

104TH CONGRESS
1ST SESSION

H. R. 999

[Report No. 104-75, Part I]

To establish a single, consolidated source of Federal child care funding; to establish a program to provide block grants to States to provide nutrition assistance to economically disadvantaged individuals and families and to establish a program to provide block grants to States to provide school-based food services to students; to restrict alien eligibility for certain education, training, and other programs; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 21, 1995

Mr. GOODLING introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities and, in addition, to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MARCH 10, 1995

Reported from the Committee on Economic and Educational Opportunities
with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 21, 1995]

A BILL

To establish a single, consolidated source of Federal child care funding; to establish a program to provide block grants to States to provide nutrition assistance to economically disadvantaged individuals and families and to establish a program to provide block grants to States

to provide school-based food services to students; to restrict alien eligibility for certain education, training, and other programs; 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 Reform Consoli-*
 5 *ation Act of 1995”.*

6 **SEC. 2. TABLE OF CONTENTS.**

7 *The table of contents of this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—CHILD CARE BLOCK GRANTS

Sec. 101. Amendments to the Child Care and Development Block Grant Act of 1990.

Sec. 102. Repeal of child care assistance authorized by Acts other than the Social Security Act.

Sec. 103. Repeal of certain child care programs authorized under the Social Security Act.

TITLE II—FAMILY AND SCHOOL-BASED NUTRITION BLOCK GRANTS

Subtitle A—General Provisions

Sec. 201. Definitions.

Subtitle B—Family Nutrition Block Grant Program

Sec. 221. Authorization.

Sec. 222. Allotment.

Sec. 223. Application.

Sec. 224. Use of amounts.

Sec. 225. Reports.

Sec. 226. Penalties.

Sec. 227. Model nutrition standards for food assistance for pregnant, postpartum, and breastfeeding women, infants and children.

Sec. 228. Authorization of appropriations.

Subtitle C—School-Based Nutrition Block Grant Program

Sec. 251. Authorization.

Sec. 252. Allotment.

Sec. 253. Application.

Sec. 254. Use of amounts.

- Sec. 255. Reports.
 Sec. 256. Penalties.
 Sec. 257. Waiver of State law prohibiting assistance to children enrolled in private elementary and secondary schools.
 Sec. 258. Model nutrition standards for meals for students.

Subtitle D—Miscellaneous Provisions

- Sec. 291. Repealers.

TITLE III—RESTRICTING ALIEN ELIGIBILITY FOR CERTAIN EDUCATION, TRAINING, AND OTHER PROGRAMS

- Sec. 301. Restrictions on eligibility of aliens for certain programs.
 Sec. 302. Notification.
 Sec. 303. Rule of construction.

TITLE IV—OTHER REPEALERS AND CONFORMING AMENDMENTS

- Sec. 401. Replacement of the JOBS program with mandatory work requirements.
 Sec. 402. Amendments to laws relating to child protection block grant.

TITLE V—RELATED PROVISIONS

- Sec. 501. Requirement that data relating to the incidence of poverty in the United States be published at least every 2 years.
 Sec. 502. Data on program participation and outcomes.

TITLE VI—GENERAL EFFECTIVE DATE; PRESERVATION OF ACTIONS, OBLIGATIONS, AND RIGHTS

- Sec. 601. Effective date.
 Sec. 602. Application of amendments and repealers.

1 **TITLE I—CHILD CARE BLOCK**
 2 **GRANTS**

3 **SEC. 101. AMENDMENTS TO THE CHILD CARE AND DEVEL-**
 4 **OPMENT BLOCK GRANT ACT OF 1990.**

5 (a) GOALS.—Section 658A of the Child Care and De-
 6 velopment Block Grant Act of 1990 (42 U.S.C. 9801 note)
 7 is amended—

8 (1) in the heading of such section by inserting
 9 “**AND GOALS**” after “**TITLE**”,

10 (2) by inserting “(a) *SHORT TITLE.*—” before
 11 “*This*”, and

1 (3) by adding at the end the following:

2 “(b) GOALS.—The goals of this subchapter are—

3 “(1) to allow each State maximum flexibility in
4 developing child care programs and policies that best
5 suit the needs of children and parents within such
6 State;

7 “(2) to promote parental choice to empower
8 working parents to make their own decisions on the
9 child care that best suits their family’s needs;

10 “(3) to encourage States to provide consumer
11 education information to help parents make informed
12 choices about child care;

13 “(4) to assist States to provide child care to par-
14 ents trying to achieve independence from public as-
15 sistance; and

16 “(5) to assist States in implementing the health,
17 safety, licensing, and registration standards estab-
18 lished in State regulations.”.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
20 658B of the Child Care and Development Block Grant Act
21 of 1990 (42 U.S.C. 9858) is amended to read as follows:

22 **“SEC. 658B. AUTHORIZATION OF APPROPRIATIONS.**

23 “*There is authorized to be appropriated to carry out*
24 *this subchapter \$1,943,000,000 for each of the fiscal years*
25 *1996, 1997, 1998, 1999, and 2000.*”.

1 (c) *LEAD ENTITY*.—Section 658D of the Child Care
2 and Development Block Grant Act of 1990 (42 U.S.C.
3 9858b) is amended—

4 (1) in the heading of such section by striking
5 “**AGENCY**” inserting “**ENTITY**”,

6 (2) in subsection (a) by inserting “or other en-
7 tity” after “State agency”, and

8 (3) by striking “lead agency” each place it ap-
9 pears and inserting “lead entity”.

10 (d) *APPLICATION AND PLAN*.—Section 658E of the
11 Child Care and Development Block Grant Act of 1990 (42
12 U.S.C. 9858c) is amended—

13 (1) in subsection (b)—

14 (A) by striking “implemented—” and all
15 that follows through “(2)” and inserting “imple-
16 mented”, and

17 (B) by striking “for subsequent State
18 plans”,

19 (2) in subsection (c)—

20 (A) in paragraph (1)—

21 (i) in the heading of such paragraph
22 by striking “AGENCY” and inserting “EN-
23 TITY”, and

24 (ii) by striking “agency” and inserting
25 “entity”,

- 1 (B) in paragraph (2)—
- 2 (i) in subparagraph (A)—
- 3 (I) in clause (i) by striking “,
- 4 other than through assistance provided
- 5 under paragraph (3)(C),” and
- 6 (II) by striking “except” and all
- 7 that follows through “1992”, and in-
- 8 serting “and provide a detailed de-
- 9 scription of the procedures the State
- 10 will implement to carry out the re-
- 11 quirements of this subparagraph”,
- 12 (ii) in subparagraph (B)—
- 13 (I) by striking “Provide assur-
- 14 ances” and inserting “Certify”, and
- 15 (II) by inserting before the period
- 16 at the end “and provide a detailed de-
- 17 scription of such procedures”,
- 18 (iii) in subparagraph (C)—
- 19 (I) by striking “Provide assur-
- 20 ances” and inserting “Certify”, and
- 21 (II) by inserting before the period
- 22 at the end “and provide a detailed de-
- 23 scription of how such record is main-
- 24 tained and is made available”,

1 (iv) by amending subparagraph (D) to
2 read as follows:

3 “(D) CONSUMER EDUCATION INFORMA-
4 TION.—Provide assurances that the State will
5 collect and disseminate to parents of eligible chil-
6 dren and the general public, consumer education
7 information that will promote informed child
8 care choices.”,

9 (v) in subparagraph (E)—

10 (I) by striking “Provide assur-
11 ances” and inserting “Certify”,

12 (II) in clause (i) by inserting
13 “health, safety, and” after “comply
14 with all”,

15 (III) in clause (i) by striking “;
16 and” at the end,

17 (IV) by striking “that—” and all
18 that follows through “(i)”, and insert-
19 ing “that”, and

20 (V) by striking “(ii)” and all that
21 follows through the end of such sub-
22 paragraph, and inserting “and provide
23 a detailed description of such require-
24 ments and of how such requirements
25 are effectively enforced.”, and

1 (vi) by striking subparagraphs (F),
2 (G), (H), (I), and (J), and inserting the fol-
3 lowing:

4 “(F) *MEDICAL NEGLECT OF DISABLED IN-*
5 *FANTS.—Certify that the State has in place for*
6 *the purpose of responding to the reporting of*
7 *medical neglect of infants (including instances of*
8 *withholding of medically indicated treatment*
9 *from disabled infants with life-threatening condi-*
10 *tions), procedures or programs, or both (within*
11 *the State child protective services system), to*
12 *provide for—*

13 “(i) *coordination and consultation*
14 *with individuals designated by and within*
15 *appropriate health-care facilities;*

16 “(ii) *prompt notification by individ-*
17 *uals designated by and within appropriate*
18 *health-care facilities of cases of suspected*
19 *medical neglect (including instances of*
20 *withholding of medically indicated treat-*
21 *ment from disabled infants with life-threat-*
22 *ening conditions); and*

23 “(iii) *authority, under State law, for*
24 *the State child protective service to pursue*
25 *any legal remedies, including the authority*

1 to initiate legal proceedings in a court of
2 competent jurisdiction, as may be necessary
3 to prevent the withholding of medically in-
4 dicated treatment from disabled infants
5 with life-threatening conditions.”,

6 (C) in paragraph (3)—

7 (i) in subparagraph (A) by inserting
8 “or as authorized by section 658T” before
9 the period at the end,

10 (ii) in subparagraph (B)—

11 (I) by striking “.—Subject to the
12 reservation contained in subparagraph
13 (C), the” and inserting “AND RELATED
14 ACTIVITIES.—The”,

15 (II) by inserting “, other than
16 amounts transferred under section
17 658T,” after “subchapter”,

18 (III) in clause (i) by striking “;
19 and” at the end and inserting a pe-
20 riod,

21 (IV) by striking “for—” and all
22 that follows through “section
23 658E(c)(2)(A)” and inserting “for
24 child care services, activities that im-
25 prove the quality or availability of

1 *such services, and any other activity*
2 *that the State deems appropriate to re-*
3 *alize any of the goals specified in*
4 *paragraphs (2) through (5) of section*
5 *658A(b)”, and*

6 *(V) by striking clause (ii), and*
7 *(iii) by amending subparagraph (C) to*
8 *read as follows:*

9 “(C) *LIMITATION ON ADMINISTRATIVE*
10 *COSTS.—Not more than 5 percent of the aggre-*
11 *gate amount of payments received under this*
12 *subchapter by a State in each fiscal year may be*
13 *expended for administrative costs incurred by*
14 *such State to carry out all its functions and du-*
15 *ties under this subchapter.”,*

16 *(D) in paragraph (4)(A)—*

17 *(i) by striking “provide assurances”*
18 *and inserting “certify”,*

19 *(ii) in the first sentence by inserting*
20 *“and shall provide a summary of the facts*
21 *relied on by the State to determine that*
22 *such rates are sufficient to ensure such ac-*
23 *cess” before the period, and*

24 *(iii) by striking the last sentence, and*
25 *(E) by striking paragraph (5).*

1 (e) *LIMITATIONS ON STATE ALLOTMENTS.*—Section
2 658F(b)(2) of the Child Care and Development Block Grant
3 Act of 1990 (42 U.S.C. 9858d(b)(2)) is amended by striking
4 “referred to in section 658E(c)(2)(F)”.

5 (f) *REPEAL OF EARMARKED REQUIRED EXPENDI-*
6 *TURES.*—The Child Care and Development Block Grant Act
7 of 1990 (42 U.S.C. 9801 note) is amended by striking sec-
8 tions 658G and 658H.

9 (g) *ADMINISTRATION AND ENFORCEMENT.*—Section
10 658I(a) of the Child Care and Development Block Grant
11 Act of 1990 (42 U.S.C. 9858g(a)) is amended—

12 (1) in paragraph (1) by inserting “and” at the
13 end,

14 (2) by striking paragraph (2), and

15 (3) by redesignating paragraph (3) as para-
16 graph (2).

17 (h) *PAYMENTS.*—Section 658J(c) of the Child Care
18 and Development Block Grant Act of 1990 (42 U.S.C.
19 9858h(c)) is amended—

20 (1) by striking “expended” and inserting “obli-
21 gated”, and

22 (2) by striking “3 fiscal years” and inserting
23 “fiscal year”.

