

Union Calendar No. 459

106TH CONGRESS
2^D SESSION

H. R. 4678

[Report No. 106-793, Part I]

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.

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

JULY 26, 2000

Additional sponsor: Mrs. ROUKEMA

JULY 26, 2000

Reported from the Committee on Ways and Means with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

JULY 26, 2000

Referral to the Committees on the Judiciary and Education and the Workforce extended for a period ending not later than July 26, 2000

JULY 26, 2000

The Committees on the Judiciary and Education and the Workforce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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 Distribu-*
 5 *tion Act of 2000”.*

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

7 *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—DEMONSTRATION OF EXPANDED INFORMATION AND ENFORCEMENT

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

Sec. 302. Demonstrations involving establishment and enforcement of child support obligations by public non-IV-D child support enforcement agencies.

Sec. 303. GAO report to Congress on private child support enforcement agencies.

Sec. 304. 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.*
- Sec. 403. Garnishment of compensation paid to veterans for service-connected disabilities in order to enforce child support obligations.*

*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.*
- Sec. 607. Increase in payment rate to States for expenditures for short term training of staff of certain child welfare agencies.*

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 ASSIGNMENT*
- 7 *OF SUPPORT RIGHTS AS A CONDITION OF RECEIVING*
- 8 *TANF.—Section 408(a)(3) of the Social Security Act (42*
- 9 *U.S.C. 608(a)(3)) is amended to read as follows:*

1 “(3) *NO ASSISTANCE FOR FAMILIES NOT ASSIGN-*
2 *ING CERTAIN SUPPORT RIGHTS TO THE STATE.—A*
3 *State to which a grant is made under section 403*
4 *shall require, as a condition of providing assistance*
5 *to a family under the State program funded under*
6 *this part, that a member of the family assign to the*
7 *State any rights the family member may have (on be-*
8 *half of the family member or of any other person for*
9 *whom the family member has applied for or is receiv-*
10 *ing such assistance) to support from any other per-*
11 *son, not exceeding the total amount of assistance so*
12 *provided to the family, which accrues during the pe-*
13 *riod that the family receives assistance under the pro-*
14 *gram.”.*

15 **(b) INCREASING CHILD SUPPORT PAYMENTS TO FAMI-**
16 **LIES AND SIMPLIFYING CHILD SUPPORT DISTRIBUTION**
17 **RULES.—**

18 **(1) DISTRIBUTION RULES.—**

19 **(A) IN GENERAL.—***Section 457(a) of such*
20 *Act (42 U.S.C. 657(a)) is amended to read as*
21 *follows:*

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

1 “(1) *FAMILIES RECEIVING ASSISTANCE.—In the*
2 *case of a family receiving assistance from the State,*
3 *the State shall—*

4 “(A) *pay to the Federal Government the*
5 *Federal share of the amount collected, subject to*
6 *paragraph (3)(A);*

7 “(B) *retain, or pay to the family, the State*
8 *share of the amount collected, subject to para-*
9 *graph (3)(B); and*

10 “(C) *pay to the family any remaining*
11 *amount.*

12 “(2) *FAMILIES THAT FORMERLY RECEIVED AS-*
13 *SISTANCE.—In the case of a family that formerly re-*
14 *ceived assistance from the State:*

15 “(A) *CURRENT SUPPORT.—To the extent*
16 *that the amount collected does not exceed the cur-*
17 *rent support amount, the State shall pay the*
18 *amount to the family.*

19 “(B) *ARREARAGES.—To the extent that the*
20 *amount collected exceeds the current support*
21 *amount, the State—*

22 “(i) *shall first pay to the family the*
23 *excess amount, to the extent necessary to*
24 *satisfy support arrearages not assigned pur-*
25 *suant to section 408(a)(3);*

1 “(ii) if the amount collected exceeds the
2 amount required to be paid to the family
3 under clause (i), shall—

4 “(I) pay to the Federal Govern-
5 ment, the Federal share of the excess
6 amount described in this clause, subject
7 to paragraph (3)(A); and

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

12 “(iii) shall pay to the family any re-
13 maining amount.

14 “(3) LIMITATIONS.—

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

22 “(B) STATE REIMBURSEMENTS.—The total
23 of the amounts retained by the State under para-
24 graphs (1) and (2) of this subsection with respect
25 to a family shall not exceed the State share of the

1 *amount assigned with respect to the family pur-*
2 *suant to section 408(a)(3).*

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

6 “(5) *FAMILIES UNDER CERTAIN AGREEMENTS.—*
7 *Notwithstanding paragraphs (1) through (4), in the*
8 *case of an amount collected for a family in accord-*
9 *ance with a cooperative agreement under section*
10 *454(33), the State shall distribute the amount col-*
11 *lected pursuant to the terms of the agreement.*

12 “(6) *STATE FINANCING OPTIONS.—To the extent*
13 *that the State share of the amount payable to a fam-*
14 *ily for a month pursuant to paragraph (2)(B) of this*
15 *subsection exceeds the amount that the State estimates*
16 *(under procedures approved by the Secretary) would*
17 *have been payable to the family for the month pursu-*
18 *ant to former section 457(a)(2) (as in effect for the*
19 *State immediately before the date this subsection first*
20 *applies to the State) if such former section had re-*
21 *mained in effect, the State may elect to use the grant*
22 *made to the State under section 403(a) to pay the*
23 *amount, or to have the payment considered a quali-*
24 *fied State expenditure for purposes of section*
25 *409(a)(7), but not both.”.*

1 (B) *APPROVAL OF ESTIMATION PROCEDURE*
2 *S.*—Not later than October 1, 2001, the
3 Secretary of Health and Human Services, in
4 consultation with the States (as defined for pur-
5 poses of part D of title IV of the Social Security
6 Act), shall establish the procedures to be used to
7 make the estimate described in section 457(a)(6)
8 of such Act.

9 (2) *CURRENT SUPPORT AMOUNT DEFINED.*—Sec-
10 tion 457(c) of such Act (42 U.S.C. 657(c)) is amended
11 by adding at the end the following:

12 “(5) *CURRENT SUPPORT AMOUNT.*—The term
13 ‘current support amount’ means, with respect to
14 amounts collected as support on behalf of a family,
15 the amount designated as the monthly support obliga-
16 tion of the noncustodial parent in the order requiring
17 the support.”.

18 (c) *BAN ON RECOVERY OF MEDICAID COSTS FOR CER-*
19 *TAIN BIRTHS.*—Section 454 of such Act (42 U.S.C. 654)
20 is amended—

21 (1) by striking “and” at the end of paragraph
22 (32);

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

1 (3) by inserting after paragraph (33) the fol-
2 lowing:

3 “(34) provide that the State shall not use the
4 State program operated under this part to collect any
5 amount owed to the State by reason of costs incurred
6 under the State plan approved under title XIX for the
7 birth of a child for whom support rights have been as-
8 signed pursuant to section 408(a)(3), 471(a)(17), or
9 1912.”.

10 (d) CONFORMING AMENDMENTS.—

11 (1) Section 409(a)(7)(B)(i)(I)(aa) of such Act
12 (42 U.S.C. 609(a)(7)(B)(i)(I)(aa)) is amended by
13 striking “457(a)(1)(B)” and inserting “457(a)(1)”.

