

treatment of domestic violence and child abuse, and other methods; and

“(B) sustaining marriages through marriage preparation programs, premarital counseling, and marital inventories, and through divorce education and reduction programs, including mediation and counseling;

Page 25, line 19, insert “such activities as” after “through”.

Page 25, line 21, strike the comma.

Page 26, line 4, insert “such activities as” after “viding”.

Page 27, line 5, strike “or”.

Page 27, line 7, strike the period and insert “; or”.

Page 27, after line 7, insert the following:  
“(iv) at risk of parenthood outside marriage, but not more than 25 percent of the participants in the project may qualify for participation under this clause.

Page 28, strike lines 4 and 5 and insert the following:

stances, and information about sexually transmitted diseases and their transmission, including HIV/AIDS and human papillomavirus (HPV).

Page 33, after line 6, insert the following:

“(i) to the extent that the application submitted by the entity sets forth clear and practical methods to encourage and sustain marriage;

Page 33, line 7, strike “(i)” and insert “(ii)”.

Page 33, line 23, strike “schedule or” and insert “schedule.”.

Page 33, line 24, strike “(unless)” and insert “, or marrying the mother of his children, unless”.

Page 34, line 2, strike the close parenthesis.

Page 34, line 12, strike “(ii)” and insert “(iii)”.

Page 35, line 1, strike “(iii)” and insert “(iv)”.

Page 35, line 6, strike “(iv)” and insert “(v)”.

Page 46, line 27, strike the period and insert “; and”.

Page 46, after line 27, insert the following:  
“(E) develop and distribute materials that are for use by entities described in subparagraphs (A) and (B) and that provide information on domestic violence and child abuse prevention and treatment.

## CHILD SUPPORT DISTRIBUTION ACT OF 2000

Mrs. JOHNSON of Connecticut. Mr. Speaker, pursuant to House Resolution 566, I call up the bill (H.R. 4678) to provide more child support money to families leaving welfare, to simplify the rules governing the assignment and the 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 566, the bill is considered read for amendment.

The text of H.R. 4678 is as follows:

H.R. 4678

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Child Support Distribution Act of 2000”.

### SEC. 2. TABLE OF CONTENTS.

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.

## TITLE I—DISTRIBUTION OF CHILD SUPPORT

SEC. 101. DISTRIBUTION OF CHILD SUPPORT COLLECTED BY STATES ON BEHALF OF CHILDREN RECEIVING CERTAIN WELFARE BENEFITS.

(a) MODIFICATION OF RULE REQUIRING ASSIGNMENT OF SUPPORT RIGHTS AS A CONDITION

OF RECEIVING TANF.—Section 408(a)(3) of the Social Security Act (42 U.S.C. 608(a)(3)) is amended to read as follows:

“(3) NO ASSISTANCE FOR FAMILIES NOT ASSIGNING CERTAIN SUPPORT RIGHTS TO THE STATE.—A State to which a grant is made under section 403 shall require, as a condition of providing assistance to a family under the State program funded under this part, that a member of the family assign to the State any rights the family member may have or acquire (on behalf of the family member or of any other person for whom the family member has applied for or is receiving such assistance) to support from any other person for any period for which the family receives assistance under the program, in an amount equal to the lesser of—

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

“(B) the total amount of assistance so provided to the family.”.

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

(1) DISTRIBUTION RULES.—

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

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

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

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

“(B) retain, or pay to the family, the State share of the amount collected, subject to paragraph (3)(B); and

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

“(2) FAMILIES THAT FORMERLY RECEIVED ASSISTANCE.—In the case of a family that formerly received assistance from the State:

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

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

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

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

“(I) pay to the Federal Government, the Federal share of the excess amount described in this clause, subject to paragraph (3)(A); and

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

“(iii) shall pay to the family any remaining amount.

“(3) LIMITATIONS.—

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

(B) STATE REIMBURSEMENTS.—The total of the amounts retained by the State under paragraphs (1) and (2) of this subsection with

respect to a family shall not exceed the State share of the amount assigned with respect to the family pursuant to section 408(a)(3).

“(4) FAMILIES THAT NEVER RECEIVED ASSISTANCE.—In the case of any other family, the State shall pay the amount collected to the family.”

“(5) FAMILIES UNDER CERTAIN AGREEMENTS.—Notwithstanding paragraphs (1) through (4), in the case of an amount collected for a family in accordance with a cooperative agreement under section 454(33), the State shall distribute the amount collected pursuant to the terms of the agreement.”

“(6) STATE FINANCING OPTIONS.—To the extent that the State share of the amount payable to a family for a month pursuant to paragraph (2)(B) of this subsection exceeds the amount that the State estimates (under procedures approved by the Secretary) would have been payable to the family for the month pursuant to former section 457(a)(2) (as in effect for the State immediately before the date this subsection first applies to the State) if such former section had remained in effect, the State may elect to use the grant made to the State under section 403(a) to pay the amount, or to have the payment considered a qualified State expenditure for purposes of section 409(a)(7), but not both. For purposes of section 455, any such payment from the grant made to the State under section 403(a) shall be considered an amount expended for the operation of the plan approved under section 454.”

(B) APPROVAL OF ESTIMATION PROCEDURES.—Not later than October 1, 2001, the Secretary of Health and Human Services, in consultation with the States (as defined for purposes of part D of title IV of the Social Security Act), shall establish the procedures to be used to make the estimate described in section 457(a)(6) of such Act.

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

“(5) CURRENT SUPPORT AMOUNT.—The term ‘current support amount’ means, with respect to amounts collected as support on behalf of a family, the amount designated as the monthly support obligation of the non-custodial parent in the order requiring the support.”

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

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

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

(2) by striking the period at the end of paragraph (33) and inserting “; and”; and

(3) by inserting after paragraph (33) the following:

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

(d) CONFORMING AMENDMENTS.—

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

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

(A) by striking “or” at the end of paragraph (1);

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

(C) by adding at the end the following:

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

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

“(V) PORTIONS OF CERTAIN CHILD SUPPORT PAYMENTS COLLECTED ON BEHALF OF AND DISTRIBUTED TO FAMILIES NO LONGER RECEIVING ASSISTANCE.—Any amount paid by a State pursuant to section 457(a)(2)(B)(i), but only to the extent that the State properly elects under section 457(a)(6) to have the payment considered a qualified State expenditure.”

(e) EFFECTIVE DATE.—

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

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

## TITLE II—REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS

### SEC. 201. MANDATORY REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS FOR TANF RECIPIENTS.

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

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

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

(b) REVIEW UPON LEAVING TANF.—

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

“(8) CERTIFICATION THAT THE CHILD SUPPORT ENFORCEMENT PROGRAM WILL BE PROVIDED NOTICE OF CERTAIN FAMILIES LEAVING TANF PROGRAM.—A certification by the chief executive officer of the State that the State has established procedures to ensure that the State agency administering the child support enforcement program under the State plan approved under part D will be provided notice of the impending discontinuation of assistance to an individual under the State program funded under this part if the individual has custody of a child whose other parent is alive and not living at home with the child.”

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

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

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

(C) by adding at the end the following:

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

“(i) examine the case file involved;

“(ii) determine what actions (if any) are needed to locate any noncustodial parent, establish paternity or a support order, or enforce a support order in the case;

“(iii) immediately take the actions; and

“(iv) if there is a support order in the case which the State has not reviewed during the 1-year period ending with receipt of the notice, notwithstanding subparagraph (B), review and, if appropriate, adjust the order in accordance with subparagraph (A).”

## TITLE III—EXPANDED INFORMATION AND ENFORCEMENT

### SEC. 301. GUIDELINES FOR INVOLVEMENT OF PUBLIC NON-IV-D AND PRIVATE AGENCIES IN CHILD SUPPORT ENFORCEMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services, in consultation with States (as defined for purposes of part D of title IV of the Social Security Act), local governments, and individuals or companies knowledgeable about involving entities, other than State agencies operating child support enforcement programs under such part, in child support enforcement, shall develop separate sets of recommendations which address the participation of public non-IV-D child support enforcement agencies (as defined in section 466(h) of such Act) and private child support enforcement agencies (as defined in section 466(i) of such Act) in child support enforcement pursuant to the amendments made by this title. The matters addressed by the recommendations shall include substantive and procedural rules which should be followed with respect to privacy safeguards, data security, due process rights, administrative compatibility with State and Federal automated systems, eligibility requirements (such as registration, licensing, and posting of bonds) for access to information and use of enforcement mechanisms, recovery of costs by charging fees, and penalties for violations of the rules.

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

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

### 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.

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

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

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

(3) by inserting after paragraph (34) the following:

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

“(A) subject to the privacy safeguards of paragraph (26), the State agency responsible for administering the State plan under this part may provide to a public non-IV-D child support enforcement agency (as defined in section 466(h)) all information in the State Directory of New Hires and any information obtained through information comparisons under section 453(j)(3) about an individual with respect to whom the public agency is seeking to establish or enforce a child support obligation, if the public agency meets such requirements as the State may establish and has entered into an agreement with the State under which the public agency has made a binding commitment to carry out establishment and enforcement activities with

respect to the child support obligation subject to the same data security, privacy protection, and due process requirements applicable to the State agency and in accordance with procedures approved by the head of the State agency;

“(B) the State agency may charge and collect fees from any such public agency to recover costs incurred by the State agency in providing information and services to the public agency pursuant to this part.”.

(b) **PUBLIC NON-IV-D CHILD SUPPORT ENFORCEMENT AGENCY DEFINED.**—Section 466 of such Act (42 U.S.C. 666) is amended by adding at the end the following:

“(h) **PUBLIC NON-IV-D CHILD SUPPORT ENFORCEMENT AGENCY DEFINED.**—In this part, the term ‘public non-IV-D child support enforcement agency’ means an agency, of a political subdivision of a State, which is principally responsible for the operation of a child support registry or for the establishment or enforcement of an obligation to pay child support (as defined in section 459(i)(2)) other than pursuant to the State plan approved under this part.”.

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

(a) **FEDERAL TAX REFUND INTERCEPT.**—

(1) **ADDITIONAL STATE PLAN REQUIREMENT.**—Section 454(35) of the Social Security Act, as added by section 311(a) of this Act, is amended—

(i) by striking the period at the end of subparagraph (B) and inserting “; and”; and

(2) by adding at the end the following:

“(C) the State agency may transmit to the Secretary of the Treasury pursuant to section 464 a notice submitted by a public non-IV-D child support enforcement agency (in such form and manner as the State agency may prescribe) that a named individual owes past-due child support (as defined in section 464(c)) which the public agency has agreed to collect, and may collect from the public agency any fee which the State is required to pay for the cost of applying the offset procedure in the case.”.

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

(A) in subsection (a)(2)(A)—

(i) in the 1st sentence, by striking “, and that the State agency” and inserting “or which a public non-IV-D child support enforcement agency in the State has agreed to collect, and that the State agency (or the public non-IV-D child support enforcement agency)”;

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

(B) in subsection (a)(3)(A)—

(i) in the 1st sentence, by inserting “(or, in the case the State is acting on behalf of a public non-IV-D child support enforcement agency, the public non-IV-D child support enforcement agency)” after “the State”; and

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

(b) **REPORTING ARREARAGES TO CREDIT BUREAUS.**—Section 466(a)(7)(A) of such Act (42 U.S.C. 666(a)(7)(A)) is amended by inserting “, and allowing the State to include in the report similar information provided (in such form and manner as the State agency may prescribe) by a public non-IV-D child support enforcement agency” before the period.

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

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

(2) by adding “and” at the end of subparagraph (B); and

(3) by adding at the end the following:

“(C) the State agency may include in the certification any such determination, notice of which is provided to the State agency (in

such form and manner as the State agency may require) by a public non-IV-D child support enforcement agency.”.

(d) **FINANCIAL INSTITUTION DATA MATCHES.**—

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

“(D) **COORDINATION WITH PUBLIC NON-IV-D CHILD SUPPORT ENFORCEMENT AGENCIES.**—The identifying information described in subparagraph (A)(i) which is provided by the State may include any such identifying information that is provided to the State agency by a public non-IV-D child support enforcement agency in such form and manner as the State agency may require.”.

(2) **LIABILITY PROTECTIONS.**—Section 469A(d) of such Act (42 U.S.C. 669a(d)) is amended by adding at the end the following:

“(3) **STATE CHILD SUPPORT ENFORCEMENT AGENCY.**—The term ‘State child support enforcement agency’ includes, with respect to a financial record of an individual, a public non-IV-D child support enforcement agency if the public agency is seeking to establish or enforce a child support obligation with respect to the individual pursuant to an agreement described in section 454(35)(A).”.

(e) **USE OF INCOME WITHHOLDING FOR UNEMPLOYMENT INSURANCE BENEFITS.**—

(1) **DISCLOSURE OF WAGE INFORMATION.**—Section 303(e)(1) of such Act (42 U.S.C. 503(e)(1)) is amended by striking the second sentence and inserting the following:

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

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

(A) in clause (i), by inserting “and the identity and location of the State or local child support enforcement agency enforcing the obligations (to the extent known)” before the comma;

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

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

(3) **CONFORMING AMENDMENT.**—Section 303(e)(4) of such Act (42 U.S.C. 503(e)(4)) is amended by striking “the last sentence of paragraph (1)” and inserting “section 454 which has been approved by the Secretary of Health and Human Services under part D of title IV or pursuant to an agreement described in section 454(35)(A)”.

#### **SEC. 313. EFFECTIVE DATE.**

Except as provided in section 701(b), the amendments made by this subtitle shall take effect on October 1, 2002, and shall apply to payments under part D of title IV of the Social Security Act for calendar quarters beginning on or after such date, and without regard to whether regulations to implement such amendments are promulgated by such 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.**

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

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

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

(3) by inserting after paragraph (35) the following:

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

“(A) subject to the privacy safeguards of paragraph (26), the State agency responsible for administering the State plan under this part may provide to a private child support enforcement agency (as defined in section 466(i)) any information in the State Directory of New Hires and any information obtained through information comparisons under section 453(j)(3) about an individual with respect to whom the private agency is seeking to establish or enforce a child support obligation, if the private agency meets such requirements as the State may establish and has entered into an agreement with the State under which the private agency has made a binding commitment to carry out establishment and enforcement activities with respect to the child support obligation subject to the same data security, privacy protection, and due process requirements applicable to the State agency and in accordance with procedures approved by the head of the State agency;

“(B) the State agency may charge and collect fees from any such private agency to recover costs incurred by the State agency in providing information and services to the private agency pursuant to this part.”.

(b) **PRIVATE CHILD SUPPORT ENFORCEMENT AGENCY DEFINED.**—Section 466 of such Act (42 U.S.C. 666), as amended by section 311(b) of this Act, is amended by adding at the end the following:

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

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

(a) **FEDERAL TAX REFUND INTERCEPT.**—

(1) **ADDITIONAL STATE PLAN REQUIREMENT.**—Section 454(36) of the Social Security Act, as added by section 321(a) of this Act, is amended—

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

(B) by adding at the end the following:

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

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

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

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

(d) **FINANCIAL INSTITUTION DATA MATCHES.**—

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

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

(A) by inserting “(or private)” after “public non-IV-D”;

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

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

(e) **USE OF INCOME WITHHOLDING FOR UNEMPLOYMENT INSURANCE BENEFITS.**—Section 303(e)(4) of such Act (42 U.S.C. 503(e)(4)), as amended by section 312(e)(3) of this Act, is amended by inserting “, and includes a private child support enforcement agency (as defined in section 466(i)) with respect to an individual who is an applicant for, or who is determined to be eligible for unemployment compensation if the State in which the private child support enforcement agency is located confirms that the private child support enforcement agency is seeking to establish, modify, or enforce a child support obligation of the individual pursuant to an agreement described in section 454(36)(A)” before the period.

#### **SEC. 323. EFFECTIVE DATE.**

Except as provided in section 801(b), the amendments made by this subtitle shall take effect on October 1, 2003, and shall apply to payments under part D of title IV of the Social Security Act for calendar quarters beginning on or after such date, and without regard to whether regulations to implement such amendments are promulgated by such date.

### **TITLE IV—EXPANDED ENFORCEMENT**

#### **SEC. 401. DECREASE IN AMOUNT OF CHILD SUPPORT ARREARAGE TRIGGERING PASSPORT DENIAL.**

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

#### **SEC. 402. USE OF TAX REFUND INTERCEPT PROGRAM TO COLLECT PAST-DUE CHILD SUPPORT ON BEHALF OF CHILDREN WHO ARE NOT MINORS.**

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

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

(2) in subsection (c)—

(A) in paragraph (1)—

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

(ii) by inserting “(whether or not a minor)” after “a child” each place it appears; and

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

### **TITLE V—FATHERHOOD PROGRAMS**

#### **Subtitle A—Fatherhood Grant Program**

#### **SEC. 501. FATHERHOOD GRANTS.**

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

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

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

“(1) promote marriage through counseling, mentoring, disseminating information about the advantages of marriage, enhancing relationship skills, teaching how to control aggressive behavior, and other methods;

“(2) promote successful parenting through counseling, mentoring, disseminating information about good parenting practices including pre-pregnancy, family planning, training parents in money management, encouraging child support payments, encouraging regular visitation between fathers and their children, and other methods; and

“(3) help fathers and their families avoid or leave cash welfare provided by the program

under part A and improve their economic status by providing work first services, job search, job training, subsidized employment, career-advancing education, job retention, job enhancement, and other methods.

“(b) **FATHERHOOD GRANTS.**—

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

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

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

“(C) A written commitment by the entity that the project will allow an individual to participate in the project only if the individual is—

“(i) a father of a child who is, or within the past 24 months has been, a recipient of assistance or services under a State program funded under this part;

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

“(iii) a parent referred to in paragraph (3)(A)(iii).

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

“(i) 20 percent of the amount of any grant made to the entity under this subsection; or

“(ii) such lesser percentage as the Secretary deems appropriate (which shall be not less than 10 percent) of such amount, if the application demonstrates that there are circumstances that limit the ability of the entity to raise funds or obtain resources.

