

by Pub. L. 104-193, title I, § 108(e), Aug. 22, 1996, 110 Stat. 2167.

Section 682 of this title, referred to in subsec. (a)(2)(A), (B), was repealed by Pub. L. 104-193, title I, § 108(e), Aug. 22, 1996, 110 Stat. 2167.

The Indian Self-Determination and Education Assistance Act, referred to in subsecs. (b)(1)(F) and (e)(2), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, which was classified principally to subchapter II (§ 450 et seq.) of chapter 14 of Title 25, Indians, prior to editorial reclassification as chapter 46 (§ 5301 et seq.) of Title 25. Section 5 of the Act was classified to section 450c of Title 25 prior to editorial reclassification as section 5305 of Title 25. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of Title 25 and Tables.

PRIOR PROVISIONS

A prior section 612, act Aug. 14, 1935, ch. 531, title IV, § 412, as added June 17, 1980, Pub. L. 96-272, title III, § 303, 94 Stat. 528; amended Aug. 13, 1981, Pub. L. 97-35, title XXIII, § 2306(b), 95 Stat. 846; Sept. 3, 1982, Pub. L. 97-248, title I, § 155(a), 96 Stat. 397, related to prorating shelter allowance for AFDC family living with another household, prior to repeal by Pub. L. 104-193, § 103(a)(1), as amended by Pub. L. 105-33, title V, § 5514(c), Aug. 5, 1997, 111 Stat. 620.

AMENDMENTS

2017—Subsec. (a)(1)(A), (2)(A). Pub. L. 115-31 substituted “each of fiscal years 2017 and 2018” for “fiscal year 2012”.

2012—Subsec. (a)(1)(A), (2)(A). Pub. L. 112-96 substituted “fiscal year 2012” for “each of fiscal years 1997, 1998, 1999, 2000, 2001, 2002, and 2003”.

2003—Subsec. (a)(1)(A), (2)(A). Pub. L. 108-40 substituted “2002, and 2003” for “and 2002”.

2000—Subsec. (a)(3)(A). Pub. L. 106-554 substituted “603(a)(5)(H)” for “603(a)(5)(I)”.

1999—Subsec. (a)(3)(C)(ii). Pub. L. 106-113 substituted “clause (viii)” for “clause (vii)”.

1997—Pub. L. 105-33, § 5514(c), made technical amendment to directory language of Pub. L. 104-193, § 103(a)(1), which enacted this section.

Subsec. (a)(1)(A). Pub. L. 105-33, § 5508(a), inserted “which shall be reduced for a fiscal year, on a pro rata basis for each quarter, in the case of a tribal family assistance plan approved during a fiscal year for which the plan is to be in effect,” before “and shall”.

Subsec. (a)(2)(A). Pub. L. 105-33, § 5508(b), substituted “For each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002, the Secretary shall pay to each eligible Indian tribe that proposes to operate a program described in subparagraph (C)” for “The Secretary shall pay to each eligible Indian tribe for each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002”.

Subsec. (a)(2)(C). Pub. L. 105-33, § 5508(c), substituted “such population and such service area or areas as the tribe specifies” for “members of the Indian tribe”.

Subsec. (a)(2)(D). Pub. L. 105-33, § 5508(d), substituted “\$7,633,287” for “\$7,638,474”.

Subsec. (a)(3). Pub. L. 105-33, § 5001(c), added par. (3).
Subsec. (f). Pub. L. 105-33, § 5508(f), added subsec. (f).
Former subsec. (f) redesignated (g).

Subsec. (f)(1). Pub. L. 105-33, § 5508(e), substituted “(b), and (c)” for “and (b)”.

Subsecs. (g) to (i). Pub. L. 105-33, § 5508(f), redesignated subsecs. (f) to (h) as (g) to (i), respectively.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-40 effective July 1, 2003, see section 8 of Pub. L. 108-40, set out as a note under section 603 of this title.

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-554 effective Oct. 1, 2000, see section 1(a)(1) [title I, § 107(d)] of Pub. L. 106-554, set out as a note under section 603 of this title.

EFFECTIVE DATE OF 1999 AMENDMENT

For effective date of amendment by Pub. L. 106-113, see section 1000(a)(4) [title VIII, § 801(e)] of Pub. L. 106-113, set out as a note under section 603 of this title.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by section 5508 of Pub. L. 105-33 effective as if included in section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, at the time such section 103(a) became law, see section 5518(a) of Pub. L. 105-33, set out as a note under section 602 of this title.

