

Calendar No. 714

108TH CONGRESS
2D SESSION**S. 2830**

To amend part A of title IV of the Social Security Act to promote healthy marriages and responsible fatherhood, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22, 2004

Mr. SANTORUM (for himself and Mr. BAYH) introduced the following bill;
which was read the first time

SEPTEMBER 23, 2004

Read the second time and placed on the calendar

A BILL

To amend part A of title IV of the Social Security Act to promote healthy marriages and responsible fatherhood, and for other purposes.

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 “Healthy Marriages and
5 Responsible Fatherhood Act of 2004”.

1 **TITLE I—HEALTHY MARRIAGES**
 2 **AND RESPONSIBLE FATHER-**
 3 **HOOD**

4 **SEC. 101. PROMOTION OF FAMILY FORMATION AND**
 5 **HEALTHY MARRIAGE.**

6 (a) TANF STATE PLANS.—Section 402(a)(1)(A) of
 7 the Social Security Act (42 U.S.C. 602(a)(1)(A)) is
 8 amended by adding at the end the following:

9 “(vii) Encourage equitable treatment
 10 of healthy 2-parent married families under
 11 the program referred to in clause (i).”.

12 (b) HEALTHY MARRIAGE PROMOTION GRANTS; RE-
 13 PEAL OF BONUS FOR REDUCTION OF ILLEGITIMACY
 14 RATIO.—Section 403(a)(2) of the Social Security Act (42
 15 U.S.C. 603(a)(2)) is amended to read as follows:

16 “(2) HEALTHY MARRIAGE PROMOTION
 17 GRANTS.—

18 “(A) AUTHORITY.—

19 “(i) IN GENERAL.—The Secretary
 20 shall award competitive grants to States,
 21 territories, and Indian tribes and tribal or-
 22 ganizations for not more than 50 percent
 23 of the cost of developing and implementing
 24 innovative programs to promote and sup-
 25 port healthy 2-parent married families.

1 “(ii) USE OF OTHER TANF FUNDS.—

2 A State or Indian tribe with an approved
 3 tribal family assistance plan may use funds
 4 provided under other grants made under
 5 this part for all or part of the expenditures
 6 incurred for the remainder of the costs de-
 7 scribed in clause (i). In the case of a State,
 8 any such funds expended shall not be con-
 9 sidered qualified State expenditures for
 10 purposes of section 409(a)(7).

11 “(B) HEALTHY MARRIAGE PROMOTION AC-
 12 TIVITIES.—Funds provided under subparagraph
 13 (A) and corresponding State matching funds
 14 shall be used to support any of the following
 15 programs or activities:

16 “(i) Public advertising campaigns on
 17 the value of marriage and the skills needed
 18 to increase marital stability and health.

19 “(ii) Education in high schools on the
 20 value of marriage, relationship skills, and
 21 budgeting.

22 “(iii) Marriage education, marriage
 23 skills, and relationship skills programs that
 24 may include case management for, and re-
 25 ferrals to, programs for parenting skills, fi-

1 nancial management, conflict resolution,
2 and job and career advancement, for non-
3 married pregnant women, non-married ex-
4 pectant fathers, and non-married recent
5 parents.

6 “(iv) Pre-marital education and mar-
7 riage skills training for engaged couples
8 and for couples or individuals interested in
9 marriage.

10 “(v) Marriage enhancement and mar-
11 riage skills training programs for married
12 couples.

13 “(vi) Divorce reduction programs that
14 teach relationship skills.

15 “(vii) Marriage mentoring programs
16 which use married couples as role models
17 and mentors.

18 “(viii) Programs to reduce the dis-
19 incentives to marriage in means-tested aid
20 programs, if offered in conjunction with
21 any activity described in this subpara-
22 graph.

23 “(ix) Training for individuals who will
24 conduct any of the programs or activities
25 described in clauses (i) through (viii).

“(C) VOLUNTARY PARTICIPATION.—Participation in programs or activities described in any of clauses (iii) through (vii) of subparagraph (B) shall be voluntary.

“(D) GENERAL RULES GOVERNING USE OF FUNDS.—

“(i) IN GENERAL.—The rules of section 404, other than subsection (b) of that section, shall not apply to a grant made under this paragraph.

“(ii) RULE OF CONSTRUCTION.—Nothing in this part or part C shall be construed as prohibiting a State from using funds made available under a grant awarded under this paragraph to award a subgrant or contract to a fatherhood promotion organization to carry out programs or activities described in subparagraph (B).

“(E) REQUIREMENTS FOR RECEIPT OF FUNDS.—A State, territory, or Indian tribe or tribal organization may not be awarded a grant under this paragraph unless the State, territory, Indian tribe or tribal organization, as a

1 condition of receiving funds under such a
 2 grant—

3 “(i) consults with experts in domestic
 4 violence or with relevant community do-
 5 mestic violence coalitions in developing
 6 such programs or activities; and

7 “(ii) describes in the application for a
 8 grant under this paragraph—

9 “(I) how the programs or activi-
 10 ties proposed to be conducted will ad-
 11 dress, as appropriate, issues of domes-
 12 tic violence; and

13 “(II) what the State, territory, or
 14 Indian tribe or tribal organization,
 15 will do, to the extent relevant, to en-
 16 sure that participation in such pro-
 17 grams or activities is voluntary, and
 18 to inform potential participants that
 19 their involvement is voluntary.

20 “(F) APPROPRIATION.—

21 “(i) IN GENERAL.—Out of any money
 22 in the Treasury of the United States not
 23 otherwise appropriated, there are appro-
 24 priated for each of fiscal years 2005

1 through 2006, \$100,000,000 for grants
2 under this paragraph.

3 “(ii) EXTENDED AVAILABILITY OF
4 FUNDS.—

5 “(I) IN GENERAL.—Funds ap-
6 propriated under clause (i) for each of
7 fiscal years 2005 through 2006 shall
8 remain available to the Secretary until
9 expended.