“(E) A written commitment by the entity that the entity will make available to each individual participating in the project education about alcohol, tobacco, and other drugs and the effects of abusing such substances, and information about HIV/AIDS and its transmission.

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

“(A) **ESTABLISHMENT.**—There is established a panel to be known as the ‘Fatherhood Grants Recommendations Panel’ (in this subparagraph referred to as the ‘Panel’).

“(B) **MEMBERSHIP.**—

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

“(1) Two members of the Panel shall be appointed by the Secretary.

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

“(3) Two members of the Panel shall be appointed by the Chairman of the Committee on Ways and Means of the House of Representatives.

“(4) One member of the Panel shall be appointed by the ranking minority member of the Committee on Ways and Means of the House of Representatives.

“(5) Two members of the Panel shall be appointed by the Chairman of the Committee on Finance of the Senate.

“(6) One member of the Panel shall be appointed by the ranking minority member of the Committee on Finance of the Senate.

“(ii) **QUALIFICATIONS.**—An individual shall not be eligible to serve on the Panel unless the individual has experience in programs for fathers, programs for the poor, programs for children, program administration, or program research.

“(iii) **CONFLICTS OF INTEREST.**—An individual shall not be eligible to serve on the

Panel if such service would pose a conflict of interest for the individual.

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

“(C) **DUTIES.**—

“(i) **REVIEW AND MAKE RECOMMENDATIONS ON PROJECT APPLICATIONS.**—The Panel shall review all applications submitted pursuant to paragraph (1), and make recommendations to the Secretary regarding which applicants should be awarded grants under this subsection, with due regard for the provisions of paragraph (3), but shall not recommend that a project be awarded such a grant if the application describing the project does not attempt to meet the requirement of paragraph (1)(B).

“(ii) **TIMING.**—The Panel shall make such recommendations not later than October 1, 2001.

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

“(E) **PROHIBITION ON COMPENSATION.**—Members of the Panel may not receive pay, allowances, or benefits by reason of their service on the Panel.

“(F) **TRAVEL EXPENSES.**—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

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

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

“(I) **STAFF OF FEDERAL AGENCIES.**—The Secretary may detail any personnel of the Department of Health and Human Services and the Secretary of Labor may detail any personnel of the Department of Labor to the Panel to assist the Panel in carrying out its duties under this paragraph.

“(J) **OBTAINING OFFICIAL DATA.**—The Panel may secure directly from any department or agency of the United States information necessary to enable it to carry out this paragraph. On request of the Chairperson of the Panel, the head of the department or agency shall furnish that information to the Panel.

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

“(L) **TERMINATION.**—The Panel shall terminate on October 1, 2001.

“(3) **RULES GOVERNING GRANTS.**—

“(A) **GRANT AWARDS.**—

“(i) **IN GENERAL.**—The Secretary shall award matching grants, on a competitive basis, among entities submitting applications therefor which meet the requirements of paragraph (1), in amounts that take into account the written commitments referred to in paragraph (1)(D).

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

“(iii) **NONDISCRIMINATION.**—The provisions of this section shall be applied and administered so as to ensure that mothers, expectant mothers, and married mothers are eligible for benefits and services under projects awarded grants under this section on the same basis as fathers, expectant fathers, and married fathers.

“(B) **PREFERENCES.**—In determining which entities to which to award grants under this subsection, the Secretary shall give preference to an entity—

“(i) to the extent that the application submitted by the entity describes actions that

the entity will take that are designed to encourage or facilitate the payment of child support, including but not limited to—

“(I) obtaining a written commitment by the agency responsible for administering the State plan approved under part D for the State in which the project is to be carried out that the State will voluntarily cancel child support arrearages owed to the State by the father as a result of the father providing various supports to the family such as maintaining a regular child support payment schedule or living with his children;

“(II) obtaining a written commitment by the entity that the entity will help participating fathers who cooperate with the agency in improving their credit rating; and

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

“(ii) to the extent that the application includes written agreements of cooperation with other private and governmental agencies, including the State or local program funded under this part, the local Workforce Investment Board, the State or local program funded under part D, community-based domestic violence programs, and the State or local program funded under part E, which should include a description of the services each such agency will provide to fathers participating in the project described in the application;

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

“(iv) to the extent that the application sets forth clear and practical methods by which fathers will be recruited to participate in the project.

“(C) MINIMUM PERCENTAGE OF RECIPIENTS OF GRANT FUNDS TO BE NONGOVERNMENTAL (INCLUDING FAITH-BASED) ORGANIZATIONS.—Not less than 75 percent of the entities awarded grants under this subsection in each fiscal year (other than entities awarded such grants pursuant to the preferences required by subparagraph (B)) shall be awarded to—

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

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

“(D) DIVERSITY OF PROJECTS.—

“(i) IN GENERAL.—In determining which entities to which to award grants under this subsection, the Secretary shall attempt to achieve a balance among entities of differing sizes, entities in differing geographic areas, entities in urban versus rural areas, and entities employing differing methods of achieving the purposes of this section.

“(ii) REPORT TO THE CONGRESS.—Within 90 days after each award of grants under subparagraph (A)(ii), the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a brief report on the diversity of projects selected to receive funds under the grant program. The report shall include a comparison of funding for projects located in urban areas, projects located in suburban areas, and projects located in rural areas.

“(E) PAYMENT OF GRANT IN FOUR EQUAL ANNUAL INSTALLMENTS.—During the fiscal year in which a grant is awarded under this subsection and each of the succeeding three fiscal years, the Secretary shall provide to the entity awarded the grant an amount equal to ¼ of the amount of the grant.

“(4) USE OF FUNDS.—

“(A) IN GENERAL.—Each entity to which a grant is made under this subsection shall use grant funds provided under this subsection in

accordance with the application requesting the grant, the requirements of this subsection, and the regulations prescribed under this subsection, and may use the grant funds to support community-wide initiatives to address the purposes of this section.

“(B) NONDISPLACEMENT.—

“(i) IN GENERAL.—An adult in a work activity described in section 407(d) which is funded, in whole or in part, by funds provided under this section shall not be employed or assigned—

“(I) when any other individual is on layoff from the same or any substantially equivalent job; or

“(II) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with such an adult.

“(ii) GRIEVANCE PROCEDURE.—

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

“(aa) if the State has established a grievance procedure under section 403(a)(5)(iv), pursuant to the grievance procedure; or

“(bb) otherwise, pursuant to the grievance procedure established by the State under section 407(f)(3).

“(II) FORFEITURE OF GRANT IF GRIEVANCE PROCEDURE NOT AVAILABLE.—If a complaint referred to in subclause (I) is made against an entity to which a grant has been made under this section with respect to a project, and the complaint cannot be brought to, or cannot be resolved within 90 days after being brought, by a grievance procedure referred to in subclause (I), then the entity shall immediately return to the Secretary all funds provided to the entity under this section for the project, and the Secretary shall immediately rescind the grant.

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

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

“(E) PENALTY FOR MISUSE OF GRANT FUNDS.—If the Secretary determines that an entity to which a grant is made under this subsection 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 so used, plus all remaining grant funds, and the entity shall thereafter be ineligible for any grant under this subsection.

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

“(5) AUTHORITY OF AGENCIES TO EXCHANGE INFORMATION.—Each agency administering a program funded under this part or a State plan approved under part D may share the name, address, telephone number, and identifying case number information in the State program funded under this part, of fathers for purposes of assisting in determining the eligibility of fathers to participate in projects receiving grants under this section, and in contacting fathers potentially eligible to participate in the projects, subject to all applicable privacy laws.

“(6) EVALUATION.—The Secretary, in consultation with the Secretary of Labor, shall, directly or by grant, contract, or interagency agreement, conduct an evaluation of projects funded under this section (other than under subsection (c)(1)). The evaluation

shall assess, among other outcomes selected by the Secretary, effects of the projects on marriage, parenting, employment, earnings, and payment of child support. In selecting projects for the evaluation, the Secretary should include projects that, in the Secretary's judgment, are most likely to impact the matters described in the purposes of this section. In conducting the evaluation, random assignment should be used wherever possible.

“(7) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out this subsection.

“(8) LIMITATION ON APPLICABILITY OF OTHER PROVISIONS OF THIS PART.—Sections 404 through 410 shall not apply to this section or to amounts paid under this section, and shall not be applied to an entity solely by reason of receipt of funds pursuant to this section. A project shall not be considered a State program funded under this part solely by reason of receipt of funds paid under this section.

“(9) FUNDING.—

“(A) IN GENERAL.—

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

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

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

“(B) AVAILABILITY.—

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

“(ii) EVALUATION FUNDS.—The amounts made available pursuant to subparagraph (A)(iii) shall remain available until the end of fiscal year 2008.”

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

(c) APPLICABILITY OF CHARITABLE CHOICE PROVISIONS OF WELFARE REFORM.—Section 104 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 604a) is amended by adding at the end the following:

“(l) Notwithstanding the preceding provisions of this section, this section shall apply to any entity to which funds have been provided under section 403A of the Social Security Act in the same manner in which this section applies to States, and, for purposes of this section, any project for which such funds are so provided shall be considered a program described in subsection (a)(2).”

#### **Subtitle B—Fatherhood Projects of National Significance**

#### **SEC. 511. FATHERHOOD PROJECTS OF NATIONAL SIGNIFICANCE.**

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

“(c) FATHERHOOD PROJECTS OF NATIONAL SIGNIFICANCE.—

“(1) NATIONAL CLEARINGHOUSE.—The Secretary shall award a \$5,000,000 grant to a nationally recognized, nonprofit fatherhood promotion organization with at least 4 years of experience in designing and disseminating a national public education campaign, including the production and successful placement of television, radio, and print public

service announcements which promote the importance of responsible fatherhood, and with at least 4 years experience providing consultation and training to community-based organizations interested in implementing fatherhood outreach, support, or skill development programs with an emphasis on promoting married fatherhood as the ideal, to—

“(A) develop, promote, and distribute to interested States, local governments, public agencies, and private nonprofit organizations, including charitable and religious organizations, a media campaign that encourages the appropriate involvement of both parents in the life of any child of the parents, and encourages such organizations to develop or sponsor programs that specifically address the issue of responsible fatherhood and the advantages conferred on children by marriage;

“(B) develop a national clearinghouse to assist States, communities, and private entities in efforts to promote and support marriage and responsible fatherhood by collecting, evaluating, and making available (through the Internet and by other means) to all interested parties, information regarding media campaigns and fatherhood programs;

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

“(D) develop and distribute materials that are for use by entities described in subparagraphs (A) and (B) and that list all the sources of public support for education and training that are available to young adults, including government spending programs as well as benefits under Federal and State tax laws.

“(2) MULTICITY FATHERHOOD PROJECTS.—

“(A) IN GENERAL.—The Secretary shall award a \$5,000,000 grant to each of two nationally recognized nonprofit fatherhood promotion organizations which meet the requirements of subparagraph (B), at least one of which organizations meets the requirement of subparagraph (C).

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

“(i) The organization must have several years of experience in designing and conducting programs that meet the purposes described in paragraph (1).

“(ii) The organization must have experience in simultaneously conducting such programs in more than one major metropolitan area and in coordinating such programs with local government agencies and private, nonprofit agencies, including State or local agencies responsible for conducting the program under part D and Workforce Investment Boards.

“(iii) The organization must submit to the Secretary an application that meets all the conditions applicable to the organization under this section and that provides for projects to be conducted in three major metropolitan areas.

“(C) USE OF MARRIED COUPLES TO DELIVER SERVICES IN THE INNER CITY.—The requirement of this subparagraph is that the organization has extensive experience in using married couples to deliver program services in the inner city.

“(3) PAYMENT OF GRANTS IN FOUR EQUAL ANNUAL INSTALLMENTS.—During each of fiscal years 2002 through 2005, the Secretary shall provide to each entity awarded a grant under this subsection an amount equal to ¼ of the amount of the grant.

“(4) FUNDING.—

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

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

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

#### TITLE VI—MISCELLANEOUS

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

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

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

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

##### SEC. 602. REPORT ON UNDISTRIBUTED CHILD SUPPORT PAYMENTS.

Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the procedures that the States use generally to locate custodial parents for whom child support has been collected but not yet distributed due to a change in address. The report shall include an estimate of the total amount of such undistributed child support and the average length of time it takes for such child support to be distributed. The Secretary shall include in the report recommendations as to whether additional procedures should be established at the State or Federal level to expedite the payment of undistributed child support.

##### SEC. 603. USE OF NEW HIRE INFORMATION TO ASSIST IN ADMINISTRATION OF UNEMPLOYMENT COMPENSATION PROGRAMS.

(a) IN GENERAL.—Section 453(j) of the Social Security Act (42 U.S.C. 653(j)) is amended by adding at the end the following:

“(7) INFORMATION COMPARISONS AND DISCLOSURE TO ASSIST IN ADMINISTRATION OF UNEMPLOYMENT COMPENSATION PROGRAMS.—

“(A) IN GENERAL.—If a State agency responsible for the administration of an unemployment compensation program under Federal or State law transmits to the Secretary the name and social security account number of an individual, the Secretary shall, if the information in the National Directory of New Hires indicates that the individual may be employed, disclose to the State agency the name, address, and employer identification number of any putative employer of the individual, subject to this paragraph.

“(B) CONDITION ON DISCLOSURE.—The Secretary shall make a disclosure under subparagraph (A) only to the extent that the Secretary determines that the disclosure would not interfere with the effective operation of the program under this part.

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

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

##### SEC. 604. IMMIGRATION PROVISIONS.

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

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

“(F) NONPAYMENT OF CHILD SUPPORT.—

“(i) IN GENERAL.—Any nonimmigrant alien is inadmissible who is legally obligated under a judgment, decree, or order to pay child support (as defined in section 459(i) of the Social Security Act), and whose failure to pay such child support has resulted in an arrearage exceeding \$2,500, until child support payments under the judgment, decree, or order are satisfied or the nonimmigrant alien is in compliance with an approved payment agreement.

“(ii) WAIVER AUTHORIZED.—The Attorney General may waive the application of clause (i) in the case of an alien, if the Attorney General—

“(I) has received a request for the waiver from the court or administrative agency having jurisdiction over the judgment, decree, or order obligating the alien to pay child support that is referred to in such clause; or

“(II) determines that there are prevailing humanitarian or public interest concerns.”.

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

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

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

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

“(A) IN GENERAL.—To the extent consistent with State law, immigration officers are authorized to serve on any alien who is an applicant for admission to the United States legal process with respect to any action to enforce or establish a legal obligation of an individual to pay child support (as defined in section 459(i) of the Social Security Act).

“(B) DEFINITION.—For purposes of subparagraph (A), the term ‘legal process’ means any writ, order, summons or other similar process, which is issued by—

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

“(ii) an authorized official pursuant to an order of such a court or agency or pursuant to State or local law.”.

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

(c) AUTHORIZATION TO SHARE CHILD SUPPORT ENFORCEMENT INFORMATION TO ENFORCE IMMIGRATION AND NATURALIZATION LAW.—

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

“(m) If the Secretary receives a certification by a State agency, in accordance with section 454(37), that an individual who is a nonimmigrant alien (as defined in section 101(a)(15) of the Immigration and Nationality Act) owes arrearages of child support in an amount exceeding \$2,500, the Secretary may, at the request of the State agency, the Secretary of State, or the Attorney General, or on the Secretary's own initiative, provide such certification to the Secretary of State and the Attorney General information in order to enable them to carry out their responsibilities under sections 212(a)(10) and 235(d) of such Act.”.

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



(A) by striking "and" at the end of paragraph (35);

(B) by striking the period at the end of paragraph (36) and inserting "; and"; and

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

"(37) provide that the State agency will have in effect a procedure for certifying to the Secretary, in such format and accompanied by such supporting documentation as the Secretary may require, determinations that nonimmigrant aliens owe arrearages of child support in an amount exceeding \$2,500."

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

(a) IN GENERAL.—Section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)), as amended by section 606(a) of this Act, is amended—

(1) in subparagraph (E), by striking "\$1,500,000" and inserting "\$15,000,000";

(2) in subparagraph (F), by striking "\$900,000" and inserting "\$9,000,000";

(3) in subparagraph (G)(i), by striking "\$300,000" and inserting "\$3,000,000".

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

**SEC. 606. ELIMINATION OF SET-ASIDE OF WELFARE-TO-WORK FUNDS FOR SUCCESSFUL PERFORMANCE BONUS.**

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

(b) CONFORMING AMENDMENTS.—

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

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

(A) in item (aa)—

(i) by striking "(I)" and inserting "(H)"; and

(ii) by striking "(G), and (H)" and inserting "and (G)"; and

(B) in item (bb), by striking "(F)" and inserting "(E)".

(3) Section 403(a)(5)(B)(v) of such Act (42 U.S.C. 603(a)(5)(B)) is amended in the matter preceding subclause (I) by striking "(I)" and inserting "(H)".

(4) Subparagraphs (E) and (F) of section 403(a)(5) of such Act (42 U.S.C. 603(a)(5)(F) and (G)), as so redesignated by subsection (a) of this section, are each amended by striking "(I)" and inserting "(H)".

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

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

**TITLE VII—EFFECTIVE DATE**

**SEC. 701. EFFECTIVE DATE.**

(a) IN GENERAL.—Except as provided in sections 101(e), 301(c), 313, 323, 603(b), 605(b) and 606, and in subsection (b) of this section, this Act and the amendments made by this Act shall take effect on October 1, 2001, and shall apply to payments under part D of title IV of the Social Security Act for calendar quarters beginning on or after such date, and without regard to whether regulations to implement such amendments are promulgated by such date.

(b) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—In the case of a State plan

approved under section 454 of the Social Security Act which requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this Act, the State plan shall not be regarded as failing to comply with the additional requirements solely on the basis of the failure of the plan to meet the additional requirements before the 1st day of the 1st calendar quarter beginning after the close of the 1st regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

The SPEAKER pro tempore. The amendment printed in the bill, modified by the amendment permitted by the order of the House of today, is adopted.

