

Title I – AFDC Block Grant

<u>Democratic Amendments</u>	<u>Section</u>	<u>Topic</u>
1. Levin/Neal*	3	Require work and set clear State performance standards based on recipient self-sufficiency plans
2. McDermott/Rangel*	3	Guarantee training, education, drug treatment, child care and health benefits for mothers who must work
3. Ford*	3	Equal treatment of children
4. Kennelly	3	Teen pregnancy prevention
4a. Cardin	3	Prevention of teen pregnancies
5. Rangel*	3	Prohibition on displacement
6. Kennelly*	3	Child care amendment (no children left home alone)
6a. Kennelly	3	Child care for working families
7. Ford *	3	Private sector jobs
7a. Rangel	3	Employment opportunity credit
8. Rangel/Matsui	4	Alternative formula
9. Ford *	4	Prevent unfunded local mandates

10. Kleczka	4	State rainy day fund
11. Levin	5	Federal rainy day fund
12. Stark	4	Increase size and modify population adjustment to reflect growth in low-income population.
13. Cardin	4	State maintenance of effort in family assistance
14. Cardin	4	HHS review of work programs
15. Levin/Matsui*	6	Teen parents
15a. McDermott	6	Create a refundable tax credit for unmarried parents under the age of 18 who place their child for adoption
16. Stark*	6	Strike family caps
17. Rangel*	6	Alter "lifetime limits" when recipients "play by the rules."
18. Kennelly*	6	Establish tough, but fair paternity establishment rules
19. Stark*	11	Assure health benefits for families leaving welfare

* Offered in Subcommittee

Title II - Child Protection Block Grant

<u>Democratic Amendments</u>	<u>Section</u>	<u>Topic</u>
1. Ford/Matsui*	Title II	Strike Title II and consolidate current law
2. Rangel*	3	Assure safety of children in foster care
2a. Matsui	3	Adoption assistance amendment
3. Matsui/Levin*	4	Maintain entitlement status for foster care maintenance payments and for adoption assistance payments
4. Ford/Matsui	4	Reward States for increasing adoption of kids in care more than 12 months
5. Matsui	4	Revise formula
6. Kleczka	4	Allow for-profit group homes to receive funding
7. Kennelly*	4	Prevent transfer of child protection funds
7a. Stark	4	Establish federal rainy day fund
8. Cardin	6	Citizen Review Panel request of HHS review
9. Cardin	6	Require State match
10. Cardin	8	HHS review of Child Protection Programs

11. Cardin	Title II	National Center for Prosecution of Child Abuse
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* Offered in Subcommittee

Title III - Restricting Welfare for Aliens

<u>Democratic Amendment</u>	<u>Section</u>	<u>Name of Amendment</u>
#1 Rangel	2	Retain benefits for legal immigrants who are veterans.
#2 Stark	2	Retain benefits for legal immigrants who have paid taxes.
#3 McDermott	2	Retain benefits for children under 18 who are legal immigrants.
#4 McDermott	3	Retain Medicaid eligibility for legal aliens.
#5 McDermott	4	Emigration Vouchers for Legal Immigrants Who Are Made Ineligible for Assistance.

Title IV - SSI

<u>Democratic Amendment</u>	<u>Section</u>	<u>Name of Amendment</u>
#1 Cardin	1	Provide Substance Abuse Treatment to SSI Drug addicts and Alcoholics.
#2 Rangel	1	Retain Medicaid for drug addicts and alcoholics ineligible for SSI.
#3 Levin	3	Grandfather cash benefits for children losing SSI due to repeal of IFA eligibility if they would meet or equal listing.
#4 Kleczka	3	Uninterrupted grandfather.
#5 Stark	3	Clarify language on eligibility for cash SSI benefits for children.
#6 Stark	8	Require States to provide access to block grant services to all children who meet or equal the listing.
#7 Kennelly		Block grant for the Territories of Puerto Rico, U.S. Virgin Islands, Guam and American Samoa.

Title V - Child Support Enforcement

<u>Democratic Amendments</u>	<u>Section</u>	<u>Topic</u>
1. Neal		Require liens. Extend full faith and credit and enforce liens from other States
2. Neal		Allow private contractors to use Federal tax return information; require disclosure of certain return information, including mortgage interest payments, employer identification number; allow disclosure of IRS information for purposes of child support enforcement
3. Neal		Expand the Federal Parent Locator Service, including use of consumer reporting agencies
4. Neal		Collection and use of social security numbers
5. Levin		Add credit bureau reporting
6. Stark		Federalize child support enforcement

Miscellaneous

<u>Democratic Amendments</u>	<u>Section</u>	<u>Topic</u>
1. Ford/Gibbons*	all titles	Deficit reduction
2. Payne	?	Deal substitute
3.	all titles	Possible Democratic substitute

*Offered in Subcommittee

Amendment Offered by Mr. Levin

Allow only people who leave welfare for private sector work to be counted towards participation requirement.

Amend Item 3(C)(i), to read:

States may receive a credit for caseload reductions due to people leaving welfare for private sector jobs for purposes of meeting the participation requirements. States can count reductions in the caseload below the 1995 baseline due to people leaving welfare for private sector jobs as participation. States may not count as participation reductions in the caseload due solely to the denial of cash benefits to recipients.

Amendment by Mr. Levin to Title I

Federal Rainy Day Fund

Amend Title I, Item 5:

1. Increase \$1 billion to \$5 billion.
2. States may borrow from the fund if an area of the state is declared a national disaster area.

Amendment by Mr. Levin

Retain individual entitlement.

Strike Title I, Item 4.

Title I – AFDC Block Grant

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1. Levin/Neal*	3	Require work and set clear State performance standards based on recipient self-sufficiency plans
2. McDermott/Rangel*	3	Guarantee training, education, drug treatment, child care and health benefits for mothers who must work
3. Ford*	3	Equal treatment of children
4. Kennelly	3	Teen pregnancy prevention
4a. Cardin	3	Reduction of teen pregnancies
5. Rangel*	3	Prohibition on displacement
6. Kennelly*	3	Child care amendment (no children left home alone)
6a. Kennelly	3	Child care for working families.
7. Ford *	3	Private sector jobs
8. Rangel	4	Alternative formula
9. Ford *	4	Prevent unfunded local mandates
10. Kleczka	4	State rainy day fund

11. Levin	5	Federal rainy day fund
12. Stark	4/5	Rainy day funds
13. Cardin	4	State maintenance of effort in family assistance
14. Cardin	4	HHS review of work programs
15. Levin*	6	Teen parents
16. Stark*	6	Strike family caps
17. Rangel*	6	Alter "lifetime limits" when recipients "play by the rules."
18. Kennelly*	6	Establish tough, but fair paternity establishment rules
19. Stark*	11	Assure health benefits for families leaving welfare

* Offered in Subcommittee

TITLE I
Section 3

1. Amendment By Mr. Levin/Neal

Require work and Set clear State performance standards based on recipient self-sufficiency plans.

[Insert provisions of the Democratic alternative that address work issues]

TITLE I
Section 3

2. Amendment By Mr. McDermott/Rangel

Guarantee training, education, drug treatment, child care, and health benefits for mothers who must work.

[Text of the amendment to be supplied by McDermott/Rangel staff]

TITLE I
Section 3A

3. Amendment by Mr. Ford

Assure basic protections for and equal treatment of children.

States must establish uniform eligibility criteria and guarantee equal treatment of all children who apply for benefits. Specifically:

- a. All individuals wishing to apply for aid shall have the opportunity to do so. Aid will be furnished with reasonable promptness to all eligible individuals.
- b. No individual will be denied aid solely on the basis of his or her marital status.
- c. States may vary benefit levels within the State, but aid must be furnished in a standard manner throughout the State and throughout the year (i.e., similar children are treated the same during the year and within areas of the State).

TITLE I
Section 3A

4. Kennelly/Cardin Amendment

Teen pregnancy prevention.

Five percent of the net savings from Title I of the bill shall be used to establish a national campaign against teenage pregnancy. This campaign, to be developed by the Secretary of HHS, would provide communities and schools with curricula and materials on teen pregnancy prevention programs and provide grants to schools to develop innovative programs to curb teenage pregnancy.

An additional five percent of the net savings from Title I shall be invested in family planning services under Title X of the Public Health Service Act.

TITLE I
Section 3A

4a. Cardin Amendment

Reduction of teenage pregnancies.

Add item Section 3(G): Reduce teenage pregnancies.

Require States to include in their plans outlines of how the State intends to:
"take actions to reduce pregnancies among teenagers; these actions shall include
provision of education, counseling, and health services to male and female
teenagers."

TITLE I
Section 3

5. Amendment by Mr. Rangel

Prohibition on displacement.

No block grant recipient placed by the State can displace an existing worker.

TITLE I
Section 3

6. Amendment by Mrs. Kennelly

Home alone child care amendment.

