

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Mr. VAN HOLLEN (for himself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on

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**A BILL**

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS; DEFINI-**  
4 **TION.**

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

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

## 2

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

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

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

TITLE II—IMPROVING RESOURCES FOR DOMESTIC VIOLENCE  
AND FAMILY STRENGTHENING

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

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

Sec. 203. Procedures to address domestic violence.

TITLE III—MODERNIZATION OF CHILD SUPPORT ENFORCEMENT

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

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

TITLE IV—PARENTING TIME SERVICES PILOT PROGRAM

Sec. 401. Parenting time services pilot program.

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

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

Sec. 502. Ban on recovery of Medicaid costs for births.

Sec. 503. Improving State documentation and reporting of child support collection data.

TITLE VI—PROGRAM FLEXIBILITY DURING THE COVID-19  
PANDEMIC

Sec. 601. Emergency TANF flexibility.

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

Sec. 603. Protection of 2020 recovery rebates.

TITLE VII—EFFECTIVE DATE

Sec. 701. Effective date.

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

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

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

8 (a) VOLUNTARY PARTICIPATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (1) in subparagraph (A)—

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

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

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

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

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

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

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

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

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

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

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

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

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

17 (3) in subclause (III)—

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

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



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

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

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

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

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

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



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

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

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

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

22 (1) in subparagraph (A)—

23 (A) in clause (ii)—

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

## 12

1 (ii) in subclause (II)—

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

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

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

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

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

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

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

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

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

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

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

22 “(III) ADVISORY PANEL.—The  
23 Secretary shall establish an advisory  
24 panel for purposes of obtaining rec-  
25 ommendations regarding the technical

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

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

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

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

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

15 “(F) EVALUATION REQUIREMENTS.—

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

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

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

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

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

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

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

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





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

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

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

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

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

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

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

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

15 “(D) APPROPRIATION.—

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

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

1 healthy marriage promotion activities;  
2 and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6           (1) in subparagraph (A)(i)—

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

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

10           and

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

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

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

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

23           (a) ESTABLISHMENT.—

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

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

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

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

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

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

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

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

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

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

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

18                   (A) a State;

19                   (B) a unit of local government; or

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



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

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

6 (A) APPLICATION.—

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

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

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

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

1 proposed participation in the pilot  
2 program; and

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

5 (B) SELECTION OF ELIGIBLE ENTITIES.—

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

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

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

19 (b) GAO REPORT.—

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

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

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

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

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

1 are intended for domestic violence victims and  
2 survivors.

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

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

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

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

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

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

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

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

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

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

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

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

10          “(a) ESTABLISHMENT.—

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

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

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

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

8               “(1) APPLICATION.—

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

1 where there is a risk of domestic violence;

2 and

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

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

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

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

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

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

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

3                   “(2) DATA COLLECTION AND REPORTING.—

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

9                   “(e) PAYMENTS TO ELIGIBLE ENTITIES.—

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

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

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

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

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

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

19 “(f) EVALUATION OF PILOT PROGRAM.—

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

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

5           “(3) EVALUATION REQUIREMENTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

21           “(2) FORMER TANF FAMILIES.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 “(i) pays the amount to the family;  
9 and

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

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

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

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

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

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

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

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

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

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





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

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

9 (2) GAO REPORT.—

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

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

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

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

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

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

22 (e) DISCONTINUATION OF SUPPORT ASSIGN-  
23 MENTS.—

24 (1) TERMINATION OF TANF REQUIREMENT TO  
25 ASSIGN SUPPORT RIGHTS TO THE STATE.—Para-

1 graph (3) of section 408(a) of such Act (42 U.S.C.  
2 608(a)) is amended to read as follows:

3 “(3) NO ASSISTANCE FOR FAMILIES NOT AS-  
4 SIGNING CERTAIN SUPPORT RIGHTS TO THE  
5 STATE.—

6 “(A) IN GENERAL.—With respect to each  
7 of fiscal years 2021, 2022, and 2023, subject to  
8 section 457(b)(3), a State to which a grant is  
9 made under section 403 shall require, as a con-  
10 dition of paying assistance to a family under  
11 the State program funded under this part, that  
12 a member of the family assign to the State any  
13 right the family member may have (on behalf of  
14 the family member or of any other person for  
15 whom the family member has applied for or is  
16 receiving such assistance) to support from any  
17 other person, not exceeding the total amount of  
18 assistance so paid to the family, which accrues  
19 during the period that the family receives as-  
20 sistance under the program.

21 “(B) SUNSET.—Subparagraph (A) shall  
22 not apply to any State or family after Sep-  
23 tember 30, 2023.”.