The text of H.R. 4678, as amended, as modified, is as follows:

H.R. 4678

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Child Support Distribution Act of 2000".*

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

*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.*

**TITLE I—DISTRIBUTION OF CHILD SUPPORT**

**SEC. 101. DISTRIBUTION OF CHILD SUPPORT COLLECTED BY STATES ON BEHALF OF CHILDREN RECEIVING CERTAIN WELFARE BENEFITS.**

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

"(3) NO ASSISTANCE FOR FAMILIES NOT ASSIGNING CERTAIN SUPPORT RIGHTS TO THE STATE.—A State to which a grant is made under section 403 shall require, as a condition of providing assistance to a family under the State program funded under this part, that a member of the family assign to the State any rights the family member may have (on behalf of the family member or of any other person for whom the family member has applied for or is receiving such assistance) to support from any other person, not exceeding the total amount of assistance so provided to the family, which accrues during the period that the family receives assistance under the program."

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

(1) DISTRIBUTION RULES.—

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

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

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

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

"(B) retain, or pay to the family, the State share of the amount collected, subject to paragraph (3)(B); and

"(C) pay to the family any remaining amount.

"(2) FAMILIES THAT FORMERLY RECEIVED ASSISTANCE.—In the case of a family that formerly received assistance from the State:

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

"(B) ARREARAGES.—To the extent that the amount collected exceeds the current support amount, the State—

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

"(ii) if the amount collected exceeds the amount required to be paid to the family under clause (i), shall—

"(I) pay to the Federal Government, the Federal share of the excess amount described in this clause, subject to paragraph (3)(A); and

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

“(iii) shall pay to the family any remaining amount.

“(3) LIMITATIONS.—

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

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

“(4) FAMILIES THAT NEVER RECEIVED ASSISTANCE.—In the case of any other family, the State shall pay the amount collected to the family.

“(5) FAMILIES UNDER CERTAIN AGREEMENTS.—Notwithstanding paragraphs (1) through (4), in the case of an amount collected for a family in accordance with a cooperative agreement under section 454(33), the State shall distribute the amount collected pursuant to the terms of the agreement.

“(6) STATE FINANCING OPTIONS.—To the extent that the State share of the amount payable to a family for a month pursuant to paragraph (2)(B) of this subsection exceeds the amount that the State estimates (under procedures approved by the Secretary) would have been payable to the family for the month pursuant to former section 457(a)(2) (as in effect for the State immediately before the date this subsection first applies to the State) if such former section had remained in effect, the State may elect to use the grant made to the State under section 403(a) to pay the amount, or to have the payment considered a qualified State expenditure for purposes of section 409(a)(7), but not both.”

“(7) STATE OPTION TO PASS THROUGH ADDITIONAL SUPPORT WITH FEDERAL FINANCIAL PARTICIPATION.—

“(A) IN GENERAL.—Notwithstanding paragraphs (1) and (2), a State shall not be required to pay to the Federal Government the Federal share of an amount collected on behalf of a family that is not a recipient of assistance under the State program funded under part A, to the extent that the State pays the amount to the family.

“(B) RECIPIENTS OF TANF FOR LESS THAN 5 YEARS.—

“(i) IN GENERAL.—Notwithstanding paragraphs (1) and (2), a State shall not be required to pay to the Federal Government the Federal share of an amount collected on behalf of a family that is a recipient of assistance under the State program funded under part A and that has received the assistance for not more than 5 years after the date of the enactment of this paragraph, to the extent that—

“(I) the State pays the amount to the family; and

“(II) subject to clause (ii), the amount is disregarded in determining the amount and type of the assistance provided to the family.

“(ii) LIMITATION.—Of the amount disregarded as described in clause (i)(II), the maximum amount that may be taken into account for purposes of clause (i) shall not exceed \$400 per month, except that, in the case of a family that includes 2 or more children, the State may elect to increase the maximum amount to not more than \$600 per month.”

(B) APPROVAL OF ESTIMATION PROCEDURES.—Not later than October 1, 2001, the Secretary of Health and Human Services, in consultation with the States (as defined for purposes of part D of title IV of the Social Security Act), shall establish the procedures to be used to make the estimate described in section 457(a)(6) of such Act.

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

“(5) CURRENT SUPPORT AMOUNT.—The term ‘current support amount’ means, with respect to

amounts collected as support on behalf of a family, the amount designated as the monthly support obligation of the noncustodial parent in the order requiring the support.”

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

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

(2) by striking the period at the end of paragraph (33) and inserting “; and”; and

(3) by inserting after paragraph (33) the following:

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

(d) STATE OPTION TO DISCONTINUE CERTAIN SUPPORT ASSIGNMENTS.—Section 457(b) of such Act (42 U.S.C. 657(b)) is amended by striking “shall” and inserting “may”.

(e) CONFORMING AMENDMENTS.—

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

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

(A) by striking “or” at the end of paragraph (1);

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

(C) by adding at the end the following:

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

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

“(V) PORTIONS OF CERTAIN CHILD SUPPORT PAYMENTS COLLECTED ON BEHALF OF AND DISTRIBUTED TO FAMILIES NO LONGER RECEIVING ASSISTANCE.—Any amount paid by a State pursuant to clause (i) or (ii) of section 457(a)(2)(B), but only to the extent that the State properly elects under section 457(a)(6) to have the payment considered a qualified State expenditure.”

(f) EFFECTIVE DATE.—

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

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

## TITLE II—REVIEW AND ADJUSTMENT OF CHILD SUPPORT ORDERS

### SEC. 201. MANDATORY REVIEW AND MODIFICATION OF CHILD SUPPORT ORDERS FOR TANF RECIPIENTS.

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

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

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

(b) REVIEW UPON LEAVING TANF.—

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

“(8) CERTIFICATION THAT THE CHILD SUPPORT ENFORCEMENT PROGRAM WILL BE PROVIDED NO-

TICE OF CERTAIN FAMILIES LEAVING TANF PROGRAM.—A certification by the chief executive officer of the State that the State has established procedures to ensure that the State agency administering the child support enforcement program under the State plan approved under part D will be provided notice of the impending discontinuation of assistance to an individual under the State program funded under this part if the individual has custody of a child whose other parent is alive and not living at home with the child.”

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

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

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

(C) by adding at the end the following:

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

“(i) examine the case file involved;

“(ii) determine what actions (if any) are needed to locate any noncustodial parent, establish paternity or a support order, or enforce a support order in the case;

“(iii) immediately take the actions; and

“(iv) if there is a support order in the case which the State has not reviewed during the 1-year period ending with receipt of the notice, notwithstanding subparagraph (B), review and, if appropriate, adjust the order in accordance with subparagraph (A).”

## TITLE III—DEMONSTRATIONS OF EXPANDED INFORMATION AND ENFORCEMENT

### SEC. 301. GUIDELINES FOR INVOLVEMENT OF PUBLIC NON-IV-D CHILD SUPPORT ENFORCEMENT AGENCIES IN CHILD SUPPORT ENFORCEMENT.

(a) IN GENERAL.—Not later than October 1, 2001, the Secretary, in consultation with States, local governments, and individuals or companies knowledgeable about involving public non-IV-D child support enforcement agencies in child support enforcement, shall develop recommendations which address the participation of public non-IV-D child support enforcement agencies in the establishment and enforcement of child support obligations. The matters addressed by the recommendations shall include substantive and procedural rules which should be followed with respect to privacy safeguards, data security, due process rights, administrative compatibility with State and Federal automated systems, eligibility requirements (such as registration, licensing, and posting of bonds) for access to information and use of enforcement mechanisms, recovery of costs by charging fees, penalties for violations of the rules, treatment of collections for purposes of section 458 of such Act, and avoidance of duplication of effort.

(b) DEFINITIONS.—In this title:

(1) CHILD SUPPORT.—The term “child support” has the meaning given in section 459(i)(2) of the Social Security Act.

(2) PUBLIC NON-IV-D CHILD SUPPORT ENFORCEMENT AGENCY.—The term “public non-IV-D child support enforcement agency” means an agency, of a political subdivision of a State, which is principally responsible for the operation of a child support registry or for the establishment or enforcement of an obligation to pay child support other than pursuant to the State plan approved under part D of title IV of such Act, or a clerk of court office of a political subdivision of a State.

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

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



**SEC. 302. DEMONSTRATIONS INVOLVING ESTABLISHMENT AND ENFORCEMENT OF CHILD SUPPORT OBLIGATIONS BY PUBLIC NON-IV-D CHILD SUPPORT ENFORCEMENT AGENCIES.**

(a) **PURPOSE.**—The purpose of this section is to determine the extent to which public non-IV-D child support enforcement agencies may contribute effectively to the establishment and enforcement of child support obligations.

(b) **APPLICATIONS.**—

(1) **CONSIDERATION.**—The Secretary shall consider all applications received from States desiring to conduct demonstration projects under this section.

(2) **PREFERENCES.**—In considering which applications to approve under this section, the Secretary shall give preference to applications submitted by States that had a public non-IV-D child support enforcement agency as of January 1, 2000.

(3) **APPROVAL.**—

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

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

(i) the applicant and the Secretary have entered into a written agreement which addresses at a minimum, privacy safeguards, data security, due process rights, automated systems, liability, oversight, and fees, and the applicant has made a commitment to conduct the project in accordance with the written agreement and such other requirements as the Secretary may establish;

(ii) the project includes a research plan (but such plan shall not be required to use random assignment) that is focused on assessing the costs and benefits of the project; and

(iii) the project appears likely to contribute significantly to the achievement of the purpose of this title.

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

(1) the State agency responsible for administering the State plan under part D of title IV of the Social Security Act may, subject to the privacy safeguards of section 454(26) of such Act, provide to any public non-IV-D child support enforcement agency participating in the demonstration project all information in the State Directory of New Hires and any information obtained through information comparisons under section 453(j)(3) of such Act about an individual with respect to whom the public non-IV-D agency is seeking to establish or enforce a child support obligation, if the public non-IV-D agency meets such requirements as the State may establish and has entered into an agreement with the State under which the public non-IV-D agency has made a binding commitment to carry out establishment and enforcement activities with respect to the child support obligation subject to the same data security, privacy protection, and due process requirements applicable to the State agency and in accordance with procedures approved by the head of the State agency;

(2) the State agency may charge and collect fees from any such public non-IV-D agency to recover costs incurred by the State agency in providing information and services to the public non-IV-D agency under the demonstration project;

(3) if a public non-IV-D child support enforcement agency has agreed to collect past-due support (as defined in section 464(c) of such Act) owed by a named individual, and the State

agency has submitted a notice to the Secretary of the Treasury pursuant to section 464 of such Act on behalf of the public non-IV-D agency, then the Secretary of the Treasury shall consider the State agency to have agreed to collect such support for purposes of such section 464, and the State agency may collect from the public non-IV-D agency any fee which the State is required to pay for the cost of applying the offset procedure in the case;

(4) for so long as a public non-IV-D child support enforcement agency is participating in the demonstration project, the public non-IV-D agency shall be considered part of the State agency for purposes of section 469A of such Act; and

(5) for so long as a public non-IV-D child support enforcement agency is participating in the demonstration project, the public non-IV-D agency shall be considered part of the State agency for purposes of section 303(e) of such Act but only with respect to any child support obligation that the public non-IV-D agency has agreed to collect.

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

(e) **FEDERAL AUDIT.**—

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

(2) **REPORT TO THE CONGRESS.**—

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

(B) **TIMING.**—The report required by subparagraph (A) shall be so submitted not later than October 1, 2004.

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

(1) **IN GENERAL.**—The Secretary shall submit to the Congress a report on the demonstration projects conducted under this section, which shall include the results of any research or evaluation conducted pursuant to this title, and shall include policy recommendations regarding the establishment and enforcement of child support obligations by the agencies involved.

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

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

(a) **IN GENERAL.**—Not later than October 1, 2001, the Comptroller General of the United States shall submit to the Congress a report on the activities of private child support enforcement agencies that shall be designed to help the Congress determine whether the agencies are providing a needed service in a fair manner using accepted debt collection practices and at a reasonable fee.

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

(1) The number of private child support enforcement agencies.

(2) The types of debt collection activities conducted by the private agencies.

(3) The fees charged by the private agencies.

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

(5) The nature and degree of cooperation the private agencies receive from State agencies responsible for administering State plans under part D of title IV of the Social Security Act.

(6) The extent to which the conduct of the private agencies is subject to State or Federal regula-

tion, and if so, the extent to which the regulations are effectively enforced.

(7) The amount of child support owed but uncollected and changes in this amount in recent years.

(8) The average period of time required for the completion of successful enforcement actions yielding collections of past-due child support by both the child support enforcement programs operated pursuant to State plans approved under part D of title IV of the Social Security Act and, to the extent known, by private child support enforcement agencies.

(9) The types of Federal and State child support enforcement remedies and resources currently available to private child support enforcement agencies, and the types of such remedies and resources now restricted to use by State agencies administering State plans referred to in paragraph (8).

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

**SEC. 304. EFFECTIVE DATE.**

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

**TITLE IV—EXPANDED ENFORCEMENT**

**SEC. 401. DECREASE IN AMOUNT OF CHILD SUPPORT ARREARAGE TRIGGERING PASSPORT DENIAL.**

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

**SEC. 402. USE OF TAX REFUND INTERCEPT PROGRAM TO COLLECT PAST-DUE CHILD SUPPORT ON BEHALF OF CHILDREN WHO ARE NOT MINORS.**

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

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

(2) in subsection (c)—

(A) in paragraph (1)—

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

(ii) by inserting “(whether or not a minor)” after “a child” each place it appears; and

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

**SEC. 403. GARNISHMENT OF COMPENSATION PAID TO VETERANS FOR SERVICE-CONNECTED DISABILITIES IN ORDER TO ENFORCE CHILD SUPPORT OBLIGATIONS.**

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

(1) in paragraph (1)(A)(ii)(V), by striking all that follows “Armed Forces” and inserting a semicolon; and

(2) by adding at the end the following:

“(3) LIMITATIONS WITH RESPECT TO COMPENSATION PAID TO VETERANS FOR SERVICE-CONNECTED DISABILITIES.—Notwithstanding any other provision of this section:

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

“(i) for payment of alimony; or

“(ii) for payment of child support if the individual is fewer than 60 days in arrears in payment of the support.

“(B) Not more than 50 percent of any payment of compensation described in paragraph (1)(A)(ii)(V) may be withheld pursuant to this section.”

**TITLE V—FATHERHOOD PROGRAMS**

**Subtitle A—Fatherhood Grant Program**

**SEC. 501. FATHERHOOD GRANTS.**

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

**“SEC. 403A. FATHERHOOD PROGRAMS.**

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

“(1) promote marriage through counseling, mentoring, disseminating information about the advantages of marriage, enhancing relationship skills, teaching how to control aggressive behavior, disseminating information on the causes and treatment of domestic violence and child abuse, and other methods;

“(2) promote successful parenting through such activities as counseling, mentoring, disseminating information about good parenting practices including pre-pregnancy, family planning, training parents in money management, encouraging child support payments, encouraging regular visitation between fathers and their children, and other methods; and

“(3) help fathers and their families avoid or leave cash welfare provided by the program under part A and improve their economic status by providing such activities as work first services, job search, job training, subsidized employment, career-advancing education, job retention, job enhancement, and other methods.

“(b) FATHERHOOD GRANTS.—

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

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

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

“(C) A written commitment by the entity that the project will allow an individual to participate in the project only if the individual is—

“(i) a father of a child who is, or within the past 24 months has been, a recipient of assistance or services under a State program funded under this part;

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

“(iii) a parent referred to in paragraph (3)(A)(iii); or

“(iv) at risk of parenthood outside marriage, but not more than 25 percent of the participants in the project may qualify for participation under this clause.

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

“(i) 20 percent of the amount of any grant made to the entity under this subsection; or

“(ii) such lesser percentage as the Secretary deems appropriate (which shall be not less than 10 percent) of such amount, if the application demonstrates that there are circumstances that limit the ability of the entity to raise funds or obtain resources.

“(E) A written commitment by the entity that the entity will make available to each individual participating in the project education about the causes of domestic violence and child abuse and local programs to prevent and treat abuse, education about alcohol, tobacco, and other drugs and the effects of abusing such substances, and information about sexually transmitted diseases and their transmission, including HIV/AIDS and human papillomavirus (HPV).

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

“(A) ESTABLISHMENT.—There is established a panel to be known as the ‘Fatherhood Grants Recommendations Panel’ (in this subparagraph referred to as the ‘Panel’).

“(B) MEMBERSHIP.—

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

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

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

“(III) Two members of the Panel shall be appointed by the Chairman of the Committee on

Ways and Means of the House of Representatives.

“(IV) One member of the Panel shall be appointed by the ranking minority member of the Committee on Ways and Means of the House of Representatives.

“(V) Two members of the Panel shall be appointed by the Chairman of the Committee on Finance of the Senate.

“(VI) One member of the Panel shall be appointed by the ranking minority member of the Committee on Finance of the Senate.

“(ii) QUALIFICATIONS.—An individual shall not be eligible to serve on the Panel unless the individual has experience in programs for fathers, programs for the poor, programs for children, program administration, program research, or programs of domestic violence prevention and treatment.

“(iii) CONFLICTS OF INTEREST.—An individual shall not be eligible to serve on the Panel if such service would pose a conflict of interest for the individual.

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

“(C) DUTIES.—

“(i) REVIEW AND MAKE RECOMMENDATIONS ON PROJECT APPLICATIONS.—The Panel shall review all applications submitted pursuant to paragraph (1), and make recommendations to the Secretary regarding which applicants should be awarded grants under this subsection, with due regard for the provisions of paragraph (3), but shall not recommend that a project be awarded such a grant if the application describing the project does not attempt to meet the requirement of paragraph (1)(B).

“(ii) TIMING.—The Panel shall make such recommendations not later than October 1, 2001.

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

“(E) PROHIBITION ON COMPENSATION.—Members of the Panel may not receive pay, allowances, or benefits by reason of their service on the Panel.

“(F) TRAVEL EXPENSES.—Each member of the Panel shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

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

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

“(I) STAFF OF FEDERAL AGENCIES.—The Secretary may detail any personnel of the Department of Health and Human Services and the Secretary of Labor may detail any personnel of the Department of Labor to the Panel to assist the Panel in carrying out its duties under this paragraph.