Amendment by section 5514(c) of Pub. L. 105-33 effective as if included in the provision of Pub. L. 104-193 amended at the time the provision became law, see section 5518(d) of Pub. L. 105-33, set out as a note under section 862a of Title 21, Food and Drugs.

EFFECTIVE DATE

Section effective July 1, 1997, with transition rules relating to State options to accelerate such date, rules relating to claims, actions, and proceedings commenced before such date, rules relating to closing out of accounts for terminated or substantially modified programs and continuance in office of Assistant Secretary for Family Support, and provisions relating to termination of entitlement under AFDC program, see section 116 of Pub. L. 104-193, as amended, set out as a note under section 601 of this title.

§ 613. Evaluation of temporary assistance for needy families and related programs

(a) Evaluation of the impacts of TANF

The Secretary shall conduct research on the effect of State programs funded under this part and any other State program funded with qualified State expenditures (as defined in section 609(a)(7)(B)(i) of this title) on employment, self-sufficiency, child well-being, unmarried births, marriage, poverty, economic mobility, and other factors as determined by the Secretary.

(b) Evaluation of grants to improve child well-being by promoting healthy marriage and responsible fatherhood

The Secretary shall conduct research to determine the effects of the grants made under section 603(a)(2) of this title on child well-being, marriage, family stability, economic mobility, poverty, and other factors as determined by the Secretary.

(c) Dissemination of information

The Secretary shall, in consultation with States receiving funds provided under this part, develop methods of disseminating information on any research, evaluation, or study conducted under this section, including facilitating the sharing of information and best practices among States and localities.

(d) State-initiated evaluations

A State shall be eligible to receive funding to evaluate the State program funded under this part or any other State program funded with qualified State expenditures (as defined in section 609(a)(7)(B)(i) of this title) if—

(1) the State submits to the Secretary a description of the proposed evaluation;

(2) the Secretary determines that the design and approach of the proposed evaluation is rigorous and is likely to yield information that is credible and will be useful to other States; and

(3) unless waived by the Secretary, the State contributes to the cost of the evaluation, from

non-Federal sources, an amount equal to at least 25 percent of the cost of the proposed evaluation.

(e) Census Bureau research

(1) The Bureau of the Census shall implement or enhance household surveys of program participation, in consultation with the Secretary and the Bureau of Labor Statistics and made available to interested parties, to allow for the assessment of the outcomes of continued welfare reform on the economic and child well-being of low-income families with children, including those who received assistance or services from a State program funded under this part or any other State program funded with qualified State expenditures (as defined in section 609(a)(7)(B)(i) of this title). The content of the surveys should include such information as may be necessary to examine the issues of unmarried childbearing, marriage, welfare dependency and compliance with work requirements, the beginning and ending of spells of assistance, work, earnings and employment stability, and the well-being of children.

(2) To carry out the activities specified in paragraph (1), the Bureau of the Census, the Secretary, and the Bureau of Labor Statistics shall consider ways to improve the surveys and data derived from the surveys to—

(A) address under reporting of the receipt of means-tested benefits and tax benefits for low-income individuals and families;

(B) increase understanding of poverty spells and long-term poverty, including by facilitating the matching of information to better understand intergenerational poverty;

(C) generate a better geographical understanding of poverty such as through State-based estimates and measures of neighborhood poverty;

(D) increase understanding of the effects of means-tested benefits and tax benefits on the earnings and incomes of low-income families; and

(E) improve how poverty and economic well-being are measured, including through the use of consumption measures, material deprivation measures, social exclusion measures, and economic and social mobility measures.

(f) Research and evaluation conducted under this section

Research and evaluation conducted under this section designed to determine the effects of a program or policy (other than research conducted under subsection (e)) shall use experimental designs using random assignment or other reliable, evidence-based research methodologies that allow for the strongest possible causal inferences when random assignment is not feasible.

