



**TANF Reauthorization Legislation
Comparison of Present Law to H.R. 240 and S. 6**

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
TANF PROVISIONS			
Goals	Four purposes of TANF: (1) assist needy families so that children may live in their homes or those of relatives; (2) end dependence of needy parents on government benefits; (3) reduce out-of-wedlock pregnancies; and (4) encourage the formation and maintenance of 2-parent families.	<ul style="list-style-type: none"> - “Child well-being” added as broader TANF purpose. - Amends goal 1 “to provide assistance and services...” - Amends goal 2 “to end dependence of needy families on government benefits and reduce poverty...” - Amends goal 4 “to encourage the formation and maintenance of healthy two-parent married families, and encourage responsible fatherhood.” 	Amends only goal 4 as in H.R. 240, but limited to 2-parent <i>married</i> families, and to <i>encourage responsible fatherhood</i> .
State Plan	Certification that state will operate a child support enforcement system; operate a foster care and adoption assistance program; provide Indians with equitable access to assistance; ensure against fraud and abuse; and, optionally, screen for and identify domestic violence.	<ul style="list-style-type: none"> - Adds how the state will pursue ending dependence of needy families on government benefits and reduce poverty by promoting job preparation and work; encourage equitable treatment of married, 2-parent families; encourage the formation and maintenance of 2-parent married families; encourage responsible fatherhood; and prevent and reduce out-of-wedlock births; - Numerical and measurable performance objectives on above items; - Any strategies and programs the state is undertaking to address a series of issues around employment of recipients; - Recipients receiving assistance must engage in work or approved activities according to self-sufficiency plan; - Families receiving assistance must follow self-sufficiency plan; - Job retention and increased wages 	<p>All additional requirements as in H.R. 240 plus:</p> <ul style="list-style-type: none"> - Uniform state plan within 9 months of enactment to go into effect in fiscal year (FY) 2005; - Requires states to describe criteria for deeming a single parent with a disabled child or dependent as meeting partial or full work requirement; - Requires states to detail activities to count in areas of high joblessness in Indian country; - Requires states to put plan on state-maintained Internet web site along with comments received and proposed amendments to plan; - For states that provide transportation aid with TANF funds, a certification that state and local transportation planning bodies have been consulted; - Requires states to identify strategies or

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
		added to the measures used for annual state ranking; <ul style="list-style-type: none"> - New uniform performance measures will be required in the future; - Both states and tribes will be required to consult with each other during the planning process for state and tribal plans. 	programs to engage faith-based organizations in the provision of services. <ul style="list-style-type: none"> - As in H.R. 240, adds job retention and increased wages to the measure used for annual state ranking but also adds job advancement.
Base Funding	<ul style="list-style-type: none"> - Basic grants total \$16.5 billion; maximum 60-month lifetime limit on assistance. A state may exempt up to 20% of the caseload for hardship. - Federal Loan Program: \$1.7 billion in loans for up to 3 years to states for same purposes of act, including anti-fraud activities, and to serve Indian families who have left the service area of a tribal family assistance grant (TFAG) program. 	Level funding at \$16.566 million per year for 5 years.	Same as H.R. 240
Supplemental and other Grants	Supplemental grants based on high population and poverty. Grants were \$79 million in 1998 and rose to \$319 million per year in FY 2001.	Extends at FY 2001 level of \$319 million for 4 years.	<ul style="list-style-type: none"> - Extends at FY 2001 level of \$319 million for 4 years; - Establishes grants to capitalize and develop sustainable social services at \$40 million per year for FYs 2006-2010. - Establishes grants for low-income car ownership programs at \$25 million per year for FYs 2006-2010.
Cash Management	<ul style="list-style-type: none"> - Payment schedule to states on a quarterly basis; - Used to meet goals of TANF, plus home heating and cooling to low-income families; - 15% cap on administration; - May use grants for Electronic Benefit Transfer (EBT) system; - Allows funds to be used for Individual Development Accounts; - May use TANF to match Department of Transportation Access to Jobs funds; - Regulations promulgated on use of funds and un-obligated balances. 	<ul style="list-style-type: none"> - Allows states to designate a contingency reserve with unobligated funds; - Allows carryover funds to be used for benefits/services. 	Same as H.R. 240