“(J) OBTAINING OFFICIAL DATA.—The Panel may secure directly from any department or agency of the United States information necessary to enable it to carry out this paragraph. On request of the Chairperson of the Panel, the head of the department or agency shall furnish that information to the Panel.

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

“(L) TERMINATION.—The Panel shall terminate on October 1, 2001.

“(3) RULES GOVERNING GRANTS.—

“(A) GRANT AWARDS.—

“(i) IN GENERAL.—The Secretary shall award matching grants, on a competitive basis, among entities submitting applications therefor which meet the requirements of paragraph (1), in amounts that take into account the written commitments referred to in paragraph (1)(D).

“(ii) TIMING.—On October 1, 2001, the Secretary shall award not more than \$140,000,000 in

matching grants after considering the recommendations submitted pursuant to paragraph (2)(C)(i).

“(iii) NONDISCRIMINATION.—The provisions of this section shall be applied and administered so as to ensure that mothers, expectant mothers, and married mothers are eligible for benefits and services under projects awarded grants under this section on the same basis as fathers, expectant fathers, and married fathers.

“(B) PREFERENCES.—In determining which entities to which to award grants under this subsection, the Secretary shall give preference to an entity—

“(i) to the extent that the application submitted by the entity sets forth clear and practical methods to encourage and sustain marriage;

“(ii) to the extent that the application submitted by the entity describes actions that the entity will take that are designed to encourage or facilitate the payment of child support, including but not limited to—

“(I) obtaining a written commitment by the agency responsible for administering the State plan approved under part D for the State in which the project is to be carried out that the State will voluntarily cancel child support arrearages owed to the State by the father as a result of the father providing various supports to the family such as maintaining a regular child support payment schedule living with his children or marrying the mother of his children, unless the father has been convicted of a crime involving domestic violence or child abuse;

“(II) obtaining a written commitment by the entity that the entity will help participating fathers who cooperate with the agency in improving their credit rating; and

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

“(iii) to the extent that the application includes written agreements of cooperation with other private and governmental agencies, including the State or local program funded under this part, the local Workforce Investment Board, the State or local program funded under part D, community-based domestic violence programs, and the State or local program funded under part E, which should include a description of the services each such agency will provide to fathers participating in the project described in the application;

“(iv) to the extent that the application describes a project that will enroll a high percentage of project participants within 6 months before or after the birth of the child; or

“(v) to the extent that the application sets forth clear and practical methods by which fathers will be recruited to participate in the project.

“(C) MINIMUM PERCENTAGE OF RECIPIENTS OF GRANT FUNDS TO BE NONGOVERNMENTAL (INCLUDING FAITH-BASED) ORGANIZATIONS.—Not less than 75 percent of the entities awarded grants under this subsection in each fiscal year (other than entities awarded such grants pursuant to the preferences required by subparagraph (B)) shall be awarded to—

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

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

“(D) DIVERSITY OF PROJECTS.—

“(i) IN GENERAL.—In determining which entities to which to award grants under this subsection, the Secretary shall attempt to achieve a balance among entities of differing sizes, entities in differing geographic areas, entities in urban versus rural areas, and entities employing differing methods of achieving the purposes of this section.

“(ii) REPORT TO THE CONGRESS.—Within 90 days after each award of grants under subparagraph (A)(ii), the Secretary shall submit to the Committee on Ways and Means of the House of

Representatives and the Committee on Finance of the Senate a brief report on the diversity of projects selected to receive funds under the grant program. The report shall include a comparison of funding for projects located in urban areas, projects located in suburban areas, and projects located in rural areas.

“(E) PAYMENT OF GRANT IN FOUR EQUAL ANNUAL INSTALLMENTS.—During the fiscal year in which a grant is awarded under this subsection and each of the succeeding three fiscal years, the Secretary shall provide to the entity awarded the grant an amount equal to ¼ of the amount of the grant.

“(4) USE OF FUNDS.—

“(A) IN GENERAL.—Each entity to which a grant is made under this section shall use grant funds provided under this section in accordance with the application requesting the grant, the requirements of this section, and the regulations prescribed under this section, and may use grant funds to support community-wide initiatives to address the purposes of this section, but may not use grant funds for court proceedings on matters of child visitation or child custody or for legislative advocacy.

“(B) NONDISPLACEMENT.—

“(i) IN GENERAL.—An adult in a work activity described in section 407(d) which is funded, in whole or in part, by funds provided under this section shall not be employed or assigned—

“(I) when any other individual is on layoff from the same or any substantially equivalent job; or

“(II) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with such an adult.

“(ii) GRIEVANCE PROCEDURE.—

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

“(aa) if the State has established a grievance procedure under section 403(a)(5)(I)(iv), pursuant to the grievance procedure; or

“(bb) otherwise, pursuant to the grievance procedure established by the State under section 407(f)(3).

“(II) FORFEITURE OF GRANT IF GRIEVANCE PROCEDURE NOT AVAILABLE.—If a complaint referred to in subclause (I) is made against an entity to which a grant has been made under this section with respect to a project, and the complaint cannot be brought to, or cannot be resolved within 90 days after being brought, by a grievance procedure referred to in subclause (I), then the entity shall immediately return to the Secretary all funds provided to the entity under this section for the project, and the Secretary shall immediately rescind the grant.

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

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

“(E) PENALTY FOR MISUSE OF GRANT FUNDS.—If the Secretary determines that an entity to which a grant is made under this subsection 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 so used, plus all remaining grant funds, and the entity shall thereafter be ineligible for any grant under this subsection.

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

“(5) AUTHORITY OF AGENCIES TO EXCHANGE INFORMATION.—Each agency administering a program funded under this part or a State plan ap-

proved under part D may share the name, address, telephone number, and identifying case number information in the State program funded under this part, of fathers for purposes of assisting in determining the eligibility of fathers to participate in projects receiving grants under this section, and in contacting fathers potentially eligible to participate in the projects, subject to all applicable privacy laws.

“(6) EVALUATION.—The Secretary, in consultation with the Secretary of Labor, shall, directly or by grant, contract, or interagency agreement, conduct an evaluation of projects funded under this section (other than under subsection (c)(1)). The evaluation shall assess, among other outcomes selected by the Secretary, effects of the projects on marriage, parenting, employment, earnings, payment of child support, and incidence of domestic violence and child abuse. In selecting projects for the evaluation, the Secretary should include projects that, in the Secretary's judgment, are most likely to impact the matters described in the purposes of this section. In conducting the evaluation, random assignment should be used wherever possible.

“(7) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out this subsection.

“(8) LIMITATION ON APPLICABILITY OF OTHER PROVISIONS OF THIS PART.—Sections 404 through 410 shall not apply to this section or to amounts paid under this section, and shall not be applied to an entity solely by reason of receipt of funds pursuant to this section. A project shall not be considered a State program funded under this part solely by reason of receipt of funds paid under this section.

“(9) FUNDING.—

“(A) IN GENERAL.—

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

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

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

“(B) AVAILABILITY.—

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

“(ii) EVALUATION FUNDS.—The amounts made available pursuant to subparagraph (A)(iii) shall remain available until the end of fiscal year 2008.”

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

(c) APPLICABILITY OF CHARITABLE CHOICE PROVISIONS OF WELFARE REFORM.—Section 104 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 604a) is amended by adding at the end the following:

“(1) Notwithstanding the preceding provisions of this section, this section shall apply to any entity to which funds have been provided under section 403A of the Social Security Act in the same manner in which this section applies to States, and, for purposes of this section, any project for which such funds are so provided shall be considered a program described in subsection (a)(2).”

## Subtitle B—Fatherhood Projects of National Significance

### SEC. 511. FATHERHOOD PROJECTS OF NATIONAL SIGNIFICANCE.

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

“(c) FATHERHOOD PROJECTS OF NATIONAL SIGNIFICANCE.—

“(1) NATIONAL CLEARINGHOUSE.—The Secretary shall award a \$5,000,000 grant to a nationally recognized, nonprofit fatherhood promotion organization with at least 4 years of experience in designing and disseminating a national public education campaign, including the production and successful placement of television, radio, and print public service announcements which promote the importance of responsible fatherhood, and with at least 4 years experience providing consultation and training to community-based organizations interested in implementing fatherhood outreach, support, or skill development programs with an emphasis on promoting married fatherhood as the ideal, to—

“(A) develop, promote, and distribute to interested States, local governments, public agencies, and private nonprofit organizations, including charitable and religious organizations, a media campaign that encourages the appropriate involvement of both parents in the life of any child of the parents, and encourages such organizations to develop or sponsor programs that specifically address the issue of responsible fatherhood and the advantages conferred on children by marriage;

“(B) develop a national clearinghouse to assist States, communities, and private entities in efforts to promote and support marriage and responsible fatherhood by collecting, evaluating, and making available (through the Internet and by other means) to all interested parties, information regarding media campaigns and fatherhood programs;

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

“(D) develop and distribute materials that are for use by entities described in subparagraphs (A) and (B) and that list all the sources of public support for education and training that are available to young adults, including government spending programs as well as benefits under Federal and State tax laws; and

“(E) develop and distribute materials that are for use by entities described in subparagraphs (A) and (B) and that provide information on domestic violence and child abuse prevention and treatment.

“(2) MULTICITY FATHERHOOD PROJECTS.—

“(A) IN GENERAL.—The Secretary shall award a \$5,000,000 grant to each of two nationally recognized nonprofit fatherhood promotion organizations which meet the requirements of subparagraph (B), at least one of which organizations meets the requirement of subparagraph (C).

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

“(i) The organization must have several years of experience in designing and conducting programs that meet the purposes described in paragraph (1).

“(ii) The organization must have experience in simultaneously conducting such programs in more than one major metropolitan area and in coordinating such programs with local government agencies and private, nonprofit agencies, including State or local agencies responsible for conducting the program under part D and Workforce Investment Boards.

“(iii) The organization must submit to the Secretary an application that meets all the conditions applicable to the organization under this

section and that provides for projects to be conducted in three major metropolitan areas.

“(C) **USE OF MARRIED COUPLES TO DELIVER SERVICES IN THE INNER CITY.**—The requirement of this subparagraph is that the organization has extensive experience in using married couples to deliver program services in the inner city.

“(3) **PAYMENT OF GRANTS IN FOUR EQUAL ANNUAL INSTALLMENTS.**—During each of fiscal years 2002 through 2005, the Secretary shall provide to each entity awarded a grant under this subsection an amount equal to ¼ of the amount of the grant.

“(4) **FUNDING.**—

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

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

#### TITLE VI—MISCELLANEOUS

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

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

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

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

##### SEC. 602. REPORT ON UNDISTRIBUTED CHILD SUPPORT PAYMENTS.

Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the procedures that the States use generally to locate custodial parents for whom child support has been collected but not yet distributed due to a change in address. The report shall include an estimate of the total amount of such undistributed child support and the average length of time it takes for such child support to be distributed. The Secretary shall include in the report recommendations as to whether additional procedures should be established at the State or Federal level to expedite the payment of undistributed child support.

##### SEC. 603. USE OF NEW HIRE INFORMATION TO ASSIST IN ADMINISTRATION OF UNEMPLOYMENT COMPENSATION PROGRAMS.

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

“(7) **INFORMATION COMPARISONS AND DISCLOSURE TO ASSIST IN ADMINISTRATION OF UNEMPLOYMENT COMPENSATION PROGRAMS.**—

“(A) **IN GENERAL.**—If a State agency responsible for the administration of an unemployment compensation program under Federal or State law transmits to the Secretary the name and social security account number of an individual, the Secretary shall, if the information in the National Directory of New Hires indicates that the individual may be employed, disclose to the State agency the name, address, and employer identification number of any putative employer of the individual, subject to this paragraph.

“(B) **CONDITION ON DISCLOSURE.**—The Secretary shall make a disclosure under subparagraph (A) only to the extent that the Secretary determines that the disclosure would not interfere with the effective operation of the program under this part.

“(C) **USE OF INFORMATION.**—A State agency may use information provided under this para-

graph only for purposes of administering a program referred to in subparagraph (A).”.

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

##### SEC. 604. IMMIGRATION PROVISIONS.

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

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

“(F) **NONPAYMENT OF CHILD SUPPORT.**—

“(i) **IN GENERAL.**—Any nonimmigrant alien is inadmissible who is legally obligated under a judgment, decree, or order to pay child support (as defined in section 459(i) of the Social Security Act), and whose failure to pay such child support has resulted in an arrearage exceeding \$2,500, until child support payments under the judgment, decree, or order are satisfied or the nonimmigrant alien is in compliance with an approved payment agreement.

“(ii) **WAIVER AUTHORIZED.**—The Attorney General may waive the application of clause (i) in the case of an alien, if the Attorney General—

“(I) has received a request for the waiver from the court or administrative agency having jurisdiction over the judgment, decree, or order obligating the alien to pay child support that is referred to in such clause; or

“(II) determines that there are prevailing humanitarian or public interest concerns.”.

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

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

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

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

“(A) **IN GENERAL.**—To the extent consistent with State law, immigration officers are authorized to serve on any alien who is an applicant for admission to the United States legal process with respect to any action to enforce or establish a legal obligation of an individual to pay child support (as defined in section 459(i) of the Social Security Act).

“(B) **DEFINITION.**—For purposes of subparagraph (A), the term ‘legal process’ means any writ, order, summons or other similar process, which is issued by—

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

“(ii) an authorized official pursuant to an order of such a court or agency or pursuant to State or local law.”.

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

(c) **AUTHORIZATION TO SHARE CHILD SUPPORT ENFORCEMENT INFORMATION TO ENFORCE IMMIGRATION AND NATURALIZATION LAW.**—

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

“(m) If the Secretary receives a certification by a State agency, in accordance with section 454(35), that an individual who is a nonimmigrant alien (as defined in section 101(a)(15) of the Immigration and Nationality Act) owes arrearages of child support in an amount exceeding \$2,500, the Secretary may, at the request of the State agency, the Secretary of State, or the Attorney General, or on the Secretary’s own initiative, provide such certification to the Secretary of State and the Attorney General information in order to enable them to carry out

their responsibilities under sections 212(a)(10) and 235(d) of such Act.”.

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

(A) by striking “and” at the end of paragraph (33);

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

(C) by inserting after paragraph (34) the following:

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

##### SEC. 605. CORRECTION OF ERRORS IN CONFORMING AMENDMENTS IN THE WELFARE-TO-WORK AND CHILD SUPPORT AMENDMENTS OF 1999.

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

##### SEC. 606. ELIMINATION OF SET-ASIDE OF WELFARE-TO-WORK FUNDS FOR SUCCESSFUL PERFORMANCE BONUS.

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

(b) **CONFORMING AMENDMENTS.**—

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

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

(A) in item (aa)—

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

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

(B) in item (bb), by striking “(F)” and inserting “(E)”.

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

(4) Subparagraphs (E) and (F) of section 403(a)(5) of such Act (42 U.S.C. 603(a)(5)(E) and (F)), as so redesignated by subsection (a) of this section, are each amended by striking “(I)” and inserting “(H)”.

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

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

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

##### SEC. 607. INCREASE IN PAYMENT RATE TO STATES FOR EXPENDITURES FOR SHORT TERM TRAINING OF STAFF OF CERTAIN CHILD WELFARE AGENCIES.

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

#### TITLE VII—EFFECTIVE DATE

##### SEC. 701. EFFECTIVE DATE.

(a) **IN GENERAL.**—Except as provided in sections 101(e), 304, 603(b), 605(b) and 606, and in subsection (b) of this section, this Act and the amendments made by this Act shall take effect on October 1, 2001, and shall apply to payments

under part D of title IV of the Social Security Act for calendar quarters beginning on or after such date, and without regard to whether regulations to implement such amendments are promulgated by such date.

(b) *DELAY PERMITTED IF STATE LEGISLATION REQUIRED.*—In the case of a State plan approved under section 454 of the Social Security Act which requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this Act, the State plan shall not be regarded as failing to comply with the additional requirements solely on the basis of the failure of the plan to meet the additional requirements before the 1st day of the 1st calendar quarter beginning after the close of the 1st regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

The SPEAKER pro tempore. After 1 hour of debate on the bill, as amended, it shall be in order to consider a further amendment printed in part B of the report if offered by the gentleman from Virginia (Mr. SCOTT) or his designee, which shall be considered read, and shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent.

The gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) each will control 30 minutes of debate on the bill.

The Chair recognizes the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. JOHNSON of Connecticut asked and was given permission to revise and extend her remarks.)

Mrs. JOHNSON of Connecticut. Mr. Speaker, I begin by expressing my appreciation to my colleague and ranking member, the gentleman from Maryland (Mr. CARDIN), and his very capable staff. This bill we bring before the House today was fashioned in some of its most significant sections by the gentleman's hard work and insight, and I thank him.

I also want to thank my colleagues on the Conservative Action Team, who have helped us strengthen the marriage provisions in the fatherhood program that is such a vital part of this legislation. The gentleman from Oklahoma (Mr. COBURN) and his associates have worked with us in good faith and have improved this bill both by changing the procedure under which it is being debated and by adding excellent provisions to the bill.

The 1996 welfare reform law has been one of the greatest social policy successes of the last half century. Due in great measure to this legislation and excellent reforms in the earned income credit, Medicaid child care, and other programs that support working families, work by single mothers, and especially never-married single mothers has increased in the last 5 years to its

highest level ever. The result, according to a broad Census Bureau measure of poverty, is that we have reduced child poverty by nearly 30 percent in the last 5 years. We have reduced child poverty by nearly 30 percent in the last 5 years. This is a historic achievement made possible by legislation that originated in this body.

Welfare reform has put us on the right track. But many of these single mothers and their children are struggling on extremely low incomes. Those who used to be on welfare are now in the workforce, but all too often their day-to-day personal struggle is nothing short of heroic. They work hard to juggle transportation, child care, work, and family time. It is a big job and millions of women are tackling it with determination and grit. So we come before our colleagues today with a proposal to ensure that these mothers who have left welfare get all the help they deserve. Under this bill they will get to keep more of the child support money the fathers of their children are paying.