Each State must provide for or assure the availability of qualified day care for the children of parents required to participate in work, education or training activities. The purpose of the amendment is to protect children from being left alone or in unsafe places while their parents are required to participate in State programs.

TITLE I
Section 3

6a. Amendment by Mrs. Kennelly

Each State will determine how many working, non-AFDC families were receiving child care assistance prior to January 1, 1995. At least the same number of working families must be served in the State under the new State welfare plan.

TITLE I
Section 3

7. Amendment by Mr. Ford

Require 50% of those subject to the work requirement to be placed in private sector jobs.

In order to be eligible for block grant funds, States must place at least 50 percent of such persons required to work in private or non-profit sector jobs.

TITLE I
Section 4

8. Amendment by Mr. Rangel

Alternate Formula

[To be supplied. The concept is: allocate funds based on the higher of 1991-93 or 94, including JOBS funding. In future years, increase the cap and allocate according to a factor that measures increases in child poverty -- such as number of children receiving food stamps.]

TITLE I
Section 4

9. Amendment by Mr. Ford

Prevent unfunded local mandates.

No State receiving an allotment under the block grant shall shift the costs of providing income support and services to needy families with children to counties, cities, or local governments, or shall implement policies which have the effect of increasing such costs to counties, cities or local governments.

In States which currently operate AFDC through a county-based system, require States to distribute funds directly to the counties, under a formula established by the State.

TITLE I
Section 4

10. Amendment by Mr. Kleczka

State rainy day fund.

Strike the provision which allows States to move funding from the rainy day fund to their general treasury after accumulating 120 percent of their annual allotment in the rainy day fund. Instead, any unspent funds in the rainy day fund exceeding the 120 percent level would revert to the U.S. Treasury.

Title I
Section 5

11. Amendment by Mr. Levin

Federal rainy day fund

[to be supplied]

Title I
Sections 4/5

12. Amendment by Mr. Stark

Rainy day funds

[to be supplied]

TITLE I
Section 4

13. Amendment by Mr. Cardin

State maintenance of effort in family assistance.

Establish a State match requirement for Federal temporary family assistance block grant funds. State match rate would equal the rate of a State's 1994 match to 1994 Federal funds from programs combined into the new block grant.

TITLE I
Section 4

14. Amendment by Mr. Cardin

HHS Review of Work Programs.

For the 5 States each year with the least success in moving recipients into long-term, private sector jobs, direct the Department of Health and Human Services to review those States' programs providing parents with work experience, assistance in finding employment, and other work preparation activities and support services to enable such families to leave the program and become self-sufficient.

Based upon these reviews, if found necessary, HHS is authorized to develop remedial plans for the State programs and require implementation of the plans to continue receipt of full Federal block grant funding. As a part of a remedial plan, a State can be required to match Federal funds with State funds at rates up to the rate of match for that State in 1994.

Rankings of 'States success' will be developed by HHS based upon data already being collected under the bill.

TITLE I
Section 6

15. Amendment by Mr. Levin

Establish a tough, but fair, policy on benefits to teen parents.

Strike the provision denying benefits to children of minor mothers and insert the following:

The State plan shall provide assurance that, in the case of any individual who is under the age of 18 and is the unmarried parent of a child, or is pregnant and eligible for support, aid may be provided on behalf of the minor parent and the child only if:

(a) the minor parent is living at home, with a legal guardian, with another adult relative, or in a foster home, maternity home, or other adult-supervised supportive living arrangement.

(b) such payment is made to the parent, guardian, other adult relative or adult who is supervising the minor. If a minor parent is living with her or his parent or legal guardian, the income of such parent or guardian shall be taken into account in establishing the eligibility of the minor and child for aid.

(c) the school-age minor parent is in school.

(d) the minor parent fully cooperates, before benefits are paid, with paternity establishment and assigns to the States and rights to child support.

TITLE I
Section 6

16. Amendment by Mr. Stark

Strike family caps.

TITLE I
Section 6

17. Amendment by Mr. Rangel

Alter "lifetime limits" when recipients "play by the rules."

No adult who is able to work may receive welfare for an unlimited time without working. No needy family may lose benefits because an adult who is genuinely willing to work is unable to find a job.

TITLE I
Section 6

18. Amendment by Mrs. Kennelly

Establish tough, but fair paternity establishment rules.

Eliminate provision requiring States to reduce assistance for up to six months to families with children whose paternity has not been established.

Establish tough but fair rules for paternity establishment. To be defined by the Secretary of HHS, these rules would:

- a. Define clearly the responsibility of mothers and States for paternity establishment.
- b. Require all custodial parents to identify the non-custodial parent prior to receipt of benefits.
- c. Require States to establish paternity within one year or face financial penalties.

TITLE I
Section 11

19. Amendment by Mr. Stark

Assure health benefits for families leaving welfare.

Reinstate the Medicaid transition program, with State option to extend benefits beyond one year.

[Update?]

Title II - Child Protection Block Grant

<u>Democratic Amendments</u>	<u>Section</u>	<u>Topic</u>
1. Ford/Matsui*	Title II	Strike Title II and consolidate current law
2. Rangel*	3	Assure safety of children in foster care
3. Matsui/Levin*	4	Maintain entitlement status for foster care maintenance payments and for adoption assistance payments
4. Ford/Matsui	4	Reward States for increasing adoption of kids in care more than 12 months
5. Matsui	4	Revise formula
6. Kleczka	4	Allow for-profit group homes to receive funding
7. Kennelly*	4	Prevent transfer of child protection funds
8. Cardin	6	Citizen Review Panel request of HHS review
9. Cardin	6	Require State match
10. Cardin	8	HHS review of Child Protection Programs
11. Cardin	Title II	National Center for Prosecution of Child Abuse

* Offered in Subcommittee

TITLE II
Section 3

1. Ford/Matsui Amendment

Strike Title II but consolidate the programs proposed to be repealed by Title II into the Title IV-B program, with no loss in funding.

TITLE II
Section 3

2. Amendment by Mr. Rangel

Assuring safety of children in foster care.

States in which there is an increase in the number of child abuse or neglect-related fatalities, or in which one child dies while under State care, would come immediately under the review of the Secretary of Health and Human Services, who will determine what action will be taken.

States that have been found by a court to have neglected children in their custody would be subject to annual reviews by the Secretary of Health and Human Services.

States would have to submit a remedial plan to the Secretary of Health and Human Services detailing what corrective actions will be taken.

TITLE II
Section 4

3. Matsui/Levin Amendment

Maintain entitlement status for foster care maintenance payments and for adoption assistance payments.

To ensure that all abused and neglected children receive foster care services and are placed in adoptive homes, federal support for children adopted or placed in foster care would not be included in the block grant and would be continued as under current law.

TITLE II
Section 4

4. Ford/Matsui Amendment

Encouraging adoption.

State funds would be adjusted each year to reward those States that have increased the number of adoptions of children who have been in care for over 12 months.

TITLE II
Section 4

5. Matsui Amendment

Revise formula

Title II
Section 4

6. Amendment by Mr. Kleczka

An amendment clarifying the fact that nothing in this act shall preclude for-profit group homes from being eligible for reimbursement or other funding from States.

TITLE II
Section 4

7. Amendment by Mrs. Kennelly

Prevent transfer of child protection funds.

States would be prohibited from transferring funds from the child protection block grant into any other block grant, or from using child protection block grant funds to provide services other than those specified under this block grant if there has been an increase in the length of stay of children in foster care, a decrease in the number of children placed in adoptive homes, an increase in the number of child fatalities while under State care, or a court order against the State.

TITLE II
Section 6

8. Amendment by Mr. Cardin

Citizen Review Panel Request of HHS Review.

Authorize State citizen review panels established under the bill to request a review by the Department of Health and Human Services of their State's child protection programs.

Once requested, HHS is authorized to conduct a review, and if found necessary, develop remedial plans for the State programs and require implementation of the plans to continue receipt of full Federal block grant funding. As a part of a remedial plan, a State can be required to match Federal funds with State funds at rates up to 25 percent.

TITLE II
Section 6

9. Amendment by Mr. Cardin

State Maintenance of Effort in Child Protection.

Establish a State match requirement for Federal child protection block grant funds. State match rate would equal the rate of a State's 1994 match to 1994 Federal funds from programs combined into the new block grant.

TITLE II
Section 8

10. Amendment by Mr. Cardin

HHS review of Child Protection Programs

For the 5 States each year with the highest rates of child abuse/neglect, number of children awaiting adoption, and/or rates of increase in these measures, direct the Department of Health and Human Services to review those States' child protection programs.

Based upon these reviews, if found necessary, HHS is authorized to develop remedial plans for the State programs and require implementation of the plans to continue receipt of full Federal block grant funding. As a part of a remedial plan, a State can be required to match Federal funds with State funds at a rate of up to 25 percent.

Rankings of States under these measures will be developed by HHS based upon data already being collected under the bill.

