

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2015

To help individuals receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, to provide an overall spending limit on means-tested welfare programs, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 11, 2014

Mr. LEE (for himself, Mr. CRUZ, Mr. VITTER, and Mr. INHOFE) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To help individuals receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, to provide an overall spending limit on means-tested welfare programs, 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.**

4 This Act may be cited as the “Welfare Reform and  
5 Upward Mobility Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.

TITLE I—MODIFICATIONS TO SUPPLEMENTAL NUTRITION  
ASSISTANCE PROGRAM

- Sec. 101. Work requirements.
- Sec. 102. Termination of benefit increase.

TITLE II—REPORTING OF MEANS-TESTED WELFARE SPENDING  
IN PRESIDENT’S BUDGET SUBMISSION

- Sec. 201. Additional information in President’s budget submission.

TITLE III—AGGREGATE CAP FOR MEANS-TESTED WELFARE  
SPENDING

- Sec. 301. Definition of means-tested welfare spending.
- Sec. 302. Reports to budget committees.
- Sec. 303. Content of concurrent resolutions on the budget.
- Sec. 304. Allocations of means-tested welfare spending.
- Sec. 305. Reconciliation.

TITLE IV—GRANTS TO PROMOTE SELF-SUFFICIENCY

- Sec. 401. Grants to States.

TITLE V—PROHIBITION ON FUNDING OF ABORTION

- Sec. 501. Prohibition on funding for abortions.
- Sec. 502. Prohibition on funding for health benefits plans that cover abortion.
- Sec. 503. Prohibition on tax benefits relating to abortion.
- Sec. 504. Construction relating to separate coverage.
- Sec. 505. Construction relating to the use of non-Federal funds for health coverage.
- Sec. 506. Treatment of abortions related to rape, incest, or preserving the life of the mother.

1 **TITLE I—MODIFICATIONS TO**  
 2 **SUPPLEMENTAL NUTRITION**  
 3 **ASSISTANCE PROGRAM**

4 **SEC. 101. WORK REQUIREMENTS.**

5 (a) DECLARATION OF POLICY.—Section 2 of the  
 6 Food and Nutrition Act of 2008 (7 U.S.C. 2011) is  
 7 amended by adding at the end the following: “Congress  
 8 further finds that it should also be the purpose of the sup-  
 9 plemental nutrition assistance program to increase em-

1 ployment, to encourage healthy marriage, and to promote  
 2 prosperous self-sufficiency, which means the ability of  
 3 households to maintain an income above the poverty level  
 4 without services and benefits from the Federal Govern-  
 5 ment.”.

6 (b) DEFINITION OF FOOD.—Section 3(k) of the Food  
 7 and Nutrition Act of 2008 (7 U.S.C. 2012(k)) is amended  
 8 by inserting before the period at the end the following:  
 9 “, except that a food, food product, meal, or other item  
 10 described in this subsection shall be considered a food  
 11 under this Act only if it is a bare essential (as determined  
 12 by the Secretary)”.

13 (c) OTHER DEFINITIONS.—Section 3 of the Food and  
 14 Nutrition Act of 2008 (7 U.S.C. 2012) is amended by add-  
 15 ing at the end the following:

16 “(w) ABLE-BODIED, WORK-CAPABLE ADULT.—

17 “(1) IN GENERAL.—The term ‘able-bodied,  
 18 work-capable adult’ means an individual who—

19 “(A) is more than 18, and less than 63,  
 20 years of age;

21 “(B) is not physically or mentally incapa-  
 22 ble of work; and

23 “(C) is not the full-time caretaker of a dis-  
 24 abled adult dependent.

1           “(2) PHYSICALLY OR MENTALLY INCAPABLE OF  
2 WORK.—For purposes of paragraph (1)(B), the term  
3 ‘physically or mentally incapable of work’ means an  
4 individual who—

5           “(A) currently receives benefits under the  
6 supplemental security income program estab-  
7 lished under title XVI of the Social Security  
8 Act (42 U.S.C. 1381 et seq.) or another pro-  
9 gram that provides recurring benefits to indi-  
10 viduals because the individual is disabled and  
11 unable to work; or

12           “(B) has been medically certified as phys-  
13 ically or mentally incapable of work and who  
14 has a credible pending application for enroll-  
15 ment in the supplemental security income pro-  
16 gram established under title XVI of the Social  
17 Security Act (42 U.S.C. 1381 et seq.) or an-  
18 other program that provides recurring benefits  
19 to individuals because the individual is disabled  
20 and unable to work.

21           “(x) APPROVED OFFSITE WORK ACTIVATION.—The  
22 term ‘approved offsite work activation’ means—

23           “(1) online job preparation and training pro-  
24 grams that are approved and monitored by the State  
25 agency; or

1           “(2) job search activities that are approved by  
2           the State agency and monitored by the State to en-  
3           sure that an appropriate number of job applications  
4           and employer contacts are performed.

5           “(y) FAMILY HEAD.—The term ‘family head’  
6 means—

7           “(1) a biological parent who is lawfully present  
8           in the United States and resides within a household  
9           with 1 or more dependent children who are the bio-  
10          logical offspring of the parent; or

11          “(2) in the absence of a biological parent, a  
12          step parent, adoptive parent, guardian, or adult re-  
13          lative who resides with and provides care to the 1 or  
14          more children and is lawfully present in the United  
15          States.

16          “(z) FAMILY UNIT.—The term ‘family unit’ means—

17          “(1) an adult residing without dependent chil-  
18          dren;

19          “(2) a single-headed family with dependent chil-  
20          dren; or

21          “(3) a married couple family with dependent  
22          children.

23          “(aa) FAMILY WITH DEPENDENT CHILDREN.—

24          “(1) IN GENERAL.—The term ‘family with de-  
25          pendent children’ means a unit consisting of a fam-

1       ily head, 1 or more dependent children, and, if appli-  
2       cable, the married spouse of the family head, all of  
3       whom share meals and reside within a single house-  
4       hold.

5               “(2) MULTIPLE FAMILIES IN A HOUSEHOLD.—  
6       There may be more than 1 family with dependent  
7       children in a single household.

8               “(bb) MARRIED COUPLE FAMILY WITH DEPENDENT  
9       CHILDREN.—The term ‘married couple family with de-  
10      pendent children’ means a family with dependent children  
11      that has both a family head and the married spouse of  
12      the family head residing with the family.

13              “(cc) MARRIED SPOUSE OF THE FAMILY HEAD.—  
14      The term ‘married spouse of the family head’ means the  
15      lawfully married spouse of the family head who—

16              “(1) resides with the family head and depend-  
17      ent children; and

18              “(2) is lawfully present in the United States.

19              “(dd) MEMBER OF A FAMILY.—The term ‘member  
20      of a family’ means the family head, married spouse of the  
21      family head if present, and all dependent children within  
22      a family with dependent children.

23              “(ee) ONSITE WORK ACTIVATION.—

24              “(1) IN GENERAL.—The term ‘onsite work acti-  
25      vation’ means—

1           “(A) supervised job search;

2           “(B) community service activities;

3           “(C) education and job training for indi-  
4           viduals who are family heads or married  
5           spouses of family heads;

6           “(D) workfare under section 20; or

7           “(E) drug or alcohol treatment.

8           “(2) SUPERVISED JOB SEARCH.—For purposes  
9           of paragraph (1)(A), the term ‘supervised job  
10          search’ means a job search program that has the fol-  
11          lowing characteristics:

12           “(A) The job search occurs at an official  
13           location where the presence and activity of the  
14           recipient can be directly observed, supervised,  
15           and monitored.

16           “(B) The recipient’s entry, time onsite,  
17           and exit from the official job search location are  
18           recorded in a manner that prevents fraud.

19           “(C) The recipient is expected to remain  
20           and undertake job search activities at the job  
21           search center.

22           “(D) The quantity of time the recipient is  
23           observed and monitored engaging in job search  
24           at the official location is recorded for purposes  
25           of compliance with section 29.

1 “(ff) PENALTY PERIOD.—

2 “(1) IN GENERAL.—The term ‘penalty period’  
3 means either of 2 periods of 6 consecutive months  
4 during each fiscal year.

5 “(2) FIRST PENALTY PERIOD.—The first pen-  
6 alty period of each fiscal year shall be the 6-month  
7 period beginning on October 1.

8 “(3) SECOND PENALTY PERIOD.—The second  
9 penalty period of each fiscal year shall be the 6-  
10 month period beginning on April 1.

11 “(4) ADJUSTMENT.—The entire supplemental  
12 nutrition assistance program 6-month funding allot-  
13 ment of a State during a penalty period shall be ad-  
14 justed in response to the performance of the work  
15 activation program of the State during previous per-  
16 formance measurement periods.

17 “(gg) PERFORMANCE MEASUREMENT PERIOD.—

18 “(1) IN GENERAL.—The term ‘performance  
19 measurement period’ means either of 2 periods of 6  
20 consecutive months during each fiscal year.

21 “(2) FIRST PERFORMANCE MEASUREMENT PE-  
22 RIOD.—The first performance measurement period  
23 of each fiscal year shall be the 6-month period be-  
24 ginning on October 1.