14 (2) Section 404(a) of such Act (42 U.S.C.
15 604(a)) is amended—

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

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

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

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

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

4 “(V) *PORTIONS OF CERTAIN*
5 *CHILD SUPPORT PAYMENTS COLLECTED*
6 *ON BEHALF OF AND DISTRIBUTED TO*
7 *FAMILIES NO LONGER RECEIVING AS-*
8 *SISTANCE.—Any amount paid by a*
9 *State pursuant to section*
10 *457(a)(2)(B)(i), but only to the extent*
11 *that the State properly elects under*
12 *section 457(a)(6) to have the payment*
13 *considered a qualified State expendi-*
14 *ture.”.*

15 (e) *EFFECTIVE DATE.—*

16 (1) *IN GENERAL.—The amendments made by*
17 *this section shall take effect on October 1, 2005, and*
18 *shall apply to payments under parts A and D of title*
19 *IV of the Social Security Act for calendar quarters be-*
20 *ginning on or after such date, and without regard to*
21 *whether regulations to implement such amendments*
22 *(in the case of State programs operated under such*
23 *part D) are promulgated by such date.*

24 (2) *STATE OPTION TO ACCELERATE EFFECTIVE*
25 *DATE.—In addition, a State may elect to have the*

1 *amendments made by this section apply to the State*
 2 *and to amounts collected by the State, on and after*
 3 *such date as the State may select that is after the date*
 4 *of the enactment of this Act and before October 1,*
 5 *2005.*

6 ***TITLE II—REVIEW AND ADJUST-***
 7 ***MENT OF CHILD SUPPORT OR-***
 8 ***DERs***

9 ***SEC. 201. MANDATORY REVIEW AND MODIFICATION OF***
 10 ***CHILD SUPPORT ORDERS FOR TANF RECIPI-***
 11 ***ENTS.***

12 *(a) REVIEW EVERY 3 YEARS.—Section*
 13 *466(a)(10)(A)(i) of the Social Security Act (42 U.S.C.*
 14 *666(a)(10)(A)(i)) is amended—*

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

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

18 *(b) REVIEW UPON LEAVING TANF.—*

19 *(1) NOTICE OF CERTAIN FAMILIES LEAVING*
 20 *TANF.—Section 402(a) of such Act (42 U.S.C. 602(a))*
 21 *is amended by adding at the end the following:*

22 *“(8) CERTIFICATION THAT THE CHILD SUPPORT*
 23 *ENFORCEMENT PROGRAM WILL BE PROVIDED NOTICE*
 24 *OF CERTAIN FAMILIES LEAVING TANF PROGRAM.—A*
 25 *certification by the chief executive officer of the State*

1 *that the State has established procedures to ensure*
2 *that the State agency administering the child support*
3 *enforcement program under the State plan approved*
4 *under part D will be provided notice of the impend-*
5 *ing discontinuation of assistance to an individual*
6 *under the State program funded under this part if the*
7 *individual has custody of a child whose other parent*
8 *is alive and not living at home with the child.”.*

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

11 (A) *in the paragraph heading, by striking*
12 *“UPON REQUEST”;*

13 (B) *in subparagraph (C), by striking “this*
14 *paragraph” and inserting “subparagraph (A) or*
15 *(B)”;* and

16 (C) *by adding at the end the following:*

17 “(D) *REVIEW UPON LEAVING TANF.*—On re-
18 *ceipt of a notice issued pursuant to section*
19 *402(a)(8), the State child support enforcement*
20 *agency shall—*

21 “(i) *examine the case file involved;*

22 “(ii) *determine what actions (if any)*
23 *are needed to locate any noncustodial par-*
24 *ent, establish paternity or a support order,*
25 *or enforce a support order in the case;*

1 “(iii) immediately take the actions;
2 and
3 “(iv) if there is a support order in the
4 case which the State has not reviewed dur-
5 ing the 1-year period ending with receipt of
6 the notice, notwithstanding subparagraph
7 (B), review and, if appropriate, adjust the
8 order in accordance with subparagraph
9 (A).”.

10 **TITLE III—DEMONSTRATIONS OF**
11 **EXPANDED INFORMATION**
12 **AND ENFORCEMENT**

13 **SEC. 301. GUIDELINES FOR INVOLVEMENT OF PUBLIC NON-**
14 **IV-D CHILD SUPPORT ENFORCEMENT AGEN-**
15 **CIES IN CHILD SUPPORT ENFORCEMENT.**

16 (a) *IN GENERAL.*—The Secretary, in consultation with
17 States, local governments, and individuals or companies
18 knowledgeable about involving public non-IV-D child sup-
19 port enforcement agencies in child support enforcement,
20 shall develop recommendations which address the participa-
21 tion of public non-IV-D child support enforcement agencies
22 in the establishment and enforcement of child support obli-
23 gations. The matters addressed by the recommendations
24 shall include substantive and procedural rules which should
25 be followed with respect to privacy safeguards, data secu-

1 rity, due process rights, administrative compatibility with
2 State and Federal automated systems, eligibility require-
3 ments (such as registration, licensing, and posting of bonds)
4 for access to information and use of enforcement mecha-
5 nisms, recovery of costs by charging fees, penalties for viola-
6 tions of the rules, treatment of collections for purposes of
7 section 458 of such Act, and avoidance of duplication of
8 effort.

9 (b) DEFINITIONS.—In this title:

10 (1) CHILD SUPPORT.—The term “child support”
11 has the meaning given in section 459(i)(2) of the So-
12 cial Security Act.

13 (2) PUBLIC NON-IV-D CHILD SUPPORT ENFORCE-
14 MENT AGENCY.—The term “public non-IV-D child
15 support enforcement agency” means an agency, of a
16 political subdivision of a State, which is principally
17 responsible for the operation of a child support reg-
18 istry or for the establishment or enforcement of an ob-
19 ligation to pay child support other than pursuant to
20 the State plan approved under part D of title IV of
21 such Act, or a clerk of court office of a political sub-
22 division of a State.

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

1 (4) *STATE.*—*The term “State” shall have the*
2 *meaning given in section 1101(a)(1) of the Social Se-*
3 *curity Act for purposes of part D of title IV of such*
4 *Act.*

5 **SEC. 302. DEMONSTRATIONS INVOLVING ESTABLISHMENT**
6 **AND ENFORCEMENT OF CHILD SUPPORT OB-**
7 **LIGATIONS BY PUBLIC NON-IV-D CHILD SUP-**
8 **PORT ENFORCEMENT AGENCIES.**

9 (a) *PURPOSE.*—*The purpose of this section is to deter-*
10 *mine the extent to which public non-IV-D child support en-*
11 *forcement agencies may contribute effectively to the estab-*
12 *lishment and enforcement of child support obligations.*

13 (b) *APPLICATIONS.*—

14 (1) *CONSIDERATION.*—*The Secretary shall con-*
15 *sider all applications received from States desiring to*
16 *conduct demonstration projects under this section.*

17 (2) *PREFERENCES.*—*In considering which appli-*
18 *cations to approve under this section, the Secretary*
19 *shall give preference to applications submitted by*
20 *States that have in effect laws and procedures that*
21 *provide authority for public non-IV-D child support*
22 *enforcement agencies to have access to child support*
23 *information or enforcement mechanisms available to*
24 *the State.*

25 (3) *APPROVAL.*—

1 (A) *TIMING; LIMITATION ON NUMBER OF*
2 *PROJECTS.—On July 1, 2002, the Secretary may*
3 *approve not more than 10 applications for*
4 *projects providing for the participation of a pub-*
5 *lic non-IV-D child support enforcement agency*
6 *in the establishment and enforcement of child*
7 *support obligations, and, if the Secretary receives*
8 *at least 5 such applications that meet such re-*
9 *quirements as the Secretary may establish, shall*
10 *approve not less than 5 such applications.*

11 (B) *REQUIREMENTS.—The Secretary may*
12 *not approve an application for a project*
13 *unless—*

14 (i) *the applicant and the Secretary*
15 *have entered into a written agreement*
16 *which addresses at a minimum, privacy*
17 *safeguards, data security, due process*
18 *rights, automated systems, liability, over-*
19 *sight, and fees, and the applicant has made*
20 *a commitment to conduct the project in ac-*
21 *cordance with the written agreement and*
22 *such other requirements as the Secretary*
23 *may establish;*

