

106TH CONGRESS  
1ST SESSION

# H. R. 3172

To amend the welfare-to-work program and modify the welfare-to-work performance bonus.

---

## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 28, 1999

Mr. GOODLING (for himself, Mr. McKEON, and Mr. ANDREWS) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend the welfare-to-work program and modify the welfare-to-work performance bonus.

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. FLEXIBILITY IN ELIGIBILITY FOR PARTICIPA-**  
4 **TION IN WELFARE-TO-WORK PROGRAM.**

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

1 (1) by striking “REQUIRED BENEFICIARIES.—”  
2 and inserting “HARD-TO-EMPLOY RECIPIENTS.—”;

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

4 (A) by striking “shall expend at least 70  
5 percent of all” and inserting “may expend”;  
6 and

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

9 (3) in the matter preceding item (aa) of sub-  
10 clause (I)—

11 (A) by striking “At least 2” and inserting  
12 “Any”;

13 (B) by striking “apply” and inserting “ap-  
14 plies”; and

15 (C) by striking “or the noncustodial par-  
16 ent”;

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

19 (5) by adding at the end of subclause (I) the  
20 following:

21 “(dd) The individual has  
22 English reading, writing, or com-  
23 puting skills at or below the 8th  
24 grade level.

1                   “(ee) The individual is  
2                   homeless.

3                   “(ff) The individual has a  
4                   disability.

5                   “(gg) The individual has  
6                   been a victim of domestic vio-  
7                   lence.”; and

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

11                  (b) NONCUSTODIAL PARENTS.—

12                   (1) IN GENERAL.—Section 403(a)(5)(C) of such  
13                  Act (42 U.S.C. 603(a)(5)(C)) is amended—

14                   (A) by redesignating clauses (iii) through  
15                   (viii) as clauses (iv) through (ix), respectively;  
16                   and

17                   (B) by inserting after clause (ii) the fol-  
18                  lowing:

19                   “(iii) NONCUSTODIAL PARENTS.—An  
20                   entity that operates a project with funds  
21                   provided under this paragraph may use the  
22                   funds to provide services in a form de-  
23                   scribed in clause (i) to noncustodial par-  
24                   ents with respect to whom the require-  
25                   ments of the following subclauses are met:

1           “(I) The noncustodial parent is  
2 unemployed, underemployed, or hav-  
3 ing difficulty in paying child support  
4 obligations.

5           “(II) At least 1 of the following  
6 applies to a minor child of the non-  
7 custodial parent (with preference in  
8 the determination of the noncustodial  
9 parents to be provided services under  
10 this paragraph to be provided by the  
11 entity to those noncustodial parents  
12 with minor children who meet, or who  
13 have custodial parents who meet, the  
14 requirements of item (aa)):

15           “(aa) The minor child or the  
16 custodial parent of the minor  
17 child meets the requirements of  
18 clause (ii)(II).

19           “(bb) The minor child is eli-  
20 gible for, or is receiving, benefits  
21 under the program funded under  
22 this part.

23           “(cc) The minor child re-  
24 ceived benefits under the pro-  
25 gram funded under this part in

1 the 12-month period preceding  
2 the date of the determination but  
3 no longer receives such benefits.

4 “(dd) The minor child is eli-  
5 gible for, or is receiving, assist-  
6 ance under the Food Stamp Act  
7 of 1977, benefits under the sup-  
8 plemental security income pro-  
9 gram under title XVI of this Act,  
10 medical assistance under title  
11 XIX of this Act, or child health  
12 assistance under title XXI of this  
13 Act.