TITLE II

11. Amendment by Mr. Cardin

National Center for Prosecution of Child Abuse.

Authorize continued Federal funding for the National Center for the Prosecution of Child Abuse, which provides training and assistance to local prosecutors, military and tribal attorneys, and Assistant United States Attorneys.

Authorization would be continued at the current level of \$2 million per year.

Title III - Restricting Welfare for Aliens

<u>Democratic Amendment</u>	<u>Section</u>	<u>Name of Amendment</u>
#1 Rangel	2	Retain benefits for legal immigrants who are veterans.
#2 Stark	2	Retain benefits for legal immigrants who have paid taxes.
#3 McDermott	2	Retain benefits for children under 18 who are legal immigrants.
#4 McDermott	3	Retain Medicaid eligibility for legal aliens.

Title III -- Restricting Welfare for Aliens

Amendment #1 (Rangel)

Retain benefits for legal immigrants who are veterans.

Retain eligibility for benefits for legal immigrants who are veterans, or who served in the U.S. Armed Forces, and for their children and survivors.

Talking points:

- o Eligibility for benefits for legal immigrants who are veterans, or who served in the Armed Forces, and for their children and survivors should be maintained. These brave people have risked their lives to protect our country. Maintaining eligibility for these people is just one small way our country can say thank you. It is the least we can do.
- o According to the Urban Institute, slightly more than 1.1 million immigrants arrive each year. Of the 1.1 million immigrants, 700,000 immigrants annually are admitted as legal permanent residents.
- o According to 1990 census data, there were 133,457 non citizen veterans living in the United States. This number compares to a total foreign-born veteran population in the U.S. of 689,466.
- o According to CRS the general residency requirements for an alien seeking citizenship are waived and the character requirement is substantially eased for permanent resident aliens who honorably are serving, or have served in the United States armed forces for at least three years if the alien applies for citizenship during service or within six months of honorable discharge. Doesn't this mean that our country recognizes the value of the immigrant-veteran? Why does the Republican bill not recognize the sacrifice that these individuals have made?
- o President Clinton in an Executive Order dated November 22, 1994, authorized the expedited naturalization of aliens who served honorably in active-duty status during the period of the Persian Gulf War.

Title III -- Restricting Welfare for Aliens

Amendment # 1A (Rangel)

Retain benefits for the dependent survivors of legal immigrants who are veterans.

Expand the veteran exemption to include the dependent survivors of legal immigrants who are veterans.

Talking points:

- o In the Human Resources Subcommittee markup, the Democrats offered an amendment to exclude veterans, those who have serviced in the U.S. Armed Forces and their dependents and survivors.
- o That amendment failed on a party-line vote.
- o Apparently, the Republicans have seen the light since they have now included the provision in the Chairman's mark.
- o Unfortunately, they have not gone far enough. They have not exempted the poor survivors of legal immigrants who have served their country.
- o The impact of the Republican bill is to deny benefits to the pitiful widow of a veteran who has died in combat. Surely, they would not want to do that.

Title III -- Restricting Welfare for Aliens

Amendment #2 (Stark)

Retain benefits for legal immigrants who have paid taxes.

Retain eligibility for benefits for legal immigrants who have paid taxes in the U.S. for 5 years or more. Taxes would include Federal income tax liability and Social Security payroll tax liability.

Talking points:

- o This amendment would retain eligibility for benefits for legal immigrants who have paid taxes in the U.S. for five years or more.
- o According to 1990 Census data, immigrants earned 8 percent of all income in the United States; they also account for about 8 percent of the population. On average, their incomes are just about the same as for native born Americans -- and they do pay taxes.
- o More than 4 million legal immigrant families pay income taxes each year.
- o Speaker Gingrich said:

"I think there is a legitimate case for helping someone who has participated in American society and paid taxes by making them eligible for government services."

And,

"I think we are going to revisit the questions of eliminating aliens from ever getting access to government services after some length of time of being here and paying taxes."

--both quotes from a news conference with the National Restaurant Association, Jan. 9, 1995.

- o Bill as now written would exclude legal immigrants--even those who have been here and paid taxes for decades--from a whole host of programs like Community Health centers, Housing Loan programs, Lead Poisoning screening programs, Legal Assistance, and state child care programs.
- o Many of these immigrants are in the process of trying to become naturalized citizens; but it can take a long time.

- o In the meantime--why shouldn't tax-paying legal immigrants who are contributing to their communities be able to take advantage of community programs like these, just as the Speaker suggested?

Title III – Restricting Welfare for Aliens

Amendment #3 (McDermott)

Retain benefits for children under 18 who are legal immigrants.

The alien benefit restrictions shall not apply to a legal immigrant child under 18 years of age.

Title III -- Restricting Welfare for Aliens

Amendment #4 (McDermott)

Retain Medicaid eligibility for legal aliens.

Retain Medicaid eligibility for legal aliens (i.e., legal aliens would be considered to be SSI or AFDC recipients for purposes of Medicaid).

Title IV - SSI

<u>Democratic Amendment</u>	<u>Section</u>	<u>Name of Amendment</u>
#1 Cardin	2	Provide Substance Abuse Treatment to SSI Drug addicts and Alcoholics.
#2 Rangel	2	Retain Medicaid for drug addicts and alcoholics ineligible for SSI.
#3 Levin	2	Grandfather cash benefits for children losing SSI due to repeal of IFA eligibility if they would meet or equal listing.
#4 Kleczka	3	Uninterrupted grandfather.
#5 Stark	8	Require States to provide access to block grant services to all children who meet or equal the listing.

Title IV -- Supplemental Security Income (SSI) Drug Addicts and Alcoholics

Amendment #1 (Cardin)

Provide Substance Abuse Treatment to SSI Drug Addicts and Alcoholics.

Create an individual entitlement to an appropriate and adequate substance abuse treatment program for persons who are determined disabled because their drug addiction or alcoholism is a contributing factor material to their disability. The amendment would retain the provision making these individuals ineligible for cash SSI benefits.

Talking points:

- o The Republican bill does not assure that the SSI population will receive **any** treatment. The bill saves \$1.7 billion over 5 years by cutting off cash and medicaid for substance abusers and places only a small portion -- \$380 million over 4 years -- into the federal Treatment Capacity Expansion Program (CEP). There is no assurance that any of that money will be spent on treatment for the SSI population.
- o This is a step backwards from current law. Under current law, about 20% of SSI substance abusers are in treatment -- because they are required to be in treatment if it is available. This bill doesn't provide for any treatment for this population.

Title IV -- Supplemental Security Income (SSI) Drug Addicts and Alcoholics

Amendment #2 (Rangel)

Retain Medicaid benefits for drug addicts and alcoholics made ineligible for SSI benefits.

Retain Medicaid benefits for drug addicts and alcoholics who are made ineligible for SSI benefits.

Talking Points:

- o Under the provisions passed by Congress last year, the SSI benefits of drug addicts and alcoholics are terminated after 36 months. However, they retain their medicaid coverage for so long as they remain otherwise eligible.
- o The rationale for taking **cash** SSI benefits away from addicts and alcoholics is that they might use the cash to purchase drugs or alcohol.
- o This rationale does not apply to Medicaid. They can only use it for health care.
- o If these individuals go without medical care, they are more likely to go without care for infectious diseases such a tuberculosis.
- o This will place an increased burden on our public hospital system.

Title IV -- Supplemental Security Income (SSI) Disabled Children

Amendment # 3 (Levin)

Grandfather cash benefits for children losing SSI due to the repeal of IFA eligibility if those children would meet or equal the listings.

Many of the children who would lose SSI benefits as a result of the elimination of IFAs as a basis for eligibility would have been able to qualify for benefits under the listings, but SSA chose to qualify them under the simpler IFA test. That is because, when a child applies, SSA only asks for, or helps to develop, as much evidence as is needed to qualify the child under the IFA. If SSA had continued to develop the case, the child could have qualified under the listings.

It is inequitable to throw these children off the program while grandfathering those who are currently qualified under the listings. Therefore, the amendment would grandfather cash benefits for children losing SSI benefits due to the repeal of the IFA if those children would meet or equal the listings.

Talking points:

- This amendment simply wants to treat children who could be eligible for SSI because of the listings, but aren't because of the procedures SSA uses to determine eligibility and therefore made them eligible because of the Individualized Functional Assessment, the same way as children who are currently on because of the listings. In other words, let them both receive cash benefits.
- Without this amendment two children who currently receive cash benefits, and in the future both meet the medical listings will be treated differently. Current listings children will continue to receive cash benefits. So should children who currently receive cash benefits because of the IFA, but who reapply and meet the listings.
- The Subcommittee bill cuts off cash benefits and Medicaid to 250,000 children immediately.
 - 13,074 children in Michigan (36% of the SSI kids)
 - 17,507 children in Louisiana (48% of the SSI kids)
- Many of the children on the IFA are clearly disabled. They have not been coached. They aren't on the rolls because of fraud or abuse.

