

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2409

To amend part D of title IV of the Social Security Act to modify the calculation of the child support automation penalty and provide for the reinvestment of any such penalty.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 17, 2005

Ms. MATSUI (for herself, Mr. STARK, and Ms. ZOE LOFGREN of California) introduced the following bill; which was referred to the Committee on Ways and Means

---

## A BILL

To amend part D of title IV of the Social Security Act to modify the calculation of the child support automation penalty and provide for the reinvestment of any such penalty.

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 “Child Support Rein-  
5       vestment Act of 2005”.

1 **SEC. 2. MODIFICATION OF CALCULATION OF PENALTY FOR**  
2 **FAILURE TO AUTOMATE CHILD SUPPORT IN-**  
3 **FORMATION SYSTEMS; REINVESTMENT OF**  
4 **PENALTY.**

5 Section 455(a)(4) of the Social Security Act (42  
6 U.S.C. 655(a)(4)) is amended—

7 (1) in subparagraph (B)(ii), by striking “pre-  
8 ceding fiscal year” and inserting “1st year in which  
9 the failure occurred”; and

10 (2) in subparagraph (C), by adding at the end  
11 the following:

12 “(iv)(I) The Secretary shall reduce, by the  
13 amount described in the applicable clause of sub-  
14 paragraph (D) of this paragraph, the amount of any  
15 reduction that, in the absence of this clause, would  
16 be required to be made under this paragraph by rea-  
17 son of the failure of a State to achieve compliance  
18 with a subparagraph of section 454(24) if—

19 “(aa) the State has submitted, and the  
20 Secretary has approved, a corrective compliance  
21 plan under subparagraph (A)(i)(II) of this  
22 paragraph with respect to the failure; and

23 “(bb) the Secretary finds that the State  
24 has made and is continuing to make a good  
25 faith effort to comply with the plan.

1           “(II) The State shall expend for operation of  
2 the State plan approved under section 454 an  
3 amount equal to the amount by which any reduction  
4 that, in the absence of this clause, would be required  
5 to be made under this paragraph is reduced under  
6 this clause.”; and

7           (3) by redesignating subparagraph (D) as sub-  
8 paragraph (E) and inserting after subparagraph (C)  
9 the following:

10           “(D)(i) The amount described in this subpara-  
11 graph is—

12                   “(I) 25 percent of the reduction, if the  
13 State has increased expenditures by more than  
14 5 but not more than 7 percent;

15                   “(II) 50 percent of the reduction, if the  
16 State has increased expenditures by more than  
17 7 but not more than 9 percent;

18                   “(III) 75 percent of the reduction, if the  
19 State has increased expenditures by more than  
20 9 but not more than 11 percent; or

21                   “(IV) 100 percent of the reduction, if the  
22 State has increased expenditures by more than  
23 11 percent.

1           “(ii) In clause (i), the term ‘increased expendi-  
2           tures’ means, with respect to a State and a fiscal  
3           year, the lesser of—

4                   “(I) the average annual increase in the  
5           State share of expenditures under the State  
6           plan approved under this part in the 5-year pe-  
7           riod ending with the preceding fiscal year; or

8                   “(II) the increase in the State share of  
9           such expenditures in the preceding fiscal year.”.

○