10 “(II) AUTHORITY FOR GRANT
11 RECIPIENTS.—A State, territory, or
12 Indian tribe or tribal organization
13 may use funds made available under a
14 grant awarded under this paragraph
15 without fiscal year limitation pursuant
16 to the terms of the grant.”.

17 (c) COUNTING OF SPENDING ON NON-ELIGIBLE
18 FAMILIES TO PREVENT AND REDUCE INCIDENCE OF
19 OUT-OF-WEDLOCK BIRTHS, ENCOURAGE FORMATION
20 AND MAINTENANCE OF HEALTHY 2-PARENT MARRIED
21 FAMILIES, OR ENCOURAGE RESPONSIBLE FATHER-
22 HOOD.—Section 409(a)(7)(B)(i) of the Social Security Act
23 (42 U.S.C. 609(a)(7)(B)(i)) is amended by adding at the
24 end the following:

1 “(V) COUNTING OF SPENDING
 2 ON NON-ELIGIBLE FAMILIES TO PRE-
 3 VENT AND REDUCE INCIDENCE OF
 4 OUT-OF-WEDLOCK BIRTHS, ENCOUR-
 5 AGE FORMATION AND MAINTENANCE
 6 OF HEALTHY 2-PARENT MARRIED
 7 FAMILIES, OR ENCOURAGE RESPON-
 8 SIBLE FATHERHOOD.—Subject to sub-
 9 clauses (II) and (III), the term ‘quali-
 10 fied State expenditures’ includes the
 11 total expenditures by the State during
 12 the fiscal year under all State pro-
 13 grams for a purpose described in
 14 paragraph (3) or (4) of section
 15 401(a).”.

16 (d) PURPOSES.—Section 401(a)(4) of the Social Se-
 17 curity Act (42 U.S.C. 601(a)(4)) is amended by striking
 18 “two-parent families” and inserting “healthy 2-parent
 19 married families, and encourage responsible fatherhood”.

20 **SEC. 102. RESPONSIBLE FATHERHOOD PROGRAM.**

21 (a) RESPONSIBLE FATHERHOOD PROGRAM.—

22 (1) FINDINGS.—Congress makes the following
 23 findings:

1 (A) Nearly 24,000,000 children in the
2 United States, or 34 percent of all such chil-
3 dren, live apart from their biological father.

4 (B) Sixty percent of couples who divorce
5 have at least 1 child.

6 (C) The number of children living with
7 only a mother increased from just over
8 5,000,000 in 1960 to 17,000,000 in 1999, and
9 between 1981 and 1991 the percentage of chil-
10 dren living with only 1 parent increased from
11 19 percent to 25 percent.

12 (D) Forty percent of children who live in
13 households without a father have not seen their
14 father in at least 1 year and 50 percent of such
15 children have never visited their father's home.

16 (E) The most important factor in a child's
17 upbringing is whether the child is brought up in
18 a loving, healthy, supportive environment.

19 (F) Children who live without contact with
20 their biological father are, in comparison to
21 children who have such contact—

22 (i) 5 times more likely to live in pov-
23 erty;

24 (ii) more likely to bring weapons and
25 drugs into the classroom;

- 1 (iii) twice as likely to commit crime;
2 (iv) twice as likely to drop out of
3 school;
4 (v) more likely to commit suicide;
5 (vi) more than twice as likely to abuse
6 alcohol or drugs; and
7 (vii) more likely to become pregnant
8 as teenagers.

9 (G) Violent criminals are overwhelmingly
10 males who grew up without fathers.

11 (H) Between 20 and 30 percent of families
12 in poverty are headed by women who have suf-
13 fered domestic violence during the past year,
14 and between 40 and 60 percent of women with
15 children receiving welfare were abused some-
16 time during their life.

17 (I) Responsible fatherhood includes active
18 participation in financial support and child
19 care, as well as the formation and maintenance
20 of a positive, healthy, and nonviolent relation-
21 ship between father and child and a cooperative
22 relationship between parents.

23 (J) States should be encouraged to imple-
24 ment programs that provide support for respon-
25 sible fatherhood, promote marriage, and in-

1 crease the incidence of marriage, and should
2 not be restricted from implementing such pro-
3 grams.

4 (K) Fatherhood programs should promote
5 and provide support services for—

6 (i) loving and healthy relationships be-
7 tween parents and children; and

8 (ii) cooperative parenting.

9 (L) There is a social need to reconnect
10 children and fathers.

11 (M) The promotion of responsible father-
12 hood and encouragement of healthy 2-parent
13 married families should not—

14 (i) denigrate the standing or par-
15 enting efforts of single mothers or other
16 caregivers;

17 (ii) lessen the protection of children
18 from abusive parents; or

19 (iii) compromise the safety or health
20 of the custodial parent;

21 but should increase the chance that children
22 will have 2 caring parents to help them grow up
23 healthy and secure.

1 (N) The promotion of responsible father-
 2 hood must always recognize and promote the
 3 values of nonviolence.

4 (O) For the future of the United States
 5 and the future of our children, Congress,
 6 States, and local communities should assist par-
 7 ents to become more actively involved in their
 8 children's lives.

9 (P) Child support is an important means
 10 by which a parent can take financial responsi-
 11 bility for a child and emotional support is an
 12 important means by which a parent can take
 13 social responsibility for a child.