It is time to modernize the child support system's connection with welfare and require that a woman get 100 percent of the father's child support payment as she leaves welfare. That is exactly what this bill does. When fully implemented, this legislation will provide young mothers leaving welfare with an additional \$700 million per year. That is \$3.5 billion over 5 years. And every penny of it comes from child support payments made by fathers.

In addition, this bill allows States to pass along child support through to the family while the family is still on welfare. This will encourage the development of the bond between the non-custodial parent in the family, help them develop an understanding of their economic ties, and better prepare families for the transfer off of welfare. Remember, if they understand the economic ties that bind, they are going to be better positioned to develop the emotional ties that bind and on which life depends.

Of course, the best solution for these single mothers and their children would be to form two-parent families through marriage. We now have overwhelming evidence from research that marriage is good for health and happiness of both mothers and fathers, but the greatest beneficiaries of marriage are the children. Thus, as part of a very balanced package we bring to the floor today, we propose to fund small-scale community and faith-based projects throughout the Nation to promote marriage and better parenting by low-income fathers whose children are on welfare and to help them improve their economic circumstances.

I know that many in this body doubt that government should be involved in promoting marriage, so I urge them to consider how our proposal would work. We want to provide seed money to help faith-based and other community organizations tackle this vital job. Sev-

enty-five percent of the funds must support nongovernmental organizations. So we are not creating a new government program and bureaucracy. Government is simply a mechanism to help private organizations perform this important work.

Let me also mention the legitimate concern of some that women could be pressured into violent relationships. In this bill we have added many provisions to assure that domestic violence and child abuse are prevented and, when necessary, that referrals are made to local services to help families in which violence is occurring.

But we must in good conscience build on the important fact discovered through welfare reform. Because of its paternity determination requirements, we now know that 80 percent of the adults having out-of-wedlock children are serious about their relationship and believe it will be lasting. That is simply astounding. And we did not know that before welfare reform was implemented. Yet, after 2 years, after 2 years, most fathers are out of the picture. This bill will help many poor young men and women, more than half of whom live together when the child is born, and as I said, 80 percent of whom say they hope to form a lasting relationship, to fulfill that dream through education and support.

These young people are poor. They often live in dangerous communities, lack economic prowess, and have few role models to follow to help them form stable, lasting marriages. These young couples face long odds. This bill will help them. It will help them work toward marriage; it will help them work toward becoming better parents and work toward economic advancement. For example, we will now provide the same help in getting a job to the fathers of children on welfare as we do to mothers on welfare. In other areas we will provide some of the education that has so helped women to their male partners. It is just common sense.

This bill will move us a dramatic step forward in helping our poorest young people help themselves by making sure that child support money stays in the family. This will help young mothers to avoid or get off welfare, and bring young fathers and their children closer together.

The fatherhood provisions of this bill promote more responsible behavior by fathers, including marriage, better parenting, and work. Through the fatherhood demonstration grants and the child support distribution reforms, we will bring our Nation a giant step forward on that path to building strong families and helping our poorest young people and children realize their dreams.

Again, I thank my colleague, the gentleman from Maryland (Mr. CARDIN), for his very significant contribution to this family-strengthening bipartisan legislation. Today we advance the agenda of personal responsibility and strengthen the family ties

on which the well-being of our children depends.

Mr. Speaker, I reserve the balance of my time.

□ 1200

Mr. CARDIN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. BENTSEN).

(Mr. BENTSEN asked and was given permission to revise and extend his remarks.)

Mr. BENTSEN. Mr. Speaker, I thank my colleague from Maryland for yielding me the time.

Mr. Speaker, I want to commend the author of the bill, the gentlewoman from Connecticut (Mrs. JOHNSON), who has been the leader in this effort.

I rise in strong support of H.R. 4678, the Child Support Distribution Act, a measure that promises to boost more families out of poverty and seeks to remedy the serious trend of fatherlessness.

Over the past 40 years, the number of children living in households without fathers has tripled from just over five million in 1960 to 17 million today. This void has repercussions not only on the financial stability of the child but also on the child's emotional well-being and moral development.

Statistics show that, without fathers in their lives, children are five times more likely to live in poverty, two times more likely to commit crimes, over twice as likely to abuse alcohol or drugs, and more likely to become pregnant as teenagers.

I am dedicated to strengthening the family. As a parent, I believe it to be my responsibility to teach my own daughters values and ethics by which to live. H.R. 4678 encourages responsible fatherhood by establishing a fatherhood grant program that would fund public and private fatherhood programs for fiscal years 2001 through 2007.

H.R. 4678 would fund fatherhood programs that promote successful parenting by not only teaching parenting skills and encouraging healthy child-parent relationships but also deliver job training to fathers to help break the cycle of poverty.

Additionally, and equally as important, under H.R. 4678, children would benefit from more child support collected by the States on their behalf. For families leaving welfare, H.R. 4678 would compel States to distribute all arrears before the State could receive any arrears owed to it for the period the family collected welfare.

Under current law, a family that leaves welfare only receives 50 percent of any past due child support payments. H.R. 4678 will also provide States with an option to pass the entire child support payment on to the family on welfare. Presently, States keep the child support payment and split the payment evenly with the Federal Government.

Under H.R. 4678, \$3.5 billion in additional child support would be provided

to needy children over a 5-year period and \$5 billion over the decade.

Mr. Speaker, as a father, I find it hard to believe that some would fail to honor their obligation to support their own children. But the sad truth as we know it is that far too many become deadbeat parents and far too often the children are pushed into poverty.

We in Congress began the effort to aid the States in child support enforcement through the welfare reform legislation that the gentlewoman from Connecticut (Mrs. JOHNSON) spoke of which we passed in 1996 with my support; and we should continue this important task by passing this bill, H.R. 4678, the Child Support Distribution Act, today.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to my colleague, the gentleman from Illinois (Mr. WELLER).

Mr. WELLER. Mr. Speaker, this is a great day. I want to thank the gentlewoman from Connecticut (Mrs. JOHNSON) for her leadership and my friend the gentleman from Maryland (Mr. CARDIN) for his leadership in crafting a bipartisan bill.

I think back to 1994, when I had the privilege of being elected to this body, and at that time there were more children living in poverty than ever before. As a result of the welfare reform efforts led by this Congress, we have now seen a reduction by one-half of our Nation's welfare rolls.

This legislation addressing fatherhood and families and strengthening families is a continued positive, successful step forward. That is why I want to commend the chairwoman and the ranking member for this effort.

I also want to thank the committee for including an amendment that was offered by the gentlewoman from Florida (Mrs. THURMAN) and myself which treats more fairly private organizations such as Catholic charities and Jewish Welfare League and others who serve in providing foster care and other child care services under the programs in this legislation.

Under current law, the Federal Government provides a 75 percent matching rate for funds spent training public child welfare workers. But that match is not there for those private workers through Catholic charities and other organizations.

Our amendment, which was included in this legislation, brings parity to the treatment of both public and private workers involved in child welfare.

I would point out that in my home State of Illinois the majority of our programs the majority of the children are served by private organizations such as Catholic charities. In fact, 80 percent of foster care services are offered by private child welfare agencies.

Florida is moving towards a 100 percent completely private system. New York and Kansas are also heavily dependent on this. And that is why this legislation is so important.

Our legislation provides parity by providing that same equal 75 percent

match for training programs. And it is the right thing to do. If we want to list the private sector, we need to treat the private sector fairly and equally with the public sector. Those who benefit the most, of course, are the children who are served. Because a trained workforce results not only in better care for children but strengthening of our families.

Mr. CARDIN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Michigan (Mr. LEVIN), a senior member of the Committee on Ways and Means, the former ranking member of the Subcommittee on Human Resources, and a person who has been extremely active on child support issues.

Mr. LEVIN. Mr. Speaker, I thank my colleague for yielding me the time.

Mr. Speaker, I rise in strong support of this bill; and I congratulate the leadership of the subcommittee, the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN), for all of their hard work on this.

This bill, in a few words, will improve life for the millions of poor children. It would seem obvious that the essential purpose of our child support enforcement program should be to collect child support for children who need it.

Thirteen and a half million children in the U.S., almost 20 percent, currently live in poverty. One-third of children in single-parent families are poor. And those children are half again as likely to be poor if they do not receive child support.

Unfortunately, under current law, the top priority of our child support enforcement system is to reimburse States for past welfare costs.

In my home State of Michigan, we collect over \$160 million a year in child support owed to children who have received welfare at some point. These children and their families are among the poorest in the State. But the vast majority of the child support money we collect in the State does not go to improve their lives.

Instead, over \$60 million is paid to the Federal Government and almost \$70 million goes directly into the State treasury. Most of the rest is used to pay administrative costs or to reimburse the State for health benefits provided to the families. Little of it goes to the kids who need it.

This policy deprives poor children of needed income and creates a disincentive for their fathers to pay support. The legislation we are considering today would put kids first in the child support system. I believe that this legislation will reduce child poverty, and that is such an essential task.

Child support income is more than a fourth of the household budget for the average family that receives child support. The only source of income that is larger is the parent's income from work. Research shows that single parents who receive child support are more likely to work than those who do



not. The child support income would allow these parents to forgo second and third jobs to try to keep their families afloat.

Our work, though, on child support is far from over. Nationwide, less than a third of eligible families receive child support now. In Michigan, which has a better-than-average child support enforcement structure, barely half of eligible families receive any child support at all. Almost 200,000 mothers and their children receive zero.

Child support collections through the Federal child support enforcement system have increased since the 1996 Welfare Reform Act. It gave child support collectors new tools, like the ability to suspend driver's licenses. But clearly we still have much work to do in this area. But this bill is an important further step, one that will improve the quality of life for millions of poor children.

I say this in tribute to the work of the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) and everybody else over the years, some of the Members who are not here today in this Congress who have worked on this important area.

We should pass this legislation and put children first in our child support system.

Mrs. JOHNSON of Connecticut. Mr. Speaker, it is my privilege to yield 2 minutes to the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the Committee on Education and the Workforce, who has provided extraordinary leadership for families and children.

Mr. GOODLING. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I rise in support of H.R. 4678, the Child Support Distribution Act of 2000. I commend the gentlewoman from Connecticut (Chairman JOHNSON) for her active work on this bipartisan legislation.

Mr. Speaker, I am especially pleased with those provisions of this act that promote marriage, fatherhood and strong families.

Prior to recess, the body passed a resolution by the gentleman from Pennsylvania (Mr. PITTS) on the importance of each of these areas. Some of the points in that resolution are worth repeating I think.

In 1998, 1.2 million babies, or 33 percent of all newborns, were born out of wedlock.

According to a 1996 Gallup Poll, 79.1 percent of Americans believe the most significant family or social problem facing America is the physical absence of the father from the home and the resulting lack of involvement of fathers in the rearing and development of their children.

According to the Bureau of the Census, in 1996, almost 17 million children in the United States, one-fourth of all children in the United States, lived in families where the father was absent.

The United States is now the world's leader in fatherless families, according to the United States Bureau of the Census.

Mr. Speaker, as a Nation, we must focus more attention on addressing these issues. This legislation is a step in the right direction.

Specifically, the fatherhood program included under this child support act provides a source of funding for local communities to carry out programs designed to strengthen families. This includes programs that disseminate information about the advantages of marriage and promote marriage through mentoring and provide classes on how to control aggressive behavior, that train parents in money management, and programs that help fathers and their families break free of reliance upon welfare.

Again, I commend the gentlewoman from Connecticut (Mrs. JOHNSON) for her commitment in this area.

Mr. CARDIN. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY) who has been one of our real champions on helping us understand the issues concerning child support and who has done a great job in helping our committee.

Ms. WOOLSEY. Mr. Speaker, I rise in support of H.R. 4678. I commend my colleagues the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) for their efforts to improve our country's child support system.

As many of my colleagues are aware, I know firsthand the importance of child support. Thirty years ago, I was a single, working mom with three young children. In fact, my children were 1, 3, and 5 years old. My children's father did not pay court-ordered child support, and my salary alone was not enough to make ends meet.

As a result, we were forced to go on welfare. Had we received child support, we would not have been on welfare.

Today millions of American families still rely on welfare for the exact same reason, a deadbeat parent. That was not fair to my family 30 years ago. It is not fair to families today. And it is certainly not fair to the American taxpayers. But it is also not fair when child support is paid and the family never sees a penny because the State and the Federal Government keeps it.

This bill before us today will change that.

The CBO estimates that the improved "pass through" provisions in H.R. 4678 will get more than \$1 billion of child support every year into low-income families and help children in need.

It is hard being a kid today, so we must show them that they are important. Kids who know that their dads and moms care enough to see that there is food on the table and shoes on their feet get the message loud and clear: they are cared about and that they matter.

While it is not a perfect bill, H.R. 4678 does help to send the message to our children, our children all over the country, that they do matter.

□ 1215

I urge that my colleagues support and vote for H.R. 4678.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a member of the subcommittee.

Mr. ENGLISH. Mr. Speaker, it is a privilege to rise in support of this legislation, the presence of which on the floor is a great tribute to the gentlewoman who chairs our subcommittee and the ranking member and their bipartisan effort to help kids. I am delighted to support this legislation, which in my view speaks to a fundamental congressional responsibility, to provide States with the necessary tools to ensure that families leaving welfare are receiving the child support that they are entitled to.

Under this legislation, we give families who have left public assistance first rights to any child support arrears that are owed to them, before Federal and State government are reimbursed for costs incurred while the family was on assistance. This legislation speaks to the confusion of the current distribution rules which are complex, simplifying them to make them easier to understand and lower the administrative burden for the States.

I think that we can all agree that the staff time used to decipher these rules would be better spent by trying to increase collections. This bill also includes the creation of a fatherhood grant program, an issue we have addressed here on the floor in the past which would work with low-income fathers to promote marriage, encourage them to play an active role in their child's lives, and help them get better jobs. Ultimately, these children benefit not only from the financial support that a noncustodial parent provides but also from the stability of having both parents involved in their upbringing. This legislation is a mammoth step in the right direction in terms of reforming the child support distribution system.

I would encourage all of my colleagues to unite in bipartisan support of this important initiative.

Mr. CARDIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to first start by thanking my colleague and friend, the Chair of our subcommittee, the gentlewoman from Connecticut (Mrs. JOHNSON), for bringing this legislation forward. It has not been an easy process and rarely is important legislation moved forward without the hard work of our Chair. The gentlewoman from Connecticut deserves a lot of credit for her tenacity in staying with this issue. The legislation before us moves our Nation forward on a policy that will help children by getting more child support

to the family. While that might sound like common sense, current law actually penalizes States that want to send child support collections to families struggling to leave welfare and in some cases to families that have already left public assistance.

I can tell my colleagues in my own State of Maryland our legislature has struggled with this issue. Because of the penalties imposed by Federal law, they have been unable to reach agreement to pass more child support through to the families. If a State sends child support collections to a family on welfare, they still owe the Federal Government between half to three-quarters of that same child support payment. This has discouraged States from sending child support to families and encouraged them to adopt an effective 100 percent tax rate on child support payments to certain families. The Child Support Distribution Act as modified by the amendment included in the rule would end this disincentive for States to send child support to families.

The gentlewoman from California (Ms. WOOLSEY) pointed out that when this bill is fully implemented, \$1 billion a year in child support will go to low-income families. During the 10-year phase-in period, \$6.3 billion of child support collections will actually go to the families. That is good news for families in our Nation. This bipartisan measure would provide States with various options to send child support to low-income families with the Federal Government acting as a partner rather than a financial barrier for the States to do what they believe is best for the families in their own States.

For example, a State would be able to permit the pass-through of \$400 a month to families receiving cash welfare as long as that amount is disregarded for welfare payment purposes. In addition, States could send all support to families that have left cash assistance.

Now, there are three primary reasons why this makes good policy sense. The first and the most obvious that we have talked about is that more resources are going to go into low-income families. There is a better chance that families will actually be able to succeed and get off of welfare and be able to take care of their own financial needs. That is the obvious reason why this legislation makes sense.

The second, it encourages the non-custodial parent to be more involved in the upbringing of his or her child. In most cases it is the father. But it connects the father to the family when the money goes directly to the needs of the child. It makes it easier to collect child support. A father is going to be more willing to pay the money when the money actually goes to the family.

And the third is that it simplifies the administration of our child support system. Our committees have had hearings and have listened to child support enforcement people at our State level

about the complexity of our current system. This legislation, in fact, will simplify that system.

In addition to the child support provisions that are included in this legislation, we have also put into this legislation the fatherhood initiative that already passed this body by an overwhelming vote last year; \$150 million in grants to community-based organizations to promote marriage, encourage the payment of child support, and enhance the employment prospect of low-income parents. I am particularly pleased that that legislation has been modified.

We continue to learn. We have put additional provisions in that legislation to prevent domestic violence. That is certainly a welcome addition that we were able to include in the legislation. We have also included in the legislation before my colleagues improvements in our child support enforcement provisions as it relates to the issuance of passports and visas for those who are delinquent in the payment of child support.

Mr. Speaker, child support for families is common sense. Now we must make it the law of the land. I strongly urge all my colleagues to support this legislation. We are very pleased that many of the outside groups, the Center for Budget and Policy Priorities, the National Women's Law Center, the Center for Law and Social Policy, the Children's Defense Fund, all urge a favorable vote on this legislation because, as they state in their letter to us dated July 26, it will distribute more support to families to help them maintain employment and reduce welfare, it simplifies the State child support system, and it provides the needed services to low-income noncustodial parents to help them support and raise their children.

Lastly, Mr. Speaker, let me point out that this legislation has had a rough going through our committee. I particularly want to thank Ron Haskins of the majority staff and Nick Gwyn of the Democratic staff for putting children first and finding a way that we could bridge our differences so that we could bring forward the legislation today that enjoys strong bipartisan support. I urge my colleagues to support this legislation.

Mr. Speaker, I reserve the balance of my time.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I too as others have done today rise in strong support of the gentlewoman from Connecticut's and the gentleman from Maryland's Child Support Distribution Act of 2000. This legislation improves on the success of the child support enforcement measures enacted in the historic 1996 welfare reform bill, a bill which itself has dramatically reduced welfare dependency and afforded real opportunity where once there was none.

