

116TH CONGRESS
2D SESSION

H. R. 8704

To amend title IV of the Social Security Act to reauthorize the grant program to promote responsible fatherhood, to modernize the child support enforcement program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2020

Mr. DANNY K. DAVIS of Illinois introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title IV of the Social Security Act to reauthorize the grant program to promote responsible fatherhood, to modernize the child support enforcement program, 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; TABLE OF CONTENTS; DEFINI-**
4 **TION.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Strengthening Families for Success Act of 2020”.

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

Sec. 1. Short title; table of contents; definition.

TITLE I—PROMOTING RESPONSIBLE FATHERHOOD AND
STRENGTHENING LOW-INCOME FAMILIES

Sec. 101. Reauthorization of healthy marriage promotion and responsible fatherhood grants.

TITLE II—IMPROVING RESOURCES FOR DOMESTIC VIOLENCE
AND FAMILY STRENGTHENING

Sec. 201. Best practices for coordination of policy to address domestic violence and family engagement.

Sec. 202. Grants supporting healthy family partnerships for domestic violence intervention and prevention.

Sec. 203. Procedures to address domestic violence.

TITLE III—MODERNIZATION OF CHILD SUPPORT ENFORCEMENT

Sec. 301. Pilot program to stay automatic child support enforcement against non-custodial parents participating in a healthy marriage or responsible fatherhood program.

Sec. 302. Closure of certain child support enforcement cases.

TITLE IV—PARENTING TIME SERVICES PILOT PROGRAM

Sec. 401. Parenting time services pilot program.

TITLE V—IMPROVEMENTS TO THE CHILD SUPPORT PASS-
THROUGH REQUIREMENTS

Sec. 501. Child support pass-through program improvements.

Sec. 502. Improving State documentation and reporting of child support collection data.

TITLE VI—PROGRAM FLEXIBILITY DURING THE COVID-19
PANDEMIC

Sec. 601. Emergency TANF flexibility.

Sec. 602. 2020 recovery rebates not subject to reduction or offset with respect to past-due support.

Sec. 603. Protection of 2020 recovery rebates.

TITLE VII—EFFECTIVE DATE

Sec. 701. Effective date.

1 (c) SECRETARY DEFINED.—In this Act, the term
2 “Secretary” means the Secretary of Health and Human
3 Services.

1 **TITLE I—PROMOTING RESPON-**
2 **SIBLE FATHERHOOD AND**
3 **STRENGTHENING LOW-IN-**
4 **COME FAMILIES**

5 **SEC. 101. REAUTHORIZATION OF HEALTHY MARRIAGE PRO-**
6 **MOTION AND RESPONSIBLE FATHERHOOD**
7 **GRANTS.**

8 (a) VOLUNTARY PARTICIPATION.—

9 (1) ASSURANCE.—Section 403(a)(2)(A)(ii)(II)
10 of the Social Security Act (42 U.S.C.
11 603(a)(2)(A)(ii)(II)) is amended—

12 (A) in item (aa), by striking “and” after
13 the semicolon;

14 (B) in item (bb), by striking the period
15 and inserting a semicolon; and

16 (C) by adding at the end the following:

17 “(cc) if the entity is a State
18 or an Indian tribe or tribal orga-
19 nization, to not condition the re-
20 ceipt of assistance under the pro-
21 gram funded under this part,
22 under a program funded with
23 qualified State expenditures (as
24 defined in section
25 409(a)(7)(B)(i)), or under a pro-

1 gram funded under part B or E
2 of this title, on enrollment or
3 participation in any such pro-
4 grams; and

5 “(dd) to permit any partici-
6 pant in a program or activity
7 funded under this paragraph, in-
8 cluding an individual whose par-
9 ticipation is specified in the indi-
10 vidual responsibility plan devel-
11 oped for the individual in accord-
12 ance with section 408(b), to
13 transfer to another such program
14 or activity upon notification to
15 the entity and the State agency
16 responsible for administering the
17 State program funded under this
18 part.”.

19 (2) PROHIBITION.—Section 408(a) of such Act
20 (42 U.S.C. 608(a)) is amended by adding at the end
21 the following:

22 “(13) BAN ON CONDITIONING RECEIPT OF
23 TANF OR CERTAIN OTHER BENEFITS ON PARTICIPA-
24 TION IN A HEALTHY MARRIAGE OR RESPONSIBLE
25 FATHERHOOD PROGRAM.—A State to which a grant

1 is made under section 403 shall not condition the re-
2 ceipt of assistance under the State program funded
3 under this part, under a program funded with quali-
4 fied State expenditures (as defined in section
5 409(a)(7)(B)(i)), or under a program funded under
6 part B or E of this title, on participation in a
7 healthy marriage promotion activity (as defined in
8 section 403(a)(2)(A)(iii)) or in an activity promoting
9 responsible fatherhood (as defined in section
10 403(a)(2)(C)(ii)).”.

11 (3) PENALTY.—Section 409(a) of such Act (42
12 U.S.C. 609(a)) is amended by adding at the end the
13 following:

14 “(17) PENALTY FOR CONDITIONING RECEIPT
15 OF TANF OR CERTAIN OTHER BENEFITS ON PARTICI-
16 PATION IN A HEALTHY MARRIAGE OR RESPONSIBLE
17 FATHERHOOD PROGRAM.—If the Secretary deter-
18 mines that a State has violated section 408(a)(13)
19 during a fiscal year, the Secretary shall reduce the
20 grant payable to the State under section 403(a)(1)
21 for the immediately succeeding fiscal year by an
22 amount equal to 5 percent of the State family assist-
23 ance grant.”.

1 (b) ALIGNMENT OF ENTITIES ELIGIBLE FOR GRANTS
2 AND TECHNICAL ASSISTANCE.—Section 403(a)(2) of such
3 Act (42 U.S.C. 603(a)(2)) is further amended—

4 (1) in subparagraph (A)—

5 (A) in clause (i), by inserting “territories,”
6 after “States,”; and

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

8 “(iv) ELIGIBLE ENTITIES.—States,
9 territories, Indian tribes and tribal organi-
10 zations, public or private entities, and non-
11 profit community entities, including reli-
12 gious organizations, are eligible to be
13 awarded funds made available under this
14 paragraph for the purpose of carrying out
15 healthy marriage promotion activities, for
16 the purpose of carrying out activities pro-
17 moting responsible fatherhood, or for both
18 such purposes.

19 “(v) TERRITORY DEFINED.—For pur-
20 poses of awarding funds under this para-
21 graph, the term ‘territory’ means the Com-
22 monwealth of Puerto Rico, the United
23 States Virgin Islands, Guam, American
24 Samoa, and the Commonwealth of the
25 Northern Mariana Islands.”; and

1 (2) in subparagraph (C)(i), by striking “and
2 public” and inserting “public or private entities,”.

3 (c) TERRITORY AND TRIBAL SET-ASIDE; ELIMI-
4 NATION OF PREFERENCE PROVISION.—Section
5 403(a)(2)(E) of such Act (42 U.S.C. 603(a)(2)(E)) is
6 amended to read as follows:

7 “(E) FUNDING FOR TERRITORIES AND IN-
8 DIAN TRIBES AND TRIBAL ORGANIZATIONS.—

9 “(i) IN GENERAL.—Of the amounts
10 made available under subparagraph (D)
11 for a fiscal year, not less than 10 of the
12 awards made by the Secretary of such
13 funds for fiscal year 2021 or any fiscal
14 year thereafter for the purpose of carrying
15 out healthy marriage promotion activities,
16 activities promoting responsible fatherhood,
17 or both, (excluding any award under sub-
18 paragraph (B)(i) for any fiscal year), shall
19 be made to a territory or an Indian tribe
20 or tribal organization.

21 “(ii) CLARIFICATION OF ELIGIBILITY
22 OF TRIBAL CONSORTIUMS.—A tribal con-
23 sortium of Indian tribes or tribal organiza-
24 tions may be awarded funds under this
25 paragraph for the purpose of carrying out

1 healthy marriage promotion activities, ac-
2 tivities promoting responsible fatherhood,
3 or both.”.

4 (d) ACTIVITIES PROMOTING RESPONSIBLE FATHER-
5 HOOD.—Section 403(a)(2)(C)(ii) of such Act (42 U.S.C.
6 603(a)(2)(C)(ii)) is amended—

7 (1) in subclause (I), by striking “marriage or
8 sustain marriage” and inserting “healthy relation-
9 ships and marriages or to sustain healthy relation-
10 ships or marriages”;

11 (2) in subclause (II), by inserting “educating
12 youth who are not yet parents about the economic,
13 social, and family consequences of early parenting,
14 helping participants in fatherhood programs work
15 with their own children to break the cycle of early
16 parenthood,” after “child support payments,”; and

17 (3) in subclause (III)—

18 (A) by striking “fathers” and inserting
19 “parents (with priority for low-income non-
20 custodial parents)”;

21 (B) by inserting “employment training for
22 both parents and for other family members,”
23 after “referrals to local employment training
24 initiatives,”.