14 (2) FATHERHOOD PROGRAM.—Title I of the
 15 Personal Responsibility and Work Opportunity Rec-
 16 onciliation Act of 1996 (Public Law 104–193) is
 17 amended by adding at the end the following:

18 **“SEC. 117. FATHERHOOD PROGRAM.**

19 “(a) IN GENERAL.—Title IV (42 U.S.C. 601–679b)
 20 is amended by inserting after part B the following:

21 **“‘PART C—RESPONSIBLE FATHERHOOD**
 22 **PROGRAM**

23 **“‘SEC. 441. RESPONSIBLE FATHERHOOD GRANTS.**

24 ““(a) GRANTS TO STATES TO CONDUCT DEM-
 25 ONSTRATION PROGRAMS.—

1 “(1) AUTHORITY TO AWARD GRANTS.—

2 “(A) IN GENERAL.—The Secretary shall
3 award grants to up to 20 eligible States to con-
4 duct demonstration programs to carry out the
5 purposes described in paragraph (2).

6 “(B) ELIGIBLE STATE.—For purposes of
7 this subsection, an eligible State is a State that
8 submits to the Secretary the following:

9 “(i) APPLICATION.—An application
10 for a grant under this subsection, at such
11 time, in such manner, and containing such
12 information as the Secretary may require.

13 “(ii) STATE PLAN.—A State plan
14 that includes the following:

15 “(I) PROJECT DESCRIPTION.—A
16 description of the programs or activi-
17 ties the State will fund under the
18 grant, including a good faith estimate
19 of the number and characteristics of
20 clients to be served under such
21 projects and how the State intends to
22 achieve at least 2 of the purposes de-
23 scribed in paragraph (2).

24 “(II) COORDINATION EF-
25 FORTS.—A description of how the

1 State will coordinate and cooperate
 2 with State and local entities respon-
 3 sible for carrying out other programs
 4 that relate to the purposes intended to
 5 be achieved under the demonstration
 6 program, including as appropriate, en-
 7 tities responsible for carrying out jobs
 8 programs and programs serving chil-
 9 dren and families.

10 ““(III) RECORDS, REPORTS, AND
 11 AUDITS.—An agreement to maintain
 12 such records, submit such reports,
 13 and cooperate with such reviews and
 14 audits as the Secretary finds nec-
 15 essary for purposes of oversight of the
 16 demonstration program.

17 ““(iii) CERTIFICATIONS.—The fol-
 18 lowing certifications from the chief execu-
 19 tive officer of the State:

20 ““(I) A certification that the
 21 State will use funds provided under
 22 the grant to promote at least 2 of the
 23 purposes described in paragraph (2).

24 ““(II) A certification that the
 25 State will return any unused funds to

1 the Secretary in accordance with the
2 reconciliation process under paragraph
3 (5).

4 ““(III) A certification that the
5 funds provided under the grant will be
6 used for programs and activities that
7 target low-income participants and
8 that not less than 50 percent of the
9 participants in each program or activ-
10 ity funded under the grant shall be—

11 ““(aa) parents of a child
12 who is, or within the past 24
13 months has been, a recipient of
14 assistance or services under a
15 State program funded under part
16 A, D, or E of this title, title XIX,
17 or the Food Stamp Act of 1977;
18 or

19 ““(bb) parents, including an
20 expectant parent or a married
21 parent, whose income (after ad-
22 justment for court-ordered child
23 support paid or received) does
24 not exceed 150 percent of the
25 poverty line.

1 “(IV) A certification that the
2 State has or will comply with the re-
3 quirements of paragraph (4).

4 “(V) A certification that funds
5 provided to a State under this sub-
6 section shall not be used to supple-
7 ment or supplant other Federal,
8 State, or local funds that are used to
9 support programs or activities that
10 are related to the purposes described
11 in paragraph (2).

12 “(C) PREFERENCES AND FACTORS OF
13 CONSIDERATION.—In awarding grants under
14 this subsection, the Secretary shall take into
15 consideration the following:

16 “(i) DIVERSITY OF ENTITIES USED
17 TO CONDUCT PROGRAMS AND ACTIVI-
18 TIES.—The Secretary shall, to the extent
19 practicable, achieve a balance among the
20 eligible States awarded grants under this
21 subsection with respect to the size, urban
22 or rural location, and employment of dif-
23 fering or unique methods of the entities
24 that the eligible States intend to use to

1 conduct the programs and activities funded
2 under the grants.

3 “(ii) PRIORITY FOR CERTAIN
4 STATES.—The Secretary shall give priority
5 to awarding grants to eligible States that
6 have—

7 “(I) demonstrated progress in
8 achieving at least 1 of the purposes
9 described in paragraph (2) through
10 previous State initiatives; or

11 “(II) demonstrated need with
12 respect to reducing the incidence of
13 out-of-wedlock births or absent fa-
14 thers in the State.

15 “(2) PURPOSES.—The purposes described in
16 this paragraph are the following:

17 “(A) PROMOTING RESPONSIBLE FATHER-
18 HOOD THROUGH MARRIAGE PROMOTION.—To
19 promote marriage or sustain marriage through
20 activities such as counseling, mentoring, dis-
21 seminating information about the benefits of
22 marriage and 2-parent involvement for children,
23 enhancing relationship skills, education regard-
24 ing how to control aggressive behavior, dissemi-
25 nating information on the causes of domestic vi-

olence and child abuse, marriage preparation programs, premarital counseling, marital inventories, skills-based marriage education, financial planning seminars, including improving a family's ability to effectively manage family business affairs by means such as education, counseling, or mentoring on matters related to family finances, including household management, budgeting, banking, and handling of financial transactions and home maintenance, and divorce education and reduction programs, including mediation and counseling.

“(B) PROMOTING RESPONSIBLE FATHERHOOD THROUGH PARENTING PROMOTION.—To promote responsible parenting through activities such as counseling, mentoring, and mediation, disseminating information about good parenting practices, skills-based parenting education, encouraging child support payments, and other methods.

“(C) PROMOTING RESPONSIBLE FATHERHOOD THROUGH FOSTERING ECONOMIC STABILITY OF FATHERS.—To foster economic stability by helping fathers improve their economic status by providing activities such as work first

1 services, job search, job training, subsidized em-
 2 ployment, job retention, job enhancement, and
 3 encouraging education, including career-advanc-
 4 ing education, dissemination of employment ma-
 5 terials, coordination with existing employment
 6 services such as welfare-to-work programs, re-
 7 ferrals to local employment training initiatives,
 8 and other methods.