I want to focus my comments on a particular section of the bill that I introduced as H.R. 4071, the Child Support Fairness and Federal Tax Refund Interception Act to modernize the Federal tax refund offset program. The Federal tax refund offset program is the second most effective way of collecting back child support, accounting for one-third of all back child support collected. But current law limits this program to parents who are on public assistance or parents with children who are still minors or parents with disabled adult children. My provision expands the eligibility for this program to parents with children regardless of their age or disability status.

A constituent of mine, Lisa McCave, of Wilmington, Delaware, wrote me a compelling letter last summer advocating for this change in the law. She had to stand by and watch a \$2,426 Federal tax refund go to her husband in Georgia even though he owed her nearly \$7,000 in back child support just because her son was no longer a minor. As she said in her letter to me, "We must be able to get all moneys available toward paying child support in arrearage no matter if the child has become an adult when the arrearage is being paid. We should not have to make our children do without necessities nor should we have to work two and three jobs to make up for an irresponsible, noncontributing parent."

On behalf of Lisa McCave and other single parents like her, these artificial barriers should be torn down. A non-custodial parent should not be able to escape their child support responsibilities by playing a waiting game until their child is 18.

I want to thank the gentlewoman from Connecticut (Mrs. JOHNSON) and the gentleman from Maryland (Mr. CARDIN) for their leadership on this issue and urge my colleagues to support this important bill.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I stand in strong support of H.R. 4678.

Let me just tell my colleagues my perspective. Our welfare reform policy has been built on two things: the single mother and her needs, which is rightfully so, and then the principle of work, work if you are able to work. But the third leg of the stool, if you will, that we have totally ignored is marriage. Because we have had for years a welfare reform system that says to the father, you are an economic disadvantage. You are irrelevant to the well-being of your children. We have even gone so far as to say you are somewhat of an alley cat. You get a girl pregnant and she is 16 years old, hit the road and we will deal with her. It is a ridiculous policy.

What H.R. 4678 does is bring the dad back in the formula. I have met with the Georgia fatherhood program. We have one of their chapters in Savannah, which I represent. In one of their

meetings, I met with four of these dads. Here is their personal kind of general story. When I was 18 years old, I became a father. But I was not ready to live up to that responsibility and the Government backed that decision. The Government said I do not have to. If I do hang around, we lose housing, we lose health care, we lose day care, we lose transportation benefits. So it was easy for me to hit the road. And so I left, and a lot of my friends in this situation left. But nobody ever told me what it was like to have the arms of a little 5-year-old girl hug my neck and call me Daddy. Now I have learned that and I want to come back. But I do not want the mama of this little girl, I do not want my little girl to be penalized because I want to come back and be the dad now and do right. Yet that is what our system has been telling him.

But through this bill, we are saying not only are you going to come back but we are going to give you job training because we want you to have stability in your life so that you can have stability in your marriage and your child's life. We are going to give you some education skills, job training skills, and parenthood skills. You are going to feel good.

Mr. Speaker, I have looked into the eyes of four of these dads and their testimony is very, very powerful. We owe this to them. We owe it to the institution of marriage. We owe it to welfare and social reform; but more than anything else, we owe it to millions and millions of kids who our economic policy has said, you are going to go through life without a dad. This way we can change that. This gives us an opportunity. I urge my colleagues to support this bill.

Mr. CARDIN. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

□ 1230

Mr. SCOTT. Mr. Speaker, I thank the gentleman from Maryland (Mr. CARDIN) for yielding the time to me.

Later in the debate, I will be offering an amendment and a motion to recommit. The amendment prohibits the use of Federal funds and proselytization. It requires that there should be no discrimination against the beneficiaries based on religion and to make sure that civil rights laws will apply to these Federal funds.

The motion to recommit will provide that we should not discriminate in employment during the course of these programs.

I just wanted to read a list of organizations supporting both the amendment and the motion to recommit, because I would not have time during the consideration of the amendment and the motion. Those who support both the amendment and the motion to recommit will be the American Baptist Churches USA; the ACLU; the American Federation of State, County and Municipal Employees; the American Jewish Committee; the American Jew-

ish Congress; the Americans United; the ADL; Antidefamation League; the Central Conference of American Rabbis Council on Religious Freedom/Friends Committee on National Legislation; Quaker; Hadassah; the Jewish Council for Public Affairs; the Na'amat USA; the National Association of Alcoholism and Drug Abuse Counselors; the National Council of Jewish Women; the National Education Association; the National PTA; People for the American Way; Service Employees International Union; the AFL-CIO; the Union of American Hebrew Congregations; the Unitarian Universalist Association; the Women of Reform Judaism; the National Gay and Lesbian Taskforce; and the Presbyterian Church USA Washington Office.

Mrs. JOHNSON of Connecticut. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentleman from Missouri (Mr. BLUNT).

Mr. BLUNT. Mr. Speaker, I thank the gentlewoman from Connecticut (Mrs. JOHNSON) for yielding me the time.

Mr. Speaker, I also thank the gentlewoman for her commitment and her efforts to get this important bill to the floor, and I am pleased that my friend, the gentleman from Maryland (Mr. CARDIN), has worked so hard to bring this bill to the floor as well.

There is no question that in our society in the last generation, too often fathers have been absent without leave. Too often fathers have not been where they were supposed to be, have not been doing what they were supposed to be doing, and rightly and appropriately, because of that, so much of our effort has been to figure out what we could do to help mothers.

Well, one thing we can do to help mothers is to try to help create an environment where fathers really function as fathers, where fathers do more than father a child, they actually play the role of fathers in this society. This bill is a significant step in that direction.

This bill is a significant effort to try to make that happen. Education, job training, parenthood training are all skills that fathers need. We are changing lots of communities in America, beginning with welfare reform; and people in those many communities begin to see for the first time a community driven by work, not welfare.

They also need an opportunity to see a community driven by two-parent families, not single moms struggling to get by. Too many young men in America have grown up in the last decade, maybe even the last 3 decades in communities where there were no role models of fathers, in communities where we do not just pick up the fatherhood parenting skills by watching what happens next door, because what happens next door is exactly what happened at your house, a single mom struggling to get by, nobody to help her with that process.

This bill goes beyond adding the important resources that it does add to

collecting child support. It goes beyond that and works hard for the first time in a significant way at a Federal level to help fathers become fathers to do that through faith-based organizations and community-based organizations.

And as well intentioned as I know the gentleman from Virginia (Mr. SCOTT) will be with his motion to recommit, of course, I am opposed to that, because I think involving these community-based and faith-based organizations, as this bill does, with the appropriate protections already in the law and in this bill, is a way to deliver these services.

How do we deliver services that create guidelines, the role models, the thoughts about parenthood and fatherhood, if we immediately exclude from that people who understand the community, people who work in that community and community-based and faith-based organizations all the time.

We need to look constantly for better ways to deliver these messages that make our society more of what we want it to be. Fathers working alongside mothers, raising children in an environment driven by work and values and family is what we need to be trying to build our society on. That can happen more effectively with the implementation this bill.

I am for it. I urge my colleagues to vote for it. I am grateful to my colleagues who have worked so hard to bring this important piece of legislation to the floor today.

Mr. CARDIN. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I support the Scott amendment. I think it is a common sense approach, and I hope that this body will approve that amendment. But I want to make it clear, regardless of what happens on the Scott amendment, it is important that we approve this legislation.

Let me point out that all the Democratic Members of the subcommittee, which include the gentleman from California (Mr. STARK), the gentleman from California (Mr. MATSUI), the gentleman from Pennsylvania (Mr. COYNE), and the gentleman from Louisiana (Mr. JEFFERSON) and myself sent a letter out to make it clear that if the Scott amendment does not pass, we urge support for H.R. 4678 because the bill takes real steps to lift low-income mothers and their children out of poverty. This is very important legislation.

Secondly, let me just quote, if I might, from Governor Glendening of Maryland, when I asked him about the pass through issue in my own State, he said in the last session, the Maryland general assembly considered this issue, but decided not to take action on such a significant and costly policy change without a clear knowledge of how the Federal Government will approach this issue and share in the costs involved.

It is important that we pass legislation clarifying child support pass through, so that our States can take

advantage of the pass through issues to help low-income families.

I urge my colleagues that, regardless of what position my colleagues take on the Scott amendment, to please support the final passage of the legislation.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 5½ minutes to the gentleman from Indiana (Mr. SOUDER).

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Speaker, I rise in support of this bill for several reasons, and I want to enunciate a few of them. We will have a more extended discussion on charitable choice in a little bit.

First off, I think it is important that conservatives understand that tough child support, child support that lets parents know, particularly fathers, that they cannot abandon their families is not only important for the financial support of families, but to send a message to America that, in fact, when one gets married, it is a serious thing that can have long-term consequences. When we have children, we have a lifetime obligation to do that.

This bill also makes sure that the money collected from those fathers in the efforts that we have done here in the House to expand child support collection actually goes to the families and not merely to replace the government income that goes out to those families, but gives an incentive to help empower those families to move out of poverty because many times, after a divorce or after a separation, those families are driven into poverty.

Many of the people who are there transition into poverty before they move off, because many of what usually are the mothers have the custody of the children, are trapped in poverty for a period of time. And the noncustodial parent falls behind in their child support payments or does not make it a full amount of payment or drives those payments low, and until there is a remarriage and until there is a career change, often there is a penalty on that. This bill tries to address those problems of child support.

As a conservative, I am also particularly pleased in the efforts in the fatherhood area. Some have legitimate concerns as to the expanding role of government, and one question that comes up from some of my conservative colleagues is why would the government become involved in fatherhood initiatives? Partly it is because the government indirectly violated the do no harm goal of what I believe should be the number one priority of the Federal Government.

What the Federal Government has done over time, by programs that are well intentioned, they have given, in fact, a disincentive to marriage in this country, they have made it easier for fathers to abandon their families, to not provide the support.

In public housing, we have had discrimination on families. In fact, if you

have two incomes blended together, you go over the income cap, so there is a disincentive in much of public housing in the United States.

To stay married, the marriage penalty and the tax code gives economic disincentives to stay married. We have program after program that is, in fact, in the name of good intentioned efforts to help single moms has, in fact, separated the dad from many families because of indirectly many government programs. I believe that fatherhood is, in fact, essential and having fathers involved in the life of their children is essential.

We have seen creative programs in Oklahoma, in many States, Oklahoma being a model, in many States in fatherhood initiatives. We need to expand these programs. We need and cannot address the problems of teen violence, of drug abuse and many other things unless we have both parents involved, unless in particular as many books are currently pointing out, fathers need to be involved with young boys, they also need to be involved with their daughters in a different way, but particularly as we look at questions of youth violence and school dropouts and many of the problems in society, we must have fathers involved.

My belief is, we would not be facing this crisis as much today if the Federal Government had not already messed this up, and this is part a compensatory way not to take over these programs but to facilitate, which leads us to the question of charitable choice.

It is my great honor to be House co-chair with the gentleman from New Jersey (Mr. ANDREWS) of the Empowerment Caucus, the Senate cosponsors and leaders of that are Senator SANTORUM and Senator LIEBERMAN. In our empowerment package which Senator LIEBERMAN, vice presidential candidate LIEBERMAN, said the legislation we introduced today is really a model of cooperation and innovation. It combines much of the President's new markets initiatives and Republican-favored American Community Renewal Act and a progressive new synthesis for stimulating investment entrepreneurship and economic opportunity in disadvantaged communities.

In that package sponsored by Senator LIEBERMAN, unless he would change his mind on what he has backed for years here, it allows religious faith-based providers to become involved in this without diminishing the religious freedom of the beneficiaries or of the organizations.

Vice President GORE has also supported as has Governor Bush faith-based organizations in being eligible for government grants without changing the nature of those religious institutions, i.e., employment questions that are within the law, and, b, without restricting and reaching into other programs that they do that are not funded with government funds.

Let us make it sure as we debate this today, we cannot use government funds

to proselytize, that is clear. We can never use government funds to proselytize.

This amendment that we are going to debate today is in advance over any other debate we have, which now is reaching into the private funds of those organizations, as to whether they can do anything of religious character, we all agree no public funds can be used for proselytization, that is a government principle that is long standing and upheld by the courts. But the courts have recently ruled that you cannot also reach into the faith-based organizations that in fact we are allowed to give computers to religious schools because the computers themselves do not proselytize. It is not the business of the government to decide whether proselytization will occur on those computers, we just cannot directly fund it.

Mr. CARDIN. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, let me make it clear, there is no disagreement on either side of the aisle or that I know of any Member of this body, that the participation of the faith-based groups in the programs we are talking about. They are an instrumental part of the fabric of our Nation and are extremely important in the delivery of services.

The question is, it must be consistent with the Constitution establishment clause and separation of church and State.

I thank the gentleman from Virginia (Mr. SCOTT) for bringing forward two amendments or two opportunities for us to clarify that issue. And we are going to have a healthy debate on it. At the end of the day, the House, this body will work its will; and whatever the results are, I am prepared to abide by.

I urge at the end of the day that we all join together as we have during this debate and support the passage of this legislation.

Mr. Speaker, I yield back the balance of my time.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I would just like to say, Listen up America. So often what happens on this House floor is not reported by the media, unless there is a conflict and a battle. The fact that the gentleman from Maryland (Mr. CARDIN) and I have spent many, many hours thinking about this bill, listening to people's concerns about it, working out the problems means that it comes to the floor with agreement, but it is a dramatic change in public policy.

It is going to make an enormous difference in the ability of our Nation to build strong families. It is going to make an enormous difference in the lives of children. Just as welfare reform put models of work in our neighborhood, so his bill will put models of marriage in those neighborhoods, creating the umbrella of economic and emotional security under which children can grow well and strong.

Research has documented over and over, what we have never been willing on this floor to talk about, the importance of marriage and what it means to children. So today we take that step. We are going to help people learn how to parent, help people understand marriage, help people take that option.

Why?

Because mothers and fathers do better in marriage, but we are doing this for the kids.

□ 1245

Years ago when I was a freshman in this body, I was a member of the Select Committee on Children, Youth and Families. We held a hearing on children's fears, and the goal of the hearing was to demonstrate that children's greatest fear was of nuclear war. In fact, what the hearing demonstrated was that children's greatest fear was of divorce.

Children need moms, they need dads, and we need to honor the role of fathers and help those who come into it without preparation to succeed in it, just as much as we need to help women on welfare succeed economically.

This bill will help men whose children are on welfare succeed economically, in the same way welfare gives the mothers of their children that help, but it goes beyond that and addresses the emotional need to grow of young people so that they can not only succeed economically, but succeed as parents and succeed as co-parents of this child.

So this is a giant change in public policy, it is a radical step forward, and I urge my colleagues to support it.

Mr. PAUL. Mr. Speaker, I appreciate the opportunity to explain why I must oppose H.R. 4678, the Child Support Distribution Act. While I applaud the sections of the bill providing increased flexibility to states to ensure that child support payments go to benefit children, rather than government bureaucrats, other provisions of H.R. 4678 present grave dangers to individual liberty, privacy, constitutional government and the sanctity of the American family.

I am particularly disturbed by the language expanding the use of the National Directory of New Hires, popularly known as the "new hires database", in order to more effectively administer the unemployment compensation system and deny visas and residency to non-citizens who are delinquent in child support payments. Identifying persons who are failing to fulfill their legal obligation to pay child support is a worthy goal, as an OB-GYN who has delivered over four thousand babies in my over thirty year medical career, words cannot express the contempt I hold for those who would refuse to support their children. Similarly, preventing fraud in the unemployment program is obviously important to the nation's employers and employees whose taxes finance the unemployment insurance system.

However much I share the goals meant to be accomplished by the expanded uses of the database, I must remind my colleagues that the road to serfdom, like the road to hell, is paved with noble purposes and good intentions. Expanding the use of the new hires database brings us closer to the day when the

database is a universal tracking system allowing government officials easy access to every individual's employment and credit history. Providing the government with that level of power to track citizens is to invite abuse of individual liberties.

The threat of the expansion of the new hires database is magnified by the fact that it uses on the social security number, which has become for all intents and purposes a de facto national ID number. In addition to threatening liberty, forcing Americans to divulge their uniform identifier for inclusion in a database also facilitates the horrendous crime of identity theft. In order to protect American citizens from both private and public criminals I have introduced legislation, H.R. 220, restricting the use of the social security number to purposes related to social security administration so that the government cannot establish databases linked by a common identifier.

I would also remind my colleagues that the federal government has no constitutional authority to be involved in the collection of child support, much less invade the privacy of every citizen in order to ferret out a few wrongdoers. Constitutionally, there are only three federal crimes: treason, counterfeiting, and piracy on the high seas. For Congress to authorize federal involvement in any other law enforcement issue is a violation on the limits on Congressional power contained in Article 1, section 8 and the 10th Amendment of the United States Constitution. No less an authority than Chief Justice William Rehnquist has stated that Congress is creating too many federal laws and infringing on the proper police powers of the states.

In a free society, constitutional limits on government power and the liberty of citizens must never be sacrificed to increase the efficiency of any government program, no matter how noble the program's goal. Again I ask my colleagues to keep in mind that the dangerous road toward the loss of liberty begins when members of Congress put other goals ahead of our oath to preserve the Constitution and protect the liberty of our constituents.

While the expanded use of the new hires database provides sufficient justification for constitutionalists to oppose this bill, H.R. 4678 also must be opposed as it furthers the intrusion of the federal government into family life through the use of federal funds to support "fatherhood programs." Mr. Speaker, the federal government is neither constitutionally authorized nor institutionally competent to promote responsible fatherhood. In fact, by levying taxes on responsible parents to provide special programs for irresponsible parents the federal government is punishing responsible fathers!

Federal programs promoting responsible fatherhood are another example of how the unintended consequences of government interventions are used to justify further expansions of state power. After all, it was the federal welfare state which undermined the traditional family as well as the ethic of self-responsibility so vital to maintaining a free society. In particular, the welfare state has promoted the belief that the government (re: taxpayer) has the primary responsibility for child-rearing, not the parents. When a large number of citizens view parenting as proper function of the central state it is inevitable that there will be an increase in those who fail to fulfill their obligations as parents. Without the destructive ef-

fects of the welfare state, there would be little need for federal programs to promote responsible fatherhood.