1 (i) *ANNUAL REPORT AND AUDITS*.—Section 658K of
2 *the Child Care and Development Block Grant Act of 1990*
3 *(42 U.S.C. 9858i)* is amended—

4 (1) *in the heading of such section by inserting “,*
5 ***EVALUATION PLANS,***” after “***REPORT***”,

6 (2) *in subsection (a)—*

7 (A) *by striking “, 1992” and inserting “fol-*
8 *lowing the end of the first fiscal year with re-*
9 *spect to which the amendments made by the Wel-*
10 *fare Reform Consolidation Act of 1995 apply”,*

11 (B) *by amending paragraph (2) to read as*
12 *follows:*

13 “(2) *containing data on the manner in which*
14 *the child care needs of families in the State are being*
15 *fulfilled, including information concerning—*

16 “(A) *the number and ages of children being*
17 *assisted with funds provided under this sub-*
18 *chapter;*

19 “(B) *with respect to the families of such*
20 *children—*

21 “(i) *the number of other children in*
22 *such families;*

23 “(ii) *the number of such families that*
24 *include only 1 parent;*

1 “(iii) the number of such families that
2 include both parents;

3 “(iv) the ages of the mothers of such
4 children;

5 “(v) the ages of the fathers of such chil-
6 dren;

7 “(vi) the sources of the economic re-
8 sources of such families, including the
9 amount of such resources obtained from
10 (and separately identified as being from)—

11 “(I) employment, including self-
12 employment;

13 “(II) assistance received under
14 part A of title IV of the Social Secu-
15 rity Act (42 U.S.C. 601 et seq.);

16 “(III) part B of title IV of the So-
17 cial Security Act (42 U.S.C. 620 et
18 seq.);

19 “(IV) subtitle B or C of title II of
20 the Welfare Reform Consolidation Act
21 of 1995;

22 “(V) assistance received under
23 title XVI of the Social Security Act (42
24 U.S.C. 1381 et seq.);

1 “(VI) assistance received under
2 title XIV of the Social Security Act (42
3 U.S.C. 1351 et seq.);

4 “(VII) assistance received under
5 title XIX of the Social Security Act (42
6 U.S.C. 1396 et seq.);

7 “(VIII) assistance received under
8 title XX of the Social Security Act (42
9 U.S.C. 1397 et seq.); and

10 “(IX) any other source of eco-
11 nomic resources the Secretary deter-
12 mines to be appropriate;

13 “(C) the number of such providers sepa-
14 rately identified with respect to each type of
15 child care provider specified in section 658P(5)
16 that provided child care services obtained with
17 assistance provided under this subchapter;

18 “(D) with respect to cost of such services—

19 “(i) the cost imposed by such providers
20 to provide such services; and

21 “(ii) the portion of such cost paid with
22 assistance provided under this subchapter;

23 “(E) with respect to consumer education in-
24 formation described in section 658E(c)(2)(D)
25 provided by such State—

1 “(i) the manner in which such infor-
2 mation was provided; and

3 “(ii) the number of parents to whom
4 such information was provided; and

5 “(F) with respect to complaints received by
6 such State regarding child care services obtained
7 with assistance provided under this subchapter—

8 “(i) the number of such complaints
9 that were found to have merit; and

10 “(ii) a description of the actions taken
11 by the State to correct the circumstances on
12 which such complaints were based.”,

13 (C) by striking paragraphs (3), (4), (5),
14 and (6) and inserting the following:

15 “(3) containing evidence demonstrating that the
16 State satisfied the requirements of section
17 658E(c)(2)(F); and

18 “(4) identifying each State program operated
19 under a provision of law specified in section 658T to
20 which the State transferred funds under the authority
21 of such section, specifying the amount of funds so
22 transferred to such program, and containing a jus-
23 tification for so transferring such amount;”, and

24 (3) in subsection (b)—

1 (A) in paragraph (1) by striking “a appli-
2 cation” and inserting “an application”,

3 (B) in paragraph (2) by striking “any
4 agency administering activities that receive” and
5 inserting “the State that receives”, and

6 (C) in paragraph (4) by striking “entitles”
7 and inserting “entitled”, and

8 (4) by redesignating subsection (b) as subsection
9 (c), and

10 (5) by inserting after subsection (a) the follow-
11 ing:

12 “(b) STATE EVALUATION PLAN AND EVALUATION RE-
13 SULTS.—

14 “(1) EVALUATION PLAN.—In the first report sub-
15 mitted under subsection (a) after the date of the en-
16 actment of the Welfare Reform Consolidation Act of
17 1995, and in the report for each alternating 1-year
18 period thereafter, the State shall include a plan the
19 State intends to carry out in the 1-year period subse-
20 quent to the period for which such report is submit-
21 ted, to evaluate the extent to which the State has real-
22 ized each of the goals specified in paragraphs (2)
23 through (5) of section 658A(b). The State shall in-
24 clude in such plan a description of the types of data

1 *and other information the State will collect to deter-*
2 *mine whether the State has realized such goals.*

3 “(2) *EVALUATION RESULTS.*—*In the second re-*
4 *port submitted under subsection (a) after the date of*
5 *the enactment of the Welfare Reform Consolidation*
6 *Act of 1995, and in the report for each alternating 1-*
7 *year period thereafter, the State shall include a sum-*
8 *mary of the results of an evaluation carried out under*
9 *the evaluation plan contained in the report submitted*
10 *under subsection (a) for the preceding 1-year period.”.*

11 *(j) REPORT BY SECRETARY.*—*Section 658L of the*
12 *Child Care and Development Block Grant Act of 1990 (42*
13 *U.S.C. 9858j) is amended—*

14 (1) *by striking “, 1993, and annually” and in-*
15 *serting “following the end of the second fiscal year*
16 *with respect to which the amendments made by the*
17 *Welfare Reform Consolidation Act of 1995 apply, and*
18 *biennially”;*

19 (2) *by striking “Committee on Education and*
20 *Labor” and inserting “Speaker”;*

21 (3) *by striking “Committee on Labor and*
22 *Human Resources” and inserting “President pro tem-*
23 *pore”;* *and*

24 (4) *by striking the last sentence.*

1 (k) *REALLOTMENTS.*—*Section 658O of the Child Care*
2 *and Development Block Grant Act of 1990 (42 U.S.C.*
3 *9858m) is amended—*

4 (1) *in subsection (a)(1)—*

5 (A) *by striking “POSSESSIONS” and insert-*
6 *ing “POSSESSIONS”,*

7 (B) *by inserting “and” after “States,” and*

8 (C) *by striking “, and the Trust Territory*
9 *of the Pacific Islands”,*

10 (2) *by amending subsection (b) to read as fol-*
11 *lows:*

12 “(b) *STATE ALLOTMENT.*—*From the amount appro-*
13 *priated under section 658B for each fiscal year remaining*
14 *after reservations under subsection (a), the Secretary shall*
15 *allot to each State (excluding Guam, American Samoa, the*
16 *Virgin Islands of the United States, and the Commonwealth*
17 *of the Northern Mariana Islands) an amount that bears the*
18 *same ratio to the amount so appropriated for such fiscal*
19 *year as the aggregate of the amounts received by the State*
20 *under—*

21 “(1) *this subchapter for fiscal year 1994;*

22 “(2) *section 403 of the Social Security Act, with*
23 *respect to expenditures by the State for child care*
24 *under section 402(g)(1) of such Act during fiscal year*
25 *1994; and*

1 “(3) section 403(n) of the Social Security Act for
2 fiscal year 1994;
3 bears to the aggregate of the amounts received by all the
4 States (excluding Guam, American Samoa, the Virgin Is-
5 lands of the United States, and the Commonwealth of the
6 Northern Mariana Islands) under paragraphs (1), (2), and
7 (3).”;

8 (3) in subsection (c)—

9 (A) in paragraph (2)(A) by striking “agen-
10 cy” and inserting “entity”, and

11 (B) in paragraph (5) by striking “our” and
12 inserting “out”,

13 (4) by striking subsection (e), and

14 (5) by redesignating subsection (f) as subsection
15 (e).

16 (1) *DEFINITIONS.*—Section 658P of the Child Care and
17 Development Block Grant Act of 1990 (42 U.S.C. 9858n)
18 is amended—

19 (1) in paragraph (5)(A)—

20 (A) in clause (i) by striking “and” at the
21 end and inserting “or”,

22 (B) by striking “that—” and all that fol-
23 lows through “(i)”, and inserting “that”, and

24 (C) by striking clause (ii),

1 (2) by amending paragraph (8) to read as fol-
2 lows:

3 “(8) *LEAD ENTITY*.—The term ‘lead entity’
4 means the State agency or other entity designated
5 under section 658B(a).”;

6 (3) by striking paragraphs (3), (10), and (12),
7 (4) by inserting after paragraph (2) the follow-
8 ing:

9 “(3) *CHILD CARE SERVICES*.—The term ‘child
10 care services’ means services that constitute physical
11 care of a child and may include services that are de-
12 signed to enhance the educational, social, cultural,
13 emotional, and recreational development of a child
14 but that are not intended to serve as a substitute for
15 compulsory educational services.”;

16 (5) in paragraph (13)—

17 (A) by inserting “or” after “Samoa,”; and

18 (B) by striking “, and the Trust Territory
19 of the Pacific Islands”;

20 (6) by redesignating paragraphs (11), (13), and
21 (14) as paragraphs (10), (11), and (12), respectively,
22 and

23 (7) by adding at the end the following:

24 “(13) *WITHHOLDING OF MEDICALLY INDICATED*
25 *TREATMENT*.—The term ‘withholding of medically in-

1 *icated treatment’ means the failure to respond to the*
2 *infant’s life-threatening conditions by providing*
3 *treatment (including appropriate nutrition, hydra-*
4 *tion, and medication) which, in the treating physi-*
5 *cian’s or physicians’ reasonable medical judgment,*
6 *will be most likely to be effective in ameliorating or*
7 *correcting all such conditions, except that such term*
8 *does not include the failure to provide treatment*
9 *(other than appropriate nutrition, hydration, or*
10 *medication) to an infant when, in the treating physi-*
11 *cian’s or physicians’ reasonable medical judgment—*

12 *“(A) the infant is chronically and irrevers-*
13 *ibly comatose;*

14 *“(B) the provision of such treatment*
15 *would—*

16 *“(i) merely prolong dying;*

17 *“(ii) not be effective in ameliorating or*
18 *correcting all of the infant’s life-threatening*
19 *conditions; or*

20 *“(iii) otherwise be futile in terms of the*
21 *survival of the infant; or*

22 *“(C) the provision of such treatment would*
23 *be virtually futile in terms of the survival of the*
24 *infant and the treatment itself under such cir-*
25 *cumstances would be inhumane.”.*

1 (m) *AUTHORITY TO TRANSFER FUNDS.—The Child*
2 *Care and Development Block Grant Act of 1990 (42 U.S.C.*
3 *9858 et seq.) is amended by inserting after section 658S*
4 *the following:*

5 **“SEC. 658T. TRANSFER OF FUNDS.**

6 “(a) *AUTHORITY.—Of the aggregate amount of pay-*
7 *ments received under this subchapter by a State in each*
8 *fiscal year, the State may transfer not more than 20 percent*
9 *for use by the State to carry out State programs under 1*
10 *or more of the following provisions of law:*

11 “(1) *Part A of title IV of the Social Security Act*
12 *(42 U.S.C. 601 et seq.).*

13 “(2) *Part B of title IV of the Social Security Act*
14 *(42 U.S.C. 620 et seq.).*

15 “(3) *Subtitle B or C of title II of the Welfare Re-*
16 *form Consolidation Act of 1995.*

17 “(4) *Title XX of the Social Security Act (42*
18 *U.S.C. 1397 et seq.).*

19 “(b) *REQUIREMENTS APPLICABLE TO FUNDS TRANS-*
20 *FERRED.—Funds transferred under subsection (a) to carry*
21 *out a State program operated under a provision of law*
22 *specified in such subsection shall not be subject to the re-*
23 *quirements of this subchapter, but shall be subject to the*
24 *same requirements that apply to Federal funds provided di-*

1 *rectly under such provision of law to carry out such pro-*
2 *gram.”.*

3 **SEC. 102. REPEAL OF CHILD CARE ASSISTANCE AUTHOR-**
4 **IZED BY ACTS OTHER THAN THE SOCIAL SE-**
5 **CURITY ACT.**

6 (a) *CHILD DEVELOPMENT ASSOCIATE SCHOLARSHIP*
7 *ASSISTANCE ACT OF 1985.—Title VI of the Human Serv-*
8 *ices Reauthorization Act of 1986 (42 U.S.C. 10901–10905)*
9 *is repealed.*

10 (b) *STATE DEPENDENT CARE DEVELOPMENT GRANTS*
11 *ACT.—Subchapter E of chapter 8 of subtitle A of title VI*
12 *of the Omnibus Budget Reconciliation Act of 1981 (42*
13 *U.S.C. 9871–9877) is repealed.*

14 (c) *PROGRAMS OF NATIONAL SIGNIFICANCE.—Title X*
15 *of the Elementary and Secondary Education Act of 1965,*
16 *as amended by Public Law 103–382 (108 Stat. 3809 et*
17 *seq.), is amended—*

18 (1) *in section 10413(a) by striking paragraph*

19 (4),

20 (2) *in section 10963(b)(2) by striking subpara-*
21 *graph (G), and*

22 (3) *in section 10974(a)(6) by striking subpara-*
23 *graph (G).*

24 (d) *NATIVE HAWAIIAN FAMILY-BASED EDUCATION*
25 *CENTERS.—Section 9205 of the Native Hawaiian Edu-*

1 *ation Act (Public Law 103–382; 108 Stat. 3794) is re-*
2 *pealed.*

3 **SEC. 103. REPEAL OF CERTAIN CHILD CARE PROGRAMS AU-**
4 **THORIZED UNDER THE SOCIAL SECURITY**
5 **ACT.**

6 (a) *AFDC AND TRANSITIONAL CHILD CARE PRO-*
7 *GRAMS.—Section 402 of the Social Security Act (42 U.S.C.*
8 *602) is amended by striking subsection (g).*

9 (b) *AT-RISK CHILD CARE PROGRAM.—*

10 (1) *AUTHORIZATION.—Section 402 of such Act*
11 *(42 U.S.C. 602) is amended by striking subsection (i).*

12 (2) *FUNDING PROVISIONS.—Section 403 of such*
13 *Act (42 U.S.C. 603) is amended by striking subsection*
14 *(n).*

15 **TITLE II—FAMILY AND SCHOOL-**
16 **BASED NUTRITION BLOCK**
17 **GRANTS**

18 **Subtitle A—General Provisions**

19 **SEC. 201. DEFINITIONS.**

20 *For purposes of this title:*

21 (1) *BREASTFEEDING WOMEN.—The term*
22 *“breastfeeding women” means women up to 1 year*
23 *postpartum who are breastfeeding their infants.*

24 (2) *ECONOMICALLY DISADVANTAGED.—The term*
25 *“economically disadvantaged” means an individual*

1 or a family, as the case may be, whose annual income
2 does not exceed 185 percent of the applicable family
3 size income levels contained in the most recent income
4 poverty guidelines prescribed by the Office of Manage-
5 ment and Budget and based on data from the Bureau
6 of the Census.