9 ““(3) RESTRICTION ON USE OF FUNDS.—No
 10 funds provided under this subsection may be used
 11 for costs attributable to court proceedings regarding
 12 matters of child visitation or custody, or for legisla-
 13 tive advocacy.

14 ““(4) REQUIREMENTS FOR RECEIPT OF
 15 FUNDS.—A State may not be awarded a grant under
 16 this section unless the State, as a condition of re-
 17 ceiving funds under such a grant—

18 ““(A) consults with experts in domestic vi-
 19 olence or with relevant community domestic vio-
 20 lence coalitions in developing such programs or
 21 activities; and

22 ““(B) describes in the application for a
 23 grant under this section—

24 ““(i) how the programs or activities
 25 proposed to be conducted will address, as

1 appropriate, issues of domestic violence;
2 and

3 ““(ii) what the State will do, to the
4 extent relevant, to ensure that participa-
5 tion in such programs or activities is vol-
6 untary, and to inform potential partici-
7 pants that their involvement is voluntary.

8 ““(5) RECONCILIATION PROCESS.—

9 ““(A) 3-YEAR AVAILABILITY OF AMOUNTS
10 ALLOTTED.—Each eligible State that receives a
11 grant under this subsection for a fiscal year
12 shall return to the Secretary any unused por-
13 tion of the grant for such fiscal year not later
14 than the last day of the second succeeding fiscal
15 year, together with any earnings on such un-
16 used portion.

17 ““(B) PROCEDURE FOR REDISTRIBU-
18 TION.—The Secretary shall establish an appro-
19 priate procedure for redistributing to eligible
20 States that have expended the entire amount of
21 a grant made under this subsection for a fiscal
22 year any amount that is returned to the Sec-
23 retary by eligible States under subparagraph
24 (A).

25 ““(6) AMOUNT OF GRANTS.—

1 “(A) IN GENERAL.—Subject to subpara-
 2 graph (B), the amount of each grant awarded
 3 under this subsection shall be an amount suffi-
 4 cient to implement the State plan submitted
 5 under paragraph (1)(B)(ii).

6 “(B) MINIMUM AMOUNTS.—No eligible
 7 State shall—

8 “(i) in the case of the District of Co-
 9 lumbia or a State other than the Common-
 10 wealth of Puerto Rico, the United States
 11 Virgin Islands, Guam, American Samoa,
 12 and the Commonwealth of the Northern
 13 Mariana Islands, receive a grant for a fis-
 14 cal year in an amount that is less than
 15 \$1,000,000; and

16 “(ii) in the case of the Common-
 17 wealth of Puerto Rico, the United States
 18 Virgin Islands, Guam, American Samoa,
 19 and the Commonwealth of the Northern
 20 Mariana Islands, receive a grant for a fis-
 21 cal year in an amount that is less than
 22 \$500,000.

23 “(7) DEFINITION OF STATE.—In this sub-
 24 section, the term “State” means each of the 50
 25 States, the District of Columbia, the Commonwealth

1 of Puerto Rico, the United States Virgin Islands,
2 Guam, American Samoa, and the Commonwealth of
3 the Northern Mariana Islands.

4 ““(8) AUTHORIZATION OF APPROPRIATIONS.—
5 Out of any money in the Treasury of the United
6 States not otherwise appropriated, there are appro-
7 priated \$45,000,000 for each of fiscal years 2005
8 through 2006 for purposes of making grants to eligi-
9 ble States under this subsection.

10 ““(b) GRANTS TO ELIGIBLE ENTITIES TO CONDUCT
11 DEMONSTRATION PROGRAMS.—

12 ““(1) AUTHORITY TO AWARD GRANTS.—

13 ““(A) IN GENERAL.—The Secretary shall
14 award grants to eligible entities to conduct
15 demonstration programs to carry out the pur-
16 poses described in subsection (a)(2).

17 ““(B) ELIGIBLE ENTITY.—For purposes of
18 this subsection, an eligible entity is a local gov-
19 ernment, local public agency, community-based
20 or nonprofit organization, or private entity, in-
21 cluding any charitable or faith-based organiza-
22 tion, or an Indian tribe (as defined in section
23 419(4)), that submits to the Secretary the fol-
24 lowing:

1 “(i) APPLICATION.—An application
2 for a grant under this subsection, at such
3 time, in such manner, and containing such
4 information as the Secretary may require.

5 “(ii) PROJECT DESCRIPTION.—A de-
6 scription of the programs or activities the
7 entity intends to carry out with funds pro-
8 vided under the grant, including a good
9 faith estimate of the number and charac-
10 teristics of clients to be served under such
11 programs or activities and how the entity
12 intends to achieve at least 2 of the pur-
13 poses described in subsection (a)(2).

14 “(iii) COORDINATION EFFORTS.—A
15 description of how the entity will coordi-
16 nate and cooperate with State and local
17 entities responsible for carrying out other
18 programs that relate to the purposes in-
19 tended to be achieved under the dem-
20 onstration program, including as appro-
21 priate, entities responsible for carrying out
22 jobs programs and programs serving chil-
23 dren and families.

24 “(iv) RECORDS, REPORTS, AND AU-
25 DITS.—An agreement to maintain such

1 records, submit such reports, and cooper-
2 ate with such reviews and audits as the
3 Secretary finds necessary for purposes of
4 oversight of the demonstration program.

5 ““(v) CERTIFICATIONS.—The fol-
6 lowing certifications:

7 ““(I) A certification that the en-
8 tity will use funds provided under the
9 grant to promote at least 2 of the
10 purposes described in subsection
11 (a)(2).