1 (e) ENSURING HEALTHY MARRIAGE PROMOTION
2 AND RESPONSIBLE FATHERHOOD ACTIVITIES CAN BE
3 OFFERED DURING PUBLIC HEALTH EMERGENCIES.—

4 (1) IN GENERAL.—Section 403(a)(2)(A)(ii)(I)
5 of such Act (42 U.S.C. 603(a)(2)(A)(ii)(I)) is
6 amended—

7 (A) in each of items (aa) and (bb), by
8 striking “and” after the semicolon; and

9 (B) by adding at the end the following:

10 “(cc) how, and the extent to
11 which, funds awarded will be
12 used by the entity for technology
13 and access to broadband in order
14 to carry out healthy marriage
15 promotion activities, activities
16 promoting responsible father-
17 hood, or both, remotely during a
18 public health emergency; and

19 “(dd) how the entity will
20 sustain continuity of critical serv-
21 ices, specifying the scope of the
22 critical services to be maintained,
23 and the ability of the entity to be
24 able to resume providing such
25 services within 3 weeks of the be-

1 ginning of a public health emer-
2 gency or other incident that com-
3 promises the ability of the entity
4 to deliver such services in-person,
5 by telephone, or virtually; and”.

6 (2) PUBLIC HEALTH EMERGENCY DEFINED.—
7 Section 403(a)(2)(A) of such Act (42 U.S.C.
8 603(a)(2)(A)) is further amended—

9 (A) by redesignating clauses (iv) and (v)
10 (as added by subsection (b)(1)) as clauses (v)
11 and (vi), respectively; and

12 (B) by inserting after clause (iii) the fol-
13 lowing:

14 “(iv) PUBLIC HEALTH EMERGENCY
15 DEFINED.—In clause (ii), the term ‘public
16 health emergency’ means—

17 “(I) a national or public health
18 emergency declared by the President
19 or the Secretary, including—

20 “(aa) a major disaster relat-
21 ing to public health declared by
22 the President under section 401
23 of the Robert T. Stafford Dis-
24 aster Relief and Emergency As-
25 sistance Act (42 U.S.C. 5170);

1 “(bb) an emergency relating
2 to public health declared by the
3 President under section 501 of
4 the Robert T. Stafford Disaster
5 Relief and Emergency Assistance
6 Act (42 U.S.C. 5191); or

7 “(cc) a public health emer-
8 gency declared by the Secretary
9 under section 319 of the Public
10 Health Service Act (42 U.S.C.
11 247d); or

12 “(II) an emergency relating to
13 public health that has been declared
14 by a Governor or other appropriate of-
15 ficial of any State, the District of Co-
16 lumbia, or commonwealth, territory,
17 or locality of the United States.”.

18 (f) MEASURING OUTCOMES FOR ELIGIBLE FAMI-
19 LIES.—Section 403(a)(2) of such Act (42 U.S.C.
20 603(a)(2)), as amended by the preceding subsections of
21 this section, is further amended—

22 (1) in subparagraph (A)—

23 (A) in clause (ii)—

24 (i) in subclause (I)(dd), by striking
25 “and” after the semicolon;

1 (ii) in subclause (II)—

2 (I) in item (cc), by striking
3 “and” after the semicolon;

4 (II) in item (dd), by striking the
5 period at the end and inserting “;
6 and”; and

7 (III) by adding at the end the
8 following:

9 “(ee) to submit the report
10 required under clause (vi); and”;
11 and

12 (iii) by adding at the end the fol-
13 lowing:

14 “(III) provides, subject to the ap-
15 proval of the Secretary, for evalua-
16 tions of the activities carried out
17 using each grant made under this
18 paragraph that satisfy the require-
19 ments of subparagraph (F).”; and

20 (B) by adding at the end the following:

21 “(vii) REQUIREMENTS RELATING TO
22 OUTCOMES FOR MEASURING IMPROVE-
23 MENTS.—

24 “(I) REPORT ON IMPROVEMENTS
25 AFTER 3 YEARS.—Not later than 30

1 days after the end of the 3rd year in
2 which an eligible entity conducts pro-
3 grams or activities with funds made
4 available under this paragraph, the
5 entity shall submit a report to the
6 Secretary demonstrating the extent to
7 which the programs and activities car-
8 ried out with such funds made quan-
9 tifiable, measurable improvements in
10 the areas identified in the entity's ap-
11 plication in accordance with clause
12 (ii)(III).

13 “(II) TECHNICAL ASSISTANCE.—

14 The Secretary shall provide technical
15 assistance to help the eligible entity
16 develop and implement ways to evalu-
17 ate and improve outcomes for eligible
18 families. The Secretary may provide
19 the technical assistance directly or
20 through grants, contracts, or coopera-
21 tive agreements.

22 “(III) ADVISORY PANEL.—The

23 Secretary shall establish an advisory
24 panel for purposes of obtaining rec-
25 ommendations regarding the technical

1 assistance provided to entities in ac-
2 cordance with subclause (II).

3 “(IV) FINAL REPORT.—Not later
4 than December 31 of the first cal-
5 endar year that begins after October
6 1 of the 5th consecutive fiscal year for
7 which an eligible entity conducts pro-
8 grams or activities with funds made
9 available under this paragraph, and
10 every 5th such fiscal year thereafter
11 (beginning with funds awarded for fis-
12 cal year 2021), the eligible entity shall
13 submit a report to the Secretary dem-
14 onstrating the extent to which the
15 programs and activities carried out
16 with such funds made quantifiable,
17 measurable improvements in the areas
18 identified in the entity’s application
19 for funding for such 5 fiscal years.

20 “(V) REPORT TO CONGRESS.—
21 Not later than March 31, 2026, and
22 annually thereafter, the Secretary
23 shall submit a report to the Com-
24 mittee on Ways and Means of the
25 House of Representatives and the

1 Committee on Finance of the Senate
2 on the programs and activities carried
3 out with funds made available under
4 this paragraph based on the most re-
5 cent final reports submitted under
6 subclause (IV). Each report submitted
7 under this subclause shall identify the
8 programs and activities carried out
9 with funds made available under this
10 paragraph which made quantifiable,
11 measurable improvements and in
12 which outcome areas.”; and

13 (2) by adding at the end the following new sub-
14 paragraph:

15 “(F) EVALUATION REQUIREMENTS.—

16 “(i) IN GENERAL.—For purposes of
17 subparagraph (A)(ii)(III), an evaluation
18 satisfies the requirements of this subpara-
19 graph if—

20 “(I) the evaluation is designed
21 to—

22 “(aa) build evidence of the
23 effectiveness of the activities car-
24 ried out using each grant made
25 under this paragraph;

1 “(bb) determine the lessons
2 learned (including barriers to
3 success) from such activities; and

4 “(cc) to the extent prac-
5 ticable, help build local evaluation
6 capacity, including the capacity
7 to use evaluation data to inform
8 continuous program improve-
9 ment; and

10 “(II) the evaluation includes re-
11 search designs that encourage innova-
12 tion and reflect the nature of the ac-
13 tivities undertaken, successful imple-
14 mentation efforts, and the needs of
15 the communities, without prioritizing
16 efficacy research over effectiveness re-
17 search.

18 “(ii) RANDOMIZED CONTROLLED
19 TRIALS.—An evaluation conducted in ac-
20 cordance with subparagraph (A)(ii)(III)
21 and this subparagraph may, but shall not
22 be required to, include a randomized con-
23 trolled trial.

24 “(iii) OUTCOMES.—Outcomes of inter-
25 est for an evaluation conducted in accord-

1 ance with subparagraph (A)(ii)(III) and
2 this subparagraph shall include, but are
3 not limited to, the following:

4 “(I) Relationship quality between
5 custodial and non-custodial parents.

6 “(II) Family economic wellbeing,
7 including receipt of public benefits
8 and access to employment services
9 and education.

10 “(III) Payment of child support
11 by non-custodial parents, non-finan-
12 cial contributions, and involvement in
13 child-related activities.

14 “(IV) Parenting skills or par-
15 enting quality.

16 “(V) Health and mental health
17 outcomes of parents.

18 “(VI) Quality and frequency of
19 contact between children and non-cus-
20 todial parents.

21 “(VII) Reduction in crime or do-
22 mestic violence.

23 “(VIII) Prevention of child inju-
24 ries, child abuse, neglect, or maltreat-

1 ment, and reduction of emergency de-
2 partment visits.

3 “(IX) Coordination and referrals
4 for other community resources and
5 supports.”.

6 (g) AUTHORITY FOR SUBSTITUTION GRANTEES.—
7 Section 403(a)(2)(A) of such Act (42 U.S.C.
8 603(a)(2)(A)), as amended by subsections (b)(1), (e)(2),
9 and (f)(2), is further amended—

10 (1) in clause (ii), in the matter preceding sub-
11 clause (I), by striking “The Secretary” and inserting
12 “Except as provided in clause (viii), the Secretary”;
13 and

14 (2) by adding at the end the following:

15 “(viii) AUTHORITY FOR SUBSTITUTE
16 ENTITIES.—If, after being awarded funds
17 under this paragraph for a fiscal year for
18 the purpose of carrying out healthy mar-
19 riage promotion activities, activities pro-
20 moting responsible fatherhood, or both, an
21 entity becomes unable to continue to carry
22 out such activities for the duration of the
23 award period, the Secretary may select an-
24 other entity to carry out such activities
25 with the funds from the initial award that

1 remain available for obligation, for the re-
2 mainder of the initial award period. The
3 Secretary shall make any such selection
4 from among applications submitted by
5 other entities for funding to carry out the
6 same activities as the activities for which
7 the initial award was made, and may base
8 the criteria for making such a selection on
9 the objectives specified in the announce-
10 ment of the opportunity to apply for the
11 initial award funds.”.