7 (3) *INFANTS*.—The term “infants” means indi-
8 viduals under 1 year of age.

9 (4) *POSTPARTUM WOMEN*.—The term
10 “postpartum women” means women who are in the
11 180-day period beginning on the termination of preg-
12 nancy.

13 (5) *PREGNANT WOMEN*.—The term “pregnant
14 women” means women who have 1 or more fetuses in
15 uterus.

16 (6) *SCHOOL*.—The term “school” means an ele-
17 mentary, intermediate, or secondary school.

18 (7) *SECRETARY*.—The term “Secretary” means
19 the Secretary of Agriculture.

20 (8) *STATE*.—The term “State” means any of the
21 several States, the District of Columbia, the Common-
22 wealth of Puerto Rico, the Commonwealth of the
23 Northern Mariana Islands, American Samoa, Guam,
24 the Virgin Islands, or a tribal organization that exer-

1 *cises governmental jurisdiction over a geographically*
2 *defined area.*

3 (9) *TRIBAL ORGANIZATION.*—The term “tribal
4 organization” has the meaning given it in section 4(l)
5 of the Indian Self-Determination and Education As-
6 sistance Act (25 U.S.C. 450b(l)).

7 (10) *YOUNG CHILDREN.*—The term “young chil-
8 dren” means individuals who have attained the age
9 of 1 but have not attained the age of 5.

10 ***Subtitle B—Family Nutrition Block***
11 ***Grant Program***

12 ***SEC. 221. AUTHORIZATION.***

13 (a) *IN GENERAL.*—In the case of each State that in
14 accordance with section 223 submits to the Secretary of Ag-
15 riculture an application for a fiscal year, the Secretary
16 shall provide a grant for the year to the State for the pur-
17 pose of achieving the goals described in subsection (b). The
18 grant shall consist of the allotment determined for the State
19 under section 222.

20 (b) *GOALS.*—The goals of this subtitle are—

21 (1) *to provide nutritional risk assessment, food*
22 *assistance based on such risk assessment, and nutri-*
23 *tion education and counseling to economically dis-*
24 *advantaged pregnant women, postpartum women,*

1 *breastfeeding women, infants, and young children*
2 *who are determined to be at nutritional risk;*

3 *(2) to provide nutritional risk assessments of*
4 *such women in order to provide food assistance and*
5 *nutrition education which meets their specific needs;*

6 *(3) to provide nutrition education to such*
7 *women in order to increase their awareness of the*
8 *types of foods which should be consumed to maintain*
9 *good health;*

10 *(4) to provide food assistance, including nutri-*
11 *tious meal supplements, to such women in order to re-*
12 *duce incidences of low-birthweight babies and babies*
13 *born with birth defects as a result of nutritional defi-*
14 *ciencies;*

15 *(5) to provide food assistance, including nutri-*
16 *tious meal supplements, to such women, infants, and*
17 *young children in order to ensure their future good*
18 *health;*

19 *(6) to ensure that such women, infants, and chil-*
20 *dren are referred to other health services, including*
21 *routine pediatric and obstetric care, when necessary;*

22 *(7) to ensure that children from economically*
23 *disadvantaged families in day care facilities, family*
24 *day care homes, homeless shelters, settlement houses,*
25 *recreational centers, Head Start centers, Even Start*

1 *programs and child care facilities for children with*
2 *disabilities receive nutritious meals, supplements, and*
3 *low-cost milk; and*

4 *(8) to provide summer food service programs to*
5 *meet the nutritional needs of children from economi-*
6 *cally disadvantaged families during months when*
7 *school is not in session.*

8 *(c) TIMING OF PAYMENTS.—The Secretary shall pro-*
9 *vide payments under a grant under this subtitle to States*
10 *on a quarterly basis.*

11 **SEC. 222. ALLOTMENT.**

12 *The Secretary shall allot the amount appropriated to*
13 *carry out this subtitle for a fiscal year among the States*
14 *as follows:*

15 *(1) FIRST FISCAL YEAR.—*

16 *(A) IN GENERAL.—With respect to the first*
17 *fiscal year for which the Secretary provides*
18 *grants to States under this subtitle, the amount*
19 *allotted to each State shall bear the same propor-*
20 *tion to such amount appropriated as the aggre-*
21 *gate of the amounts described in subparagraph*
22 *(B) that were received by each such State under*
23 *the provisions of law described in such subpara-*
24 *graph (as such provisions of law were in effect*
25 *on the day before the date of the enactment of*

1 *this Act) for the preceding fiscal year bears to*
2 *the aggregate of the amounts described in sub-*
3 *paragraph (B) that were received by all such*
4 *States under such provisions of law for such pre-*
5 *ceding fiscal year.*

6 *(B) AMOUNTS DESCRIBED.—The amounts*
7 *described in this subparagraph are the following:*

8 *(i) The amount received under the spe-*
9 *cial supplemental nutrition program for*
10 *women, infants, and children under section*
11 *17 of the Child Nutrition Act of 1966 (42*
12 *U.S.C. 1786).*

13 *(ii) The amount received under the*
14 *homeless children nutrition program estab-*
15 *lished under section 17B of the National*
16 *School Lunch Act (42 U.S.C. 1766b).*

17 *(iii) 87.5 percent of the sum of the*
18 *amounts received under the following pro-*
19 *grams:*

20 *(I) The child and adult care food*
21 *program under section 17 of the Na-*
22 *tional School Lunch Act (42 U.S.C.*
23 *1766), except for subsection (o) of such*
24 *section.*

1 (II) *The summer food service pro-*
2 *gram for children established under*
3 *section 13 of the National School*
4 *Lunch Act (42 U.S.C. 1761).*

5 (III) *The special milk program es-*
6 *tablished under section 3 of the Child*
7 *Nutrition Act of 1966 (42 U.S.C.*
8 *1772).*

9 (2) *SECOND FISCAL YEAR.—With respect to the*
10 *second fiscal year for which the Secretary provides*
11 *grants to States under this subtitle—*

12 (A) *90 percent of such amount appropriated*
13 *shall be allotted among the States by allotting to*
14 *each State an amount that bears the same pro-*
15 *portion to such amount appropriated as the*
16 *amount allotted to each such State from a grant*
17 *under this subtitle for the preceding fiscal year*
18 *bears to the aggregate of the amounts allotted to*
19 *all such States from grants under this subtitle*
20 *for such preceding fiscal year; and*

21 (B) *10 percent of such amount appropriated*
22 *shall be allotted among the States by allotting to*
23 *each State an amount that bears the same pro-*
24 *portion to such amount appropriated as the rel-*
25 *ative number of individuals receiving assistance*

1 *during the 1-year period ending on June 30 of*
2 *the preceding fiscal year in such State from*
3 *amounts received from a grant under this sub-*
4 *title for such preceding fiscal year bears to the*
5 *total number of individuals receiving assistance*
6 *in all States from amounts received from grants*
7 *under this subtitle for the preceding fiscal year.*

8 (3) *THIRD FISCAL YEAR.*—*With respect to the*
9 *third fiscal year for which the Secretary provides*
10 *grants to States under this subtitle—*

11 (A) *80 percent of such amount appropriated*
12 *shall be allotted among the States by allotting to*
13 *each State an amount determined in accordance*
14 *with the formula described in paragraph (2)(A);*
15 *and*

16 (B) *20 percent of such amount appropriated*
17 *shall be allotted among the States by allotting to*
18 *each State an amount determined in accordance*
19 *with the formula described in paragraph (2)(B).*

20 (4) *FOURTH FISCAL YEAR.*—*With respect to the*
21 *fourth fiscal year for which the Secretary provides*
22 *grants to States under this subtitle—*

23 (A) *70 percent of such amount appropriated*
24 *shall be allotted among the States by allotting to*
25 *each State an amount determined in accordance*

1 with the formula described in paragraph (2)(A);
2 and

3 (B) 30 percent of such amount appropriated
4 shall be allotted among the States by allotting to
5 each State an amount determined in accordance
6 with the formula described in paragraph (2)(B).

7 (5) *FIFTH FISCAL YEAR.*—With respect to the
8 fifth fiscal year for which the Secretary provides
9 grants to States under this subtitle—

10 (A) 60 percent of such amount appropriated
11 shall be allotted among the States by allotting to
12 each State an amount determined in accordance
13 with the formula described in paragraph (2)(A);
14 and

15 (B) 40 percent of such amount appropriated
16 shall be allotted among the States by allotting to
17 each State an amount determined in accordance
18 with the formula described in paragraph (2)(B).

19 **SEC. 223. APPLICATION.**

20 The Secretary may provide a grant under this subtitle
21 to a State for a fiscal year only if the State submits to
22 the Secretary an application containing only—

23 (1) an agreement that the State will use amounts
24 received from such grant in accordance with section
25 224;

1 (2) *except as provided in paragraph (3), an*
2 *agreement that the State will set minimum nutri-*
3 *tional requirements for food assistance provided under*
4 *this subtitle based on the most recent tested nutri-*
5 *tional research available, except that—*

6 (A) *such requirements shall not be construed*
7 *to prohibit the substitution of foods to accommo-*
8 *date the medical or other special dietary needs of*
9 *individual students; and*

10 (B) *such requirements shall, at a minimum,*
11 *be based on—*

12 (i) *the weekly average of the nutrient*
13 *content of school lunches; or*

14 (ii) *such other standards as the State*
15 *may prescribe;*

16 (3) *an agreement that the State, with respect to*
17 *the provision of food assistance to economically dis-*
18 *advantaged pregnant women, postpartum women,*
19 *breastfeeding women, infants, and young children,*
20 *shall—*

21 (A) *implement the minimum nutritional re-*
22 *quirements described in paragraph (2) for such*
23 *food assistance; or*

1 (B) implement the model nutrition stand-
2 ards developed under section 227 for such food
3 assistance;

4 (4) an agreement that the State will take such
5 reasonable steps as the State deems necessary to re-
6 strict the use and disclosure of information about in-
7 dividuals and families receiving assistance under this
8 subtitle;

9 (5) an agreement that the State will use not
10 more than 5 percent of the amount of such grant for
11 administrative costs incurred to provide assistance
12 under this subtitle, except that costs associated with
13 the nutritional risk assessment of individuals de-
14 scribed in section 224(a)(1) and costs associated with
15 nutrition education and counseling provided to such
16 individuals shall not be considered to be administra-
17 tive costs; and

18 (6) an agreement that the State will submit to
19 the Secretary a report in accordance with section 225.

20 **SEC. 224. USE OF AMOUNTS.**

21 (a) *IN GENERAL.*—The Secretary may provide a grant
22 under this subtitle to a State only if the State agrees that
23 it will use all amounts received from such grant—

24 (1) subject to subsection (b), to provide nutri-
25 tional risk assessment, food assistance based on such

1 *risk assessment, and nutrition education and counsel-*
2 *ing to economically disadvantaged pregnant women,*
3 *postpartum women, breastfeeding women, infants,*
4 *and young children who are determined to be at nu-*
5 *tritional risk;*

6 *(2) to provide milk in nonprofit nursery schools,*
7 *child care centers, settlement houses, summer camps,*
8 *and similar institutions devoted to the care and*
9 *training of children, to children from economically*
10 *disadvantaged families;*

11 *(3) to provide food service programs in institu-*
12 *tions and family day care homes providing child care*
13 *to children from economically disadvantaged families;*

14 *(4) to provide summer food service programs*
15 *carried out by nonprofit food authorities, local gov-*
16 *ernments, nonprofit higher education institutions*
17 *participating in the National Youth Sports Program,*
18 *and residential nonprofit summer camps to children*
19 *from economically disadvantaged families; and*

20 *(5) to provide nutritious meals to pre-school age*
21 *homeless children in shelters and other facilities serv-*
22 *ing the homeless population.*

23 *(b) ADDITIONAL REQUIREMENT.—The State shall en-*
24 *sure that not less than 80 percent of the amount of the grant*
25 *is used to provide nutritional risk assessment, food assist-*

1 *ance based on such nutritional risk assessment, and nutri-*
2 *tion education and counseling to economically disadvan-*
3 *tagged pregnant women, postpartum women, breastfeeding*
4 *women, infants, and young children under subsection*
5 *(a)(1).*

6 *(c) AUTHORITY TO USE AMOUNTS FOR OTHER PUR-*
7 *POSES.—*

8 *(1) IN GENERAL.—Subject to paragraphs (2) and*
9 *(3), a State may use not more than 20 percent of*
10 *amounts received from a grant under this subtitle for*
11 *a fiscal year to carry out a State program pursuant*
12 *to any or all of the following provisions of law:*

13 *(A) Part A of title IV of the Social Security*
14 *Act (42 U.S.C. 601 et seq.).*

15 *(B) Part B of title IV of the Social Security*
16 *Act (42 U.S.C. 620 et seq.).*

17 *(C) Title XX of the Social Security Act (42*
18 *U.S.C. 1397 et seq.).*

19 *(D) Subtitle C of this title.*

20 *(E) The Child Care and Development Block*
21 *Grant Act of 1990 (42 U.S.C. 9858 et seq.).*