12 ““(II) A certification that the en-
13 tity will return any unused funds to
14 the Secretary in accordance with the
15 reconciliation process under para-
16 graph (3).

17 ““(III) A certification that the
18 funds provided under the grant will be
19 used for programs and activities that
20 target low-income participants and
21 that not less than 50 percent of the
22 participants in each program or activ-
23 ity funded under the grant shall be—

24 ““(aa) parents of a child
25 who is, or within the past 24

1 months has been, a recipient of
2 assistance or services under a
3 State program funded under part
4 A, D, or E of this title, title XIX,
5 or the Food Stamp Act of 1977;
6 or

7 ““(bb) parents, including an
8 expectant parent or a married
9 parent, whose income (after ad-
10 justment for court-ordered child
11 support paid or received) does
12 not exceed 150 percent of the
13 poverty line.

14 ““(IV) A certification that the
15 entity has or will comply with the re-
16 quirements of paragraph (3).

17 ““(V) A certification that funds
18 provided to an entity under this sub-
19 section shall not be used to supple-
20 ment or supplant other Federal,
21 State, or local funds provided to the
22 entity that are used to support pro-
23 grams or activities that are related to
24 the purposes described in subsection
25 (a)(2).

1 “(C) PREFERENCES AND FACTORS OF
 2 CONSIDERATION.—In awarding grants under
 3 this subsection, the Secretary shall, to the ex-
 4 tent practicable, achieve a balance among the
 5 eligible entities awarded grants under this sub-
 6 section with respect to the size, urban or rural
 7 location, and employment of differing or unique
 8 methods of the entities.

9 “(2) RESTRICTION ON USE OF FUNDS.—No
 10 funds provided under this subsection may be used
 11 for costs attributable to court proceedings regarding
 12 matters of child visitation or custody, or for legisla-
 13 tive advocacy.

14 “(3) REQUIREMENTS FOR USE OF FUNDS.—
 15 The Secretary may not award a grant under this
 16 subsection to an eligible entity unless the entity, as
 17 a condition of receiving funds under such a grant—

18 “(A) consults with experts in domestic vi-
 19 olence or with relevant community domestic vio-
 20 lence coalitions in developing the programs or
 21 activities to be conducted with such funds
 22 awarded under the grant; and

23 “(B) describes in the application for a
 24 grant under this section—

1 “(i) how the programs or activities
 2 proposed to be conducted will address, as
 3 appropriate, issues of domestic violence;
 4 and

5 “(ii) what the entity will do, to the
 6 extent relevant, to ensure that participa-
 7 tion in such programs or activities is vol-
 8 untary, and to inform potential partici-
 9 pants that their involvement is voluntary.

10 “(4) RECONCILIATION PROCESS.—

11 “(A) 3-YEAR AVAILABILITY OF AMOUNTS
 12 ALLOTTED.—Each eligible entity that receives a
 13 grant under this subsection for a fiscal year
 14 shall return to the Secretary any unused por-
 15 tion of the grant for such fiscal year not later
 16 than the last day of the second succeeding fiscal
 17 year, together with any earnings on such un-
 18 used portion.

19 “(B) PROCEDURE FOR REDISTRIBU-
 20 TION.—The Secretary shall establish an appro-
 21 priate procedure for redistributing to eligible
 22 entities that have expended the entire amount
 23 of a grant made under this subsection for a fis-
 24 cal year any amount that is returned to the

1 Secretary by eligible entities under subpara-
 2 graph (A).

3 ““(5) AUTHORIZATION OF APPROPRIATIONS.—
 4 Out of any money in the Treasury of the United
 5 States not otherwise appropriated, there are appro-
 6 priated \$30,000,000 for each of fiscal years 2005
 7 through 2006 for purposes of making grants to eligi-
 8 ble entities under this subsection.

9 “**SEC. 442. NATIONAL CLEARINGHOUSE FOR RESPONSIBLE**
 10 **FATHERHOOD PROGRAMS.**

11 ““(a) MEDIA CAMPAIGN NATIONAL CLEARINGHOUSE
 12 FOR RESPONSIBLE FATHERHOOD.—

13 ““(1) IN GENERAL.—From any funds appro-
 14 priated under subsection (c), the Secretary shall con-
 15 tract with a nationally recognized, nonprofit father-
 16 hood promotion organization described in subsection
 17 (b) to—

18 ““(A) develop, promote, and distribute to
 19 interested States, local governments, public
 20 agencies, and private entities a media campaign
 21 that encourages the appropriate involvement of
 22 parents in the life of any child, with a priority
 23 for programs that specifically address the issue
 24 of responsible fatherhood; and

1 “(B) develop a national clearinghouse to
 2 assist States and communities in efforts to pro-
 3 mote and support marriage and responsible fa-
 4 therhood by collecting, evaluating, and making
 5 available (through the Internet and by other
 6 means) to other States information regarding
 7 the media campaigns established under section
 8 443.

9 “(2) COORDINATION WITH DOMESTIC VIO-
 10 LENCE PROGRAMS.—The Secretary shall ensure that
 11 the nationally recognized nonprofit fatherhood pro-
 12 motion organization with a contract under para-
 13 graph (1) coordinates the media campaign developed
 14 under subparagraph (A) of such paragraph and the
 15 national clearinghouse developed under subpara-
 16 graph (B) of such paragraph with national, State, or
 17 local domestic violence programs.

18 “(b) NATIONALLY RECOGNIZED, NONPROFIT FA-
 19 THERHOOD PROMOTION ORGANIZATION DESCRIBED.—
 20 The nationally recognized, nonprofit fatherhood promotion
 21 organization described in this subsection is an organiza-
 22 tion that has at least 4 years of experience in—

23 “(1) designing and disseminating a national
 24 public education campaign, as evidenced by the pro-
 25 duction and successful placement of television, radio,

1 and print public service announcements that promote
 2 the importance of responsible fatherhood, a track
 3 record of service to Spanish-speaking populations and
 4 historically underserved or minority populations, the
 5 capacity to fulfill requests for information and a prov-
 6 en history of fulfilling such requests, and a mecha-
 7 nism through which the public can request additional
 8 information about the campaign; and

9 ““(2) providing consultation and training to
 10 community-based organizations interested in imple-
 11 menting fatherhood outreach, support, or skill devel-
 12 opment programs with an emphasis on promoting
 13 married fatherhood as the ideal.

