

106TH CONGRESS
1ST SESSION

H. R. 1482

To reauthorize the Welfare-To-Work program to provide additional resources and flexibility to improve the administration of the program.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 1999

Mr. CARDIN (for himself, Mr. STARK, Mr. MATSUI, Mr. COYNE, Mr. JEFFERSON, and Mr. LEVIN) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To reauthorize the Welfare-To-Work program to provide additional resources and flexibility to improve the administration of the program.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Welfare-to-Work
5 Amendments of 1999”.

6 **SEC. 2. APPROPRIATIONS FOR FISCAL YEAR 2000.**

7 (a) IN GENERAL.—Section 403(a)(5)(I)(i) of the So-
8 cial Security Act (42 U.S.C. 603(a)(5)(I)(i)) is amended

1 by inserting “, and \$1,000,000,000 for fiscal year 2000,”
 2 after “1999”.

3 (b) COMPETITIVE GRANTS.—Section 403(a)(5)(B)(i)
 4 of such Act (42 U.S.C. 603(a)(5)(B)(i)) is amended by
 5 striking “and 1999” and inserting “, 1999, and 2000”.

6 **SEC. 3. ELIGIBILITY FOR SERVICES.**

7 (a) HARD-TO-EMPLOY LONG-TERM RECIPIENTS.—
 8 Section 403(a)(5)(C)(ii) of the Social Security Act (42
 9 U.S.C. 603(a)(5)(C)(ii)) is amended—

10 (1) by striking “REQUIRED BENEFICIARIES.—”

11 and inserting “HARD-TO-EMPLOY RECIPIENTS.—”;

12 (2) in the matter preceding subclause (I)—

13 (A) by striking “shall expend at least 70
 14 percent of all” and inserting “may expend”;

15 and

16 (B) by striking “, or for the benefit of non-
 17 custodial parents,”;

18 (3) in the matter preceding item (aa) of sub-
 19 clause (I)—

20 (A) by striking “At least 2” and inserting
 21 “Any”;

22 (B) by striking “apply” and inserting “ap-
 23 plies”; and

24 (C) by striking “or the noncustodial par-
 25 ent”;

1 (4) in item (aa) of subclause (I), by striking “,
2 and has low skills in reading or mathematics”;

3 (5) by adding at the end of subclause (I) the
4 following:

5 “(dd) The individual has
6 English reading, writing, or com-
7 puting skills at or below the 8th
8 grade level.

9 “(ee) The individual is
10 homeless.

11 “(ff) The individual has a
12 disability.

13 “(gg) The individual has
14 been a victim of domestic vio-
15 lence.”; and

16 (6) in the matter preceding item (aa) of sub-
17 clause (II), by striking “or the minor children of the
18 non-custodial parent”.

19 (b) NONCUSTODIAL PARENTS.—Section
20 403(a)(5)(C) of such Act (42 U.S.C. 603(a)(5)(C)) is
21 amended—

22 (1) by redesignating clauses (iii) through (viii)
23 as clauses (iv) through (ix), respectively; and

24 (2) by inserting after clause (ii) the following:

1 “(iii) NONCUSTODIAL PARENTS.—An
2 entity that operates a project with funds
3 provided under this paragraph may use the
4 funds to provide services in a form de-
5 scribed in clause (i) to noncustodial par-
6 ents with respect to whom the require-
7 ments of the following subclauses are met:

8 “(I) The noncustodial parent is
9 unemployed, underemployed, or hav-
10 ing difficulty in paying child support
11 obligations.

12 “(II) At least 1 of the following
13 applies to a minor child of the non-
14 custodial parent (with preference in
15 the determination of the noncustodial
16 parents to be provided services under
17 this paragraph to be provided by the
18 entity to those noncustodial parents
19 with minor children who meet, or who
20 have custodial parents who meet, the
21 requirements of item (aa)):

22 “(aa) The minor child or the
23 custodial parent of the minor
24 child meets the requirements of
25 clause (ii)(II).

