

105TH CONGRESS
1ST SESSION

S. 140

To improve the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

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

A BILL

To improve the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Welfare Improvement Act of 1997”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. No additional cash assistance for children born to families receiving assistance.

Sec. 3. Prohibition of recruitment activities.

Sec. 4. Mandatory termination of assistance.

Sec. 5. Work participation rate requirement.

Sec. 6. Limitation on payments to States.

Sec. 7. Effective date.

1 **SEC. 2. NO ADDITIONAL CASH ASSISTANCE FOR CHILDREN**
 2 **BORN TO FAMILIES RECEIVING ASSISTANCE.**

3 Section 408(a) of the Social Security Act (42 U.S.C.
 4 608(a)) is amended by adding at the end the following:

5 “(12) NO ADDITIONAL CASH ASSISTANCE FOR
 6 CHILDREN BORN TO FAMILIES RECEIVING ASSIST-
 7 ANCE.—

8 “(A) GENERAL RULE.—A State to which a
 9 grant is made under section 403 shall not use
 10 any part of the grant to provide cash benefits
 11 for a minor child who is born to—

12 “(i) a recipient of assistance under
 13 the program operated under this part; or

14 “(ii) a person who received such as-
 15 sistance at any time during the 10-month
 16 period ending with the birth of the child.

17 “(B) EXCEPTION FOR CHILDREN BORN
 18 INTO FAMILIES WITH NO OTHER CHILDREN.—
 19 Subparagraph (A) shall not apply to a minor
 20 child who is born into a family that does not in-
 21 clude any other children.

22 “(C) EXCEPTION FOR VOUCHERS.—Sub-
 23 paragraph (A) shall not apply to vouchers
 24 which are provided in lieu of cash benefits and

1 which may be used only to pay for particular
2 goods and services specified by the State as
3 suitable for the care of the child involved.

4 “(D) EXCEPTION FOR RAPE OR INCEST.—
5 Subparagraph (A) shall not apply with respect
6 to a child who is born as a result of rape or in-
7 cest.

8 “(E) STATE ELECTION TO OPT OUT.—Sub-
9 paragraph (A) shall not apply to a State if
10 State law specifically exempts the State pro-
11 gram funded under this part from the applica-
12 tion of subparagraph (A).

13 “(F) SUBSTITUTION OF FAMILY CAPS IN
14 EFFECT UNDER WAIVERS.—Subparagraph (A)
15 shall not apply to a State—

16 “(i) if, as of the date of the enactment
17 of this part, there is in effect a waiver ap-
18 proved by the Secretary under section
19 1115 which permits the State to deny aid
20 under the State plan approved under part
21 A of this title (as in effect without regard
22 to the amendments made by title I of the
23 Personal Responsibility and Work Oppor-
24 tunity Reconciliation Act of 1996 (Public
25 Law 104–193, 110 Stat. 2110) to a family

1 by reason of the birth of a child to a fam-
 2 ily member otherwise eligible for such aid;
 3 and

4 “(ii) for so long as the State contin-
 5 ues to implement such policy under the
 6 State program funded under this part,
 7 under rules prescribed by the State.”.

8 **SEC. 3. PROHIBITION OF RECRUITMENT ACTIVITIES.**

9 Section 1631 of the Social Security Act (42 U.S.C.
 10 1383) is amended by adding at the end the following new
 11 subsection:

12 “PROHIBITION OF RECRUITMENT ACTIVITIES

13 “(p) Nothing in this title shall be construed to au-
 14 thorize recruitment activities under this title, including
 15 with respect to any outreach programs or demonstration
 16 projects.”.

17 **SEC. 4. MANDATORY TERMINATION OF ASSISTANCE.**

18 Section 407(e)(1) of the Social Security Act (42
 19 U.S.C. 607(e)(1)), is amended to read as follows:

20 “(1) IN GENERAL.—Except as provided in para-
 21 graph (2), if an individual in a family receiving as-
 22 sistance under the State program funded under this
 23 part refuses to engage in work required in accord-
 24 ance with this section, the State shall—

25 “(A) in the case of the first or second re-
 26 fusal—

1 “(i) reduce the amount of assistance
2 otherwise payable to the family pro rata
3 (or more, at the option of the State) with
4 respect to any period during a month in
5 which the individual so refuses; or

6 “(ii) terminate such assistance,
7 subject to such good cause and other exceptions
8 as the State may establish; and

9 “(B) in the case of the third refusal, termi-
10 nate the assistance.”.

11 **SEC. 5. WORK PARTICIPATION RATE REQUIREMENT.**

12 The table in section 407(a)(1) of the Social Security
13 Act (42 U.S.C. 607(a)(1)), is amended, in the item relat-
14 ing to fiscal year 2002 or thereafter, by striking “50” and
15 inserting “75”.

16 **SEC. 6. LIMITATION ON PAYMENTS TO STATES.**

17 Part A of title IV of the Social Security Act (42
18 U.S.C. 601 et seq.) is amended by adding at the end the
19 following:

20 **“SEC. 420. LIMITATION ON PAYMENTS TO STATES.**

21 “Notwithstanding any other provision of this part, no
22 funds may be paid to a State under this part unless the
23 State—

24 “(1) establishes and maintains a reasonable
25 program for randomly testing an individual in a

1 family receiving assistance under the State program
2 funded under this part for the use of controlled sub-
3 stances; and

4 “(2) terminates assistance under the State pro-
5 gram funded under this part for any individual who
6 tests positive for the use of controlled substances.”.

7 **SEC. 7. EFFECTIVE DATE.**

8 This Act and the amendments made by this Act take
9 effect as if included in the enactment of the Personal Re-
10 sponsibility and Work Opportunity Reconciliation Act of
11 1996 (Public Law 104–193, 110 Stat. 2105).

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