14 ““(c) AUTHORIZATION OF APPROPRIATIONS.—Out of
 15 any money in the Treasury of the United States not other-
 16 wise appropriated, there are appropriated \$5,000,000 for
 17 each of fiscal years 2005 through 2006 to carry out this
 18 section.

19 **““SEC. 443. BLOCK GRANTS TO STATES TO ENCOURAGE**
 20 **MEDIA CAMPAIGNS.**

21 ““(a) DEFINITIONS.—In this section:

22 ““(1) BROADCAST ADVERTISEMENT.—The term
 23 “broadcast advertisement” means a communication
 24 intended to be aired by a television or radio broad-

1 cast station, including a communication intended to
2 be transmitted through a cable channel.

3 “(2) CHILD AT RISK.—The term “child at
4 risk” means each young child whose family income
5 does not exceed the poverty line.

6 “(3) POVERTY LINE.—The term “poverty line”
7 has the meaning given such term in section 673(2)
8 of the Community Services Block Grant Act (42
9 U.S.C. 9902(2)), including any revision required by
10 such section, that is applicable to a family of the
11 size involved.

12 “(4) PRINTED OR OTHER ADVERTISEMENT.—
13 The term “printed or other advertisement” includes
14 any communication intended to be distributed
15 through a newspaper, magazine, outdoor advertising
16 facility, mailing, or any other type of general public
17 advertising, but does not include any broadcast ad-
18 vertisement.

19 “(5) STATE.—The term “State” means each
20 of the 50 States, the District of Columbia, the Com-
21 monwealth of Puerto Rico, the United States Virgin
22 Islands, Guam, American Samoa, and the Common-
23 wealth of the Northern Mariana Islands.

24 “(6) YOUNG CHILD.—The term “young child”
25 means an individual under age 5.

1 “(b) STATE CERTIFICATIONS.—Not later than Octo-
 2 ber 1 of each of fiscal year for which a State desires to
 3 receive an allotment under this section, the chief executive
 4 officer of the State shall submit to the Secretary a certifi-
 5 cation that the State shall—

6 “(1) use such funds to promote the formation
 7 and maintenance of healthy 2-parent married fami-
 8 lies, strengthen fragile families, and promote respon-
 9 sible fatherhood through media campaigns conducted
 10 in accordance with the requirements of subsection
 11 (d);

12 “(2) return any unused funds to the Secretary
 13 in accordance with the reconciliation process under
 14 subsection (e); and

15 “(3) comply with the reporting requirements
 16 under subsection (f).

17 “(c) PAYMENTS TO STATES.—For each of fiscal
 18 years 2005 through 2006, the Secretary shall pay to each
 19 State that submits a certification under subsection (b),
 20 from any funds appropriated under subsection (i), for the
 21 fiscal year an amount equal to the amount of the allotment
 22 determined for the fiscal year under subsection (g).

23 “(d) ESTABLISHMENT OF MEDIA CAMPAIGNS.—
 24 Each State receiving an allotment under this section for

1 a fiscal year shall use the allotment to conduct media cam-
 2 paigns as follows:

3 ““(1) CONDUCT OF MEDIA CAMPAIGNS.—

4 ““(A) RADIO AND TELEVISION MEDIA CAM-
 5 PAIGNS.—

6 ““(i) PRODUCTION OF BROADCAST
 7 ADVERTISEMENTS.—At the option of the
 8 State, to produce broadcast advertisements
 9 that promote the formation and mainte-
 10 nance of healthy 2-parent married families,
 11 strengthen fragile families, and promote
 12 responsible fatherhood.

13 ““(ii) AIRTIME CHALLENGE PRO-
 14 GRAM.—At the option of the State, to es-
 15 tablish an airtime challenge program under
 16 which the State may spend amounts allot-
 17 ted under this section to purchase time
 18 from a broadcast station to air a broadcast
 19 advertisement produced under clause (i),
 20 but only if the State obtains an amount of
 21 time of the same class and during a com-
 22 parable period to air the advertisement
 23 using non-Federal contributions.

24 ““(B) OTHER MEDIA CAMPAIGNS.—At the
 25 option of the State, to conduct a media cam-

1 paign that consists of the production and dis-
 2 tribution of printed or other advertisements
 3 that promote the formation and maintenance of
 4 healthy 2-parent married families, strengthen
 5 fragile families, and promote responsible father-
 6 hood.

7 “(2) ADMINISTRATION OF MEDIA CAM-
 8 PAIGNS.—A State may administer media campaigns
 9 funded under this section directly or through grants,
 10 contracts, or cooperative agreements with public
 11 agencies, local governments, or private entities, in-
 12 cluding charitable and faith-based organizations.

13 “(3) CONSULTATION WITH DOMESTIC VIO-
 14 LENCE ASSISTANCE CENTERS.—In developing broad-
 15 cast and printed advertisements to be used in the
 16 media campaigns conducted under paragraph (1),
 17 the State or other entity administering the campaign
 18 shall consult with representatives of State and local
 19 domestic violence centers.

20 “(4) NON-FEDERAL CONTRIBUTIONS.—In this
 21 section, the term “non-Federal contributions” in-
 22 cludes contributions by the State and by public and
 23 private entities. Such contributions may be in cash
 24 or in kind. Such term does not include any amounts
 25 provided by the Federal Government, or services as-

1 sisted or subsidized to any significant extent by the
 2 Federal Government, or any amount expended by a
 3 State before October 1, 2004.