1 “(bb) The minor child is eli-
2 gible for, or is receiving, benefits
3 under the program funded under
4 this part.

5 “(cc) The minor child re-
6 ceived benefits under the pro-
7 gram funded under this part in
8 the 12-month period preceding
9 the date of the determination but
10 no longer receives such benefits.

11 “(dd) The minor child is eli-
12 gible for, or is receiving, assist-
13 ance under the Food Stamp Act
14 of 1977, benefits under the sup-
15 plemental security income pro-
16 gram under title XVI of this Act,
17 medical assistance under title
18 XIX of this Act, or child health
19 assistance under title XXI of this
20 Act.

21 “(III) The noncustodial parent is
22 in compliance with the terms of a per-
23 sonal responsibility contract entered
24 into among the noncustodial parent,
25 the entity, and the agency responsible

1 for administering the State plan
2 under part D, which was developed
3 taking into account the employment
4 and child support status of the non-
5 custodial parent, which was entered
6 into not later than 30 (or, at the op-
7 tion of the entity, not later than 90)
8 days after the noncustodial parent
9 was enrolled in the project and which,
10 at a minimum, includes the following:

11 “(aa) A commitment by the
12 noncustodial parent to cooperate,
13 at the earliest opportunity, in the
14 establishment of the paternity of
15 the minor child, through vol-
16 untary acknowledgement or other
17 procedures, and in the establish-
18 ment of a child support order.

19 “(bb) A commitment by the
20 noncustodial parent to cooperate
21 in the payment of child support
22 for the minor child, which may
23 include a modification of an ex-
24 isting support order to take into
25 account the ability of the non-

1 custodial parent to pay such sup-
2 port and the participation of such
3 parent in the project.

4 “(cc) A commitment by the
5 noncustodial parent to participate
6 in employment that will enable
7 the noncustodial parent to make
8 regular child support payments,
9 which may include temporary em-
10 ployment in community service or
11 work experience provided under
12 this paragraph to assist in prepa-
13 ration for unsubsidized employ-
14 ment, and for such parents who
15 have not attained 20 years of
16 age, may include completion of
17 high school, a general equivalency
18 degree, or other education di-
19 rectly related to employment.

20 “(dd) A description of the
21 services to be provided under this
22 paragraph, and a commitment by
23 the noncustodial parent to par-
24 ticipate in such services, that are
25 designated to assist the noncusto-

1 dial parent obtain and retain em-
2 ployment, increase earnings, and
3 enhance the financial and emo-
4 tional contributions to the well-
5 being of the minor child.

6 In order to protect custodial parents
7 and children who may be at risk of
8 domestic violence, the preceding provi-
9 sions of this subclause shall not be
10 construed to affect any other provi-
11 sion of law requiring a custodial par-
12 ent to cooperate in establishing the
13 paternity of a child or establishing or
14 enforcing a support order with respect
15 to a child, or entitling a custodial par-
16 ent to refuse, for good cause, to pro-
17 vide such cooperation as a condition
18 of assistance or benefit under any
19 program, shall not be construed to re-
20 quire such cooperation by the custo-
21 dial parent as a condition of participa-
22 tion of either parent in the program
23 authorized under this paragraph, and
24 shall not be construed to require a
25 custodial parent to cooperate with or

1 participate in any activity under this
2 clause. The entity operating a project
3 under this clause with funds provided
4 under this paragraph shall consult
5 with domestic violence prevention and
6 intervention organizations in the de-
7 velopment of the project.”.