- 15% (33,000) of the children on the IFA are physically disabled
- 39% of the children are mentally retarded
- Many of these children have combinations of impairments. No one impairment meets the listings, but the combination makes them seriously impaired.
- By the year 2000, it will cut off cash benefits to more than 800,000.
 - This includes children who are cut off because of the elimination of the IFA and children who will be made ineligible for SSI cash benefits who apply in the future under the so-called "listings" impairments.
- Of the 800,000 disabled children, nearly half a million children with severe disabilities will be made eligible for SSI cash benefits.
 - This includes children like Alison Higginbotham. While Alison herself will continue to receive cash benefits, the Alison's of the future will not.
- 45% of all children who receive benefits through the IFA, 13% of all SSI child beneficiaries, may actually be eligible for benefits because of the medical listings, but because of the way the local DDS determines eligibility the person is on because of an IFA and not the listings. These are not "crazy check" children.
 - As we heard in the Subcommittee from an SSA examiner, when an applicant comes to the local DDS, the examiner first looks at the record to see if the person is self-evidently eligible because of the listings. The answer to this is usually NO.
 - The examiner then begins to develop the medical record of the child. As soon as the child crosses the threshold to be eligible, usually because of the IFA, the child gets benefits.
 - Had their record been developed further, it is estimated that 45% of all children on because of the IFA, 13% of all SSI recipients, may have become eligible because of the listings.
- If this amendment is not accepted, families will only have 3 months from the date of enactment to get their child re-examined by SSA and get another determination of eligibility if they want to continue cash benefits. Additionally, the 1st of the 3 months will be taken up by SSA notifying the parents that their children are soon going to become ineligible.

- IFA children will continue to receive cash benefits for 6 months, but the **deadline for grandfathering children in the medical listings is 3 months after the date of enactment**. After 3 months, all new applicants who get on because of the listings will only receive medical and non-medical services.
- SSA has one month to notify families of the fact their children will become ineligible for benefits, but that they can reapply to become eligible under the listings.
- My Republican colleagues have the audacity to actually claim that they are providing more benefits to the Alison's of the world. Granted, Alison will now be eligible for services and cash benefits, but I ask you how can they be providing more services than people currently receive when they are cutting \$17 billion and only putting \$5 billion back into the block grant?
- They are cutting \$12 billion over 5 years from a program that costs \$4.6 billion a year, by my calculations that is over a 40% cut, and no child will be hurt by this? I think not. disabled child will be hurt by this?

Example:

Mr. and Mrs. Jones take their son Billy, who has cerebral palsy, to the local DDS examiner. From the information the Jones' have for the examiner it is not plainly clear that the Billy meets the medical listings. Thus, the examiner begins to develop Billy's record further. As soon as the examiner has enough information to determine that Billy meets any of the eligibility criteria, usually children will be eligible for the IFA before your are eligible because of the listings, she determines that Billy is eligible and the Jones' begin to receive cash payments. Had the examiner continued to develop Billy's record she may have discovered that he is also eligible because of the listings and not just the IFA.

Under the mark before the committee Billy, in spite of the fact he may be disabled enough to reapply and meet the listings, will not receive cash benefits should he be determined eligible. If he had been originally determined to meet the listings, his family would continue to receive cash benefits.

Title IV -- Supplemental Security Income (SSI) Disabled Children

Amendment # 4 (Kleczka)

An SSI disabled child receiving cash benefits under the grandfather provision who loses financial eligibility temporarily would continue to receive cash benefits if his or her financial eligibility is restored.

Talking Points:

- o It is common for children to lose financial eligibility for a period of time as family income and resource situations change. If the grandfather clause for receiving cash benefits applies only to those children who have continuously received cash benefits since the effective date of the legislation, a work disincentive can be created.
- o Children of parents who find higher-paying employment will lose SSI cash benefits eligibility. This could result in the child permanently losing eligibility for cash assistance even if the child regains financial eligibility in the future.
- o This would mean that a parent who takes a more lucrative job could permanently deny his or her child access to cash assistance. This is a difficult choice for a parent to make and a position in which a government program should not place a parent. A purpose of SSI reform is to remove work disincentives, not create new ones.
- o This amendment would clarify that a child receiving cash assistance under the grandfather provision would continue to do so if he or she loses, and later regains, financial eligibility for SSI.



Title IV -- Supplemental Security Income (SSI) Disabled Children

Amendment #5 (Stark)

Require States to provide access to block grant services to all children who meet or equal the listings. No child who meets or equals the listings would be denied the opportunity to apply for services and to have his or her case assessed to determine the child's service needs.

Under the Subcommittee bill, a State has the discretion to decide who among children who meet the listings will receive services. Under this broad authority, States could deny services to any child, regardless of the severity of his or her disability.

Talking Points:

- o The Subcommittee bill denies SSI cash benefits to every future applicant -- even if that disabled child meet the listings of impairments (with the exception of children who are so severely disabled that they would otherwise be institutionalized.)
- o It is asserted by many of my colleagues in the Majority that eliminating cash benefits is good, and they assure us that children will instead receive services under this block grant. are proud that we are eliminating cash benefits and providing instead these services which are specific to the child's needs. Yet, there is in fact, no assure that any child will receive services.
- o States are expressly permitted to deny services to children. The State could decide that it was going to deny services to 50% of the children, or 75% of the children.
- o In response to criticism that this bill was going to hurt severely disabled children, Speaker Gingrich said (on January 20, 1995) that he was going to improve the opportunities for severely disabled children. He could, I suppose cite the fact that this bill makes children -- who continue to receive SSI cash benefits -- also eligible for block grant services. The only difficulty is that they are only **theoretically** eligible for such services. Any State could deny them services, and probably will -- because they still have their cash. So, this sounds like a pretty empty promise on the part of the Speaker.
- o In fact, no child is assured of anything -- any services from the State -- under this bill.

Title V - Child Support Enforcement

<u>Democratic Amendments</u>	<u>Section</u>	<u>Topic</u>
1. Neal		Require liens. Extend full faith and credit and enforce liens from other States
2. Neal		Allow private contractors to use Federal tax return information; require disclosure of certain return information, including mortgage interest payments, employer identification number; allow disclosure of IRS information for purposes of child support enforcement
3. Neal		Expand the Federal Parent Locator Service, including use of consumer reporting agencies
4. Neal		Collection and use of social security numbers
5. Levin		Add credit bureau reporting
6. Stark		Federalize child support enforcement

TITLE V

Amendment by Mr. Neal

Liens against real and personal property

- 1) States must have procedures under which liens arise by operation of law and are entitled to full faith and credit and are imposed against real and personal property for amounts of overdue support owed by a noncustodial parent who resides or owns property in the State.
- 2) Require State child support agency in accordance with State due process procedures unless contested on grounds of mistakes of fact, in appropriate cases, to levy or record with the appropriate public or private entity a lien against property of the individual, and in appropriate cases to execute on, seize, and sell the property in accordance with State law.
- 3) Require States to have procedures to accord full faith and credit to, and enforce in accordance with State law, a lien from another State which accompanied by a certification from the State issuing the lien of the amount of overdue support and the due process requirements have been met, without the necessity to register the underlying order, unless contested on grounds of mistake of fact.
- 4) Require States to have procedures permitting the transfer of certified liens by electronic means.

TITLE V

Amendment by Mr. Neal

Disclosure of tax return information

- 1) Where a private entity is under contract to operate the centralized collections unit established in accordance with this Act, or to operate a full-service child support enforcement office in accordance with this Act, and the entity follow state and federal confidentiality and information safeguarding requirements applicable to public child support enforcement agencies, provide the contractor with access to federal tax return information.
- 2) Allow child support enforcement agencies to examine return information provided by the IRS to state tax administration authorities, under the same conditions that apply to return information provided by the IRS directly to child support enforcement agencies.
- 3) Provide that federal return information reported by obligors, such as business income and the names of dependents, "shall be disclosed" to child support enforcement agencies, instead of "may be disclosed," as in existing law.
- 4) Amend the Internal Revenue Code so that the information provided to child support enforcement agencies includes mortgage interest payments made by taxpayers, as well as the Employer Identification Number of employers paying wages and salaries to taxpayers.
- 5) Eliminate the requirement that federal return information will be disclosed only if it is not reasonably available from another source.
- 6) Allow child support enforcement agencies to disclose federal return information to locate child support obligors and establish, modify and enforce child support obligations.

Miscellaneous

<u>Democratic Amendments</u>	<u>Section</u>	<u>Topic</u>
1. Ford*	all titles	Deficit reduction
2. Payne	?	Deal substitute

*Offered in Subcommittee

Amendment by Mr. Ford

Deficit reduction

Provides that the net savings from Titles I through IV shall be used for deficit reduction.

