

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

# S. 458

To amend part A of title IV of the Social Security Act to give States the option to create a program that allows individuals receiving temporary assistance to needy families to obtain post-secondary or longer duration vocational education.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 18, 2005

Ms. SNOWE (for herself, Mr. BAUCUS, Mr. BINGAMAN, Mr. JEFFORDS, and Mr. ROCKEFELLER) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To amend part A of title IV of the Social Security Act to give States the option to create a program that allows individuals receiving temporary assistance to needy families to obtain post-secondary or longer duration vocational education.

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 “Pathways to Self-Suffi-  
5       ciency Act of 2005”.

1 **SEC. 2. AUTHORITY TO ESTABLISH UNDERGRADUATE**  
 2 **POST-SECONDARY OR VOCATIONAL EDU-**  
 3 **CATIONAL PROGRAM UNDER TANF.**

4 (a) STATE OPTION.—Section 404 of the Social Secu-  
 5 rity Act (42 U.S.C. 604) is amended by adding at the end  
 6 the following new subsection:

7 “(1) AUTHORITY TO ESTABLISH UNDERGRADUATE  
 8 POST-SECONDARY OR VOCATIONAL EDUCATIONAL PRO-  
 9 GRAM.—

10 “(1) IN GENERAL.—Subject to the succeeding  
 11 paragraphs of this subsection, a State to which a  
 12 grant is made under section 403 may use the grant  
 13 to establish a program under which an eligible par-  
 14 ticipant (as defined in paragraph (4)) may be pro-  
 15 vided support services described in paragraph (6).

16 “(2) STATE PLAN REQUIREMENT.—A State  
 17 may not establish a program under this subsection  
 18 unless the State describes (in an addendum to the  
 19 State plan submitted under section 402) the applica-  
 20 ble eligibility criteria that is designed to limit par-  
 21 ticipation in the program to only those individuals—

22 “(A) whose past earnings indicate that the  
 23 individuals cannot qualify for employment that  
 24 pays enough to allow them to obtain self-suffi-  
 25 ciency (as determined by the State); and

1           “(B) for whom enrollment in the program  
2           will prepare the individuals for higher-paying  
3           occupations in demand in the State.

4           “(3) NO FEDERAL FUNDS FOR TUITION.—A  
5           State may not use Federal funds provided under a  
6           grant made under section 403 to pay tuition for an  
7           eligible participant.

8           “(4) DEFINITION OF ELIGIBLE PARTICIPANT.—

9           “(A) IN GENERAL.—In this subsection, the  
10          term ‘eligible participant’ means an individual  
11          who receives assistance under the State pro-  
12          gram funded under this part and satisfies the  
13          following requirements:

14               “(i) The individual is enrolled in a  
15               postsecondary 2- or 4-year degree program  
16               or in a vocational educational training pro-  
17               gram.

18               “(ii) During the first 24 months that  
19               the individual participates in the program,  
20               the individual engages in a combination of  
21               educational activities in connection with a  
22               course of study, training, study time, em-  
23               ployment, or work experience for an aver-  
24               age of not less than 24 hours per week.

1           “(iii) After the first 24 months of the  
2 individual’s participation in the program,  
3 the individual—

4                   “(I) works not less than an aver-  
5 age of 15 hours per week (in addition  
6 to school and study time); or

7                   “(II) engages in a combination of  
8 educational activities in connection  
9 with a course of study, training, study  
10 time, employment, or work experience  
11 for an average of not less than 30  
12 hours per week.

13           “(iv) During the period the individual  
14 participates in the program, the individual  
15 maintains satisfactory academic progress,  
16 as defined by the institution operating the  
17 undergraduate post-secondary or vocational  
18 educational program in which the indi-  
19 vidual is enrolled.

20           “(B) DETERMINATION OF HOURS.—For  
21 purposes of determining hours per week under  
22 clause (ii) or (iii) of subparagraph (A), a State  
23 may not count study time of less than 1 hour  
24 for every hour of class time or more than 2  
25 hours for every hour of class time.

1           “(5) REQUIRED TIME PERIODS FOR COMPLE-  
2           TION OF DEGREE OR VOCATIONAL EDUCATIONAL  
3           TRAINING PROGRAM.—

4           “(A) IN GENERAL.—Subject to subpara-  
5           graph (B), an individual participating in a pro-  
6           gram established under this subsection shall be  
7           required to complete the requirements of a de-  
8           gree or vocational educational training program  
9           within the normal time frame for full time stu-  
10          dents seeking the particular degree or com-  
11          pleting the vocational educational training pro-  
12          gram.