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
Transfers	<ul style="list-style-type: none"> - States may transfer up to 30% of TANF funds to Child Care and Development Block Grant (CCDBG) and Title XX. - Limit of 10% transfer to Title XX (dropped to 4.25% in later legislation although appropriators have chosen to maintain the 10% on a yearly basis); - Transfers to Title XX must be used for children and families at 200% of federal poverty level (FPL). 	Allows states to transfer up to 50% to CCDBG and 10% to Social Services Block Grant (SSBG).	Restores SSBG transfer to 10%.
Contingency	Provides \$2 billion in matching funds to states that meet triggers related to unemployment and Food Stamp Program (FSP) enrollment.	<ul style="list-style-type: none"> - Restores fund at \$2 billion; - Child care and all spending in separate state program counts toward maintenance of effort (MOE) but no change to the triggers to access funds; - Reduces 100% MOE requirement to 75% or 80%. 	<p>Same as H.R. 240 plus:</p> <ul style="list-style-type: none"> - Alters triggers to access fund by adding one on TANF caseload increases (due to economics), and changing unemployment trigger to at least 1.5 percentage points or 50% higher increase, and the FSP trigger to at least a 15% increase; - Lowers limit on a state's contingency grant from 20% to 10% of the state's Family Assistance Grant; - States must expend at least 70% of TANF grant before accessing fund.
MOE Requirements	States must spend at least 75% of what was spent from state funding in FY 1994 on programs replaced by TANF.	Spending on non-eligible families, reducing out-of-wedlock births, fatherhood, and family formation can count toward MOE requirement.	Same as H.R. 240 plus MOE level for a year (whether 75% or 80%) based on work rates from previous year.
Definition of Assistance and Limitations	<ul style="list-style-type: none"> - Regulations promulgated on definition of assistance that includes defining child care and transportation provided to unemployed individuals as "assistance" and subject to time limits; - No assistance for teenage parents not living in adult-supervised setting. 	Removes transportation and child care from definition of "assistance."	Same as H.R. 240 and includes transitional living youth projects as a form of adult-supervised setting.
Marriage and Family Formation	Highlighted in goal 4 of the program.	<ul style="list-style-type: none"> - For FYs 2005-2010, \$100 million per year healthy marriage promotion competitive grants matched by states on a 50/50 basis, and can be matched with federal TANF funds. Specifies the marriage-related services that can be provided to various recipients, such as: 	<p>Same as H.R. 240 plus:</p> <ul style="list-style-type: none"> - Adds <i>recent mothers and fathers</i> to category of "non-married pregnant women and expectant fathers"; - Exempts grants from general rules governing use of TANF funds; - Has stronger requirement on

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
		<ul style="list-style-type: none"> - <i>High school students</i>: Marriage, relations and budgeting; - <i>Non-married pregnant women and expecting fathers</i>: marriage education, marriage skills and relationship skills programs including parenting skills, financial management, conflict resolution, and job and career development; - <i>Engaged couples and couples interested in marriage</i>: premarital education and marriage skills; - <i>Married couples</i>: marriage enhancement and marriage skills; - No restrictions on service population: advertising campaigns, divorce reduction, marriage mentoring; - Programs to reduce disincentive to marriage in means-tested benefit programs; - \$100 million per year in research and demonstration funds on activities allowed under marriage grants. 	<p>consultation with domestic violence experts to ensure program participation is voluntary.</p>
Fatherhood	No provision	<p>Fatherhood added as new section to Title IV of Social Security Act (SSA).</p> <ul style="list-style-type: none"> - \$20 million per year for FYs 2006-2010 for: <ul style="list-style-type: none"> - Grants to public entities and non-profits including religious organizations to (1) test promising approaches to promote non-resident father involvement, (2) increase the ability of fathers to provide support to family and to manage family business affairs, and (3) support healthy marriages and married fathers; - Grants also available to improve outcomes for children and to evaluate approaches; - Preference given to programs in which a majority of clients are low-income fathers; - Multi-city/multi-state grants on marriage and fatherhood; 	<ul style="list-style-type: none"> - Fatherhood added as new section to Title IV of SSA, and is subject to charitable choice provisions. - \$75 million per year for 4 programs: <ul style="list-style-type: none"> (1) Grants to states for demonstration (\$20 million per year) and (2) grants to local governments, private entities, non-profits, and faith-based groups (\$30 million per year), both of which must meet the following conditions: <ul style="list-style-type: none"> - goals of marriage promotion, parenting activity, and economic stability of fathers; - 50% set aside for present/ or recent recipients of child support, TANF, foster care, Medicaid, or FSP; or parents and expectant parents below 150% of FPL; - must consult with domestic violence experts. (3) National Clearinghouse for