24 (2) STATE OPTION TO DISCONTINUE SUPPORT  
25 ASSIGNMENTS UNDER TANF BEFORE FISCAL YEAR

1       2023.—Section 457(b) of such Act (42 U.S.C.  
2       657(b)) is amended by adding at the end the fol-  
3       lowing:

4               “(3) STATE OPTION TO DISCONTINUE SUPPORT  
5       ASSIGNMENTS UNDER PART A BEFORE TERMINATION  
6       OF REQUIREMENT.—A State may elect for any or all  
7       of fiscal years 2021 through 2023, to—

8               “(A) not require the assignment of support  
9       obligations under section 408(a)(3)(A) as a con-  
10      dition of paying assistance to a family under  
11      the State program funded under part A; and

12              “(B) discontinue the assignment of a sup-  
13      port obligation described in such section, and  
14      treat amounts collected pursuant to the assign-  
15      ment as if the amounts had never been assigned  
16      and distribute the amounts to the family.”.

17      (f) ELIMINATION OF OPTION TO APPLY FORMER  
18      DISTRIBUTION RULES FOR FAMILIES FORMERLY RECEIV-  
19      ING ASSISTANCE.—

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

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

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

1 (C) by striking paragraph (34).

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

4 (g) CONFORMING AMENDMENTS.—

5 (1) Section 454B(c)(1) of such Act (42 U.S.C.  
6 654b(c)(1)) is amended by striking “457(a)” and in-  
7 sserting “457”.

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

11 (A) in subsection (c), in the matter pre-  
12 ceding paragraph (1), by striking “subsection  
13 (a)” and inserting “subsections (a), (f), and  
14 (g)”; and

15 (B) in subsection (e), in the matter pre-  
16 ceding paragraph (1), by striking “Notwith-  
17 standing the preceding provisions of this sec-  
18 tion, amounts” and inserting “Subject to sub-  
19 section (g), amounts”.

20 **SEC. 502. BAN ON RECOVERY OF MEDICAID COSTS FOR**  
21 **BIRTHS.**

22 (a) IN GENERAL.—Section 454 of the Social Security  
23 Act (42 U.S.C. 654) is amended—

24 (1) by striking “and” at the end of paragraph  
25 (33);

1           (2) by striking the period at the end of para-  
2           graph (34) and inserting “; and”; and

3           (3) by inserting after paragraph (34) the fol-  
4           lowing:

5           “(35) provide that the State shall not use the  
6           State program operated under this part to collect  
7           any amount owed to the State by reason of costs in-  
8           curred under the State plan approved under title  
9           XIX for the birth of a child for whom support rights  
10          have been assigned pursuant to section 1912.”.

11          (b) CLARIFICATION THAT BAN ON RECOVERY DOES  
12          NOT APPLY WITH RESPECT TO INSURANCE OF A PARENT  
13          WITH AN OBLIGATION TO PAY CHILD SUPPORT.—Sec-  
14          tion 1902(a)(25)(F) of the Social Security Act (42 U.S.C.  
15          1396a(a)(25)(F)) is amended—

16                 (1) in clause (i), by striking “care.,” and insert-  
17                 ing “care; and”; and

18                 (2) in clause (ii), by inserting “only if such  
19                 third-party liability is derived through insurance,”  
20                 before “seek”.

21          (c) EFFECTIVE DATE.—

22                 (1) IN GENERAL.—Except as provided in para-  
23                 graph (2), the amendments made by this section  
24                 take effect on October 1, 2025.

1           (2) STATE OPTION FOR EARLIER APPLICA-  
2           TION.—A State may elect for the amendments made  
3           by this section to take effect with respect to the  
4           State plans under part D of title IV and title XIX  
5           of the Social Security Act (42 U.S.C. 671 et seq.;  
6           1396 et seq.) on the first day of any quarter of fis-  
7           cal years 2021 through 2025.

8 **SEC. 503. IMPROVING STATE DOCUMENTATION AND RE-**  
9                           **PORTING OF CHILD SUPPORT COLLECTION**  
10                          **DATA.**

11           (a) STATE PLAN REQUIREMENT.—Paragraph (10) of  
12           section 454(10) of the Social Security Act (42 U.S.C.  
13           654(10)) is amended to read as follows:

14                   “(10) provide that the State will—

15                           “(A) maintain a full record of collections  
16                           and disbursements made under the plan and  
17                           have an adequate reporting system; and

18                           “(B) document outcomes with respect to  
19                           each child support obligation that is enforced by  
20                           the State, including monthly support payment  
21                           amounts (distinguishing between full monthly  
22                           payments and partial monthly payments) and  
23                           the frequency of monthly support payments for  
24                           each such case and include information on such

1 outcomes in the annual report required under  
2 paragraph (15);”.