Title III -- Restricting Welfare for Aliens

Amendment # 1 (Rangel)

Retain benefits for legal immigrants who are on active duty in the U.S. Armed Forces and their spouses, dependents and survivors.

Expand the veteran exemption to include immigrants who are on active duty in the U. S. Armed Forces and their spouses, dependents, and survivors.

Talking points:

- o In the Human Resources Subcommittee markup, the Democrats offered an amendment to exclude veterans, those who have serviced in the U.S. Armed Forces and their dependents and survivors. That amendment failed on a party-line vote.
- o Apparently, the Republicans have seen the light since they have now included part of the provision in the Chairman's mark.
- o Unfortunately, they have not gone far enough. They have not exempted **active duty military personnel**. What about our men and women who served in the **Persian Gulf War** and are still on active duty?
- o These brave people have risked their lives to protect our country. Maintaining eligibility for these people is just one small way our country can say thank you. It is the least we can do.
- o What about their spouses and children who waited at home like other families, suffering personally and financially while they were away serving our country?
- o The Economic and Educational Opportunities Committee saw fit to exempt active duty military personnel and the spouses and dependents of vets and active duty military. I think we should do the same.
- o And I think we should exempt **survivors** as well. What about the poor survivors of legal immigrants who have served their country? The impact of the Republican bill is to deny benefits to the pitiful **widow** of a veteran who has died in combat. Surely, they would not want to do that.
- o [According to 1990 census data, there were 133,457 non citizen veterans living in the United States. This number compares to a total foreign-born veteran population in the U.S. of 689,466. This means that there are also quite a few immigrants who are still serving this country on active duty.]

- o According to CRS the general residency requirements for an alien seeking citizenship are waived and the character requirement is substantially eased for permanent resident aliens who honorably are serving, or have served in the United States armed forces for at least three years if the alien applies for citizenship during service or within six months of honorable discharge. Doesn't this mean that our country recognizes the value of the immigrant who has served this country?

- o President Clinton in an Executive Order dated November 22, 1994, authorized the expedited naturalization of aliens who served honorably in active-duty status during the period of the Persian Gulf War.

Title III -- Restricting Welfare for Aliens

Amendment #2 (Stark)

Retain benefits for legal immigrants who have paid taxes.

Retain eligibility for benefits for legal immigrants who have paid taxes in the U.S. for 5 years or more. Taxes would include Federal income tax liability and Social Security payroll tax liability.

Talking points:

- o This amendment would retain eligibility for benefits for legal immigrants who have paid taxes in the U.S. for five years or more.
- o According to 1990 Census data, immigrants earned 8 percent of all income in the United States; they also account for about 8 percent of the population. On average, their incomes are just about the same as for native born Americans -- and they do pay taxes.
- o More than 4 million legal immigrant families pay income taxes each year.
- o Speaker Gingrich said:

"I think there is a legitimate case for helping someone who has participated in American society and paid taxes by making them eligible for government services."

And,

"I think we are going to revisit the questions of eliminating aliens from ever getting access to government services after some length of time of being here and paying taxes."

--both quotes from a news conference with the National Restaurant Association, Jan. 9, 1995.

- o Bill as now written would exclude legal immigrants--even those who have been here and paid taxes for decades--from a whole host of programs like Community Health centers, Housing Loan programs, Lead Poisoning screening programs, Legal Assistance, and state child care programs.
- o Many of these immigrants are in the process of trying to become naturalized citizens; but it can take a long time.

- o In the meantime--why shouldn't tax-paying legal immigrants who are contributing to their communities be able to take advantage of community programs like these, just as the Speaker suggested?

Title III -- Restricting Welfare for Aliens

Amendment #3 (McDermott)

Retain benefits for children under 18 who are legal immigrants.

The alien benefit restrictions shall not apply to a legal immigrant child under 18 years of age.

Title III – Restricting Welfare for Aliens

Amendment #4 (McDermott)

Retain Medicaid eligibility for legal aliens.

Retain Medicaid eligibility for legal aliens (i.e., legal aliens would be considered to be SSI or AFDC block grant recipients for purposes of Medicaid).

Title III -- Restricting Welfare for Aliens

Amendment # 5 (McDermott)

Provide immigration vouchers for legal immigrants who are made ineligible for assistance under the bill.

The amendment would make a legal immigrant who is made ineligible for benefits under the Chairman's mark eligible for a transportation voucher to return to his country of origin.

Title IV -- Supplemental Security Income (SSI) Drug Addicts and Alcoholics

Amendment #1 (Cardin)

Provide Substance Abuse Treatment to SSI Drug Addicts and Alcoholics.

Create an individual entitlement to an appropriate and adequate substance abuse treatment program for persons who are determined disabled because their drug addiction or alcoholism is a contributing factor material to their disability. The amendment would retain the provision making these individuals ineligible for cash SSI benefits.

Talking points:

- o The Republican bill does not assure that the SSI population will receive **any** treatment. The bill saves \$1.7 billion over 5 years by cutting off cash and medicaid for substance abusers and places only a small portion -- \$380 million over 4 years -- into the federal Treatment Capacity Expansion Program (CEP). There is no assurance that any of that money will be spent on treatment for the SSI population.
- o This is a step backwards from current law. Under current law, about 20% of SSI substance abusers are in treatment -- because they are required to be in treatment if it is available. This bill doesn't provide for any treatment for this population.

Title IV -- Supplemental Security Income (SSI) Drug Addicts and Alcoholics

Amendment #2 (Rangel)

Retain Medicaid benefits for drug addicts and alcoholics made ineligible for SSI benefits.

Retain Medicaid benefits for drug addicts and alcoholics who are made ineligible for SSI benefits.

Talking Points:

- o Under the provisions passed by Congress last year, the SSI benefits of drug addicts and alcoholics are terminated after 36 months. However, they retain their medicaid coverage for so long as they remain otherwise eligible.
- o The rationale for taking cash SSI benefits away from addicts and alcoholics is that they might use the cash to purchase drugs or alcohol.
- o This rationale does not apply to Medicaid. They can only use it for health care.
- o If these individuals go without medical care, they are more likely to go without care for infectious diseases such a tuberculosis.
- o This will place an increased burden on our public hospital system.

Title IV -- Supplemental Security Income (SSI) Disabled Children

Amendment # 3 (Levin)

Grandfather cash benefits for children losing SSI due to the repeal of IFA eligibility if those children would meet or equal the listings.

Many of the children who would lose SSI benefits as a result of the elimination of IFAs as a basis for eligibility would have been able to qualify for benefits under the listings, but SSA chose to qualify them under the simpler IFA test. That is because, when a child applies, SSA only asks for, or helps to develop, as much evidence as is needed to qualify the child under the IFA. If SSA had continued to develop the case, the child could have qualified under the listings.

It is inequitable to throw these children off the program while grandfathering those who are currently qualified under the listings. Therefore, the amendment would grandfather cash benefits for children losing SSI benefits due to the repeal of the IFA if those children would meet or equal the listings.

Talking points:

- This amendment simply wants to treat children who could be eligible for SSI because of the listings, but aren't because of the procedures SSA uses to determine eligibility and therefore made them eligible because of the Individualized Functional Assessment, the same way as children who are currently on because of the listings. In other words, let them both receive cash benefits.
- Without this amendment two children who currently receive cash benefits, and in the future both meet the medical listings will be treated differently. Current listings children will continue to receive cash benefits. So should children who currently receive cash benefits because of the IFA, but who reapply and meet the listings.
- The Subcommittee bill cuts off cash benefits and Medicaid to 250,000 children immediately.
 - 13,074 children in Michigan (36% of the SSI kids)
 - 17,507 children in Louisiana (48% of the SSI kids)
- Many of the children on the IFA are clearly disabled. They have not been coached. They aren't on the rolls because of fraud or abuse.

- 15% (33,000) of the children on the IFA are physically disabled
- 39% of the children are mentally retarded
- Many of these children have combinations of impairments. No one impairment meets the listings, but the combination makes them seriously impaired.
- By the year 2000, it will cut off cash benefits to more than 800,000.
 - This includes children who are cut off because of the elimination of the IFA and children who will be made ineligible for SSI cash benefits who apply in the future under the so-called "listings" impairments.
- Of the 800,000 disabled children, nearly half a million children with severe disabilities will be made eligible for SSI cash benefits.
 - This includes children like Alison Higginbotham. While Alison herself will continue to receive cash benefits, the Alison's of the future will not.
- 45% of all children who receive benefits through the IFA, 13% of all SSI child beneficiaries, may actually be eligible for benefits because of the medical listings, but because of the way the local DDS determines eligibility the person is on because of an IFA and not the listings. These are not "crazy check" children.
 - As we heard in the Subcommittee from an SSA examiner, when an applicant comes to the local DDS, the examiner first looks at the record to see if the person is self-evidently eligible because of the listings. The answer to this is usually NO.
 - The examiner then begins to develop the medical record of the child. As soon as the child crosses the threshold to be eligible, usually because of the IFA, the child gets benefits.
 - Had their record been developed further, it is estimated that 45% of all children on because of the IFA, 13% of all SSI recipients, may have become eligible because of the listings.
- If this amendment is not accepted, families will only have 3 months from the date of enactment to get their child re-examined by SSA and get another determination of eligibility if they want to continue cash benefits. Additionally, the 1st of the 3 months will be taken up by SSA notifying the parents that their children are soon going to become ineligible.

