

103D CONGRESS
2D SESSION

S. 1891

To shift financial responsibility for providing welfare assistance to the States and shift financial responsibility for providing medical assistance under title XIX of the Social Security Act to the Federal Government, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 7 (legislative day, FEBRUARY 22), 1994

Mrs. KASSEBAUM (for herself, Mr. BENNETT, Mr. BROWN, Mr. CRAIG, and Mr. DANFORTH) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To shift financial responsibility for providing welfare assistance to the States and shift financial responsibility for providing medical assistance under title XIX of the Social Security Act to the Federal Government, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Welfare and Medicaid
5 Responsibility Exchange Act of 1994".

WR - Bills

104TH CONGRESS
1ST SESSION

S. 8

IN THE SENATE OF THE UNITED STATES

Mr. DASCHLE introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title IV of the Social Security Act to reduce teenage pregnancy, to encourage parental responsibility, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF**
4 **CONTENTS.**

5 (a) **SHORT TITLE.**—This Act may be cited as the
6 “Teen Pregnancy and Parental Responsibility Act”.

7 (b) **AMENDMENTS TO THE SOCIAL SECURITY ACT.**—
8 Except as otherwise specifically provided, whenever in this
9 Act an amendment is expressed in terms of an amendment
10 to or repeal of a section or other provision, the reference

1 shall be considered to be made to that section or other
2 provision of the Social Security Act.

3 (c) TABLE OF CONTENTS.—The table of contents of
4 this Act is as follows:

Sec. 1. Short title; references in Act; table of contents.

TITLE I—ENDING THE CYCLE OF INTERGENERATIONAL
DEPENDENCY

Sec. 101. Supervised living arrangements for minors.

Sec. 102. Reinforcing families.

Sec. 103. Required completion of high school or other training for teenage par-
ents.

Sec. 104. Drug treatment and counseling as part of the JOBS program.

TITLE II—PARENTAL RESPONSIBILITY

Sec. 201. Performance-based incentives.

Sec. 202. State law authorizing suspension of licenses.

Sec. 203. State laws concerning paternity establishment.

Sec. 204. State laws providing expedited procedures.

Sec. 205. Outreach for voluntary paternity establishment.

TITLE III—COMBATING TEENAGE PREGNANCY

Sec. 301. Targeting youth at risk of teenage pregnancy.

Sec. 302. National Clearinghouse on Teenage Pregnancy.

TITLE IV—FINANCING

Sec. 401. Uniform alien eligibility criteria for public assistance programs.

Sec. 402. State retention of amounts recovered.

5 **TITLE I—ENDING THE CYCLE OF**
6 **INTERGENERATIONAL DE-**
7 **PENDENCY**

8 **SEC. 101. SUPERVISED LIVING ARRANGEMENTS FOR MI-**
9 **NORS.**

10 (a) STATE PLAN REQUIREMENT.—Section
11 402(a)(43) (42 U.S.C. 602(a)(43)) is amended—

12 (1) in the matter preceding subparagraph (A),
13 by striking “at the option of the State,”;

1 (2) in the matter preceding clause (i) of sub-
2 paragraph (A), by striking "subject to subparagraph
3 (B)" and inserting "except as provided in subpara-
4 graph (B)(i)"; and

5 (3) in subparagraph (A)(i), by striking ", or re-
6 side in a foster home, maternity home, or other
7 adult-supervised supportive living arrangement".

8 (b) APPROPRIATE ADULT-SUPERVISED SUPPORTIVE
9 LIVING ARRANGEMENTS.—Section 402(a)(43)(B) (42
10 U.S.C. 602(a)(43)(B)) is amended to read as follows:

11 "(B)(i) in the case of an individual de-
12 scribed in clause (ii)—

13 "(I) the State agency shall assist such
14 individual in locating an appropriate adult-
15 supervised supportive living arrangement
16 taking into consideration the needs and
17 concerns of the individual, unless the State
18 agency determines that the individual's
19 current living arrangement is appropriate,
20 and thereafter shall require that the indi-
21 vidual (and child, if any) reside in such liv-
22 ing arrangement as a condition of the con-
23 tinued receipt of aid under the plan (or in
24 an alternative appropriate arrangement,
25 should circumstances change and the cur-

1 rent arrangement cease to be appropriate),
2 or

3 “(II) if the State agency is unable,
4 after making diligent efforts, to locate any
5 such appropriate living arrangement, it
6 shall provide for comprehensive case man-
7 agement, monitoring, and other social serv-
8 ices consistent with the best interests of
9 the individual (and child) while living inde-
10 pendently; and

11 “(ii) for purposes of clause (i), an individ-
12 ual is described in this clause if—

13 “(I) such individual has no parent or
14 legal guardian of his or her own who is liv-
15 ing and whose whereabouts are known;

16 “(II) no living parent or legal guard-
17 ian of such individual allows the individual
18 to live in the home of such parent or
19 guardian;

20 “(III) the State agency determines
21 that the physical or emotional health of
22 such individual or any dependent child of
23 the individual would be jeopardized if such
24 individual and such dependent child lived

1 in the same residence with such individ-
2 ual's own parent or legal guardian; or

3 “(IV) the State agency otherwise de-
4 termines (in accordance with regulations
5 issued by the Secretary) that it is in the
6 best interest of the dependent child to
7 waive the requirement of subparagraph (A)
8 with respect to such individual.”

9 (c) EFFECTIVE DATES.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), the amendments made by subsections (a)
12 and (b) shall be effective with respect to calendar
13 quarters beginning on or after October 1, 1995.

14 (2) SPECIAL RULE.—In the case of a State that
15 the Secretary of Health and Human Services deter-
16 mines requires State legislation (other than legisla-
17 tion appropriating funds) in order to meet the addi-
18 tional requirements imposed by the amendments
19 made by this Act, the State shall not be regarded as
20 failing to comply with the requirements of such
21 amendments before the first day of the first calendar
22 quarter beginning after the close of the first regular
23 session of the State legislature that begins after the
24 date of enactment of this Act. For purposes of this
25 paragraph, in the case of a State that has a 2-year

1 legislative session, each year of the session shall be
2 treated as a separate regular session of the State
3 legislature.

4 **SEC. 102. REINFORCING FAMILIES.**

5 (a) IN GENERAL.—Title XX (42 U.S.C. 1397-
6 1397e) is amended by adding at the end the following new
7 section:

8 **“SEC. 2008. ADULT-SUPERVISED GROUP HOMES.**

9 “(a) ENTITLEMENT.—

10 “(1) IN GENERAL.—In addition to any payment
11 under sections 2002 and 2007, beginning with fiscal
12 year 1996, each State shall be entitled to funds
13 under this section for each fiscal year for the estab-
14 lishment, operation, and support of adult-supervised
15 group homes for custodial parents under the age of
16 19 and their children.

17 “(2) PAYMENT TO STATES.—

18 “(A) IN GENERAL.—Each State shall be
19 entitled to payment under this section for each
20 fiscal year in an amount equal to its allotment
21 (determined in accordance with subsection (b))
22 for such fiscal year, to be used by such State
23 for the purposes set forth in paragraph (1).

24 “(B) TRANSFERS OF FUNDS.—The Sec-
25 retary shall make payments in accordance with

1 section 6503 of title 31, United States Code, to
2 each State from its allotment for use under this
3 title.

4 “(C) USE.—Payments to a State from its
5 allotment for any fiscal year must be expended
6 by the State in such fiscal year or in the suc-
7 ceeding fiscal year.

8 “(D) TECHNICAL ASSISTANCE.—A State
9 may use a portion of the amounts described in
10 subparagraph (A) for the purpose of purchasing
11 technical assistance from public or private enti-
12 ties if the State determines that such assistance
13 is required in developing, implementing, or ad-
14 ministering the program funded under this sec-
15 tion.