22 *(2) SUFFICIENT FUNDING DETERMINATION.—*
23 *Prior to using any amounts received from a grant*
24 *under this subtitle for a fiscal year to carry out a*
25 *State program pursuant to any or all of the provi-*

1 *sions of law described in paragraph (1), the appro-*
2 *prate State agency shall make a determination that*
3 *sufficient amounts will remain available for such fis-*
4 *cal year to carry out this subtitle.*

5 (3) *RULES GOVERNING USE OF AMOUNTS FOR*
6 *OTHER PURPOSES.—Amounts paid to the State under*
7 *a grant under this subtitle that are used to carry out*
8 *a State program pursuant to a provision of law spec-*
9 *ified in paragraph (1) shall not be subject to the re-*
10 *quirements of this subtitle, but shall be subject to the*
11 *same requirements that apply to Federal funds pro-*
12 *vided directly under the provision of law to carry out*
13 *the program.*

14 **SEC. 225. REPORTS.**

15 *The Secretary may provide a grant under this subtitle*
16 *to a State for a fiscal year only if the State agrees that*
17 *it will submit, for such fiscal year, a report to the Secretary*
18 *describing—*

19 (1) *the number of individuals receiving assist-*
20 *ance under the grant in accordance with each of*
21 *paragraphs (1) through (5) of section 224(a);*

22 (2) *the different types of assistance provided to*
23 *such individuals in accordance with such paragraphs;*

24 (3) *the extent to which such assistance was effec-*
25 *tive in achieving the goals described in section 221(b);*

1 (4) *the standards and methods the State is using*
2 *to ensure the nutritional quality of such assistance,*
3 *including meals and supplements;*

4 (5) *the number of low birthweight births in the*
5 *State in such fiscal year compared to the number of*
6 *such births in the State in the previous fiscal year;*
7 *and*

8 (6) *any other information the Secretary deter-*
9 *mines to be appropriate.*

10 **SEC. 226. PENALTIES.**

11 (a) *PENALTY FOR USE OF AMOUNTS IN VIOLATION OF*
12 *THIS SUBTITLE.—*

13 (1) *IN GENERAL.—The Secretary shall reduce the*
14 *amounts otherwise payable to a State under a grant*
15 *under this subtitle by any amount paid to the State*
16 *under this subtitle which an audit conducted pursu-*
17 *ant to chapter 75 of title 31, United States Code,*
18 *finds has been used in violation of this subtitle.*

19 (2) *LIMITATION.—In carrying out paragraph*
20 *(1), the Secretary shall not reduce any quarterly pay-*
21 *ment by more than 25 percent.*

22 (b) *PENALTY FOR FAILURE TO SUBMIT REQUIRED*
23 *REPORT.—The Secretary shall reduce by 3 percent the*
24 *amount otherwise payable to a State under a grant under*
25 *this subtitle for a fiscal year if the Secretary determines*

1 *that the State has not submitted the report required by sec-*
2 *tion 225 for the immediately preceding fiscal year, within*
3 *6 months after the end of the immediately preceding fiscal*
4 *year.*

5 **SEC. 227. MODEL NUTRITION STANDARDS FOR FOOD AS-**
6 **SISTANCE FOR PREGNANT, POSTPARTUM,**
7 **AND BREASTFEEDING WOMEN, INFANTS AND**
8 **CHILDREN.**

9 (a) *IN GENERAL.*—Not later than April 1, 1996, the
10 *Food and Nutrition Board of the Institute of Medicine of*
11 *the National Academy of Sciences, in cooperation with pe-*
12 *diatricians, obstetricians, nutritionists, and directors of*
13 *programs providing nutritional risk assessment, food assist-*
14 *ance, and nutrition education and counseling to economi-*
15 *cally disadvantaged pregnant women, postpartum women,*
16 *breastfeeding women, infants, and young children, shall de-*
17 *velop model nutrition standards for food assistance pro-*
18 *vided to such women, infants, and children under this sub-*
19 *title.*

20 (b) *REQUIREMENT.*—Such model nutrition standards
21 *shall require that food assistance provided to such women,*
22 *infants, and children contain nutrients that are lacking in*
23 *the diets of such women, infants, and children, as deter-*
24 *mined by nutritional research.*

1 (c) *REPORT TO CONGRESS.*—Not later than 1 year
2 after the date on which the model nutrition standards are
3 developed under subsection (a), the Food and Nutrition
4 Board of the Institute of Medicine of the National Academy
5 of Sciences shall prepare and submit to the Committee on
6 Economic and Educational Opportunities of the House of
7 Representatives and the Committee on Agriculture, Nutri-
8 tion, and Forestry of the Senate, a report regarding the ef-
9 forts of States to implement such model nutrition stand-
10 ards.

11 **SEC. 228. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) *IN GENERAL.*—There are authorized to be appro-
13 priated to carry out this subtitle \$4,606,000,000 for fiscal
14 year 1996, \$4,777,000,000 for fiscal year 1997,
15 \$4,936,000,000 for fiscal year 1998, \$5,120,000,000 for fis-
16 cal year 1999, and \$5,308,000,000 for fiscal year 2000.

17 (b) *AVAILABILITY.*—Amounts authorized to be appro-
18 priated under subsection (a) are authorized to remain
19 available until the end of the fiscal year subsequent to the
20 fiscal year for which such amounts are appropriated.

21 **Subtitle C—School-Based Nutrition**
22 **Block Grant Program**

23 **SEC. 251. AUTHORIZATION.**

24 (a) *ENTITLEMENT.*—

1 (1) *IN GENERAL.*—*In the case of each State that*
2 *in accordance with section 253 submits to the Sec-*
3 *retary of Agriculture an application for a fiscal year,*
4 *each such State shall be entitled to receive from the*
5 *Secretary for such fiscal year a grant for the purpose*
6 *of achieving the goals described in subsection (b).*
7 *Subject to paragraph (2), the grant shall consist of*
8 *the allotment for such State determined under section*
9 *252 of the school-based nutrition amount for the fiscal*
10 *year.*

11 (2) *REQUIREMENT TO PROVIDE COMMODITIES.*—
12 *9 percent of the amount of the assistance available*
13 *under this subtitle for each State shall be in the form*
14 *of commodities.*

15 (3) *SCHOOL-BASED NUTRITION AMOUNT.*—*For*
16 *purposes of this subtitle, the term “school-based nutri-*
17 *tion amount” means \$6,681,000,000 for fiscal year*
18 *1996, \$6,956,000,000 for fiscal year 1997,*
19 *\$7,237,000,000 for fiscal year 1998, \$7,538,000,000*
20 *for fiscal year 1999, and \$7,849,000,000 for fiscal*
21 *year 2000.*

22 (4) *AVAILABILITY.*—*Payments under a grant to*
23 *a State from the allotment determined under section*
24 *252 for any fiscal year may be obligated by the State*
25 *in that fiscal year or in the succeeding fiscal year.*

1 **(b) GOALS.**—*The goals of this subtitle are—*

2 *(1) to safeguard the health and well-being of chil-*
3 *dren through the provision of nutritious, well-bal-*
4 *anced meals and food supplements;*

5 *(2) to provide economically disadvantaged chil-*
6 *dren access to nutritious free or low-cost meals, food*
7 *supplements, and low-cost milk;*

8 *(3) to ensure that children served under this sub-*
9 *title are receiving the nutrition they require to take*
10 *advantage of the educational opportunities provided*
11 *to them;*

12 *(4) to emphasize foods which are naturally good*
13 *sources of vitamins and minerals over foods which*
14 *have been enriched with vitamins and minerals and*
15 *are high in fat or sodium content;*

16 *(5) to provide a comprehensive school nutrition*
17 *program for children; and*

18 *(6) to minimize paperwork burdens and admin-*
19 *istrative expenses for participating schools.*

20 **(c) TIMING OF PAYMENTS.**—*The Secretary shall pro-*
21 *vide payments under a grant under this subtitle to States*
22 *on a quarterly basis.*

1 **SEC. 252. ALLOTMENT.**

2 *The Secretary shall allot the amount appropriated to*
3 *carry out this subtitle for a fiscal year among the States*
4 *as follows:*

5 (1) *FIRST FISCAL YEAR.*—

6 (A) *IN GENERAL.*—*With respect to the first*
7 *fiscal year for which the Secretary provides*
8 *grants to States under this subtitle, the amount*
9 *allotted to each State shall bear the same propor-*
10 *tion to such amount appropriated as the aggre-*
11 *gate of the amounts described in subparagraph*
12 *(B) that were received by each such State under*
13 *the provisions of law described in such subpara-*
14 *graph (as such provisions of law were in effect*
15 *on the day before the date of the enactment of*
16 *this Act) for the preceding fiscal year bears to*
17 *the aggregate of the amounts described in sub-*
18 *paragraph (B) that were received by all such*
19 *States under such provisions of law for such pre-*
20 *ceding fiscal year.*

21 (B) *AMOUNTS DESCRIBED.*—*The amounts*
22 *described in this subparagraph are the following:*

23 (i) *The amount received under the*
24 *school breakfast program established under*
25 *section 4 of the Child Nutrition Act of 1966*
26 *(42 U.S.C. 1773).*

1 (ii) *The amount received under the*
2 *school lunch program established under the*
3 *National School Lunch Act (42 U.S.C. 1751*
4 *et seq.).*

5 (iii) *12.5 percent of the sum of the*
6 *amounts received under the following pro-*
7 *grams:*

8 (I) *The child and adult care food*
9 *program under section 17 of the Na-*
10 *tional School Lunch Act (42 U.S.C.*
11 *1766), except for subsection (o) of such*
12 *section.*

13 (II) *The summer food service pro-*
14 *gram for children established under*
15 *section 13 of the National School*
16 *Lunch Act (42 U.S.C. 1761).*

17 (III) *The special milk program es-*
18 *tablished under section 3 of the Child*
19 *Nutrition Act of 1966 (42 U.S.C.*
20 *1772).*

21 (2) *SECOND FISCAL YEAR.—With respect to the*
22 *second fiscal year for which the Secretary provides*
23 *grants to States under this subtitle—*

24 (A) *90 percent of such amount appropriated*
25 *shall be allotted among the States by allotting to*

1 *each State an amount that bears the same pro-*
2 *portion to such amount appropriated as the*
3 *amount allotted to each such State from a grant*
4 *under this subtitle for the preceding fiscal year*
5 *bears to the aggregate of the amounts allotted to*
6 *all such States from grants under this subtitle*
7 *for such preceding fiscal year; and*

8 *(B) 10 percent of such amount appropriated*
9 *shall be allotted among the States by allotting to*
10 *each State an amount that bears the same pro-*
11 *portion to such amount appropriated as the rel-*
12 *ative number of meals served during the 1-year*
13 *period ending on June 30 of the preceding fiscal*
14 *year in a State from amounts received from a*
15 *grant under this subtitle for such preceding fiscal*
16 *year bears to the total number of meals served in*
17 *all States from amounts received from grants*
18 *under this subtitle for the preceding fiscal year.*

19 *(3) THIRD FISCAL YEAR.—With respect to the*
20 *third fiscal year for which the Secretary provides*
21 *grants to States under this subtitle—*

22 *(A) 80 percent of such amount appropriated*
23 *shall be allotted among the States by allotting to*
24 *each State an amount determined in accordance*

1 with the formula described in paragraph (2)(A);
2 and

3 (B) 20 percent of such amount appropriated
4 shall be allotted among the States by allotting to
5 each State an amount determined in accordance
6 with the formula described in paragraph (2)(B).

7 (4) *FOURTH FISCAL YEAR.*—With respect to the
8 fourth fiscal year for which the Secretary provides
9 grants to States under this subtitle—

10 (A) 70 percent of such amount appropriated
11 shall be allotted among the States by allotting to
12 each State an amount determined in accordance
13 with the formula described in paragraph (2)(A);
14 and

15 (B) 30 percent of such amount appropriated
16 shall be allotted among the States by allotting to
17 each State an amount determined in accordance
18 with the formula described in paragraph (2)(B).

19 (5) *FIFTH FISCAL YEAR.*—With respect to the
20 fifth fiscal year for which the Secretary provides
21 grants to States under this subtitle—

22 (A) 60 percent of such amount appropriated
23 shall be allotted among the States by allotting to
24 each State an amount determined in accordance

1 with the formula described in paragraph (2)(A);
2 and

3 (B) 40 percent of such amount appropriated
4 shall be allotted among the States by allotting to
5 each State an amount determined in accordance
6 with the formula described in paragraph (2)(B).

7 **SEC. 253. APPLICATION.**

8 The Secretary may provide a grant under this subtitle
9 to a State for a fiscal year only if the State submits to
10 the Secretary an application containing only—

11 (1) an agreement that the State will use amounts
12 received from such grant in accordance with section
13 254;

14 (2) except as provided in paragraph (3), an
15 agreement that the State will set minimum nutri-
16 tional requirements for meals provided under this
17 subtitle based on the most recent tested nutritional re-
18 search available, except that—

19 (A) such requirements shall not be construed
20 to prohibit the substitution of foods to accommo-
21 date the medical or other special dietary needs of
22 individual students; and

23 (B) such requirements shall, at a minimum,
24 be based on—

1 (i) the weekly average of the nutrient
2 content of school lunches; or

3 (ii) such other standards as the State
4 may prescribe;

5 (3) an agreement that the State, with respect to
6 the provision of meals to students, shall—

7 (A) implement the minimum nutritional re-
8 quirements described in paragraph (2) for such
9 meals; or

10 (B) implement the model nutrition stand-
11 ards developed under section 258 for such meals;

12 (4) an agreement that the State will take such
13 reasonable steps as the State deems necessary to re-
14 strict the use and disclosure of information about in-
15 dividuals and families receiving assistance under this
16 subtitle;

17 (5) an agreement that the State will use not
18 more than 2 percent of the amount of such grant for
19 administrative costs incurred to provide assistance
20 under this subtitle; and

21 (6) an agreement that the State will submit to
22 the Secretary a report in accordance with section 255.