- IFA children will continue to receive cash benefits for 6 months, but the **deadline for grandfathering children in the medical listings is 3 months after the date of enactment.** After 3 months, all new applicants who get on because of the listings will only receive medical and non-medical services.
- SSA has one month to notify families of the fact their children will become ineligible for benefits, but that they can reapply to become eligible under the listings.
- My Republican colleagues have the audacity to actually claim that they are providing more benefits to the Alison's of the world. Granted, Alison will now be eligible for services and cash benefits, but I ask you how can they be providing more services than people currently receive when they are cutting \$17 billion and only putting \$5 billion back into the block grant?
- They are cutting \$12 billion over 5 years from a program that costs \$4.6 billion a year, by my calculations that is over a 40% cut, and no child will be hurt by this? I think not. disabled child will be hurt by this?

Example:

Mr. and Mrs. Jones take their son Billy, who has cerebral palsy, to the local DDS examiner. From the information the Jones' have for the examiner it is not plainly clear that the Billy meets the medical listings. Thus, the examiner begins to develop Billy's record further. As soon as the examiner has enough information to determine that Billy meets any of the eligibility criteria, usually children will be eligible for the IFA before your are eligible because of the listings, she determines that Billy is eligible and the Jones' begin to receive cash payments. Had the examiner continued to develop Billy's record she may have discovered that he is also eligible because of the listings and not just the IFA.

Under the mark before the committee Billy, in spite of the fact he may be disabled enough to reapply and meet the listings, will not receive cash benefits should he be determined eligible. If he had been originally determined to meet the listings, his family would continue to receive cash benefits.

Title IV -- Supplemental Security Income (SSI) Disabled Children

Amendment # 4 (Kleczka)

An SSI disabled child receiving cash benefits under the grandfather provision who loses financial eligibility temporarily would continue to receive cash benefits if his or her financial eligibility is restored.

Talking Points:

- o It is common for children to lose financial eligibility for a period of time as family income and resource situations change. If the grandfather clause for receiving cash benefits applies only to those children who have continuously received cash benefits since the effective date of the legislation, a work disincentive can be created.
- o Children of parents who find higher-paying employment will lose SSI cash benefits eligibility. This could result in the child permanently losing eligibility for cash assistance even if the child regains financial eligibility in the future.
- o This would mean that a parent who takes a more lucrative job could permanently deny his or her child access to cash assistance. This is a difficult choice for a parent to make and a position in which a government program should not place a parent. A purpose of SSI reform is to remove work disincentives, not create new ones.
- o This amendment would clarify that a child receiving cash assistance under the grandfather provision would continue to do so if he or she loses, and later regains, financial eligibility for SSI.

Title IV – Supplemental Security Income (SSI) Disabled Children

Amendment #5 (Stark)

Retain cash benefits for children who are too disabled to allow their parents to work without special provisions.

Rather than eliminating cash benefits for all new SSI applicants except those who are institutionalized or who would be institutionalized in the absence of full-time attention, this amendment would allow children who were too disabled to allow their parents to work without paid assistance to retain their eligibility for SSI benefits.

Title IV -- Supplemental Security Income (SSI) Disabled Children

Amendment #6 (Stark)

Require States to provide access to block grant services to all children who meet or equal the listings. No child who meets or equals the listings would be denied the opportunity to apply for services and to have his or her case assessed to determine the child's service needs.

Under the Subcommittee bill, a State has the discretion to decide who among children who meet the listings will receive services. Under this broad authority, States could deny services to any child, regardless of the severity of his or her disability.

Talking Points:

- o The Subcommittee bill denies SSI cash benefits to every future applicant -- even if that disabled child meet the listings of impairments (with the exception of children who are so severely disabled that they would otherwise be institutionalized.)
- o It is asserted by many of my colleagues in the Majority that eliminating cash benefits is good, and they assure us that children will instead receive services under this block grant. are proud that we are eliminating cash benefits and providing instead these services which are specific to the child's needs. Yet, there is in fact, no assure that any child will receive services.
- o States are expressly permitted to deny services to children. The State could decide that it was going to deny services to 50% of the children, or 75% of the children.
- o In response to criticism that this bill was going to hurt severely disabled children, Speaker Gingrich said (on January 20, 1995) that he was going to improve the opportunities for severely disabled children. He could, I suppose cite the fact that this bill makes children -- who continue to receive SSI cash benefits -- also eligible for block grant services. The only difficulty is that they are only **theoretically** eligible for such services. Any State could deny them services, and probably will -- because they still have their cash. So, this sounds like a pretty empty promise on the part of the Speaker.
- o In fact, no child is assured of anything -- any services from the State -- under this bill.

**Title IV -- Supplemental Security Income (SSI)
Disabled Children**

Amendment #7 (Kennelly)

Block grant for the Territories of Puerto Rico, U.S. Virgin Islands, Guam and American Samoa.

To establish an SSI block grant for the territories of Puerto Rico, U.S. Virgin Islands, Guam and American Samoa. This block grant would be funded at 1994 Adult Assistance levels as determined by the Secretary of Health and Human Services. This block grant would not be an entitlement nor would it be state like treatment.

latest

Title I -- Temporary Family Assistance Block Grant

POSSIBLE DEMOCRATIC AMENDMENTS ON BLOCK GRANT/ENTITLEMENT ISSUES

Perfecting Amendments

1. Assure basic protections for and equal treatment of children.

No State can sanction recipient families or implement policies authorized under the Act if the combined State benefit levels for that family for all cash and near cash programs fall below 50 percent of poverty.

States must establish uniform eligibility criteria and guarantee equal treatment of all children who apply for benefits. Specifically:

a. All individuals wishing to apply for aid shall have the opportunity to do so. Aid will be furnished with reasonable promptness to all eligible individuals.

b. No individual will be denied aid solely on the basis of his or her age or marital status.

2. Assure equal treatment of families.

In order to qualify for Federal aid, States may not discriminate against married two-parent families by setting stricter standards of eligibility for two-parent families than for single-parent families.

3. Modify the formula for allocating the State share.

{Details to be supplied}

4. Require a State match.

In order to encourage efficiency and accountability at both the State and Federal levels, and to ensure that States do their share to reinforce the efforts of poor families, State matching requirements would be continued as under current law.

5. Prevent unfunded local mandates.

No State receiving an allotment under the block grant shall shift the costs of providing income support and services to needy families with children to

counties, cities, or local governments, or shall implement policies which have the effect of increasing such costs to counties, cities or local governments.

In States which currently operate AFDC through a county-based system, require States to distribute funds directly to the counties, under a formula established by the State.

6. Modify penalties to assure State accountability.

[To be added]

Amendment that Articulates the Democratic View

7. State option for an individual entitlement.

A State may choose to maintain the current funding structure if it meets one requirement: all new recipients who are able to work must go to work immediately or lose assistance, but no one who is willing to work can be cut off if no work is available to them.

Title I -- Cont'd

**POSSIBLE DEMOCRATIC AMENDMENTS ON
MANDATE ISSUES**

Perfecting Amendments

1. Strike conservative micromanagement and provisions which may encourage abortion.

The following mandates would be removed from the bill:

1. The mandate that States reduce benefits if paternity has not been established
2. The mandate that no benefits be paid to a minor child born out-of-wedlock
3. The mandate that no benefits be paid to the parent of a minor child born out-of-wedlock
4. The mandate that no benefits be paid to any child born while the family is receiving cash benefits
5. The mandate that no benefits can be paid after 60 months of benefits have been paid

Amendment that Articulates the Democratic View

2. Make family caps a State option.

- a. Allow States the option of limiting the increase, in full or in part, in the AFDC benefit amount when an additional child is conceived while the parent is on welfare. In order to exercise this option, the State must demonstrate that family planning services are available and provided to all recipients who request them.
- b. The provision would not be applied in the case of rape or in any other cases that the State agency finds could violate the standards of fairness and good conscience.

Title I -- Cont'd

**POSSIBLE DEMOCRATIC AMENDMENTS ON
WORK, TRAINING, AND SUPPORT SERVICES**

Perfecting Amendments

1. Require 50% of those subject to the work requirement to be placed in private sector jobs

In order to be eligible for block grant funds, States must place at least 50 percent of such persons required to work in private or non-profit sector jobs.