1           “(3) SECOND PERFORMANCE MEASUREMENT  
2 PERIOD.—The second performance measurement pe-  
3 riod of each fiscal year shall be the 6-month period  
4 beginning on April 1.

5           “(hh) PROGRAM-ELIGIBLE ADULT WITHOUT DE-  
6 PENDENT CHILDREN.—The term ‘program-eligible adult  
7 without dependent children’ means a work-capable adult  
8 without dependent children who—

9           “(1) receives program benefits for 1 month; and

10           “(2) has maintained less than 120 hours of  
11 paid employment during that month.

12           “(ii) PROGRAM-ELIGIBLE FAMILY UNIT.—The term  
13 ‘program-eligible family unit’ means—

14           “(1) a program-eligible adult without dependent  
15 children;

16           “(2) a program-eligible single-headed family  
17 with dependent children; or

18           “(3) a program-eligible married couple with de-  
19 pendent children.

20           “(jj) PROGRAM-ELIGIBLE MARRIED COUPLE WITH  
21 DEPENDENT CHILDREN.—The term ‘program-eligible  
22 married couple with dependent children’ means a work-  
23 capable married couple family with dependent children  
24 that—

25           “(1) receives program benefits for 1 month; and

1           “(2) has maintained less than 120 hours of  
2           paid employment between the family head and the  
3           married spouse of the family head, summed together  
4           and counted jointly, during the month.

5           “(kk) PROGRAM-ELIGIBLE SINGLE-HEADED FAMILY  
6 WITH DEPENDENT CHILDREN.—The term ‘program-eli-  
7 ble single-headed family with dependent children’ means  
8 a work-capable single-headed family with dependent chil-  
9 dren that—

10           “(1) receives program benefits for 1 month; and

11           “(2) has a family head who has maintained less  
12 than 120 hours of paid employment during that  
13 month.

14           “(ll) SINGLE-HEADED FAMILY WITH DEPENDENT  
15 CHILDREN.—The term ‘single-headed family with depend-  
16 ent children’ means a family with dependent children  
17 that—

18           “(1) contains a family head residing with the  
19 family; but

20           “(2) does not have a married spouse of the  
21 family head residing with the family.

22           “(mm) STATE SHARE OF WORK-CAPABLE FAMILY  
23 UNITS IN CALENDAR YEAR 2010.—The term ‘State share  
24 of work-capable family units in calendar year 2010’ for  
25 each State means the quotient obtained by dividing—

1           “(1) the average monthly number of work-capable family units in the State during calendar year 2010; by

2           “(2) the average monthly number of work-capable family units in all 50 States and the District of Columbia during calendar year 2010.

3           “(nn) TOTAL FAMILY UNITS ELIGIBLE FOR PARTICIPATION IN WORK ACTIVATION.—The term ‘total family units eligible for participation in work activation’ in a month means, in the State in that month, the sum of—

4           “(1) program-eligible adults without dependent children;

5           “(2) program-eligible single-headed families with dependent children; and

6           “(3) program-eligible married couples with dependent children.

7           “(oo) WORK ACTIVATION.—The term ‘work activation’ means—

8           “(1) onsite work activation; and

9           “(2) approved offsite work activation.

10          “(pp) WORK-CAPABLE ADULT WITHOUT DEPENDENT CHILDREN.—The term ‘work-capable adult without dependent children’ means an individual who—

11          “(1) is an able-bodied, work-capable adult; and

1           “(2) is not a family head or the married spouse  
2           of a family head.

3           “(qq) WORK-CAPABLE MARRIED COUPLE FAMILY  
4 WITH DEPENDENT CHILDREN.—The term ‘work-capable  
5 married couple family with dependent children’ means a  
6 married couple with dependent children that contains at  
7 least 1 work-capable, able-bodied adult who is—

8           “(1) the family head; or

9           “(2) the married spouse of the family head.

10          “(rr) WORK-CAPABLE SINGLE-HEADED FAMILY  
11 WITH DEPENDENT CHILDREN.—The term ‘work-capable  
12 single-headed family with dependent children’ means a  
13 single-headed family with dependent children that has a  
14 family head who is an able-bodied, work-capable adult.”.

15          (d) CONDITIONS OF PARTICIPATION.—Section 6 of  
16 the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is  
17 amended by striking subsection (d) and inserting the fol-  
18 lowing:

19          “(d) CONDITIONS OF PARTICIPATION.—

20           “(1) WORK REQUIREMENTS.—

21           “(A) IN GENERAL.—No able-bodied, work-  
22 capable adult shall be eligible to participate in  
23 the supplemental nutrition assistance program  
24 if the individual—

1           “(i) refuses, at the time of application  
2           and every 12 months thereafter, to register  
3           for employment in a manner prescribed by  
4           the Secretary;

5           “(ii) refuses without good cause to ac-  
6           cept an offer of employment, at a site or  
7           plant not subject to a strike or lockout at  
8           the time of the refusal, at a wage not less  
9           than the higher of—

10                   “(I) the applicable Federal or  
11                   State minimum wage; or

12                   “(II) 80 percent of the wage that  
13                   would have applied had the minimum  
14                   hourly rate under section 6(a)(1) of  
15                   the Fair Labor Standards Act of  
16                   1938 (29 U.S.C. 206(a)(1)) been ap-  
17                   plicable to the offer of employment;

18           “(iii) refuses without good cause to  
19           provide a State agency with sufficient in-  
20           formation to allow the State agency to de-  
21           termine the employment status or the job  
22           availability of the individual; or

23           “(iv) voluntarily—

24                   “(I) quits a job; or

1                   “(II) reduces work effort and,  
2                   after the reduction, is working less  
3                   than 30 hours per week, unless an-  
4                   other adult in the same family unit in-  
5                   creases employment at the same time  
6                   by an amount that is at least equal to  
7                   the reduction in work effort by the  
8                   first adult.

9                   “(B) FAMILY UNIT INELIGIBILITY.—If an  
10                  able-bodied, work-capable adult is ineligible to  
11                  participate in the supplemental nutrition assist-  
12                  ance program because of subparagraph (A), no  
13                  other member of the family unit to which that  
14                  adult belongs shall be eligible to participate.

15                  “(C) DURATION OF INELIGIBILITY.—An  
16                  able-bodied, work-capable adult who becomes  
17                  ineligible under subparagraph (A), and mem-  
18                  bers of the family unit who become ineligible  
19                  under subparagraph (B), shall remain ineligible  
20                  for 3 months after the date on which ineligi-  
21                  bility began.

22                  “(D) RESTORATION OF ELIGIBILITY.—At  
23                  the end of the 3-month period of ineligibility  
24                  under subparagraph (c), members of a work-ca-  
25                  pable family unit may have their eligibility to

1           participate in the supplemental nutrition assist-  
2           ance program restored, if—

3                   “(i) the family unit is no longer a  
4                   work-capable family unit; or

5                   “(ii) the adult members of the family  
6                   unit begin and maintain any combination  
7                   of paid employment and work activation  
8                   sufficient to meet the appropriate stand-  
9                   ards for resumption of benefits in section  
10                  29(c)(2).

11               “(2) STRIKE AGAINST A GOVERNMENT.—For  
12               the purpose of subparagraph (A)(iv), an employee of  
13               the Federal Government, a State, or a political sub-  
14               division of a State, who is dismissed for partici-  
15               pating in a strike against the Federal Government,  
16               the State, or the political subdivision of the State  
17               shall be considered to have voluntarily quit without  
18               good cause.

19               “(3) STRIKING WORKERS INELIGIBLE.—

20                   “(A) IN GENERAL.—Except as provided in  
21                   subparagraphs (B) and (C) and notwith-  
22                   standing any other provision of law, no member  
23                   of a family shall be eligible to participate in the  
24                   supplemental nutrition assistance program at  
25                   any time that any able-bodied, work-capable

1 adult member of the household is on strike as  
2 defined in section 501 of the Labor Manage-  
3 ment Relations Act, 1947 (29 U.S.C. 142), be-  
4 cause of a labor dispute (other than a lockout)  
5 as defined in section 2 of the National Labor  
6 Relations Act (29 U.S.C. 152).

7 “(B) PRIOR ELIGIBILITY.—

8 “(i) IN GENERAL.—Subject to clause  
9 (ii), a family unit shall not lose eligibility  
10 to participate in the supplemental nutrition  
11 assistance program as a result of 1 of the  
12 members of the family unit going on strike  
13 if the household was eligible immediately  
14 prior to the strike.

15 “(ii) NO INCREASED ALLOTMENT.—A  
16 family unit described in clause (i) shall not  
17 receive an increased allotment as the result  
18 of a decrease in the income of the 1 or  
19 more striking members of the household.

20 “(C) REFUSAL TO ACCEPT EMPLOY-  
21 MENT.—Ineligibility described in subparagraph  
22 (A) shall not apply to any family unit that does  
23 not contain a member on strike, if any of the  
24 members of the family unit refuses to accept



1 employment at a plant or site because of a  
2 strike or lockout.”.