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
		<ul style="list-style-type: none"> - Projects of national significance on fatherhood, including information dissemination, media campaigns, technical assistance, and research. 	<p>Fatherhood (\$5 million per year) run by a “nationally recognized non-profit fatherhood promotion organization” to develop media campaigns on fatherhood and a clearinghouse on state media campaigns.</p> <p>(4) Block Grants to States to Encourage Media Campaigns (\$20 million/year) based on proportion of poor children in the state to promote 2-parent families, strengthen fragile families, and promote responsible fatherhood.</p>
Out-of-Wedlock Bonus	Provides \$20 million each for up to 5 states per year, for total of \$100 million.	Repeals bonus and replaces with Marriage and Family Formation grants.	Same as H.R. 240
High Performance Bonus	Provides \$200 million a year for states with high performance and improvement on employment measure and attachment to other benefit programs.	<ul style="list-style-type: none"> - High Performance Bonus funded at \$100 million in FY 2005; - Changes name to “Employment Achievement Bonus”; - Funding at \$100 million per year for 6 years (FYs 2006-2011); - Measures will be developed on employment entry, job retention, and increased earnings; - Opens up bonus to tribal TANF programs. 	Same as H.R. 240

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
Universal Engagement/ Individual Responsibility	<p>State must make an initial assessment of the skills, prior work experience, and employability of each recipient of assistance over the age of 18 or who has not completed high school or enrolled in an equivalency program.</p> <p>Following the assessment, the state has an option to develop an individual responsibility plan (IRP) that:</p> <ul style="list-style-type: none"> - sets forth employment goal; - sets forth obligations of the individual; - to the greatest extent possible is designed to move the individual into private-sector employment; - describes the services the state will provide; - may require the individual to undergo substance abuse treatment. <p>Exercise of authority is within the sole discretion of the state.</p>	<ul style="list-style-type: none"> - Replace IRP with Family Self-sufficiency Plan. Family must have plan within 60 days of opening a new case, current cases within 12 months; - States must ensure that all recipients are participating in constructive activities according to their plan; - States have discretion in designing activities and developing own monitoring system; - States must assess skills, prior work experience, employability of all work-eligible individuals; - States must monitor, review progress, and revise plans as necessary; - States subject to same penalty as work participation rate. 	<p>Same as H.R. 240 plus:</p> <ul style="list-style-type: none"> - Adds education, work readiness, work barriers, employability of each adult, plus work support and other support services that the family is eligible for, well-being of the children, and activities to improve well-being to list of activities for screening and assessment; - No private right of action against states; - Similar to H.R. 240, has a penalty beginning in FY 2007 but bases the penalty on “<i>substantial noncompliance</i>” based on degree to which the state missed the participation rate, changes in number of individuals engaged in work, and consecutive years of missing participation rate.; - In addition, the secretary of Health and Human Services (HHS) can take into account the following with regard to penalty: number or percentage of families without a plan, duration of delays, failures are isolated or nonrecurring, and whether the state has a system in place to ensure plans are done; - Includes Government Accountability Office (GAO) evaluation.
Participation Rate	<ul style="list-style-type: none"> - Participation rates requirements: all families, 50%; 2-parent families, 90%; - 30% limit on the number of individuals in vocational educational training who can count towards work rate. 	<ul style="list-style-type: none"> - 70% work participation rate by FY 2010; rate of 50% in FY 2006, 55% in FY 2007, 60% in FY 2008, 65% in FY 2009, 70% in FY 2010; - Separate 2-parent rate eliminated; - Gives partial credit starting at 24 hours; - Increases weekly hours to 40; - Year’s participation rate is average of rate for each month; - Monthly rate calculation is the total number of countable hours with respect to the counted families for the state for the month divided by 160 multiplied by the number of counted families for the state for the month. 	<ul style="list-style-type: none"> - Increases work rate requirement, same as H.R. 240; - Eliminates 2-parent work rates, but establishes different values for partial work hours for 2-parent and single families; - Provides partial credit for part-time work starting at 20 hours; - Weekly rate calculation is the total number of hours per month a family is engage in work divided by 4; - Uses a banded system to calculate work rates as follows: <u>Single parent with child under age 6</u> 675 for 20-23 hours