2. Assure necessary support services.

In order to receive block grant funds, the State must assure that:

a. education, training and drug treatment are available for any person who requires it as the pathway to employment.

b. child care is available for any person required to participate in work, education, or training activities who needs it.

c. child care is available for no less than 12 months for any person who ceases to receive cash assistance as a result of employment.

d. health care coverage is available for no less than 12 months for any person who ceases to receive cash assistance as a result of employment.

3. Alter "lifetime limits" when recipients "play by the rules"

No adult who is able to work may receive welfare for an unlimited time without working. No needy family may lose benefits because an adult who is genuinely willing to work is unable to find a job.

4. Penalties for displacement.

States may not place a block grant recipient in a job if such action would replace a worker who might subsequently end up on welfare. No block grant recipient can replace an existing worker.

5. Wages for work must be at least equal to the minimum wage.

All work performed as a condition of receiving the block grant shall be at the minimum wage.

6. Assure health benefits for families leaving welfare.

Reinstate the Medicaid transition program, with State option to extend benefits beyond one year.

7. Hold States accountable for performance.

Require States to report the reason for each case closure and the duration of assistance. At a minimum, the case closure data must identify the number of families who left due to work, marriage, imposition of a time limit, and failure to participate as required under program rules. Using this information, the Secretary would be required to develop and implement a method for adjusting each State's allocation of the block grant funds to reward those States with the best performance.

Amendments that Articulate the Democratic View

1. Require work.

Anyone who is able to work must go to work immediately, not wait two years. Those who need skills or other supports to move into work should get them. No benefits may be paid for anyone who refuses to work, refuses to look for work, or turns down a job offer. No one who is willing to work can be cut off if no work is available.

2. Set clear State performance standards based on recipient self-sufficiency plans.

For each new entrant, States must develop and implement a self-sufficiency plan aimed at the fastest possible movement into the workforce. Anyone who refuses to develop a plan, or fails to participate in the plan activities, will be denied aid.

By the year 2000, States will be expected to have 65 percent of able-bodied recipients working or engaged in other self-sufficiency plan activities.

3. En bloc amendment to encourage employment and self-sufficiency (Rangel).

The amendment would:

- a. Establish skill grants for welfare recipients.
- b. Establish an employment opportunity credit.
- c. Preclude application of sanctions when an individual leaves employment due to lack of health care.
- d. Preclude application of sanctions when an individual leaves employment due to lack of child care.

4. Job saturation amendment (Rangel).

Authorize funds, to be available until expended, to conduct an experiment testing the impact on crime of a job saturation program in sub-areas of empowerment zones and enterprise communities, as designated by the Secretary.

Title I – Cont'd

**POSSIBLE DEMOCRATIC AMENDMENTS
ON CHILD CARE**

(Check with Nick in Kennelly's office re: final language on all of these)

1. Child care for families in work, school, or training.

States must provide funding for child care for parents who need it in order to comply with welfare related work, education or training requirements.

A state can only require an AFDC recipient to participate in work, education or training if adequate child care is available. If child care support is not available, and an AFDC recipient needs such support in order to work or participate in education and training, the state cannot require participation and must continue AFDC benefits until child care assistance is available.

Each state must provide assurance that no child will be left alone or in unsafe place while their parents are required to participate in education or training activities.

2. Transitional child care.

A state can only discontinue cash assistance to parents leaving welfare for work if child care assistance continues for up to 12 months.

3. Assure equitable distribution of child care resources.

States must assure that child care resources devoted to non-welfare working families will not be reduced in order to serve other families.

**POSSIBLE DEMOCRATIC AMENDMENTS ON
TEEN PREGNANCY ISSUES**

Perfecting Amendments

1. Protect against overzealous government intervention into family matters

The State plan shall provide assurance that no child will be placed in an out-of-home setting against the wishes of the child's custodial parent solely because of the economic circumstances, marital status, or age of the parent.

2. Modify the teen parent policy if there is an increase in abortions.

Require states to provide benefits to children of minor mothers if the Congress, the Secretary, or any Governor determines that the denial of benefits has increased the number of abortions.

3. Discourage use of orphanages as an option.

"No block grant funds may be used for the placement of children in orphanages against their parents' will."

4. Encourage teen pregnancy prevention

Require that the net savings of Title I be used for teen pregnancy prevention.

Amendment that Articulates the Democratic View

5. Establish a tough, but fair, policy on benefits to teen parents

Strike the provision denying benefits to children of minor mothers and insert the following:

The State plan shall provide assurance that, in the case of any individual who is under the age of 18 and is the unmarried parent of a child, or is pregnant and eligible for support, aid may be provided on behalf of the minor parent and the child only if:

(a) the minor parent is living at home, with a legal guardian, with another adult relative, or in a foster home, maternity home, or other adult-supervised supportive living arrangement.

(b) such payment is made to the parent, guardian, other adult relative or adult

who is supervising the minor. If a minor parent is living with her or his parent or legal guardian, the income of such parent or guardian shall be taken into account in establishing the eligibility of the minor and child for aid.

(c) the school-age minor parent is in school.

(d) the minor parent fully cooperates, before benefits are paid, with paternity establishment and assigns to the States and rights to child support.

Title II -- Child Protection Block Grant Program

POSSIBLE DEMOCRATIC AMENDMENTS ON BLOCK GRANT/ENTITLEMENT ISSUES

Perfecting Amendments

1. Guarantee protection services to all children in need of such services.

To ensure that no children die or become homeless as a result of abuse or neglect, States would be required to guarantee services be provided to children, regardless of income.

Abused or neglected children who are legal immigrants would be made eligible for child protective services under this block grant. Legal immigrants who choose to serve as foster or adoptive parents would be eligible for appropriate assistance.

2. Require a state match and prevent unfunded local mandates.

In order to encourage efficiency and accountability at both the State and Federal levels, and to ensure that states do their share to protect children from abuse and neglect, the state matching requirement would be continued.

No state receiving an allotment under the block grant shall shift the costs of providing child protective services to county, city, or local governments, or shall implement policies that have the effect of shifting costs to counties, cities, or local governments.

3. Prevent transfer of child protection funds.

States would be prohibited from transferring funds from the child protection block grant into any other block grant, or from using child protection block grant funds to provide services other than those specified under this block grant if there has been an increase in the length of stay of children in foster care, a decrease in the number of children placed in adoptive homes, an increase in the number of child fatalities while under State care, or a court order against the State.

4. Reinvest savings in adoption services.

All savings that result from the creation of the child protection block grant must be made available for adoption placements and subsidies.

Amendments that Articulate the Democratic View

1. Maintain entitlement status for foster care maintenance payments and for adoption assistance payments.

To ensure that all abused and neglected children receive foster care services and are placed in adoptive homes, federal support for children adopted or placed in foster care would not be included in the block grant and would be continued as under current law.

Title II -- Cont'd.

**POSSIBLE DEMOCRATIC AMENDMENTS ON
STANDARDS AND PROTECTIONS**

Perfecting Amendments

1. Assuring safety of children in foster care.

States in which there is an increase in the number of child abuse or neglect-related fatalities, or in which one child dies while under State care, would come immediately under the review of the Secretary of Health and Human Services, who will determine what action will be taken.

States that have been found by a court to have neglected children in their custody would be subject to annual reviews by the Secretary of Health and Human Services.

States would have to submit a remedial plan to the Secretary of Health and Human Services detailing what corrective actions will be taken.

2. Ensuring timely placement of children.

States would be required to review annually the number of children in foster care and the length of stay of such children. States in which there is an overall increase in the length of time children remain in foster care would be subject to annual review by the Secretary of Health and Human Services.

States would have to submit a remedial plan to the Secretary of Health and Human Services, subject to approval by the Secretary.

Title II - Cont'd

**POSSIBLE DEMOCRATIC AMENDMENTS ON
ADOPTION ISSUES**

Perfecting Amendments

1. Promoting permanent placement of children.

States must guarantee that a certain portion of block grant funds be devoted to permanent placement of children into adoptive homes.

2. Honoring existing contracts.

Adoption contracts already entered into upon enactment would still be honored.

3. Encouraging adoption.

State funds would be adjusted each year to reward those States that have increased the number of adoptions of children who have been in care for over 12 months.

Ford - Withdrawn

Title I -- Temporary Family Assistance Block Grant

BLOCK GRANT/ENTITLEMENT ISSUES

Perfecting Amendments

1. Assure basic protections for and equal treatment of children.

States must establish uniform eligibility criteria and guarantee equal treatment of all children who apply for benefits. Specifically:

- a. All individuals wishing to apply for aid shall have the opportunity to do so. Aid will be furnished with reasonable promptness to all eligible individuals.
- b. No individual will be denied aid solely on the basis of his or her age or marital status.

Levin failed 5-7

Amendment By Mr. Levin

Require work and Set clear State performance standards based on recipient self-sufficiency plans.