3 (e) ELIGIBILITY OF STUDENTS WITH DEPENDENT  
4 CHILDREN.—Section 6(e) of the Food and Nutrition Act  
5 of 2008 (7 U.S.C. 2015(e)) is amended by striking para-  
6 graph (8) and inserting the following:

7 “(8) is enrolled full-time in an institution of  
8 higher education, as determined by the institution,  
9 and—

10 “(A) is a single parent with responsibility  
11 for the care of a dependent child under 12  
12 years of age; or

13 “(B) is a family head or married spouse of  
14 a family head in a married couple family with  
15 dependent children and has a dependent child  
16 under age 12 residing in the home.”.

17 (f) WORK REQUIREMENT.—Section 6 of the Food  
18 and Nutrition Act of 2008 (7 U.S.C. 2015) is amended  
19 by striking subsection (o) and inserting the following:

20 “(o) FULFILLMENT OF EMPLOYMENT AND WORK  
21 ACTIVATION REQUIREMENTS.—

22 “(1) IN GENERAL.—If 1 or more adults within  
23 a program-eligible family unit are required by the  
24 State agency to participate in work activation under  
25 section 29, no member of the family unit shall be eli-

1       gible for supplemental nutrition assistance benefits  
2       unless the relevant 1 or more adults fully comply  
3       with the work activation standards.

4               “(2) SANCTIONS AND RESUMPTION OF BENE-  
5       FITS.—If 1 or more adults within a program-eligible  
6       family unit who are required by the State agency to  
7       participate in work activation under section 29 dur-  
8       ing a given month fail to comply with the work acti-  
9       vation standards, benefits for all members of the  
10      family unit—

11               “(A) shall be terminated in accordance  
12               with section 29(c)(1); and

13               “(B) may be resumed upon compliance  
14               with section 29(c)(2).”.

15      (g) EXCLUSION.—Section 6 of the Food and Nutri-  
16      tion Act of 2008 (7 U.S.C. 2015) is amended by adding  
17      at the end the following:

18               “(r) MINOR CHILDREN.—No child less than age 18  
19      years of age may participate in the supplemental nutrition  
20      assistance program unless the child is a member of a fam-  
21      ily with dependent children and resides with an adult who  
22      is—

23               “(1) the family head of the same family of  
24      which the child is also a member;

1           “(2) eligible to participate, and participating, in  
2           the supplemental nutrition assistance program as a  
3           member of the same household as the child; and

4           “(3) lawfully residing, and eligible to work, in  
5           the United States.”.

6           (h) HEARING AND DETERMINATION.—Section  
7 11(e)(10) of the Food and Nutrition Act of 2008 (7  
8 U.S.C. 2020(e)(10)) is amended by striking “: Provided”  
9 and all that follows through “hearing;” at the end and  
10 inserting a semicolon.

11           (i) WORK REQUIREMENTS AND ACTIVATION PRO-  
12 GRAM.—The Food and Nutrition Act of 2008 (7 U.S.C.  
13 2011 et seq.) is amended by adding at the end the fol-  
14 lowing:

15 **“SEC. 29. WORK REQUIREMENTS AND ACTIVATION PRO-**  
16 **GRAM.**

17           “(a) WORK ACTIVATION STANDARDS.—

18           “(1) IN GENERAL.—Subject to paragraph (3), a  
19           family unit with adult members that is required to  
20           participate in work activation under subsection (e)  
21           during a full month of participation in the supple-  
22           mental nutrition assistance program shall fulfill the  
23           following levels of work activation during that  
24           month:

1           “(A) WORK ACTIVATION PERFORMANCE  
2 LEVEL FOR PROGRAM-ELIGIBLE ADULT WITH-  
3 OUT DEPENDENT CHILDREN.—Each program-  
4 eligible adult without dependent children who is  
5 required to participate in work activation by a  
6 State agency under subsection (e) for a par-  
7 ticular month shall be required to perform a  
8 minimum of 36 hours of work activation for  
9 that month, including at least—

10                   “(i) a minimum of 16 hours of super-  
11 vised onsite work activation; and

12                   “(ii) a minimum of 20 additional  
13 hours of—

14                           “(I) onsite work activation;

15                           “(II) approved offsite work acti-  
16 vation; or

17                           “(III) a combination of both.

18           “(B) WORK ACTIVATION PERFORMANCE  
19 LEVELS FOR PROGRAM-ELIGIBLE SINGLE PAR-  
20 ENT FAMILIES WITH DEPENDENT CHILDREN.—  
21 Work-capable adult family heads in program-el-  
22 igible single parent families with dependent  
23 children who are required by a State agency to  
24 participate in work activation under subsection  
25 (e) shall be required to perform a minimum of

1           72 hours of work activation per month, includ-  
2           ing at least—

3                   “(i) a minimum of 32 hours of super-  
4                   vised onsite work activation; and

5                   “(ii) a minimum of 40 additional  
6                   hours of—

7                           “(I) onsite work activation;

8                           “(II) approved offsite work acti-  
9                   vation; or

10                           “(III) a combination of both.

11                   “(C) WORK ACTIVATION PERFORMANCE  
12                   LEVELS FOR PROGRAM-ELIGIBLE MARRIED COU-  
13                   PLES WITH DEPENDENT CHILDREN.—

14                           “(i) IN GENERAL.—Subject to clause  
15                   (ii), each program-eligible married couple  
16                   with dependent children that is required by  
17                   a State agency to participate in work acti-  
18                   vation under subsection (e) shall be re-  
19                   quired to perform a minimum of 72 hours  
20                   of work activation per month, including at  
21                   least—

22                           “(I) a minimum of 32 hours of  
23                   supervised onsite work activation; and

24                           “(II) a minimum of 40 additional  
25                   hours of—

1 “(aa) onsite work activation;

2 “(bb) approved offsite work

3 activation; or

4 “(cc) a combination of both.

5 “(ii) REQUIREMENTS.—

6 “(I) SINGLE JOINT OBLIGA-

7 TION.—The 72-hour requirement

8 under clause (i) shall be a single joint

9 obligation for the married couple as a

10 whole in which the activities of both

11 married partners shall be combined

12 together and counted jointly.

13 “(II) OPTIONS.—The work acti-

14 vation requirement for a work-capable

15 married couple family with dependent

16 children may be fulfilled by—

17 “(aa) 72 or more hours of

18 appropriate activity by the family

19 head;

20 “(bb) 72 or more hours of

21 appropriate activity by the mar-

22 ried spouse of the family head; or

23 “(cc) the combined activity

24 of the family head and married

25 spouse of the family head which

1 when added together equal or ex-  
2 ceed 72 hours.

3 “(D) NO SEPARATE WORK ACTIVATION RE-  
4 QUIREMENT.—Neither the family head nor the  
5 married spouse of the family in a married cou-  
6 ple family with dependent children shall be sub-  
7 ject to a separate work activation requirement  
8 as individuals.

9 “(2) LIMITATION ON COMBINED HOURS OF  
10 WORK ACTIVATION AND PAID EMPLOYMENT.—

11 “(A) IN GENERAL.—Notwithstanding sub-  
12 paragraphs (A), (B), and (C) of paragraph (1),  
13 a State may count any program-eligible family  
14 unit as fulfilling the full engagement require-  
15 ment of the family unit for a month, for pur-  
16 poses of paragraphs (3) and (4) of subsection  
17 (e), if the combined sum of paid employment  
18 and work activation by work-capable adults  
19 within the family unit in that month equals at  
20 least 160 hours.

21 “(B) RESULT OF FULFILLMENT.—If the  
22 combined sum of hours of paid employment and  
23 work activation by work-capable individuals  
24 within a program-eligible family unit is at least  
25 160 hours in a given month—

1                   “(i) the family unit has fulfilled the  
2                   Federal work activation standards of the  
3                   family unit for that month; and

4                   “(ii) the State agency need not re-  
5                   quire members of the family unit to per-  
6                   form additional work activation during  
7                   that month.

8                   “(b) PRO RATA REDUCTION IN EMPLOYMENT AND  
9                   WORK ACTIVATION STANDARD DURING A PARTIAL  
10                  MONTH.—

11                  “(1) IN GENERAL.—A program-eligible family  
12                  unit shall be subject to a pro-rated work activation  
13                  standard, if the family unit—

14                         “(A) receives a pro-rated monthly allot-  
15                         ment during the initial month of enrollment  
16                         under section 8(c); and

17                         “(B) is required by the State to participate  
18                         in the work activation program during that  
19                         month.

20                  “(2) PRO-RATED WORK ACTIVATION STAND-  
21                  ARD.—For purposes of paragraph (1), the term  
22                  ‘pro-rated work activation standard’ means a stand-  
23                  ard that equals a number of hours of work activity  
24                  of a family unit that bears the same proportion to  
25                  the work activation requirement for the family unit



1 for a full month under subsection (a) as the propor-  
2 tion that—

3 “(A) the pro-rated monthly allotment re-  
4 ceived by the household for the partial month  
5 under section 8(c); bears to

6 “(B) the full allotment the same household  
7 would receive for a complete month.