8 (c) RECIPIENTS WITH CHARACTERISTICS OF LONG-
9 TERM DEPENDENCY; CHILDREN AGING OUT OF FOSTER
10 CARE.—

11 (1) IN GENERAL.—Subclause (II) of section
12 403(a)(5)(C)(iv) of such Act (42 U.S.C.
13 603(a)(5)(C)(iv)(II)), as so redesignated by sub-
14 section (b)(1) of this section, is amended to read as
15 follows:

16 “(II) to children—

17 “(aa) who have attained 18
18 years of age but not 25 years of
19 age; and

20 “(bb) who, on the day before
21 attaining 18 years of age were
22 recipients of foster care mainte-
23 nance payments (as defined in
24 section 475(4)) under part E or

1 were in foster care under the re-
 2 sponsibility of a State.”.

3 (2) CONFORMING AMENDMENTS.—Section
 4 403(a)(5)(C)(iv) of such Act (42 U.S.C.
 5 603(a)(5)(C)(iv)), as so redesignated by subsection
 6 (b)(1) of this section, is amended—

7 (A) in the heading by inserting “HARD TO
 8 EMPLOY” before “INDIVIDUALS”; and

9 (B) in the last sentence by striking “clause
 10 (ii)” and inserting “clauses (ii) and (iii)”.

11 **SEC. 4. EXPENDITURE REQUIREMENT FOR SERVICES TO**
 12 **NONCUSTODIAL PARENTS.**

13 (a) 20 PERCENT MINIMUM.—Section 403(a)(5)(A) of
 14 the Social Security Act (42 U.S.C. 603(a)(5)(A)) is
 15 amended by adding at the end the following:

16 “(x) EXPENDITURES FOR NONCUSTO-
 17 DIAL PARENTS IN FISCAL YEAR 2000.—

18 “(I) 20 PERCENT MINIMUM.—

19 Subject to subclause (II) of this
 20 clause, a State shall expend not less
 21 than 20 percent of the funds allotted
 22 to the State under this subparagraph
 23 in fiscal year 2000 (including the
 24 funds allocated to service delivery
 25 areas pursuant to clause (vi)(I) of this

subparagraph) to provide services to noncustodial parents meeting the requirements of subparagraph (C)(iii).

“(II) WAIVER OF REQUIREMENT.—The Governor of a State may submit to the Secretary of Labor a request to waive the requirements of subclause (I), which may include a request to reduce or eliminate the minimum percentage of expenditures required under such subclause. If the Secretary of Labor determines there is sufficient justification for the request, the Secretary of Labor may grant the waiver.”.

(b) STATE PLAN ELEMENT.—Section 403(a)(5)(A)(ii)(I) of such Act (42 U.S.C. 603(a)(5)(ii)(I)) is amended—

(1) in item (dd), by striking “and” after the semicolon;

(2) in item (ee), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(ff) contains assurances that the State will meet the ex-

1 penditure requirements for serv-
 2 ices to noncustodial parents
 3 under clause (x) with respect to
 4 the funds allotted under this sub-
 5 paragraph in fiscal year 2000,
 6 and describes how the State will
 7 meet such requirements and co-
 8 ordinate projects carried out with
 9 funds allocated to the service de-
 10 livery areas in the State under
 11 clause (vi)(I) and projects carried
 12 out with funds reserved by the
 13 Governor under clause (vi)(III)
 14 to ensure the required expendi-
 15 ture level will be met; and”.

16 **SEC. 5. ADDITIONAL STATE PLAN ELEMENTS.**

17 (a) INTEGRATION WITH WIA STATE PLAN.—Section
 18 403(a)(5)(A)(ii)(I) of the Social Security Act (42 U.S.C.
 19 603(a)(5)(A)(ii)(I)) is amended in the matter preceding
 20 item (aa) by inserting “and, for fiscal year 2000, in addi-
 21 tion to the addendum as part of the strategic State plan
 22 submitted under section 112 of the Workforce Investment
 23 Act of 1998” after “section 402”.