16 “(3) ADULT-SUPERVISED GROUP HOME.—For
17 purposes of this section, the term ‘adult-supervised
18 group home’ means an entity that provides custodial
19 parents under the age of 19 and their children with
20 a supportive and supervised living arrangement in
21 which such parents would be required to learn
22 parenting skills, including child development, family
23 budgeting, health and nutrition, and other skills to
24 promote their long-term economic independence and
25 the well-being of their children. An adult-supervised

1 group home may also serve as a network center for
2 other supportive services that might be available in
3 the community.

4 “(b) ALLOTMENT.—

5 “(1) CERTAIN JURISDICTIONS.—The allotment
6 for any fiscal year to each of the jurisdictions of
7 Puerto Rico, Guam, the Virgin Islands, American
8 Samoa, and the Northern Mariana Islands shall be
9 an amount which bears the same ratio to the
10 amount specified under paragraph (3) as the allot-
11 ment that the jurisdiction receives under section
12 2003(a) for the fiscal year bears to the total amount
13 specified for such fiscal year under section 2003(c).

14 “(2) OTHER STATES.—The allotment for any
15 fiscal year for each State other than the jurisdictions
16 of Puerto Rico, Guam, the Virgin Islands, American
17 Samoa, and the Northern Mariana Islands shall be
18 an amount which bears the same ratio to—

19 “(A) the amount specified under para-
20 graph (3), reduced by

21 “(B) the total amount allotted to those ju-
22 risdictions for that fiscal year under paragraph
23 (1),

24 as the allotment that the State receives under sec-
25 tion 2003(b) for the fiscal year bears to the total

1 amount specified for such fiscal year under section
2 2003(c).

3 “(3) AMOUNT SPECIFIED.—The amount speci-
4 fied for purposes of paragraphs (1) and (2) shall be
5 \$95,000,000 for fiscal year 1996 and each subse-
6 quent fiscal year.

7 “(c) LOCAL INVOLVEMENT.—Each State shall seek
8 local involvement from the community in any area in
9 which an adult-supervised group home receiving funds
10 pursuant to this section is to be established. In determin-
11 ing criteria for targeting funds received under this section,
12 each State shall evaluate the community’s commitment to
13 the establishment and planning of the home.

14 “(d) LIMITATIONS ON THE USE OF FUNDS.—

15 “(1) CONSTRUCTION.—Except as provided in
16 paragraph (2), funds made available under this sec-
17 tion may not be used by the State, or any other per-
18 son with which the State makes arrangements to
19 carry out the purposes of this section, for the pur-
20 chase or improvement of land, or the purchase, con-
21 struction, or permanent improvement (other than
22 minor remodeling) of any building or other facility.

23 “(2) WAIVER.—The Secretary may waive the
24 limitation contained in paragraph (1) upon the
25 State’s request for such a waiver if the Secretary

1 finds that the request describes extraordinary cir-
2 cumstances to justify the waiver and that permitting
3 the waiver will contribute to the State's ability to
4 carry out the purposes of this section.

5 "(e) TREATMENT OF INDIAN TRIBES.—

6 "(1) IN GENERAL.—An Indian tribe may apply
7 to the Secretary to establish, operate, and support
8 adult-supervised group homes for custodial parents
9 under the age of 19 and their children in accordance
10 with an application procedure to be determined by
11 the Secretary. Except as otherwise provided in this
12 subsection, the provisions of this section shall apply
13 to Indian tribes receiving funds under this sub-
14 section in the same manner and to the same extent
15 as the other provisions of this section apply to
16 States.

17 "(2) ALLOTMENT.—If the Secretary approves
18 an Indian tribe's application, the Secretary shall
19 allot to such tribe for a fiscal year an amount which
20 the Secretary determines is the Indian tribe's fair
21 and equitable share of the amount specified under
22 paragraph (3) for all Indian tribes with applications
23 approved under this subsection (based on allotment
24 factors to be determined by the Secretary). The Sec-
25 retary shall determine a minimum allotment amount

1 for all Indian tribes with applications approved
2 under this subsection. Each Indian tribe with an ap-
3 plication approved under this subsection shall be en-
4 titled to such minimum allotment.

5 “(3) AMOUNT SPECIFIED.—The amount speci-
6 fied under this paragraph for all Indian tribes with
7 applications approved under this subsection is
8 \$5,000,000 for fiscal year 1996 and each subsequent
9 fiscal year.

10 “(4) INDIAN TRIBE DEFINED.—For purposes of
11 this section, the term ‘Indian tribe’ means any In-
12 dian tribe, band, nation, pueblo, or other organized
13 group or community, including any Alaska Native
14 entity which is recognized as eligible for the special
15 programs and services provided by the United States
16 to Indian tribes because of their status as Indians.”

17 (b) RECEIPT OF PAYMENTS BY ADULT-SUPERVISED
18 GROUP HOMES.—

19 (1) IN GENERAL.—Section 402(a)(43)(A)(ii)
20 (42 U.S.C. 602(a)(43)(A)(ii)) is amended by strik-
21 ing “or other adult relative” and inserting “other
22 adult relative, or adult-supervised group home re-
23 ceiving funds under section 2008”.

24 (2) EFFECTIVE DATE.—The amendment made
25 by paragraph (1) shall apply with respect to cal-

1 endar quarters beginning on or after October 1,
2 1995.

3 (c) RECOMMENDATIONS ON USAGE OF GOVERNMENT
4 SURPLUS PROPERTY.—Not later than 6 months after the
5 date of the enactment of this Act, after consultation with
6 the Secretary of Defense, the Secretary of Housing and
7 Urban Development, and the Administrator of the General
8 Services Administration, the Secretary of Health and
9 Human Services shall submit recommendations to the
10 Congress on the extent to which surplus properties of the
11 United States Government may be used for the establish-
12 ment of adult-supervised group homes receiving funds
13 under section 2008 of the Social Security Act.

14 **SEC. 103. REQUIRED COMPLETION OF HIGH SCHOOL OR**
15 **OTHER TRAINING FOR TEENAGE PARENTS.**

16 (a) IN GENERAL.—Section 402(a)(19)(E) (42 U.S.C.
17 602(a)(19)(E)) is amended to read as follows:

18 “(E)(i) in the case of a custodial parent who
19 has not attained 19 years of age, has not success-
20 fully completed a high-school education (or its equiv-
21 alent), and is required to participate in the program
22 (including an individual who would otherwise be ex-
23 empt from participation in the program solely by
24 reason of clauses (iii), (v), or (vii) of subparagraph
25 (C)), the State agency shall—

1 “(I) require such parent to participate
2 in—

3 “(aa) educational activities directed
4 toward the attainment of a high school di-
5 ploma or its equivalent on a full-time (as
6 defined by the educational provider) basis;
7 or

8 “(bb) an alternative educational or
9 training program (that has been approved
10 by the Secretary) on a full-time (as defined
11 by the provider) basis; and

12 “(II) provide child care in accordance with
13 section 402(g) with respect to the family;

14 “(ii)(I) to the extent that the program is avail-
15 able in the political subdivision involved and State
16 resources otherwise permit, in the case of a custodial
17 parent who is 19 years of age, has not successfully
18 completed a high-school education (or its equiva-
19 lent), and is required to participate in the program
20 (including an individual who would otherwise be ex-
21 empt from participation in the program solely by
22 reason of subparagraph (C)(iii)), the State agency
23 (subject to subelause (II)) shall require such parent
24 to participate in an educational activity; and

25 “(II) the State agency may—

1 “(aa) require a parent described in
2 subclause (I) (notwithstanding the part-time re-
3 quirement in subparagraph (C)(iii)(II)) to par-
4 ticipate in educational activities directed toward
5 the attainment of a high school diploma or its
6 equivalent on a full-time (as defined by the edu-
7 cational provider) basis; or

8 “(bb) require a parent described in
9 subclause (I) to participate in training or work
10 activities in lieu of the educational activities
11 under such subclause if such parent fails to
12 make good progress in successfully completing
13 such educational activities or if it is determined
14 (prior to any assignment of the individual to
15 such educational activities) pursuant to an edu-
16 cational assessment that participation in such
17 educational activities is inappropriate for such
18 parent;”

19 (b) STATE OPTION TO PROVIDE ADDITIONAL INCEN-
20 TIVES AND PENALTIES TO ENCOURAGE TEEN PARENTS
21 TO COMPLETE HIGH SCHOOL AND PARTICIPATE IN
22 PARENTING ACTIVITIES.—

23 (1) STATE PLAN.—Section 402(a)(19)(E) (42
24 U.S.C. 602(a)(19)(E)), as amended by subsection
25 (a), is further amended—

1 (A) by striking "and" at the end of clause
2 (i);

3 (B) by inserting "and" after the semicolon
4 at the end of clause (ii); and

5 (C) by adding after clause (ii) the following
6 new clause:

7 "(iii) at the option of the State, some or all cus-
8 todial parents and pregnant women who have not at-
9 tained 19 years of age (or at the State's option, 21
10 years of age) and who are receiving aid under this
11 part shall be required to participate in a program of
12 monetary incentives and penalties, consistent with
13 subsection (j);".

