To reauthorize the program of block grants to States for temporary assistance for needy families through fiscal year 2023, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. introduced the following bill; which was referred to the Committee on

A BILL

To reauthorize the program of block grants to States for temporary assistance for needy families through fiscal year 2023, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Joining Opportunity with Benefits and Services for Success Act”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Extension of certain authorities.
Sec. 5. Expecting universal engagement and case management.
Sec. 6. Promoting accountability by measuring work outcomes.
Sec. 7. Targeting funds to truly needy families and core purposes.
Sec. 8. Inclusion of poverty reduction as a program purpose.
Sec. 9. Modernizing State share.
Sec. 10. Strengthening accountability through HHS approval of State plans.
Sec. 11. Aligning and improving data reporting.
Sec. 12. Effective date.

1 SEC. 3. REFERENCES.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Social Security Act.

7 SEC. 4. EXTENSION OF CERTAIN AUTHORITIES.

(a) CHILD CARE ENTITLEMENT.—Section 418(a)(3) (42 U.S.C. 618(a)(3)) is amended by striking “2017 and 2018” and inserting “2019 through 2023”.

(b) GRANTS TO THE TERRITORIES.—Section 1108(b) (42 U.S.C. 1308(b)) is amended by striking “2017 and 2018” and inserting “2019 through 2023”.

14 SEC. 5. EXPECTING UNIVERSAL ENGAGEMENT AND CASE MANAGEMENT.

Section 408(b) (42 U.S.C. 608(b)) is amended to read as follows:

“(b) INDIVIDUAL OPPORTUNITY PLANS.—

“(1) ASSESSMENT.—The State agency responsible for administering the State program funded under this part shall make an initial assessment of
the following for each work-eligible individual (as defined in section 419(6)):

“(A) The education obtained, skills, prior work experience, work readiness, and barriers to work of the individual.

“(B) The well-being of the children in the family of the individual and, where appropriate, activities or services (such as services offered by a program funded under section 511) to improve the well-being of the children.

“(2) CONTENTS OF PLANS.—On the basis of the assessment required by paragraph (1) of this subsection, the State agency, in consultation with the individual, shall develop an individual opportunity plan that—

“(A) includes a personal responsibility agreement in which the individual acknowledges receipt of publicly-funded benefits and responsibility to comply with program requirements in order to receive the benefits;

“(B) sets forth the obligations of the individual to participate in work or work preparation activities, and the number of hours per month for which the individual will so participate pursuant to section 407(c);
“(C) sets forth an employment goal and planned short-, intermediate-, and long-term actions to achieve the goal, and, in the case of an individual who has not attained 24 years of age and is in secondary school or the equivalent, the intermediate action may be completion of secondary school or the equivalent;

“(D) describes the job counseling and other services the State will provide to the individual to enable the individual to obtain and keep employment in the private sector;

“(E) may include referral to appropriate substance abuse or mental health treatment; and

“(F) is signed by the individual.

“(3) TIMING.—The State agency shall comply with paragraph (1) and (2) with respect to a work-eligible individual—

“(A) within 180 days after the effective date of this subsection, in the case of an individual who, as of such effective date, is a recipient of assistance under the State program funded under this part (as in effect immediately before such effective date); or
“(B) within 60 days after the individual is
determined to be eligible for the assistance, in
the case of any other individual.

“(4) PENALTY FOR NONCOMPLIANCE BY INDIVIDUAL.—In addition to any other penalties required
under the State program funded under this part, the
State may reduce, by such amount as the State con-
siders appropriate, the amount of assistance other-
wise payable under the State program to a family
that includes an individual who fails without good
cause to comply with an individual opportunity plan
developed pursuant to this subsection, that is signed
by the individual.

“(5) PERIODIC REVIEW.—The State shall meet
with each work-eligible individual assessed by the
State under paragraph (1), not less frequently than
every 90 days, to—

“(A) review the individual opportunity plan
developed for the individual;

“(B) discuss with the individual the
progress made by the individual in achieving
the goals specified in the plan; and

“(C) update the plan, as necessary, to re-
reflect any changes in the circumstances of the
individual since the plan was last reviewed.
“(6) STATE DISCRETION.—A State shall have sole discretion, consistent with section 407, to define and design activities for families for purposes of this subsection, to develop methods for monitoring and reviewing progress pursuant to this subsection, and to make modifications to the plans developed pursuant to this subsection as the State deems appropriate to assist families in increasing their degree of self-sufficiency.”

SEC. 6. PROMOTING ACCOUNTABILITY BY MEASURING WORK OUTCOMES.

(a) IN GENERAL.—Section 407 (42 U.S.C. 607)), as amended by subsection (c) of this section, is amended by inserting before subsection (b) the following:

“(a) PERFORMANCE ACCOUNTABILITY AND WORK OUTCOMES.—

“(1) PURPOSE.—The purpose of this subsection is to provide for the establishment of performance accountability measures to assess the effectiveness of States in increasing employment, retention, and advancement among families receiving assistance under the State program funded under this part or any other State program funded with qualified State expenditures.
“(2) IN GENERAL.—A State to which a grant is made under section 403 for a fiscal year shall achieve the requisite level of performance on an indicator described in paragraph (3)(B) of this subsection for the fiscal year.

“(3) MEASURING STATE PERFORMANCE.—

“(A) IN GENERAL.—Each State, in consultation with the Secretary, shall collect and submit to the Secretary the information necessary to measure the level of performance of the State for each indicator described in subparagraph (B), for fiscal year 2020 and each fiscal year thereafter, and the Secretary shall use the information collected for fiscal year 2020 to establish the baseline level of performance for each State for each such indicator.

“(B) INDICATORS OF PERFORMANCE.—The indicators described in this subparagraph, for a fiscal year, are the following:

“(i) The percentage of individuals who were work-eligible individuals as of the time of exit from the program, who are in unsubsidized employment during the 2nd quarter after the exit.
“(ii) The percentage of individuals who were work-eligible individuals as of the
time of exit from the program, who are in unsubsidized employment during the 2nd
and 4th quarters after the exit.