24 (b) COORDINATION WITH CHILD SUPPORT EN-
 25 FORCEMENT AGENCIES.—Section 403(a)(5)(A)(ii)(I) of

1 such Act (42 U.S.C. 603(a)(5)(A)(ii)(I)), as amended by
2 section 4(b) of this Act, is further amended by adding at
3 the end the following:

4 “(gg) contains assurances
5 that the State agencies admin-
6 istering the programs under this
7 part and part D have been con-
8 sulted in the development of the
9 plan under this subclause, and a
10 certification by the head of the
11 State agency administering the
12 program under part D that the
13 agency will participate in the
14 planning and coordination of
15 services to noncustodial parents
16 described in subparagraph
17 (C)(iii), including the use of the
18 procedures of the agency to de-
19 termine appropriate levels of
20 child support for such noncusto-
21 dial parents and to take appro-
22 priate actions, such as a review
23 and adjustment or suspension of
24 child support orders, if the non-
25 custodial parent participating in

1 activities under this paragraph
2 does not have the ability to pay
3 the required amounts.”.

4 **SEC. 6. TRANSFER OF UNALLOTTED FORMULA FUNDS TO**
5 **COMPETITIVE GRANTS.**

6 (a) TRANSFER OF FUNDS.—Section 403(a)(5)(A)(ix)
7 of the Social Security Act (42 U.S.C. 603(a)(5)(A)(ix))
8 is amended to read as follows:

9 “(ix) TRANSFER OF UNALLOTTED
10 FORMULA FUNDS.—If at the end of fiscal
11 year 1999 or 2000 funds available under
12 this subparagraph remain unallotted, the
13 Secretary shall use such funds in fiscal
14 year 2000 or 2001 to award competitive
15 grants in accordance with subparagraph
16 (B)(vi).”.

17 (b) USE OF TRANSFERRED FORMULA FUNDS.—Sec-
18 tion 403(a)(5)(B) of such Act (42 U.S.C. 603(a)(5)(B))
19 is amended by adding at the end the following:

20 “(vi) USE OF TRANSFERRED FOR-
21 MULA FUNDS.—The Secretary shall use
22 any funds available from fiscal year 1999
23 or 2000 pursuant to subparagraph (A)(ix)
24 to award competitive grants in fiscal year
25 2000 or 2001 in accordance with the re-

quirements of clauses (i) through (iv) of this subparagraph, except that in awarding such grants the Secretary shall give a preference to applicants, including Indian tribes, located in States that were not allotted funds under subparagraph (A) in the fiscal year from which the transfer under subparagraph (A)(ix) is made.”.

9 SEC. 7. ELIGIBLE SERVICE PROVIDERS.

10 Section 403(a)(5)(C) of the Social Security Act (42
11 U.S.C. 603(a)(5)(C)), as amended by section 3(b)(1) of
12 this Act, is amended by adding at the end the following:

13 “(x) ELIGIBLE SERVICE PRO-
14 VIDERS.—The States and private industry
15 councils (or, if applicable, workforce invest-
16 ment boards) or alternate administering
17 entities allocated formula funds under sub-
18 paragraph (A), and the entities awarded
19 competitive grants under subparagraph
20 (B), may enter into agreements and con-
21 tracts with, and award subgrants to, other
22 public and private entities, such as child
23 support enforcement agencies and commu-
24 nity-based organizations, for the provision

1 of services through projects funded under
 2 this paragraph.”.

3 **SEC. 8. PERFORMANCE BONUSES.**

4 Section 403(a)(5)(E) of the Social Security Act (42
 5 U.S.C. 603(a)(5)(E)) is amended—

6 (1) in clause (i), by striking “year 2000” and
 7 inserting “years 2000 and 2001”;

8 (2) in clause (iv)(I)(aa), by inserting “for pur-
 9 poses of the bonus grants awarded in fiscal year
 10 2000, and to each State that is a welfare-to-work
 11 State for fiscal year 2000 for purposes of the bonus
 12 grants awarded in fiscal year 2001” before the semi-
 13 colon;

14 (3) in clause (iv)(I)(bb), by inserting “in fiscal
 15 year 2000, and an amount equal to 7 percent of the
 16 amount specified in subparagraph (I) for fiscal year
 17 2000 in fiscal year 2001” before the period; and

18 (4) in clause (vi), by inserting “in fiscal year
 19 2000. 7 percent of the amount specified in subpara-
 20 graph (I) for fiscal year 2000 shall be reserved for
 21 grants under this subparagraph in fiscal year 2001”
 22 before the period.