14 “(III) In the case of a noncusto-  
15 dial parent who becomes enrolled in  
16 the project on or after the date of the  
17 enactment of this clause, the non-  
18 custodial parent is in compliance with  
19 the terms of an oral or written per-  
20 sonal responsibility contract entered  
21 into among the noncustodial parent,  
22 the entity, and (unless the entity dem-  
23 onstrates to the Secretary that the en-  
24 tity is not capable of coordinating  
25 with such agency) the agency respon-

1           sible 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 or related activi-  
7           ties that will enable the noncusto-  
8           dial parent to make regular child  
9           support payments, and if the  
10          noncustodial parent has not at-  
11          tained 20 years of age, such re-  
12          lated activities may include com-  
13          pletion of high school, a general  
14          equivalency degree, or other edu-  
15          cation directly related to employ-  
16          ment.

17                   “(dd) A description of the  
18          services to be provided under this  
19          paragraph, and a commitment by  
20          the noncustodial parent to par-  
21          ticipate in such services, that are  
22          designed to assist the noncusto-  
23          dial parent obtain and retain em-  
24          ployment, increase earnings, and  
25          enhance the financial and emo-

1                    tional contributions to the well-  
2                    being of the minor child.

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



1 under this paragraph shall consult  
 2 with domestic violence prevention and  
 3 intervention organizations in the de-  
 4 velopment of the project.”.

5 (2) CONFORMING AMENDMENT.—Section  
 6 412(a)(3)(C)(ii) of such Act (42 U.S.C.  
 7 612(a)(3)(C)(ii)) is amended by striking “(vii)” and  
 8 inserting “(viii)”.

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

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

17 “(II) to children—

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

21 “(bb) who, before attaining  
 22 18 years of age, were recipients  
 23 of foster care maintenance pay-  
 24 ments (as defined in section  
 25 475(4)) under part E or were in

1 foster care under the responsi-  
 2 bility 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)(A) 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) and, as  
 11 appropriate, clause (v)”.

12 **SEC. 2. LIMITED VOCATIONAL EDUCATIONAL AND JOB**  
 13 **TRAINING INCLUDED AS ALLOWABLE ACTIVITIES.**  
 14 **TIES.**

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) Not more than 6 months  
 19 of vocational educational or job train-  
 20 ing.”.

21 **SEC. 3. CERTAIN GRANTEES AUTHORIZED TO PROVIDE EM-**  
 22 **PLOYMENT SERVICES DIRECTLY.**

23 Section 403(a)(5)(C)(i)(IV) of the Social Security  
 24 Act (42 U.S.C. 603(a)(5)(C)(i)(IV)) is amended by insert-  
 25 ing “, or if the entity is not a private industry council

1 or workforce investment board, the direct provision of such  
 2 services” before the period.

3 **SEC. 4. SIMPLIFICATION AND COORDINATION OF REPORT-**  
 4 **ING REQUIREMENTS.**

5 (a) **ELIMINATION OF CURRENT REQUIREMENTS.—**  
 6 Section 411(a)(1)(A) of the Social Security Act (42 U.S.C.  
 7 611(a)(1)(A)) is amended—

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

12 (2) by striking clause (xviii).

13 (b) **ESTABLISHMENT OF REPORTING REQUIRE-**  
 14 **MENT.—**Section 403(a)(5)(C) of the Social Security Act  
 15 (42 U.S.C. 603(a)(5)(C)), as amended by subsections  
 16 (b)(1) and (d)(1) of section 301 of this Act, is amended  
 17 by adding at the end the following:

18 “(xi) **REPORTING REQUIREMENTS.—**

19 The Secretary of Labor, in consultation  
 20 with the Secretary of Health and Human  
 21 Services, shall establish requirements for  
 22 the collection and maintenance of financial  
 23 and participant information and the re-  
 24 porting of such information by entities car-  
 25 rying out activities under this paragraph.”.

1 **SEC. 5. MODIFICATION OF SET-ASIDE OF PORTION OF WEL-**  
2 **FARE-TO-WORK FUNDS FOR SUCCESSFUL**  
3 **PERFORMANCE BONUS.**

4 Section 403(a)(5)(E)(vi) of the Social Security Act  
5 (42 U.S.C. 603(a)(5)(E)(vi)) is amended by striking  
6 “\$100,000,000” and inserting “\$35,000,000”.

○