(g) Development of What Works Clearinghouse of Proven and Promising Approaches¹ to Move Welfare Recipients into Work

(1) In general

The Secretary, in consultation with the Secretary of Labor, shall develop a database (which shall be referred to as the “What

Works Clearinghouse of Proven and Promising Projects to Move Welfare Recipients into Work”) of the projects that used a proven approach or a promising approach in moving welfare recipients into work, based on independent, rigorous evaluations of the projects. The database shall include a separate listing of projects that used a developmental approach in delivering services and a further separate listing of the projects with no or negative effects. The Secretary shall add to the What Works Clearinghouse of Proven and Promising Projects to Move Welfare Recipients into Work data about the projects that, based on an independent, well-conducted experimental evaluation of a program or project, using random assignment or other research methodologies that allow for the strongest possible causal inferences, have shown they are proven, promising, developmental, or ineffective approaches.

(2) Criteria for evidence of effectiveness of approach

The Secretary, in consultation with the Secretary of Labor and organizations with experience in evaluating research on the effectiveness of various approaches in delivering services to move welfare recipients into work, shall—

(A) establish criteria for evidence of effectiveness; and

(B) ensure that the process for establishing the criteria—

(i) is transparent;

(ii) is consistent across agencies;

(iii) provides opportunity for public comment; and

(iv) takes into account efforts of Federal agencies to identify and publicize effective interventions, including efforts at the Department of Health and Human Services, the Department of Education, and the Department of Justice.

(h) Appropriation

(1) In general

Of the amount appropriated by section 603(a)(1) of this title for each fiscal year, 0.33 percent shall be available for research, technical assistance, and evaluation under this section.

(2) Allocation

Of the amount made available under paragraph (1) for each fiscal year, the Secretary shall make available \$10,000,000 plus such additional amount as the Secretary deems necessary and appropriate, to carry out subsection (e).

(3) Baseline

The baseline established pursuant to section 907 of title 2 for the Temporary Assistance for Needy Families Program shall be recorded by the Office of Management and Budget and the Congressional Budget Office at the level prior to any transfers recorded pursuant to section 613(h) of this title.

(Aug. 14, 1935, ch. 531, title IV, §413, as added Pub. L. 104-193, title I, §103(a)(1), Aug. 22, 1996, 110 Stat. 2153; amended Pub. L. 105-33, title V,

¹ So in original. The word “Projects” is used in text.

§§ 5001(f), 5509, 5514(c), Aug. 5, 1997, 111 Stat. 592, 618, 620; Pub. L. 105-200, title IV, § 410(a), July 16, 1998, 112 Stat. 673; Pub. L. 106-169, title IV, § 401(c), Dec. 14, 1999, 113 Stat. 1858; Pub. L. 110-234, title IV, § 4002(b)(1)(D), (2)(V), May 22, 2008, 122 Stat. 1096, 1097; Pub. L. 110-246, § 4(a), title IV, § 4002(b)(1)(D), (2)(V), June 18, 2008, 122 Stat. 1664, 1857, 1858; Pub. L. 112-96, title IV, § 4002(e), Feb. 22, 2012, 126 Stat. 195; Pub. L. 113-235, div. G, title II, § 228(e), Dec. 16, 2014, 128 Stat. 2492; Pub. L. 115-31, div. M, title I, § 102(c)(1), May 5, 2017, 131 Stat. 801.)

Editorial Notes

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

A prior section 613, act Aug. 14, 1935, ch. 531, title IV, § 413, as added June 9, 1980, Pub. L. 96-265, title IV, § 406(c), 94 Stat. 467, related to technical assistance for developing management information systems, prior to repeal by Pub. L. 104-193, § 103(a)(1), as amended by Pub. L. 105-33, title V, § 5514(c), Aug. 5, 1997, 111 Stat. 620.

AMENDMENTS

2017—Pub. L. 115-31 amended section generally. Prior to amendment, section related to research, evaluations, and national studies.

2014—Subsec. (h)(1). Pub. L. 113-235 substituted “Funds made available to carry out this section for a fiscal year shall be used” for “Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$15,000,000 for fiscal year 2012” in introductory provisions.

2012—Subsec. (h)(1). Pub. L. 112-96 substituted “fiscal year 2012” for “each of fiscal years 1997 through 2002” in introductory provisions.

2008—Subsec. (i)(5). Pub. L. 110-246, § 4002(b)(1)(D), (2)(V), substituted “supplemental nutrition assistance program benefits” for “food stamp”.

1999—Subsec. (g)(1). Pub. L. 106-169 made technical amendment to reference in original act which appears in text as reference to August 22, 1996.

1998—Subsec. (g)(1). Pub. L. 105-200 substituted “Education and the Workforce” for “Economic and Educational Opportunities”.