13          “(B) EXCEPTION.—For good cause, the  
14          State may allow an individual to complete their  
15          degree requirements or vocational educational  
16          training program within a period not to exceed  
17          1½ times the normal time frame established  
18          under subparagraph (A) (unless further modi-  
19          fication is required by the Americans with Dis-  
20          abilities Act of 1990 (42 U.S.C. 12101 et seq.),  
21          or section 504 of the Rehabilitation Act of 1973  
22          (29 U.S.C. 794)) and may modify the require-  
23          ments applicable to an individual participating  
24          in the program. For purposes of the preceding  
25          sentence, good cause includes the case of an in-

1           dividual with 1 or more significant barriers to  
 2           normal participation, as determined by the  
 3           State, such as the need to care for a family  
 4           member with special needs.

5           “(6) SUPPORT SERVICES DESCRIBED.—For  
 6           purposes of paragraph (1), the support services de-  
 7           scribed in this paragraph include any or all of the  
 8           following during the period the eligible participant is  
 9           in the program established under this subsection:

10                   “(A) Child care.

11                   “(B) Transportation services.

12                   “(C) Payment for books and supplies.

13                   “(D) Other services provided under policies  
 14                   determined by the State to ensure coordination  
 15                   and lack of duplication with other programs  
 16                   available to provide support services.”.

17           (b) STATE OPTION TO INCLUDE PARTICIPANTS AS  
 18           ENGAGED IN WORK.—

19                   (1) IN GENERAL.—Section 407(c)(2) of the So-  
 20                   cial Security Act (42 U.S.C. 607(c)(2)) is amended  
 21                   by adding at the end the following:

22                           “(E) STATE OPTION TO INCLUDE PARTICI-  
 23                           PANTS AS ENGAGED IN WORK.—

24                                   “(i) IN GENERAL.—Subject to clause

25   (ii), in the case of a State that elects to es-

1           tabish an undergraduate post-secondary or  
 2           vocational education program under sec-  
 3           tion 404(l), the State may include, for pur-  
 4           poses of determining monthly participation  
 5           rates under paragraphs (1)(B)(i) and  
 6           (2)(B) of subsection (b), all families that  
 7           include an individual participating in the  
 8           program during the month as being en-  
 9           gaged in work for the month, so long as  
 10          each such individual is in compliance with  
 11          the requirements of that program.

12           “(ii) LIMITATION.—With respect to a  
 13          month, the number of families counted as  
 14          being engaged in work under clause (i)  
 15          may not exceed the amount equal to 10  
 16          percent of the number of families receiving  
 17          assistance under the State program funded  
 18          under this part for the month.”.

19          (2) CONFORMING AMENDMENTS.—

20           (A) Section 407(c)(2)(D) of the Social Se-  
 21          curity Act (42 U.S.C. 607(c)(2)(D)) is amend-  
 22          ed—

23           (i) in the heading, by inserting “CER-  
 24          TAIN” after “PARTICIPATION IN”; and

1 (ii) by inserting “(determined without  
 2 regard to individuals participating in a  
 3 program referred to in subparagraph  
 4 (E)(i))” after “training”.

5 (B) Section 407(d)(8) of the Social Secu-  
 6 rity Act (42 U.S.C. 607(d)(8)) is amended by  
 7 inserting “other than an individual partici-  
 8 pating in a program that meets the require-  
 9 ments of section 404(l)” after “individual”.

10 (c) STATE OPTION TO CREDIT MONTHS OF PARTICI-  
 11 PATION FOR PURPOSES OF 5-YEAR ASSISTANCE LIMIT.—  
 12 Section 408(a)(7) of the Social Security Act (42 U.S.C.  
 13 608(a)(7)) is amended by adding at the end the following:

14 “(H) CREDIT FOR MONTHS PARTICIPATING  
 15 IN A PATHWAYS TO SELF-SUFFICIENCY PRO-  
 16 GRAM.—In determining the number of months  
 17 for which an adult has received assistance  
 18 under a State program funded under this part,  
 19 the State may disregard any month during  
 20 which the adult is a participant in a program  
 21 that meets the requirements of section 404(l).”.

22 (d) EFFECTIVE DATE.—The amendments made by  
 23 this section take effect on October 1, 2005.

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