12 (h) REAUTHORIZATION.—Section 403(a)(2)(D) of
13 such Act (42 U.S.C. 603(a)(2)(D)) is amended to read
14 as follows:

15 “(D) APPROPRIATION.—

16 “(i) IN GENERAL.—Subject to clauses
17 (ii) and (iii), out of any money in the
18 Treasury of the United States not other-
19 wise appropriated, there are appropriated
20 for each of fiscal years 2021 through and
21 2025 for expenditure in accordance with
22 this paragraph—

23 “(I) \$75,000,000 for awarding
24 funds for the purpose of carrying out

1 healthy marriage promotion activities;
2 and

3 “(II) \$75,000,000 for awarding
4 funds for the purpose of carrying out
5 activities promoting responsible fa-
6 therhood.

7 “(ii) DEMONSTRATION PROJECTS FOR
8 COORDINATION OF PROVISION OF CHILD
9 WELFARE AND TANF SERVICES TO TRIBAL
10 FAMILIES AT RISK OF CHILD ABUSE OR
11 NEGLECT.—If the Secretary makes an
12 award under subparagraph (B)(i) for any
13 fiscal year, the funds for such award shall
14 be taken in equal portion from the
15 amounts appropriated under subclauses (I)
16 and (II) of clause (i).

17 “(iii) RESEARCH; TECHNICAL ASSIST-
18 ANCE.—The Secretary may use 0.5 percent
19 of the amounts appropriated under each of
20 subclauses (I) and (II) of clause (i), re-
21 spectively, for the purpose of conducting
22 and supporting research and demonstra-
23 tion projects by public or private entities,
24 and providing technical assistance to
25 States, Indian tribes and tribal organiza-

1 tions, and such other entities as the Sec-
2 retary may specify that are receiving a
3 grant under another provision of this
4 part.”.

5 **TITLE II—IMPROVING RE-**
6 **SOURCES FOR DOMESTIC VIO-**
7 **LENCE AND FAMILY**
8 **STRENGTHENING**

9 **SEC. 201. BEST PRACTICES FOR COORDINATION OF POLICY**
10 **TO ADDRESS DOMESTIC VIOLENCE AND FAM-**
11 **ILY ENGAGEMENT.**

12 The Secretary shall develop a coordinated policy to
13 address domestic violence and family strengthening that—

14 (1) establishes criteria and best practices for
15 coordination and partnership between domestic vio-
16 lence shelter and service organizations and respon-
17 sible fatherhood and healthy marriage promotion
18 programs;

19 (2) not later than 120 days after the date of
20 enactment of this Act, issue guidance containing
21 such criteria and best practices; and

22 (3) update and reissue such criteria and best
23 practices at least once every 5 years.

1 **SEC. 202. GRANTS SUPPORTING HEALTHY FAMILY PART-**
2 **NERSHIPS FOR DOMESTIC VIOLENCE INTER-**
3 **VENTION AND PREVENTION.**

4 Section 403(a) of the Social Security Act (42 U.S.C.
5 603(a)) is amended by adding at the end the following
6 new paragraph:

7 “(6) GRANTS SUPPORTING HEALTHY FAMILY
8 PARTNERSHIPS FOR DOMESTIC VIOLENCE INTER-
9 VENTION AND PREVENTION.—

10 “(A) IN GENERAL.—The Secretary shall
11 award grants on a competitive basis to healthy
12 family partnerships to build capacity for, and
13 facilitate such partnerships.

14 “(B) USE OF FUNDS.—Funds made avail-
15 able under a grant awarded under this para-
16 graph may be used for staff training, the provi-
17 sion of domestic violence intervention and pre-
18 vention services, and the dissemination of best
19 practices for—

20 “(i) assessing and providing services
21 to individuals and families affected by do-
22 mestic violence, including through case-
23 worker training, the provision of technical
24 assistance to other community partners,
25 the implementation of safe visitation and

1 exchange programs, and the implementa-
2 tion of safe child support procedures; or

3 “(ii) preventing domestic violence,
4 particularly as a barrier to economic secu-
5 rity, and fostering healthy relationships.

6 “(C) APPLICATION.—The respective entity
7 and organization of a healthy family partner-
8 ship entered into for purposes of receiving a
9 grant under this paragraph shall submit a joint
10 application to the Secretary, at such time and
11 in such manner as the Secretary shall specify,
12 containing—

13 “(i) a description of how the partner-
14 ship intends to carry out the activities de-
15 scribed in subparagraph (B), including a
16 detailed plan for how the entity and orga-
17 nization comprising the partnership will
18 collaborate;

19 “(ii) an assurance that funds made
20 available under the grant shall be used to
21 supplement, and not supplant, other funds
22 used by the entity or organization to carry
23 out programs, activities, or services de-
24 scribed in subparagraph (B); and

1 “(iii) such other information as the
2 Secretary may require.

3 “(D) GENERAL RULES GOVERNING USE OF
4 FUNDS.—Neither the rules of section 404
5 (other than subsection (b) of that section), nor
6 section 417 shall apply to a grant made under
7 this paragraph.

8 “(E) DEFINITIONS.—In this paragraph:

9 “(i) DOMESTIC VIOLENCE.—The term
10 ‘domestic violence’ means violence between
11 intimate partners, which involves any form
12 of physical violence, sexual violence, stalk-
13 ing, or psychological aggression, by a cur-
14 rent or former intimate partner.

15 “(ii) HEALTHY FAMILY PARTNER-
16 SHIP.—The term ‘healthy family partner-
17 ship’ means a partnership between—

18 “(I) an entity receiving funds
19 under—

20 “(aa) a grant made under
21 paragraph (2) to promote healthy
22 marriage or responsible father-
23 hood; or

1 “(bb) the pilot program es-
2 tablished under section 469C;
3 and

4 “(II) a domestic violence shelter
5 and service organization.

6 “(F) APPROPRIATION.—Out of any money
7 in the Treasury of the United States not other-
8 wise appropriated, there are appropriated for
9 each of fiscal years 2022 through 2025,
10 \$25,000,000 to carry out this paragraph.”.

11 **SEC. 203. PROCEDURES TO ADDRESS DOMESTIC VIOLENCE.**

12 (a) IN GENERAL.—Section 403(a)(2) of the Social
13 Security Act (42 U.S.C. 603(a)(2)), as amended by sub-
14 sections (c) and (h) of section 101, is amended—

15 (1) by redesignating subparagraphs (D) and
16 (E) as subparagraphs (F) and (G), respectively; and

17 (2) by inserting after subparagraph (C) the fol-
18 lowing:

19 “(D) REQUIREMENTS FOR RECEIPT OF
20 FUNDS.—An entity may not be awarded a grant
21 under this paragraph unless the entity, as a
22 condition of receiving funds under such a
23 grant—

24 “(i) agrees to coordinate with the
25 State domestic violence coalition (as de-

1 fined in section 302(11) of the Family Violence Prevention and Services Act (42
2 U.S.C. 10402(11));

3 “(ii) identifies in its application for
4 the grant the domestic violence shelter and
5 service organization at the local, State, or
6 national level with whom the entity will
7 partner with respect to the development
8 and implementation of the programs and
9 activities of the entity;

10 “(iii) describes in such application
11 how the programs or activities proposed in
12 the application will address, as appropriate,
13 issues of domestic violence, and
14 contains a commitment by the entity to
15 consult with experts in domestic violence or
16 relevant domestic violence shelter and service
17 organizations in the community in developing
18 the programs and activities;

19 “(iv) describes in such application the
20 roles and responsibilities of the entity and
21 the domestic violence shelter and service
22 organization, including with respect to
23 training, cross-trainings for each entity,
24 development of protocols using comprehen-
25

1 sive and evidence-based practices and tools,
2 and reporting, and the resources that each
3 partner will be responsible for bringing to
4 the program;

5 “(v) on award of the grant, and in
6 consultation with the domestic violence
7 shelter and service organization, develops
8 and submits to the Secretary for approval,
9 a written protocol using comprehensive and
10 evidence-based practices and tools which
11 describes—

12 “(I) how the entity will identify
13 instances or risks of domestic violence
14 among participants in the program
15 and their families;

16 “(II) the procedures for respond-
17 ing to such instances or risks, includ-
18 ing making service referrals, assisting
19 with safety planning, and providing
20 protections and other appropriate as-
21 sistance for identified individuals and
22 families;

23 “(III) how confidentiality issues
24 will be addressed; and

1 “(IV) the training on domestic
2 violence that will be provided to en-
3 sure effective and consistent imple-
4 mentation of the protocol;

5 “(vi) describes the entity’s plan to
6 build the capacity of program staff and
7 other partners to address and commu-
8 nicate with parents about domestic vio-
9 lence;

10 “(vii) provides an assurance that the
11 program staff will include a domestic vio-
12 lence coordinator to serve as the lead staff
13 person on domestic violence for the entity
14 (which may be funded with funds made
15 available under the grant); and

16 “(viii) in an annual report to the Sec-
17 retary, includes a description of the domes-
18 tic violence protocols, and a description of
19 any implementation issues identified with
20 respect to domestic violence and how the
21 issues were addressed.