8 “(3) REQUIREMENT.—For purposes of fulfilling  
9 the pro-rated work activation requirement during an  
10 initial month of enrollment in the supplemental nu-  
11 trition assistance program, only those hours of adult  
12 work activation that occurred during the portion of  
13 the month in which the family unit was participating  
14 in the supplemental nutrition assistance program  
15 shall be counted.

16 “(c) SANCTION FOR NONCOMPLIANCE BY FAMILY  
17 UNITS.—

18 “(1) STANDARD.—

19 “(A) IN GENERAL.—If 1 or more members  
20 of a program-eligible family unit are required to  
21 participate in the work activation program  
22 under subsection (e) in a calendar month and  
23 1 or more individuals fail to fulfill the work ac-  
24 tivation standards under subsection (a) or (b)  
25 for that month—

1           “(i) no member of the family unit  
2 shall be eligible to receive supplemental nu-  
3 trition assistance benefits during the sub-  
4 sequent calendar month; and

5           “(ii) except as provided in subpara-  
6 graph (B), the State agency shall not pro-  
7 vide the supplemental nutrition assistance  
8 benefit payment for all members of the  
9 family unit that otherwise would have been  
10 issued at the beginning of the next month.

11           “(B) ADMINISTRATIVE DELAY OF SANC-  
12 TION.—

13           “(i) IN GENERAL.—Except as pro-  
14 vided in clauses (ii) and (iii), if it is admin-  
15 istratively infeasible for the State to not  
16 provide the supplemental nutrition assist-  
17 ance benefit that would be issued at the  
18 beginning of the first month after the  
19 month of noncompliance, the State shall  
20 not provide the payment to all members of  
21 the family unit that otherwise would have  
22 been made at the beginning of the second  
23 month after the month of noncompliance.

24           “(ii) DEADLINE.—The sanction of  
25 benefits shall occur not later than 32 days

1 after the end of the month of noncompli-  
2 ance.

3 “(iii) RELATIONSHIP OF PAYMENTS  
4 TO MEMBERS OF THE FAMILY UNIT.—At  
5 least 1 monthly payment to all members of  
6 the family unit shall be not provided for  
7 each month of noncompliance under sub-  
8 paragraph (A).

9 “(2) RESUMPTION OF BENEFITS AFTER SANC-  
10 TION.—

11 “(A) IN GENERAL.—If a family unit has  
12 had the monthly benefit of the family unit not  
13 provided due to noncompliance with a work ac-  
14 tivation requirement under paragraph (1), the  
15 family unit shall not be eligible to receive future  
16 benefits under the supplemental nutrition as-  
17 sistance program until—

18 “(i) the 1 or more work-capable mem-  
19 bers of the family unit have—

20 “(I) successfully participated in a  
21 work activation program under sub-  
22 section (e) for at least 4 consecutive,  
23 subsequent weeks; and

24 “(II) fulfilled the work activation  
25 standard for the family unit for that

1 same 4-week period by maintaining an  
2 hourly total of participation in work  
3 activation that is at least equal to the  
4 appropriate monthly totals for hours  
5 of participation provided in subsection  
6 (a);

7 “(ii) the family unit no longer con-  
8 tains any able-bodied, work-capable adults;  
9 or

10 “(iii) the family unit maintains at  
11 least 120 hours of paid employment during  
12 the 4-week period.

13 “(B) LIMITATION.—The resumed benefits  
14 provided under subparagraph (A) shall not re-  
15 store or compensate for the benefits that were  
16 not provided due to the sanction imposed under  
17 paragraph (1).

18 “(d) WORK ACTIVATION IS NOT EMPLOYMENT.—  
19 Participation in work activation activities under this sec-  
20 tion shall not be—

21 “(1) considered to be employment; or

22 “(2) subject to any law pertaining to wages,  
23 compensation, hours, or conditions of employment  
24 under any law administered by the Secretary of  
25 Labor.

1 “(e) WORK ACTIVATION PROGRAM.—

2 “(1) PROGRAM.—Each State participating in  
3 the supplemental nutrition assistance program shall  
4 carry out a work activation program.

5 “(2) PURPOSE.—

6 “(A) IN GENERAL.—The goals of each  
7 work activation program shall be—

8 “(i) to encourage and assist able-bod-  
9 ied, work-capable adult recipients of sup-  
10 plemental nutrition assistance to obtain  
11 paid employment;

12 “(ii) to reduce dependence on govern-  
13 ment assistance; and

14 “(iii) to ensure that able-bodied, work-  
15 capable adult recipients of supplemental  
16 nutrition assistance make a contribution to  
17 society and the taxpayers in exchange for  
18 assistance received.

19 “(B) REQUIREMENT.—To accomplish the  
20 goals described in subparagraph (A), each State  
21 shall require able-bodied, work-capable adult re-  
22 cipients of supplemental nutrition assistance  
23 who are unemployed or under-employed to en-  
24 gage in work activation.

1           “(3) REQUIRED STATE WORK ACTIVATION PAR-  
2           TICIPATION RATES.—

3           “(A) IN GENERAL.—Subject to subpara-  
4           graph (D), each State that receives supple-  
5           mental nutrition assistance program funding  
6           shall be required to meet, for the work activa-  
7           tion programs of the State—

8           “(i) a work activation participation  
9           rate for work-capable adults without de-  
10          pendent children, as described in subpara-  
11          graph (B); and

12          “(ii) a total recipient work activity  
13          participation rate, as described in subpara-  
14          graph (C).

15          “(B) PARTICIPATION RATE FOR WORK-CA-  
16          PABLE WITHOUT DEPENDENT CHILDREN.—The  
17          average monthly percent of program-eligible  
18          work-capable without dependent children who  
19          shall be required to maintain full engagement in  
20          work activation under subparagraph (A)(i) shall  
21          be—

22          “(i) for each performance measure-  
23          ment period in fiscal year 2014, 50 percent  
24          of all program-eligible adults without de-  
25          pendent children; and

1           “(ii) for each performance measure-  
2           ment period in fiscal year 2015 and each  
3           subsequent fiscal year, 85 percent of all  
4           program-eligible adults without dependent  
5           children who are eligible for work activa-  
6           tion.

7           “(C) OVERALL PARTICIPATION RATE FOR  
8           ALL PROGRAM-ELIGIBLE RECIPIENTS.—The av-  
9           erage monthly number of program-eligible fam-  
10          ily units who shall be required to maintain full  
11          engagement in work activation in a given month  
12          shall be—

13           “(i) for each performance measure-  
14           ment period in fiscal year 2015, the lesser  
15           of—

16                   “(I) the product obtained by mul-  
17                   tipling—

18                           “(aa) the State share of  
19                           work-capable family units in cal-  
20                           endar year 2010; by

21                           “(bb) 2,000,000; or

22                           “(II) 85 percent of the average  
23                           monthly number of total program-eli-  
24                           gible family units in the State; and

1           “(ii) for each performance measure-  
2           ment period in fiscal year 2016 and each  
3           subsequent fiscal year, the lesser of—

4                   “(I) the product obtained by mul-  
5                   tipling—

6                           “(aa) the State share of  
7                           work-capable family units in cal-  
8                           endar year 2010; by

9                           “(bb) 4,000,000; or

10                   “(II) 85 percent of the average  
11                   monthly number of total family units  
12                   eligible for participation in work acti-  
13                   vation in the State in the calendar  
14                   year.

15           “(D) LIMITATION.—If the total number of  
16           individuals in a State who are required to par-  
17           ticipate in work activation under the work-capa-  
18           ble adults without dependent children work acti-  
19           vation requirement described in subparagraph  
20           (B) is greater than the number of individuals in  
21           the State who are required to participate under  
22           the overall participation rate requirement de-  
23           scribed in subparagraph (C), the State shall be  
24           required to fulfill only the requirement for  
25           work-capable adults without dependent children.



1           “(4) COUNTING FULL ENGAGEMENT IN WORK  
2           ACTIVATION FOR PURPOSES OF MEASURING STATE  
3           COMPLIANCE WITH PARTICIPATION RATES.—

4           “(A) IN GENERAL.—For purposes of deter-  
5           mining the compliance of a State with the par-  
6           ticipation rate standards in paragraph (3), a  
7           State shall count in each month the number of  
8           program-eligible family units that maintained  
9           full engagement in work activation in that  
10          month.

11          “(B) FULL ENGAGEMENT.—

12           “(i) IN GENERAL.—For purposes of  
13           subparagraph (A), a family unit shall be  
14           counted as having maintained full engage-  
15           ment in work activation in a given month  
16           if the family unit was—

17           “(I) a program-eligible family  
18           unit that performed sufficient work  
19           activation in the month to meet the  
20           work activation standards provided in  
21           subsection (a) or (b);

22           “(II) a family unit that did not  
23           qualify for supplemental nutrition as-  
24           sistance benefits in a current month  
25           because of a prior sanction but that

1 qualified for a resumption of benefits  
2 due to work activation performed in  
3 the month that meets the standards  
4 provided in subsection (c)(2); or

5 “(III) a program-eligible family  
6 unit that—

7 “(aa) received supplemental  
8 nutrition assistance benefits in a  
9 given month;

10 “(bb) was required by a  
11 State agency to participate in  
12 work activation in that month;

13 “(cc) failed to perform suffi-  
14 cient work activation in that  
15 month to meet the standards in  
16 subsection (a) or (b); and

17 “(dd) was sanctioned by an  
18 elimination of supplemental nu-  
19 trition assistance benefits in the  
20 1 or more immediately suc-  
21 ceeding months, in accordance  
22 with subsection (c)(1).