“(iii) The median earnings of individ-
uals who were work-eligible individuals as of the time of exit from the program, who
are in unsubsidized employment during the 2nd quarter after the exit.

“(iv) The percentage of individuals who have not attained 24 years of age, are
attending high school or enrolled in an equivalency program, and are work-eligible
individuals or were work-eligible individ-
uals as of the time of exit from the pro-
gram, who obtain a high school degree or
its recognized equivalent while receiving as-
sistance under the State program funded
under this part or within 1 year after the exit.

“(C) LEVELS OF PERFORMANCE.—

“(i) IN GENERAL.—For each State
submitting a State plan pursuant to sec-
tion 402(a), there shall be established, in
accordance with this subparagraph, levels
of performance for each of the indicators
described in subparagraph (B).

“(ii) Weight.—The weight assigned
to such an indicator shall be the following:

“(I) 40 percent, in the case of
the indicator described in subpara-
graph (B)(i).

“(II) 25 percent, in the case of
the indicator described in subpara-
graph (B)(ii)(II).

“(III) 25 percent, in the case of
the indicator described in subpara-
graph (B)(iii).

“(IV) 10 percent, in the case of
the indicator described in subpara-
graph (B)(iv).

“(iii) Agreement on requisite
performance level for each indi-
cator.—

“(I) In general.—The Sec-
retary and the State shall jointly es-
ablish the requisite level of perform-
ance for the State with respect to
each indicator described in clause (ii),
for each of fiscal years 2020 through 2023, and in the case of each of fiscal years 2021 through 2023, shall do so before the beginning of the respective fiscal year.

“(II) REQUIREMENTS IN ESTABLISHING PERFORMANCE LEVELS.— In establishing the requisite levels of performance, the State and the Secretary shall—

“(aa) take into account how levels involved compare with the levels established for other States;

“(bb) ensure the levels involved are adjusted, using the objective statistical model referred to in clause (v), based on—

“(AA) the differences among States in economic conditions, including differences in unemployment rates or employment losses or gains in particular industries; and
“(BB) the characteristics of participants on entry into the program, including indicators of prior work history, lack of educational or occupational skills attainment, or other factors that may affect employment and earnings; and

“(CC) take into account the extent to which the levels involved promote continuous improvement in performance by each State.

“(iv) REVISIONS BASED ON ECONOMIC CONDITIONS AND INDIVIDUALS RECEIVING ASSISTANCE DURING THE FISCAL YEAR.—The Secretary shall, in accordance with the objective statistical model referred to in clause (v), revise the requisite levels of performance for a State and a fiscal year to reflect the economic conditions and characteristics of the relevant individuals in the State during the fiscal year.
“(v) Statistical adjustment model.—The Secretary shall use an objective statistical model to make adjustments to the requisite levels of performance for the economic conditions and characteristics of the relevant individuals, and shall consult with the Secretary of Labor to develop a model that is the same as or similar to the model described in section 116(b)(3)(A)(viii) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(3)(A)(viii)).

“(vi) Definition of exit.—In this subsection, the term ‘exit’ means, with respect to a State program funded under this part, ceases to receive assistance under the program.

“(D) Regulations.—In order to ensure nationwide comparability of data, the Secretary, after consultation the Secretary of Labor and with States, shall issue regulations governing the establishment of the performance accountability system under this subsection and a template for performance reports to be used by all States consistent with section 414.”.
(b) **REPORTS ON STATE PERFORMANCE ON HHS ONLINE DASHBOARD.**—Part A of title IV (42 U.S.C. 601-619) is amended by inserting after section 413 the following:

"**SEC. 414. PUBLICATION OF STATE PERFORMANCE.**

"The Secretary shall, directly or through the use of grants or contracts, establish and operate an Internet website that is accessible to the public, with a dashboard that is regularly updated and provides easy-to-understand information on the performance of each State program funded under this part, including a profile for each such program, expressed by use of a template, which shall include—

"(1) information on the indicators and requisite performance levels established for the State under section 407(a), including, with respect to each such level, whether the State achieves, exceeds, or fails to achieve the level on an ongoing basis, including—

"(A) information on any adjustments made to the requisite levels using the statistical adjustment model described in section 407(a)(3)(D)(v); and

"(B) a grade based on the overall performance of the State, as determined by the Secretary and in consultation with the State;
“(2) information reported under section 411 on the characteristics and demographics of individuals receiving assistance under the State program, including—

“(A) the number and percentage of child-only cases and reason why the cases are child-only; and

“(B) the average weekly number of hours that each work-eligible individual in the State program participates in work or work preparation activities, including a separate section showing the number and percentage of the work-eligible individuals with zero hours of the participation and the reason for non-participation;

“(3) a link to the State plan approved under section 402; and

“(4) information regarding any penalty imposed, or other corrective action taken, by the Secretary against a State for failing to achieve a requisite performance level or any other requirement imposed by or under this part.”.

(e) REQUIREMENT TO PARTICIPATE IN WORK OR WORK PREPARATION ACTIVITIES.—Section 407
U.S.C. 607) is amended by striking all that precedes subsection (e) and inserting the following:

"SEC. 407. REQUIREMENT TO PARTICIPATE IN WORK OR WORK PREPARATION ACTIVITIES.

“(b) DUTY OF STATE.—A State to which a grant is made under section 403 for a fiscal year shall require each individual who is a work-eligible individual with respect to a month in the fiscal year to meet the participation requirement of subsection (c) for the month.

“(c) REQUIREMENT TO PARTICIPATE IN WORK OR WORK PREPARATION ACTIVITIES.—

“(1) IN GENERAL.—Except as otherwise provided in this subsection, an individual meets the participation requirement of this subsection for a month if—

“(A) the individual participates in work or work preparation activities, as assigned in the individual opportunity plan developed for the individual pursuant to section 408(b), for an average of at least 30 hours per week during the month; or

“(B) in the case that the individual is in a 2-parent family—

“(i) the individual and the other parent in the family are participating in work
or work preparation activities for an average of at least 35 hours per week during the month; or

“(ii) if the family of the individual receives federally-funded child care assistance and an adult in the family is not disabled or caring for a severely disabled child, the individual and the other parent in the family are participating in work or work preparation activities for an average of at least 55 hours per week during the month.