1997—Pub. L. 105-33, § 5514(c), made technical amendment to directory language of Pub. L. 104-193, § 103(a)(1), which enacted this section.

Subsec. (a). Pub. L. 105-33, § 5509(a), inserted “, directly or through grants, contracts, or interagency agreements,” before “shall conduct” and substituted “section 607” for “section 609”.

Subsec. (e)(1). Pub. L. 105-33, § 5509(b), amended heading and text of par. (1) generally. Prior to amendment, text read as follows:

“(A) IN GENERAL.—The Secretary shall annually rank States to which grants are made under section 603 of this title based on the following ranking factors:

“(i) ABSOLUTE OUT-OF-WEDLOCK RATIOS.—The ratio represented by—

“(I) the total number of out-of-wedlock births in families receiving assistance under the State program under this part in the State for the most recent fiscal year for which information is available; or

“(II) the total number of births in families receiving assistance under the State program under this part in the State for such year.

“(ii) NET CHANGES IN THE OUT-OF-WEDLOCK RATIO.—The difference between the ratio described in subparagraph (A)(i) with respect to a State for the most

recent fiscal year for which such information is available and the ratio with respect to the State for the immediately preceding year.”

Subsec. (h)(1)(D). Pub. L. 105-33, § 5509(c), substituted “August 22, 1996” for “September 30, 1995”.

Subsec. (i)(1). Pub. L. 105-33, § 5509(d)(1), substituted “May 31, 1998” for “90 days after August 22, 1996”.

Subsec. (i)(5). Pub. L. 105-33, § 5509(d)(2), substituted “, to the extent available, county-by-county” for “the county-by-county”.

Subsec. (j). Pub. L. 105-33, § 5001(f), added subsec. (j).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

Amendment by section 4002(b)(1)(D), (2)(V) of Pub. L. 110-246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110-246, set out as a note under section 1161 of Title 2, The Congress.

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106-169 effective as if included in the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, see section 401(q) of Pub. L. 106-169, set out as a note under section 602 of this title.

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by section 5509 of Pub. L. 105-33 effective as if included in section 103(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, at the time such section 103(a) became law, see section 5518(a) of Pub. L. 105-33, set out as a note under section 602 of this title.

Amendment by section 5514(c) of Pub. L. 105-33 effective as if included in the provision of Pub. L. 104-193 amended at the time the provision became law, see section 5518(d) of Pub. L. 105-33, set out as a note under section 862a of Title 21, Food and Drugs.

EFFECTIVE DATE

Section effective Aug. 22, 1996, with transition rules relating to State options to accelerate such date, rules relating to claims, actions, and proceedings commenced before such date, rules relating to closing out of accounts for terminated or substantially modified programs and continuance in office of Assistant Secretary for Family Support, and provisions relating to termination of entitlement under AFDC program, see section 116 of Pub. L. 104-193, as amended, set out as a note under section 601 of this title.

FUNDING OF RESEARCH, EVALUATIONS, AND NATIONAL STUDIES

Pub. L. 113-235, div. G, title II, § 228(c), Dec. 16, 2014, 128 Stat. 2491, provided that: “In the case of research, evaluations, and national studies funded under section 413(h)(1) of the Social Security Act [42 U.S.C. 613(h)(1)], no funds shall be appropriated under that section for fiscal year 2015 or any fiscal year thereafter.”

COORDINATION OF SUBSTANCE ABUSE AND CHILD PROTECTION SERVICES

Pub. L. 105-89, title IV, § 405, Nov. 19, 1997, 111 Stat. 2135, required the Secretary of Health and Human Services, based on information from the Substance Abuse and Mental Health Services Administration and the Administration for Children and Families in the Department of Health and Human Services, to submit to the appropriate committees of Congress a report which described the extent and scope of the problem of substance abuse in the child welfare population, the types

of services provided to such population, and the outcomes resulting from the provision of such services to such population, along with appropriate recommendations for legislative changes.

GAO STUDY OF EFFECT OF FAMILY VIOLENCE ON NEED FOR PUBLIC ASSISTANCE

Pub. L. 105-33, title V, §5001(i), Aug. 5, 1997, 111 Stat. 593, directed the Comptroller General to conduct a study of the effect of family violence on the use of public assistance programs, and in particular the extent to which family violence prolongs or increases the need for public assistance, and to submit a report to the appropriate committees of Congress within 1 year after Aug. 5, 1997.