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
			1.0 for 24-34 hours 1.05 for 35-37 hours 1.08 for 38+ hours <u>Single parent with child over age 6</u> .675 for 20-23 hours .75 for 24-29 hours .875 for 30-33 hours 1.0 for 34 hours 1.05 for 35-37 hours 1.08 for 38+ hours <u>2-parent families without child care</u> .675 for 26-29 hours .75 for 30-34 hours .875 for 35-38 hours 1.0 for 39 hours 1.05 for 40-42 hours 1.08 for 43+ hours <u>2-parent families with federally funded child care</u> .675 for 40-44 hours .75 for 45-50 hours .875 for 51-54 hours 1.0 for 55 hours 1.05 for 56-58 hours 1.08 for 59+ hours
- Hours	<ul style="list-style-type: none"> - 30-hour-a-week standard work requirement; - Single parent with a child under age 6 is deemed as meeting the work requirement at 20 hours; - Single teen head of household or married teen who is in school is deemed as meeting work requirement. 	<ul style="list-style-type: none"> - Increases work requirement to 40 hours; - Single parent caring for a child under 6 must satisfy work standard at 40 hours; - For purposes of work participation rate, countable hours are determined by average week over a month. If the average for an individual is under 24 hours per week, then there are zero countable hours for the month. 	Requires: <ul style="list-style-type: none"> - 24 hours for single parent with a child under age 6; - 34 hours for single parent with child over age 6; - 39 hours for 2-parent families without child care; - 55 hours for 2-parent families with child care.
- Exemptions	State option to exempt a single mother with a child under the age of 1 from work requirement and from the participation rate denominator.	<ul style="list-style-type: none"> - Adds a state option to exempt families during the first month of TANF benefits and families in tribal programs; - Adds state option to exempt, on a case-by-case basis, a family in which the youngest child is under the age of 1; - Adds state option to include a family 	Same as H.R. 240

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
<p>- Caseload Reduction Credit</p>	<p>Minimum participation rate is reduced by the percentage of caseload decrease from the immediate preceding fiscal year and the average monthly caseload during FY 1995.</p>	<p>receiving assistance under a tribal TANF or work program to which funds are provided in the work rate.</p> <ul style="list-style-type: none"> - Recalibrates current credit: FY 2006 uses caseload reduction data since FY 1996, FY 2007 since FY 1998, FY 2008 since FY 2001, FY 2009 and forward from 4th preceding fiscal year; - Super credit if state achieved 60% caseload decline during the period of FY 1995 to FY 2001. 	<ul style="list-style-type: none"> - Replaces with an employment credit that provides a percentage credit for each percent reduction in caseload due to employment; - At state option, provides credit for diversion, significant child care, and transportation assistance; - Caps credit at maximum 40% in first year and reduces by 5% each year to 20% in 2010; - Secretary of HHS may use the National Directory of New Hires for purpose of calculating state employment credits.
<p>- Direct Work Activities</p>	<ul style="list-style-type: none"> - Unsubsidized employment; - subsidized private-sector employment; - subsidized public-sector employment; - work experience if sufficient private-sector employment is not available; - on-the-job training; - job search and job readiness assistance; - community service programs; - vocational educational training (up to 12 months); - job skills training directly related to employment; - education directed related to employment; - attendance at secondary school towards a certificate or degree; - the provision of child care to a recipient of community service. 	<ul style="list-style-type: none"> - 24 hours must be spent in “direct work” activities, defined as unsubsidized employment, subsidized private- or public-sector work, on-the-job training, supervised work experience, <i>supervised</i> community service; - Qualified work activities can count as direct work activities for 3 months in any 24-month period; - Education or training to fill a known job in a local area can be counted as “work” for 4 consecutive months in a 24-month period; - Teens meet 40-hour-per-week requirement if they maintain successful attendance in secondary school or participate in education related to employment for at least 20 hours per week. 	<p>Current 12 activities:</p> <ul style="list-style-type: none"> - 9 priority activities for first 24 hours: unsubsidized jobs, subsidized private jobs, subsidized public jobs, work experience, on-the-job training, job search (6 weeks), vocational education training (12 months), community service, child care for TANF recipients, and - 3 non-priority activities: job skills training, completion of secondary school, and education directly related to work; - Doubles the allowable job search period if state meets “needy” state requirement under the contingency fund definition or has an unemployment rate of 50%; - States may define countable work activities for persons complying with family self-sufficiency plan and living in Indian country or Alaskan native villages; - Drops community service requirement for adults who fail to work after 2 months.
<p>- Qualified Activities Beyond Direct Work</p>	<p>Not applicable</p>	<p>After fulfilling the 24-hour requirement, activities to meet required work hours can include substance abuse counseling, rehabilitation treatment, work-related education or training, job search or job</p>	<p>Five additional qualified activities: adult literacy programs, post-secondary education, substance abuse counseling or treatment, barrier removal activities as defined by the state, and any approved</p>