“(2) Single parent or relative with child under age 6 deemed to be meeting participation requirement if parent or relative is engaged in work for 20 hours per week.—A recipient who is the only parent or caretaker relative in the family of a child who has not attained 6 years of age is deemed to meet the participation requirement of this subsection for a month if the recipient participates in work or work preparation activities for an average of at least 20 hours per week during the month.

“(3) Single teen head of household or married teen who maintains satisfactory
SCHOOL ATTENDANCE.—A recipient who is married or a head of household and has not attained 20 years of age is deemed to meet the participation requirement of this subsection for a month if the recipient maintains satisfactory attendance at secondary school or the equivalent during the month.

“(4) FAMILY WITH DISABLED PARENT NOT TREATED AS 2-PARENT FAMILY.—A family that includes a disabled parent shall not be treated as a 2-parent family for purposes of this subsection.

“(d) WORK OR WORK PREPARATION ACTIVITIES DEFINED.—In this section, the term ‘work or work preparation activities’ means—

“(1) unsubsidized employment;
“(2) subsidized private sector employment;
“(3) subsidized public sector employment;
“(4) work experience (including work associated with the refurbishing of publicly assisted housing) if sufficient private sector employment is not available;
“(5) on-the-job training, including apprenticeship;
“(6) job search and job readiness assistance;
“(7) community service programs;
“(8) vocational educational training and career technical training;
“(9) job skills training directly related to employment;

“(10) education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;

“(11) satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate;

“(12) the provision of child care services to an individual who is participating in a community service program; and

“(13) any other activity that the State determines is necessary to improve the employment, earnings, or other outcomes of a recipient of assistance that are used in determining a level of performance by the State for purposes of subsection (a).”.

(d) DEFINITION OF WORK-ELIGIBLE INDIVIDUAL.—

Section 419 (42 U.S.C. 619) is amended by adding at the end the following:

“(6) WORK-ELIGIBLE INDIVIDUAL.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the term ‘work-eligible indi-
individual' means, with respect to a month, an individual who is a recipient of a TANF benefit under the State program funded under this part for the month, and is an adult or minor child head of household.

“(B) EXCLUSIONS.—The term ‘work-eligible individual’ shall not include—

“(i) a parent providing care for a disabled family member living in the home, if there is medical documentation to support the need for the parent to remain in the home to provide the care;

“(ii) an individual who receives assistance under a program operated under a tribal family assistance plan approved under section 412; or

“(iii) at the option of a State, an individual who is—

“(I) a single custodial parent caring for a child who has not attained 12 months of age, if the State has not exercised its option under this subclause with respect to the individual for 12 months;
“(II) a recipient of benefits under the supplemental security income program under title XVI of this Act, including payments pursuant to an agreement under section 1616(a) of this Act or section 212(b) of Public Law 93–66;

“(III) a recipient of aid under a State plan approved under title XVI of this Act (as in effect without regard to the amendment made by section 301 of the Social Security Amendments of 1972); or

“(IV) entitled to disability insurance benefits under section 223 of this Act.”.

(e) CONFORMING AMENDMENTS.—

(1) To text.—The following provisions are each amended by inserting “or work preparation” before “activities”:

(A) Section 407(f)(1) (42 U.S.C. 607(f)(1)).

(B) Section 407(f)(2) (42 U.S.C. 607(f)(2)).

(C) Section 407(g) (42 U.S.C. 607(g)).
(D) Section 411(a)(4) (42 U.S.C. 611(a)(4)).

(E) Section 412(a)(2)(C) (42 U.S.C. 612(a)(2)(C)).

(F) Section 418(b)(2) (42 U.S.C. 618(b)(2)).

(G) Section 466(a)(15)(B) (42 U.S.C. 666(a)(15)(B)).

(2) To headings.—

(A) The subsection heading of section 407(f) (42 U.S.C. 607(f)) is amended by inserting “OR WORK PREPARATION” before “ACTIVITIES”.

(B) The paragraph heading of section 409(a)(3) (42 U.S.C. 609(a)(3)) is amended by striking “MINIMUM PARTICIPATION RATES” and inserting “PERFORMANCE REQUIREMENTS”.

(C) The paragraph heading of section 411(a)(4) (42 U.S.C. 611(a)(4)) is amended by inserting “OR WORK PREPARATION” before “ACTIVITIES”.

(f) VERIFICATION OF PARTICIPATION.—Section 407(i) (42 U.S.C. 607(i)) is amended to read as follows:
“(i) REQUIREMENT FOR STATES TO ESTABLISH VERIFICATION PROCEDURES FOR PARTICIPATION IN WORK OR WORK PREPARATION ACTIVITIES.—

“(1) IN GENERAL.—A State to which a grant is made under section 403 shall establish procedures for determining, with respect to recipients of assistance under the State program funded under this part or under any other State program funded with qualified State expenditures, whether activities may be counted as work activities, how to count and verify reported hours of work, and who is a work-eligible individual, and shall establish internal controls to ensure compliance with the procedures.

“(2) OVERSIGHT OF STATE PROCEDURES.—The Secretary shall review the State procedures established in accordance with paragraph (1) of this subsection to ensure that the procedures are adequate to ensure that an individual meets the participation requirement of subsection (c).”.

SEC. 7. TARGETING FUNDS TO TRULY NEEDY FAMILIES AND CORE PURPOSES.