23 **SEC. 254. USE OF AMOUNTS.**

24 (a) *IN GENERAL.*—The Secretary may provide a grant
25 under this subtitle to a State only if the State agrees that

1 *it will use all amounts received from such grant to provide*
2 *assistance to schools to establish and carry out nutritious*
3 *food service programs that provide affordable meals and*
4 *supplements to students, which may include—*

5 *(1) nonprofit school breakfast programs;*

6 *(2) nonprofit school lunch programs;*

7 *(3) nonprofit before and after school supplement*
8 *programs;*

9 *(4) nonprofit low-cost milk services; and*

10 *(5) nonprofit summer meals programs.*

11 *(b) ADDITIONAL REQUIREMENT.—In providing assist-*
12 *ance to schools to establish and carry out nutritious food*
13 *service programs in accordance with subsection (a), the*
14 *State shall ensure that not less than 80 percent of the*
15 *amount of the grant is used to provide free or low cost meals*
16 *or supplements to economically disadvantaged children.*

17 *(c) AUTHORITY TO USE AMOUNTS FOR OTHER PUR-*
18 *POSES.—*

19 *(1) IN GENERAL.—Subject to paragraphs (2) and*
20 *(3), a State may use not more than 20 percent of*
21 *amounts received from a grant under this subtitle for*
22 *a fiscal year to carry out a State program pursuant*
23 *to any or all of the following provisions of law:*

24 *(A) Part A of title IV of the Social Security*
25 *Act (42 U.S.C. 601 et seq.).*

1 (B) Part B of title IV of the Social Security
2 Act (42 U.S.C. 620 et seq).

3 (C) Title XX of the Social Security Act (42
4 U.S.C. 1397 et seq.).

5 (D) Subtitle B of this title.

6 (E) The Child Care and Development Block
7 Grant Act of 1990 (42 U.S.C. 9858 et seq.).

8 (2) *SUFFICIENT FUNDING DETERMINATION.*—
9 Prior to using any amounts received from a grant
10 under this subtitle for a fiscal year to carry out a
11 State program pursuant to any or all of the provi-
12 sions of law described in paragraph (1), the appro-
13 priate State agency shall make a determination that
14 sufficient amounts will remain available for such fis-
15 cal year to carry out this subtitle.

16 (3) *RULES GOVERNING USE OF AMOUNTS FOR*
17 *OTHER PURPOSES.*—Amounts paid to the State under
18 a grant under this subtitle that are used to carry out
19 a State program pursuant to a provision of law spec-
20 ified in paragraph (1) shall not be subject to the re-
21 quirements of this subtitle, but shall be subject to the
22 same requirements that apply to Federal funds pro-
23 vided directly under the provision of law to carry out
24 the program.

1 (d) *LIMITATION ON PROVISION OF COMMODITIES TO*
2 *CERTAIN SCHOOL DISTRICTS.*—

3 (1) *IN GENERAL.*—A State may not require a
4 school district described in paragraph (2), except
5 upon the request of such school district, to accept com-
6 modities for use in the food service program of such
7 school district in accordance with this section. Such
8 schools may continue to receive commodity assistance
9 in the form that they received such assistance as of
10 January 1, 1987.

11 (2) *SCHOOL DISTRICT DESCRIBED.*—A school
12 district described in this paragraph is a school dis-
13 trict that as of January 1, 1987, was receiving all
14 cash payments or all commodity letters of credit in
15 lieu of entitlement commodities for the school lunch
16 program of such school district under section 18(b) of
17 the National School Lunch Act (42 U.S.C. 1751 et
18 seq.), as such section was in effect on the day before
19 the date of the enactment of this Act.

20 (e) *PROHIBITION ON PHYSICAL SEGREGATION, OVERT*
21 *IDENTIFICATION, OR OTHER DISCRIMINATION WITH RE-*
22 *SPECT TO CHILDREN ELIGIBLE FOR FREE OR LOW COST*
23 *MEALS OR SUPPLEMENTS.*—In providing assistance to
24 schools to establish and carry out nutritious food service

1 *programs in accordance with subsection (a), the State shall*
2 *ensure that such schools do not—*

3 *(1) physically segregate children eligible to re-*
4 *ceive free or low cost meals or supplements on the*
5 *basis of such eligibility;*

6 *(2) provide for the overt identification of such*
7 *children by special tokens or tickets, announced or*
8 *published list of names, or other means; or*

9 *(3) otherwise discriminate against such children.*

10 **SEC. 255. REPORTS.**

11 *The Secretary may provide a grant under this subtitle*
12 *to a State for a fiscal year only if the State agrees that*
13 *it will submit, for such fiscal year, a report to the Secretary*
14 *describing—*

15 *(1) the number of individuals receiving assist-*
16 *ance under the grant;*

17 *(2) the different types of assistance provided to*
18 *such individuals;*

19 *(3) the total number of meals served to students*
20 *under the grant, including the percentage of such*
21 *meals served to economically disadvantaged students;*

22 *(4) the extent to which such assistance was effec-*
23 *tive in achieving the goals described in section 251(b);*

1 (5) *the standards and methods the State is using*
2 *to ensure the nutritional quality of such assistance,*
3 *including meals and supplements; and*

4 (6) *any other information the Secretary deter-*
5 *mines to be appropriate.*

6 **SEC. 256. PENALTIES.**

7 (a) *PENALTY FOR USE OF AMOUNTS IN VIOLATION OF*
8 *THIS SUBTITLE.—*

9 (1) *IN GENERAL.—The Secretary shall reduce the*
10 *amounts otherwise payable to a State under a grant*
11 *under this subtitle by any amount paid to the State*
12 *under this subtitle which an audit conducted pursu-*
13 *ant to chapter 75 of title 31, United States Code,*
14 *finds has been used in violation of this subtitle.*

15 (2) *LIMITATION.—In carrying out paragraph*
16 *(1), the Secretary shall not reduce any quarterly pay-*
17 *ment by more than 25 percent.*

18 (b) *PENALTY FOR FAILURE TO SUBMIT REQUIRED RE-*
19 *PORT.—The Secretary shall reduce by 3 percent the amount*
20 *otherwise payable to a State under a grant under this sub-*
21 *title for a fiscal year if the Secretary determines that the*
22 *State has not submitted the report required by section 225*
23 *for the immediately preceding fiscal year, within 6 months*
24 *after the end of the immediately preceding fiscal year.*

1 **SEC. 257. WAIVER OF STATE LAW PROHIBITING ASSISTANCE**
2 **TO CHILDREN ENROLLED IN PRIVATE ELE-**
3 **MENTARY AND SECONDARY SCHOOLS.**

4 *If, by reason of any other provision of law, a State*
5 *is prohibited from providing assistance received from a*
6 *grant under this subtitle for children enrolled in a private*
7 *elementary or secondary school, the Secretary shall arrange*
8 *for the provision of such assistance to such children through*
9 *arrangements which shall be subject to the requirements of*
10 *this subtitle.*

11 **SEC. 258. MODEL NUTRITION STANDARDS FOR MEALS FOR**
12 **STUDENTS.**

13 *(a) MODEL NUTRITION STANDARDS.—Not later than*
14 *April 1, 1996, the Food and Nutrition Board of the Insti-*
15 *tute of Medicine of the National Academy of Sciences, in*
16 *cooperation with nutritionists and directors of programs*
17 *providing meals to students under this subtitle, shall de-*
18 *velop model nutrition standards for meals provided to such*
19 *students under this subtitle.*

20 *(b) REPORT TO CONGRESS.—Not later than 1 year*
21 *after the date on which the model nutrition standards are*
22 *developed under subsection (a), the Food and Nutrition*
23 *Board of the Institute of Medicine of the National Academy*
24 *of Sciences shall prepare and submit to the Committee on*
25 *Economic and Educational Opportunities of the House of*
26 *Representatives and the Committee on Agriculture, Nutri-*

1 *tion and Forestry of the Senate, a report regarding the ef-*
2 *forts of States to implement such model nutrition stand-*
3 *ards.*

4 ***Subtitle D—Miscellaneous***
5 ***Provisions***

6 ***SEC. 291. REPEALERS.***

7 *The following Acts are repealed:*

8 *(1) The Child Nutrition Act of 1966 (42 U.S.C.*
9 *1771 et seq.).*

10 *(2) The National School Lunch Act (42 U.S.C.*
11 *1751 et seq.).*

12 *(3) The Commodity Distribution Reform Act*
13 *and WIC Amendments of 1987 (Public Law 100–237;*
14 *101 Stat. 1733).*

15 *(4) The Child Nutrition and WIC Reauthoriza-*
16 *tion Act of 1989 (Public Law 101–147; 103 Stat.*
17 *877).*

18 ***TITLE III—RESTRICTING ALIEN***
19 ***ELIGIBILITY FOR CERTAIN***
20 ***EDUCATION, TRAINING, AND***
21 ***OTHER PROGRAMS***

22 ***SEC. 301. RESTRICTIONS ON ELIGIBILITY OF ALIENS FOR***
23 ***CERTAIN PROGRAMS.***

24 *(a) IN GENERAL.—Notwithstanding any other provi-*
25 *sion of law and except as provided in subsection (c):*

1 (1) *GENERAL DISQUALIFICATION OF ILLEGAL*
2 *ALIENS.*—An alien who is not lawfully present in the
3 *United States is not eligible for any of the following*
4 *programs:*

5 (A) *OLDER AMERICAN-RELATED PRO-*
6 *GRAMS.*—

7 (i) *A program carried out under the*
8 *Older American Community Service Em-*
9 *ployment Act (42 U.S.C. 3001 et seq.).*

10 (ii) *A program under title III of the*
11 *Older Americans Act of 1965.*

12 (B) *DOMESTIC VOLUNTEER SERVICE.*—

13 (i) *A program carried out under part*
14 *B of title II of the Domestic Volunteer Serv-*
15 *ice Act of 1973 (42 U.S.C. 5011–5012).*

16 (ii) *A program carried out under part*
17 *C of title II of such Act (42 U.S.C. 5013).*

18 (C) *LOW-INCOME ENERGY ASSISTANCE.*—

19 *The program under the Low-Income Energy As-*
20 *sistance Act of 1981 (42 U.S.C. 8621 et seq.).*

21 (D) *COMMUNITY SERVICES.*—*A program*
22 *carried out under the Community Services Block*
23 *Grant Act (42 U.S.C. 9901 et seq.).*

24 (E) *CHILD CARE.*—*A program carried out*
25 *under the Child Care and Development Block*

1 *Grant Act of 1990 (42 U.S.C. 9858 et seq.), as*
2 *amended by this Act.*

3 (F) *HIGHER EDUCATION PROGRAMS.*—

4 (i) *The program of basic educational*
5 *opportunity grants under subpart 1 of part*
6 *A of title IV of the Higher Education Act*
7 *of 1965.*

8 (ii) *The program of Federal supple-*
9 *mental education opportunity grants under*
10 *subpart 3 of part A of title IV of the Higher*
11 *Education Act of 1965.*

12 (iii) *The program of grants to States*
13 *for State student incentives under subpart 4*
14 *of part A of title IV of the Higher Edu-*
15 *cation Act of 1965.*

16 (iv) *The special program for students*
17 *whose families are engaged in migrant and*
18 *seasonal farmwork under subpart 5 of part*
19 *A of title IV of the Higher Education Act*
20 *of 1965.*

21 (v) *The program of Federal student*
22 *loans (Stafford loans) under part B of title*
23 *IV of the Higher Education Act of 1965.*

1 (vi) *The program of Federal work-*
2 *study under part C of title IV of the Higher*
3 *Education Act of 1965.*

4 (vii) *The direct student loan program*
5 *under part D of title IV of the Higher Edu-*
6 *cation Act of 1965.*

7 (viii) *The Federal Perkins loan pro-*
8 *gram under part E of title IV of the Higher*
9 *Education Act of 1965.*

10 (ix) *All graduate programs under title*
11 *IX of the Higher Education Act of 1965.*

12 (G) *JOB TRAINING PROGRAMS.—*

13 (i) *The program of training for dis-*
14 *advantaged adults under part A of title II*
15 *of the Job Training Partnership Act (29*
16 *U.S.C. 1601 et seq.).*

17 (ii) *The program of training for dis-*
18 *advantaged youth under part C of such Act*
19 *(29 U.S.C. 1641 et seq.).*

20 (iii) *The Job Corps program under*
21 *part B of title IV of such Act (29 U.S.C.*
22 *1692 et seq.).*

23 (iv) *A summer youth employment and*
24 *training program under part B of title II*
25 *of such Act (29 U.S.C. 1630 et seq.).*

1 (H) *HOMELESS ASSISTANCE.*—*The program*
2 *for emergency food and shelter grants under title*
3 *III of the Stewart B. McKinney Homeless Assist-*
4 *ance Act (42 U.S.C. 11331 et seq.).*

5 (I) *NUTRITION ASSISTANCE.*—

6 (i) *The family nutrition block grant*
7 *program under subtitle B of title II of this*
8 *Act.*

9 (ii) *The school-based nutrition block*
10 *grant program under subtitle C of title II*
11 *of this Act.*

12 (2) *GENERAL RESTRICTION ON ALL LEGAL*
13 *ALIENS.*—*An alien who is lawfully present in the*
14 *United States is not eligible for any of the following*
15 *programs:*

16 (A) *OLDER AMERICAN-RELATED PRO-*
17 *GRAMS.*—

18 (i) *A program carried out under the*
19 *Older American Community Service Em-*
20 *ployment Act (42 U.S.C. 3001 et seq.).*

21 (ii) *A program under title III of the*
22 *Older Americans Act of 1965.*

23 (B) *DOMESTIC VOLUNTEER SERVICE.*—

1 (i) A program carried out under part
2 B of title II of the Domestic Volunteer Serv-
3 ice Act of 1973 (42 U.S.C. 5011–5012).