3 (b) INCLUSION IN ANNUAL REPORT BY THE SEC-  
4 RETARY.—Section 452(a)(10)(A) of such Act (42 U.S.C.  
5 652(a)(10)(A)) is amended—

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

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

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

11 “(iv) information on the documented  
12 outcomes with respect to each child sup-  
13 port obligation that was enforced under a  
14 State plan approved under this part during  
15 the fiscal year, as required under para-  
16 graph (10) of section 454 and included in  
17 the annual report required under para-  
18 graph (15) of that section;”.

19 **TITLE VI—PROGRAM FLEXI-**  
20 **BILITY DURING THE COVID-19**  
21 **PANDEMIC**

22 **SEC. 601. EMERGENCY TANF FLEXIBILITY.**

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



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

4           (2) Notwithstanding section 466(d) of such Act,  
5           the Secretary may exempt a State from any require-  
6           ment of section 466 of such Act to respond to the  
7           COVID-19 pandemic, except that the Secretary may  
8           not exempt a State from any requirement to—

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

12                   (B) afford a parent the opportunity to  
13                  make such a request.

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

19           (4) The Secretary may not find that the pater-  
20           nity establishment percentage for a State is not  
21           based on reliable data for purposes of section  
22           452(g)(1) of such Act, and the Secretary may not  
23           determine that the data which a State submitted  
24           pursuant to section 452(a)(4)(C)(i) of such Act and  
25           which is used in determining a performance level is

1 not complete or reliable for purposes of section  
2 458(b)(5)(B) of such Act, on the basis of the failure  
3 of the State to submit OCSE Form 396 or 34 in a  
4 timely manner.

5 (5) The Secretary may not impose a penalty or  
6 take any other adverse action against a State for  
7 failure to comply with section 454B(c)(1) or  
8 454A(g)(1)(A)(i) of such Act.

9 (6) The Secretary may not disapprove a State  
10 plan submitted pursuant to part D of title IV of  
11 such Act for failure of the plan to meet the require-  
12 ment of section 454(1) of such Act, and may not im-  
13 pose a penalty or take any other adverse action  
14 against a State with such a plan that meets that re-  
15 quirement for failure to comply with that require-  
16 ment.

17 (7) To the extent that a preceding provision of  
18 this section applies with respect to a provision of law  
19 applicable to a program operated by an Indian tribe  
20 or tribal organization (as defined in subsections (e)  
21 and (l) of section 4 of the Indian Self-Determination  
22 and Education Assistance Act (25 U.S.C. 450b)),  
23 that preceding provision shall apply with respect to  
24 the Indian tribe or tribal organization.

1           (8) Any increase in the Federal medical assist-  
2           ance percentage for a State resulting from the appli-  
3           cation of this subsection shall not be taken into ac-  
4           count for purposes of calculating the Federal share  
5           of assigned collections paid by the State to the Fed-  
6           eral Government under section 457 of the Social Se-  
7           curity Act (42 U.S.C. 657).

8           (b) STATE DEFINED.—In subsection (a), the term  
9           “State” has the meaning given the term in section  
10          1101(a) of the Social Security Act for purposes of title  
11          IV of such Act.

12          (c) TECHNICAL CORRECTION.—Section 6008 of the  
13          Families First Coronavirus Response Act (42 U.S.C.  
14          1396d note) is amended by adding at the end the fol-  
15          lowing:

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

22          (d) STATE PERFORMANCE YEAR FOR INCENTIVE  
23          PAYMENTS.—Notwithstanding section 458 of the Social  
24          Security Act (42 U.S.C. 658a), the data which a State  
25          submitted pursuant to section 454(15)(B) of such Act (42

1 U.S.C. 654(15)(B)) for fiscal year 2019 and which the  
2 Secretary has determined is complete and reliable shall be  
3 used to determine the performance level for each measure  
4 of State performance specified in section 458(b)(4) of such  
5 Act for each of fiscal years 2020 and 2021.

6 **SEC. 602. 2020 RECOVERY REBATES NOT SUBJECT TO RE-**  
7 **DUCTION OR OFFSET WITH RESPECT TO**  
8 **PAST-DUE SUPPORT.**

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

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

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

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

17 (1) by redesignating paragraphs (1), (2), and  
18 (3) as subparagraphs (A), (B), and (C), and by mov-  
19 ing such subparagraphs 2 ems to the right,

20 (2) by striking “REDUCTION OR OFFSET.—Any  
21 credit” and inserting “REDUCTION, OFFSET, GAR-  
22 NISHMENT, ETC.—

23 “(1) IN GENERAL.—Any credit”, and

24 (3) by adding at the end the following new  
25 paragraphs:

1           “(2) ASSIGNMENT OF BENEFITS.—

2                   “(A) IN GENERAL.—The right of any per-  
3           son to any applicable payment shall not be  
4           transferable or assignable, at law or in equity,  
5           and no applicable payment shall be subject to,  
6           execution, levy, attachment, garnishment, or  
7           other legal process, or the operation of any  
8           bankruptcy or insolvency law.