23 “(ii) LIMITATION.—

24 “(I) IN GENERAL.—For purposes  
25 of clause (i)(III), a family unit that

1 was required to participate in work  
2 activation but failed to perform suffi-  
3 cient activity to meet the standard  
4 shall be counted as having maintained  
5 full engagement in work activation  
6 only in the first month of noncompli-  
7 ance.

8 “(II) SUBSEQUENT MONTHS.—  
9 Except as provided in clause (i)(II),  
10 the family unit shall not be counted as  
11 maintaining full engagement in work  
12 activation in any subsequent month in  
13 which the family unit was subject to  
14 the sanction for noncompliance.

15 “(C) BENEFITS PREVIOUSLY TERMI-  
16 NATED.—Except as provided in subparagraph  
17 (B)(i)(II) concerning family units that qualify  
18 for resumption of benefits, a family unit that  
19 does not receive supplemental nutrition assist-  
20 ance benefits in a given month because the ben-  
21 efits of the family unit have been previously ter-  
22 minated in accordance with subsection (c)(1)  
23 shall not be counted in that month—

1                   “(i) as a family unit that has main-  
2                   tained full engagement in work activation;

3                   or

4                   “(ii) as a program-eligible family unit.

5                   “(5) PENALTIES FOR INADEQUATE STATE PER-  
6                   FORMANCE.—

7                   “(A) REQUIREMENT.—

8                   “(i) IN GENERAL.—Beginning in fis-  
9                   cal year 2015 and for each subsequent fis-  
10                  cal year, each State shall count the month-  
11                  ly average number of program-eligible fam-  
12                  ily units that maintain full engagement in  
13                  work activation during each performance  
14                  measurement period.

15                  “(ii) REDUCTION IN FUNDING.—If the  
16                  monthly average number of program-eli-  
17                  gible family units that maintain full engage-  
18                  ment in a State is not sufficient to fulfill  
19                  1 or both of the relevant performance  
20                  standards in subparagraphs (B) and (C) of  
21                  paragraph (3) during a performance meas-  
22                  urement period (subject to the limitation in  
23                  paragraph (3)(D)), the Federal supple-  
24                  mental nutrition assistance program fund-  
25                  ing for the State shall be reduced for the

1 entire penalty period that commences 12  
2 months after the commencement of the rel-  
3 evant performance measurement period.

4 “(B) SCHEDULE OF FUNDING REDUC-  
5 TIONS.—

6 “(i) IN GENERAL.—The funding re-  
7 duction for a State under subparagraph  
8 (A) shall be determined by the number of  
9 consecutive performance measurement pe-  
10 riods during which the State has failed to  
11 meet 1 or both of the relevant work activa-  
12 tion participation rates under subpara-  
13 graphs (B) and (C) of paragraph (3) (sub-  
14 ject to paragraph (3)(D)).

15 “(ii) FAILURE.—If any State fails to  
16 maintain a monthly average number of  
17 program-eligible family units that maintain  
18 full engagement in work activation during  
19 a performance measurement period that  
20 fulfills 1 or both of the relevant perform-  
21 ance standards under subparagraphs (B)  
22 and (C) of paragraph (3) (subject to para-  
23 graph (3)(D))—

24 “(I) for a single, nonconsecutive  
25 performance measurement period, the

1 Federal supplemental nutrition assist-  
2 ance program funding for the State  
3 shall be reduced by 20 percent of the  
4 normal funding allotment of the State  
5 for the penalty period that commences  
6 12 months after the relevant perform-  
7 ance measurement period;

8 “(II) for 2 consecutive perform-  
9 ance measurement periods, the Fed-  
10 eral supplemental nutrition assistance  
11 program funding for the State shall  
12 be reduced by 30 percent of the nor-  
13 mal funding allotment of the State for  
14 the penalty period that commences 12  
15 months after the relevant performance  
16 measurement period;

17 “(III) for 3 consecutive perform-  
18 ance measurement periods, the Fed-  
19 eral supplemental nutrition assistance  
20 program funding for the State shall  
21 be reduced by 40 percent of the nor-  
22 mal funding allotment of the State for  
23 the penalty period that commences 12  
24 months after the relevant performance  
25 measurement period;

1           “(IV) for 4 consecutive perform-  
2           ance measurement periods, the Fed-  
3           eral supplemental nutrition assistance  
4           program funding for the State shall  
5           be reduced by 50 percent of the nor-  
6           mal funding allotment of the State for  
7           the penalty period that commences 12  
8           months after the relevant performance  
9           measurement period;

10           “(V) for 5 consecutive perform-  
11           ance measurement periods, the Fed-  
12           eral supplemental nutrition assistance  
13           program funding for the State shall  
14           be reduced by 70 percent of the nor-  
15           mal funding allotment of the State for  
16           the penalty period that commences 12  
17           months after the relevant performance  
18           measurement period; or

19           “(VI) for 6 or more consecutive  
20           performance measurement periods,  
21           the Federal supplemental nutrition as-  
22           sistance program funding for the  
23           State shall be reduced by 100 percent  
24           of the normal funding allotment of the  
25           State for the penalty period that com-

1 mences 12 months after the relevant  
2 performance measurement period.

3 “(C) RESTORATION IN FUNDING RESULT-  
4 ING FROM IMPROVED STATE PERFORMANCE.—

5 “(i) IN GENERAL.—Subject to clause  
6 (iii), if a State maintains a monthly aver-  
7 age number of program-eligible family  
8 units that maintain full engagement in  
9 work activation that is sufficient to fulfill  
10 the relevant performance standards de-  
11 scribed in subparagraphs (B) and (C) of  
12 paragraph (3), subject to the limitation in  
13 paragraph (3)(D) for 1 nonconsecutive  
14 performance measurement period, the Fed-  
15 eral supplemental nutrition assistance  
16 funding for the State for the next penalty  
17 period shall equal  $\frac{1}{2}$  of the sum of—

18 “(I) the normal funding allot-  
19 ment of the State for the performance  
20 measurement period; and

21 “(II) the funding allotment of the  
22 State for the previous penalty period.

23 “(ii) SUBSEQUENT PERIODS.—Subject  
24 to clause (iii), if a State maintains a  
25 monthly average number of program-eli-



1           ble family units who maintain full engage-  
2           ment in work activation that is sufficient  
3           to fulfill the relevant performance stand-  
4           ards described in subparagraphs (B) and  
5           (C) of paragraph (3), subject to the limita-  
6           tion in paragraph (3)(D) for 2 consecutive  
7           performance measurement periods, the  
8           Federal supplemental nutrition assistance  
9           funding for the State shall equal 100 per-  
10          cent of the normal funding allotment of  
11          the State for the next penalty period.

12                   “(iii) LIMITATION.—Notwithstanding  
13                   clauses (i) and (ii), no State shall receive  
14                   more than 100 percent of the normal fund-  
15                   ing allotment of the State due to the provi-  
16                   sions of this paragraph.

17                   “(6) REWARDS TO STATES FOR REDUCING GOV-  
18                   ERNMENT DEPENDENCE.—

19                           “(A) IN GENERAL.—If, in any future year,  
20                   a State reduces the supplemental nutrition as-  
21                   sistance caseload of the State below the levels  
22                   that existed in calendar year 2006, the State  
23                   shall receive a financial reward for reducing de-  
24                   pendence.

1           “(B) AMOUNT.—The reward shall equal  $\frac{1}{4}$   
2 of the savings to the Federal Government for  
3 that year that resulted from the caseload reduc-  
4 tion.

5           “(C) USE OF REWARD.—A State may use  
6 reward funding under this paragraph for any  
7 purpose chosen by the State that—

8                   “(i) provides benefits or services to in-  
9 dividuals with incomes below 200 percent  
10 of the Federal poverty level;

11                   “(ii) improves social outcomes in low-  
12 income populations;

13                   “(iii) encourages healthy marriage; or

14                   “(iv) increases self-sufficiency and re-  
15 duces dependence.

16           “(7) AUTHORIZATION OF FUNDING.—

17                   “(A) IN GENERAL.—There is authorized to  
18 be appropriated to the Secretary to provide  
19 funds to State governments for the purpose of  
20 carrying out work activation programs in ac-  
21 cordance with this section \$500,000,000 for fis-  
22 cal year 2014 and each subsequent fiscal year.

23                   “(B) ALLOCATION AMONG STATES.—The  
24 total amount appropriated under subparagraph  
25 (A) for a fiscal year shall be allocated among

1 the States in accordance with the proportion of  
2 each State’s share of total funding for the sup-  
3 plemental nutrition assistance program under  
4 this Act in fiscal year 2007.