22 “(E) DOMESTIC VIOLENCE DEFINED.—In
23 this paragraph, the term ‘domestic violence’
24 means violence between intimate partners,
25 which involves any form of physical violence,

1 sexual violence, stalking, or psychological ag-
 2 gression, by a current or former intimate part-
 3 ner.”.

4 (b) CONFORMING AMENDMENTS.—Section 403(a)(2)
 5 of such Act (42 U.S.C. 603(a)(2)), is further amended—

6 (1) in subparagraph (A)(i)—

7 (A) by striking “and (E)” and inserting
 8 “(D), and (G)”;

9 (B) by striking “(D)” and inserting “(F)”;

10 and

11 (2) in subparagraphs (B)(i) and (C)(i), by
 12 striking “(D)” each place it appears and inserting
 13 “(F)”.

14 (c) EFFECTIVE DATE.—The amendments made by
 15 this section shall take effect on October 1, 2021.

16 **TITLE III—MODERNIZATION OF**
 17 **CHILD SUPPORT ENFORCEMENT**

18 **SEC. 301. PILOT PROGRAM TO STAY AUTOMATIC CHILD**
 19 **SUPPORT ENFORCEMENT AGAINST NON-CUS-**
 20 **TODIAL PARENTS PARTICIPATING IN A**
 21 **HEALTHY MARRIAGE OR RESPONSIBLE FA-**
 22 **THERHOOD PROGRAM.**

23 (a) ESTABLISHMENT.—

24 (1) IN GENERAL.—The Secretary shall establish
 25 a pilot program to test whether the impact of stay-

1 ing automatic child support enforcement and cost re-
2 covery efforts improves family outcomes in cases
3 under the State program funded under part A of
4 title IV of the Social Security Act (42 U.S.C. 601
5 et seq.) while a non-custodial parent participates in
6 a healthy marriage or responsible fatherhood pro-
7 gram carried out under section 403(a)(2) of the So-
8 cial Security Act (42 U.S.C. 603(a)(2)), under a
9 program funded with qualified State expenditures
10 (as defined in section 409(a)(7)(B)(i) of such Act
11 (42 U.S.C. 609(a)(7)(B)(i))), or under any other
12 program funded with non-Federal funds. While a
13 child’s non-custodial parent is participating in a
14 healthy marriage or responsible fatherhood program
15 that is part of the pilot program established under
16 this section, an eligible entity participating in the
17 pilot program—

18 (A) shall not apply paragraph (3) of sec-
19 tion 408(a) of the Social Security Act (42
20 U.S.C. 608(a)) to a family of a child receiving
21 assistance under the State program funded
22 under part A of title IV of such Act (42 U.S.C.
23 601 et seq.);

24 (B) shall not refer the child’s case to the
25 State program funded under part D of title IV

1 of the Social Security Act (42 U.S.C. 651 et
2 seq.) or apply a penalty against the child's fam-
3 ily based on the custodial parent's noncoopera-
4 tion with child support activities with respect to
5 the child under paragraph (2) of section 408(a)
6 of such Act (42 U.S.C. 608(a)), but shall pro-
7 vide an exception to the custodial parent pursu-
8 ant to section 454(29)(A) of such Act (42
9 U.S.C. 654(29)(A));

10 (C) shall not be subject to penalties under
11 section 409(a)(5) of such Act (42 U.S.C.
12 609(a)(5));

13 (D) notwithstanding subparagraph (B),
14 any such individual shall retain the right to
15 apply for child support services under section
16 454(4)(A)(ii) of the Social Security Act (42
17 U.S.C. 654(4)(A)(ii)) with respect to a child of
18 the individual;

19 (E) if the child has an open child support
20 case with the State agency responsible for ad-
21 ministering the State plan under part D of title
22 IV of the Social Security Act (42 U.S.C. 651 et
23 seq.), such State agency, shall suspend any ac-
24 tivity to establish or enforce a support order
25 with respect to the child (other than to estab-

1 lish the paternity of the child), and monthly
2 child support obligations shall be suspended and
3 shall not accrue, but only if both parents of the
4 child agree in writing to the suspension; and

5 (F) if child support activities are sus-
6 pended in a case by agreement of both parents
7 in accordance with subparagraph (E), may ex-
8 clude the case in determining applicable per-
9 centages based on State performance levels
10 under section 458 of the Social Security Act
11 (42 U.S.C. 658a), and the Secretary shall dis-
12 regard the case in determining whether the
13 State data submitted to the Secretary are com-
14 plete and reliable for purposes of that section
15 and section 452 of such Act (42 U.S.C. 652).

16 (2) ELIGIBLE ENTITY.—In this section, the
17 term “eligible entity” means—

18 (A) a State;

19 (B) a unit of local government; or

20 (C) an Indian tribe or tribal organization
21 (as defined in subsections (e) and (l) of section
22 4 of the Indian Self-Determination and Edu-
23 cation Assistance Act (25 U.S.C. 5304)) that
24 receives direct payments from the Secretary
25 under section 455(f) of the Social Security Act

1 (42 U.S.C. 655(f)) or has entered into a coop-
2 erative agreement with a State under section
3 454(33) of such Act (42 U.S.C. 654(33)).

4 (3) APPLICATION, SELECTION OF ELIGIBLE EN-
5 TITIES.—

6 (A) APPLICATION.—

7 (i) IN GENERAL.—To participate in
8 the pilot program, an eligible entity shall
9 submit an application to the Secretary at
10 such time and in such manner as the Sec-
11 retary may require.

12 (ii) REQUIRED INFORMATION.—An
13 application to participate in the pilot pro-
14 gram shall include—

15 (I) an outline of the healthy mar-
16 riage or responsible fatherhood pro-
17 grams that the eligible entity will
18 partner with for the purposes of par-
19 ticipating in the pilot program, includ-
20 ing a description of each the eligibility
21 and participation criteria for each
22 such program;

23 (II) the goals, strategies, and de-
24 sired outcomes of the eligible entity's

1 proposed participation in the pilot
2 program; and

3 (III) such other information as
4 the Secretary shall require.

5 (B) SELECTION OF ELIGIBLE ENTITIES.—

6 Not later than September 30, 2021, the Sec-
7 retary shall select at least 10 eligible entities to
8 participate in the pilot program.

9 (4) DURATION OF PILOT PROGRAM.—The Sec-
10 retary shall conduct the pilot program during the 4-
11 year period that begins with fiscal year 2022 and
12 ends with fiscal year 2025.

13 (5) DATA COLLECTION AND REPORTING.—

14 Throughout the pilot period, an eligible entity par-
15 ticipating in the pilot program shall collect and re-
16 port to the Secretary such data related to the enti-
17 ty's participation in the pilot program as the Sec-
18 retary shall require.

19 (b) GAO REPORT.—

20 (1) STUDY.—The Comptroller General of the
21 United States shall study the implementation and
22 impact of the pilot program established under sub-
23 section (a).

24 (2) REPORT.—Not later than January 1, 2026,
25 the Comptroller General shall submit a report to

1 Congress on the results of the study required under
2 paragraph (1) that includes information on the fol-
3 lowing:

4 (A) How State agencies responsible for ad-
5 ministering the State program funded under
6 part A of title IV of the Social Security Act (42
7 U.S.C. 601 et seq.) and the State agency re-
8 sponsible for administering the State plan
9 under part D of title IV of such Act (42 U.S.C.
10 651 et seq.) designate healthy marriage or re-
11 sponsible fatherhood programs as eligible pro-
12 grams for purposes of the pilot program and
13 what types of organizations have programs so
14 designated, including whether such programs
15 are funded under a grant made under section
16 403(a)(2) of such Act (42 U.S.C. 603(a)(2)),
17 under a program funded with qualified State
18 expenditures (as defined in section
19 409(a)(7)(B)(i) of such Act (42 U.S.C.
20 609(a)(7)(B)(i))), or under any other program
21 funded with non-Federal funds.

22 (B) The types of activities and services
23 designated programs provide, including the ex-
24 tent to which any such activities and services

1 are intended for domestic violence victims and
2 survivors.

3 (C) An assessment of how the designated
4 programs compare to other entities receiving a
5 grant under section 403(a)(2) of such Act (42
6 U.S.C. 603(a)(2)), under a program funded
7 with qualified State expenditures (as defined in
8 section 409(a)(7)(B)(i) of such Act (42 U.S.C.
9 609(a)(7)(B)(i))), or under any other program
10 funded with non-Federal funds, with respect to
11 the information described in subparagraphs (A)
12 and (B).

13 (D) Recommendations for such administra-
14 tive or legislative action as the Comptroller
15 General determines appropriate.