14 (2) ELEMENTS OF PROGRAM.—Section 402 (42
15 U.S.C. 602) is amended by adding at the end the
16 following new subsection:

17 "(j)(1) If a State opts to conduct a program of mone-
18 tary incentives and penalties to encourage custodial par-
19 ents and pregnant women who have not attained 19 years
20 of age (or at the State's option, 21 years of age) to com-
21 plete their high school (or equivalent) education and par-
22 ticipate in parenting activities, the State shall amend its
23 State plan—

24 "(A) to specify the one or more political sub-
25 divisions (or other clearly defined geographic area or

1 areas) in which the State will conduct the program,
2 and

3 “(B) to describe its program in detail.

4 “(2) A program under this subsection—

5 “(A) may, at the option of the State, require
6 full-time participation by such custodial parents and
7 pregnant women in secondary school or equivalent
8 educational activities, or participation in a course or
9 program leading to a skills certificate found appro-
10 priate by the State agency or parenting education
11 activities (or any combination of such activities and
12 secondary education);

13 “(B) shall require that the needs of such custo-
14 dial parents and pregnant women shall be reviewed
15 and the program will assure that, either in the ini-
16 tial development or revision of such individual’s em-
17 ployability plan, there will be included a description
18 of the services that will be provided to the individual
19 and the way in which the program and service pro-
20 viders will coordinate with the educational or skills
21 training activities in which the individual is partici-
22 pating;

23 “(C) shall provide monetary incentives for more
24 than minimally acceptable performance of required
25 educational activities; and

1 “(D) shall provide penalties (which may be
2 those required by subsection (a)(19)(G) or, with the
3 approval of the Secretary, other monetary penalties
4 that the State finds will better achieve the objectives
5 of the program) for less than minimally acceptable
6 performance of required activities.

7 “(3) When a monetary incentive is payable because
8 of the more than minimally acceptable performance of re-
9 quired educational activities by a custodial parent, the in-
10 centive shall be paid directly to such parent, regardless
11 of whether the State agency makes payment of aid under
12 the State plan directly to such parent.

13 “(4)(A) For purposes of this part, monetary incen-
14 tives paid under this subsection shall be considered aid
15 to families with dependent children.

16 “(B) For purposes of any other Federal or federally-
17 assisted program based on need, no monetary incentive
18 paid under this subsection shall be considered income in
19 determining a family's eligibility for or amount of benefits
20 under such program, and if aid is reduced by reason of
21 a penalty under this subsection, such other program shall
22 treat the family involved as if no such penalty has been
23 applied.

1 “(5) The State agency shall from time to time provide
2 such information with respect to the State operation of
3 the program as the Secretary may request.”

4 (c) EFFECTIVE DATES.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendments made by subsections (a)
7 and (b) shall be effective with respect to calendar
8 quarters beginning on or after October 1, 1995.

9 (2) SPECIAL RULE.—In the case of a State that
10 the Secretary of Health and Human Services deter-
11 mines requires State legislation (other than legisla-
12 tion appropriating funds) in order to meet the addi-
13 tional requirements imposed by the amendments
14 made by this Act, the State shall not be regarded as
15 failing to comply with the requirements of such
16 amendments before the first day of the first calendar
17 quarter beginning after the close of the first regular
18 session of the State legislature that begins after the
19 date of enactment of this Act. For purposes of this
20 paragraph, in the case of a State that has a 2-year
21 legislative session, each year of the session shall be
22 treated as a separate regular session of the State
23 legislature.

1 **SEC. 104. DRUG TREATMENT AND COUNSELING AS PART OF**
2 **THE JOBS PROGRAM.**

3 (a) IN GENERAL.—Section 402(a)(19) (42 U.S.C.
4 602(a)(19)) is amended—

5 (1) by striking “and” at the end of subpara-
6 graph (G);

7 (2) by inserting “and” after the semicolon at
8 the end of subparagraph (H);

9 (3) by adding after subparagraph (H), the fol-
10 lowing new subparagraph:

11 “(I) that, in the case of a custodial parent who
12 has not attained 19 years of age (including an indi-
13 vidual who would otherwise be exempt from partici-
14 pation in the program solely by reason of clauses
15 (iii), (v), or (vii)) of subparagraph (C)); whose em-
16 ployability plan (described in section 482(b)) reflects
17 the need for treatment for substance abuse, the
18 State agency shall—

19 “(i) require such individual to participate
20 in substance abuse treatment; and

21 “(ii) notwithstanding any other provision
22 of law, after providing an individual required to
23 participate in treatment under this subpara-
24 graph with proper notice, make the provisions
25 of section 402(a)(19)(G) applicable to any indi-

1 vidual who fails or refuses to accept such treat-
2 ment;”

3 (b) EFFECTIVE DATES.—

4 (1) IN GENERAL.—Except as provided in para-
5 graph (2), the amendments made by subsection (a)
6 shall be effective with respect to calendar quarters
7 beginning on or after October 1, 1995.

8 (2) SPECIAL RULE.—In the case of a State that
9 the Secretary of Health and Human Services deter-
10 mines requires State legislation (other than legisla-
11 tion appropriating funds) in order to meet the addi-
12 tional requirements imposed by the amendments
13 made by this Act, the State shall not be regarded as
14 failing to comply with the requirements of such
15 amendments before the first day of the first calendar
16 quarter beginning after the close of the first regular
17 session of the State legislature that begins after the
18 date of enactment of this Act. For purposes of this
19 paragraph, in the case of a State that has a 2-year
20 legislative session, each year of the session shall be
21 treated as a separate regular session of the State
22 legislature.

1 **TITLE II—PARENTAL**
2 **RESPONSIBILITY**

3 **SEC. 201. PERFORMANCE-BASED INCENTIVES.**

4 (a) INCENTIVE ADJUSTMENTS TO FEDERAL MATCH-
5 ING RATE.—

6 (1) IN GENERAL.—Title IV (42 U.S.C. 601 et
7 seq.) is amended by inserting after section 458 the
8 following new section:

9 “INCENTIVE ADJUSTMENTS TO MATCHING RATE FOR
10 STATEWIDE PATERNITY ESTABLISHMENT

11 “SEC. 458A. (a) INCENTIVE ADJUSTMENT.—

12 “(1) IN GENERAL.—In order to encourage and
13 reward State paternity establishment efforts, the
14 Federal matching rate for payments to a State
15 under section 455(a)(1)(A), for each fiscal year be-
16 ginning on or after October 1, 1997, shall be in-
17 creased by a factor reflecting the incentive adjust-
18 ment (if any) determined in accordance with para-
19 graph (2) with respect to the Statewide paternity es-
20 tablishment percentage.

21 “(2) STANDARDS.—The Secretary shall estab-
22 lish in regulations—

23 “(A) the levels of accomplishment, and
24 rates of improvement as alternatives to such
25 levels, with respect to the Statewide paternity

1 establishment percentages which States must
2 attain to qualify for an incentive adjustment
3 under this section; and

4 “(B) the amounts of incentive adjustment
5 that shall be awarded to States achieving speci-
6 fied accomplishment or improvement levels with
7 respect to Statewide paternity establishment
8 percentages, which amounts shall be graduated,
9 ranging up to 5 percentage points, in connec-
10 tion with the State’s Statewide paternity estab-
11 lishment percentage.