5 “(C) ADDITIONAL FUNDING.—

6 “(i) TANF FUNDING.—

7 “(I) IN GENERAL.—Notwith-  
8 standing any other provision of law, in  
9 fiscal year 2014 and each subsequent  
10 fiscal year, a State that receives sup-  
11 plemental nutrition assistance funds  
12 may spend, in that fiscal year to ad-  
13 minister the work activation program  
14 of the State under this section, up  
15 to—

16 “(aa) 30 percent of the Fed-  
17 eral funds available to the State  
18 through the program of block  
19 grants to States for temporary  
20 assistance for needy families es-  
21 tablished under part A of title IV  
22 of the Social Security Act (42  
23 U.S.C. 601 et seq.) in that fiscal  
24 year; and

1                   “(bb) 30 percent of funds  
2                   from State sources allocated to  
3                   the operation of the program de-  
4                   scribed in item (aa).

5                   “(II) EFFECT.—Any State that  
6                   uses State funds allocated to the pro-  
7                   gram of block grants to States for  
8                   temporary assistance for needy fami-  
9                   lies established under part A of title  
10                  IV of the Social Security Act (42  
11                  U.S.C. 601 et seq.) to administer the  
12                  work activation program under this  
13                  section may count those funds for  
14                  purposes of meeting the maintenance  
15                  of effort requirement of the State  
16                  under that program of block grants in  
17                  that fiscal year.

18                  “(ii) WORKFORCE INVESTMENT ACT  
19                  FUNDING.—Notwithstanding any other  
20                  provision of law, in fiscal year 2014 and  
21                  each subsequent fiscal year, a State that  
22                  receives Federal funds under the Work-  
23                  force Investment Act of 1998 (29 U.S.C.  
24                  2801 et seq.) may spend up to 50 of those

1 funds to administer the work activation  
2 program under this section.”.

3 (j) CONFORMING AMENDMENTS.—

4 (1) Section 5 of the Food and Nutrition Act of  
5 2008 (7 U.S.C. 2014) is amended—

6 (A) in subsection (a), in the second sen-  
7 tence, by striking “, 6(d)(2),”;

8 (B) in subsection (d)(14), by striking “sec-  
9 tion 6(d)(4)(I)” and inserting “section 29”;

10 (C) in subsection (e)(3)(B)(ii), by striking  
11 “subsection (d)(3)” and inserting “section 29”;  
12 and

13 (D) in the first sentence of subsection  
14 (g)(3), by striking “section 6(d)” and inserting  
15 “section 29”.

16 (2) Section 7(i)(1) of the Food and Nutrition  
17 Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by  
18 striking “section 6(o)(2)” and inserting “section  
19 6(o)”.

20 (3) Section 11(e) of the Food and Nutrition Act  
21 of 2008 (7 U.S.C. 2020(e)) is amended—

22 (A) by striking paragraph (19); and

23 (B) by redesignating paragraphs (20)  
24 through (23) as paragraphs (19) through (22),  
25 respectively.

1           (4) Section 16 of the Food and Nutrition Act  
2 of 2008 (7 U.S.C. 2025) is amended—

3           (A) in subsection (b)(4), by striking “sec-  
4 tion 6(d)” and inserting “section 29”; and

5           (B) by striking subsection (h).

6           (5) Section 17 of the Food and Nutrition Act  
7 of 2008 (7 U.S.C. 2026) is amended—

8           (A) in subsection (b)—

9           (i) in paragraph (1)(B)(iv)(III)—

10           (I) by striking item (bb); and

11           (II) by redesignating items (cc)

12 through (jj) as items (bb) through

13 (ii), respectively;

14           (ii) in paragraph (2), by striking the  
15 second sentence; and

16           (iii) in paragraph (3)(B), in the first  
17 sentence, by striking “section 6(d)” and  
18 inserting “section 29,”; and

19           (B) by striking subsection (g).

20           (6) Section 20 of the Food and Nutrition Act  
21 of 2008 (7 U.S.C. 2029) is amended—

22           (A) in subsection (b)—

23           (i) by striking paragraph (1); and

1 (ii) by redesignating paragraphs (2)  
2 through (6) as paragraphs (1) through (5),  
3 respectively;

4 (B) by striking subsection (f); and

5 (C) by redesignating subsection (g) as sub-  
6 section (f).

7 (7) Section 22(b) of the Food and Nutrition  
8 Act of 2008 (7 U.S.C. 2031(b)) is amended by strik-  
9 ing paragraph (4).

10 (8) Section 26(f)(3)(E) of the Food and Nutri-  
11 tion Act of 2008 (7 U.S.C. 2036(f)(3)(E)) is amend-  
12 ed by striking “(22), and (23)” and inserting “(21),  
13 and (22)”.

14 (9) Section 501(b)(2)(E) of the Workforce In-  
15 vestment Act of 1998 (20 U.S.C. 9271(b)(2)(E)) is  
16 amended by striking “section 6(d)” and all that fol-  
17 lows through the end and inserting “section 29 of  
18 the Food and Nutrition Act of 2008.”.

19 (10) Section 112(b)(8)(A)(iii) of the Workforce  
20 Investment Act of 1998 (29 U.S.C.  
21 2822(b)(8)(A)(iii)) is amended by striking “section  
22 6(d)(4)” and all that follows through “(7 U.S.C.  
23 2015(d)(4))” and inserting “section 29 of the Food  
24 and Nutrition Act of 2008”.

1           (11) Section 121(b)(2)(B)(ii) of the Workforce  
 2           Investment Act of 1998 (29 U.S.C.  
 3           2841(b)(2)(B)(ii)) is amended by striking “section  
 4           6(d)(4)” and all that follows through the end and in-  
 5           serting “section 29 of the Food and Nutrition Act  
 6           of 2008;”.

7 **SEC. 102. TERMINATION OF BENEFIT INCREASE.**

8           Section 101(a)(2) of division A of the American Re-  
 9           covery and Reinvestment Act of 2009 (Public Law 111–  
 10          5; 123 Stat. 120; 124 Stat. 2394; 124 Stat. 3265) is  
 11          amended by striking paragraph (2) and inserting the fol-  
 12          lowing:

13                   “(2) TERMINATION.—The authority provided by  
 14           this subsection shall terminate on the date of enact-  
 15           ment of the Welfare Reform and Upward Mobility  
 16           Act.”.

17 **TITLE           II—REPORTING           OF**  
 18 **MEANS-TESTED           WELFARE**  
 19 **SPENDING IN PRESIDENT’S**  
 20 **BUDGET SUBMISSION**

21 **SEC. 201. ADDITIONAL INFORMATION IN PRESIDENT’S**  
 22 **BUDGET SUBMISSION.**

23           Section 1105(a) of title 31, United States Code, is  
 24          amended—



1           (1) by redesignating the second paragraph des-  
2           ignated as paragraph (37), relating to outdated or  
3           duplicative plans and reports, as added by section 11  
4           of the GPRA Modernization Act of 2010 (Public  
5           Law 111–352; 124 Stat. 3881), as paragraph (39);  
6           and

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

8           “(40) the total level of means-tested welfare  
9           spending (as defined in section 3 of the Congres-  
10          sional Budget Act of 1974 (2 U.S.C. 622)) by the  
11          Federal Government and the total level of means-  
12          tested welfare spending by all State and local gov-  
13          ernments and the Federal Government for the most  
14          recent fiscal year for which such data is available  
15          and estimated levels for the fiscal year during which  
16          the budget submission of the President is made, for  
17          the fiscal year beginning on October 1 of the cal-  
18          endar year during which the budget submission is  
19          made, and for each of the 9 ensuing fiscal years.”.

1 **TITLE III—AGGREGATE CAP FOR**  
2 **MEANS-TESTED WELFARE**  
3 **SPENDING**

4 **SEC. 301. DEFINITION OF MEANS-TESTED WELFARE SPEND-**  
5 **ING.**

6 Section 3 of the Congressional Budget Act of 1974  
7 (2 U.S.C. 622) is amended by adding at the end the fol-  
8 lowing new paragraph:

9 “(12)(A) The term ‘means-tested welfare  
10 spending’—

11 “(i) means spending for any Federal pro-  
12 gram that is designed to specifically provide as-  
13 sistance or benefits exclusively to low-income  
14 Americans;

15 “(ii) does not include such a program if  
16 the program—

17 “(I) is based on earned eligibility;

18 “(II) is not need-based;

19 “(III) is a program designed exclu-  
20 sively or primarily for veterans of military  
21 service; or

22 “(IV) offers universal or near uni-  
23 versal eligibility to the working population  
24 and their dependents; and

1           “(iii) includes community and economic de-  
2           velopment programs targeted to low-income  
3           communities or populations.

4           “(B) For purposes of subparagraph (A), the  
5           spending on following Federal programs shall be  
6           means-tested welfare spending:

7                   “(i) CASH AND GENERAL PROGRAMS.—

8                           “(I) Supplemental Security Income.

9                           “(II) Earned Income Tax Credit (Re-  
10                          fundable Portion).

11                          “(III) Refundable Child Credit.

12                          “(IV) Temporary Assistance to Needy  
13                          Families.