24 (ii) *the project includes a research plan*
25 *(but such plan shall not be required to use*

1 *random assignment) that is focused on as-*
2 *sessing the costs and benefits of the project;*
3 *and*

4 *(iii) the project appears likely to con-*
5 *tribute significantly to the achievement of*
6 *the purpose of this title.*

7 *(c) DEMONSTRATION AUTHORITY.—On approval of an*
8 *application submitted by a State under this section—*

9 *(1) the State agency responsible for admin-*
10 *istering the State plan under part D of title IV of the*
11 *Social Security Act may, subject to the privacy safe-*
12 *guards of section 454(26) of such Act, provide to any*
13 *public non-IV-D child support enforcement agency*
14 *participating in the demonstration project all infor-*
15 *mation in the State Directory of New Hires and any*
16 *information obtained through information compari-*
17 *sons under section 453(j)(3) of such Act about an in-*
18 *dividual with respect to whom the public non-IV-D*
19 *agency is seeking to establish or enforce a child sup-*
20 *port obligation, if the public non-IV-D agency meets*
21 *such requirements as the State may establish and has*
22 *entered into an agreement with the State under which*
23 *the public non-IV-D agency has made a binding com-*
24 *mitment to carry out establishment and enforcement*
25 *activities with respect to the child support obligation*

1 *subject to the same data security, privacy protection,*
2 *and due process requirements applicable to the State*
3 *agency and in accordance with procedures approved*
4 *by the head of the State agency;*

5 *(2) the State agency may charge and collect fees*
6 *from any such public non-IV-D agency to recover*
7 *costs incurred by the State agency in providing infor-*
8 *mation and services to the public non-IV-D agency*
9 *under the demonstration project;*

10 *(3) if a public non-IV-D child support enforce-*
11 *ment agency has agreed to collect past-due support*
12 *(as defined in section 464(c) of such Act) owed by a*
13 *named individual, and the State agency has sub-*
14 *mitted a notice to the Secretary of the Treasury pur-*
15 *suant to section 464 of such Act on behalf of the pub-*
16 *lic non-IV-D agency, then the Secretary of the Treas-*
17 *ury shall consider the State agency to have agreed to*
18 *collect such support for purposes of such section 464,*
19 *and the State agency may collect from the public non-*
20 *IV-D agency any fee which the State is required to*
21 *pay for the cost of applying the offset procedure in the*
22 *case;*

23 *(4) for so long as a public non-IV-D child sup-*
24 *port enforcement agency is participating in the dem-*
25 *onstration project, the public non-IV-D agency shall*

1 *be considered part of the State agency for purposes of*
2 *section 469A of such Act; and*

3 *(5) for so long as a public non-IV-D child sup-*
4 *port enforcement agency is participating in the dem-*
5 *onstration project, the public non-IV-D agency shall*
6 *be considered part of the State agency for purposes of*
7 *section 303(e) of such Act but only with respect to*
8 *any child support obligation that the public non-IV-*
9 *D agency has agreed to collect.*

10 *(d) WAIVER AUTHORITY.—The Secretary may waive*
11 *or vary the applicability of any provision of section 303(e),*
12 *454(31), 464, 466(a)(7), 466(a)(17), and 469A of the Social*
13 *Security Act relating to information-sharing to the extent*
14 *necessary to enable the conduct of demonstration projects*
15 *under this section, subject to the preservation of the data*
16 *security, privacy protection, and due process requirements*
17 *of part D of title IV of such Act.*

18 *(e) FEDERAL AUDIT.—*

19 *(1) IN GENERAL.—The Comptroller General of*
20 *the United States shall conduct an audit of the dem-*
21 *onstration projects conducted under this section for*
22 *the purpose of examining and evaluating the manner*
23 *in which information and enforcement tools are used*
24 *by the public non-IV-D child support enforcement*
25 *agencies participating in the projects.*

1 (2) *REPORT TO THE CONGRESS.*—

2 (A) *IN GENERAL.*—*The Comptroller General*
3 *of the United States shall submit to the Congress*
4 *a report on the audit required by paragraph (1).*

5 (B) *TIMING.*—*The report required by sub-*
6 *paragraph (A) shall be so submitted not later*
7 *than October 1, 2004.*

8 (f) *SECRETARIAL REPORT TO THE CONGRESS.*—

9 (1) *IN GENERAL.*—*The Secretary shall submit to*
10 *the Congress a report on the demonstration projects*
11 *conducted under this section, which shall include the*
12 *results of any research or evaluation conducted pursu-*
13 *ant to this title, and shall include policy rec-*
14 *ommendations regarding the establishment and en-*
15 *forcement of child support obligations by the agencies*
16 *involved.*

17 (2) *TIMING.*—*The report required by paragraph*
18 (1) *shall be so submitted not later than October 1,*
19 2005.

20 **SEC. 303. GAO REPORT TO CONGRESS ON PRIVATE CHILD**
21 **SUPPORT ENFORCEMENT AGENCIES.**

22 (a) *IN GENERAL.*—*Not later than October 1, 2001, the*
23 *Comptroller General of the United States shall submit to*
24 *the Congress a report on the activities of private child sup-*
25 *port enforcement agencies that shall be designed to help the*

1 Congress determine whether the agencies are providing a
2 needed service in a fair manner using accepted debt collec-
3 tion practices and at a reasonable fee.

4 (b) *MATTERS TO BE ADDRESSED.*—Among the matters
5 addressed by the report required by subsection (a) shall be
6 the following:

7 (1) *The number of private child support enforce-*
8 *ment agencies.*

9 (2) *The types of debt collection activities con-*
10 *ducted by the private agencies.*

11 (3) *The fees charged by the private agencies.*

12 (4) *The methods used by the private agencies to*
13 *collect fees from custodial parents.*

14 (5) *The nature and degree of cooperation the pri-*
15 *ivate agencies receive from State agencies responsible*
16 *for administering State plans under part D of title*
17 *IV of the Social Security Act.*

18 (6) *The extent to which the conduct of the pri-*
19 *ivate agencies is subject to State or Federal regulation,*
20 *and if so, the extent to which the regulations are effec-*
21 *tively enforced.*

22 (7) *The amount of child support owed but uncol-*
23 *lected and changes in this amount in recent years.*

24 (8) *The average period of time required for the*
25 *completion of successful enforcement actions yielding*

1 *collections of past-due child support by both the child*
2 *support enforcement programs operated pursuant to*
3 *State plans approved under part D of title IV of the*
4 *Social Security Act and, to the extent known, by pri-*
5 *vate child support enforcement agencies.*

6 *(9) The types of Federal and State child support*
7 *enforcement remedies and resources currently avail-*
8 *able to private child support enforcement agencies,*
9 *and the types of such remedies and resources now re-*
10 *stricted to use by State agencies administering State*
11 *plans referred to in paragraph (8).*

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

18 **SEC. 304. EFFECTIVE DATE.**

19 *This title shall take effect on the date of the enactment*
20 *of this Act.*

1 **TITLE IV—EXPANDED**
2 **ENFORCEMENT**

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

5 *Section 452(k) of the Social Security Act (42 U.S.C.*
6 *652(k)) is amended by striking “\$5,000” and inserting*
7 *“\$2,500”.*

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

11 *Section 464 of the Social Security Act (42 U.S.C. 664)*
12 *is amended—*

13 (1) *in subsection (a)(2)(A), by striking “(as that*
14 *term is defined for purposes of this paragraph under*
15 *subsection (c))”;* and

16 (2) *in subsection (c)—*

17 (A) *in paragraph (1)—*

18 (i) *by striking “(1) Except as provided*
19 *in paragraph (2), as used in” and inserting*
20 *“In”;* and