(a) GENERAL RULES FOR USE OF FUNDS.—

(1) IN GENERAL.—Section 404(a) (42 U.S.C. 604(a)) is amended to read as follows:

“(a) GENERAL RULES.—Subject to this part:
“(1) MANDATORY GRANT.—A State to which a mandatory grant is made under section 403(a)(3) may use the grant—

“(A) in any manner that is reasonably calculated to accomplish the purpose of this part, including to provide low income households with assistance in meeting home heating and cooling costs; or

“(B) in any manner that the State was authorized to use amounts received under part A or F, as such parts were in effect on September 30, 1995, or (at the option of the State) August 21, 1996

“(2) MATCHING GRANT.—A State to which a matching grant is made under section 403(a)(4) shall use the grant to provide assistance, case management, work supports and supportive services, work, wage subsidies, work or work preparation activities (as defined in section 407(d)), and non-recurring short-term benefits, to needy families to achieve the purposes of this part.”.

(2) RELATED DEFINITIONS.—Section 419 (42 U.S.C. 619), as amended by section 6(d) of this Act, is amended by adding at the end the following:
“(7) **Assistance.**—The term ‘assistance’ means cash, payments, vouchers, and other forms of benefits designed to meet a family’s ongoing basic needs (such as for food, clothing, shelter, utilities, household goods, personal care items, and general incidental expenses).

“(8) **Work Supports.**—The term ‘work supports’ means assistance and non-assistance transportation benefits (such as the value of allowances, bus tokens, car payments, auto repair, auto insurance reimbursement, and van services provided in order to help families obtain, retain, or advance in employment, participate in work or work preparation activities (as defined in section 407(d)), or as a non-recurrent, short-term benefit, including goods provided to individuals in order to help them obtain or maintain employment (such as tools, uniforms, fees to obtain special licenses, bonuses, incentives, and work support allowances and expenditures for job access).

“(9) **Supportive Services.**—The term ‘supportive services’ means services such as domestic violence services, and mental health, substance abuse and disability services, housing counseling services, and other family supports.”
(b) Modification of Limitation on Use of Grant for Administrative Purposes.—

(1) Limitation Applicable Only to Mandatory Grant Funds.—Section 404(b)(1) (42 U.S.C. 604(b)(1)) is amended by striking “403” and inserting “403(a)(3)”.

(2) Elimination of Limitation on Use of Funds for Case Management Activities.—Section 404(b)(2) (42 U.S.C. 604(b)(2)) is amended to read as follows:

“(2) Exceptions.—Paragraph (1) of this subsection shall not apply to the use of a grant for—

“(A) information technology and computerization needed for tracking, monitoring, or data collection required by or under this part; or

“(B) case management activities to carry out section 408(b).”.

(c) Prohibition on Use of Funds for Families with Income Greater Than Twice the Poverty Line, or for Direct Provision of Child Care Services or Child and Family Services; Elimination of Authority to Treat Interstate Immigrants Under Rules of Former State.—Section 404 (42 U.S.C. 604) is amended by striking subsection (c), redesignating sub-
section (b) as subsection (c), and inserting after subsection (a) the following:

“(b) Prohibitions.—

“(1) Use of funds for persons with income greater than twice the poverty line.—A State to which a grant is made under this part shall not use the grant to provide any assistance or services to a family whose monthly income exceeds twice the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2))).

“(2) Direct provision of child care; direct spending on child welfare activities or services.—A State to which a grant is made under this part shall not use the grant for direct spending on child care activities or services or direct spending on child welfare activities or services.”.

(d) Expansion of Authority to Transfer Funds to Other Programs.—Section 404(d) (42 U.S.C. 604(d)) is amended by striking paragraphs (1) through (3) and inserting the following:

“(1) In general.—A State may use not more than 50 percent of the mandatory grant made to the
State under section 403(a)(3) to carry out a State program pursuant to any or all of the following provisions of law:

“(A) The Child Care and Development Block Grant Act of 1990.

“(B) Title I of the Workforce Innovation and Opportunity Act.

“(C) Subpart 2 of part B of this title.

“(2) LIMITATION ON AMOUNT TRANSFERRABLE TO SUBPART 2 OF PART B OF THIS TITLE.—

“(A) In general.—A State may use not more than the applicable percentage of the amount of a mandatory grant made to the State under section 403(a)(3) to carry out State programs pursuant to subpart 2 of part B.

“(B) APPLICABLE PERCENTAGE.—For purposes of subparagraph (A), the applicable percentage is 10 percent.

“(3) APPLICABLE RULES.—

“(A) IN GENERAL.—Except as provided in subparagraph (B) of this paragraph, any amount paid to a State under this part that is used to carry out a State program pursuant to a provision of law specified in paragraph (1)
shall not be subject to the requirements of this part, but shall be subject to the requirements that apply to Federal funds provided directly under the provision of law to carry out the program, and the expenditure of any amount so used shall not be considered to be an expenditure under this part.

“(B) Funds transferred to the WIOA.—In the case of funds transferred under paragraph (1)(B) of this subsection—

“(i) all of the funds will be used to support families eligible for assistance under the State program funded under this part; and

“(ii) not more than 5 percent of the funds will be reserved for statewide workforce investment activities referred to in section 128(a)(1) of the Workforce Innovation and Opportunity Act.”.

SEC. 8. INCLUSION OF POVERTY REDUCTION AS A PROGRAM PURPOSE.

Section 401(a) (42 U.S.C. 601(a)) is amended—

(1) by striking “and” at the end of paragraph (3);
(2) by striking the period at the end of para-
graph (4) and inserting ‘‘; and’’; and
(3) by adding at the end the following:
‘‘(5) reduce child poverty by increasing employ-
ment entry, retention, and advancement of needy
parents.’’.

SEC. 9. MODERNIZING STATE SHARE.
(a) In General.—Section 403(a) (42 U.S.C.
603(a)) is amended to read as follows:
“(a) Family Assistance Grant.—
“(1) In general.—From the amount specified
in paragraph (5) of this subsection that remains
after applying sections 412, 413, and 417(b) for the
fiscal year, each eligible State shall be entitled to re-
ceive from the Secretary, for each of fiscal years
2019 through 2023, a grant in an amount equal to
the State family assistance grant.
“(2) State Family Assistance Grant.—The
State family assistance grant payable to an eligible
State for a fiscal year shall be the sum of the man-
datory grant payable to the State for the fiscal year
and the matching grant payable to the State for the
fiscal year.
“(3) Mandatory Grant.—The mandatory
grant payable to a State for a fiscal year is 75 per-
30

cent of the amount required to be paid to the State
under section 403(a)(1) (as in effect just before the
enactment of this paragraph) for fiscal year 2018,
determined without regard to any reduction under
section 409.