4 “(e) RECONCILIATION PROCESS.—

5 “(1) 3-YEAR AVAILABILITY OF AMOUNTS AL-
 6 LOTED.—Each State that receives an allotment
 7 under this section shall return to the Secretary any
 8 unused portion of the amount allotted to a State for
 9 a fiscal year not later than the last day of the sec-
 10 ond succeeding fiscal year together with any earn-
 11 ings on such unused portion.

12 “(2) PROCEDURE FOR REDISTRIBUTION OF
 13 UNUSED ALLOTMENTS.—The Secretary shall estab-
 14 lish an appropriate procedure for redistributing to
 15 States that have expended the entire amount allotted
 16 under this section any amount that is—

17 “(A) returned to the Secretary by States
 18 under paragraph (1); or

19 “(B) not allotted to a State under this
 20 section because the State did not submit a cer-
 21 tification under subsection (b) by October 1 of
 22 a fiscal year.

23 “(f) REPORTING REQUIREMENTS.—

24 “(1) MONITORING AND EVALUATION.—Each
 25 State receiving an allotment under this section for a

1 fiscal year shall monitor and evaluate the media cam-
 2 paigns conducted using funds made available under
 3 this section in such manner as the Secretary, in con-
 4 sultation with the States, determines appropriate.

5 “(2) ANNUAL REPORTS.—Not less frequently
 6 than annually, each State receiving an allotment
 7 under this section for a fiscal year shall submit to
 8 the Secretary reports on the media campaigns con-
 9 ducted using funds made available under this section
 10 at such time, in such manner, and containing such
 11 information as the Secretary may require.

12 “(g) AMOUNT OF ALLOTMENTS.—

13 “(1) IN GENERAL.—Except as provided in
 14 paragraph (2), of the amount appropriated for the
 15 purpose of making allotments under this section for
 16 a fiscal year, the Secretary shall allot to each State
 17 that submits a certification under subsection (b) for
 18 the fiscal year an amount equal to the sum of—

19 “(A) the amount that bears the same
 20 ratio to 50 percent of such funds as the number
 21 of young children in the State (as determined
 22 by the Secretary based on the most current reli-
 23 able data available) bears to the number of
 24 such children in all States; and

1 “(B) the amount that bears the same
2 ratio to 50 percent of such funds as the number
3 of children at risk in the State (as determined
4 by the Secretary based on the most current reli-
5 able data available) bears to the number of
6 such children in all States.

7 “(2) MINIMUM ALLOTMENTS.—No allotment
8 for a fiscal year under this section shall be less
9 than—

10 “(A) in the case of the District of Colum-
11 bia or a State other than the Commonwealth of
12 Puerto Rico, the United States Virgin Islands,
13 Guam, American Samoa, and the Common-
14 wealth of the Northern Mariana Islands, 1 per-
15 cent of the amount appropriated for the fiscal
16 year under subsection (i); and

17 “(B) in the case of the Commonwealth of
18 Puerto Rico, the United States Virgin Islands,
19 Guam, American Samoa, and the Common-
20 wealth of the Northern Mariana Islands, 0.5
21 percent of such amount.

22 “(3) PRO RATA REDUCTIONS.—The Secretary
23 shall make such pro rata reductions to the allot-
24 ments determined under this subsection as are nec-

1 essary to comply with the requirements of paragraph
 2 (2).

3 ““(h) EVALUATION.—

4 ““(1) IN GENERAL.—The Secretary shall con-
 5 duct an evaluation of the impact of the media cam-
 6 paigns funded under this section.

7 ““(2) REPORT.—Not later than December 31,
 8 2006, the Secretary shall report to Congress the re-
 9 sults of the evaluation under paragraph (1).

10 ““(3) FUNDING.—Of the amount appropriated
 11 under subsection (i) for fiscal year 2005, \$1,000,000
 12 of such amount shall be transferred and made avail-
 13 able for purposes of conducting the evaluation re-
 14 quired under this subsection, and shall remain avail-
 15 able until expended.

16 ““(i) AUTHORIZATION OF APPROPRIATIONS.—Out of
 17 any money in the Treasury of the United States not other-
 18 wise appropriated, there are appropriated \$20,000,000 for
 19 each of fiscal years 2005 through 2006 for purposes of
 20 making allotments to States under this section.’.

21 ““(b) INAPPLICABILITY OF EFFECTIVE DATE PROVI-
 22 SIONS.—Section 116 shall not apply to the amendment
 23 made by subsection (a) of this section.”.

1 (b) CLERICAL AMENDMENT.—Section 2 of such Act
 2 is amended in the table of contents by inserting after the
 3 item relating to section 116 the following new item:

“Sec. 117. Responsible fatherhood program.”.

4 **SEC. 103. RESEARCH, EVALUATIONS, AND NATIONAL STUD-**
 5 **IES.**

6 Section 413 of the Social Security Act (42 U.S.C.
 7 613) is amended by adding at the end the following:

8 “(k) FUNDING FOR RESEARCH, DEMONSTRATIONS,
 9 AND TECHNICAL ASSISTANCE.—

10 “(1) APPROPRIATION.—

11 “(A) IN GENERAL.—Out of any money in
 12 the Treasury of the United States not otherwise
 13 appropriated, there are appropriated
 14 \$100,000,000 for each of fiscal years 2005
 15 through 2006, which shall remain available to
 16 the Secretary until expended.

17 “(B) USE OF FUNDS.—

18 “(i) IN GENERAL.—Funds appro-
 19 priated under subparagraph (A) shall be
 20 used for the purpose of—

21 “(I) conducting or supporting re-
 22 search and demonstration projects by
 23 public or private entities; or

24 “(II) providing technical assist-
 25 ance in connection with a purpose of

1 the program funded under this part,
2 as described in section 401(a), to
3 States, Indian tribal organizations,
4 sub-State entities, and such other en-
5 tities as the Secretary may specify.