12 “(3) DETERMINATION OF INCENTIVE ADJUST-
13 MENT.—The Secretary shall, pursuant to regula-
14 tions, determine the amount (if any) of incentive ad-
15 justment due each State on the basis of the levels
16 of accomplishment (and rates of improvement) with
17 respect to performance indicators specified by the
18 Secretary pursuant to this section.

19 “(4) FISCAL YEAR SUBJECT TO INCENTIVE AD-
20 JUSTMENT.—The total percentage point increase de-
21 termined pursuant to this section with respect to a
22 State program in a fiscal year shall apply as an ad-
23 justment to the applicable percent under section
24 455(a)(2) for payments to such State for the suc-
25 ceeding fiscal year.

1 “(b) STATEWIDE PATERNITY ESTABLISHMENT PER-
2 CENTAGE.—For purposes of this section, the term ‘State-
3 wide paternity establishment percentage’ means, with re-
4 spect to a fiscal year, the ratio (expressed as a percentage)
5 of—

6 “(1) the total number of out-of-wedlock children
7 in the State under one year of age for whom pater-
8 nity is established or acknowledged during the fiscal
9 year, to

10 “(2) the total number of children born out-of-
11 wedlock in the State during such fiscal year.”.

12 (2) TITLE IV-D PAYMENT ADJUSTMENT.—Sec-
13 tion 455(a)(2) (42 U.S.C. 655(a)(2)) is amended—

14 (A) by striking the period at the end of
15 subparagraph (C) and inserting a comma; and

16 (B) by adding after subparagraph (C) the
17 following:

18 “increased by the incentive adjustment factor (if any) de-
19 termined by the Secretary pursuant to section 458A.”.

20 (3) CONFORMING AMENDMENTS.—Section
21 454(22) (42 U.S.C. 654(22)) is amended—

22 (A) by inserting “or incentive adjustments
23 under section 458A” after “section 458”; and

24 (B) by inserting “or any increases in Fed-
25 eral payments to the State resulting from such

1 incentive adjustments” after “any such incen-
2 tive payments”.

3 (b) **FEDERAL FINANCIAL PARTICIPATION FOR ALL**
4 **PATERNITY ESTABLISHMENT SERVICES.—**

5 (1) **IN GENERAL.—**Section 455(a)(1) (42
6 U.S.C. 655(a)(1)) is amended by adding at the end
7 the following: “In determining the total amounts ex-
8 pended by any State during a quarter, for purposes
9 of this subsection, there shall be included any
10 amounts expended for paternity determination serv-
11 ices made available to any individual who did not file
12 an application in accordance with section 454(6).”.

13 (2) **EFFECTIVE DATE.—**The amendment made
14 by paragraph (1) shall be effective with respect to
15 calendar quarters beginning on or after October 1,
16 1995.

17 **SEC. 202. STATE LAW AUTHORIZING SUSPENSION OF LI-**
18 **CENSES.**

19 (a) **IN GENERAL.—**Section 466(a) (42 U.S.C.
20 666(a)) is amended by adding at the end the following
21 new paragraph:

22 “(12) **AUTHORITY TO WITHHOLD OR SUSPEND**
23 **LICENSES.—**Procedures under which the State has
24 (and uses in appropriate cases) authority (subject to
25 appropriate due process safeguards) to withhold or

1 suspend, or to restrict the use of driver's licenses,
2 professional and occupational licenses, and rec-
3 reational licenses of individuals owing overdue child
4 support or failing, after receiving appropriate notice,
5 to comply with subpoenas or warrants relating to
6 paternity or child support proceedings.".

7 (b) EFFECTIVE DATE.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the amendment made by subsection (a)
10 shall be effective with respect to calendar quarters
11 beginning on or after October 1, 1995.

12 (2) SPECIAL RULE.—In the case of a State that
13 the Secretary of Health and Human Services deter-
14 mines requires State legislation (other than legisla-
15 tion appropriating funds) in order to meet the addi-
16 tional requirements imposed by the amendments
17 made by this Act, the State shall not be regarded as
18 failing to comply with the requirements of such
19 amendments before the first day of the first calendar
20 quarter beginning after the close of the first regular
21 session of the State legislature that begins after the
22 date of enactment of this Act. For purposes of this
23 paragraph, in the case of a State that has a 2-year
24 legislative session, each year of the session shall be

1 treated as a separate regular session of the State
2 legislature.

3 **SEC. 203. STATE LAWS CONCERNING PATERNITY ESTAB-**
4 **LISHMENT.**

5 (a) STATE LAWS REQUIRED.—Section 466(a)(5) (42
6 U.S.C. 666(a)(5)) is amended—

7 (1) by striking “(5)” and inserting “(5) PROCE-
8 DURES CONCERNING PATERNITY ESTABLISHMENT.—
9 ”;

10 (2) in subparagraph (A)—

11 (A) by striking “(A)” and inserting “(A)
12 ESTABLISHMENT PROCESS AVAILABLE FROM
13 BEFORE BIRTH UNTIL AGE 18.—”;

14 (B) by moving clause (ii) 2 ems to the
15 right; and

16 (C) by adding after clause (ii) the following
17 new clause:

18 “(iii) Procedures which permit the ini-
19 tiation of proceedings to establish paternity
20 before the birth of the child concerned.”;

21 (3) in subparagraph (B)—

22 (A) by striking “(B)” and inserting “(B)
23 PROCEDURES CONCERNING GENETIC TEST-
24 ING.—(i)”;

1 (B) in clause (i), as redesignated, by in-
2 serting “, where such request is supported by a
3 sworn statement by such party setting forth
4 facts establishing a reasonable possibility of the
5 requisite sexual contact” before the period at
6 the end;

7 (C) by inserting after clause (i), as so re-
8 designated, the following new clause:

9 “(ii) Procedures which require the
10 State agency, in any case in which such
11 agency orders genetic testing—

12 “(I) to pay costs of such tests,
13 subject to recoupment (where the
14 State so elects) from the putative fa-
15 ther if paternity is established; and

16 “(II) to obtain additional testing
17 in any case where an original test re-
18 sult is disputed, upon request and ad-
19 vance payment by the disputing
20 party.”;

21 (4) by striking subparagraph (C) and inserting:

22 “(C) VOLUNTARY ACKNOWLEDGMENT PRO-
23 CEDURE.—Procedures for a simple civil process
24 for voluntarily acknowledging paternity under
25 which—

29.

1 ability of such testing (at their
2 expense); and

3 “(cc) to obtain such samples
4 upon request of both such indi-
5 viduals;”;

6 (5) by striking subparagraphs (D) and (E) and
7 inserting:

8 “(D) LEGAL STATUS OF ACKNOWLEDG-
9 MENT.—Procedures under which—

10 “(i) a voluntary acknowledgment of
11 paternity creates, at State option, either—

12 “(I) a conclusive presumption of
13 paternity, or

14 “(II) a rebuttable presumption
15 which becomes a conclusive presump-
16 tion within one year, unless rebutted
17 or invalidated by an intervening deter-
18 mination which reaches a contrary
19 conclusion;

20 “(ii) at the option of the State, not-
21 withstanding clause (i), upon the request
22 of a party, a determination of paternity
23 based on an acknowledgment may be va-
24 cated on the basis of new evidence, the ex-

1 existence of fraud, or the best interests of
2 the child; and

3 “(iii) a voluntary acknowledgment of
4 paternity is admissible as evidence of pa-
5 ternity, and as a basis for seeking a sup-
6 port order, without requiring any further
7 proceedings to establish paternity.