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

17                           “(i) issue the payment using a unique  
18                           identifier that is reasonably sufficient to  
19                           allow a financial institution to identify the  
20                           payment as an applicable payment, and

21                           “(ii) further encode the payment pur-  
22                           suant to the same specifications as re-  
23                           quired for a benefit payment defined in  
24                           section 212.3 of title 31, Code of Federal  
25                           Regulations.

1 “(C) GARNISHMENT.—

2 “(i) ENCODED PAYMENTS.—In the  
3 case of a garnishment order received after  
4 the date that is 10 days after the date of  
5 the enactment of this paragraph and that  
6 applies to an account that has received an  
7 applicable payment that is encoded as pro-  
8 vided in subparagraph (B), a financial in-  
9 stitution shall follow the requirements and  
10 procedures set forth in part 212 of title  
11 31, Code of Federal Regulations, except a  
12 financial institution shall not, with regard  
13 to any applicable payment, be required to  
14 provide the notice referenced in sections  
15 212.6 and 212.7 of title 31, Code of Fed-  
16 eral Regulations. This paragraph shall not  
17 alter the status of applicable payments as  
18 tax refunds or other nonbenefit payments  
19 for purpose of any reclamation rights of  
20 the Department of Treasury or the Inter-  
21 nal Revenue Service as per part 210 of  
22 title 31 of the Code of Federal Regula-  
23 tions.

24 “(ii) OTHER PAYMENTS.—If a finan-  
25 cial institution receives a garnishment

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

1                   “(iii) LIABILITY.—A financial institu-  
2                   tion that acts in good faith in reliance on  
3                   clauses (i) or (ii) shall not be subject to li-  
4                   ability or regulatory action under any Fed-  
5                   eral or State law, regulation, court or other  
6                   order, or regulatory interpretation for ac-  
7                   tions concerning any applicable payments.

8                   “(D) DEFINITIONS.—For purposes of this  
9                   paragraph—

10                   “(i) ACCOUNT HOLDER.—The term  
11                   ‘account holder’ means a natural person  
12                   whose name appears in a financial institu-  
13                   tion’s records as the direct or beneficial  
14                   owner of an account.

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



1                   tion 212.6 of title 31, Code of Federal  
2                   Regulations.

3                   “(iii) APPLICABLE PAYMENT.—The  
4                   term ‘applicable payment’ means any pay-  
5                   ment of credit or refund by reason of sec-  
6                   tion 6428 of the Internal Revenue Code of  
7                   1986 (as so added) or by reason of sub-  
8                   section (c) of this section.

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

12                  “(v) GARNISHMENT ORDER.—The  
13                  term ‘garnishment order’ means a writ,  
14                  order, notice, summons, judgment, levy, or  
15                  similar written instruction issued by a  
16                  court, a State or State agency, a municipi-  
17                  pality or municipal corporation, or a State  
18                  child support enforcement agency, includ-  
19                  ing a lien arising by operation of law for  
20                  overdue child support or an order to freeze  
21                  the assets in an account, to effect a gar-  
22                  nishment against a debtor.

23                  “(vi) LOOKBACK PERIOD.—The term  
24                  ‘lookback period’ means the two month pe-  
25                  riod that begins on the date preceding the

1 date of account review and ends on the  
2 corresponding date of the month two  
3 months earlier, or on the last date of the  
4 month two months earlier if the cor-  
5 responding date does not exist.”.

6 (b) EFFECTIVE DATE.—The amendments made by  
7 this section shall take effect on the date of the enactment  
8 of this Act.

## 9 **TITLE VII—EFFECTIVE DATE**

### 10 **SEC. 701. EFFECTIVE DATE.**

11 (a) IN GENERAL.—Except as otherwise provided in  
12 this Act, the amendments made by this Act shall take ef-  
13 fect on the date of enactment of this Act and shall apply  
14 to payments under parts A and D of title IV of the Social  
15 Security Act for calendar quarters beginning on or after  
16 such date, and without regard to whether regulations to  
17 implement the amendments (in the case of State programs  
18 operated under such part D) are promulgated by such  
19 date.

20 (b) EXCEPTION FOR STATE PLANS REQUIRING  
21 STATE LAW AMENDMENTS.—In the case of a State plan  
22 under part A or D of title IV of the Social Security Act  
23 which the Secretary determines requires State legislation  
24 in order for the plan to meet the additional requirements  
25 imposed by the amendments made by this Act, the effec-

1 tive date of the amendments imposing the additional re-  
2 quirements shall be 3 months after the first day of the  
3 first calendar quarter beginning after the close of the first  
4 regular session of the State legislature that begins after  
5 the date of the enactment of this Act. For purposes of  
6 the preceding sentence, in the case of a State that has  
7 a 2-year legislative session, each year of the session shall  
8 be considered to be a separate regular session of the State  
9 legislature.