6 “(ii) REQUIREMENT.—Not less than
7 80 percent of the funds appropriated under
8 subparagraph (A) for a fiscal year shall be
9 expended for the purpose of conducting or
10 supporting research and demonstration
11 projects, or for providing technical assist-
12 ance, in connection with activities de-
13 scribed in section 403(a)(2)(B). Funds ap-
14 propriated under subparagraph (A) and ex-
15 pended in accordance with this clause shall
16 be in addition to any other funds made
17 available under this part for activities de-
18 scribed in section 403(a)(2)(B).

19 “(2) SECRETARY’S AUTHORITY.—The Secretary
20 may conduct activities authorized by this subsection
21 directly or through grants, contracts, or interagency
22 agreements with public or private entities.

23 “(3) REQUIREMENT FOR USE OF FUNDS.—The
24 Secretary shall not pay any funds appropriated
25 under paragraph (1)(A) to an entity for the purpose

1 of conducting or supporting research and demonstra-
 2 tion projects involving activities described in section
 3 403(a)(2)(B) unless the entity complies with the re-
 4 quirements of section 403(a)(2)(E).”.

5 **SEC. 104. RESCISSION OF HIGH PERFORMANCE BONUS AND**
 6 **BONUS TO REWARD DECREASE IN ILLEGIT-**
 7 **IMACY RATIO.**

8 (a) RESCISSION.—With respect to the amounts ap-
 9 propriated under paragraphs (2)(D) and (4)(F) of section
 10 403(a) of the Social Security Act (42 U.S.C. 603(a)), the
 11 amounts remaining available for obligation for any fiscal
 12 year after fiscal year 2004 are rescinded.

13 (b) BUDGET SCORING.—Notwithstanding section
 14 257(b)(2) of the Balanced Budget and Emergency Deficit
 15 Control Act of 1985 (2 U.S.C. 907(b)(2)), the baseline
 16 shall assume that no bonus grants shall be made under
 17 section 403(a)(2) of the Social Security Act (42 U.S.C.
 18 603(a)(2)) (relating to bonuses to reward decreases in the
 19 illegitimacy ratio) or under section 403(a)(4) of that Act
 20 (42 U.S.C. 603(a)(4)) (relating to high performance bo-
 21 nuses) after fiscal year 2004.

22 (c) APPLICATION OF BUDGET SAVINGS.—Budget
 23 savings resulting from the application of subsections (a)
 24 and (b) shall be applied to offset the costs of making
 25 healthy marriage promotion grants under section

1 403(a)(2) of the Social Security Act (as amended by sec-
 2 tion 101(b) of this Act), funding research, demonstrations,
 3 and technical assistance under section 413(k) of the Social
 4 Security Act (as added by section 103 of this Act), and
 5 carrying out the responsible fatherhood program under
 6 part C of title IV of the Social Security Act (as added
 7 by section 102(a)(2) of this Act).

8 **TITLE II—EXTENSION OF TANF** 9 **AND RELATED PROGRAMS**

10 **SEC. 201. EXTENSION OF THE TEMPORARY ASSISTANCE** 11 **FOR NEEDY FAMILIES BLOCK GRANT PRO-** 12 **GRAM THROUGH MARCH 31, 2005.**

13 (a) IN GENERAL.—Activities authorized by part A of
 14 title IV of the Social Security Act, other than the activities
 15 authorized by sections 403(a)(2) and 413(k) of such Act
 16 (as amended by sections 101(b) and 103, respectively, of
 17 this Act), and by sections 510, 1108(b), and 1925 of such
 18 Act, shall continue through March 31, 2005, in the man-
 19 ner authorized for fiscal year 2002, notwithstanding sec-
 20 tion 1902(e)(1)(A) of such Act, and out of any money in
 21 the Treasury of the United States not otherwise appro-
 22 priated, there are hereby appropriated such sums as may
 23 be necessary for such purpose. Grants and payments may
 24 be made pursuant to this authority through the second
 25 quarter of fiscal year 2005 at the level provided for such

1 activities through the second quarter of fiscal year 2002.
 2 Activities authorized by sections 403(a)(2) and 413(k) of
 3 the Social Security Act (as so amended), and by part C
 4 of title IV of such Act (as added by section 102(a)(2) of
 5 this Act)), shall continue through the fourth quarter of
 6 fiscal year 2006 in accordance with the amendments made
 7 by sections 101(b), 102(a)(2), and 103, respectively, of
 8 this Act.

9 (b) CONFORMING AMENDMENT.—Section
 10 403(a)(3)(H)(ii) of the Social Security Act (42 U.S.C.
 11 603(a)(3)(H)(ii)) is amended by striking “September 30,
 12 2004” and inserting “March 31, 2005”.

13 **SEC. 202. EXTENSION OF THE NATIONAL RANDOM SAMPLE**
 14 **STUDY OF CHILD WELFARE AND CHILD WEL-**
 15 **FARE WAIVER AUTHORITY THROUGH SEP-**
 16 **TEMBER 30, 2004.**

17 Activities authorized by sections 429A and 1130(a)
 18 of the Social Security Act shall continue through March
 19 31, 2005, in the manner authorized for fiscal year 2002,
 20 and out of any money in the Treasury of the United States
 21 not otherwise appropriated, there are hereby appropriated
 22 such sums as may be necessary for such purpose. Grants
 23 and payments may be made pursuant to this authority
 24 through the second quarter of fiscal year 2005 at the level

- 1 provided for such activities through the second quarter of
- 2 fiscal year 2002.

Calendar No. 714

108TH CONGRESS
2D Session
S. 2830

A BILL

To amend part A of title IV of the Social Security Act to promote healthy marriages and responsible fatherhood, and for other purposes.

SEPTEMBER 23, 2004

Read the second time and placed on the calendar