21 (ii) *by inserting “(whether or not a*
22 *minor)” after “a child” each place it ap-*
23 *pears; and*

24 (B) *by striking paragraphs (2) and (3).*

1 **SEC. 403. GARNISHMENT OF COMPENSATION PAID TO VET-**
2 **ERANS FOR SERVICE-CONNECTED DISABIL-**
3 **ITIES IN ORDER TO ENFORCE CHILD SUP-**
4 **PORT OBLIGATIONS.**

5 *Section 459(h) of the Social Security Act (42 U.S.C.*
6 *659(h)) is amended—*

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

10 *(2) by adding at the end the following:*

11 *“(3) LIMITATIONS WITH RESPECT TO COMPENSA-*
12 *TION PAID TO VETERANS FOR SERVICE-CONNECTED*
13 *DISABILITIES.—Notwithstanding any other provision*
14 *of this section:*

15 *“(A) Compensation described in paragraph*
16 *(1)(A)(ii)(V) shall not be subject to withholding*
17 *pursuant to this section—*

18 *“(i) for payment of alimony; or*

19 *“(ii) for payment of child support if*
20 *the individual is fewer than 60 days in ar-*
21 *rears in payment of the support.*

22 *“(B) Not more than 50 percent of any pay-*
23 *ment of compensation described in paragraph*
24 *(1)(A)(ii)(V) may be withheld pursuant to this*
25 *section.”.*

1 **TITLE V—FATHERHOOD**
2 **PROGRAMS**
3 **Subtitle A—Fatherhood Grant**
4 **Program**

5 **SEC. 501. FATHERHOOD GRANTS.**

6 (a) *IN GENERAL.*—Part A of title IV of the Social Se-
7 *curity Act (42 U.S.C. 601–619) is amended by inserting*
8 *after section 403 the following:*

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

10 “(a) *PURPOSE.*—*The purpose of this section is to make*
11 *grants available to public and private entities for projects*
12 *designed to—*

13 “(1) *promote marriage through counseling, men-*
14 *toring, disseminating information about the advan-*
15 *tages of marriage, enhancing relationship skills,*
16 *teaching how to control aggressive behavior, dissemi-*
17 *nating information on the causes and treatment of*
18 *domestic violence and child abuse, and other methods;*

19 “(2) *promote successful parenting through coun-*
20 *seling, mentoring, disseminating information about*
21 *good parenting practices including pre-pregnancy,*
22 *family planning, training parents in money manage-*
23 *ment, encouraging child support payments, encour-*
24 *aging regular visitation between fathers and their*
25 *children, and other methods; and*

1 “(3) *help fathers and their families avoid or*
2 *leave cash welfare provided by the program under*
3 *part A and improve their economic status by pro-*
4 *viding work first services, job search, job training,*
5 *subsidized employment, career-advancing education,*
6 *job retention, job enhancement, and other methods.*

7 “(b) *FATHERHOOD GRANTS.—*

8 “(1) *APPLICATIONS.—An entity desiring a grant*
9 *to carry out a project described in subsection (a) may*
10 *submit to the Secretary an application that contains*
11 *the following:*

12 “(A) *A description of the project and how*
13 *the project will be carried out.*

14 “(B) *A description of how the project will*
15 *address all three of the purposes of this section.*

16 “(C) *A written commitment by the entity*
17 *that the project will allow an individual to par-*
18 *ticipate in the project only if the individual is—*

19 “(i) *a father of a child who is, or with-*
20 *in the past 24 months has been, a recipient*
21 *of assistance or services under a State pro-*
22 *gram funded under this part;*

23 “(ii) *a father, including an expectant*
24 *or married father, whose income (net of*
25 *court-ordered child support) is less than 150*

1 *percent of the poverty line (as defined in*
2 *section 673(2) of the Omnibus Budget Rec-*
3 *onciliation Act of 1981, including any revi-*
4 *sion required by such section, applicable to*
5 *a family of the size involved); or*

6 *“(iii) a parent referred to in para-*
7 *graph (3)(A)(iii).*

8 *“(D) A written commitment by the entity*
9 *that the entity will provide for the project, from*
10 *funds obtained from non-Federal sources,*
11 *amounts (including in-kind contributions) equal*
12 *in value to—*

13 *“(i) 20 percent of the amount of any*
14 *grant made to the entity under this sub-*
15 *section; or*

16 *“(ii) such lesser percentage as the Sec-*
17 *retary deems appropriate (which shall be*
18 *not less than 10 percent) of such amount, if*
19 *the application demonstrates that there are*
20 *circumstances that limit the ability of the*
21 *entity to raise funds or obtain resources.*

22 *“(E) A written commitment by the entity*
23 *that the entity will make available to each indi-*
24 *vidual participating in the project education*
25 *about the causes of domestic violence and child*

1 *abuse and local programs to prevent and treat*
2 *abuse, education about alcohol, tobacco, and*
3 *other drugs and the effects of abusing such sub-*
4 *stances, and information about HIV/AIDS and*
5 *its transmission.*

6 “(2) *CONSIDERATION OF APPLICATIONS BY*
7 *INTERAGENCY PANEL.—*

8 “(A) *ESTABLISHMENT.—There is estab-*
9 *lished a panel to be known as the ‘Fatherhood*
10 *Grants Recommendations Panel’ (in this sub-*
11 *paragraph referred to as the ‘Panel’).*

12 “(B) *MEMBERSHIP.—*

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

15 “(I) *Two members of the Panel*
16 *shall be appointed by the Secretary.*

17 “(II) *Two members of the Panel*
18 *shall be appointed by the Secretary of*
19 *Labor.*

20 “(III) *Two members of the Panel*
21 *shall be appointed by the Chairman of*
22 *the Committee on Ways and Means of*
23 *the House of Representatives.*

24 “(IV) *One member of the Panel*
25 *shall be appointed by the ranking mi-*

1 *nority member of the Committee on*
2 *Ways and Means of the House of Rep-*
3 *resentatives.*

4 *“(V) Two members of the Panel*
5 *shall be appointed by the Chairman of*
6 *the Committee on Finance of the Sen-*
7 *ate.*

8 *“(VI) One member of the Panel*
9 *shall be appointed by the ranking mi-*
10 *nority member of the Committee on Fi-*
11 *nance of the Senate.*

12 *“(ii) QUALIFICATIONS.—An individual*
13 *shall not be eligible to serve on the Panel*
14 *unless the individual has experience in pro-*
15 *grams for fathers, programs for the poor,*
16 *programs for children, program administra-*
17 *tion, program research, or programs of do-*
18 *mestic violence prevention and treatment.*

19 *“(iii) CONFLICTS OF INTEREST.—An*
20 *individual shall not be eligible to serve on*
21 *the Panel if such service would pose a con-*
22 *flict of interest for the individual.*

23 *“(iv) TIMING OF APPOINTMENTS.—The*
24 *appointment of members to the Panel shall*
25 *be completed not later than April 1, 2001.*

1 “(C) *DUTIES.*—

2 “(i) *REVIEW AND MAKE RECOMMENDA-*
3 *TIONS ON PROJECT APPLICATIONS.*—*The*
4 *Panel shall review all applications sub-*
5 *mitted pursuant to paragraph (1), and*
6 *make recommendations to the Secretary re-*
7 *garding which applicants should be award-*
8 *ed grants under this subsection, with due*
9 *regard for the provisions of paragraph (3),*
10 *but shall not recommend that a project be*
11 *awarded such a grant if the application de-*
12 *scribing the project does not attempt to meet*
13 *the requirement of paragraph (1)(B).*