14                          “(V) Title IV–E Foster Care.

15                          “(VI) Title IV–E Adoption Assist-  
16                          ance.

17                          “(VII) General Assistance to Indians.

18                          “(VIII) Assets for Independence.

19                   “(ii) MEDICAL.—

20                           “(I) Medicaid.

21                           “(II) State Children’s Health Insur-  
22                          ance Program.

23                           “(III) Indian Health Services.

24                           “(IV) Consolidated Health Centers/  
25                          Community Health Centers.

1 “(V) Maternal and Child Health.

2 “(VI) Healthy Start.

3 “(VII) Refundable Premiums and Out  
4 of Pocket Subsidies under the Patient Pro-  
5 tection and Affordable Health Care Act  
6 (PPACA).

7 “(iii) FOOD.—

8 “(I) Food Stamps Program.

9 “(II) School Lunch Program.

10 “(III) Women, Infant and Children  
11 (WIC) Food Program.

12 “(IV) School Breakfast.

13 “(V) Child Care Food Program.

14 “(VI) Nutrition Program for the El-  
15 derly, Nutrition Service Incentives.

16 “(VII) Summer Food Service Pro-  
17 gram.

18 “(VIII) Commodity Supplemental  
19 Food Program.

20 “(IX) Temporary Emergency Food  
21 Program.

22 “(X) Needy Families.

23 “(XI) Farmer’s Market Nutrition  
24 Program.

25 “(XII) Special Milk Program.

- 1 “(iv) HOUSING.—
- 2 “(I) Section 8 Housing (HUD).
- 3 “(II) Public Housing (HUD).
- 4 “(III) State Housing Expenditures.
- 5 “(IV) Home Investment Partnership
- 6 Program (HUD).
- 7 “(V) Homeless Assistance Grants
- 8 (HUD).
- 9 “(VI) Rural Housing Insurance Fund
- 10 (Agriculture).
- 11 “(VII) Rural Housing Service (Agri-
- 12 culture).
- 13 “(VIII) Housing for the Elderly
- 14 (HUD).
- 15 “(IX) Native American Housing
- 16 Block Grants (HUD).
- 17 “(X) Other Assisted Housing Pro-
- 18 grams (HUD).
- 19 “(XI) Housing for Persons with Dis-
- 20 abilities (HUD).
- 21 “(v) ENERGY AND UTILITIES.—
- 22 “(I) Low-Income Home Energy As-
- 23 sistance.

1           “(II) Universal Service Fund—Sub-  
2           sidized Phone Service for Low-Income Per-  
3           sons.

4           “(III) Weatherization.

5           “(vi) EDUCATION.—

6           “(I) Pell Grants.

7           “(II) Title I Grants to Local Edu-  
8           cation Authorities.

9           “(III) Special Programs for Disadvan-  
10          taged (TRIO).

11          “(IV) Supplemental Education Oppor-  
12          tunity Grants.

13          “(V) Migrant Education.

14          “(VI) Gear-Up.

15          “(VII) Education for Homeless Chil-  
16          dren and Youth.

17          “(VIII) Leveraging Educational As-  
18          sistance Partnership (LEAP) Program.

19          “(IX) Even Start.

20          “(vii) TRAINING.—

21          “(I) Job Corps.

22          “(II) Youth Opportunity Grants  
23          (under the Workforce Investment Act).

24          “(III) Adult Employment and Train-  
25          ing (under the Workforce Investment Act).

1 “(IV) Senior Community Service Em-  
2 ployment.

3 “(V) Food Stamp Employment and  
4 Training Program.

5 “(VI) Migrant Training.

6 “(VII) YouthBuild.

7 “(VIII) Native American Training.

8 “(viii) SERVICES.—

9 “(I) Title XX Social Services Block  
10 Grant.

11 “(II) Community Service Block  
12 Grant.

13 “(III) Social Services for Refugees,  
14 Asylees, and Humanitarian Cases.

15 “(IV) Title III Aging Americans Act.

16 “(V) Legal Services Block Grant.

17 “(VI) Family Planning.

18 “(VII) Emergency Food and Shelter.

19 “(VIII) Healthy Marriage and Re-  
20 sponsible Fatherhood Grants.

21 “(IX) Americorps VISTA.

22 “(ix) CHILD CARE AND CHILD DEVELOP-  
23 MENT.—

24 “(I) Headstart.

1                   “(II) Childcare and Child Develop-  
2                   ment Block Grant.

3                   “(III) Child Care Block Grant (under  
4                   Temporary Assistance to Needy Families  
5                   Program).

6                   “(x) COMMUNITY DEVELOPMENT.—

7                   “(I) Community Development Block  
8                   Grant.

9                   “(II) Economic Development Adminis-  
10                  tration.

11                  “(III) Appalachian Regional Develop-  
12                  ment.

13                  “(IV) Empowerment Zones, Enter-  
14                  prise Communities, Renewal Communities.

15                  “(V) Urban Development Block  
16                  Grant.

17                  “(C) For purposes of subparagraph (A), spend-  
18                  ing on following Federal programs shall not be  
19                  means-tested welfare spending:

20                  “(i) The Social Security Disability Insur-  
21                  ance program.

22                  “(ii) Medicare.

23                  “(iii) Retirement insurance benefits and  
24                  survivor benefits under the Social Security pro-  
25                  gram.



1           “(iv) Any program designed exclusively or  
2           primarily for veterans of military service.

3           “(v) Unemployment insurance benefits.

4           “(vi) Programs designed specifically to  
5           provide benefits to workers to compensate for  
6           job-related injuries or illnesses.

7           “(D) The term ‘means-tested welfare spending’  
8           includes the full cost of benefits and services pro-  
9           vided under a program and the administrative costs  
10          for operating the program, subject to the limitations  
11          under subparagraph (E).

12          “(E)(i)(I) For purposes of this paragraph, only  
13          the refundable portion of the following tax credits  
14          shall be means-tested welfare spending:

15               “(aa) The earned income tax credit.

16               “(bb) The child tax credit.

17               “(cc) The making work pay tax credit.

18          “(II) For purposes of this paragraph, only the  
19          refundable portion of the premium and out of pocket  
20          health care subsidies to be paid under the Patient  
21          Protection and Affordable Health Care Act shall be  
22          means-tested welfare spending.

23          “(III) For purposes of this clause, the term ‘re-  
24          fundable portion’ means the portion of the credit  
25          which is paid to an individual in excess of the

1 amount of Federal income tax owed by the indi-  
2 vidual.

3 “(ii) For purposes of this paragraph, only the  
4 costs of the free and reduced price segments of the  
5 school lunch and school breakfast programs shall be  
6 means-tested welfare spending.

7 “(F) For purposes of this paragraph expendi-  
8 tures by State and local governments of funds that  
9 are—

10 “(i) obtained by the State and local gov-  
11 ernment from taxes, fees, or other sources of  
12 revenue established by the State or local gov-  
13 ernment; and

14 “(ii) are not received as any form of grant  
15 from the Federal Government,  
16 shall not be Federal means-tested welfare spending,  
17 without regard to whether such State and local ex-  
18 penditures take the form of contributions to a Fed-  
19 eral program described in subparagraph (A) or listed  
20 in subparagraph (B).”.

21 **SEC. 302. REPORTS TO BUDGET COMMITTEES.**

22 Section 202(e)(1) of the Congressional Budget Act  
23 of 1974 (2 U.S.C. 602(e)(1)) is amended—

24 (1) by inserting “(A)” after “(1)”; and

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

1           “(B)(i) The Director shall include in each re-  
2 report submitted to the Committees on the Budget of  
3 the House of Representatives and the Senate under  
4 subparagraph (A) the information described in  
5 clause (ii) beginning on the earlier of—

6           “(I) the first fiscal year that begins after  
7 the date of enactment of this subparagraph and  
8 after any monthly rate of unemployment during  
9 the immediately preceding fiscal year is below 6  
10 percent; or

11           “(II) fiscal year 2016.

12           “(ii) The Director shall include the following in-  
13 formation for the fiscal year commencing on October  
14 1 of the year in which the report is submitted and  
15 for each of the ensuing 4 fiscal years:

16           “(I) The Congressional Budget Office  
17 baseline level of means-tested welfare spending.

18           “(II) The aggregate level of means-tested  
19 welfare spending computed by taking the aggre-  
20 gate level of means-tested welfare spending for  
21 fiscal year 2007 and adjusting that for inflation  
22 according to the procedures specified in clause  
23 (iii).

24           “(iii) In preparing the information required to  
25 be included under this subparagraph—

1           “(I) means-tested welfare spending relat-  
 2           ing to medical assistance programs shall be ad-  
 3           justed for inflation according to the price index  
 4           for personal consumption expenditures for  
 5           health products and services as calculated by  
 6           the Bureau of Economic Analysis; and

7           “(II) all other means-tested welfare spend-  
 8           ing shall be adjusted for inflation according to  
 9           the weighted price index for personal consump-  
 10          tion expenditures excluding health products and  
 11          services as calculated by the Bureau of Eco-  
 12          nomic Analysis.”.