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
- Additional Educational Activities	Not applicable	readiness, and any other activity that addresses a purpose of TANF. No provision	waiver activity prior to August 22, 1996, waiver activities. - State option to create program that allows recipients who are engaged in post-secondary 2- or 4-year program to count toward work participation rate calculation; - 10% cap on such participation; - State may provide support services including transportation, child care, and cost of books; - Federal funds cannot pay for tuition of such recipients; - Participants may also engage in work study or internships.
- Disabled Child or Parent	A family with a disabled parent is not considered a 2-parent family for purposes of work participation.	No provision	- Single recipient who provides substantial ongoing care for a child or adult dependent with a physical or mental impairment may be deemed as meeting work requirements under certain conditions. Must determine that recipient is most appropriate means of care and disability is verifiable through acceptable clinical or diagnostic technique.
TANF Waivers	AFDC waivers in effect on date of TANF enactment can continue until their scheduled expiration.	No provision	No provision
Family Sanctions	- If a recipient refuses to engage in work, the state must reduce the amount or terminate assistance. However, state cannot terminate benefits if a mother with a child under age 6 demonstrates the unavailability of child care; - If individual does not comply with IRP, state has the option to reduce benefits; - State must reduce benefit by 25% and can eliminate assistance if recipient will not cooperate in establishment of paternity or in obtaining child support.	- Pro-rata reduction for 1 month of non-compliance and must terminate benefits after 2 consecutive months of non-compliance; - States cannot use qualified state expenditures to provide benefits; - For first year, states with statute before 1966 are exempt.	Requires state to make an effort to contact a family before initiating a sanction, as part of a pre-sanction process.
Data Reporting Requirements	- Requires states to compile monthly, and report quarterly, on TANF program data;	- Adds 8 new data elements and removes 6, plus adds 2 new annual reports, 1 new quarterly report, and 1	- Extends quarterly reporting requirements to cover families in MOE-funded state programs;

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
	<ul style="list-style-type: none"> - Allows states to submit disaggregated case samples for TANF quarterly data reports; - Gives the secretary of HHS authority to prescribe regulations to define required data elements, and instructs the secretary to consult with the secretary of Labor to define the required data elements; - Requires states to compile monthly, and report quarterly, disaggregated case information on families receiving TANF assistance. These reports must include client demographic information, as well as 4 other reports: <ul style="list-style-type: none"> - Report on use of federal funds to cover administrative costs and overhead; - Report on state expenditures on programs for needy families; - Report on non-custodial parents participating in work activities; - Aggregated report on families receiving assistance. 	<ul style="list-style-type: none"> new monthly report; - Requires numerical measures on each goal of TANF; - States must collect disaggregate data on families in separate state programs and on the number and reason that individuals or families became ineligible for assistance during the month; - New monthly report must show the number of families and total number of individuals receiving assistance during the calendar month; - The 2 new annual reports must include a broad list of program characteristics for TANF and state-only programs and for performance achievement and improvement; - The use of sampling is continued, but the HHS secretary is given authority to designate core data elements that must be reported on all families. 	<ul style="list-style-type: none"> - Data on separate state programs must now be reported only annually. The reporting requirements cover a broad range of disaggregated case data for TANF-funded programs, including age, family size, employment status, earnings, marital status, educational attainment, and receipt of a variety of benefits; - The quarterly mandate now applied to TANF programs would be extended to separate state programs; - HHS must designate certain "core data elements" that must be reported for all families, ending the current option many states use to sample their caseloads to produce the required reports; - New data elements are added, such as marital status of parents at the time of a child's birth, race and educational level of each minor parent, information needed to calculate progress toward universal engagement, and whether paternity has been established for unwed family members, among a number of others.
Abstinence Education	\$50 million a year in matching grants to states to provide abstinence education and state-optional mentoring, counseling, and adult supervision to promote abstinence.	<ul style="list-style-type: none"> - Extends funding through FY 2010 - Allows for unspent state funds to be redistributed by the HHS secretary to other states. 	Same as H.R. 240
CHILD CARE PROVISIONS			
Child Care and Development Fund (CCDF)	<ul style="list-style-type: none"> - \$2.7 billion in mandatory funding; - \$2.1 billion in discretionary. 	<ul style="list-style-type: none"> - Increases mandatory funding to \$2.9 billion per year for a total increase of \$1 billion over 5 years; - Increases discretionary funding by \$200 million per year, rising to \$3.1 billion in FY 2010. 	<ul style="list-style-type: none"> - Same mandatory funding as H.R. 240, but no discretionary funding; - Also adds new set-aside to the CCDF of \$10 million per year for Puerto Rico to provide child care assistance.