14 “(ii) *TIMING.*—*The Panel shall make*
15 *such recommendations not later than Octo-*
16 *ber 1, 2001.*

17 “(D) *TERM OF OFFICE.*—*Each member ap-*
18 *pointed to the Panel shall serve for the life of the*
19 *Panel.*

20 “(E) *PROHIBITION ON COMPENSATION.*—
21 *Members of the Panel may not receive pay, al-*
22 *lowances, or benefits by reason of their service on*
23 *the Panel.*

24 “(F) *TRAVEL EXPENSES.*—*Each member of*
25 *the Panel shall receive travel expenses, including*

1 *per diem in lieu of subsistence, in accordance*
2 *with sections 5702 and 5703 of title 5, United*
3 *States Code.*

4 “(G) *MEETINGS.*—*The Panel shall meet as*
5 *often as is necessary to complete the business of*
6 *the Panel.*

7 “(H) *CHAIRPERSON.*—*The Chairperson of*
8 *the Panel shall be designated by the Secretary at*
9 *the time of appointment.*

10 “(I) *STAFF OF FEDERAL AGENCIES.*—*The*
11 *Secretary may detail any personnel of the De-*
12 *partment of Health and Human Services and*
13 *the Secretary of Labor may detail any personnel*
14 *of the Department of Labor to the Panel to assist*
15 *the Panel in carrying out its duties under this*
16 *paragraph.*

17 “(J) *OBTAINING OFFICIAL DATA.*—*The*
18 *Panel may secure directly from any department*
19 *or agency of the United States information nec-*
20 *essary to enable it to carry out this paragraph.*
21 *On request of the Chairperson of the Panel, the*
22 *head of the department or agency shall furnish*
23 *that information to the Panel.*

24 “(K) *MAILS.*—*The Panel may use the*
25 *United States mails in the same manner and*

1 *under the same conditions as other departments*
2 *and agencies of the United States.*

3 “(L) *TERMINATION.*—*The Panel shall ter-*
4 *minate on October 1, 2001.*

5 “(3) *RULES GOVERNING GRANTS.*—

6 “(A) *GRANT AWARDS.*—

7 “(i) *IN GENERAL.*—*The Secretary shall*
8 *award matching grants, on a competitive*
9 *basis, among entities submitting applica-*
10 *tions therefor which meet the requirements*
11 *of paragraph (1), in amounts that take into*
12 *account the written commitments referred to*
13 *in paragraph (1)(D).*

14 “(ii) *TIMING.*—*On October 1, 2001, the*
15 *Secretary shall award not more than*
16 *\$140,000,000 in matching grants after con-*
17 *sidering the recommendations submitted*
18 *pursuant to paragraph (2)(C)(i).*

19 “(iii) *NONDISCRIMINATION.*—*The pro-*
20 *visions of this section shall be applied and*
21 *administered so as to ensure that mothers,*
22 *expectant mothers, and married mothers are*
23 *eligible for benefits and services under*
24 *projects awarded grants under this section*

1 *on the same basis as fathers, expectant fa-*
2 *thers, and married fathers.*

3 “(B) *PREFERENCES.—In determining*
4 *which entities to which to award grants under*
5 *this subsection, the Secretary shall give pref-*
6 *erence to an entity—*

7 “(i) *to the extent that the application*
8 *submitted by the entity describes actions*
9 *that the entity will take that are designed*
10 *to encourage or facilitate the payment of*
11 *child support, including but not limited*
12 *to—*

13 “(I) *obtaining a written commit-*
14 *ment by the agency responsible for ad-*
15 *ministering the State plan approved*
16 *under part D for the State in which*
17 *the project is to be carried out that the*
18 *State will voluntarily cancel child sup-*
19 *port arrearages owed to the State by*
20 *the father as a result of the father pro-*
21 *viding various supports to the family*
22 *such as maintaining a regular child*
23 *support payment schedule or living*
24 *with his children (unless the father has*

1 *been convicted of a crime involving do-*
2 *mestic violence or child abuse);*

3 *“(II) obtaining a written commit-*
4 *ment by the entity that the entity will*
5 *help participating fathers who cooper-*
6 *ate with the agency in improving their*
7 *credit rating; and*

8 *“(III) helping fathers arrange and*
9 *maintain a consistent schedule of visits*
10 *with their children, unless it would be*
11 *unsafe;*

12 *“(ii) to the extent that the application*
13 *includes written agreements of cooperation*
14 *with other private and governmental agen-*
15 *cies, including the State or local program*
16 *funded under this part, the local Workforce*
17 *Investment Board, the State or local pro-*
18 *gram funded under part D, community-*
19 *based domestic violence programs, and the*
20 *State or local program funded under part*
21 *E, which should include a description of the*
22 *services each such agency will provide to fa-*
23 *thers participating in the project described*
24 *in the application;*

1 “(iii) to the extent that the application
2 describes a project that will enroll a high
3 percentage of project participants within 6
4 months before or after the birth of the child;
5 or

6 “(iv) to the extent that the application
7 sets forth clear and practical methods by
8 which fathers will be recruited to partici-
9 pate in the project.

10 “(C) *MINIMUM PERCENTAGE OF RECIPIENTS*
11 *OF GRANT FUNDS TO BE NONGOVERNMENTAL (IN-*
12 *CLUDING FAITH-BASED) ORGANIZATIONS.—Not*
13 *less than 75 percent of the entities awarded*
14 *grants under this subsection in each fiscal year*
15 *(other than entities awarded such grants pursu-*
16 *ant to the preferences required by subparagraph*
17 *(B)) shall be awarded to—*

18 “(i) nongovernmental (including faith-
19 based) organizations; or

20 “(ii) governmental organizations that
21 pass through to organizations referred to in
22 clause (i) at least 50 percent of the amount
23 of the grant.

24 “(D) *DIVERSITY OF PROJECTS.—*

1 “(i) *IN GENERAL.*—*In determining*
2 *which entities to which to award grants*
3 *under this subsection, the Secretary shall*
4 *attempt to achieve a balance among entities*
5 *of differing sizes, entities in differing geo-*
6 *graphic areas, entities in urban versus*
7 *rural areas, and entities employing dif-*
8 *fering methods of achieving the purposes of*
9 *this section.*

10 “(ii) *REPORT TO THE CONGRESS.*—
11 *Within 90 days after each award of grants*
12 *under subparagraph (A)(ii), the Secretary*
13 *shall submit to the Committee on Ways and*
14 *Means of the House of Representatives and*
15 *the Committee on Finance of the Senate a*
16 *brief report on the diversity of projectes se-*
17 *lected to receive funds under the grant pro-*
18 *gram. The report shall include a compari-*
19 *son of funding for projects located in urban*
20 *areas, projects located in suburban areas,*
21 *and projects located in rural areas.*

22 “(E) *PAYMENT OF GRANT IN FOUR EQUAL*
23 *ANNUAL INSTALLMENTS.*—*During the fiscal year*
24 *in which a grant is awarded under this sub-*
25 *section and each of the succeeding three fiscal*

1 *years, the Secretary shall provide to the entity*
2 *awarded the grant an amount equal to $\frac{1}{4}$ of the*
3 *amount of the grant.*

4 “(4) *USE OF FUNDS.—*

5 “(A) *IN GENERAL.—Each entity to which a*
6 *grant is made under this section shall use grant*
7 *funds provided under this section in accordance*
8 *with the application requesting the grant, the re-*
9 *quirements of this section, and the regulations*
10 *prescribed under this section, and may use grant*
11 *funds to support community-wide initiatives to*
12 *address the purposes of this section, but may not*
13 *use grant funds for court proceedings on matters*
14 *of child visitation or child custody or for legisla-*
15 *tive advocacy.*

16 “(B) *NONDISPLACEMENT.—*

17 “(i) *IN GENERAL.—An adult in a work*
18 *activity described in section 407(d) which is*
19 *funded, in whole or in part, by funds pro-*
20 *vided under this section shall not be em-*
21 *ployed or assigned—*

22 “(I) *when any other individual is*
23 *on layoff from the same or any sub-*
24 *stantially equivalent job; or*

1 “(II) if the employer has termi-
2 nated the employment of any regular
3 employee or otherwise caused an invol-
4 untary reduction of its workforce in
5 order to fill the vacancy so created
6 with such an adult.

