1988—Subsec. (a)(2). Pub. L. 100–628 substituted ‘‘(e), (h), or (i)’’ for ‘‘(e), or (h)’’. Pub. L. 100–485 substituted ‘‘(e), or (h)’’ for ‘‘or (e)’’. Pub. L. 98–620 struck out subsec. (e) which provided that any judicial proceedings under this section were entitled to, and upon request of the Secretary or the State would receive, a preference and be heard and determined as expeditiously as possible.


1984—Pub. L. 98–249 and Pub. L. 96–265 made identical amendments, substituting ‘‘subsection (b), (c), or (d)’’ for ‘‘subsection (b) or (c)’’.

EFFECTIVE DATE OF 1993 AMENDMENT

EFFECTIVE DATE OF 1988 AMENDMENTS
Amendment by Pub. L. 100–628 effective Sept. 30, 1989, with provision for optional early implementation and provision for States whose legislatures have not been in session for at least 30 days between Nov. 7, 1988, and Sept. 30, 1989, see section 354(d) of this title.

Amendment by Pub. L. 100–485 effective on first day of first calendar quarter beginning one year or more after Oct. 13, 1988, see section 124(c)(1) of Pub. L. 100–485, set out as a note under section 653 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT
Amendment by Pub. L. 98–620 not applicable to cases pending on Nov. 8, 1984, see section 403 of Pub. L. 98–620, set out as an Effective Date note under section 1637 of Title 28, Judiciay and Judicial Procedure.

EFFECTIVE DATE OF 1980 AMENDMENTS


SUBCHAPTER IV—GRANTS TO STATES FOR AID AND SERVICES TO NEEDY FAMILIES WITH CHILDREN AND FOR CHILD-WELFARE SERVICES

AMENDMENTS


PART A—BLOCK GRANTS TO STATES FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

PRIOR PROVISIONS

§ 601. Purpose
(a) In general
The purpose of this part is to increase the flexibility of States in operating a program designed to—

(1) provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;

(2) end the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;

(3) prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and

(4) encourage the formation and maintenance of two-parent families.

(b) No individual entitlement
This part shall not be interpreted to entitle any individual or family to assistance under any State program funded under this part.


PRIOR PROVISIONS

AMENDMENTS

EFFECTIVE DATE OF 1997 AMENDMENT
Amendment by Pub. L. 105–33 effective as it included in the provision of Pub. L. 104–193 amended at the time the provision became law, see section 5518(d) of Pub. L. 105–33, set out as a note under section 862a of Title 21, Food and Drugs.

EFFECTIVE DATE

(a) EFFECTIVE DATES—

(1) IN GENERAL.—Except as otherwise provided in this title [see Tables for classification], this title and the amendments made by this title shall take effect on July 1, 1997.

(2) DELAYED EFFECTIVE DATE FOR CERTAIN PROVISIONS.—Notwithstanding any other provision of this section (but subject to subsection (b)(1)(A)(ii)), paragraphs (2), (3), (4), (5), (8), and (10) of section 409(a) and section 411(a) of the Social Security Act [sections 609(a) and 611(a) of this title] (as added by the amendments made by section 103(a) of this Act) shall not take effect with respect to a State until, and shall apply only with respect to conduct that occurs on or after, the later of—

(A) July 1, 1997; or

(B) the date that is 6 months after the date the Secretary of Health and Human Services receives from the State a plan described in section 402(a) of the Social Security Act [section 602(a) of this title] (as added by such amendment).

(3) GRANTS TO OUTLYING AREAS.—The amendments made by section 103(b) [amending section 1008 of this title] shall take effect on October 1, 1996.

(4) ELIMINATION OF CHILD CARE PROGRAMS.—The amendments made by section 103(c) [amending sections 602 and 663 of this title] shall take effect on October 1, 1996.

(5) DEFINITIONS APPLICABLE TO NEW CHILD CARE ENTITLEMENT.—Sections 403(a)(1)(C), 403(a)(1)(D), and
419(4) of the Social Security Act [sections 603(a)(1)(C), (D) and 619(4) of this title], as added by the amendment made by section 103(a) of this Act, shall take effect on the date the Secretary of Health and Human Services first receives a plan made by section 103(a)(1) of this Act), during the period beginning on October 1, 1996, and ending on the date the Secretary of Health and Human Services first receives from the State a plan described in section 402(a) of the Social Security Act [section 602(a) of this title] (as amended by the amendment made by section 103(a)(1) of this Act), which —

(1) STATE OPTION TO ACCELERATE EFFECTIVE DATE; LIMITATION ON FISCAL YEARS 1996 AND 1997 PAYMENTS.—

(A) IN GENERAL.—If the Secretary of Health and Human Services receives from a State a plan described in section 402(a) of the Social Security Act [section 602(a) of this title] (as added by the amendment made by section 103(a)(1) of this Act), then —

(i) on and after the date of such receipt —

(1) except as provided in clause (ii), this title and the amendments made by this title (other than by section 103(c) of this Act (amending sections 602 and 603 of this title)) shall apply with respect to the State; and