16 **SEC. 302. CLOSURE OF CERTAIN CHILD SUPPORT EN-**
17 **FORCEMENT CASES.**

18 Section 454(4)(A) of the Social Security Act (42
19 U.S.C. 654(4)(A)) is amended—

20 (1) by striking clause (i) and inserting the fol-
21 lowing:

22 “(i) a child living apart from 1 or
23 both parents for whom (I) assistance is
24 provided under the State program funded
25 under part A of this title, (II) benefits or

1 services for foster care maintenance are
2 provided under the State program funded
3 under part E of this title, (III) medical as-
4 sistance is provided under the State plan
5 approved under title XIX, or (IV) coopera-
6 tion is required pursuant to section 6(l)(1)
7 of the Food and Nutrition Act of 2008 (7
8 U.S.C. 2015(l)(1)) unless, in accordance
9 with paragraph (29), good cause or other
10 exceptions exist, or in the event that the
11 State agency becomes aware after opening
12 a child support case upon referral from an-
13 other program that both parents of the
14 child comprise an intact 2-parent house-
15 hold (even if a parent is temporarily living
16 elsewhere), and neither parent has applied
17 for child support services under clause (ii),
18 in which case the State agency shall notify
19 the referring program and each parent
20 that the case will be closed within 60 days
21 of the date of such notice unless either
22 parent contacts the State agency and re-
23 quests that the case remain open; and”;
24 and

1 (2) in clause (ii), by inserting “living apart
2 from 1 or both parents” after “any other child”.

3 **TITLE IV—PARENTING TIME**
4 **SERVICES PILOT PROGRAM**

5 **SEC. 401. PARENTING TIME SERVICES PILOT PROGRAM.**

6 Part D of title IV of the Social Security Act (42
7 U.S.C. 651 et seq.) is amended by adding at the end the
8 following:

9 **“SEC. 469C. PARENTING TIME SERVICES PILOT PROGRAM.**

10 “(a) ESTABLISHMENT.—

11 “(1) IN GENERAL.—Not later than June 30,
12 2021, the Secretary shall establish a pilot program
13 (referred to in this section as the ‘pilot program’) to
14 provide payments to State, local, and tribal agencies
15 responsible for administering the program under this
16 part (referred to in this section as ‘eligible entities’)
17 for carrying out the activities described in subsection
18 (d) for the purpose of promoting the inclusion of
19 uncontested parenting time agreements in child sup-
20 port orders. Expenditures for activities carried out
21 by a State, local, or tribal agency participating in
22 the pilot program shall be treated as expenditures
23 authorized under the State or tribal plan approved
24 under this part, without regard to whether such ex-

1 penditures would otherwise be a permissible use of
2 funds under such plan.

3 “(2) NO BUDGET NEUTRALITY REQUIRED.—No
4 budget neutrality requirement shall apply to the
5 pilot program.

6 “(b) APPLICATION, SELECTION OF ELIGIBLE ENTI-
7 TIES, AND DURATION.—

8 “(1) APPLICATION.—

9 “(A) IN GENERAL.—To participate in the
10 pilot program, an eligible entity shall submit an
11 application to the Secretary at such time and in
12 such manner as the Secretary may require.

13 “(B) REQUIRED INFORMATION.—An appli-
14 cation to participate in the pilot program shall
15 include the following:

16 “(i) The identity of the courts or judi-
17 cial or administrative agencies with which
18 the eligible entity will coordinate activities
19 carried out under the pilot program.

20 “(ii) The identity of the local, State,
21 or national level domestic violence shelter
22 and service organization with which the eli-
23 gible entity will partner with to develop
24 and implement the procedures to address

1 domestic violence required under sub-
2 section (d).

3 “(iii) A description of the role and re-
4 sponsibilities of each of such partner with
5 respect to developing and implementing the
6 procedures required under subsection (d),
7 and of the resources that each partner will
8 contribute to developing and implementing
9 such procedures.

10 “(iv) Such other information as the
11 Secretary shall require.

12 “(2) SELECTION OF ELIGIBLE ENTITIES.—Not
13 later than September 30, 2021, the Secretary shall
14 select at least 12 eligible entities to participate in
15 the pilot program, at least 2 of which shall be tribal
16 agencies described in subsection (b).

17 “(3) DURATION OF PILOT PROGRAM.—The Sec-
18 retary shall conduct the pilot program during the 5-
19 year period that begins with fiscal year 2022 and
20 ends with fiscal year 2026.

21 “(c) AUTHORIZED ACTIVITIES.—An eligible entity
22 participating in the pilot program shall carry out the fol-
23 lowing activities:

24 “(1) Establishing parent time plans in conjunc-
25 tion with the establishment of a child support order.

1 “(2) Coordinating with the custodial and non-
2 custodial parent when establishing a parent time
3 plan.

4 “(3) Supervising and facilitating parents’ visita-
5 tion and access to their children, including virtual
6 visitation in situations where in-person visitation is
7 not practicable.

8 “(4) Providing parents with legal information
9 and referrals related to parenting time.

10 “(5) Coordinating with domestic violence shelter
11 and service organizations.

12 “(6) Employing a staff member to serve as a
13 domestic violence coordinator.

14 “(7) Such other activities related to promoting
15 the inclusion of uncontested parenting time agree-
16 ments in child support orders as the Secretary may
17 approve.

18 “(d) PROGRAM REQUIREMENTS.—As a condition of
19 receiving payments under the pilot program, an eligible
20 entity shall meet the following requirements:

21 “(1) PROCEDURES TO ADDRESS DOMESTIC VIO-
22 LENCE.—Not later than 3 months after the eligible
23 entity is selected to participate in the pilot program,
24 the eligible entity, in consultation with the State do-
25 mestic violence coalition (as defined in section

1 302(11) of the Family Violence Prevention and
2 Services Act (42 U.S.C. 10402(11))) and the domes-
3 tic violence shelter and service organization with
4 which the entity is partnering, shall do the following:

5 “(A) Develop, and submit to the Secretary
6 for approval, written protocols for use by the el-
7 igible entity in carrying out activities under the
8 pilot program that are based on comprehensive
9 and evidence-based practices and tools for—

10 “(i) identifying instances of domestic
11 violence and situations where there is a
12 risk of domestic violence;

13 “(ii) responding to any instances of
14 domestic violence and situations where
15 there is a risk of domestic violence that are
16 so identified, including by making referrals
17 to domestic violence intervention and pre-
18 vention services, assisting with safety plan-
19 ning, and providing protections and other
20 appropriate assistance to individuals and
21 families who are victims or potential vic-
22 tims of domestic violence;

23 “(iii) addressing confidentiality issues
24 related to identifying and responding to in-
25 stances of domestic violence and situations

1 where there is a risk of domestic violence;
2 and

3 “(iv) providing domestic violence
4 awareness and intervention and prevention
5 training to ensure the effective and con-
6 sistent implementation of the protocols de-
7 veloped under this subparagraph.

8 “(B) Build the capacity of the staff of the
9 eligible entity and the domestic violence shelter
10 and service organization partner of the entity to
11 communicate with parents about domestic vio-
12 lence.

13 “(C) Appoint a staff member of the eligible
14 entity or the domestic violence shelter and serv-
15 ice organizations to serve as the domestic vio-
16 lence coordinator for purposes of the activities
17 carried out under the pilot program.

18 “(D) Submit a final report to the Sec-
19 retary describing—

20 “(i) the protocols established by the
21 eligible entity to address domestic violence;
22 and

23 “(ii) any issues that the eligible entity
24 encountered in implementing such proto-

1 cols and if so, how the eligible entity ad-
2 dressed such issues.

3 “(2) DATA COLLECTION AND REPORTING.—

4 Throughout the pilot period, an eligible entity par-
5 ticipating in the pilot program shall collect and re-
6 port to the Secretary such data related to the enti-
7 ty’s participation in the pilot program as the Sec-
8 retary shall require.

9 “(e) PAYMENTS TO ELIGIBLE ENTITIES.—

10 “(1) IN GENERAL.—For each quarter during
11 the pilot period described in subsection (b)(3), the
12 Secretary shall pay to each eligible entity partici-
13 pating in the pilot program an amount equal to the
14 applicable percentage specified in paragraph (2) of
15 the amounts expended by the entity during the quar-
16 ter to carry out the pilot program. Such payments
17 shall be made in addition to, and as part of, the
18 quarterly payment made to the eligible entity under
19 section 455(a)(1). Amounts expended by an eligible
20 entity participating in the pilot program shall be
21 treated as amounts expended for a purpose for
22 which a quarterly payment is available under section
23 455(a)(1)(A), without regard to whether payment
24 would otherwise be available under such section in
25 the absence of the pilot program (and subject to the

1 application of the applicable percentage for such
2 quarter under paragraph (2) in lieu of the percent-
3 age that would otherwise apply under such section
4 (if any)).

5 “(2) APPLICABLE PERCENTAGE.—The applica-
6 ble percentage specified in this paragraph is—

7 “(A) in the case of payments made for the
8 first 8 quarters of the pilot period, 100 percent;
9 and

10 “(B) in the case of payments made for
11 each subsequent quarter of the pilot period, 66
12 percent (80 percent in the case of an eligible
13 entity that is a tribal agency).

14 “(3) SUNSET FOR PAYMENTS.—In no case may
15 payments be provided by the Secretary for amounts
16 expended by an eligible entity to carry out the pilot
17 program for any quarter of a fiscal year after fiscal
18 year 2026.

19 “(f) EVALUATION OF PILOT PROGRAM.—

20 “(1) IN GENERAL.—The Secretary shall con-
21 duct (directly or by grant, contract, or interagency
22 agreement) a comprehensive evaluation of the pilot
23 program that satisfies the requirements of this sub-
24 section.

1 “(2) DEADLINE.—Not later than 1 year after
2 the pilot program ends, the Secretary shall submit
3 to Congress a report containing the results of such
4 comprehensive evaluation.