7 “(i) *GRIEVANCE PROCEDURE.*—

8 “(I) *IN GENERAL.*—Complaints
9 alleging violations of clause (i) in a
10 State may be resolved—

11 “(aa) if the State has estab-
12 lished a grievance procedure
13 under section 403(a)(5)(I)(iv),
14 pursuant to the grievance proce-
15 dure; or

16 “(bb) otherwise, pursuant to
17 the grievance procedure estab-
18 lished by the State under section
19 407(f)(3).

20 “(II) *FORFEITURE OF GRANT IF*
21 *GRIEVANCE PROCEDURE NOT AVAIL-*
22 *ABLE.*—If a complaint referred to in
23 subclause (I) is made against an entity
24 to which a grant has been made under
25 this section with respect to a project,

1 and the complaint cannot be brought
2 to, or cannot be resolved within 90
3 days after being brought, by a grievance
4 procedure referred to in subclause
5 (I), then the entity shall immediately
6 return to the Secretary all funds provided
7 to the entity under this section
8 for the project, and the Secretary shall
9 immediately rescind the grant.

10 “(C) *RULE OF CONSTRUCTION.*—This section
11 shall not be construed to require the participation
12 of a father in a project funded under this
13 section to be discontinued by the project on the
14 basis of changed economic circumstances of the
15 father.

16 “(D) *RULE OF CONSTRUCTION ON MARRIAGE.*—This section shall not be construed to
17 authorize the Secretary to define marriage for
18 purposes of this section.

19 “(E) *PENALTY FOR MISUSE OF GRANT FUNDS.*—If the Secretary determines that an entity
20 to which a grant is made under this subsection has used any amount of the grant in violation
21 of subparagraph (A), the Secretary shall
22 require the entity to remit to the Secretary an
23 amount equal to the amount of the grant so used.
24 If the Secretary determines that an entity to which a grant is made under this subsection
25 has used any amount of the grant in violation of subparagraph (A), the Secretary shall
 require the entity to remit to the Secretary an amount equal to the amount of the grant so used.

1 *amount equal to the amount so used, plus all re-*
2 *maining grant funds, and the entity shall there-*
3 *after be ineligible for any grant under this sub-*
4 *section.*

5 “(F) *REMITTANCE OF UNUSED GRANT*
6 *FUNDS.—Each entity to which a grant is award-*
7 *ed under this subsection shall remit to the Sec-*
8 *retary all funds paid under the grant that re-*
9 *main at the end of the fifth fiscal year ending*
10 *after the initial grant award.*

11 “(5) *AUTHORITY OF AGENCIES TO EXCHANGE IN-*
12 *FORMATION.—Each agency administering a program*
13 *funded under this part or a State plan approved*
14 *under part D may share the name, address, telephone*
15 *number, and identifying case number information in*
16 *the State program funded under this part, of fathers*
17 *for purposes of assisting in determining the eligibility*
18 *of fathers to participate in projects receiving grants*
19 *under this section, and in contacting fathers poten-*
20 *tially eligible to participate in the projects, subject to*
21 *all applicable privacy laws.*

22 “(6) *EVALUATION.—The Secretary, in consulta-*
23 *tion with the Secretary of Labor, shall, directly or by*
24 *grant, contract, or interagency agreement, conduct an*
25 *evaluation of projects funded under this section (other*

1 *than under subsection (c)(1)). The evaluation shall*
2 *assess, among other outcomes selected by the Sec-*
3 *retary, effects of the projects on marriage, parenting,*
4 *employment, earnings, payment of child support, and*
5 *incidence of domestic violence and child abuse. In se-*
6 *lecting projects for the evaluation, the Secretary*
7 *should include projects that, in the Secretary’s judg-*
8 *ment, are most likely to impact the matters described*
9 *in the purposes of this section. In conducting the eval-*
10 *uation, random assignment should be used wherever*
11 *possible.*

12 *“(7) REGULATIONS.—The Secretary shall pre-*
13 *scribe such regulations as may be necessary to carry*
14 *out this subsection.*

15 *“(8) LIMITATION ON APPLICABILITY OF OTHER*
16 *PROVISIONS OF THIS PART.—Sections 404 through*
17 *410 shall not apply to this section or to amounts paid*
18 *under this section, and shall not be applied to an en-*
19 *tity solely by reason of receipt of funds pursuant to*
20 *this section. A project shall not be considered a State*
21 *program funded under this part solely by reason of*
22 *receipt of funds paid under this section.*

23 *“(9) FUNDING.—*

24 *“(A) IN GENERAL.—*

1 “(i) *INTERAGENCY PANEL.*—Of the
2 amounts made available pursuant to section
3 403(a)(1)(E) to carry out this section for
4 fiscal year 2001, a total of \$150,000 shall be
5 made available for the interagency panel es-
6 tablished by paragraph (2) of this sub-
7 section.

8 “(ii) *GRANTS.*—Of the amounts made
9 available pursuant to section 403(a)(1)(E)
10 to carry out this section for fiscal years
11 2002 through 2005, a total of \$140,000,000
12 shall be made available for grants under
13 this subsection.

14 “(iii) *EVALUATION.*—Of the amounts
15 made available pursuant to section
16 403(a)(1)(E) to carry out this section for
17 fiscal years 2001 through 2006, a total of
18 \$6,000,000 shall be made available for the
19 evaluation required by paragraph (6) of
20 this subsection.

21 “(B) *AVAILABILITY.*—

22 “(i) *GRANT FUNDS.*—The amounts
23 made available pursuant to subparagraph
24 (A)(ii) shall remain available until the end
25 of fiscal year 2006.

1 “(ii) *EVALUATION FUNDS.*—*The*
2 *amounts made available pursuant to sub-*
3 *paragraph (A)(iii) shall remain available*
4 *until the end of fiscal year 2008.*”.

5 (b) *FUNDING.*—*Section 403(a)(1)(E) of such Act (42*
6 *U.S.C. 603(a)(1)(E)) is amended by inserting “, and for*
7 *fiscal years 2001 through 2007, such sums as are necessary*
8 *to carry out section 403A” before the period.*

9 (c) *APPLICABILITY OF CHARITABLE CHOICE PROVI-*
10 *SIONS OF WELFARE REFORM.*—*Section 104 of the Personal*
11 *Responsibility and Work Opportunity Reconciliation Act*
12 *of 1996 (42 U.S.C. 604a) is amended by adding at the end*
13 *the following:*

14 “(l) *Notwithstanding the preceding provisions of this*
15 *section, this section shall apply to any entity to which funds*
16 *have been provided under section 403A of the Social Secu-*
17 *rity Act in the same manner in which this section applies*
18 *to States, and, for purposes of this section, any project for*
19 *which such funds are so provided shall be considered a pro-*
20 *gram described in subsection (a)(2).*”.