“(4) MATCHING GRANT.—

“(A) IN GENERAL.—Except as provided in

subparagraph (E), the matching grant payable
to a State for a fiscal year is the lesser of—

“(i) the adjusted Federal medical as-

sistance percentage for the State for the
fiscal year of the excess State expenditures
for the fiscal year; or

“(ii) the amount allotted to the State

under subparagraph (D) for the fiscal

year.

“(B) ADJUSTED FEDERAL MEDICAL AS-

SISTANCE PERCENTAGE.—In subparagraph

(A)(i) of this paragraph, the term ‘adjusted

Federal medical assistance percentage’ means,

with respect to a fiscal year, the Federal med-

ical assistance percentage for the State for the
fiscal year (as defined in section 1905(b), as
such section was in effect on September 30,
1995), reduced by the total number of percent-
age points by which the State family assistance
grant is reduced under section 409 for the fis-
cal year.

“(C) Excess state expenditures.—In
subparagraph (A)(i) of this paragraph, the term
‘excess State expenditures’ means, with respect
to a State and a fiscal year, the amount (if
any) by which—

“(i) the total amount of State expend-
itures (including from funds paid under
this paragraph) for the fiscal year that are
for assistance, work or work preparation
activities (as defined in section 407(d)), or
supportive services, excluding the value of
all goods and services provided by a private
source, to the extent not taken into ac-
count under clause (ii) of this subpara-
graph; exceeds

“(ii) the total amount of qualified
State expenditures for the fiscal year not
exceeding 56 percent of historic State ex-
penditures for the fiscal year.

“(D) State allotments.—The amount
allotted to a State under this subparagraph for
a fiscal year shall be the amount that bears the
same ratio to the available amount for the fiscal year as the number of children in families with incomes below the poverty level in the State for the fiscal year (as determined by the Bureau of the Census) bears to the total number of such children in all eligible States for the fiscal year.

“(E) AVAILABLE AMOUNT.—In subpara-

graph (D), the term ‘available amount’ means, with respect to a fiscal year, the amount specified in paragraph (5) of this subsection for the fiscal year, reduced by—

“(i) the total of the amounts payable to all States under paragraph (2) of this subsection for the fiscal year; and

“(ii) the amounts reserved under sec-
tions 412, 413, and 417(b) for the fiscal year.

“(F) MAINTENANCE OF EFFORT REQUIRE-
MENTS.—A matching grant shall not be payable to a State for a fiscal year if the State failed to comply with paragraph (7) or (12) of section 409(a) for the fiscal year.

“(G) REDISTRIBUTION OF UNUSED MATCHING FUNDS.—
“(i) In general.—If the Secretary determines (in accordance with clause (ii) of this subparagraph) that any amounts allotted to a State under subparagraph (D) for a fiscal year will not be used by the State during the fiscal year for the purpose for which the amounts are allotted, the Secretary shall make the amounts available in the subsequent fiscal year for carrying out the purpose to 1 or more eligible States that apply for the funds, to the extent the Secretary determines that the applicant States will be able to use the additional amounts for the purpose, on the matching basis provided in this paragraph. The available amounts shall be redistributed among all such applicant States pursuant to subparagraph (D) by treating only the applicant States as eligible States.

“(ii) Time of determination and distribution.—The determination of the Secretary under clause (i) for a fiscal year shall be made not later than the end of the 1st quarter of the subsequent fiscal year. The redistribution of amounts under clause
(i) shall be made as close as practicable to
the date the determination is made. Any
amount made available to a State in ac-
cordance with this subparagraph shall, for
purposes of this part, be regarded as part
of the matching grant paid to the State
under this paragraph for the fiscal year in
which the redistribution is made.

“(5) Appropriation.—Out of any money in
the Treasury of the United States not otherwise ap-
propriated, there are appropriated for each of fiscal
years 2019 through 2023 $16,566,542,000 for
grants under this subsection.”.

(b) Adjustment of Maintenance-of-Effort Re-
quirement.—Section 409(a)(7) (42 U.S.C. 609(a)(7)) is
amended to read as follows:

“(7) Failure of any State to maintain
certain level of historic effort.—The Sec-
retary shall reduce the mandatory grant payable to
the State under section 403(a)(3) for a fiscal year
by the amount (if any) by which qualified State ex-
penditures for the then immediately preceding fiscal
year are less than 56 percent of historic State ex-
penditures with respect to such preceding fiscal
year.”.
(c) CONFORMING AMENDMENTS.—

(1) ADJUSTMENT AND RELOCATION OF DEFINITIONS RELATING TO MAINTENANCE-OF-EFFORT REQUIREMENT.—Section 419 (42 U.S.C. 619), as amended by sections 6(d) and 7(a)(2) of this Act, is amended by adding at the end the following:

“(10) QUALIFIED STATE EXPENDITURES.—

“(A) IN GENERAL.—The term ‘qualified State expenditures’ means, with respect to a State and a fiscal year, the total expenditures by the State during the fiscal year, under all State programs, for any of the following with respect to eligible families:

“(i) Cash assistance, including any amount collected by the State as support pursuant to a plan approved under part D, on behalf of a family receiving assistance under the State program funded under this part, that is distributed to the family under section 457(a)(1)(B) and disregarded in determining the eligibility of the family for, and the amount of, such assistance.

“(ii) Child care assistance.
“(iii) Educational activities designed to increase self-sufficiency, job training, and work, excluding any expenditure for public education in the State except expenditures which involve the provision of services or assistance to a member of an eligible family which is not generally available to persons who are not members of an eligible family.