5 “(3) EVALUATION REQUIREMENTS.—

6 “(A) IN GENERAL.—A comprehensive eval-
7 uation satisfies the requirements of this sub-
8 section if—

9 “(i) the evaluation is designed to iden-
10 tify successful activities for creating oppor-
11 tunities for developing and sustaining par-
12 enting time to—

13 “(I) build evidence of the effec-
14 tiveness of such activities;

15 “(II) determine the lessons
16 learned (including barriers to success)
17 from such activities; and

18 “(III) to the extent practicable,
19 help build local evaluation capacity,
20 including the capacity to use evalua-
21 tion data to inform continuous pro-
22 gram improvement; and

23 “(ii) the evaluation includes research
24 designs that encourage innovation and re-
25 flect the nature of the activities under-

1 taken, successful implementation efforts,
2 and the needs of the communities, without
3 prioritizing efficacy research over effective-
4 ness research.

5 “(B) RANDOMIZED CONTROLLED
6 TRIALS.—A comprehensive evaluation con-
7 ducted in accordance with this subsection may,
8 but shall not be required to, include a random-
9 ized controlled trial.

10 “(4) REPORT REQUIREMENTS.—The report on
11 the comprehensive evaluation conducted in accord-
12 ance with this subsection shall include the following:

13 “(A) An assessment of the process used to
14 assist parents in developing and establishing
15 parenting time agreements and the number of
16 parenting time agreements established during
17 the pilot program.

18 “(B) An assessment of the impact of the
19 pilot program on child support payment out-
20 comes, including payment behaviors such as the
21 amount of monthly payments, the frequency of
22 monthly payments, and the frequency and type
23 of non-financial assistance.

24 “(C) An assessment of the access barriers
25 to establishing and complying with parenting

1 time agreements, and the effectiveness of meth-
2 ods used by the pilot projects to address bar-
3 riers.

4 “(D) An assessment of the impact of the
5 pilot program on co-parenting quality.

6 “(E) An assessment of the impact of the
7 pilot program on relationships between custo-
8 dial and non-custodial parents.

9 “(F) An assessment of the impact of the
10 pilot program on relationships between non-cus-
11 todial parents and their children.

12 “(G) Data on the incidence and prevalence
13 of domestic violence between custodial and non-
14 custodial parents during the course of the pilot
15 program.

16 “(H) A detailed description of the proce-
17 dures used to address incidents of domestic vio-
18 lence between custodial and non-custodial par-
19 ents during the course of the pilot program.

20 “(I) An assessment of the impact of the
21 pilot program on increasing custodial and non-
22 custodial parents’ knowledge about domestic vi-
23 olence.

24 “(5) APPROPRIATION.—Out of any money in
25 the Treasury not otherwise appropriated, there is

1 appropriated to the Secretary to carry out this sub-
 2 section \$1,000,000 for each of fiscal years 2022
 3 through 2026, to remain available until expended.

4 “(g) DOMESTIC VIOLENCE DEFINED.—In this sec-
 5 tion, the term ‘domestic violence’ means violence between
 6 intimate partners, which involves any form of physical vio-
 7 lence, sexual violence, stalking, or psychological aggress-
 8 sion, by a current or former intimate partner.”.

9 **TITLE V—IMPROVEMENTS TO**
 10 **THE CHILD SUPPORT PASS-**
 11 **THROUGH REQUIREMENTS**

12 **SEC. 501. CHILD SUPPORT PASS-THROUGH PROGRAM IM-**
 13 **PROVEMENTS.**

14 (a) PASS-THROUGH OF ALL CURRENT SUPPORT
 15 AMOUNTS AND ARREARAGES COLLECTED FOR CURRENT
 16 AND FORMER TANF FAMILIES.—Section 457 of the So-
 17 cial Security Act (42 U.S.C. 657) is amended—

18 (1) in subsection (a), in the matter preceding
 19 paragraph (1), by striking “and (e)” and inserting
 20 “, (e), (f), and (g)”; and

21 (2) by adding at the end the following:

22 “(f) DISTRIBUTION OF CURRENT SUPPORT AMOUNT
 23 AND ARREARAGES COLLECTED FOR TANF FAMILIES.—

24 “(1) TANF FAMILIES.—Subject to subsections
 25 (d), (e), and (g), beginning October 1, 2023—

1 “(A) paragraph (1) of subsection (a) shall
2 no longer apply to the distribution of amounts
3 collected on behalf of a TANF family as sup-
4 port by a State pursuant to a plan approved
5 under this part;

6 “(B) the State shall pay to a TANF family
7 all of the current support amount collected by
8 the State on behalf of the family and all of any
9 excess amount collected on behalf of the family
10 to the extent necessary to satisfy support ar-
11 rearages; and

12 “(C) for purposes of determining eligibility
13 for, and the amount and type of, assistance
14 from the State under the State program funded
15 under part A, the State shall disregard the cur-
16 rent support amount paid to a TANF family
17 and shall disregard the current support amount
18 paid to any family that is an applicant for as-
19 sistance under the State program funded under
20 part A.

21 “(2) FORMER TANF FAMILIES.—

22 “(A) IN GENERAL.—Subject to subsections
23 (e) and (g), beginning October 1, 2025—

24 “(i) subsection (a)(2) shall no longer
25 apply to the distribution of amounts col-

1 lected on behalf of a former TANF family
2 as support by a State pursuant to a plan
3 approved under this part or to support ob-
4 ligations assigned by the family; and

5 “(ii) the State shall pay to a former
6 TANF family all of the current support
7 amount collected by the State on behalf of
8 the family and all of any excess amount
9 collected on behalf of the family to the ex-
10 tent necessary to satisfy support arrear-
11 ages (and the State shall treat amounts
12 collected pursuant to an assignment by the
13 family as if the amounts had never been
14 assigned and shall distribute the amounts
15 to the family in accordance with subsection
16 (a)(4)).

17 “(B) STATE OPTION FOR EARLIER IMPLI-
18 MENTATION.—A State may elect to apply sub-
19 paragraph (A) to the distribution of amounts
20 collected on behalf of a former TANF family as
21 support by a State pursuant to a plan approved
22 under this part beginning on the first day of
23 any quarter of fiscal year 2024 or 2025.

24 “(3) DEFINITIONS.—In this subsection:

1 “(A) TANF FAMILY.—The term ‘TANF
2 family’ means a family receiving assistance
3 from the State under the State program funded
4 under part A.

5 “(B) FORMER TANF FAMILY.—The term
6 ‘former TANF family’ means a family that for-
7 merly received assistance from the State under
8 the State program funded under part A.

9 “(C) EXCESS AMOUNT.—The term ‘excess
10 amount’ means, with respect to amounts col-
11 lected by a State as support on behalf of a fam-
12 ily, the amount by which such amount collected
13 exceeds the current support amount.”.

14 (b) TEMPORARY INCREASE IN MATCHING RATE.—
15 Section 455(a)(3) of such Act (42 U.S.C. 655(a)(3)) is
16 amended to read as follows:

17 “(3)(A) The Secretary shall pay to each State, for
18 each quarter of fiscal years 2022 and 2023, 90 percent
19 of so much of the State expenditures described in para-
20 graph (1)(B) for the quarter as the Secretary finds are
21 for a system meeting the requirements specified in sec-
22 tions 454(16) and 454A.

23 “(B) In the case of a State which elects the option
24 under subparagraph (B) of section 457(f)(2) to apply sub-
25 paragraph (A) of that section to the distribution of

1 amounts collected on behalf of a former TANF family (as
2 defined in subparagraph (B) of section 457(f)(3)) as sup-
3 port by a State pursuant to a plan approved under this
4 part beginning on the first day of any quarter of fiscal
5 year 2024 or 2025, the Secretary shall pay to the State
6 for each quarter of fiscal year 2024 and 2025 for which
7 such an election has been made, 90 percent of so much
8 of the State expenditures described in paragraph (1)(B)
9 for the quarter as the Secretary finds are for a system
10 meeting the requirements specified in sections 454(16)
11 and 454A.

12 “(C) This paragraph shall not apply to State expendi-
13 tures described in paragraph (1)(B) for any quarter begin-
14 ning on or after September 30, 2024 (September 30,
15 2023, in the case of a State that does not elect the option
16 described in subparagraph (B)).”.

17 (c) TRANSITION TO ELIMINATION OF EXCEPTED
18 PORTION FOR PASS-THROUGH DISREGARD OPTION.—

19 (1) IN GENERAL.—Subparagraph (B) of section
20 457(a)(6) of such Act (42 U.S.C. 657(a)(6)) is
21 amended to read as follows:

22 “(B) FAMILIES THAT CURRENTLY RE-
23 CEIVE ASSISTANCE UNDER PART A.—During
24 each of fiscal years 2021, 2022, and 2023, in
25 the case of a family that receives assistance

1 from the State under the State program funded
2 under part A, a State shall not be required to
3 pay to the Federal Government the Federal
4 share of an amount collected on behalf of a
5 family receiving assistance from the State
6 under the State program funded under part A
7 to the extent that the State—

8 “(i) pays the amount to the family;

9 and

10 “(ii) disregards all of the amount col-
11 lected that does not exceed the current
12 support amount for purposes of deter-
13 mining the family’s eligibility for, and the
14 amount and type of, assistance from the
15 State under the State program funded
16 under part A.”.