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
CCDF Goals	<ul style="list-style-type: none"> - To allow each state maximum flexibility in developing child care programs and policies that best suit the needs of children and parents within such state; - to promote parental choice to empower working parents to make their own decisions on the child care that best suits their family's needs; - to encourage states to provide consumer education information to help parents make informed choices about child care; - to assist states to provide child care to parents trying to achieve independence from public assistance; - to assist states in implementing the health, safety, licensing, and registration standards established in state regulations. 	<p>Amends CCDF goals to include:</p> <ul style="list-style-type: none"> - Assisting states to provide consumer education; - Assisting states to provide child care to low-income parents; - Encouraging states to improve the quality of child care available to families; - Promoting school readiness by encouraging the exposure of young children in child care to nurturing environments and developmentally appropriate activities including activities to foster early cognitive and literacy development. 	No provision
CCDF Consumer Education	State must certify that it will collect and disseminate to parents of eligible children and the general public consumer education information that will promote informed child care choices.	<p>Expands state plan section on consumer education; state must collect and disseminate through resource and referral services and other means as determined by the state information regarding:</p> <ul style="list-style-type: none"> - Promotion of informed child care choices, including information about the quality and availability of child care services; - Research and best practices on children's development; - Availability of assistance to obtain child care services; and other programs for families that receive child care services for which financial assistance under CCDF may be available. 	No provision
CCDF Coordination with Other Programs	The lead agencies are required to coordinate with other federal, state, local, tribal, and private agencies providing child care and early childhood development services.	<ul style="list-style-type: none"> - Adds a new section to the state plan for states to describe how they will coordinate with Head Start, Early Reading First, Even Start, Ready-To-Learn Television, state pre-kindergarten programs, and other early childhood education programs; - Adds a new state plan section for states to describe how they will encourage partnerships with private and other public entities. 	No provision

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
CCDF Access to Care for Certain Populations	Require states to demonstrate the manner in which they will meet child care needs of families receiving TANF, transitioning off TANF, and at risk of becoming dependent on assistance.	Adds a new section to the state plan for states to demonstrate how they address needs of parents who are eligible for child care with special-needs children, work nontraditional hours, or require care for infants or toddlers.	No provision
CCDF Quality Set-Aside	Has 4% quality set-aside for activities designed to provide comprehensive consumer education to parents and the public, activities that increase parental choice, and activities designed to improve the quality and availability of child care.	- Increases quality set-aside from 4% to 6%; - Amends the use of the quality set-aside to activities designed to improve the quality of child care services in the state available to low-income parents from eligible child care providers; - Amends the section on quality activities to require states to submit to the HHS secretary a strategy for implementing and evaluating the use of quality funds and a list state-developed quality targets.	No provision
CCDF Eligibility	85% of state median income.	Replaces state median income criteria for determining an eligible child with income level established by the state, prioritized by need.	No provision
Tribal	- Provides 1% to 2% allocation for payments to Indian tribes and tribal organizations; - minimum child care standards; - limitations on use of funds for construction; - reallocation of grants to other tribes or tribal organizations in the event of inappropriate use of funds.	Same as current law.	No provision
CHILD SUPPORT PROVISIONS			
Mandatory Fee and Other Financing Options	Non-welfare families must apply for Child Support Enforcement (CSE) services, and states must charge an application fee that cannot exceed \$25.	Institutes a mandatory fee of \$25 after the state has collected at least \$500 of support for families who have never received TANF assistance.	Adds a provision allowing states to claim TANF MOE credit for expanded distribution (states may not use TANF funds).
Discontinuance of Assignment of TANF Child Support to States	As a condition of TANF eligibility, the parent or caretaker relative must assign rights of child support to the state. The assignment covers child support that accrues during TANF enrollment, plus amounts accrued before enrollment.	Same as current law.	Stipulates that the assignment covers only child support accrued during the period that the family receives TANF. Pre-assistance arrearage would be eliminated. The bills also give states the option to discontinue assistance assignments in effect on September 30, 1997. If a state chooses to