8 “(E) BAR ON ACKNOWLEDGMENT RATIFI-
9 CATION PROCEEDINGS.—Procedures under
10 which no judicial or administrative proceedings
11 are required or permitted to ratify an unchal-
12 lenged acknowledgment of paternity.”;

13 (6) by striking subparagraph (F) and inserting:

14 “(F) ADMISSIBILITY OF GENETIC TESTING
15 RESULTS.—Procedures—

16 “(i) requiring that the State admit
17 into evidence, for purposes of establishing
18 paternity, results of any genetic test that
19 is—

20 “(I) of a type generally acknowl-
21 edged, by accreditation bodies des-
22 ignated by the Secretary, as reliable
23 evidence of paternity; and

1 “(II) performed by a laboratory
2 approved by such an accreditation
3 body;

4 “(ii) providing that any objection to
5 genetic testing results must be made in
6 writing not later than a specified number
7 of days before any hearing at which such
8 results may be introduced into evidence
9 (or, at the option of the State, not later
10 than a specified number of days after re-
11 ceipt of such results); and

12 “(iii) providing that, if no objection is
13 made, the test results are admissible as
14 evidence of paternity without the need for
15 foundation testimony or other proof of au-
16 thenticity or accuracy.”; and

17 (7) by adding after subparagraph (H) the fol-
18 lowing new subparagraphs:

19 “(I) TEMPORARY SUPPORT ORDER BASED
20 ON PROBABLE PATERNITY IN CONTESTED
21 CASES.—Procedures which require that a tem-
22 porary order be issued, upon motion by a party,
23 requiring the provision of child support pending
24 an administrative or judicial determination of
25 parentage, where there is clear and convincing

1 evidence of paternity (on the basis of genetic
2 tests or other evidence).

3 “(J) PROOF OF CERTAIN SUPPORT AND
4 PATERNITY ESTABLISHMENT COSTS.—Proce-
5 dures under which bills for pregnancy, child-
6 birth, and genetic testing are admissible as evi-
7 dence without requiring third-party foundation
8 testimony, and constitute prima facie evidence
9 of amounts incurred for such services and test-
10 ing on behalf of the child.

11 “(K) WAIVER OF STATE DEBTS FOR CO-
12 OPERATION.—Procedures under which the tri-
13 bunal establishing paternity and support has
14 discretion to waive rights to all or part of
15 amounts owed to the State (but not to the
16 mother) for costs related to pregnancy, child-
17 birth, and genetic testing and for public assist-
18 ance paid to the family where the father cooper-
19 ates or acknowledges paternity before or after
20 genetic testing.

21 “(L) STANDING OF PUTATIVE FATHERS.—
22 Procedures ensuring that the putative father
23 has a reasonable opportunity to initiate a pater-
24 nity action.”.

1 (b) TECHNICAL AMENDMENT.—Section 468 (42
2 U.S.C. 668) is amended by striking “a simple civil process
3 for voluntarily acknowledging paternity and”.

4 (c) EFFECTIVE DATES.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendments made by subsections (a)
7 and (b) shall be effective with respect to calendar
8 quarters beginning on or after October 1, 1996.

9 (2) SPECIAL RULE.—In the case of a State that
10 the Secretary of Health and Human Services deter-
11 mines requires State legislation (other than legisla-
12 tion appropriating funds) in order to meet the addi-
13 tional requirements imposed by the amendments
14 made by this Act, the State shall not be regarded as
15 failing to comply with the requirements of such
16 amendments before the first day of the first calendar
17 quarter beginning after the close of the first regular
18 session of the State legislature that begins after the
19 date of enactment of this Act. For purposes of this
20 paragraph, in the case of a State that has a 2-year
21 legislative session, each year of the session shall be
22 treated as a separate regular session of the State
23 legislature.

1 **SEC. 204. STATE LAWS PROVIDING EXPEDITED PROCE-**
2 **DURES.**

3 (a) STATE LAW REQUIREMENTS.—Section 466 (42
4 U.S.C. 666) is amended—

5 (1) in subsection (a)(2), by striking the first
6 sentence and inserting: “Expedited administrative
7 and judicial procedures (including the procedures
8 specified in subsection (f)) for establishing paternity
9 and for establishing, modifying, and enforcing sup-
10 port obligations.”; and

11 (2) by adding after subsection (e) the following
12 new subsection:

13 “(f) EXPEDITED PROCEDURES.—(1) ADMINISTRA-
14 TIVE ACTION BY STATE AGENCY.—Procedures which give
15 the State agency the authority (and recognize and enforce
16 the authority of State agencies of other States), without
17 the necessity of obtaining an order from any other judicial
18 or administrative tribunal (but subject to due process safe-
19 guards, including (as appropriate) requirements for notice,
20 opportunity to contest the action, and opportunity for an
21 appeal on the record to an independent administrative or
22 judicial tribunal), to take the following actions relating to
23 establishment or enforcement of orders:

24 “(A) ESTABLISH AND MODIFY SUPPORT
25 AMOUNT.—To establish and modify the amount of

1 support awards in all cases in which services are
2 being provided under this part.

3 “(B) GENETIC TESTING.—To order genetic
4 testing for the purpose of paternity establishment as
5 provided in section 466(a)(5).

6 “(C) DEFAULT ORDERS.—To enter a default
7 order, upon a showing of service of process and any
8 additional showing required by State law—

9 “(i) establishing paternity, in the case of
10 any putative father who refuses to submit to ge-
11 netic testing; and

12 “(ii) establishing or modifying a support
13 obligation, in the case of a parent (or other ob-
14 ligor or obligee) who fails to respond to notice
15 to appear at a proceeding for such purpose.

16 “(D) SUBPOENAS.—To subpoena any financial
17 or other information needed to establish, modify, or
18 enforce an order, and to sanction failure to respond
19 to any such subpoena.

20 “(E) ACCESS TO PERSONAL AND FINANCIAL IN-
21 FORMATION.—To obtain access, subject to safe-
22 guards on privacy and information security, to the
23 following records (including automated access, in the
24 case of records maintained in automated data
25 bases):

1 “(i) Records of other State and local gov-
2 ernment agencies, including—

3 “(I) vital statistics (including records
4 of marriage, birth, and divorce);

5 “(II) State and local tax and revenue
6 records (including information on residence
7 address, employer, income and assets);

8 “(III) records concerning real and ti-
9 tled personal property;

10 “(IV) records of occupational and pro-
11 fessional licenses, and records concerning
12 the ownership and control of corporations,
13 partnerships, and other business entities;

14 “(V) employment security records;

15 “(VI) records of agencies administer-
16 ing public assistance programs;

17 “(VII) records of the motor vehicle
18 department; and

19 “(VIII) corrections records.

20 “(ii) Certain records held by private enti-
21 ties, including—

22 “(I) customer records of public utili-
23 ties and cable television companies; and

24 “(II) information (including informa-
25 tion on assets and liabilities) on individuals

1 who owe or are owed support (or against
2 or with respect to whom a support obliga-
3 tion is sought) held by financial institu-
4 tions (subject to limitations on liability of
5 such entities arising from affording such
6 access).

7 “(F) INCOME WITHHOLDING.—To order income
8 withholding in accordance with section 466(a)(1)
9 and (b).

10 “(G) CHANGE IN PAYEE.—In cases where sup-
11 port is subject to an assignment under section
12 402(a)(26), 471(a)(17), or 1912.

13 “(H) SECURE ASSETS TO SATISFY ARREAR-
14 AGES.—For the purpose of securing overdue
15 support—

16 “(i) to intercept and seize any periodic or
17 lump-sum payment to the obligor by or through
18 a State or local government agency, including—

19 “(I) unemployment compensation,
20 workers’ compensation, and other benefits;

21 “(II) judgments and settlements in
22 cases under the jurisdiction of the State or
23 local government; and

24 “(III) lottery winnings;

1 “(ii) to attach and seize assets of the obli-
2 gor held by financial institutions;

3 “(iii) to attach public and private retire-
4 ment funds in appropriate cases, as determined
5 by the Secretary; and

6 “(iv) to impose liens in accordance with
7 subsection (a)(4) and, in appropriate cases, to
8 force sale of property and distribution of pro-
9 ceeds.