STUDY ON ALTERNATIVE OUTCOMES MEASURES

Pub. L. 104-193, title I, §107, Aug. 22, 1996, 110 Stat. 2164, as amended by Pub. L. 105-33, title V, §5511, Aug. 5, 1997, 111 Stat. 619, directed the Secretary, in cooperation with the States, to study and analyze outcomes measures for evaluating the success of the States in moving individuals out of the welfare system through employment as an alternative to the minimum participation rates described in 42 U.S.C. 607, and to submit a report to the appropriate committees of Congress by Sept. 30, 1998.

§ 614. Repealed. Pub. L. 113-235, div. G, title II, § 228(f), Dec. 16, 2014, 128 Stat. 2492

Section, Aug. 14, 1935, ch. 531, title IV, §414, as added Pub. L. 104-193, title I, §103(a)(1), Aug. 22, 1996, 110 Stat. 2156; amended Pub. L. 105-33, title V, §5514(c), Aug. 5, 1997, 111 Stat. 620; Pub. L. 108-40, §3(i), June 30, 2003, 117 Stat. 837; Pub. L. 112-96, title IV, §4002(f), Feb. 22, 2012, 126 Stat. 195, related to a study by the Census Bureau.

A prior section 614, act Aug. 14, 1935, ch. 531, title IV, §414, as added Aug. 13, 1981, Pub. L. 97-35, title XXIII, §2308, 95 Stat. 848; amended July 18, 1984, Pub. L. 98-369, div. B, title VI, §§2638(a), 2663(c)(7)(A), 98 Stat. 1143, 1166, related to work supplementation program, prior to repeal by Pub. L. 100-485, title II, §§202(b)(13), 204(a), (b)(1)(A), Oct. 13, 1988, 102 Stat. 2378, 2381, effective Oct. 1, 1990, with provision for earlier effective dates in case of States making certain changes in their State plans and formally notifying the Secretary of Health and Human Services of their desire to become subject to the amendments by title II of Pub. L. 100-485, at such earlier effective dates.

§ 615. Waivers

(a) Continuation of waivers

(1) Waivers in effect on August 22, 1996

(A) In general

Except as provided in subparagraph (B), if any waiver granted to a State under section 1315 of this title or otherwise which relates to the provision of assistance under a State plan under this part (as in effect on September 30, 1996) is in effect as of August 22, 1996, the amendments made by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (other than by section 103(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996) shall not apply with respect to the State before the expiration (determined without regard to any extensions) of the waiver to the extent such amendments are inconsistent with the waiver.

(B) Financing limitation

Notwithstanding any other provision of law, beginning with fiscal year 1996, a State

operating under a waiver described in subparagraph (A) shall be entitled to payment under section 603 of this title for the fiscal year, in lieu of any other payment provided for in the waiver.

(2) Waivers granted subsequently

(A) In general

Except as provided in subparagraph (B), if any waiver granted to a State under section 1315 of this title or otherwise which relates to the provision of assistance under a State plan under this part (as in effect on September 30, 1996) is submitted to the Secretary before August 22, 1996, and approved by the Secretary on or before July 1, 1997, and the State demonstrates to the satisfaction of the Secretary that the waiver will not result in Federal expenditures under subchapter IV of this chapter (as in effect without regard to the amendments made by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996) that are greater than would occur in the absence of the waiver, the amendments made by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (other than by section 103(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996) shall not apply with respect to the State before the expiration (determined without regard to any extensions) of the waiver to the extent the amendments made by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 are inconsistent with the waiver.

(B) No effect on new work requirements

Notwithstanding subparagraph (A), a waiver granted under section 1315 of this title or otherwise which relates to the provision of assistance under a State program funded under this part (as in effect on September 30, 1996) shall not affect the applicability of section 607 of this title to the State.

(b) State option to terminate waiver

(1) In general

A State may terminate a waiver described in subsection (a) before the expiration of the waiver.

(2) Report

A State which terminates a waiver under paragraph (1) shall submit a report to the Secretary summarizing the waiver and any available information concerning the result or effect of the waiver.

(3) Hold harmless provision

(A) In general

Notwithstanding any other provision of law, a State that, not later than the date described in subparagraph (B) of this paragraph, submits a written request to terminate a waiver described in subsection (a) shall be held harmless for accrued cost neutrality liabilities incurred under the waiver.

(B) Date described

The date described in this subparagraph is 90 days following the adjournment of the