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
			discontinue the child support assignment, the state may distribute collections for such assignment to the family. States also would have the option to discontinue pre-assistance arrearage assignments in effect after September 30, 1997, and before the implementation date of this provision.
Distribution of Support to TANF Families	The state is permitted to retain any current child support payments and any assigned arrearages it collects up to the cumulative amount of TANF benefits paid to the family. The state is required to pay the federal government the federal share of the child support collected.	Adds provision for the federal government to waive its share of child support collections passed through to TANF families if - the state distributes the amount to the family - and the amount exceeds what was required under state law to distribute as of December 2001 and - does not exceed the greater of \$100 or \$50 plus the amount from December 2001.	- For families receiving assistance from a state (TANF or foster care), requires the federal government to waive its share of child support collections, up to \$400 per month for a family with 1 child, and \$600 per month for a family with 2 or more children, if the state chooses to pass this child support through to the family; - As in current law, disregarded pass-through amounts count as TANF MOE expenditures.
Distribution of Support to Former TANF Families	State may not retain payments collected through the federal income tax refund offset program if the family is no longer on TANF. Child support arrearages that accrue before or after the family was on TANF must be paid to the family before any monies may be retained by the state.	Adds provision for a state option to pay all collections to former TANF families.	- Adds provision for a state option to eliminate the federal tax offset exception so states can apply family-first rules to offset collections; - Same as H.R. 240.
Mandatory Review and Adjustment of Orders	- Every 3 years the state must review and adjust (if appropriate) child support orders at the request of either parent; - and in the case of TANF families, the state review and update (if appropriate) child support orders at the request of the state CSE agency or of either parent.	Adds provision requiring states to review and adjust child support orders in TANF cases every 3 years.	Same as H.R. 240
Report on Undistributed Support Payments	No provision	Adds a provision requiring the HHS secretary to submit a report on undistributed child support payments within 6 months of enactment.	Same as H.R. 240
Arrearage Triggering Passport Denial	Passport denial, revocation, or restriction is triggered when more than \$5,000 is owed in past-due support.	Passport denial, revocation, or restriction would be triggered by \$2,500 in past-due support owed, not \$5,000.	Same as H.R. 240
Use of Tax Refund Intercept Program	Prohibits use of the federal income tax offset program to recover past-due child support on behalf of non-welfare cases in	Authorizes use of federal income tax refund offset program to collect arrearages on behalf of children who are no longer minors.	Same as H.R. 240

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
	which the child is not a minor, unless the child was determined disabled while a minor and for whom the child support order is still in effect.		
Garnishment of Compensation Paid to Veterans	Veterans' disability compensation is not subject to intercept.	Authorizes withholding of a portion of disability compensation benefits for veterans who are 60 days or more in arrears in payment of support to the custodial parent.	Same as H.R. 240
Improving Federal Debt Collection Practices	Any federal agency that is owed a non-tax debt (180 days past-due) must notify the secretary of the Treasury to obtain an administrative offset of the debt.	Expands the federal administrative offset program to garnish Social Security benefits.	Same as H.R. 240
Maintenance of Technical Assistance Funding	1% of the federal share of child support collected on behalf of TANF families the preceding year will be used to provide to the states: - information dissemination and technical assistance; - training of state and federal staff; - staffing studies and related activities needed to improve CSE programs; - research, demonstration, and special projects of regional or national significance relating to the operation of CSE programs.	Amends the amount used for technical assistance from 1% of the federal share of support collected to 1% of the federal share or the amount appropriated for FY 2002, whichever is greater.	Same as H.R. 240
Maintenance of Federal Parent Locator Service (FPLS)	2% of the federal share of child support collected on behalf of TANF families the preceding year for operation of the FPLS to the extent that the costs are not recovered by user fees.	Amends funding for FPLS from 2% of federal share of support collected to whichever is greater, 2% of federal share or the amount appropriated for FY 2002, thereby freezing funds for the service at FY 2002 levels.	Same as H.R. 240
Timing of Corrective Action Year	HHS must review state reports on compliance with federal requirements and provide states with recommendations for corrective action.	No provision	Clarifies that the timing of the corrective action year for states in noncompliance with child support requirements is to be the fiscal year following the fiscal year in which a finding of noncompliance is made.
Tribal Access to FPLS	No provision	No provision	- Requires Treasury Department to disclose certain tax return data to tribal child support agencies and state contractors; - Includes Indian tribes and tribal organizations as "authorized persons" for purposes of accessing data through FPLS.