(ii) the State shall be considered an eligible State for purposes of part A of title IV of the Social Security Act [this part] (as in effect pursuant to the amendments made by such section 103(a)); and

(ii) during the period that begins on the date of such receipt and ends on the later of June 30, 1997, or the day before the date described in subsection (a)(2)(B) of this section, there shall remain in effect with respect to the State —

(I) section 678(h) of the Social Security Act [section 668(h) of this title] (as in effect on September 30, 1995); and

(II) all State reporting requirements under parts A and F of title IV of the Social Security Act [this part and part F of this subchapter] (as in effect pursuant to the amendments made by such section 103(a));

(B) LIMITATIONS ON FEDERAL OBLIGATIONS.—

(i) UNDER AFDC PROGRAM.—The total obligations of the Federal Government to a State under part A of title IV of the Social Security Act [as in effect on September 30, 1995] modified by the Secretary as appropriate, taking into account the State program under part A of title IV of the Social Security Act (as in effect pursuant to the amendments made by such section 103(a)).

(ii) Under temporary family assistance program. —Notwithstanding section 403(a)(1) of the Social Security Act [section 603(a)(1) of this title] (as in effect pursuant to the amendments made by section 103(a) of this Act), the total obligations of the Federal Government to a State under such section 403(a)(1) —

(I) for fiscal year 1996, shall be an amount equal to —

(aa) the State family assistance grant; multiplied by

(bb) 1⁄365 of the number of days during the period that begins on the date the Secretary of Health and Human Services first receives from the State a plan described in section 402(a) of the Social Security Act [section 602(a) of this title] (as added by the amendment made by section 103(a)(1) of this Act) and ends on September 30, 1996; and

(II) for fiscal year 1997, shall be an amount equal to the lesser of —

(aa) the amount (if any) by which the sum of the State family assistance grant and the amount, if any, that the State would have been eligible to be paid under the Contingency Fund for State Welfare Programs established under section 403(b) of the Social Security Act (as in effect on October 1, 1996) exceeds the total obligations of the Federal Government to the State under part A of title IV of the Social Security Act [this part]; and

(bb) the sum of the State family assistance grant, multiplied by 1⁄365 of the number of days during the period that begins on October 1, 1996, and ends on the later of June 30, 1997, or the day before the date described in subsection (a)(2)(B) of this section, there shall remain in effect with respect to the State —

(I) section 678(h) of the Social Security Act [section 668(h) of this title] (as in effect on September 30, 1995); and

(II) all State reporting requirements under parts A and F of title IV of the Social Security Act [this part and part F of this subchapter] (as in effect pursuant to the amendments made by such section 103(a)); and

(III) the State shall be considered an eligible State for purposes of part A of title IV of the Social Security Act [this part] (as in effect on September 30, 1995) with respect to child care expenditures by the State.

(C) SUBMISSION OF STATE PLAN FOR FISCAL YEAR 1996 OR 1997 DEEMED ACCEPTANCE OF GRANT LIMITATIONS AND FORMULA AND TERMINATION OF AFDC ENTITLEMENT.—The submission of a plan by the State pursuant to subparagraph (A) is deemed to constitute —

(i) the State’s acceptance of the grant limitations and formula for computing the amount of the reduction; and

(ii) the termination of any entitlement of any individual or family to benefits or services under the State AFDC program.

(D) DEFINITIONS. —As used in this paragraph:

(i) STATE AFDC PROGRAM. —The term ‘State AFDC program’ means the State program under parts A and F of title IV of the Social Security Act (as in effect on September 30, 1995).

(ii) STATE. —The term ‘State’ means the 50 States and the District of Columbia.

(iii) STATE FAMILY ASSISTANCE GRANT. —The term ‘State family assistance grant’ means the State family assistance grant (as defined in section 403(a)(1)(B) of the Social Security Act [section 603(a)(1)(B) of this title], as added by the amendment made by section 103(a)(1) of this Act).

(2) CLAIMS, ACTIONS, AND PROCEEDINGS. —The amendments made by this title [see Tables for classification] shall not apply with respect to —

(A) powers, duties, functions, rights, claims, penalties, or obligations applicable to aid, assistance, or services provided before the effective date of this title under the provisions amended; and

(B) administrative and judicial proceedings commenced before such date, or authorized before such date to be commenced, under such provisions.
Congress makes the following findings:

of the Social Security Act [this part or part F of this
any State plan approved under part A or F of title IV
subchapter] (as in effect on September 30, 1995)."