“(iv) Expenditures for a purpose described in paragraph (3) or (4) of section 401(a).

“(v) Administrative costs in connection with the matters described in clauses (i), (ii), (iii), (iv), and (vi), but only to the extent that such costs do not exceed 15 percent of the total amount of qualified State expenditures for the fiscal year.

“(vi) Any other use of funds allowable under section 404(a)(1).

“(B) Exclusion of transfers from other state and local programs.—Such term does not include expenditures under any State or local program during a fiscal year, except to the extent that—
“(i) the expenditures exceed the amount expended under the State or local program in the fiscal year most recently ending before the date of the enactment of section 409 (as in effect just before the effective date of the Joining Opportunity with Benefits and Services for Success Act); or

“(ii) the State is entitled to a payment under former section 403 (as in effect immediately before such date of enactment) with respect to the expenditures.

“(C) Exclusion of Amounts Expended to Replace Penalty Grant Reductions.—Such term does not include any amount expended in order to comply with section 409(a)(12).

“(D) Exclusion of Expenditures for Certain Families With Income Greater Than Twice the Poverty Line.—Such term does not include any amount expended to provide any assistance, benefits, or services to a family whose monthly income exceeds, and whose income for the month in which the family applied for the assistance exceeded, twice the
poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2))) in effect with respect to the month involved.

“(E) ELIGIBLE FAMILIES.—In subparagraph (A), the term ‘eligible families’ means families eligible for assistance under the State program funded under this part, families that would be eligible for such assistance but for the application of section 408(a)(7) of this Act, and families of aliens lawfully present in the United States that would be eligible for such assistance but for the application of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, except any of such families whose monthly income exceeds twice the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 9902(2))).
“(11) Historic State expenditures.—The term ‘historic State expenditures’ means, with respect to a State, the lesser of—

“(A) the expenditures by the State under parts A and F (as in effect during fiscal year 1994) for fiscal year 1994; or

“(B) the amount which bears the same ratio to the amount described in subparagraph (A) as—

“(i) the State family assistance grant, plus the total amount required to be paid to the State under former section 403 for fiscal year 1994 with respect to amounts expended by the State for child care under subsection (g) or (i) of section 402 (as in effect during fiscal year 1994); bears to

“(ii) the total amount required to be paid to the State under former section 403 (as in effect during fiscal year 1994) for fiscal year 1994.

Such term does not include any expenditures under the State plan approved under part A (as so in effect) on behalf of individuals covered by a tribal family assistance plan approved under section 412, as determined by the Secretary.
“(12) EXPENDITURES BY THE STATE.—The term ‘expenditures by the State’ does not include—

“(A) any expenditure from amounts made available by the Federal Government;

“(B) any State funds expended for the medicaid program under title XIX; or

“(C) any State funds which are expended as a condition of receiving Federal funds other than under this part.”.

(2) CROSS-REFERENCES.—

(A) The following provisions are each amended by striking “403(a)(1)” and inserting “403(a)” each place it appears:

(i) Paragraphs (1)(A), (1)(B), (2)(A)(i), (4), (5), (9), (11), (12), (14)(A), (15), and (16)(A) of section 409(a) (42 U.S.C. 609(a)(1)(A), (1)(B), (2)(A)(i), (4), (5), (9), (11), (12), (14)(A), (15), and (16)(A)).

(ii) Section 409(d)(2) (42 U.S.C. 609(d)(2)).

(iii) Section 413(h) (42 U.S.C. 613(h)).
(B) Section 413(b) (42 U.S.C. 613(b)) is amended by striking “403(a)(2)” and inserting “403(b)”.

(C) The following provisions are each amended by striking “(as defined in section 409(a)(7)(B)(i))”:

(i) Paragraphs (1) and (2) of section 407(e) (42 U.S.C. 607(e)(1) and (2)).

(ii) Section 411(a)(1)(A) (42 U.S.C. 611(a)(1)(A)).

(iii) Subsections (a)(1), (d), and (e)(1) of section 413 (42 U.S.C. 613(a)(1), (d), and (e)(1)).

SEC. 10. STRENGTHENING ACCOUNTABILITY THROUGH HHS APPROVAL OF STATE PLANS.

(a) State Plan Requirements; State Plans Subject to Approval by the Secretary; Timing.—Section 402 (42 U.S.C. 602) is amended to read as follows:

“SEC. 402. STATE PLANS.

“(a) Application; Plan Requirements.—To be eligible to receive a grant under this part, a State shall prepare and submit to the Secretary an application, at such time, in such manner, and containing such informa-
tion as the Secretary shall by rule require, that includes
a State plan that meets the following requirements:

“(1) FAMILY ASSISTANCE PROGRAM.—The plan
shall describe how the State will carry out a pro-
gram which—

“(A) is designed to serve all political sub-
divisions in the State (not necessarily in a uni-
form manner), provides assistance to needy
families with (or expecting) children and pro-
vides parents with job preparation, work, and
support services to enable them to leave the
program and become self-sufficient;

“(B) provides education and training to
State and local law enforcement officials, the
education system, and providers of relevant
counseling services, on the problem of statutory
rape so that teenage pregnancy prevention pro-
grams may be expanded in scope to include
men; and

“(C) ensures that recipients of assistance
under the program or any other State program
funded with qualified State expenditures may
access their assistance with minimal fees or
charges, and have an opportunity to access
their assistance with no fee or charges, and are
provided information on applicable fees and sur-
charges that apply to electronic fund trans-
actions involving the assistance, and that such
information is made available to the public.

“(2) WORK AND WORK PREPARATION REQUIRE-
MENTS.—The plan shall describe how the State will
require work-eligible individuals to engage in work
or work preparation activities in accordance with
section 407, and any additional activity that will be
considered a work or work preparation activity
under section 407(d)(13).