10 “(I) INCREASE MONTHLY PAYMENTS.—For the
11 purpose of securing overdue support, to increase the
12 amount of monthly support payments to include
13 amounts for arrearages (subject to such conditions
14 or restrictions as the State may provide).

15 “(J) SUSPENSION OF DRIVERS’ LICENSES.—To
16 suspend drivers’ licenses of individuals owing past-
17 due support, in accordance with subsection (a)(12).

18 “(2) SUBSTANTIVE AND PROCEDURAL RULES.—The
19 expedited procedures required under subsection (a)(2)
20 shall include the following rules and authority, applicable
21 with respect to all proceedings to establish paternity or
22 to establish, modify, or enforce support orders:

23 “(A) LOCATOR INFORMATION; PRESUMPTIONS
24 CONCERNING NOTICE.—Procedures under which—

1 “(i) the parties to any paternity or child
2 support proceedings are required (subject to
3 privacy safeguards) to file with the tribunal be-
4 fore entry of an order, and to update as appro-
5 priate, information on location and identity (in-
6 cluding social security number, residential and
7 mailing addresses, telephone number, driver’s li-
8 cense number, and name, address, and tele-
9 phone number of employer); and

10 “(ii) in any subsequent child support en-
11 forcement action between the same parties, the
12 tribunal shall be authorized, upon sufficient
13 showing that a diligent effort has been made to
14 ascertain such a party’s current location, to
15 deem due process requirements for notice and
16 service of process to be met, with respect to
17 such party, by delivery to the most recent resi-
18 dential or employer address so filed pursuant to
19 clause (i).

20 “(B) STATEWIDE JURISDICTION.—Procedures
21 under which—

22 “(i) the State agency and any administra-
23 tive or judicial tribunal with authority to hear
24 child support and paternity cases exerts state-

1 wide jurisdiction over the parties, and orders is-
2 sued in such cases have statewide effect; and

3 “(ii) in the case of a State in which orders
4 in such cases are issued by local jurisdictions,
5 a case may be transferred between jurisdictions
6 in the State without need for any additional fil-
7 ing by the petitioner, or service of process upon
8 the respondent, to retain jurisdiction over the
9 parties.”.

10 (c) EXEMPTIONS FROM STATE LAW REQUIRE-
11 MENTS.—Section 466(d) (42 U.S.C. 666(d)) is
12 amended—

13 (1) by striking “(d) If” and inserting “(d) EX-
14 EMPTIONS FROM REQUIREMENTS.—(1) IN GEN-
15 ERAL.—Subject to paragraph (2), if”; and

16 (2) by adding at the end the following new
17 paragraph:

18 “(2) NONEXEMPT REQUIREMENTS.—The Sec-
19 retary shall not grant an exemption from the re-
20 quirements of—

21 “(A) subsection (a)(5) (concerning proce-
22 dures for paternity establishment);

23 “(B) subsection (a)(10) (concerning modi-
24 fication of orders);

1 “(C) subsection (f) (concerning expedited
2 procedures), other than paragraph (1)(A) there-
3 of (concerning establishment or modification of
4 support amount).”.

5 (d) EFFECTIVE DATES.—

6 (1) IN GENERAL.—Except as provided in para-
7 graph (2), the amendments made by subsections (a),
8 (b), and (c) shall be effective with respect to cal-
9 endar quarters beginning on or after October 1,
10 1995.

11 (2) SPECIAL RULE.—In the case of a State that
12 the Secretary of Health and Human Services deter-
13 mines requires State legislation (other than legisla-
14 tion appropriating funds) in order to meet the addi-
15 tional requirements imposed by the amendments
16 made by this Act, the State shall not be regarded as
17 failing to comply with the requirements of such
18 amendments before the first day of the first calendar
19 quarter beginning after the close of the first regular
20 session of the State legislature that begins after the
21 date of enactment of this Act. For purposes of this
22 paragraph, in the case of a State that has a 2-year
23 legislative session, each year of the session shall be
24 treated as a separate regular session of the State
25 legislature.

1 **SEC. 205. OUTREACH FOR VOLUNTARY PATERNITY ESTAB-**
2 **LISHMENT.**

3 (a) STATE PLAN REQUIREMENT.—

4 (1) IN GENERAL.—Section 454(23) (42 U.S.C.
5 654(23)) is amended—

6 (A) by inserting “(A)” after “(23)”;

7 (B) by adding after subparagraph (A), as
8 so redesignated, the following new subpara-
9 graph:

10 “(B) provide that the State will regularly
11 and frequently publicize the availability and en-
12 courage the use of procedures for voluntary es-
13 tablishment of paternity and child support
14 through a variety of means, which—

15 “(i) may include distribution of writ-
16 ten materials at health care facilities (in-
17 cluding hospitals and clinics), and other lo-
18 cations such as schools;

19 “(ii) may include prenatal programs
20 to educate expectant couples on individual
21 and joint rights and responsibilities with
22 respect to paternity (and may require all
23 expectant recipients of assistance under
24 part A to participate in such prenatal pro-
25 grams, as an element of cooperation with

1 efforts to establish paternity and child sup-
2 port);

3 “(iii) may include, with respect to
4 each child discharged from a hospital after
5 birth for whom paternity or child support
6 has not been established, reasonable follow
7 up efforts (including at least one contact of
8 each parent whose whereabouts are known,
9 except where there is reason to believe
10 such follow up efforts would put mother or
11 child at risk), providing—

12 “(I) in the case of a child for
13 whom paternity has not been estab-
14 lished, information on the benefits of
15 and procedures for establishing pater-
16 nity; and

17 “(II) in the case of a child for
18 whom paternity has been established
19 but child support has not been estab-
20 lished, information on the benefits of
21 and procedures for establishing a
22 child support order, and an applica-
23 tion for child support services; and”.

1 (2) ENHANCED FEDERAL MATCHING.—Section
2 455(a)(1)(C) (42 U.S.C. 655(a)(1)(C)) is
3 amended—

4 (A) by inserting “(i)” before “laboratory
5 costs”, and

6 (B) by inserting before the semicolon “,
7 and (ii) costs of outreach programs designed to
8 encourage voluntary acknowledgment of pater-
9 nity”.

10 (3) EFFECTIVE DATES.—

11 (A) IN GENERAL.—The amendments made
12 by paragraph (1) shall become effective October
13 1, 1996.

14 (B) ENHANCED MATCH.—The amend-
15 ments made by paragraph (2) shall be effective
16 with respect to calendar quarters beginning on
17 and after October 1, 1995.

18 (b) STATE OUTREACH AS PART OF VOLUNTARY CON-
19 SENT PROCEDURES.—

20 (1) IN GENERAL.—Section 466(a)(5)(C) (42
21 U.S.C. 666(a)(5)(C)), as amended by section
22 303(a)(4), is further amended—

23 (A) by striking “and” at the end of clause
24 (ii); and

1 (B) by inserting after clause (iii) the fol-
2 lowing new clause:

3 “(iv) in coordination with the
4 Public Health Service, the State shall
5 directly or under contract with hos-
6 pitals, and other health care facilities
7 providing inpatient or outpatient ma-
8 ternity and pediatric services (includ-
9 ing prenatal clinics, well-baby clinics,
10 in-home public health service visita-
11 tions, family planning clinics, and cen-
12 ters participating in the program de-
13 scribed in section 17 of the Child Nu-
14 trition Act of 1966 (42 U.S.C. 1786))
15 provide that the benefits, rights and
16 responsibilities of acknowledging pa-
17 ternity are explained to unwed par-
18 ents; and”.

19 (2) EFFECTIVE DATE.—

20 (A) IN GENERAL.—Except as provided in
21 subparagraph (B), the amendments made by
22 paragraph (1) shall be effective with respect to
23 calendar quarters beginning on or after October
24 1, 1995.