17 (2) CONFORMING AMENDMENT.—Section
18 457(a)(6) of such Act (42 U.S.C. 657(a)(6)) is
19 amended in the heading, by inserting “; TRANSITION
20 TO ELIMINATION OF EXCEPTED PORTION” after
21 “PARTICIPATION”.

22 (d) AMOUNTS COLLECTED ON BEHALF OF FAMILIES
23 RECEIVING FOSTER CARE MAINTENANCE PAYMENTS.—

1 (1) IN GENERAL.—Section 457 of such Act (42
2 U.S.C. 657) as amended by subsection (a), is fur-
3 ther amended by adding at the end the following:

4 “(g) DISTRIBUTION OF AMOUNTS COLLECTED ON
5 BEHALF OF A CHILD FOR WHOM FOSTER CARE MAINTEN-
6 NANCE PAYMENTS ARE BEING MADE.—

7 “(1) IN GENERAL.—Beginning October 1,
8 2023—

9 “(A) subsection (e) shall no longer apply to
10 the distribution of amounts collected by a State
11 as child support for months in any period on
12 behalf of a child for whom a public agency is
13 making foster care maintenance payments
14 under part E;

15 “(B) with respect to the current support
16 amount collected by the State on behalf of the
17 child, the State shall elect to—

18 “(i) pay such amount to a foster par-
19 ent of the child or a kinship caregiver for
20 the child whenever practicable, or to the
21 person responsible for meeting the child’s
22 day-to-day needs; or

23 “(ii) deposit such amount in a savings
24 account to be used for the child’s future
25 needs in the event of the child’s reunifica-

1 tion with family from which the child was
2 removed (including for reunification serv-
3 ices for the child and family);

4 “(C) to the extent any amount collected
5 exceeds the current support amount and, after
6 the beginning of the period in which a public
7 agency began making foster care maintenance
8 payments under part E on behalf of the child,
9 support arrearages have accrued with respect to
10 the child, the State shall deposit such excess
11 amount into a savings account to be used for
12 the child’s future needs; and

13 “(D) when the child is returned to the
14 family from which the child was removed, or
15 placed for adoption, with a legal guardian, or,
16 if adoption or legal guardianship is determined
17 not to be safe and appropriate for a child, in
18 some other planned, permanent living arrange-
19 ment, any amount in such savings account
20 shall—

21 “(i) if the child has attained age 18,
22 be transferred to the child; or

23 “(ii) if the child has not attained age
24 18, be maintained in such account until
25 the child attains such age, and shall be

1 transferred to the child when the child at-
2 tains such age.

3 “(2) ADMINISTRATION.—The State agency re-
4 sponsible for administering the program under this
5 part shall be responsible for the distribution under
6 this subsection of amounts collected on behalf of a
7 child for whom a public agency is making foster care
8 maintenance payments under part E.”.

9 (2) GAO REPORT.—

10 (A) STUDY.—The Comptroller General of
11 the United States shall study the implementa-
12 tion and impact of the requirements for dis-
13 tribution of amounts collected on behalf of a
14 child for whom foster care maintenance pay-
15 ments are being made under subsection (g) of
16 section 457 of the Social Security Act (42
17 U.S.C. 657) as added by paragraph (1).

18 (B) REPORT.—Not later than January 1,
19 2027, the Comptroller General shall submit a
20 report to Congress on the results of the study
21 required under paragraph (1) that includes in-
22 formation on the following:

23 (i) A description of how States have
24 elected to implement the distribution re-
25 quirements of such subsection, including

1 with respect to the choices States make re-
2 garding how much of current support
3 amounts are paid to foster families, saved
4 in the event of a child's reunification with
5 the family from which the child was re-
6 moved, or saved for the child's future
7 needs.

8 (ii) A description of how States dis-
9 tribute or use amounts saved in the event
10 of a child's reunification with the family
11 from which the child was removed, includ-
12 ing the extent to which such amounts are
13 used to provide reunification services for
14 the child and family or distributed in full
15 to the family.

16 (iii) Recommendations regarding best
17 practices regarding distributions made
18 under such subsection, along with rec-
19 ommendations for such administrative or
20 legislative action as the Comptroller Gen-
21 eral determines appropriate.

22 (e) ELIMINATION OF OPTION TO APPLY FORMER
23 DISTRIBUTION RULES FOR FAMILIES FORMERLY RECEIV-
24 ING ASSISTANCE.—

1 (1) IN GENERAL.—Section 454 of such Act (42
2 U.S.C. 654) is amended—

3 (A) in paragraph (32)(C), by adding
4 “and” after the semicolon;

5 (B) in paragraph (33), by striking “; and”
6 and inserting a period; and

7 (C) by striking paragraph (34).

8 (2) EFFECTIVE DATE.—The amendments made
9 by paragraph (1) take effect on October 1, 2023.

10 (f) CONFORMING AMENDMENTS.—

11 (1) Section 454B(e)(1) of such Act (42 U.S.C.
12 654b(e)(1)) is amended by striking “457(a)” and in-
13 serting “457”.

14 (2) Section 457 of such Act (42 U.S.C. 657),
15 as amended by subsections (a) and (d), is further
16 amended—

17 (A) in subsection (e), in the matter pre-
18 ceding paragraph (1), by striking “subsection
19 (a)” and inserting “subsections (a), (f), and
20 (g)”; and

21 (B) in subsection (e), in the matter pre-
22 ceding paragraph (1), by striking “Notwith-
23 standing the preceding provisions of this sec-
24 tion, amounts” and inserting “Subject to sub-
25 section (g), amounts”.

1 **SEC. 502. IMPROVING STATE DOCUMENTATION AND RE-**
2 **PORTING OF CHILD SUPPORT COLLECTION**
3 **DATA.**

4 (a) STATE PLAN REQUIREMENT.—Paragraph (10) of
5 section 454(10) of the Social Security Act (42 U.S.C.
6 654(10)) is amended to read as follows:

7 “(10) provide that the State will—

8 “(A) maintain a full record of collections
9 and disbursements made under the plan and
10 have an adequate reporting system; and

11 “(B) document outcomes with respect to
12 each child support obligation that is enforced by
13 the State, including monthly support payment
14 amounts (distinguishing between full monthly
15 payments and partial monthly payments) and
16 the frequency of monthly support payments for
17 each such case and include information on such
18 outcomes in the annual report required under
19 paragraph (15);”.

20 (b) INCLUSION IN ANNUAL REPORT BY THE SEC-
21 RETARY.—Section 452(a)(10)(A) of such Act (42 U.S.C.
22 652(a)(10)(A)) is amended—

23 (1) in clause (ii), by striking “and” after the
24 semicolon;

25 (2) in clause (iii)(II), by adding “and” after the
26 semicolon; and

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

2 “(iv) information on the documented
3 outcomes with respect to each child sup-
4 port obligation that was enforced under a
5 State plan approved under this part during
6 the fiscal year, as required under para-
7 graph (10) of section 454 and included in
8 the annual report required under para-
9 graph (15) of that section;”.

10 **TITLE VI—PROGRAM FLEXI-**
11 **BILITY DURING THE COVID–19**
12 **PANDEMIC**

13 **SEC. 601. EMERGENCY TANF FLEXIBILITY.**

14 (a) IN GENERAL.—With respect to the period that
15 begins on March 1, 2020, and ends September 30, 2021:

16 (1) Sections 408(a)(2), 409(a)(5), and
17 409(a)(8) of the Social Security Act shall have no
18 force or effect.

19 (2) Notwithstanding section 466(d) of such Act,
20 the Secretary may exempt a State from any require-
21 ment of section 466 of such Act to respond to the
22 COVID–19 pandemic, except that the Secretary may
23 not exempt a State from any requirement to—

1 (A) provide a parent with notice of a right
2 to request a review and, if appropriate, adjust-
3 ment of a support order; or

4 (B) afford a parent the opportunity to
5 make such a request.

6 (3) The Secretary may not impose a penalty or
7 take any other adverse action against a State pursu-
8 ant to section 452(g)(1) of such Act for failure to
9 achieve a paternity establishment percentage of less
10 than 90 percent.

11 (4) The Secretary may not find that the pater-
12 nity establishment percentage for a State is not
13 based on reliable data for purposes of section
14 452(g)(1) of such Act, and the Secretary may not
15 determine that the data which a State submitted
16 pursuant to section 452(a)(4)(C)(i) of such Act and
17 which is used in determining a performance level is
18 not complete or reliable for purposes of section
19 458(b)(5)(B) of such Act, on the basis of the failure
20 of the State to submit OCSE Form 396 or 34 in a
21 timely manner.

22 (5) The Secretary may not impose a penalty or
23 take any other adverse action against a State for
24 failure to comply with section 454B(c)(1) or
25 454A(g)(1)(A)(i) of such Act.

1 (6) The Secretary may not disapprove a State
2 plan submitted pursuant to part D of title IV of
3 such Act for failure of the plan to meet the require-
4 ment of section 454(1) of such Act, and may not im-
5 pose a penalty or take any other adverse action
6 against a State with such a plan that meets that re-
7 quirement for failure to comply with that require-
8 ment.

9 (7) To the extent that a preceding provision of
10 this section applies with respect to a provision of law
11 applicable to a program operated by an Indian tribe
12 or tribal organization (as defined in subsections (e)
13 and (l) of section 4 of the Indian Self-Determination
14 and Education Assistance Act (25 U.S.C. 450b)),
15 that preceding provision shall apply with respect to
16 the Indian tribe or tribal organization.

