format and accompanied by such supporting

1 documentation as the Secretary may require, deter-  
2 minations that nonimmigrant aliens owe arrearages  
3 of child support in an amount exceeding \$2,500.”.

4 **SEC. 605. CORRECTION OF ERRORS IN CONFORMING**  
5 **AMENDMENTS IN THE WELFARE-TO-WORK**  
6 **AND CHILD SUPPORT AMENDMENTS OF 1999.**

7 (a) IN GENERAL.—Section 403(a)(5) of the Social  
8 Security Act (42 U.S.C. 603(a)(5)), as amended by sec-  
9 tion 606(a) of this Act, is amended—

10 (1) in subparagraph (E), by striking  
11 “\$1,500,000” and inserting “\$15,000,000”;

12 (2) in subparagraph (F), by striking  
13 “\$900,000” and inserting “\$9,000,000”;

14 (3) in subparagraph (G)(i), by striking  
15 “\$300,000” and inserting “\$3,000,000”.

16 (b) RETROACTIVITY.—The amendments made by  
17 subsection (a) of this section shall take effect as if in-  
18 cluded in the enactment of section 806 of H.R. 3424 of  
19 the 106th Congress by section 1000(a)(4) of Public Law  
20 106–113.

21 **SEC. 606. ELIMINATION OF SET-ASIDE OF WELFARE-TO-**  
22 **WORK FUNDS FOR SUCCESSFUL PERFORM-**  
23 **ANCE BONUS.**

24 (a) IN GENERAL.—Section 403(a)(5) of the Social  
25 Security Act (42 U.S.C. 603(a)(5)) is amended by striking

1 subparagraph (E) and redesignating subparagraphs (F)  
2 through (K) as subparagraphs (E) through (J), respec-  
3 tively.

4 (b) CONFORMING AMENDMENTS.—

5 (1) Section 403(a)(5)(A)(i) of such Act (42  
6 U.S.C. 603(a)(5)(A)(i)) is amended by striking  
7 “subparagraph (I)” and inserting “subparagraph  
8 (H)”.

9 (2) Subclause (I) of each of subparagraphs  
10 (A)(iv) and (B)(v) of section 403(a)(5) of such Act  
11 (42 U.S.C. 603(a)(5)(A)(iv)(I) and (B)(v)(I)) is  
12 amended—

13 (A) in item (aa)—

14 (i) by striking “(I)” and inserting  
15 “(H)”; and

16 (ii) by striking “(G), and (H)” and  
17 inserting “and (G)”; and

18 (B) in item (bb), by striking “(F)” and in-  
19 serting “(E)”.

20 (3) Section 403(a)(5)(B)(v) of such Act (42  
21 U.S.C. 603(a)(5)(B)) is amended in the matter pre-  
22 ceding subclause (I) by striking “(I)” and inserting  
23 “(H)”.

24 (4) Subparagraphs (E) and (F) of section  
25 403(a)(5) of such Act (42 U.S.C. 603(a)(5)(F) and

1 (G)), as so redesignated by subsection (a) of this  
2 section, are each amended by striking “(I)” and in-  
3 serting “(H)”.

4 (5) Section 412(a)(3)(A) of such Act (42  
5 U.S.C. 612(a)(3)(A)) is amended by striking  
6 “403(a)(5)(I)” and inserting “403(a)(5)(H)”.

7 (c) EFFECTIVE DATE.—The amendments made by  
8 this section shall take effect on the date of the enactment  
9 of this Act.

## 10 **TITLE VII—EFFECTIVE DATE**

### 11 **SEC. 701. EFFECTIVE DATE.**

12 (a) IN GENERAL.—Except as provided in sections  
13 101(e), 301(c), 313, 323, 603(b), 605(b) and 606, and  
14 in subsection (b) of this section, this Act and the amend-  
15 ments made by this Act shall take effect on October 1,  
16 2001, and shall apply to payments under part D of title  
17 IV of the Social Security Act for calendar quarters begin-  
18 ning on or after such date, and without regard to whether  
19 regulations to implement such amendments are promul-  
20 gated by such date.

21 (b) DELAY PERMITTED IF STATE LEGISLATION RE-  
22 QUIRED.—In the case of a State plan approved under sec-  
23 tion 454 of the Social Security Act which requires State  
24 legislation (other than legislation appropriating funds) in  
25 order for the plan to meet the additional requirements im-

1 posed by the amendments made by this Act, the State plan  
2 shall not be regarded as failing to comply with the addi-  
3 tional requirements solely on the basis of the failure of  
4 the plan to meet the additional requirements before the  
5 1st day of the 1st calendar quarter beginning after the  
6 close of the 1st regular session of the State legislature that  
7 begins after the date of the enactment of this Act. For  
8 purposes of the previous sentence, in the case of a State  
9 that has a 2-year legislative session, each year of such ses-  
10 sion shall be deemed to be a separate regular session of  
11 the State legislature.

○