1 ***Subtitle B—Fatherhood Projects of***
2 ***National Significance***

3 ***SEC. 511. FATHERHOOD PROJECTS OF NATIONAL SIGNIFI-***
4 ***CANCE.***

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

8 “(c) *FATHERHOOD PROJECTS OF NATIONAL SIGNIFI-*
9 *CANCE.—*

10 “(1) *NATIONAL CLEARINGHOUSE.—The Secretary*
11 *shall award a \$5,000,000 grant to a nationally recog-*
12 *nized, nonprofit fatherhood promotion organization*
13 *with at least 4 years of experience in designing and*
14 *disseminating a national public education campaign,*
15 *including the production and successful placement of*
16 *television, radio, and print public service announce-*
17 *ments which promote the importance of responsible*
18 *fatherhood, and with at least 4 years experience pro-*
19 *viding consultation and training to community-based*
20 *organizations interested in implementing fatherhood*
21 *outreach, support, or skill development programs with*
22 *an emphasis on promoting married fatherhood as the*
23 *ideal, to—*

24 “(A) *develop, promote, and distribute to in-*
25 *terested States, local governments, public agen-*

1 *cies, and private nonprofit organizations, in-*
2 *cluding charitable and religious organizations, a*
3 *media campaign that encourages the appropriate*
4 *involvement of both parents in the life of any*
5 *child of the parents, and encourages such organi-*
6 *zations to develop or sponsor programs that spe-*
7 *cifically address the issue of responsible father-*
8 *hood and the advantages conferred on children*
9 *by marriage;*

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

18 *“(C) develop and distribute materials that*
19 *are for use by entities described in subparagraph*
20 *(A) or (B) and that help young adults manage*
21 *their money, develop the knowledge and skills*
22 *needed to promote successful marriages, plan for*
23 *future expenditures and investments, and plan*
24 *for retirement;*

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

8 “(2) MULTICITY FATHERHOOD PROJECTS.—

9 “(A) IN GENERAL.—The Secretary shall
10 award a \$5,000,000 grant to each of two nation-
11 ally recognized nonprofit fatherhood promotion
12 organizations which meet the requirements of
13 subparagraph (B), at least one of which organi-
14 zations meets the requirement of subparagraph
15 (C).

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

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

22 “(ii) The organization must have expe-
23 rience in simultaneously conducting such
24 programs in more than one major metro-
25 politan area and in coordinating such pro-

1 *grams with local government agencies and*
2 *private, nonprofit agencies, including State*
3 *or local agencies responsible for conducting*
4 *the program under part D and Workforce*
5 *Investment Boards.*

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

12 *“(C) USE OF MARRIED COUPLES TO DE-*
13 *LIVER SERVICES IN THE INNER CITY.—The re-*
14 *quirement of this subparagraph is that the orga-*
15 *nization has extensive experience in using mar-*
16 *ried couples to deliver program services in the*
17 *inner city.*

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

23 *“(4) FUNDING.—*

24 *“(A) IN GENERAL.—Of the amounts made*
25 *available pursuant to section 403(a)(1)(E) to*

1 *carry out this section, \$3,750,000 shall be made*
 2 *available for grants under this subsection for*
 3 *each of fiscal years 2002 through 2005.*

4 “(B) *AVAILABILITY.*—*The amounts made*
 5 *available pursuant to subparagraph (A) shall re-*
 6 *main available until the end of fiscal year*
 7 *2005.”.*

8 **TITLE VI—MISCELLANEOUS**

9 **SEC. 601. CHANGE DATES FOR ABSTINENCE EVALUATION.**

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

14 *(b) INTERIM REPORT REQUIRED.*—*Section*
 15 *403(a)(5)(G) of such Act (42 U.S.C. 603(a)(5)(G)), as so*
 16 *amended, is amended by adding at the end the following:*

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

21 **SEC. 602. REPORT ON UNDISTRIBUTED CHILD SUPPORT** 22 **PAYMENTS.**

23 *Not later than 6 months after the date of the enactment*
 24 *of this Act, the Secretary of Health and Human Services*
 25 *shall submit to the Committee on Ways and Means of the*

1 *House of Representatives and the Committee on Finance*
2 *of the Senate a report on the procedures that the States use*
3 *generally to locate custodial parents for whom child support*
4 *has been collected but not yet distributed due to a change*
5 *in address. The report shall include an estimate of the total*
6 *amount of such undistributed child support and the average*
7 *length of time it takes for such child support to be distrib-*
8 *uted. The Secretary shall include in the report recommenda-*
9 *tions as to whether additional procedures should be estab-*
10 *lished at the State or Federal level to expedite the payment*
11 *of undistributed child support.*

12 **SEC. 603. USE OF NEW HIRE INFORMATION TO ASSIST IN**
13 **ADMINISTRATION OF UNEMPLOYMENT COM-**
14 **PENSATION PROGRAMS.**

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

18 “(7) *INFORMATION COMPARISONS AND DISCLO-*
19 *SURE TO ASSIST IN ADMINISTRATION OF UNEMPLOY-*
20 *MENT COMPENSATION PROGRAMS.*—

21 “(A) *IN GENERAL.*—If a State agency re-
22 sponsible for the administration of an unemploy-
23 ment compensation program under Federal or
24 State law transmits to the Secretary the name
25 and social security account number of an indi-

1 *vidual, the Secretary shall, if the information in*
2 *the National Directory of New Hires indicates*
3 *that the individual may be employed, disclose to*
4 *the State agency the name, address, and em-*
5 *ployer identification number of any putative em-*
6 *ployer of the individual, subject to this para-*
7 *graph.*

8 *“(B) CONDITION ON DISCLOSURE.—The*
9 *Secretary shall make a disclosure under subpara-*
10 *graph (A) only to the extent that the Secretary*
11 *determines that the disclosure would not interfere*
12 *with the effective operation of the program under*
13 *this part.*

14 *“(C) USE OF INFORMATION.—A State agen-*
15 *cy may use information provided under this*
16 *paragraph only for purposes of administering a*
17 *program referred to in subparagraph (A).”.*

18 *(b) EFFECTIVE DATE.—The amendment made by sub-*
19 *section (a) shall take effect on October 1, 2000.*

20 **SEC. 604. IMMIGRATION PROVISIONS.**

21 *(a) NONIMMIGRANT ALIENS INELIGIBLE TO RECEIVE*
22 *VISAS AND EXCLUDED FROM ADMISSION FOR NONPAYMENT*
23 *OF CHILD SUPPORT.—*

24 *(1) IN GENERAL.—Section 212(a)(10) of the Im-*
25 *migration and Nationality Act (8 U.S.C.*

1 1182(a)(10)) is amended by adding at the end the fol-
2 lowing:

3 “(F) NONPAYMENT OF CHILD SUPPORT.—

4 “(i) IN GENERAL.—Any nonimmigrant
5 alien is inadmissible who is legally obli-
6 gated under a judgment, decree, or order to
7 pay child support (as defined in section
8 459(i) of the Social Security Act), and
9 whose failure to pay such child support has
10 resulted in an arrearage exceeding \$2,500,
11 until child support payments under the
12 judgment, decree, or order are satisfied or
13 the nonimmigrant alien is in compliance
14 with an approved payment agreement.

15 “(ii) WAIVER AUTHORIZED.—The At-
16 torney General may waive the application
17 of clause (i) in the case of an alien, if the
18 Attorney General—

19 “(I) has received a request for the
20 waiver from the court or administra-
21 tive agency having jurisdiction over
22 the judgment, decree, or order obli-
23 gating the alien to pay child support
24 that is referred to in such clause; or

1 “(II) determines that there are
2 prevailing humanitarian or public in-
3 terest concerns.”.

4 (2) *EFFECTIVE DATE.*—The amendment made by
5 this subsection shall take effect 180 days after the date
6 of the enactment of this Act.