4 (ii) A program carried out under part
5 C of title II of such Act (42 U.S.C. 5013).

6 (C) *LOW-INCOME ENERGY ASSISTANCE.*—
7 The program under the Low-Income Energy As-
8 sistance Act of 1981 (42 U.S.C. 8621 et seq.).

9 (D) *COMMUNITY SERVICES.*—A program
10 carried out under the Community Services Block
11 Grant Act (42 U.S.C. 9901 et seq.).

12 (E) *CHILD CARE.*—A program carried out
13 under the Child Care and Development Block
14 Grant Act of 1990 (42 U.S.C. 9858 et seq.), as
15 amended by this Act.

16 (3) *RESTRICTING ELIGIBILITY FOR HIGHER EDU-*
17 *CATION PROGRAMS AND JOB TRAINING PROGRAMS TO*
18 *CERTAIN LAWFUL RESIDENT ALIENS.*—An alien who
19 is lawfully present in the United States is not eligible
20 for any of the following programs unless the alien is
21 a lawful resident alien (as defined in subsection
22 (b)(2)) and meets the conditions described in para-
23 graph (1) of subsection (b):

24 (A) *HIGHER EDUCATION PROGRAMS.*—

1 (i) *The program of basic educational*
2 *opportunity grants under subpart 1 of part*
3 *A of title IV of the Higher Education Act*
4 *of 1965.*

5 (ii) *The program of Federal supple-*
6 *mental education opportunity grants under*
7 *subpart 3 of part A of title IV of the Higher*
8 *Education Act of 1965.*

9 (iii) *The program of grants to States*
10 *for State student incentives under subpart 4*
11 *of part A of title IV of the Higher Edu-*
12 *cation Act of 1965.*

13 (iv) *The program of Federal student*
14 *loans (Stafford loans) under part B of title*
15 *IV of the Higher Education Act of 1965.*

16 (v) *The program of Federal work-study*
17 *under part C of title IV of the Higher Edu-*
18 *cation Act of 1965.*

19 (vi) *The direct student loan program*
20 *under part D of title IV of the Higher Edu-*
21 *cation Act of 1965.*

22 (vii) *The Federal Perkins loan pro-*
23 *gram under part E of title IV of the Higher*
24 *Education Act of 1965.*

1 (viii) *All graduate programs under*
2 *title IX of the Higher Education Act of*
3 *1965.*

4 (B) *JOB TRAINING PROGRAMS.—*

5 (i) *The program of training for dis-*
6 *advantaged adults under part A of title II*
7 *of the Job Training Partnership Act (29*
8 *U.S.C. 1601 et seq.).*

9 (ii) *The program of training for dis-*
10 *advantaged youth under part C of such Act*
11 *(29 U.S.C. 1641 et seq.).*

12 (iii) *The Job Corps program under*
13 *part B of title IV of such Act (29 U.S.C.*
14 *1692 et seq.).*

15 (iv) *A summer youth employment and*
16 *training program under part B of title II*
17 *of such Act (29 U.S.C. 1630 et seq.).*

18 (4) *LEGAL ALIENS ELIGIBLE FOR HOMELESS AS-*
19 *SISTANCE AND NUTRITION ASSISTANCE.—An alien*
20 *who is lawfully present in the United States is not*
21 *ineligible for any of the following programs on the*
22 *basis of alienage:*

23 (A) *HOMELESS ASSISTANCE.—The program*
24 *for emergency food and shelter grants under title*

1 *III of the Stewart B. McKinney Homeless Assist-*
2 *ance Act (42 U.S.C. 11331 et seq.).*

3 *(B) NUTRITION ASSISTANCE.—*

4 *(i) The family nutrition block grant*
5 *program under subtitle B of title II of this*
6 *Act.*

7 *(ii) The school-based nutrition block*
8 *grant program under subtitle C of title II*
9 *of this Act.*

10 *(b) ADDITIONAL CONDITIONS FOR LEGAL ALIENS TO*
11 *QUALIFY FOR HIGHER EDUCATION AND TRAINING PRO-*
12 *GRAMS.—*

13 *(1) NATURALIZATION APPLICATION FILED OR*
14 *MILITARY SERVICE.—An alien meets the conditions of*
15 *this paragraph if the alien—*

16 *(A) has fulfilled the residence requirements,*
17 *and has an application pending, for naturaliza-*
18 *tion under the Immigration and Nationality*
19 *Act; or*

20 *(B)(i) is a veteran (as defined in section*
21 *101 of title 38, United States Code) with a dis-*
22 *charge characterized as an honorable discharge,*

23 *(ii) is on active duty (other than active*
24 *duty for training) in the Armed Forces of the*
25 *United States, or*

1 (iii) is the spouse or unmarried dependent
2 child of an individual described in clause (i) or
3 (ii).

4 (2) *LAWFUL RESIDENT ALIEN DEFINED.*—As
5 used in this section, the term “lawful resident alien”
6 means any of the following:

7 (A) *LAWFUL PERMANENT RESIDENTS.*—An
8 alien lawfully admitted for permanent residence
9 (as defined in section 101(a)(20) of the Immigra-
10 tion and Nationality Act).

11 (B) *REFUGEES.*—An alien admitted as a
12 refugee under section 207 of such Act.

13 (C) *ASYLEES.*—An alien granted asylum
14 under section 208 of such Act.

15 (D) *WITHHOLDING OF DEPORTATION.*—An
16 alien whose deportation has been withheld under
17 section 243(h) of such Act.

18 (E) *PAROLEES.*—An alien who has been pa-
19 roled into the United States under section
20 212(d)(5) of such Act over a period of at least 1
21 year.

22 (c) *EXCEPTIONS.*—

23 (1) *TIME-LIMITED EXCEPTION FOR REFUGEES.*—
24 Paragraphs (2) and (3) of subsection (a) shall not
25 apply to an alien described in subsection (b)(2)(B)

1 *until 5 years after the date of the alien's arrival into*
2 *the United States.*

3 (2) *CERTAIN LONG-TERM, PERMANENT RESI-*
4 *DENT, AGED ALIENS.—Paragraphs (2) and (3) of sub-*
5 *section (a) shall not apply to an alien who—*

6 (A) *has been lawfully admitted to the Unit-*
7 *ed States for permanent residence;*

8 (B) *is at least 76 years of age; and*

9 (C) *has resided in the United States for at*
10 *least 5 years.*

11 (3) *ONE-YEAR CURRENT RESIDENT EXCEP-*
12 *TION.—Paragraphs (2) and (3) of subsection (a) shall*
13 *not apply to the eligibility of an alien for a program*
14 *referred to in either such paragraph until 1 year after*
15 *the date of the enactment of this Act if, on such date*
16 *of enactment, the alien is residing in the United*
17 *States and is eligible for the program.*

18 **SEC. 302. NOTIFICATION.**

19 *Each Federal agency that administers a program re-*
20 *ferred to in this title shall, directly or through the States,*
21 *post information and provide general notification to the*
22 *public and program recipients of the requirements concern-*
23 *ing alien eligibility for any such program pursuant to this*
24 *title.*

1 **SEC. 303. RULE OF CONSTRUCTION.**

2 *Section 301 shall not be construed to apply to nation-*
 3 *als of the United States, as defined in section 101(a)(22)*
 4 *of the Immigration and Nationality Act (8 U.S.C.*
 5 *1101(a)(22)).*

6 **TITLE IV—OTHER REPEALERS**
 7 **AND CONFORMING AMEND-**
 8 **MENTS**

9 **SEC. 401. REPLACEMENT OF THE JOBS PROGRAM WITH**
 10 **MANDATORY WORK REQUIREMENTS.**

11 *(a) IN GENERAL.—Part F of title IV of the Social Se-*
 12 *curity Act (42 U.S.C. 681–687) is amended to read as fol-*
 13 *lows:*

14 **“PART F—MANDATORY WORK REQUIREMENTS**

15 **“SEC. 481. MANDATORY WORK REQUIREMENTS.**

16 *“(a) PARTICIPATION RATE REQUIREMENTS.—*

17 *“(1) REQUIREMENT APPLICABLE TO ALL FAMI-*
 18 *LIES RECEIVING ASSISTANCE.—*

19 *“(A) IN GENERAL.—A State that is operat-*
 20 *ing a program funded under part A for a fiscal*
 21 *year shall achieve the following minimum par-*
 22 *ticipation rate for the fiscal year with respect to*
 23 *all families receiving assistance under the State*
 24 *program funded under part A:*

“If the fiscal year is:	The minimum participation rate is:
1996	4

1997	4
1998	8
1999	12
2000	17
2001	29
2002	40
2003 or thereafter	50.

1 “(B) *PRO RATA REDUCTION OF PARTICIPA-*
2 *TION RATE DUE TO CASELOAD REDUCTIONS NOT*
3 *REQUIRED BY FEDERAL LAW.—The minimum*
4 *participation rate otherwise in effect under sub-*
5 *paragraph (A) for a fiscal year shall be reduced*
6 *by a percentage equal to the percentage (if any)*
7 *by which the number of families receiving assist-*
8 *ance during the fiscal year under the State pro-*
9 *gram funded under part A is less than the num-*
10 *ber of families that received aid under the State*
11 *plan approved under part A of this title (as in*
12 *effect before the effective date of this part) during*
13 *the fiscal year immediately preceding such effec-*
14 *tive date, except to the extent that the Secretary*
15 *determines that the reduction in the number of*
16 *families receiving such assistance is required by*
17 *Federal law.*

18 “(C) *PARTICIPATION RATE.—For purposes*
19 *of this paragraph:*

20 “(i) *AVERAGE MONTHLY RATE.—The*
21 *participation rate of a State for a fiscal*
22 *year is the average of the participation*

1 *rates of the State for each month in the fis-*
2 *cal year.*

3 “(ii) MONTHLY PARTICIPATION
4 *RATES.—The participation rate of a State*
5 *for a month is—*

6 “(I) *the number of families receiv-*
7 *ing cash assistance under the State*
8 *program funded under part A which*
9 *include an individual who is engaged*
10 *in work activities during the month;*
11 *divided by*

12 “(II) *the total number of families*
13 *receiving cash assistance under the*
14 *State program funded under part A*
15 *during the month which include an in-*
16 *dividual who has attained 18 years of*
17 *age.*

18 “(2) *REQUIREMENT APPLICABLE TO 2-PARENT*
19 *FAMILIES.—*

20 “(A) *IN GENERAL.—A State that is operat-*
21 *ing a program funded under part A for a fiscal*
22 *year shall achieve the following minimum par-*
23 *ticipation rate for the fiscal year with respect to*
24 *2-parent families receiving assistance under the*
25 *State program funded under part A:*

<i>“If the fiscal year is:</i>	<i>The minimum participation rate is:</i>
1996	50
1997	50
1998 or thereafter	90.

1 “(B) *PARTICIPATION RATE*.—*For purposes*
2 *of this paragraph:*

3 “(i) *AVERAGE MONTHLY RATE*.—*The*
4 *participation rate of a State for a fiscal*
5 *year is the average of the participation*
6 *rates of the State for each month in the fis-*
7 *cal year.*

8 “(ii) *MONTHLY PARTICIPATION*
9 *RATES*.—*The participation rate of a State*
10 *for a month is—*

11 “(I) *the number of 2-parent fami-*
12 *lies receiving cash assistance under the*
13 *State program funded under part A*
14 *which include at least 1 adult who has*
15 *participated in job search or been en-*
16 *gaged in a work activity described in*
17 *subparagraph (A), (B), or (C) of sub-*
18 *section (b)(2) for an average of at least*
19 *35 hours per week during the month,*
20 *not more than 8 hours per week of*
21 *which is attributable to participation*
22 *in job search; divided by*

1 “(II) the total number of 2-parent
 2 families receiving cash assistance
 3 under the State program funded under
 4 part A during the month.

5 “(b) DEFINITIONS.—For purposes of this section:

6 “(1) ENGAGED.—A recipient is engaged in work
 7 activities for a month in a fiscal year if the recipient
 8 is making progress in such activities for at least the
 9 following minimum average number of hours per
 10 week during the month:

“If the fiscal year is:	The minimum average number of hours is:
1996	20
1997	20
1998	20
1999	25
2000	30
2001	30
2002	35
2003 or thereafter	35.