“(3) CASE MANAGEMENT; UNIVERSAL ENGAGE-
MENT.—The plan shall describe the case manage-
ment practices of the State with respect to the re-
quirements of section 408(b), provide a copy of the
form that will be used to assess a work-eligible indi-
vidual and prepare an individual opportunity plan
for such an individual, describe how the State will
ensure that such a plan is reviewed in accordance
with section 408(b)(5), and describe how the State
will measure progress under the plan.

“(4) PROPOSED PERFORMANCE LEVELS.—The
plan shall propose the requisite levels of performance
for the State for purposes of section 407(a)(3)(D)
for each year in the 2-year period referred to in sub-
section (b) of this section, and explain why each such level is appropriate.

“(5) Child support enforcement.—The plan shall describe how the State will engage low-income noncustodial parents paying child support and how such a parent will be provided with access to work support and other services under the program referred to in paragraph (1) to support their employment and advancement, and shall include a certification by the chief executive officer of the State that, during the fiscal year, the State will operate a child support enforcement program under the State plan approved under part D.

“(6) Prevention and reduction of out-of-wedlock pregnancies.—The plan shall describe how the State will establish goals and take action under the program to prevent and reduce the incidence of out-of-wedlock pregnancies, with special emphasis on teenage pregnancies.

“(7) Prevention of recipient misuse of funds; access to cash assistance.—The plan shall describe how the State will prevent access to assistance provided under the program or any other State program funded with qualified State expenditures through any electronic fund transaction
through an automated teller machine or point-of-sale
device located in a place described in section
408(a)(12), and ensure that recipients of assistance
under the program have adequate access to their
cash assistance.

“(8) Security of personal information.—
The plan shall describe how the State will restrict
the use and disclosure of information about individ-
uals and families receiving assistance under the pro-
gram or any other State program funded with quali-
Aided State expenditures attributable to funds pro-
vided by the Federal Government.

“(9) Procedural protections.—The plan
shall set forth objective criteria for delivering bene-
fits, determining eligibility, and fair and equitable
treatment under the program, and explain how the
State will provide opportunities for recipients of ben-
efits under the program who are adversely affected
by an action taken or not taken under the program
to be heard in a State administrative or appeal proc-
cess.

“(10) Policies and procedures to ensure
compliance with this part.—The plan shall de-
scribe the policies and procedures that are in place
to ensure that the State complies with the require-
ments of this part, shall set forth references to the provisions of State law and regulation that reflect the policies and provide for the procedures, and shall include an assurance that the State will comply with the requirements of this part.

(11) Coordination with other programs.—The plan shall indicate whether the State intends to exercise authority provided by section 404(d) of this Act to transfer any funds paid to the State under this part, provide an assurance that, in the case of a transfer to carry out a program under title I of the Workforce Innovation and Opportunity Act, the State will comply with section 404(d)(3)(B) of this Act and coordinate with the one-stop delivery system under the Workforce Innovation and Opportunity Act, and describe how the State will coordinate with the programs involved to provide services to families receiving assistance under the program referred to in paragraph (1) of this subsection.

(12) Intention regarding assistance to obtain employment in certain health-related occupations.—The plan shall indicate whether the State intends to assist individuals to train for, seek, and maintain employment—
“(A) providing direct care in a long-term care facility (as such terms are defined under section 2011); or

“(B) in other occupations related to elder care determined appropriate by the State for which the State identifies an unmet need for service personnel, and, if so, shall include an overview of that assistance.

“(13) CERTIFICATION OF THE ADMINISTRATION OF THE PROGRAM.—The plan shall include a certification by the chief executive officer of the State specifying which State agency or agencies will administer and supervise the program referred to in paragraph (1) for the fiscal year, which shall include assurances that units of general purpose local government and private sector organizations—

“(A) have been consulted regarding the development of the plan and the design of welfare services in the State so that services are provided in a manner appropriate to local populations; and

“(B) have had at least 45 days to submit comments on the plan and the design of the services.
“(14) Certification that the state will operate a foster care and adoption assistance program.—The plan shall include a certification by the chief executive officer of the State that, during the fiscal year, the State will operate a foster care and adoption assistance program under the State plan approved under part E, and that the State will take such actions as are necessary to ensure that children receiving assistance under such part are eligible for medical assistance under the State plan under title XIX.

“(15) Certification that the state will provide Indians with equitable access to assistance.—The plan shall include a certification by the chief executive officer of the State that, during the fiscal, the State will provide each member of an Indian tribe, who is domiciled in the State and is not eligible for assistance under a tribal family assistance plan approved under section 412, with equitable access to assistance under the program referred to in paragraph (1) attributable to funds provided by the Federal Government.

“(16) Certification of standards and procedures to ensure against program fraud and abuse.—The plan shall include a certification
by the chief executive officer of the State that the
State is enforcing standards and procedures to en-
sure against program fraud and abuse, including
standards and procedures concerning nepotism, con-
flicts of interest among individuals responsible for
the administration and supervision of the State pro-
gram, kickbacks, and the use of political patronage.

“(17) Optional Certification of Standards and Procedures to Ensure That the
State Will Screen for and Identify Domestic Violence.—

“(A) In General.—At the option of the
State, the plan may include a certification by
the chief executive officer of the State that the
State has established and is enforcing stand-
ards and procedures to—

“(i) screen and identify individuals re-
ceiving assistance under the program re-
ferred to in paragraph (1) with a history
of domestic violence, while maintaining the
confidentiality of the individuals;

“(ii) refer the individuals to coun-
seling and supportive services; and

“(iii) waive, pursuant to a determina-
tion of good cause, other requirements
under the program such as time limits (for so long as necessary) for individuals receiving assistance, residency requirements, child support cooperation requirements, and family cap provisions, in cases where compliance with the requirements would make it more difficult for individuals receiving the assistance to escape domestic violence or unfairly penalize such individuals who are or have been victimized by such violence, or individuals who are at risk of further domestic violence.

“(B) DOMESTIC VIOLENCE DEFINED.—In subparagraph (A), the term ‘domestic violence’ has the same meaning as the term ‘battered or subjected to extreme cruelty’, as defined in section 408(a)(7)(C)(iii).