Instead of furthering federal involvement in the family, Congress should stop pumping the narcotic of welfare into America's communities by defunding federal bureaucracies and returning responsibility for providing assistance to those institutions best able to provide help without fostering an ethic of irresponsibility and dependency: private charities and churches.

Certain of my colleagues will say that this bill does promote effective charity through expansion of the "charitable choice" program where taxpayer funds are provided to "faith-based" institutions in order to administer certain welfare programs. While I have no doubt that churches are better able to foster strong families than federal bureaucrats, I am concerned that providing taxpayer funding for religious institutions will force the institutions to water-down their message—thus weakening the very feature that makes these institutions effective in the first place!

Furthermore, providing taxpayers dollars to secular institutions violates the rights of taxpayers not to be forced to subsidize beliefs that may offend them. As Thomas Jefferson said "To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical."

In conclusion, H.R. 4678, the Child Support Distribution Act, violates the Constitution by expanding the use of the new hires database, thus threatening the liberty and privacy of all Americans, as well as by expanding the federal role in family in the misguided belief that the state can somehow promote responsible fatherhood. By expanding the so-called "charitable choice" program this bill also violates the conscience of millions of taxpayers and runs the risk of turning effective religious charities into agents of the welfare state. It also furthers the federalization of crime control by increasing the federal role in child support despite the fact that the federal government has no constitutional authority in this area. I therefore urge my colleagues to reject this bill and return responsibility for America's children to states, local communities and, most importantly, parents.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to express concerns regarding H.R. 4678, the Child Support Distribution Act of 2000, a bill intended to provide more child support money to families leaving welfare. The debate over welfare reform is very different from the reality of families struggling to escape poverty. Millions of taxpayers dollars have gone to private contractors who's only mission should be the preparation of adults who receive welfare to move from dependence to independence. Unfortunately, the amount of professional assistance made available to these families nor the qualifications of those contractors who are federally funded for the express purpose of providing counseling and job assistance to adults as they transition from welfare to work is not available. We do not have any effective measure as to the success or lack thereof of our effort to reform our nation's welfare system. For this reason, I would challenge my colleagues in this body to raise the bar on any legislative action that would effect the income of those families, which are transitioning from welfare to work.

This is an issue of great importance to children residing in the City of Houston and across this nation and, therefore, should be addressed under an open unrestricted rule, not under one which only allows one amendment such as in this case. The state of Texas has the fourth largest child support caseload in the nation with 1.2 million cases involving 2 million children. Child support collections for these cases increased 15% from \$757 million in State Fiscal Year 1998 to \$868 million in State Fiscal Year 1999.

Under current law, states are entitled to child support payments while a family is receiving cash welfare payments. And when a family leaves welfare, the state received 50% of any past due child support payments and the family receives 50%. Fortunately, this legislation would allow states to send child support payments directly to families who are also receiving welfare. This should not be an option for the states, but a requirement that they send all child support payments to these families for the care of their children.

Under current law, states are entitled to child support payments while a family is receiving cash welfare payments. And when a family leaves welfare, the state receives 50% of any past due child support payments and the family receives 50%. Fortunately, this legislation would allow states to send child support payments directly to families who are also receiving welfare. This should not be an option for the states, but a requirement that they send all child support payments to these families for the care of their children.

This bill should maximize the amount of child support funds that states should provide to families in order to increase the potential for success as families struggle to escape poverty under current welfare reform law. It is only fair that the amount of child support collected on their behalf should actually go for the care of these children. It is also very important that states provide this additional support during the critical period after a family leaves welfare. As the current bill is written the effective date for this provision is October 1, 2005, with an allowance for those states which wish to be providing these additional child support funds earlier being permitted to do so.

If members of this body have forgotten that welfare reform has been implemented and families are as we speak on this matter being denied additional assistance from states because their time has run out for access to federally subsidized living assistance benefits. To suggest that some of these families can wait until October of 2005 to receive child support payments which are legally due them is obscene and irresponsible on the part of this body's leadership. This issue is not a republican issue or a democratic issue, but a children's issue and should be treated as such, this legislation should be worked on until our children are helped and treated fairly.

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of this important legislation which will improve the chances of parents trying to manage the transition from welfare to work.

The underlying bill will significantly strengthen child support enforcement efforts and improve the lives of working families and their children. I am particularly pleased that this bill will improve the lives of thousands of women working hard to support themselves and their families on their own.

This legislation will focus more of the funds collected from child support enforcement activities on the individuals who are actually owed the funds. Too often, in spite of our best efforts to continually improve enforcement activities, child support dollars often fail to reach the families and children who so desperately need them.

This change will ensure that single mothers receive an additional \$3.5 billion over the next five years.

This marks yet another important improvement in child support enforcement activities. I am extremely proud that the Clinton Administration and Congress have made so many significant strides in this arena. Last year, we collected over \$16 billion in child support—more than twice the amount collected in 1992.

In 1992, I introduced the Child Support and Enforcement Improvements Act which was designed to improve the ability of states to collect overdue child support payments. Many of the provisions of that bill were included in the 1996 Welfare Reform legislation and have helped child support collections continue to rise.

I am proud we have been able to use innovative ways to improve collections including new efforts to redirect tax refund dollars which have resulted in \$1.3 billion in additional collections, and programs to match delinquent parents with financial records which have also yielded \$3 billion since last August. This legislation is another important step in the effort to ensure that all Americans fulfill their responsibilities as parents. It will help families achieve independence and ensure that more children grow up in safe, stable households.

I urge all of my colleagues to support this common-sense legislation today.

Mr. MARKEY. Mr. Speaker, I rise in support of the Child Support Distribution Act (H.R. 4678) which will allow more child support money to get to the families who need and deserve this compensation. I would like to commend Chairwoman NANCY JOHNSON for sponsoring this legislation and for working tirelessly on behalf of the families of America who will benefit from this bill. I would also like to thank Mrs. JOHNSON for working with me and my colleagues to make improvements to this legislation as it moved through Committee.

On June 26, I along with my colleague Representative JOE BARTON submitted a letter to Mrs. JOHNSON asking that Title III of H.R. 4678 be deleted due to the serious privacy threat the language posed to highly sensitive and personal information. Under Title III, private child support collection agencies would be granted access to national data bases established in 1996 exclusively to facilitate securing delinquent child support payments by federally funded state child support collection agencies. These databases house personal financial, wage and health information. Under current law, state child support agencies and their contractors are subject to federal regulation with respect to the use and disclosure of this sensitive information. However, under Title III of the bill, private collection agencies would have been allowed to access this same information with no federal protections whatsoever.

In addition we submitted a letter to Secretary Shalala at the Department of Health and Human Services asking her to urge the President to veto any legislation that would allow unregulated access to access to these databases.

We were not the only ones disturbed by the language in Title III, consumer privacy groups, state organizations, and employer groups as well as child advocacy groups were all in strong opposition to the title. These groups included the Children's Defense Fund, the National Women's Law Center, the Center for Law and Social Policy, the Association for Children for Enforcement of Support, Inc., the Consumer Federation of America, Consumers Union, U.S. Public Interest Research Group, and the American Payroll Association. These groups understood that allowing unfettered access to these databases could ultimately undermine child support enforcement efforts.

In compelling testimony regarding the privacy threat associated with expanding access to these databases, Joan Entmacher, Director of the National Women's Law Center stated the following on May 18 before the Human Resources Subcommittee on Ways and Means:

Over the years, Congress has worked to increase the effectiveness of child support enforcement while protecting the privacy of individuals. In the Family Support Act of 1988 and Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Congress required the creation of the automated systems and databases essential to effective state child support enforcement, and addressed legitimate privacy concerns by carefully limiting access to and use of the information. If access to these databases is expanded, and abuses occur, a future Congress or state legislatures may conclude that the only way to protect privacy would be to dismantle these databases altogether, permanently setting back child support enforcement.

Mr. Speaker, I am pleased that Chairwoman JOHNSON was receptive to our concerns and elected to preserve privacy by removing Title III from the bill. Again, I commend my esteemed colleague Representative JOHNSON for her leadership on this matter.

The SPEAKER pro tempore (Mr. PEASE). All time for general debate on the bill has expired.

AMENDMENT OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SCOTT:

Page 39, after line 19, insert the following: "(E) PROTECTION FOR BENEFICIARIES.—An entity to which a grant is made under this section shall not subject a participant in a program assisted with the grant to sectarian worship, instruction, or proselytization.

"(F) RULE OF CONSTRUCTION ON RECEIPT OF FINANCIAL ASSISTANCE UNDER THIS SECTION.—For purposes of any Federal, State, or local law, receipt of financial assistance from a grant made under this section shall constitute receipt of Federal financial assistance or aid.

Page 39, line 20, strike "(E)" and insert "(G)".

Page 40, line 5, strike "(F)" and insert "(H)".

Page 43, line 15, insert "(except the except clause of subsection (g))" after "this section".

The SPEAKER pro tempore. Pursuant to House Resolution 566, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 5 minutes.



The Chair recognizes the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT. Mr. Speaker, I yield myself 2 minutes and 40 seconds.

Mr. Speaker, all of the provisions in this amendment have been previously accepted by the majority in the other bills, H.R. 3222, Even Start, and H.R. 4141 the Safe and Drug-Free Schools, which contained the charitable choice provisions.

In the charitable choice part of this provision that allows the Federal funding of faith-based organizations, the first provision of this amendment clarifies that any eligible entity request not subject a participant during the course of a publicly funded fatherhood program to sectarian worship instruction or proselytization. Under the bill, the charitable choice provision only provides that no direct funds can be used for that purpose. This would not, of course, cover privately paid employees or volunteers, who could use the Federal-funded program to promote their sectarian agenda.

The concern here is that you have individuals seeking assistance in a federally funded fatherhood program, and in essence they become a captive audience. It is wrong to take advantage of their need for services and essentially require them to participate in a federally sponsored sectarian worship program. I say "federally sponsored" because, according to the bill, the bill allows the programs to be paid for with 80 percent of the expenses being paid for by Federal funds.

The majority had previously accepted this provision, and in the committee report accompanying the Even Start bill, H.R. 3122, that report outlines the acceptance of that amendment.

Another portion of this amendment closes the loophole contained in the bill which would allow discrimination against some beneficiaries based on their religion. There should be no circumstance in which a person is denied benefits under a federally funded program solely because of that person's religious beliefs.

Finally, my amendment clarifies that programs using Federal funds are technically in receipt of Federal financial assistance. This makes it clear that in the cases of insidious discrimination, the Department of Justice could use enforcement procedures under title VI of the Civil Rights Act to enforce civil rights of beneficiaries and employees.

Mr. Speaker, these provisions have previously been accepted by the majority in two other bills.

The amendment will protect beneficiaries from unwarranted proselytization and discrimination, and it ensures that civil rights protections available to all other Federal programs will apply to this legislation.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Connecticut is recognized for 5 minutes.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to make very clear that the amendment that the gentleman is offering is not the same amendment that is in the Even Start legislation or in the Drug-Free Schools bill. It is different in its wording, and the difference is significant.

Mr. Speaker, I yield 2½ minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, I thank the chairwoman for her efforts and should have said that earlier on the full bill. I appreciate her leadership.

Mr. Speaker, I am not going to get into a lot of discussion here about the amazing wonders that some of these groups are accomplishing around the country that are faith based, but I want to get into the technical thing.

As a person who has been a primary negotiator with the gentleman from Virginia (Mr. SCOTT) on this, I immediately realized when the phone call came to me a couple of days ago in Indiana that this was not the same amendment, and it has an overwhelming difference which made me resist it.

I have worked with the gentleman because we agree with many of the basic parts of this, that you cannot fund through government funds sectarian worship, instruction or proselytizing, and that there are certain civil rights laws that are required to be upheld regardless in employment discrimination.

But what this program does and this amendment would do is reach into the private funding. The differences, for example, are as we went through Even Start, where people are often in a school or on school grounds and in a defined program, a fatherhood program may have different components, and the way the gentleman has worded this, "in a program," "program" is not clearly defined, that it could be a fatherhood initiative that has many components.

The component funded by the Federal Government cannot proselytize. But, as I mentioned earlier, we also have a Supreme Court decision that has come through since we have had these discussions at the Committee on Education and the Workforce, Mitchell versus Helms. The majority clearly ruled that, for example, a computer can be given to a religious institution, because the computer does not do the proselytizing, nor does a building do the proselytizing, nor does a book that does not have proselytizing in it do proselytizing.

If other funds from that organization do proselytizing, then, as long as an individual recipient has a choice, as long as there is not discrimination based on religion and who is in the program, things which we agreed with before and which are protected under law, whether or not the Scott amendment passes, you cannot discriminate on who you

serve if you get government funds; you cannot discriminate and use government funds for proselytizing; you cannot practice racial discrimination, for example. But you can, for example, have a program that if part of the fatherhood program gets a computer, or if we help fund a building, and that group happens to have a religious component to their program not funded by the Federal Government, it does not mean that they have to drop everything else that is in their fatherhood program, such as Charles Ballard's in Cleveland does. He cannot use government funds to proselytize, but he can use government funds to do other things. I think it is wonderful, and I think the programs are wonderful.

Mr. SCOTT. Mr. Speaker, I yield myself 45 seconds.

First of all, on the question of whether or not you can discriminate against who you serve, the second part of this amendment deals with that directly, and that is you cannot under any circumstances discriminate on who you serve based on religion. The bill includes a loophole, and this amendment will close that loophole.

On the question of whether you can proselytize during a federally funded program, that is clear, Mr. Speaker. You should not be able to proselytize; you should not be able to run a program that does that. This amendment makes it clear. The bill as it is leaves it open, that you can run a federally sponsored sectarian worship program with Federal funds.

Mr. SOUDER. Mr. Speaker, will the gentleman yield?

Mr. SCOTT. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Speaker, my question is, does the gentleman grant that there is a difference between "during," which we have had before, and "in a program"? Because we have agreed that during a program funded by government funds, that is directly funded, you cannot, but "in a program" is broader. Does the gentleman agree with that being the difference?

Mr. SCOTT. Mr. Speaker, reclaiming my time, no, I do not, because under the bill it only includes direct funds. So if you are running the program and have someone come into the program during the program to proselytize with indirect funds, or volunteer, you have got your captive audience, and that is wrong.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would remind the gentleman that you cannot do it during the program. Current law very clearly prohibits public monies for sectarian worship, instruction or proselytizing. In addition, current law is very clear that no program receiving Federal funds may discriminate based on race, color, national origin, disability, or age. This amendment is not necessary to enforce title VI of the Civil Rights

Act, section 504 of the Vocational Rehabilitation Act or the Age Discrimination Act. It is not necessary, further, to present proselytizing.

What it does do is to change the provisions on which we have relied for a number of years and will thereby frighten churches away from being willing to participate in this program. Remember, these fathers that we are trying to reach out to are the very people that government has not been able to reach, that the bureaucracy is not going to be able to get at them. That is why we want the churches to help.

In many neighborhoods, frankly, the black churches, the Hispanic churches, are the only institutions left standing; and we want them to be able to get some Federal money to help them teach parenting skills, teach financial management skills, do work-readiness programs, to help these fathers take their economic responsibility and their emotional responsibility to their kids.

The big advantage of this is going to be that if that neighborhood church is able to bring these men back into their families and help these families grow then they will be there to support those families throughout the many decades of growth that families go through, through the hard times, which we all know are a part of our lives, as well as through the good times.

So to pass this amendment would absolutely, without question, chill the participation of the ecumenical community, not just the Protestant churches and the Catholic church, but the synagogues and the mosques, in this program. That would be a tragedy for men, for families, and for children.

I urge defeat of the amendment.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume.

The important word here, Mr. Speaker, is "direct," that you can run especially a church program indirectly with a captive audience that you have got, and that is the essential word. When you say you cannot proselytize, in fact you can, if you do it indirectly.

Mr. Speaker, I yield 30 seconds to the gentleman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I do not agree that there is a loophole. Clearly you cannot do it during the program. If you go as far as the gentleman's bill, to say you cannot do it "in" the program, is significant and will disallow a lot of normal church activities.

But my deepest concern is not whether or not the gentleman and I argue this technically, whether lawyers agree or disagree. The fact is that a change in the wording of this provision that has been in place now for I think 4 years, starting with welfare reform, will chill the participation, particularly of the small churches that we are trying to get involved through this bill.

Mr. SCOTT. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the amendment has three provisions. One is to disallow any

proselytization during the program. It says in the wording "a participant in a program assisted by Federal funds." It also prohibits any discrimination in terms of who you serve, and it provides for civil rights protections under Federal law that apply to every other Federal program. I would hope that we would adopt this amendment.

Ms. PELOSI. Mr. Speaker, I rise in strong support of the Scott amendment and the motion to recommit in opposition to the Charitable Choice provisions in The Child Support Distribution Act, H.R. 4678. These provisions would weaken important anti-discrimination civil rights protections; violate the constitutional separation of church and state; and entangle religious institutions in the reach of government. These provisions explicitly enable faith-based organizations to proselytize to those receiving public services; to discriminate in employment decisions with public funds; and provide that faith organizations need not alter their religious character causing adverse consequences.

While the underlying child support provisions in this bill are important to help families raising their children and that they are endorsed by the Children's Defense Fund, the Center on Budget and Policy Priorities, and CLASP, my opposition is focused solely on the Charitable Choice provisions. Also, opposing these Charitable Choice provisions is The Work Group for Religious Freedom in Social Services, a coalition of more than 40 national religious, civil rights, civil liberties, and education organizations, including the ACLU, American Baptist Churches, USA, American Jewish Committee, and Americans United for Separation of church and State.

The Scott amendment is essential because it would strengthen prohibitions against proselytizing and prevent discrimination against beneficiaries. It also would clarify that beneficiaries who received direct grants or beneficiaries who receive indirect assistance are both in receipt of federal financial assistance.