11 “(2) WORK ACTIVITIES.—The term ‘work activi-
 12 ties’ means—

13 “(A) unsubsidized employment;

14 “(B) subsidized private sector employment;

15 “(C) subsidized public sector employment or
 16 work experience only if sufficient private sector
 17 employment is not available;

18 “(D) on-the-job training;

19 “(E) job search and job readiness assistance;

1 “(F) education directly related to employ-
2 ment, in the case of a recipient who—

3 “(i) has participated or is participat-
4 ing in an activity referred to in subpara-
5 graph (A), (B), (C), (D), or (E); or

6 “(ii) has not attained 20 years of age,
7 and has not received a high school diploma
8 or a certificate of high school equivalency;

9 “(G) job skills training directly related to
10 employment, in the case of a recipient who has
11 participated or is participating in an activity
12 referred to in subparagraph (A), (B), (C), (D),
13 or (E); or

14 “(H) at the option of the State, satisfactory
15 attendance at secondary school, in the case of an
16 individual who—

17 “(i) has not completed secondary
18 school; and

19 “(ii) is a dependent child, or a head of
20 household who has not attained 20 years of
21 age.

22 “(c) PENALTIES.—

23 “(1) AGAINST INDIVIDUALS.—

24 “(A) APPLICABLE TO ALL FAMILIES.—The
25 State shall ensure that the amount of cash assist-

1 *ance paid under the State program funded under*
2 *part A to a recipient of assistance under the pro-*
3 *gram who refuses to be engaged in work activi-*
4 *ties required under this section shall be less than*
5 *the amount of cash assistance that would other-*
6 *wise be paid to the recipient under the program,*
7 *subject to such good cause and other exceptions*
8 *as the State may establish.*

9 *“(B) APPLICABLE TO 2-PARENT FAMI-*
10 *LIES.—The State shall reduce the amount of cash*
11 *assistance otherwise payable to a 2-parent fam-*
12 *ily for a month under the State program funded*
13 *under part A with respect to an adult in the*
14 *family who has not participated in job search or*
15 *been engaged in work activities referred to in*
16 *subsection (a)(2)(B)(ii)(I) for the minimum pe-*
17 *riod set forth in such subsection, pro rata with*
18 *respect to any period during the month for which*
19 *the adult has not so participated in job search*
20 *or been so engaged in such work activities.*

21 *“(C) LIMITATION ON FEDERAL AUTHOR-*
22 *ITY.—The Secretary may not regulate the con-*
23 *duct of States under this paragraph or enforce*
24 *this paragraph against any State.*

25 *“(2) AGAINST STATES.—*

1 “(A) *IN GENERAL.*—If the Secretary deter-
2 mines that a State to which a grant is made
3 under part A for a fiscal year has failed to com-
4 ply with subsection (a) for the fiscal year, the
5 Secretary shall reduce by not more than 5 per-
6 cent the amount of the grant otherwise payable
7 to the State under such part for the immediately
8 succeeding fiscal year.

9 “(B) *PENALTY BASED ON SEVERITY OF*
10 *FAILURE.*—The Secretary shall impose reduc-
11 tions under subparagraph (A) based on the de-
12 gree of noncompliance.

13 “(d) *SENSE OF THE CONGRESS.*—In complying with
14 this section, each State that operates a program funded
15 under part A is encouraged to assign the highest priority
16 to requiring families that include older preschool or school-
17 age children to be engaged in work activities.

18 “**SEC. 482. RESEARCH, EVALUATIONS, AND NATIONAL STUD-**

19 **IES.**

20 “(a) *RESEARCH.*—The Secretary may conduct re-
21 search on the effects, costs, and benefits of State programs
22 funded under part A.

23 “(b) *DEVELOPMENT AND EVALUATION OF INNOVATIVE*
24 *APPROACHES TO EMPLOYING WELFARE RECIPIENTS.*—The
25 Secretary may assist States in developing, and shall evalu-

1 *ate, innovative approaches to employing recipients of cash*
2 *assistance under programs funded under part A. In per-*
3 *forming such evaluations, the Secretary shall, to the maxi-*
4 *imum extent feasible, use random assignment to experi-*
5 *mental and control groups.*

6 “(c) *STUDIES OF WELFARE CASELOADS.*—*The Sec-*
7 *retary may conduct studies of the caseloads of States operat-*
8 *ing programs funded under part A.*

9 “(d) *DISSEMINATION OF INFORMATION.*—*The Sec-*
10 *retary shall develop innovative methods of disseminating*
11 *information on any research, evaluations, and studies con-*
12 *ducted under this section, including the facilitation of the*
13 *sharing of information and best practices among States and*
14 *localities through the use of computers and other tech-*
15 *nologies.”.*

16 (b) *CONFORMING AMENDMENTS.*—

17 (1) *Section 402(a)(9)(A) of such Act (42 U.S.C.*
18 *602(a)(9)(A)) is amended by striking “(including ac-*
19 *tivities under part F)”.*

20 (2) *Section 402(a) of the Social Security Act (42*
21 *U.S.C. 602(a)) is amended by striking paragraph*
22 *(19).*

23 (3) *Section 402(a)(44)(A) of such Act (42 U.S.C.*
24 *602(a)(44)(A)) is amended by striking “, part D, and*
25 *part F” and inserting “and part D”.*

1 (4) *Section 403 of such Act (42 U.S.C. 603) is*
2 *amended by striking subsections (k) and (l), except*
3 *that subparagraph (A) of such section 403(l)(3) shall*
4 *remain in effect for purposes of applying any reduc-*
5 *tion in payment rates required by such subparagraph*
6 *for any of the fiscal years specified in such subpara-*
7 *graph.*

8 (5) *Section 407(b)(1)(B) of such Act (42 U.S.C.*
9 *607(b)(1)(B)) is amended—*

10 (A) *by striking clauses (i) and (v) and re-*
11 *designating clauses (ii), (iii), and (iv) as clauses*
12 *(i), (ii), and (iii), respectively;*

13 (B) *by adding “and” at the end of clause*
14 *(ii) (as so redesignated); and*

15 (C) *by striking “; and” at the end of clause*
16 *(iii) (as so redesignated) and inserting a period.*

17 (6) *Section 407(b)(2)(B)(ii)(I) of such Act (42*
18 *U.S.C. 607(b)(2)(B)(ii)(I)) is amended by striking*
19 *“(including any activity authorized under section*
20 *402(a)(19) or under part F)”.*

21 (7) *Section 407(b)(2) of such Act (42 U.S.C.*
22 *607(b)(2)) is amended by striking subparagraph (C).*

23 (8) *Section 407(c) of such Act (42 U.S.C. 607(c))*
24 *is amended—*

1 (A) by striking “(A) where” and inserting
2 “where”; and

3 (B) by striking “, and (B)” and all that fol-
4 lows through “part F”.

5 (9) Section 407(d)(1)(A) of such Act (42 U.S.C.
6 607(d)(1)(A)) is amended by striking “, or in which
7 such individual participated in a program under
8 part F”.

9 (10) Section 407(e) of such Act (42 U.S.C.
10 607(e)) is amended—

11 (A) in paragraph (1)—

12 (i) by striking “in participating in a
13 program under part F and”; and

14 (ii) by striking “participate in or”;
15 and

16 (B) in paragraph (2), by striking “both
17 part F and”.

18 (11) Section 417 of such Act (42 U.S.C. 617) is
19 amended by striking “, part D, and part F” and in-
20 serting “and part D”.

21 (12) Section 471(a)(8)(A) of such Act (42 U.S.C.
22 671(a)(8)(A)) is amended by striking “(including ac-
23 tivities under part F)”.

24 (13) Section 1108 of such Act (42 U.S.C. 1308)
25 is amended—

1 (A) in subsection (a), by striking “or, in the
2 case of part A of title IV, section 403(k)”; and

3 (B) in subsection (d), by striking “(exclu-
4 sive of any amounts on account of services and
5 items to which, in the case of part A of such
6 title, section 403(k) applies)”.

7 (14) Section 1115(b)(2)(A) of such Act (42
8 U.S.C. 1315(b)(2)(A)) is amended by striking “, and
9 402(a)(19) (relating to the work incentive program)”.

10 (15) Section 1902(a)(10)(A)(i)(I) of such Act (42
11 U.S.C. 1396a(a)(19)(A)(i)(I)) is amended by striking
12 “, or considered by the State to be receiving such aid
13 as authorized under section 482(e)(6)”.

14 (16) Section 51(c)(2) of the Internal Revenue
15 Code of 1986 is amended by striking subparagraph
16 (B).

17 **SEC. 402. AMENDMENTS TO LAWS RELATING TO CHILD PRO-**
18 **TECTION BLOCK GRANT.**

19 (a) *ABANDONED INFANTS ASSISTANCE.*—

20 (1) *REPEALER.*—The Abandoned Infants Assist-
21 ance Act of 1988 (42 U.S.C. 670 note) is repealed.

22 (2) *CONFORMING AMENDMENT.*—Section 421(7)
23 of the Domestic Volunteer Service Act of 1973 (42
24 U.S.C. 5061(7)) is amended to read as follows:

1 “(7) the term ‘boarder baby’ means an infant
2 who is medically cleared for discharge from an acute-
3 care hospital setting, but remains hospitalized because
4 of a lack of appropriate out-of-hospital placement al-
5 ternatives;”.

6 (b) *CHILD ABUSE PREVENTION AND TREATMENT.*—

7 (1) *REPEALER.*—*The Child Abuse Prevention*
8 *and Treatment Act (42 U.S.C. 5101 et seq.) is re-*
9 *pealed.*

10 (2) *CONFORMING AMENDMENTS.*—*The Victims of*
11 *Crime Act of 1984 (42 U.S.C. 10601 et seq.) is*
12 *amended—*

13 (A) *in section 1402—*

14 (i) *in subsection (d)—*

15 (I) *by striking paragraph (2);*

16 *and*

17 (II) *by redesignating paragraphs*

18 (3) and (4) as paragraphs (2) and (3),

19 *respectively; and*

20 (ii) *by striking subsection (g); and*

21 (B) *by striking section 1404A.*

22 (c) *ADOPTION OPPORTUNITIES.*—*The Child Abuse Pre-*
23 *vention and Treatment and Adoption Reform Act of 1978*
24 *(42 U.S.C. 5111 et seq.) is repealed.*

1 (d) *CRISIS NURSERIES*.—*The Temporary Child Care*
2 *for Children with Disabilities and Crisis Nurseries Act of*
3 *1986 (42 U.S.C. 5117 et seq.) is amended—*

4 (1) *in the title heading by striking “AND CRI-*
5 *SIS NURSERIES”;*

6 (2) *in section 201 by striking “and Crisis Nurs-*
7 *eries”;*

8 (3) *in section 202—*

9 (A) *by striking “provide: (A) temporary”*
10 *and inserting “to provide temporary”; and*

11 (B) *by striking “children, and (B)” and all*
12 *that follows through the period and inserting*
13 *“children.”;*

14 (4) *by striking section 204; and*

15 (5) *in section 205—*

16 (A) *in subsection (a)—*

17 (i) *in paragraph (1)(A) by striking “or*
18 *204”;* and

19 (ii) *in paragraph (2)—*

20 (I) *by striking subparagraph (D);*

21 and

22 (II) *by redesignating subpara-*
23 *graph (E) as subparagraph (D);*

24 (B) *by striking subsection (b)(3); and*

25 (C) *in subsection (d)—*

1 (i) by striking paragraph (3); and
2 (ii) by redesignating paragraphs (4)
3 and (5) as paragraphs (3) and (4), respec-
4 tively.

5 (e) AMENDMENT TO THE MISSING CHILDREN'S AS-
6 SISTANCE ACT.—The Missing Children's Assistance Act is
7 amended to read as follows:

8 “TITLE IV—MISSING CHILDREN

9 “SHORT TITLE

10 “SEC. 401. This title may be cited as the ‘Missing Chil-
11 dren’s Assistance Act of 1995’.

12 “FINDINGS

13 “SEC. 402. The Congress hereby finds that—

14 “(1) each year thousands of children are ab-
15 ducted or removed from the control of a parent having
16 legal custody without such parent’s consent, under
17 circumstances which immediately place them in grave
18 danger;

19 “(2) many of these children are never reunited
20 with their families;

21 “(3) often there are no clues to the whereabouts
22 of these children;

23 “(4) many missing children are at great risk of
24 both physical harm and sexual exploitation;

1 “(2) the term ‘Administrator’ means the Admin-
2 istrator of the Office of Juvenile Justice and Delin-
3 quency Prevention.