1 (B) SPECIAL RULE.—In the case of a
2 State that the Secretary of Health and Human
3 Services determines requires State legislation
4 (other than legislation appropriating funds) in
5 order to meet the additional requirements im-
6 posed by the amendments made by this Act, the
7 State shall not be regarded as failing to comply
8 with the requirements of such amendments be-
9 fore the first day of the first calendar quarter
10 beginning after the close of the first regular
11 session of the State legislature that begins after
12 the date of enactment of this Act. For purposes
13 of this paragraph, in the case of a State that
14 has a 2-year legislative session, each year of the
15 session shall be treated as a separate regular
16 session of the State legislature.

17 (c) JOINT OUTREACH PROGRAM.—

18 (1) IN GENERAL.—The Department of Health
19 and Human Services, the Public Health Service, and
20 the Department of Education shall cooperatively de-
21 velop and implement a substantial outreach program
22 and media campaign to—

23 (A) reinforce the importance of paternity
24 establishment; and

1 (B) promote the message that parenting is
2 a joint right and responsibility.

3 (2) AUTHORIZATION OF APPROPRIATIONS.—

4 There are authorized to be appropriated such sums
5 as may be necessary to carry out the purposes of
6 this subsection.

7 **TITLE III—COMBATING**
8 **TEENAGE PREGNANCY**

9 **SEC. 301. TARGETING YOUTH AT RISK OF TEENAGE PREG-**
10 **NANCY.**

11 (a) IN GENERAL.—Section 402 (42 U.S.C. 602), as
12 amended by section 103(b)(2), is further amended by add-
13 ing at the end the following new subsection:

14 “(k)(1) Each State agency may, to the extent it de-
15 termines resources are available, provide for the operation
16 of projects to reduce teenage pregnancy. Such projects
17 shall be operated by eligible entities that have submitted
18 applications described in paragraph (3) that have been ap-
19 proved in accordance with paragraph (4).

20 “(2) For purposes of this subsection, the term ‘eligi-
21 ble entity’ includes State agencies, local agencies, publicly
22 supported organizations, private nonprofit organizations,
23 and consortia of such entities.

24 “(3) An application described in this paragraph
25 shall—

1 “(A) describe the project;

2 “(B) include an endorsement of the project by
3 the chief elected official of the jurisdiction in which
4 the project is to be located;

5 “(C) demonstrate strong local commitment and
6 local involvement in the planning and implementa-
7 tion of the project; and

8 “(D) be submitted in such manner and contain-
9 ing such information as the Secretary may require.

10 “(4)(A) Subject to subparagraph (B), the Governor
11 of a State may approve an application under this para-
12 graph based on selection criteria (to be determined by the
13 Governor).

14 “(B) Preference in approving a project shall be ac-
15 corded to be projects that target—

16 “(i) both young men and women;

17 “(ii) areas with high teenage pregnancy rates;

18 or

19 “(iii) areas with a high incidence of individuals
20 receiving aid to families with dependent children.

21 “(5)(A) An Indian tribe may apply to the Secretary
22 to provide for the operation of projects to reduce teenage
23 pregnancy in accordance with an application procedure to
24 be determined by the Secretary. Except as otherwise pro-
25 vided in this subsection, the provisions of this section shall

1 apply to Indian tribes receiving funds under this sub-
2 section in the same manner and to the same extent as
3 the other provisions of this section apply to States.

4 “(B) The Secretary shall limit the number of applica-
5 tions approved under this paragraph to ensure that pay-
6 ments under section 403(o) to Indian tribes with approved
7 applications would not result in payments of less than a
8 minimum payment amount (to be determined by the Sec-
9 retary).

10 “(C) For purposes of this subsection, the term ‘In-
11 dian tribe’ means any Indian tribe, band, nation, pueblo,
12 or other organized group or community, including any
13 Alaska Native entity which is recognized as eligible for the
14 special programs and services provided by the United
15 States to Indian tribes because of their status as Indi-
16 ans.”.

17 “(6) A project conducted under this subsection shall
18 be conducted for not less than 3 years.

19 “(7)(A) The Secretary shall conduct a study in ac-
20 cordance with subparagraph (B) to determine the relative
21 effectiveness of the different approaches for preventing
22 teenage pregnancy utilized in the projects conducted under
23 this subsection.

24 “(B) The study required under subparagraph (A)
25 shall—

1 “(i) be based on data gathered from projects
2 conducted in 5 States chosen by the Secretary from
3 among the States in which projects under this sub-
4 section are operated;

5 “(ii) use specific outcome measures (determined
6 by the Secretary) to test the effectiveness of the
7 projects;

8 “(iii) use experimental and control groups (to
9 the extent possible) that are composed of a random
10 sample of participants in the projects; and

11 “(iv) be conducted in accordance with an exper-
12 imental design determined by the Secretary to result
13 in a comparable design among all projects.

14 “(C) Each eligible entity conducting a project under
15 this subsection shall provide to the Secretary in such form
16 and with such frequency as the Secretary requires interim
17 data from the projects conducted under this subsection.
18 The Secretary shall report to the Congress annually on
19 the progress of such projects and shall, not later than Jan-
20 uary 1, 2003, submit to the Congress the study required
21 under subparagraph (A).

22 “(D) There are authorized to be appropriated
23 \$500,000 for each of fiscal years 1996 through 2002 for
24 the purpose of conducting the study required under sub-
25 paragraph (A).”

1 (b) PAYMENT.—Section 403 (42 U.S.C. 603) is
2 amended by adding at the end the following new sub-
3 section:

4 “(o)(1) In addition to any payment under subsection
5 (a) or (l), each State shall be entitled to payment from
6 the Secretary for each of fiscal years 1996 through 2002
7 of an amount equal to the lesser of—

8 “(A) 75 percent of the expenditures by the
9 State in providing for the operation of the projects
10 under section 402(k), and in administering the
11 projects under such section; or

12 “(B) the limitation determined under paragraph
13 (2) with respect to the State for the fiscal year.

14 “(2)(A) The limitation determined under this para-
15 graph with respect to a State for any fiscal year is the
16 amount that bears the same ratio to \$71,250,000 as the
17 population with an income below the poverty line (as such
18 term is defined in section 673(2) of the Community Serv-
19 ices Block Grant Act (42 U.S.C. 9902(2)), including any
20 revision required by such section) in the State in the sec-
21 ond preceding fiscal year bears to such population residing
22 in the United States in the second preceding fiscal year.

23 “(B) If the limitation determined under subpara-
24 graph (A) with respect to a State for a fiscal year exceeds
25 the amount paid to the State under this subsection for

1 the fiscal year, the limitation determined under this para-
2 graph with respect to the State for the immediately suc-
3 ceeding fiscal year shall be increased by the amount of
4 such excess.

5 “(3)(A) Notwithstanding any other provision of this
6 title, for purposes of this subsection, an Indian tribe with
7 an application approved under section 402(k)(5) shall be
8 entitled to payment from the Secretary for each of fiscal
9 years 1996 through 2002 of an amount equal to the lesser
10 of—

11 “(i) 75 percent of the expenditures by the In-
12 dian tribe in providing for the operation of the
13 projects under section 402(k)(5), and in administer-
14 ing the projects under such section; or

15 “(ii) the limitation determined under subpara-
16 graph (B) with respect to the Indian tribe for the
17 fiscal year.

18 “(B)(i) The limitation determined under this sub-
19 paragraph with respect to an Indian tribe for any fiscal
20 year is the amount that bears the same ratio to
21 \$3,750,000 as the population with an income below the
22 poverty line (as such term is defined in section 673(2) of
23 the Community Services Block Grant Act (42 U.S.C.
24 9902(2)), including any revision required by such section)
25 in the Indian tribe in the second preceding fiscal year

1 bears to such population of all Indian tribes with applica-
2 tions approved under section 402(k)(5) in the second pre-
3 ceding fiscal year.

4 “(ii) If the limitation determined under clause (i)
5 with respect to an Indian tribe for a fiscal year exceeds
6 the amount paid to the Indian tribe under this paragraph
7 for the fiscal year, the limitation determined under this
8 subparagraph with respect to the Indian tribe for the im-
9 mediately succeeding fiscal year shall be increased by the
10 amount of such excess.”