The amendment has three main components. First, although the bill would prohibit federal funds provided directly to recipient institutions from being expended for sectarian workshop, instruction, or proselytizing, the bill does not extended the prohibition to privately funded staff pursuing these activities toward individuals receiving public services within the publicly funded program. The Scott amendment recognizes that it is inappropriate for publicly funded institutions and programs to include a component of proselytization and would prevent this. Second, the Scott amendment would close a loophole enabling discrimination against beneficiaries when another existing local, state, or federal law permits it. Third, the Scott amendment makes it clear to our court system that when federal funds are involved federal civil rights apply and they can be enforces under the Civil Rights Act Title VI or other applying laws. This would apply even if federal financial assistance is provided via a voucher, certificate, or other indirect methods.

SCOTT's motion to recommit addresses employment discrimination and would strike the bill's provision allowing religious organizations to use public funds to discriminate in hiring. All of these needed protections are very important to ensure that the religious rights and the civil rights of Americans can be exercised and where they overlap, there is an appropriate

balance. They also would serve to protect the separation of church and state. I urge my colleagues to support the Scott amendment and motion to recommit.

□ 1300

The SPEAKER pro tempore (Mr. PEASE). All time has expired.

Pursuant to House Resolution 566, the previous question is ordered on the bill and on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. SCOTT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 257, answered "present" 1, not voting 13, as follows:

[Roll No. 455]

AYES—163

Abercrombie	Gutierrez	Nadler
Ackerman	Hastings (FL)	Napolitano
Allen	Hilliard	Neal
Baca	Hinchey	Oberstar
Baird	Hinojosa	Obey
Baldacci	Hoeffel	Olver
Baldwin	Holt	Pallone
Barrett (WI)	Hooley	Pascrell
Becerra	Horn	Pastor
Bentsen	Hoyer	Payne
Berkley	Inslee	Pelosi
Berman	Jackson (IL)	Pickett
Bishop	Jackson-Lee	Pomeroy
Blagojevich	(TX)	Price (NC)
Blumenauer	Johnson, E.B.	Rahall
Bonior	Kanjorski	Rangel
Boswell	Kennedy	Reyes
Brady (PA)	Kildee	Rivers
Brown (FL)	Kilpatrick	Rodriguez
Brown (OH)	Kind (WI)	Rothman
Campbell	Kleczka	Roybal-Allard
Capuano	Klink	Rush
Cardin	Kucinich	Sabo
Carson	LaFalce	Sanchez
Clay	Lampson	Sanders
Clayton	Lantos	Sandlin
Clyburn	Larson	Sawyer
Conyers	Lee	Schakowsky
Costello	Levin	Scott
Coyne	Lewis (GA)	Serrano
Crowley	Lofgren	Sherman
Cummings	Lowey	Sisisky
Davis (IL)	Luther	Slaughter
DeFazio	Maloney (CT)	Stabenow
DeGette	Maloney (NY)	Stark
Delahunt	Markey	Strickland
DeLauro	Matsui	Tauscher
Deutsch	McCarthy (MO)	Thompson (CA)
Dicks	McCarthy (NY)	Thompson (MS)
Dixon	McDermott	Thurman
Doggett	McGovern	Tierney
Dooley	McKinney	Turner
Edwards	McNulty	Udall (CO)
Eshoo	Meehan	Udall (NM)
Etheridge	Meek (FL)	Velazquez
Evans	Meeks (NY)	Visclosky
Farr	Menendez	Waters
Fattah	Millender-	Watt (NC)
Filner	McDonald	Waxman
Frank (MA)	Miller, George	Weiner
Frost	Minge	Wexler
Gejdenson	Mink	Weygand
Gephardt	Moakley	Woolsey
Gonzalez	Moore	Wu
Green (TX)	Moran (VA)	Wynn

NOES—257

Aderholt	Armey	Ballenger
Andrews	Bachus	Barcia
Archer	Baker	Barr

Barrett (NE)	Goodling	Peterson (PA)
Bartlett	Gordon	Petri
Barton	Goss	Phelps
Bass	Graham	Pickering
Bateman	Granger	Pitts
Bereuter	Green (WI)	Pombo
Berry	Greenwood	Porter
Biggert	Gutknecht	Portman
Billbray	Hall (OH)	Pryce (OH)
Billirakis	Hall (TX)	Quinn
Bliley	Hansen	Radanovich
Blunt	Hastings (WA)	Ramstad
Boehlert	Hayes	Regula
Boehner	Hayworth	Reynolds
Bonilla	Hefley	Roemer
Bono	Herger	Rogan
Borski	Hill (IN)	Rogers
Boucher	Hill (MT)	Rohrabacher
Boyd	Hilleary	Ros-Lehtinen
Brady (TX)	Hobson	Roukema
Bryant	Hoekstra	Royce
Burr	Holden	Ryan (WI)
Burton	Hostettler	Ryun (KS)
Buyer	Houghton	Salmon
Callahan	Hulshof	Sanford
Calvert	Hunter	Saxton
Camp	Hutchinson	Scarborough
Canady	Hyde	Schaffer
Cannon	Isakson	Sensenbrenner
Capps	Istook	Sessions
Castle	Jenkins	Shadegg
Chabot	John	Shaw
Chambliss	Johnson (CT)	Shays
Chenoweth-Hage	Johnson, Sam	Sherwood
Clement	Jones (NC)	Shimkus
Coble	Kasich	Shows
Coburn	Kelly	Shuster
Collins	King (NY)	Simpson
Combest	Kingston	Skeen
Condit	Knollenberg	Skelton
Cook	Kolbe	Smith (MI)
Cooksey	Kuykendall	Smith (NJ)
Cox	LaHood	Smith (TX)
Cramer	Largent	Smith (WA)
Crane	Latham	Snyder
Cubin	LaTourette	Souder
Cunningham	Leach	Spence
Danner	Lewis (CA)	Spratt
Davis (FL)	Lewis (KY)	Stearns
Davis (VA)	Linder	Stenholm
Deal	Lipinski	Stump
DeLay	LoBiondo	Stupak
DeMint	Lucas (KY)	Sununu
Diaz-Balart	Lucas (OK)	Sweeney
Dickey	Manzullo	Talent
Dingell	Martinez	Tancredo
Doolittle	Mascara	Tauzin
Doyle	McCrery	Taylor (MS)
Dreier	McHugh	Taylor (NC)
Duncan	McInnis	Terry
Dunn	McIntyre	Thomas
Ehlers	McKeon	Thornberry
Ehrlich	Metcalf	Thune
Emerson	Mica	Tiahrt
English	Miller (FL)	Toomey
Ewing	Miller, Gary	Trafficant
Fletcher	Mollohan	Upton
Foley	Moran (KS)	Vitter
Forbes	Morella	Walden
Ford	Murtha	Walsh
Fossella	Myrick	Wamp
Fowler	Nethercutt	Watkins
Franks (NJ)	Ney	Watts (OK)
Frelinghuysen	Northup	Weldon (FL)
Galleghy	Norwood	Weldon (PA)
Ganske	Nussle	Weller
Gekas	Ortiz	Whitfield
Gibbons	Ose	Wicker
Gilchrest	Oxley	Wilson
Gillmor	Packard	Wise
Gilman	Paul	Wolf
Goode	Pease	Young (FL)
Goodlatte	Peterson (MN)	

ANSWERED "PRESENT"—1

Kaptur

NOT VOTING—13

Engel	McCollum	Towns
Everett	McIntosh	Vento
Jefferson	Owens	
Jones (OH)	Riley	Young (AK)
Lazio	Tanner	

□ 1323

Messrs. SALMON, DAVIS of Florida, DAVIS of Virginia and HILL of Indiana changed their vote from "aye" to "no."

Ms. ESHOO and Messrs. GEPHARDT, BALDACCI and COSTELLO changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. PEASE). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SCOTT

Mr. SCOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SCOTT. I am in its present form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SCOTT moves to recommit the bill H.R. 4678 to the Committee on Ways and Means with instructions to report the same to the House forthwith with the following amendment:

Page 43, line 15, insert "(other than subsection (f))" after "this section".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) is recognized for 5 minutes in support of his motion.

Mr. SCOTT. Mr. Speaker, first of all, I want to make it clear to my colleagues that the motion does not kill the bill. It simply strikes the provision contained in the bill which allows employment discrimination and reports the bill immediately back to the House for consideration without that provision.

Mr. Speaker, the motion makes it clear that a religious organization participating in a fatherhood program may not use Federal funds to discriminate in their hiring based on religion. Mr. Speaker, the idea that religious bigotry might take place with Federal funds is not speculative.

During several debates that we have had on this issue, it has been established that it is the intent of the sponsors to allow a religious organization using Federal funds under charitable choice to fire or refuse to hire a perfectly qualified employee solely or based on that person's religion. One said that a Jewish organization could fire a Protestant if they choose.

Furthermore, some proponents of charitable choice have gone so far to suggest that charitable choice would not work unless one could discriminate. One proponent was quoted in Congressional Quarterly stating that groups should not be barred from Federal funds because they are a Christian organization and like to hire Christians.

Mr. Speaker, there was a time when some Americans, because of their religion, were not considered qualified for certain jobs. In fact, before 1960, it was thought that a Catholic could not be elected President. Before the civil rights laws passed, people of certain re-

ligions were routinely subject to invidious discrimination when they sought employment. Fortunately the civil rights laws of the 1960s put an end to that practice, and we no longer see signs suggesting that those particular religions need not apply for jobs.

Mr. Speaker, it is disappointing to know that at the same time that we are considering the first person of the Jewish faith to be our Vice President that at the same time we are considering legislation which will allow religious organizations to practice religious discrimination in federally funded programs.

Federally funded religious bigotry is wrong, and so I urge the adoption of the motion to recommit with instructions.

Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, this vote is very clear. It is nonpartisan. If my colleagues favor using Federal tax dollars to discriminate based on religion for federally funded jobs, then vote "no" on this motion. But if my colleagues think it is wrong to take the American people's tax dollars and put out a sign that says no Jews, no Protestants, or no Catholics, no Muslims need apply for this federally funded job, then they should vote "yes" for this motion.

□ 1330

I would suggest it is wrong to discriminate against any American citizen based on religion. I think to use Federal tax dollars to subsidize that religious discrimination should be intolerable, and it should be unacceptable in this bill or any bill that passes this House. I urge, for that reason, a bipartisan "yes" vote on this motion to recommit.

Mr. SCOTT. Mr. Speaker, I yield myself such time as I may consume to indicate that if this amendment does not pass, we will have people having the ability to tell people that they do not hire their kind because of their religion. This amendment would prohibit that practice, would prohibit discrimination based on religion in federally funded programs.

I would hope that we would take a stand against religious bigotry and adopt the motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise in very strong opposition to the motion to recommit, and I yield 30 seconds to the gentleman from Maryland (Mr. CARDIN), my ranking member.

The SPEAKER pro tempore (Mr. LATOURETTE). The gentlewoman from Connecticut (Mrs. JOHNSON) is recognized for 5 minutes, and the gentleman from Maryland (Mr. CARDIN) is yielded to for 30 seconds.

Mr. CARDIN. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, there are different views in this House in regards to this particular issue. I happen to agree with the position of the gentleman from Virginia (Mr. SCOTT) and will support the motion. However, regardless of what happens on the motion, I urge my colleagues to support the final passage of this legislation.

I am joined in this request by all the Democratic members of our subcommittee: the gentleman from California (Mr. STARK), the gentleman from California (Mr. MATSUI), the gentleman from Pennsylvania (Mr. COYNE), and the gentleman from Louisiana (Mr. JEFFERSON).

This is an extremely important bill. Let the House work its will on this motion, but please support final passage.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Speaker, this is a very critical vote. The question is whether we are going to repeal title VII of the Civil Rights Act that has exempted churches from being regulated in their employment patterns.

This is a question of church governance and whether we are now going to say that churches, if they are going to participate in any Federal program, can no longer be churches. If we take the religious nature out of the churches and say that they cannot control who they hire, we have changed the nature of current law. We have changed the nature of the Civil Rights Act, title VII, that was given in particular to churches so they did not fall under this type of thing.

In the recent decision on Mitchell versus Helms, for the majority, Justice Thomas wrote, "The religious nature of a recipient should not matter to the constitutional analysis so long as the recipient adequately furthers the government's secular purpose."

We all agree they cannot proselytize with government funds. If they are accomplishing our goal of fatherhood, of housing, of juvenile justice, whatever our goal is, to get kids off drugs, as long as they are not proselytizing with our government funds, I do not believe we in Congress should tell a church that they should no longer be a church or they cannot participate.

We need the involvement of all parts of our community. This amendment would in fact gut almost any denomination from being willing to participate in trying to address the problems that so desperately need our cooperative efforts.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. GOODLING).

Mr. GOODLING. Mr. Speaker, I thank the gentlewoman for yielding me this time.

My good friend from Virginia, and we are good friends, said that this does not gut the bill, does not kill the bill. There is no question it kills the bill. Title VII at the present time exempts

churches and religious organizations from employment discrimination laws. So, obviously, the church is not going to give up that title VII exemption or the religious organization, so they just do not participate.

So we will lose some of the very most important people that could make this program work simply because we have gutted the bill; we have eliminated their participation. It is just as simple as that.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this is a difficult issue. But for 4 years now this Nation has had Charitable Choice language in its welfare reform bill, in its Even Start program, and in other legislative initiatives for the explicit purpose of allowing churches to be part of the social service delivery system because often they can reach people that no government agency can reach.

There are neighborhoods in America, there are areas of America where the only institutions left are small churches. Those small churches cannot tolerate complex, burdensome regulations governing their activities, but they can provide services without proselytizing. Clearly under current law, they cannot use Federal funds on any program that is going to proselytize. They cannot use Federal funds if they are going to discriminate. All those things are in current Charitable Choice laws and they have worked. Do not change it.

And particularly do not change it in this fatherhood bill, because the fathers we are trying to reach are outside of the traditional system. The most likely agencies to reach them are the very small black churches in poor neighborhoods, Hispanic churches, other small institutions that we hope will be able to reach out to these fathers, and help bring them back into being the emotional parent of their child as well as the economic parent.

Charitable Choice provisions have worked. Do not vote for this motion to recommit because it will destroy the opportunity of particularly our smallest churches to participate in the fatherhood grant demonstration program. And that would be really a tragedy because it would weaken us in reaching people that traditionally in our society we have not been able to reach. Government has not reached them, the big institutional churches have not reached them, and we need, we need, to reach into the neighborhoods where the people need our help.

Mr. Speaker, I urge opposition to this motion to recommit.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

## RECORDED VOTE

Mr. SCOTT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 175, noes 249, not voting 10, as follows:

[Roll No. 456]

AYES—175

Abercrombie	Frost	Murtha
Ackerman	Gejdenson	Nadler
Allen	Gephardt	Napolitano
Andrews	Gonzalez	Neal
Baca	Green (TX)	Oberstar
Baird	Gutierrez	Obey
Baldacci	Hastings (FL)	Olver
Baldwin	Hill (IN)	Ortiz
Barrett (WI)	Hilliard	Pallone
Becerra	Hinchey	Pascrell
Bentsen	Hinojosa	Pastor
Berkley	Hoeffel	Payne
Berman	Holt	Pelosi
Berry	Hoolley	Pickett
Bishop	Hoyer	Pomeroy
Blagojevich	Inslee	Price (NC)
Blumenauer	Jackson (IL)	Rangel
Bonior	Jackson-Lee	Reyes
Boswell	(TX)	Rivers
Boucher	Johnson, E. B.	Rodriguez
Brady (PA)	Kanjorski	Rothman
Brown (FL)	Kennedy	Roybal-Allard
Brown (OH)	Kilpatrick	Rush
Capps	Kind (WI)	Sabo
Capuano	Kleczka	Sanchez
Cardin	Klink	Sanders
Carson	Kucinich	Sandlin
Clay	LaFalce	Sawyer
Clayton	Lampson	Schakowsky
Clement	Lantos	Scott
Clyburn	Larson	Serrano
Conyers	Lee	Sherman
Costello	Levin	Sisisky
Coyne	Lewis (GA)	Slaughter
Crowley	Lofgren	Smith (WA)
Cummings	Lowey	Snyder
Danner	Luther	Stabenow
Davis (FL)	Maloney (CT)	Stark
Davis (IL)	Maloney (NY)	Strickland
DeFazio	Markey	Stupak
DeGette	Mascara	Tauscher
Delahunt	Matsui	Thompson (CA)
DeLauro	McCarthy (MO)	Thompson (MS)
Deutsch	McCarthy (NY)	Thurman
Dicks	McDermott	Tierney
Dingell	McGovern	Turner
Dixon	McKinney	Udall (CO)
Doggett	McNulty	Udall (NM)
Dooley	Meehan	Velazquez
Doyle	Meek (FL)	Visclosky
Edwards	Meeks (NY)	Waters
Eshoo	Menendez	Watt (NC)
Etheridge	Millender	Waxman
Evans	McDonald	Weiner
Farr	Miller, George	Wexler
Fattah	Minge	Weygand
Filner	Mink	Woolsey
Ford	Moakley	Wu
Frank (MA)	Moore	Wynn

NOES—249

Aderholt	Bryant	Davis (VA)
Archer	Burr	Deal
Armey	Burton	DeLay
Bachus	Buyer	DeMint
Baker	Callahan	Diaz-Balart
Ballenger	Calvert	Dickey
Barcia	Camp	Doolittle
Barr	Campbell	Dreier
Barrett (NE)	Canady	Duncan
Bartlett	Cannon	Dunn
Barton	Castle	Ehlers
Bass	Chabot	Ehrlich
Bateman	Chambliss	Emerson
Bereuter	Chenoweth-Hage	English
Biggert	Coble	Ewing
Bilbray	Coburn	Fletcher
Billirakis	Collins	Foley
Bliley	Combest	Forbes
Blunt	Condit	Fossella
Boehlert	Cook	Fowler
Boehner	Cooksey	Franks (NJ)
Bonilla	Cox	Frelinghuysen
Bono	Cramer	Gallegly
Borski	Crane	Ganske
Boyd	Cubin	Gekas
Brady (TX)	Cunningham	Gibbons