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
State Law Requirement Re UIFSA	Each state must have the Uniform Interstate Family Support Act (UIFSA) in effect.	No provision	Adds requirement for each state to adopt UIFSA as expanded by the National Conference of Commissioners on Uniform State Laws.
OTHER PROVISIONS			
Child Welfare	<ul style="list-style-type: none"> - Requires states to have a plan for child welfare services to be eligible for a TANF block grant; - A state must certify that it will continue to operate its foster care and adoption assistance program. 	<ul style="list-style-type: none"> - Reauthorizes Title IV-E Child Welfare Waiver authority through FY 2010; - Removes limit on the number of child welfare waivers that HHS can approve, on the number of states that may be granted waivers on the same topic, and the number of waivers that may be granted to a single state; - HHS must develop streamlined process for consideration of amendments to and extensions of demonstration projects. 	<ul style="list-style-type: none"> - Reauthorizes Title IV-E child welfare waiver authority through FY 2008; - Removes cap on foster care funds for Puerto Rico.
Food Stamp Block Grant Demonstration	No provision	Optional statewide block grant for up to 5 states used for benefits to “needy individuals and families,” for an employment and training (E&T) program, and for administrative costs.	No provision
Super Waiver	No provision	<p>Allows a state to receive a 5-year federal waiver to combine 2 or more of the following federal programs:</p> <ul style="list-style-type: none"> - TANF; - SSBG; - Title I of the Work Incentive Act; - Wagner-Peyser Act; - Adult Education and Family Literacy Act; - CCDBG; - Housing programs (except Section 8 and Section 7 special populations); - Titles I through IV of the McKinney-Vento Homeless Assistance Act; - FSP. 	<p>Allows for 10 state demonstrations for coordination between workforce and social services for:</p> <ul style="list-style-type: none"> - TANF; - SSBG; - CCDBG.
Supplemental Security Income	No provision	Requires commissioner of Social Security to review 50% of all state agency determinations in connection with applications for blindness and disability benefits by FY 2008.	Same as H.R. 240

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
Transitional Medical Assistance (TMA)	Extends TMA from 6 to 12 months for those who lose Medicaid eligibility due to increase income from work. (Authorization expired on September 30, 2002, but continues with extensions.)	<ul style="list-style-type: none"> - Extends TMA through FY 2006 and pays for provision by reducing federal funds provided to states for administrative expenses in making Medicaid eligibility determinations; - Medicaid administrative funds would be reduced by 45% of the annualized Medicaid cost allocation determination for last 2 quarters in FY 2005 and by 80% for all of FY 2006. 	<ul style="list-style-type: none"> - Extends TMA through FY 2008; - State options to provide 12 months of continuous eligibility, waive reporting requirements, offer additional 12 months of TMA with federal match, and waive requirement that person must have received Medicaid for 3 of past 6 months; - States must report TMA enrollment, offer people leaving TANF information about all health coverage options, and accept Medicaid applications for adults at out-stationed sites; - No reduction in state Medicaid administrative funds.
Tribal Issues	<ul style="list-style-type: none"> - Certification that the state will provide Indians with equitable access to assistance; - Disregard of months of assistance received by an adult while living on an Indian reservation or in an Alaska Native Village with 50% unemployment; - Direct funding and administration by Indian tribes; - Definitions of Indian, Indian Tribe, Tribal Organization, and Special rule for Indian tribes in Alaska; - Direct funding for Tribal Native Employment Works (NEW) program for former Tribal JOBS grantees; - Direct funding for Welfare-to-Work grants. 	<ul style="list-style-type: none"> - Reauthorizes direct funding to tribes through 2010; - Tribal organizations eligible for bonus; - Requires both states and tribes to consult with each other during the planning process; - \$2 million competitive grant for demonstrations on coordination of child welfare services and services under tribal TANF programs; - Tribal organizations eligible for marriage promotion grants. 	Same provisions as H.R. 240 except child welfare demonstration grants, and adds the following: <ul style="list-style-type: none"> - state may define activities that count towards work participation rate in areas of high joblessness; - establishes \$100,000 annual Tribal TANF Improvement Fund that provides grants to tribes.
Workforce Investment Act (WIA)	Mandatory one-stop partners are required to provide services in the one-stop centers. TANF is an optional partner. Mandatory partners include: <ul style="list-style-type: none"> - Wagner-Peyser (employment services); - WIA (dislocated worker, adult and youth); - Adult Education Literacy programs; - Rehabilitation Act programs; - Welfare to work programs; 	<ul style="list-style-type: none"> - TANF program is mandatory partner in WIA one-stops unless governor opts out; - HHS secretary must report to Congress on common or conflicting data elements, definitions, performance measures, and reporting requirements in WIA and TANF. 	No provision

Provision	Present Law	H.R. 240 (Herger Bill)	S. 6 (Santorum Bill)
	<ul style="list-style-type: none"> - Older Americans Act programs; - Perkins post-secondary; - Veterans Employment; - NAFTA and Trade Adjustment Assistance programs; - UI compensation; - HUD employment programs and CSBG. 		