7 (b) *AUTHORIZATION TO SERVE LEGAL PROCESS IN*
8 *CHILD SUPPORT CASES ON CERTAIN ARRIVING ALIENS.*—

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

12 “(5) *AUTHORITY TO SERVE PROCESS IN CHILD*
13 *SUPPORT CASES.*—

14 “(A) *IN GENERAL.*—To the extent consistent
15 *with State law, immigration officers are author-*
16 *ized to serve on any alien who is an applicant*
17 *for admission to the United States legal process*
18 *with respect to any action to enforce or establish*
19 *a legal obligation of an individual to pay child*
20 *support (as defined in section 459(i) of the So-*
21 *cial Security Act).*

22 “(B) *DEFINITION.*—For purposes of sub-
23 *paragraph (A), the term ‘legal process’ means*
24 *any writ, order, summons or other similar proc-*
25 *ess, which is issued by—*

1 “(i) a court or an administrative agen-
2 cy of competent jurisdiction in any State,
3 territory, or possession of the United States;
4 or

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

8 (2) *EFFECTIVE DATE.*—*The amendment made by*
9 *this subsection shall apply to aliens applying for ad-*
10 *mission to the United States on or after 180 days*
11 *after the date of the enactment of this Act.*

12 (c) *AUTHORIZATION TO SHARE CHILD SUPPORT EN-*
13 *FORCEMENT INFORMATION TO ENFORCE IMMIGRATION AND*
14 *NATURALIZATION LAW.*—

15 (1) *SECRETARIAL RESPONSIBILITY.*—*Section 452*
16 *of the Social Security Act (42 U.S.C. 652) is amended*
17 *by adding at the end the following:*

18 “(m) *If the Secretary receives a certification by a State*
19 *agency, in accordance with section 454(35), that an indi-*
20 *vidual who is a nonimmigrant alien (as defined in section*
21 *101(a)(15) of the Immigration and Nationality Act) owes*
22 *arrearages of child support in an amount exceeding \$2,500,*
23 *the Secretary may, at the request of the State agency, the*
24 *Secretary of State, or the Attorney General, or on the Sec-*
25 *retary’s own initiative, provide such certification to the*

1 *Secretary of State and the Attorney General information*
2 *in order to enable them to carry out their responsibilities*
3 *under sections 212(a)(10) and 235(d) of such Act.”.*

4 (2) *STATE AGENCY RESPONSIBILITY.—Section*
5 *454 of the Social Security Act (42 U.S.C. 654), as*
6 *amended by section 101(c) of this Act, is amended—*

7 (A) *by striking “and” at the end of para-*
8 *graph (33);*

9 (B) *by striking the period at the end of*
10 *paragraph (34) and inserting “; and”; and*

11 (C) *by inserting after paragraph (34) the*
12 *following:*

13 “(35) *provide that the State agency will have in*
14 *effect a procedure for certifying to the Secretary, in*
15 *such format and accompanied by such supporting*
16 *documentation as the Secretary may require, deter-*
17 *minations that nonimmigrant aliens owe arrearages*
18 *of child support in an amount exceeding \$2,500.”.*

19 **SEC. 605. CORRECTION OF ERRORS IN CONFORMING**
20 **AMENDMENTS IN THE WELFARE-TO-WORK**
21 **AND CHILD SUPPORT AMENDMENTS OF 1999.**

22 *The amendments made by section 2402 of Public Law*
23 *106–246 shall take effect as if included in the enactment*
24 *of section 806 of H.R. 3424 of the 106th Congress by section*
25 *1000(a)(4) of Public Law 106–113.*

1 **SEC. 606. ELIMINATION OF SET-ASIDE OF WELFARE-TO-**
2 **WORK FUNDS FOR SUCCESSFUL PERFORM-**
3 **ANCE BONUS.**

4 (a) *IN GENERAL.*—Section 403(a)(5) of the Social Se-
5 curity Act (42 U.S.C. 603(a)(5)) is amended by striking
6 subparagraph (E) and redesignating subparagraphs (F)
7 through (K) as subparagraphs (E) through (J), respectively.

8 (b) *CONFORMING AMENDMENTS.*—

9 (1) Section 403(a)(5)(A)(i) of such Act (42
10 U.S.C. 603(a)(5)(A)(i)) is amended by striking “sub-
11 paragraph (I)” and inserting “subparagraph (H)”.

12 (2) Subclause (I) of each of subparagraphs
13 (A)(iv) and (B)(v) of section 403(a)(5) of such Act
14 (42 U.S.C. 603(a)(5)(A)(iv)(I) and (B)(v)(I)) is
15 amended—

16 (A) in item (aa)—

17 (i) by striking “(I)” and inserting
18 “(H)”; and

19 (ii) by striking “(G), and (H)” and
20 inserting “and (G)”; and

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

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

1 (4) Subparagraphs (E) and (F) of section
2 403(a)(5) of such Act (42 U.S.C. 603(a)(5)(F) and
3 (G)), as so redesignated by subsection (a) of this sec-
4 tion, are each amended by striking “(I)” and insert-
5 ing “(H)”.

6 (5) Section 412(a)(3)(A) of such Act (42 U.S.C.
7 612(a)(3)(A)) is amended by striking “403(a)(5)(I)”
8 and inserting “403(a)(5)(H)”.

9 (c) *FUNDING.*—Section 403(a)(5)(I)(i)(II) of such Act
10 (42 U.S.C. 603(a)(5)(I)(i)(II)) is amended by striking
11 “\$1,450,000,000” and inserting “\$1,400,000,000”.

12 (d) *EFFECTIVE DATE.*—The amendments made by this
13 section shall take effect on the date of the enactment of this
14 Act.

15 **SEC. 607. INCREASE IN PAYMENT RATE TO STATES FOR EX-**
16 **PENDITURES FOR SHORT TERM TRAINING OF**
17 **STAFF OF CERTAIN CHILD WELFARE AGEN-**
18 **CIES.**

19 Section 474(a)(3)(B) of the Social Security Act (42
20 U.S.C. 674(a)(3)(B)) is amended by inserting “, or State-
21 licensed or State-approved child welfare agencies providing
22 services,” after “child care institutions”.

1 **TITLE VII—EFFECTIVE DATE**

2 **SEC. 701. EFFECTIVE DATE.**

3 (a) *IN GENERAL.*—*Except as provided in sections*
4 *101(e), 304, 603(b), 605(b) and 606, and in subsection (b)*
5 *of this section, this Act and the amendments made by this*
6 *Act shall take effect on October 1, 2001, and shall apply*
7 *to payments under part D of title IV of the Social Security*
8 *Act for calendar quarters beginning on or after such date,*
9 *and without regard to whether regulations to implement*
10 *such amendments are promulgated by such date.*

11 (b) *DELAY PERMITTED IF STATE LEGISLATION RE-*
12 *QUIRED.*—*In the case of a State plan approved under sec-*
13 *tion 454 of the Social Security Act which requires State*
14 *legislation (other than legislation appropriating funds) in*
15 *order for the plan to meet the additional requirements im-*
16 *posed by the amendments made by this Act, the State plan*
17 *shall not be regarded as failing to comply with the addi-*
18 *tional requirements solely on the basis of the failure of the*
19 *plan to meet the additional requirements before the 1st day*
20 *of the 1st calendar quarter beginning after the close of the*
21 *1st regular session of the State legislature that begins after*
22 *the date of the enactment of this Act. For purposes of the*
23 *previous sentence, in the case of a State that has a 2-year*
24 *legislative session, each year of such session shall be deemed*
25 *to be a separate regular session of the State legislature.*

Union Calendar No. 459

106TH CONGRESS
2D SESSION

H. R. 4678

[Report No. 106-793, Part I]

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.

JULY 26, 2000

Reported from the Committee on Ways and Means with an amendment

JULY 26, 2000

Referral to the Committees on the Judiciary and Education and the Workforce extended for a period ending not later than July 26, 2000

JULY 26, 2000

The Committees on the Judiciary and Education and the Workforce discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed