

S. 140

To improve the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. FAIRCLOTH introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To improve the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

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

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Welfare Improvement Act of 1997”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. No additional cash assistance for children born to families receiving as-

sistance.

Sec. 3. Prohibition of recruitment activities.

Sec. 4. Mandatory termination of assistance.

Sec. 5. Work participation rate requirement.

Sec. 6. Limitation on payments to States.

Sec. 7. Effective date.

1 **SEC. 2. NO ADDITIONAL CASH ASSISTANCE FOR CHILDREN**

2 **BORN TO FAMILIES RECEIVING ASSISTANCE.**

3 Section 408(a) of the Social Security Act (42 U.S.C.
4 608(a)) is amended by adding at the end the following:

5 “(12) NO ADDITIONAL CASH ASSISTANCE FOR
6 CHILDREN BORN TO FAMILIES RECEIVING ASSIST-
7 ANCE.—

8 “(A) GENERAL RULE.—A State to which a
9 grant is made under section 403 shall not use
10 any part of the grant to provide cash benefits
11 for a minor child who is born to—

12 “(i) a recipient of assistance under
13 the program operated under this part; or

14 “(ii) a person who received such as-
15 sistance at any time during the 10-month
16 period ending with the birth of the child.

17 “(B) EXCEPTION FOR CHILDREN BORN
18 INTO FAMILIES WITH NO OTHER CHILDREN.—

19 Subparagraph (A) shall not apply to a minor
20 child who is born into a family that does not in-
21 clude any other children.

22 “(C) EXCEPTION FOR VOUCHERS.—Sub-
23 paragraph (A) shall not apply to vouchers
24 which are provided in lieu of cash benefits and

1 which may be used only to pay for particular
 2 goods and services specified by the State as
 3 suitable for the care of the child involved.

4 “(D) EXCEPTION FOR RAPE OR INCEST.—
 5 Subparagraph (A) shall not apply with respect
 6 to a child who is born as a result of rape or in-
 7 cest.

8 “(E) STATE ELECTION TO OPT OUT.—Sub-
 9 paragraph (A) shall not apply to a State if
 10 State law specifically exempts the State pro-
 11 gram funded under this part from the applica-
 12 tion of subparagraph (A).

13 “(F) SUBSTITUTION OF FAMILY CAPS IN
 14 EFFECT UNDER WAIVERS.—Subparagraph (A)
 15 shall not apply to a State—

16 “(i) if, as of the date of the enactment
 17 of this part, there is in effect a waiver ap-
 18 proved by the Secretary under section
 19 1115 which permits the State to deny aid
 20 under the State plan approved under part
 21 A of this title (as in effect without regard
 22 to the amendments made by title I of the
 23 Personal Responsibility and Work Oppor-
 24 tunity Reconciliation Act of 1996 (Public
 25 Law 104–193, 110 Stat. 2110) to a family

1 by reason of the birth of a child to a fam-
 2 ily member otherwise eligible for such aid;
 3 and

4 “(ii) for so long as the State contin-
 5 ues to implement such policy under the
 6 State program funded under this part,
 7 under rules prescribed by the State.”.

8 **SEC. 3. PROHIBITION OF RECRUITMENT ACTIVITIES.**

9 Section 1631 of the Social Security Act (42 U.S.C.
 10 1383) is amended by adding at the end the following new
 11 subsection:

12 “PROHIBITION OF RECRUITMENT ACTIVITIES

13 “(p) Nothing in this title shall be construed to au-
 14 thorize recruitment activities under this title, including
 15 with respect to any outreach programs or demonstration
 16 projects.”.

17 **SEC. 4. MANDATORY TERMINATION OF ASSISTANCE.**

18 Section 407(e)(1) of the Social Security Act (42
 19 U.S.C. 607(e)(1)), is amended to read as follows:

20 “(1) IN GENERAL.—Except as provided in para-
 21 graph (2), if an individual in a family receiving as-
 22 sistance under the State program funded under this
 23 part refuses to engage in work required in accord-
 24 ance with this section, the State shall—

25 “(A) in the case of the first or second re-
 26 fusal—

1 “(i) reduce the amount of assistance
 2 otherwise payable to the family pro rata
 3 (or more, at the option of the State) with
 4 respect to any period during a month in
 5 which the individual so refuses; or

6 “(ii) terminate such assistance,
 7 subject to such good cause and other exceptions
 8 as the State may establish; and

9 “(B) in the case of the third refusal, termi-
 10 nate the assistance.”.

11 **SEC. 5. WORK PARTICIPATION RATE REQUIREMENT.**

12 The table in section 407(a)(1) of the Social Security
 13 Act (42 U.S.C. 607(a)(1)), is amended, in the item relat-
 14 ing to fiscal year 2002 or thereafter, by striking “50” and
 15 inserting “75”.

16 **SEC. 6. LIMITATION ON PAYMENTS TO STATES.**

17 Part A of title IV of the Social Security Act (42
 18 U.S.C. 601 et seq.) is amended by adding at the end the
 19 following:

20 **“SEC. 420. LIMITATION ON PAYMENTS TO STATES.**

21 “Notwithstanding any other provision of this part, no
 22 funds may be paid to a State under this part unless the
 23 State—

24 “(1) establishes and maintains a reasonable
 25 program for randomly testing an individual in a

1 family receiving assistance under the State program
2 funded under this part for the use of controlled sub-
3 stances; and

4 “(2) terminates assistance under the State pro-
5 gram funded under this part for any individual who
6 tests positive for the use of controlled substances.”.

7 **SEC. 7. EFFECTIVE DATE.**

8 This Act and the amendments made by this Act take
9 effect as if included in the enactment of the Personal Re-
10 sponsibility and Work Opportunity Reconciliation Act of
11 1996 (Public Law 104–193, 110 Stat. 2105).

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