23 **SEC. 9. GRANTS TO INDIAN TRIBES.**

24 (a) INCREASE IN RESERVE.—Section 403(a)(5)(F) of
 25 the Social Security Act (42 U.S.C. 603(a)(5)(F)) is

1 amended by adding at the end the following: “3 percent
 2 of the amount specified in subparagraph (I) for fiscal year
 3 2000 shall be reserved for such grants to Indian tribes.”.

4 (b) ELIGIBILITY FOR COMPETITIVE GRANTS.—Sec-
 5 tion 403(a)(5)(B)(ii) of such Act (42 U.S.C.
 6 603(a)(5)(B)(ii)) is amended by inserting “, or an Indian
 7 tribe that submits a proposal” before the period.

8 (c) REPEAL OF RECAPTURE REQUIREMENTS.—

9 (1) FORMULA GRANTS.—Section
 10 403(a)(5)(A)(iv)(I) of such Act (42 U.S.C.
 11 603(a)(5)(A)(iv)(I)) is amended to read as follows:

12 “(I) 75 percent of the sum of the
 13 amount specified in subparagraph (I)
 14 for the fiscal year, minus the total of
 15 the amounts reserved pursuant to
 16 subparagraphs (E), (F), (G), and (H)
 17 for the fiscal year; and”.

18 (2) COMPETITIVE GRANTS.—Section
 19 403(a)(5)(B)(v)(I) of such Act (42 U.S.C.
 20 603(a)(5)(B)(v)(I)) is amended to read as follows:

21 “(I) 25 percent of the sum of the
 22 amount specified in subparagraph (I)
 23 for the fiscal year, minus the total of
 24 the amounts reserved pursuant to

1 subparagraphs (E), (F), (G), and (H)
 2 for the fiscal year; and”.

3 (3) PRESERVATION OF AVAILABILITY OF
 4 FUNDS.—Section 403(a)(5)(F) of such Act (42
 5 U.S.C. 603(a)(5)(F)) is amended by adding at the
 6 end the following: “Amounts so reserved shall re-
 7 main available for obligation for 2 years.”.

8 **SEC. 10. FUNDING FOR EVALUATIONS.**

9 (a) WELFARE-TO-WORK EVALUATION.—Section
 10 403(a)(5)(G) of the Social Security Act (42 U.S.C.
 11 603(a)(5)(G)) is amended by striking “amount so speci-
 12 fied for fiscal year 1999” and inserting “amounts so speci-
 13 fied for each of fiscal years 1999 and 2000”.

14 (b) ABSTINENCE EDUCATION EVALUATION.—Section
 15 403(a)(5)(H)(i) of such Act (42 U.S.C. 603(a)(5)(H)(i))
 16 is amended by inserting “, and 0.1 percent of the amount
 17 so specified for fiscal year 2000,” after “1999”.

18 **SEC. 11. TECHNICAL ASSISTANCE.**

19 (a) ESTABLISHMENT OF RESERVE.—Section
 20 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5))
 21 is amended by adding at the end the following:

22 “(K) FUNDING FOR TECHNICAL AS-
 23 SISTANCE.—1 percent of the amount speci-
 24 fied in subparagraph (I) for fiscal year
 25 2000 shall be reserved by the Secretary of