"(5) The number of individuals receiving AFDC benefits
age, 17 and under who give birth
child support order established
and, of that 54 percent, only about one-half re-
the full amount due. Of the cases enforced
through the public child support enforcement system,
only 18 percent of the caseload has a collection.
"(5) The number of individuals receiving aid to
families with dependent children (in this section referred
to as "AFDC") has more than tripled since 1965. More
than two-thirds of these recipients are children. Eighty-nine
percent of children receiving AFDC bene-
fits now live in homes in which no father is present.
"(A)(i) The average monthly number of children receiving
AFDC benefits—
"(I) was 3,300,000 in 1965;
"(II) was 6,200,000 in 1970;
"(III) was 7,400,000 in 1980; and
"(IV) was 9,300,000 in 1992.
"(II) While the number of children receiving AFDC benefits increased nearly threefold between
1965 and 1992, the total number of children in the
United States aged 6 to 18 has declined by 5.5
percent.
"(B) The Department of Health and Human Serv-
ices has estimated that 12,000,000 children will re-
ceive AFDC benefits within 10 years.
"(C) The increase in the number of children re-
ceiving public assistance is closely related to the
increase in births to unmarried women. Between
1970 and 1991, the percentage of live births to
unmarried women increased nearly threefold, from
19.7 percent to 29.5 percent.
"(6) The increase of out-of-wedlock pregnancies and
births is well documented as follows:
"(A) It is estimated that the rate of nonmarital teen pregnancy rose 23 percent from 54 pregnancies
per 1,000 unmarried teenagers in 1976 to 66.7 pregnancies in 1991. The overall rate of nonmarital preg-
nancy rose 14 percent from 90.6 pregnancies per
1,000 unmarried women in 1960 to 103 in both 1991
and 1992. In contrast, the overall pregnancy rate for
married couples decreased 7.3 percent between 1980
and 1991, from 126.9 pregnancies per 1,000 married
women in 1960 to 117.4 pregnancies in 1991.
"(B) The total of all out-of-wedlock births be-
tween 1970 and 1991 has risen from 10.7 percent to
29.5 percent and if the current trend continues,
50 percent of all births by the year 2015 will be out-of-
wedlock.
"(7) An effective strategy to combat teenage pregnancy
must address the issue of male responsibility,
including statutory rape culpability and prevention.
The increase of teenage pregnancies among the
youngest girls is particularly severe and is linked to
predatory sexual practices by men who are signifi-
cantly older.
"(A) It is estimated that in the late 1980’s, the
rate for girls age 14 and under giving birth in-
creased 26 percent.
"(B) Data indicates that at least half of the chil-
dren born to teenage mothers are fathered by adult
men. Available data suggests that almost 70 per-
cent of births to teenage girls are fathered by men
over age 20.
"(C) Surveys of teen mothers have revealed that
a majority of such mothers have histories of sexual
and physical abuse, primarily with older adult men.
"(8) The negative consequences of an out-of-wed-
lock birth on the mother, the child, the family, and
society are well documented as follows:
"(A) Young women 17 and under who give birth
outside of marriage are more likely to go on public
assistance and to spend more years on welfare once
enrolled. These combined effects of ‘younger and
longer’ increase total AFDC costs per household
by 25 percent to 30 percent for 17-year-olds.
"(B) Children born out-of-wedlock have a substan-
tially higher risk of being born at a very low or
moderately low birth weight.
"(C) Children born out-of-wedlock are more likely
to experience low verbal cognitive attainment, as
well as more child abuse, and neglect.
"(D) Children born out-of-wedlock were more
likely to have lower cognitive scores, lower edu-
cational aspirations, and a greater likelihood of be-
coming teenage parents themselves.
"(E) Being born out-of-wedlock significantly re-
duces the chances of the child growing up to have
an intact marriage.
"(F) Children born out-of-wedlock are 3 times
more likely to be on welfare when they grow up.
"(G) Currently 35 percent of children in single-par-
ent homes were born out-of-wedlock, nearly the same
percentage as that of children in single-parent homes
whose parents are divorced (37 percent). While many
parents find themselves, through divorce or tragic
circumstances beyond their control, facing the dif-
ficult task of raising children alone, nevertheless, the
negative consequences of raising children in single-
parent homes are well documented as follows:
§ 602. Eligible States; State plan

(a) In general

As used in this part, the term ‘eligible State’ means, with respect to a fiscal year, a State that, during the 27-month period ending with the close of the 1st quarter of the fiscal year, has submitted to the Secretary a plan that the Secretary has found includes the following:

(1) Outline of family assistance program

(A) General provisions

A written document that outlines how the State intends to do the following:

(i) Conduct a program, designed to serve all political subdivisions in the State (not necessarily in a uniform manner), that provides assistance to needy families with (or expecting) children and provides parents with job preparation, work, and support services to enable them to leave the program and become self-sufficient.

(ii) Require a parent or caretaker receiving assistance under the program to engage in work (as defined by the State) once the State determines the parent or caretaker is ready to engage in work, or once the parent or caretaker has received assistance under the program for 24 months (whether or not consecutive), whichever is earlier, consistent with section 606(c)(2) of this title.

(iii) Ensure that parents and caretakers receiving assistance under the program engage in work activities in accordance with section 607 of this title.

(iv) Take such reasonable steps as the State deems necessary to restrict the use and disclosure of information about individuals and families receiving assistance under the program attributable to funds provided by the Federal Government.

(B) Special provisions

(i) The document shall indicate whether the State intends to treat families moving into the State from another State differently than other families under the program, and if so, how the State intends to treat such families under the program.

(ii) The document shall indicate whether the State intends to provide assistance under the program to individuals who are

1 See References in Text note below.