4 “DUTIES AND FUNCTIONS OF THE ADMINISTRATOR

5 “SEC. 404. (a) The Administrator shall—

6 “(1) issue such rules as the Administrator con-
7 siders necessary or appropriate to carry out this title;

8 “(2) make such arrangements as may be nec-
9 essary and appropriate to facilitate effective coordina-
10 tion among all federally funded programs relating to
11 missing children (including the preparation of an an-
12 nual comprehensive plan for facilitating such coordi-
13 nation);

14 “(3) provide for the furnishing of information
15 derived from the national toll-free telephone line, es-
16 tablished under subsection (b)(1), to appropriate enti-
17 ties;

18 “(4) provide adequate staff and agency resources
19 which are necessary to properly carry out the respon-
20 sibilities pursuant to this title; and

21 “(5) not later than 180 days after the end of
22 each fiscal year, submit a report to the President,
23 Speaker of the House of Representatives, and the
24 President pro tempore of the Senate—

25 “(A) containing a comprehensive plan for
26 facilitating cooperation and coordination in the

1 *succeeding fiscal year among all agencies and or-*
2 *ganizations with responsibilities related to miss-*
3 *ing children;*

4 *“(B) identifying and summarizing effective*
5 *models of Federal, State, and local coordination*
6 *and cooperation in locating and recovering miss-*
7 *ing children;*

8 *“(C) identifying and summarizing effective*
9 *program models that provide treatment, counsel-*
10 *ing, or other aid to parents of missing children*
11 *or to children who have been the victims of ab-*
12 *duction;*

13 *“(D) describing how the Administrator sat-*
14 *isfied the requirements of paragraph (4) in the*
15 *preceding fiscal year;*

16 *“(E) describing in detail the number and*
17 *types of telephone calls received in the preceding*
18 *fiscal year over the national toll-free telephone*
19 *line established under subsection (b)(1)(A) and*
20 *the number and types of communications re-*
21 *ferred to the national communications system es-*
22 *tablished under section 313;*

23 *“(F) describing in detail the activities in*
24 *the preceding fiscal year of the national resource*

1 center and clearinghouse established under sub-
2 section (b)(2);

3 “(G) describing all the programs for which
4 assistance was provided under section 405 in the
5 preceding fiscal year;

6 “(H) summarizing the results of all research
7 completed in the preceding year for which assist-
8 ance was provided at any time under this title;
9 and

10 “(I)(i) identifying each clearinghouse with
11 respect to which assistance is provided under sec-
12 tion 405(a)(9) in the preceding fiscal year;

13 “(ii) describing the activities carried out by
14 such clearinghouse in such fiscal year;

15 “(iii) specifying the types and amounts of
16 assistance (other than assistance under section
17 405(a)(9)) received by such clearinghouse in such
18 fiscal year; and

19 “(iv) specifying the number and types of
20 missing children cases handled (and the number
21 of such cases resolved) by such clearinghouse in
22 such fiscal year and summarizing the cir-
23 cumstances of each such case.

1 “(b) The Administrator, either by making grants to
2 or entering into contracts with public agencies or nonprofit
3 private agencies, shall—

4 “(1)(A) establish and operate a national 24-hour
5 toll-free telephone line by which individuals may re-
6 port information regarding the location of any miss-
7 ing child, or other child 13 years of age or younger
8 whose whereabouts are unknown to such child’s legal
9 custodian, and request information pertaining to pro-
10 cedures necessary to reunite such child with such
11 child’s legal custodian; and

12 “(B) coordinating the operation of such telephone
13 line with the operation of the national communica-
14 tions system established under section 313;

15 “(2) establish and operate a national resource
16 center and clearinghouse designed—

17 “(A) to provide to State and local govern-
18 ments, public and private nonprofit agencies,
19 and individuals information regarding—

20 “(i) free or low-cost legal, restaurant,
21 lodging, and transportation services that
22 are available for the benefit of missing chil-
23 dren and their families; and

24 “(ii) the existence and nature of pro-
25 grams being carried out by Federal agencies

1 to assist missing children and their fami-
2 lies;

3 “(B) to coordinate public and private pro-
4 grams which locate, recover, or reunite missing
5 children with their legal custodians;

6 “(C) to disseminate nationally information
7 about innovative and model missing childrens’
8 programs, services, and legislation; and

9 “(D) to provide technical assistance and
10 training to law enforcement agencies, State and
11 local governments, elements of the criminal jus-
12 tice system, public and private nonprofit agen-
13 cies, and individuals in the prevention, inves-
14 tigation, prosecution, and treatment of the miss-
15 ing and exploited child case and in locating and
16 recovering missing children; and

17 “(3) periodically conduct national incidence
18 studies to determine for a given year the actual num-
19 ber of children reported missing each year, the num-
20 ber of children who are victims of abduction by
21 strangers, the number of children who are the victims
22 of parental kidnapings, and the number of children
23 who are recovered each year; and

24 “(4) provide to State and local governments,
25 public and private nonprofit agencies, and individ-

1 “(A) the abduction of a child, both during
2 the period of disappearance and after the child
3 is recovered; and

4 “(B) the sexual exploitation of a missing
5 child;

6 “(5) to collect detailed data from selected States
7 or localities on the actual investigative practices uti-
8 lized by law enforcement agencies in missing chil-
9 dren’s cases;

10 “(6) to address the particular needs of missing
11 children by minimizing the negative impact of judi-
12 cial and law enforcement procedures on children who
13 are victims of abuse or sexual exploitation and by
14 promoting the active participation of children and
15 their families in cases involving abuse or sexual ex-
16 ploitation of children;

17 “(7) to address the needs of missing children (as
18 defined in section 403(1)(A)) and their families fol-
19 lowing the recovery of such children;

20 “(8) to reduce the likelihood that individuals
21 under 18 years of age will be removed from the con-
22 trol of such individuals’ legal custodians without such
23 custodians’ consent; and

1 “(9) to establish or operate statewide clearing-
2 houses to assist in locating and recovering missing
3 children.

4 “(b) In considering grant applications under this title,
5 the Administrator shall give priority to applicants who—

6 “(1) have demonstrated or demonstrate ability
7 in—

8 “(A) locating missing children or locating
9 and reuniting missing children with their legal
10 custodians;

11 “(B) providing other services to missing
12 children or their families; or

13 “(C) conducting research relating to miss-
14 ing children; and

15 “(2) with respect to subparagraphs (A) and (B)
16 of paragraph (1), substantially utilize volunteer as-
17 sistance.

18 The Administrator shall give first priority to applicants
19 qualifying under subparagraphs (A) and (B) of paragraph
20 (1).

21 “(c) In order to receive assistance under this title for
22 a fiscal year, applicants shall give assurance that they will
23 expend, to the greatest extent practicable, for such fiscal
24 year an amount of funds (without regard to any funds re-
25 ceived under any Federal law) that is not less than the

1 *amount of funds they received in the preceding fiscal year*
2 *from State, local, and private sources.*

3 *“CRITERIA FOR GRANTS*

4 *“SEC. 406. (a) In carrying out the programs author-*
5 *ized by this title, the Administrator shall establish—*

6 *“(1) annual research, demonstration, and service*
7 *program priorities for making grants and contracts*
8 *pursuant to section 405; and*

9 *“(2) criteria based on merit for making such*
10 *grants and contracts.*

11 *Not less than 60 days before establishing such priorities and*
12 *criteria, the Administrator shall publish in the Federal*
13 *Register for public comment a statement of such proposed*
14 *priorities and criteria.*

15 *“(b) No grant or contract exceeding \$50,000 shall be*
16 *made under this title unless the grantee or contractor has*
17 *been selected by a competitive process which includes public*
18 *announcement of the availability of funds for such grant*
19 *or contract, general criteria for the selection of recipients*
20 *or contractors, and a description of the application process*
21 *and application review process.*

22 *“(c) Multiple grants or contracts to the same grantee*
23 *or contractor within any 1 year to support activities having*
24 *the same general purpose shall be deemed to be a single*
25 *grant for the purpose of this subsection, but multiple grants*
26 *or contracts to the same grantee or contractor to support*

1 *clearly distinct activities shall be considered separate grants*
2 *or contractors.*

3 *“AUTHORIZATION OF APPROPRIATIONS*

4 *“SEC. 407. To carry out the provisions of this title,*
5 *there are authorized to be appropriated such sums as may*
6 *be necessary for fiscal years 1996, 1997, 1998, 1999, and*
7 *2000.”.*

8 *(f) FAMILY SUPPORT CENTERS.—Subtitle F of title*
9 *VII of the Stewart B. McKinney Homeless Assistance Act*
10 *(42 U.S.C. 11481–11489) is repealed.*

11 *(g) INVESTIGATION AND PROSECUTION OF CHILD*
12 *ABUSE CASES.—Subtitle A of title II of the Victims of*
13 *Child Abuse Act of 1990 (42 U.S.C. 13001–13004) is re-*
14 *pealed.*

15 **TITLE V—RELATED PROVISIONS**

16 **SEC. 501. REQUIREMENT THAT DATA RELATING TO THE IN-**
17 **CIDENCE OF POVERTY IN THE UNITED**
18 **STATES BE PUBLISHED AT LEAST EVERY 2**
19 **YEARS.**

20 *(a) IN GENERAL.—The Secretary shall, to the extent*
21 *feasible, produce and publish for each State, county, and*
22 *local unit of general purpose government for which data*
23 *have been compiled in the then most recent census of popu-*
24 *lation under section 141(a) of title 13, United States Code,*
25 *and for each school district, data relating to the incidence*
26 *of poverty. Such data may be produced by means of sam-*

1 *pling, estimation, or any other method that the Secretary*
2 *determines will produce current, comprehensive, and reli-*
3 *able data.*

4 (b) *CONTENT; FREQUENCY.—Data under this sec-*
5 *tion—*

6 (1) *shall include—*

7 (A) *for each school district, the number of*
8 *children age 5 to 17, inclusive, in families below*
9 *the poverty level; and*

10 (B) *for each State and county referred to in*
11 *subsection (a), the number of individuals age 65*
12 *or older below the poverty level; and*

13 (2) *shall be published—*

14 (A) *for each State, county, and local unit of*
15 *general purpose government referred to in sub-*
16 *section (a), in 1996 and at least every second*
17 *year thereafter; and*

18 (B) *for each school district, in 1998 and at*
19 *least every second year thereafter.*

20 (c) *AUTHORITY TO AGGREGATE.—*

21 (1) *IN GENERAL.—If reliable data could not oth-*
22 *erwise be produced, the Secretary may, for purposes*
23 *of subsection (b)(1)(A), aggregate school districts, but*
24 *only to the extent necessary to achieve reliability.*

1 (2) *INFORMATION RELATING TO USE OF AUTHOR-*
2 *ITY.*—Any data produced under this subsection shall
3 be appropriately identified and shall be accompanied
4 by a detailed explanation as to how and why aggrega-
5 tion was used (including the measures taken to
6 minimize any such aggregation).

7 (d) *REPORT TO BE SUBMITTED WHENEVER DATA IS*
8 *NOT TIMELY PUBLISHED.*—If the Secretary is unable to
9 produce and publish the data required under this section
10 for any State, county, local unit of general purpose govern-
11 ment, or school district in any year specified in subsection
12 (b)(2), a report shall be submitted by the Secretary to the
13 President of the Senate and the Speaker of the House of
14 Representatives, not later than 90 days before the start of
15 the following year, enumerating each government or school
16 district excluded and giving the reasons for the exclusion.

17 (e) *CRITERIA RELATING TO POVERTY.*—In carrying
18 out this section, the Secretary shall use the same criteria
19 relating to poverty as were used in the then most recent
20 census of population under section 141(a) of title 13, United
21 States Code (subject to such periodic adjustments as may
22 be necessary to compensate for inflation and other similar
23 factors).

1 (f) *CONSULTATION.*—*The Secretary shall consult with*
2 *the Secretary of Education in carrying out the requirements*
3 *of this section relating to school districts.*

4 (g) *DEFINITION.*—*For the purpose of this section, the*
5 *term “Secretary” means the Secretary of Health and*
6 *Human Services.*

7 (h) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
8 *authorized to be appropriated to carry out this section*
9 *\$1,500,000 for each of fiscal years 1996 through 2000.*

10 ***SEC. 502. DATA ON PROGRAM PARTICIPATION AND OUT-***
11 ***COMES.***

12 (a) *IN GENERAL.*—*The Secretary shall produce data*
13 *relating to participation in programs authorized by this*
14 *Act by families and children. Such data may be produced*
15 *by means of sampling, estimation, or any other method that*
16 *the Secretary determines will produce comprehensive and*
17 *reliable data.*

18 (b) *CONTENT.*—*Data under this section shall include,*
19 *but not be limited to—*

20 (1) *changes in participation in welfare, health,*
21 *education, and employment and training programs,*
22 *for families and children, the duration of such par-*
23 *ticipation, and the causes and consequences of any*
24 *changes in program participation;*

1 (2) *changes in employment status, income and*
2 *poverty status, family structure and process, and chil-*
3 *dren's well-being, over time, for families and children*
4 *participating in Federal programs and, if appro-*
5 *priate, other low-income families and children, and*
6 *the causes and consequences of such changes; and*

7 (3) *demographic data, including household com-*
8 *position, marital status, relationship of householders,*
9 *racial and ethnic designation, age, and educational*
10 *attainment.*

11 (c) *FREQUENCY.*—*Data under this section shall reflect*
12 *the period 1993 through 2002, and shall be published as*
13 *often as practicable during that time, but in any event no*
14 *later than December 31, 2003.*

15 (d) *DEFINITION.*—*For the purpose of this section, the*
16 *term "Secretary" means the Secretary of Health and*
17 *Human Services.*

18 (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
19 *authorized to be appropriated to carry out this section*
20 *\$2,500,000 in fiscal year 1996, \$10,000,000 for each of fis-*
21 *cal years 1997 through 2002, and \$2,000,000 for fiscal year*
22 *2003.*

1 **TITLE VI— GENERAL EFFECTIVE**
 2 **DATE; PRESERVATION OF AC-**
 3 **TIONS, OBLIGATIONS, AND**
 4 **RIGHTS**

5 **SEC. 601. EFFECTIVE DATE.**

6 *Except as otherwise provided in this Act, this Act and*
 7 *the amendments made by this Act shall take effect on Octo-*
 8 *ber 1, 1995.*

9 **SEC. 602. APPLICATION OF AMENDMENTS AND REPEALERS.**

10 *An amendment or repeal made by this Act shall not*
 11 *apply with respect to—*

12 *(1) powers, duties, functions, rights, claims, pen-*
 13 *alties, or obligations applicable to financial assistance*
 14 *provided before the effective date of amendment or re-*
 15 *peal, as the case may be, under the Act so amended*
 16 *or so repealed; and*

17 *(2) administrative actions and proceedings com-*
 18 *menced before such date, or authorized before such*
 19 *date to be commenced, under such Act.*

○

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