“(b) 2-YEAR PLAN.—A plan submitted pursuant to this section shall be designed to be implemented during a 2-year period.

“(c) COMBINED PLAN ALLOWED.—A State may submit to the Secretary and the Secretary of Labor a combined State plan that meets the requirements of subsections (a) and (b) and that is for programs and activities under the Workforce Innovation and Opportunity Act.
“(d) Plan Amendments.—Within 30 days after a State amends a plan submitted pursuant to this section, the State shall notify the Secretary of the amendment.

“(e) Public Availability of State Plan Summary.—The Secretary shall make available to the public, on the website established under section 414, a summary of any plan or plan amendment submitted by the State pursuant to this section.

“(f) Approval of Plans.—The Secretary shall approve any plan submitted pursuant to this section that meets the requirements of subsections (a) and (b).”.

(b) Re-definition of Eligible State.—Section 419 (42 U.S.C. 619), as amended by sections 6(d), 7(a)(2), and 9(c)(1) of this Act, is amended by adding at the end the following:

“(13) Eligible State.—The term ‘eligible State’ means, with respect to a fiscal year, a State with a plan submitted pursuant to section 402 that is designed to be implemented during the fiscal year, that has been approved by the Secretary.”.

(c) Duties of the Secretary.—

(1) Coordination of activities; dissemination of information.—Section 416 (42 U.S.C. 616) is amended—
(A) by inserting “(a) IN GENERAL.—” before “The programs”; and

(B) by adding after and below the end the following:

“(b) COORDINATION OF ACTIVITIES.—The Secretary shall coordinate all activities of the Department of Health and Human Services relating to work and work preparation activities and requirements and measurement of employment outcomes, and, to the maximum extent practicable, coordinate the activities of the Department in this regard with similar activities of other Federal entities.

“(c) DISSEMINATION OF INFORMATION.—The Secretary shall disseminate, for voluntary informational purposes, information on practices that scientifically valid research indicates are most successful in improving the quality of State and tribal programs funded under this part.”.

(d) TECHNICAL ASSISTANCE.—Section 417 (42 U.S.C. 617) is amended to read as follows:

“SEC. 417. TECHNICAL ASSISTANCE.

“(a) IN GENERAL.—The Secretary shall provide technical assistance to States and Indian tribes (which may include providing technical assistance on a reimbursable basis), which shall be provided by qualified experts on practices grounded in scientifically valid research, where
appropriate, to carry out State and tribal programs funded under this part.

“(b) Reservation of Funds.—The Secretary shall reserve not more than 0.25 percent of the amount appropriated by section 403(a)(5) for a fiscal year to carry out subsection (a) of this section.”.

SEC. 11. Aligning and Improving Data Reporting.

(a) Require States to Report Full-Population Data.—Section 411(a)(1) (42 U.S.C. 611(a)(1)), as amended by section 9(c)(2)(C)(ii) of this Act, is amended—

(1) by striking subparagraph (B);

(2) by striking “(1) General Reporting Requirement.—”;

and

(3) by—

(A) redesignating—

(i) subparagraph (A) as paragraph (1);

(ii) clauses (i) through (xvii) of subparagraph (A) as subparagraphs (A) through (Q), respectively;

(iii) subclauses (I) through (V) of clause (ii) as clauses (i) through (v), respectively;
(iv) subclauses (I) through (VII) of clause (xi) as clauses (i) through (vii), respectively; and

(v) subclauses (I) through (V) of clause (xvi) as clauses (i) through (v), respectively; and

(B) moving each such redesignated provision 2 ems to the left.

(b) ALIGNING TANF SPENDING RULES.—

(1) NONDISPLACEMENT OF WORKERS.—Section 407(f)(1) (42 U.S.C. 607(f)(1)) is amended by striking “attributable to funds provided by the Federal Government” and inserting “or any other State program funded with qualified State expenditures”.

(2) LIMITS ON ACCESS TO ASSISTANCE IN CASINOS, STRIP CLUBS, AND LIQUOR STORES.—Section 408(a)(12)(A) (42 U.S.C. 608(a)(12)(A)) is amended by inserting after “State program funded under this part” the following: “or any other State program funded with qualified State expenditures”.

(3) REDUCING ASSISTANCE NOT CONSIDERED A WAGE REDUCTION.—Section 408(c) (42 U.S.C. 608(c)) is amended by inserting after “State program funded under this part” the following: “or any
other State program funded with qualified State expendi-
tures”.

(c) Report on Participation in Work or Work
Preparation Activities.—Section 411(a)(1) (42
U.S.C. 611(a)(1)), as amended by section 9(c)(2)(C)(ii)
of this Act and subsection (a)(3) of this section, is amend-
ed by striking subparagraphs (K) and (L) and inserting
the following:

“(K) The work eligibility status of each in-
dividual in the family, and—

“(i) in the case of each work-eligible
individual in the family—

“(I) the number of hours (includ-
ing zero hours) per month of partici-
pation in—

“(aa) work or work prepara-
tion activities (as defined in sec-
tion 407(d)); and

“(bb) any other activity re-
quired by the State to remove a
barrier to employment.; and

“(ii) in the case of each individual in
the family who is not a work-eligible indi-
vidual, the reason for that status.
“(L) For each work-eligible individual and each adult in the family who did not participate in work or work preparation activities (as so defined) during a month, the reason for the lack of participation.”.

(d) Reporting of Information on Employment and Earnings Outcomes.—Section 411(c) (42 U.S.C. 611(c)) is amended to read as follows:

“(e) Reporting of Information on Employment and Earnings Outcomes.—The Secretary, in consultation with the Secretary of Labor, shall determine the information that is necessary to compute the employment and earnings outcomes and the statistical adjustment model for the employment and earnings outcomes required under section 407, and each eligible State shall collect and report that information to the Secretary.”.

SEC. 12. EFFECTIVE DATE.

The amendments made by this Act shall take effect on October 1, 2018.