17 (8) Any increase in the Federal medical assist-
18 ance percentage for a State resulting from the appli-
19 cation of this subsection shall not be taken into ac-
20 count for purposes of calculating the Federal share
21 of assigned collections paid by the State to the Fed-
22 eral Government under section 457 of the Social Se-
23 curity Act (42 U.S.C. 657).

24 (b) STATE DEFINED.—In subsection (a), the term
25 “State” has the meaning given the term in section

1 1101(a) of the Social Security Act for purposes of title
2 IV of such Act.

3 (c) TECHNICAL CORRECTION.—Section 6008 of the
4 Families First Coronavirus Response Act (42 U.S.C.
5 1396d note) is amended by adding at the end the fol-
6 lowing:

7 “(e) SCOPE OF APPLICATION.—An increase in the
8 Federal medical assistance percentage for a State under
9 this section shall not be taken into account for purposes
10 of calculating the Federal share of assigned collections
11 paid by the State to the Federal Government under sec-
12 tion 457 of the Social Security Act (42 U.S.C. 657).”.

13 (d) STATE PERFORMANCE YEAR FOR INCENTIVE
14 PAYMENTS.—Notwithstanding section 458 of the Social
15 Security Act (42 U.S.C. 658a), the data which a State
16 submitted pursuant to section 454(15)(B) of such Act (42
17 U.S.C. 654(15)(B)) for fiscal year 2019 and which the
18 Secretary has determined is complete and reliable shall be
19 used to determine the performance level for each measure
20 of State performance specified in section 458(b)(4) of such
21 Act for each of fiscal years 2020 and 2021.

1 **SEC. 602. 2020 RECOVERY REBATES NOT SUBJECT TO RE-**
2 **DUCTION OR OFFSET WITH RESPECT TO**
3 **PAST-DUE SUPPORT.**

4 (a) IN GENERAL.—Section 2201(d)(2) of the CARES
5 Act is amended by inserting “(c),” before “(d)”.

6 (b) EFFECTIVE DATE.—The amendment made by
7 this section shall apply to credits and refunds allowed or
8 made after the date of the enactment of this Act.

9 **SEC. 603. PROTECTION OF 2020 RECOVERY REBATES.**

10 (a) IN GENERAL.—Subsection (d) of section 2201 of
11 the CARES Act (Public Law 116–136) is amended—

12 (1) by redesignating paragraphs (1), (2), and
13 (3) as subparagraphs (A), (B), and (C), and by mov-
14 ing such subparagraphs 2 ems to the right,

15 (2) by striking “REDUCTION OR OFFSET.—Any
16 credit” and inserting “REDUCTION, OFFSET, GAR-
17 NISHMENT, ETC.—

18 “(1) IN GENERAL.—Any credit”, and

19 (3) by adding at the end the following new
20 paragraphs:

21 “(2) ASSIGNMENT OF BENEFITS.—

22 “(A) IN GENERAL.—The right of any per-
23 son to any applicable payment shall not be
24 transferable or assignable, at law or in equity,
25 and no applicable payment shall be subject to,
26 execution, levy, attachment, garnishment, or

1 other legal process, or the operation of any
2 bankruptcy or insolvency law.

3 “(B) ENCODING OF PAYMENTS.—As soon
4 as practicable, but not earlier than 10 days
5 after the date of the enactment of this para-
6 graph, in the case of an applicable payment
7 that is paid electronically by direct deposit
8 through the Automated Clearing House (ACH)
9 network, the Secretary of the Treasury (or the
10 Secretary’s delegate) shall—

11 “(i) issue the payment using a unique
12 identifier that is reasonably sufficient to
13 allow a financial institution to identify the
14 payment as an applicable payment, and

15 “(ii) further encode the payment pur-
16 suant to the same specifications as re-
17 quired for a benefit payment defined in
18 section 212.3 of title 31, Code of Federal
19 Regulations.

20 “(C) GARNISHMENT.—

21 “(i) ENCODED PAYMENTS.—In the
22 case of a garnishment order received after
23 the date that is 10 days after the date of
24 the enactment of this paragraph and that
25 applies to an account that has received an

1 applicable payment that is encoded as pro-
2 vided in subparagraph (B), a financial in-
3 stitution shall follow the requirements and
4 procedures set forth in part 212 of title
5 31, Code of Federal Regulations, except a
6 financial institution shall not, with regard
7 to any applicable payment, be required to
8 provide the notice referenced in sections
9 212.6 and 212.7 of title 31, Code of Fed-
10 eral Regulations. This paragraph shall not
11 alter the status of applicable payments as
12 tax refunds or other nonbenefit payments
13 for purpose of any reclamation rights of
14 the Department of the Treasury or the In-
15 ternal Revenue Service as per part 210 of
16 title 31 of the Code of Federal Regula-
17 tions.

18 “(ii) OTHER PAYMENTS.—If a finan-
19 cial institution receives a garnishment
20 order, other than an order that has been
21 served by the United States or an order
22 that has been served by a Federal, State,
23 or local child support enforcement agency,
24 that has been received by a financial insti-
25 tution after the date that is 10 days after

1 the date of the enactment of this para-
2 graph and that applies to an account into
3 which an applicable payment that has not
4 been encoded as provided in subparagraph
5 (B) has been deposited electronically or by
6 an applicable payment that has been de-
7 posited by check on any date in the
8 lookback period, the financial institution,
9 upon the request of the account holder,
10 shall treat the amount of the funds in the
11 account at the time of the request, up to
12 the amount of the applicable payment (in
13 addition to any amounts otherwise pro-
14 tected under part 212 of title 31, Code of
15 Federal Regulations), as exempt from a
16 garnishment order without requiring the
17 consent of the party serving the garnish-
18 ment order or the judgment creditor.

19 “(iii) LIABILITY.—A financial institu-
20 tion that acts in good faith in reliance on
21 clauses (i) or (ii) shall not be subject to li-
22 ability or regulatory action under any Fed-
23 eral or State law, regulation, court or other
24 order, or regulatory interpretation for ac-
25 tions concerning any applicable payments.

1 “(D) DEFINITIONS.—For purposes of this
2 paragraph—

3 “(i) ACCOUNT HOLDER.—The term
4 ‘account holder’ means a natural person
5 whose name appears in a financial institu-
6 tion’s records as the direct or beneficial
7 owner of an account.

8 “(ii) ACCOUNT REVIEW.—The term
9 ‘account review’ means the process of ex-
10 amining deposits in an account to deter-
11 mine if an applicable payment has been de-
12 posited into the account during the
13 lookback period. The financial institution
14 shall perform the account review following
15 the procedures outlined in section 212.5 of
16 title 31, Code of Federal Regulations and
17 in accordance with the requirements of sec-
18 tion 212.6 of title 31, Code of Federal
19 Regulations.

20 “(iii) APPLICABLE PAYMENT.—The
21 term ‘applicable payment’ means any pay-
22 ment of credit or refund by reason of sec-
23 tion 6428 of the Internal Revenue Code of
24 1986 (as so added) or by reason of sub-
25 section (c) of this section.

1 “(iv) GARNISHMENT.—The term ‘gar-
2 nishment’ means execution, levy, attach-
3 ment, garnishment, or other legal process.

4 “(v) GARNISHMENT ORDER.—The
5 term ‘garnishment order’ means a writ,
6 order, notice, summons, judgment, levy, or
7 similar written instruction issued by a
8 court, a State or State agency, a munici-
9 pality or municipal corporation, or a State
10 child support enforcement agency, includ-
11 ing a lien arising by operation of law for
12 overdue child support or an order to freeze
13 the assets in an account, to effect a gar-
14 nishment against a debtor.

15 “(vi) LOOKBACK PERIOD.—The term
16 ‘lookback period’ means the two month pe-
17 riod that begins on the date preceding the
18 date of account review and ends on the
19 corresponding date of the month two
20 months earlier, or on the last date of the
21 month two months earlier if the cor-
22 responding date does not exist.”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall take effect on the date of the enactment
25 of this Act.

1 **TITLE VII—EFFECTIVE DATE**

2 **SEC. 701. EFFECTIVE DATE.**

3 (a) IN GENERAL.—Except as otherwise provided in
4 this Act, the amendments made by this Act shall take ef-
5 fect on the date of enactment of this Act and shall apply
6 to payments under parts A and D of title IV of the Social
7 Security Act for calendar quarters beginning on or after
8 such date, and without regard to whether regulations to
9 implement the amendments (in the case of State programs
10 operated under such part D) are promulgated by such
11 date.

12 (b) EXCEPTION FOR STATE PLANS REQUIRING
13 STATE LAW AMENDMENTS.—In the case of a State plan
14 under part A or D of title IV of the Social Security Act
15 which the Secretary determines requires State legislation
16 in order for the plan to meet the additional requirements
17 imposed by the amendments made by this Act, the effec-
18 tive date of the amendments imposing the additional re-
19 quirements shall be 3 months after the first day of the
20 first calendar quarter beginning after the close of the first
21 regular session of the State legislature that begins after
22 the date of the enactment of this Act. For purposes of
23 the preceding sentence, in the case of a State that has
24 a 2-year legislative session, each year of the session shall

- 1 be considered to be a separate regular session of the State
- 2 legislature.

○