11 “(4) Amounts appropriated for a fiscal year to carry
12 out this part shall be made available for payments under
13 this subsection for such fiscal year.”

14 **SEC. 302. NATIONAL CLEARINGHOUSE ON TEENAGE PREG-**
15 **NANCY.**

16 (a) **ESTABLISHMENT.**—The Secretary of Education,
17 the Secretary of Health and Human Services, and the
18 Chief Executive Officer of the Corporation for National
19 and Community Service shall establish a national center
20 for the collection and provision of information that relates
21 to adolescent pregnancy prevention programs, to be known
22 as the “National Clearinghouse on Teenage Pregnancy
23 Prevention Programs”.

24 (b) **FUNCTIONS.**—The national center established
25 under subsection (a) shall serve as a national information

1 and data clearinghouse, and as a material development
2 source for adolescent pregnancy prevention programs.

3 Such center shall—

4 (1) develop and maintain a system for dissemi-
5 nating information on all types of adolescent preg-
6 nancy prevention programs and on the state of ado-
7 lescent pregnancy prevention program development,
8 including information concerning the most effective
9 model programs;

10 (2) identify model programs representing the
11 various types of adolescent pregnancy prevention
12 programs;

13 (3) develop networks of adolescent pregnancy
14 prevention programs for the purpose of sharing and
15 disseminating information;

16 (4) develop technical assistance materials to as-
17 sist other entities in establishing and improving ado-
18 lescent pregnancy prevention programs;

19 (5) participate in activities designed to encour-
20 age and enhance public media campaigns on the
21 issue of adolescent pregnancy; and

22 (6) conduct such other activities as the respon-
23 sible Federal officials find will assist in developing
24 and carrying out programs or activities to reduce ad-
25 olescent pregnancy.

1 (c) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as may be
3 necessary to carry out the purposes of this section.

4 TITLE IV—FINANCING

5 SEC. 401. UNIFORM ALIEN ELIGIBILITY CRITERIA FOR PUB- 6 LIC ASSISTANCE PROGRAMS.

7 (a) FEDERAL AND FEDERALLY-ASSISTED PRO-
8 GRAMS.—

9 (1) PROGRAM ELIGIBILITY CRITERIA.—

10 (A) AID TO FAMILIES WITH DEPENDENT
11 CHILDREN.—Section 402(a)(33) (42 U.S.C.
12 602(a)(33)) is amended—

13 (i) by striking “either” and inserting
14 “either—”; and

15 (ii) by striking “(A) a citizen” and all
16 that follows through the semicolon and in-
17 serting the following:

18 “(A) a citizen or national of the United
19 States, or

20 “(B) a qualified alien (as defined in section
21 1101(a)(10)), if such alien is not disqualified
22 from receiving aid under a State plan approved
23 under this part by or pursuant to section 210(f)
24 or 245A(h) of the Immigration and Nationality
25 Act or any other provision of law;”.

1 (B) SUPPLEMENTAL SECURITY INCOME.—

2 Section 1614(a)(1)(B)(i) (42 U.S.C.
3 1382c(a)(1)(B)(i)) is amended to read as fol-
4 lows:

5 “(B)(i) is a resident of the United States,
6 and is either (I) a citizen or national of the
7 United States, or (II) a qualified alien (as de-
8 fined in section 1101(a)(10)), or”.

9 (C) MEDICAID—(i) Section 1903(v)(1) (42
10 U.S.C. 1396b(v)(1)) is amended to read as fol-
11 lows:

12 “(v)(1) Notwithstanding the preceding provisions of
13 this section—

14 “(A) no payment may be made to a State under
15 this section for medical assistance furnished to an
16 individual who is disqualified from receiving such as-
17 sistance by or pursuant to section 210(f) or 245A(h)
18 of the Immigration and Nationality Act or any other
19 provision of law, and

20 “(B) except as provided in paragraph (2), no
21 such payment may be made for medical assistance
22 furnished to an individual who is not—

23 “(i) a citizen or national of the United
24 States, or

1 “(ii) a qualified alien (as defined in section
2 1101(a)(10)).”.

3 (ii) Section 1903(v)(2) (42 U.S.C.
4 1396b(v)(2)) is amended—

5 (I) by striking “paragraph (1)”
6 and inserting “paragraph (1)(B)”;
7 and

8 (II) by striking “alien” each
9 place it appears and inserting “indi-
10 vidual”.

11 (iii) Section 1902(a) (42 U.S.C. 1396a(a))
12 is amended in the last sentence by striking
13 “alien” and all that follows through the period
14 and inserting “individual who is not (A) a citi-
15 zen or national of the United States, or (B) a
16 qualified alien (as defined in section
17 1101(a)(10)) only in accordance with section
18 1903(v).”.

19 (iv) Section 1902(b)(3) (42 U.S.C.
20 1396a(b)(3)) is amended by inserting “or na-
21 tional” after “citizen”.

22 (2) QUALIFIED ALIEN DEFINED.—Section 1101(a)
23 (42 U.S.C. 1301(a)) is amended by adding at the end the
24 following new paragraph:

1 “(10) The term ‘qualified alien’ means an
2 alien—

3 “(A) who is lawfully admitted for perma-
4 nent residence within the meaning of section
5 101(a)(20) of the Immigration and Nationality
6 Act;

7 “(B) who is admitted as a refugee pursu-
8 ant to section 207 of such Act;

9 “(C) who is granted asylum pursuant to
10 section 208 of such Act;

11 “(D) whose deportation is withheld pursu-
12 ant to section 243(h) of such Act;

13 “(E) whose deportation is suspended pur-
14 suant to section 244 of such Act;

15 “(F) who is granted conditional entry pur-
16 suant to section 203(a)(7) of such Act as in ef-
17 fect prior to April 1, 1980;

18 “(G) who is lawfully admitted for tem-
19 porary residence pursuant to section 210 or
20 245A of such Act;

21 “(H) who is within a class of aliens law-
22 fully present within the United States pursuant
23 to any other provision of such Act, if—

24 “(i) the Attorney General determines
25 that the continued presence of such class

1 of aliens serves a humanitarian or other
2 compelling public interest, and

3 “(ii) the Secretary of Health and
4 Human Services determines that such in-
5 terest would be further served by treating
6 each alien within such class as a ‘qualified
7 alien’ for purposes of this Act; or

8 “(I) who is the spouse or unmarried child
9 under 21 years of age of a citizen of the United
10 States, or the parent of such a citizen if the cit-
11 izen is 21 years of age or older, and with re-
12 spect to whom an application for adjustment to
13 lawful permanent residence is pending;
14 such status not having changed.”.

15 (3) CONFORMING AMENDMENT.—Section
16 244A(f)(1) of the Immigration and Nationality Act
17 (8 U.S.C. 1254(a)(f)(1)) is amended by inserting
18 “and shall not be considered to be a ‘qualified alien’
19 within the meaning of section 1101(a)(10) of the So-
20 cial Security Act” before the semicolon at the end.

21 (b) STATE AND LOCAL PROGRAMS.—A State or polit-
22 ical subdivision therein may provide that an alien is not
23 eligible for any program of assistance based on need that
24 is furnished by such State or political subdivision unless
25 such alien is a “qualified alien” within the meaning of sec-

1 tion 1101(a)(10) of the Social Security Act (as added by
2 subsection (a)(2) of this section).

3 (c) EFFECTIVE DATE.—(1) The amendments made
4 by subsection (a) are effective with respect to benefits pay-
5 able on the basis of any application filed after the date
6 of enactment of this Act.

7 (2) Subsection (b) is effective upon the date of enact-
8 ment of this Act.

9 **SEC. 402. STATE RETENTION OF AMOUNTS RECOVERED.**

10 Section 16(a) of the Food Stamp Act of 1977 (7
11 U.S.C. 2025(a)) is amended in the proviso of the first sen-
12 tence by striking “1995” each place such term appears
13 and inserting “2004”.