- 1) *rapid* States must develop and implement a self-sufficiency plan aimed at the fastest possible movement into the workforce. Anyone who refuses to develop a plan, or fails to participate in the plan activities, will be denied aid.
- 2) By 1998, States will be expected to have 25 percent of recipients engaged in work activities. By 2003, 50 percent must be in work activities.
- 3) Add the resources identified in Title II of H.R. 4.
- 4) The goal must be to have those able to work to go to work immediately, not wait 2 years. *where practical*
- 5) No benefits may be paid for anyone who refuses to work, refuses to look for work, or turns down a job offer. *for which she is penalized* ~~No one who is willing to work can be cut off if no work is available.~~

Cash will cease

DEFEATED BY VOICE VOTE

AMENDMENT BY MR. RANGEL

Before a state must make available to recipients of AFDC, adequate education, training, employment incentive programs, health care and day care.

No state may reduce benefits to any recipient if the state has not made available to the recipient education and training necessary to develop skills required to find and retain employment.

A state must establish a skills grant program to provide vouchers that recipients may use to secure education and training. Training and education providers must either be eligible to participate under Title iv of the Higher Education Act or eligible pursuant to procedures established by the states based on guidelines established by the Secretaries of Labor and Health and Human Services.

No state may reduce benefits to any recipient if it does not participate in the administration of the Economic Opportunity Credit program.

No state may reduce benefits to any recipient if the recipient must leave employment because of the lack of health care assistance for the recipient or their family.

No state may reduce benefits to any recipient if the recipient must leave employment because no public or private arrangements are available to provide necessary and adequate child care.

No state may reduce benefits to any recipient who has an addiction to drugs or alcohol unless appropriate treatment designed to provide the recipient with the ability to engage in gainful employment has been made available to the recipient.

**POSSIBLE DEMOCRATIC AMENDMENT
TO THE SHAW MARK**

Title I -- Temporary Family Assistance Block Grant

AMENDMENT #16

Penalties for displacement.

States may not place a block grant recipient in a job if such action would replace a worker who might subsequently end up on welfare. No block grant recipient can replace an existing worker.

Ranzell - defeated 6-7
w/ Ensign voting aye

field 5-8

hand

**Kennelly Amendment on Child Care for
Participants in State Work Programs**

or is assured

Each state must provide assurances that no child (under an age to be determined by the state) will be left alone or in an unsafe place while their parents are required to participate in work, education or training activities. This assurance will be considered ~~fulfilled~~ if a state provides for qualified day care for the children of parents required to participate in such activities.

200,000

Failed ~~*b-7*~~ *Emigh*
Wed age

**FORD AMENDMENT #13
TO THE SHAW MARK**

Title I -- Temporary Family Assistance Block Grant

PRIVATE SECTOR JOBS

Require 50% of those subject to the work requirement to be placed in private sector jobs.

In order to be eligible for block grant funds, States must place at least 50 percent of such persons required to work in private or non-profit sector jobs.

**POSSIBLE DEMOCRATIC AMENDMENT
TO THE SHAW MARK**

Title I -- Temporary Family Assistance Block Grant

AMENDMENT #27

Protect against overzealous government intervention into family matters.

The State plan shall provide assurance that no child will be placed in an out-of-home setting against the wishes of the child's custodial parent solely because of the economic circumstances, marital status, or age of the parent.]

Defeated - 5-8

POSSIBLE DEMOCRATIC AMENDMENT TO THE SHAW MARK

Title I -- Temporary Family Assistance Block Grant

Amt. Divided

AMENDMENT #5

Prevent unfunded local mandates.

No State receiving an allotment under the block grant shall shift the costs of providing income support and services to needy families with children to counties, cities, or local governments, or shall implement policies which have the effect of increasing such costs to counties, cities or local governments.

In States which currently operate AFDC through a county-based system, require States to distribute funds directly to the counties, under a formula established by the State.

*Defeated by
Voice vote
Defeated
5-8*

*Agreed to
by voice vote*

**Amendment to Title I
Temporary Family Assistance Block Grant**

Offered by Mr. Ensign

Penalty for State(s) failing to meet Work Participation Standards

Amend Section 4(E) penalties. Add new:

iv. The Secretary shall reduce the amount of a State's annual grant by up to 3 percent for a State that fails to meet the Work Participation Standards under section 3(C) above. The Secretary will exercise discretion in setting the penalty depending on the severity of the failure to meet the standard, but in no case may the penalty exceed 3 percent of a State's annual grant.

AMENDMENT TO THE MARKUP DOCUMENTS FOR WELFARE REFORM

OFFERED BY MR. NUSSLE

FEBRUARY 13, 1995

Title I, Item 5 (Page 8), strike the following:

"Item 5. Federal Rainy Day Loan Fund - The federal government will establish a fund of \$1 billion modeled on the Federal unemployment account that is part of the unemployment compensation system. States may borrow from the fund if their total unemployment rate for any given 3 month period exceeds 6.5% and is at least 110% of the same measure in either of the previous 2 years. States must repay their loans, with interest, within 3 years."

Defeated

5-8

(Shaw voted no)

**LEVIN AMENDMENT #31
TO THE SHAW MARK**

Title I -- Temporary Family Assistance Block Grant

TEEN PARENTS

Strike the provision denying benefits to children of minor mothers and insert the following:

The State plan shall provide assurance that, in the case of any individual who is under the age of 18 and is the unmarried parent of a child, or is pregnant and eligible for support, aid may be provided on behalf of the minor parent and the child only if:

edit

(a) the minor parent is living at home, with a legal guardian, with another adult relative, or in a foster home, maternity home, or other adult-supervised supportive living arrangement.

(b) such payment is made to the parent, guardian, other adult relative or adult who is supervising the minor. If a minor parent is living with her or his parent or legal guardian, the income of such parent or guardian shall be taken into account in establishing the eligibility of the minor and child for aid.

(c) the school-age minor parent is in school.

(d) the minor parent fully cooperates, before benefits are paid, with paternity establishment and assigns to the States and rights to child support.

Defeated 5-8

**STARK AMENDMENT #12a
TO THE SHAW MARK**

Title I -- Temporary Family Assistance Block Grant

FAMILY CAPS

strike the family cap.

*Defeated 4-9
(Kennelly voted no)*

**RANGEL AMENDMENT #15
TO THE SHAW MARK**

58

Title I -- Temporary Family Assistance Block Grant

5-YEAR LIMIT

Alter "lifetime limits" when recipients "play by the rules."

No adult who is able to work may receive welfare for an unlimited time without working. No needy family may lose benefits because an adult who is genuinely willing to work is unable to find a job.

Defeated 5-8

KENNELLY AMENDMENT #32 TO THE SHAW MARK

Title I -- Temporary Family Assistance Block Grant

PATERNITY

Establish tough, but fair paternity establishment rules.

Replace the provision in the bill that limits payments to six months when paternity has not been established with an enforceable and strict new set of paternity rules:

- a. Define clearly the responsibility of mothers and States for paternity establishment.
- b. Require all custodial parents to identify the non-custodial parent prior to receipt of benefits.
- c. Require States to establish paternity within one year or face financial penalties.
- d. Streamline legal processes, allowing States to establish paternities much more quickly. Simplify the paternity process.
- e. Expand in-hospital paternity establishment efforts to encourage early establishment of paternity.

*Defeated
5-8*

*3 month \$50
15%*

**STARK AMENDMENT #18
TO THE SHAW MARK**

Title I -- Temporary Family Assistance Block Grant

AMENDMENT #18

Assure health benefits for families leaving welfare.

Reinstate the Medicaid transition program, with State option to extend benefits beyond one year.

WELFARE REFORM AMENDMENTS

Feb. 8, 1995

FRAUD

1. Prohibit welfare payments to federal, state, and local prisoners, fugitives, and parole violators.
2. Anyone convicted of committing a serious crime while on AFDC is permanently denied eligibility.
3. Anyone convicted of committing serious welfare fraud (in excess of \$5,000) is permanently denied eligibility.
4. Establish federal anti-fraud database to prevent welfare fraud -- collection of benefits in more than one state, EITC abuse, etc. Require states to report names, Social Security numbers, length of time on welfare, and any other necessary information for each recipient.

OTHERS

1. The net savings from this bill must be used for deficit reduction.
2. The denial of benefits to unwed mothers under 18 will be voided if Congress, the Secretary or any governor determine that it has caused an increase in abortions.
3. The denial of Medicaid benefits to legal immigrants will not take effect until the Congressional Budget Office determines that it will not represent a cost shift to the states.
OR: If the CBO determines that the denial of benefits to legal immigrants represents a cost shift to the states, the federal government must reimburse states in full.
4. The denial of benefits to legal immigrants does not apply to legal immigrants who have worked legally in this country for more than 5 years and who are seeking citizenship.
5. Paternity cooperation compromise: Mother may not receive AFDC, Food Stamps, housing, or the EITC unless she is fully cooperating with paternity establishment -- but our version, not theirs.

WELFARE REFORM DISCUSSION POINTS

REVISED 2/8/95

- Minimum wage?
- M-Farm bill?