1 Labor for technical assistance to States,
 2 localities, Indian tribes, and other entities
 3 carrying out projects under this paragraph.
 4 Such technical assistance shall include the
 5 dissemination of information regarding in-
 6 novative and promising practices and ap-
 7 proaches relating to welfare-to-work activi-
 8 ties, including strategies for effectively
 9 serving noncustodial parents. The Sec-
 10 retary of Labor, in consultation with the
 11 Secretary of Health and Human Services,
 12 shall develop a technical assistance strat-
 13 egy for carrying out this subparagraph
 14 that ensures coordination and promotes
 15 partnerships among States and local agen-
 16 cies carrying out activities under this para-
 17 graph and under this part, child support
 18 agencies, and community-based organiza-
 19 tions serving noncustodial parents.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) FORMULA GRANTS.—Section
 22 403(a)(5)(A)(iv)(I) of such Act (42 U.S.C.
 23 603(a)(5)(A)(iv)(I)), as amended by section 9(c)(1)
 24 of this Act, is amended by striking “and (H)” and
 25 inserting “(H), and (K)”.

1 (2) COMPETITIVE GRANTS.—Section
 2 403(a)(5)(B)(v)(I) of such Act (42 U.S.C.
 3 603(a)(5)(B)(v)(I)), as amended by section 9(c)(2)
 4 of this Act, is amended by striking “and (H)” and
 5 inserting “(H), and (K)”.

6 **SEC. 12. SIMPLIFICATION AND COORDINATION OF REPORT-**
 7 **ING REQUIREMENTS.**

8 (a) ELIMINATION OF CURRENT REQUIREMENTS.—
 9 Section 411(a)(1)(A) of the Social Security Act (42 U.S.C.
 10 611(a)(1)(A)) is amended—

11 (1) in the matter preceding clause (i), by insert-
 12 ing “(except for information relating to activities
 13 carried out under section 403(a)(5))” after “part”;
 14 and

15 (2) by striking clause (xviii).

16 (b) ESTABLISHMENT OF REPORTING REQUIRE-
 17 MENT.—Section 403(a)(5)(C) of the Social Security Act
 18 (42 U.S.C. 603(a)(5)(C)), as amended by sections 3(b)(1)
 19 and 7 of this Act, is amended by adding at the end the
 20 following:

21 “(xi) REPORTING REQUIREMENTS.—

22 The Secretary of Labor shall establish re-
 23 quirements for the collection and mainte-
 24 nance of financial and participant informa-
 25 tion and the reporting of such information

1 by entities carrying out activities under
2 this paragraph.”.

3 **SEC. 13. REPORT TO CONGRESS.**

4 Section 413(j)(2)(C) of the Social Security Act (42
5 U.S.C. 613(j)(2)(C)) is amended—

6 (1) by striking “FINAL REPORT.—” and insert-
7 ing “SUBSEQUENT REPORTS.—”;

8 (2) by striking “(or” and inserting “and Janu-
9 ary 1, 2002, respectively, (or, in either case,”; and

10 (3) by striking “a final report” and inserting
11 “reports”.

12 **SEC. 14. JOB SKILLS TRAINING, VOCATIONAL EDU-**
13 **CATIONAL TRAINING, AND BASIC EDUCATION**
14 **INCLUDED AS ALLOWABLE ACTIVITIES.**

15 Section 403(a)(5)(C)(i) of the Social Security Act (42
16 U.S.C. 603(a)(5)(C)(i)) is amended by inserting after sub-
17 clause (VI) the following:

18 “(VII) Job skills training, voca-
19 tional educational training, and (in
20 the case of recipients who have not
21 completed secondary school or re-
22 ceived a certificate of general equiva-
23 lency) basic education.”.

1 **SEC. 15. EFFECTIVE DATES.**

2 (a) IN GENERAL.—Except as provided in subsection
3 (b), the amendments made by this Act shall take effect
4 on October 1, 1999.

5 (b) TRANSFER OF FORMULA FUNDS.—The amend-
6 ments made by section 6 shall apply with respect to funds
7 appropriated to carry out section 403(a)(5) of the Social
8 Security Act (42 U.S.C. 603(a)(5)) for fiscal years 1999
9 and 2000.

○