13 **SEC. 303. CONTENT OF CONCURRENT RESOLUTIONS ON**  
 14 **THE BUDGET.**

15          Section 301 of the Congressional Budget Act of 1974  
 16 (2 U.S.C. 632) is amended by adding at the end the fol-  
 17 lowing:

18          “(j) MEANS-TESTED WELFARE SPENDING.—

19                 “(1) IN GENERAL.—The concurrent resolution  
 20                 on the budget for a fiscal year shall set forth the ap-  
 21                 propriate level for aggregate means-tested welfare  
 22                 spending for the first fiscal year of that concurrent  
 23                 resolution and for at least each of the 4 ensuing fis-  
 24                 cal years beginning on the earlier of—

1           “(A) the first fiscal year that begins after  
2           the date of enactment of this subsection and  
3           after any monthly rate of unemployment during  
4           the immediately preceding fiscal year is below 6  
5           percent; or

6           “(B) fiscal year 2016.

7           “(2) SETTING LEVEL.—The level described in  
8           paragraph (1) shall not exceed—

9           “(A)       in       fiscal       year       2016,  
10           \$825,000,000,000;

11           “(B)       in       fiscal       year       2017,  
12           \$750,000,000,000; and

13           “(C) in fiscal year 2018 and subsequent  
14           fiscal years, the aggregate level of Federal  
15           means-tested welfare spending for fiscal year  
16           2007, adjusted for inflation as follows:

17           “(i) Means-tested welfare spending re-  
18           lating to medical assistance programs shall  
19           be adjusted for inflation according to the  
20           price index for personal consumption ex-  
21           penditures for health products and services  
22           as calculated by the Bureau of Economic  
23           Analysis.

24           “(ii) All other means-tested welfare  
25           spending shall be adjusted for inflation ac-

1                    cording to the weighted price index for per-  
 2                    sonal consumption expenditures excluding  
 3                    health products and services as calculated  
 4                    by the Bureau of Economic Analysis.”.

5 **SEC. 304. ALLOCATIONS OF MEANS-TESTED WELFARE**  
 6                    **SPENDING.**

7            (a) IN GENERAL.—Section 302 of the Congressional  
 8 Budget Act of 1974 (2 U.S.C. 633) is amended by adding  
 9 at the end the following:

10            “(h) MEANS-TESTED WELFARE SPENDING LIMIT.—

11                    “(1) FURTHER DIVISION OF AMOUNTS.—For  
 12 any concurrent resolution on the budget in which  
 13 levels for aggregate means-tested welfare spending  
 14 are set forth under section 301(j), in the House of  
 15 Representatives and the Senate, the amounts allo-  
 16 cated under subsection (a) shall be further divided  
 17 to establish an allocation of—

18                    “(A) total new budget authority and total  
 19 outlays for discretionary means-tested welfare  
 20 spending in appropriation measures for the first  
 21 fiscal year of that concurrent resolution; and

22                    “(B) total new budget authority and total  
 23 outlays for mandatory means-tested welfare  
 24 spending for the first fiscal year of that concur-  
 25 rent resolution and at least each of the ensuing

1           4 fiscal years to all other committees of the  
2           House of Representatives and the Senate that  
3           have jurisdiction over legislation providing man-  
4           datory means-tested welfare spending.

5           “(2) POINT OF ORDER.—

6                   “(A) IN GENERAL.—Except as provided in  
7                   subparagraph (B), it shall not be in order in  
8                   the House of Representatives or the Senate to  
9                   consider any bill, joint resolution, amendment,  
10                  or amendment between the Houses if—

11                           “(i) the enactment of such bill or res-  
12                           olution as reported;

13                           “(ii) the adoption and enactment of  
14                           such amendment;

15                           “(iii) the enactment of such bill or  
16                           resolution in the form recommended in  
17                           such conference report; or

18                           “(iv) the enactment of such amend-  
19                           ment between the Houses,

20                  would cause the applicable allocation of new  
21                  budget authority or outlays made under sub-  
22                  paragraph (A) or (B) of paragraph (1) for a  
23                  fiscal year to be exceeded.

24                           “(B) EXCEPTION.—The limits on the allo-  
25                           cation of new budget authority or outlays made

1           under subparagraph (A) or (B) of paragraph  
2           (1) shall not be in effect for a fiscal year if the  
3           average monthly unemployment rate in the pre-  
4           ceding fiscal year exceeded 7.5 percent.”.

5           (b) CONFORMING AMENDMENT.—Section 302(b) of  
6 the Congressional Budget Act of 1974 is amended by  
7 striking “under subsection (a)” and inserting “under sub-  
8 sections (a) and (h)”.

9 **SEC. 305. RECONCILIATION.**

10          Section 310(a) of the Congressional Budget Act of  
11 1974 (2 U.S.C. 641(a)) is amended—

12           (1) in paragraph (3), by striking “or” at the  
13           end;

14           (2) by redesignating paragraph (4) as para-  
15           graph (5);

16           (3) by inserting after paragraph (3) the fol-  
17           lowing:

18           “(4) specify the total amount by which new  
19           budget authority for such fiscal year for mandatory  
20           means-tested welfare spending contained in laws,  
21           bills, and resolutions within the jurisdiction of a  
22           committee is to be changed and direct that com-  
23           mittee to determine and recommend changes to ac-  
24           complish a change of such total amount, which  
25           amount shall be the amount by which the Congres-



1 sional Budget Office baseline level of spending for  
 2 aggregate mandatory means-tested welfare programs  
 3 exceeds the allocation made pursuant to section  
 4 302(h)(1)(B) for such fiscal year; and”;

5 (4) in paragraph (5), as so redesignated, by  
 6 striking “and (3)” and inserting “(3), and (4)”.

7 **TITLE IV—GRANTS TO PROMOTE**  
 8 **SELF-SUFFICIENCY**

9 **SEC. 401. GRANTS TO STATES.**

10 (a) PURPOSE.—The purpose of this title is to encour-  
 11 age States to develop policies to promote self-sufficiency  
 12 and prosperity and to reduce poverty and Government de-  
 13 pendence.

14 (b) GRANTS.—The Social Security Act is amended by  
 15 adding at the end the following:

16 **“TITLE XXII—GRANTS TO STATES**  
 17 **TO PROMOTE SELF-SUFFI-**  
 18 **CIENCY AND PROSPERITY**  
 19 **AND TO REDUCE DEPEND-**  
 20 **ENCE**

21 **“SEC. 2201. GRANTS TO STATES.**

22 “(a) IN GENERAL.—The Secretary may provide  
 23 grants to States to reward reductions in poverty and Gov-  
 24 ernment dependence and increases in self-sufficiency.

1       “(b) ALLOCATION OF GRANTS TO STATES.—For each  
2 fiscal year for which funds are made available under sub-  
3 section (e), the Secretary shall make a grant in an amount  
4 equal to \$100,000,000 to each of the 3 States with the  
5 greatest percentage increases in the self-sufficiency ratio  
6 of the State for the preceding fiscal year over the self-  
7 sufficiency ratio of the State for fiscal year 2007, as com-  
8 pared with the changes in that ratio for each other State,  
9 subject to subsection (c).

10       “(c) LIMITATION ON ELIGIBILITY FOR GRANTS.—A  
11 State shall not be eligible for a grant under this title for  
12 a fiscal year unless the self-sufficiency ratio of the State  
13 for the fiscal year is greater than the self-sufficiency ratio  
14 of the State for fiscal year 2007.

15       “(d) DEFINITIONS.—In this title:

16           “(1) The term ‘self-sufficient family’ means a  
17 family (including a 1-person family) whose combined  
18 income, excluding receipt of means-tested welfare  
19 spending (as defined in section 3(11)(A) of the Con-  
20 gressional Budget and Impoundment Control Act of  
21 1974), exceeds the poverty line (within the meaning  
22 of section 673(2) of the Omnibus Budget Reconcili-  
23 ation Act of 1981, including any revision required by  
24 such section applicable to a family of the size in-  
25 volved).

1           “(2) The term ‘self-sufficiency ratio’ means,  
2 with respect to a State and a fiscal year—

3           “(A) the number of self-sufficient families  
4 residing in the State during the fiscal year that  
5 are headed by able-bodied individuals who have  
6 not attained 63 years of age; divided by

7           “(B) the total number of families residing  
8 in the State during the fiscal year that are  
9 headed by able-bodied individuals who have not  
10 attained 63 years of age.

11           “(3) The term ‘State’ means the 50 States and  
12 the District of Columbia.

13           “(e) LIMITATIONS ON AUTHORIZATION OF APPRO-  
14 PRIATIONS.—For grants under this title, there are author-  
15 ized to be appropriated to the Secretary \$300,000,000 for  
16 fiscal year 2016 and each succeeding fiscal year.”.

17           **TITLE V—PROHIBITION ON**  
18           **FUNDING OF ABORTION**

19           **SEC. 501. PROHIBITION ON FUNDING FOR ABORTIONS.**

20           No funds authorized or appropriated by Federal law,  
21 and none of the funds in any trust fund to which funds  
22 are authorized or appropriated by Federal law, shall be  
23 expended for any abortion.

1 **SEC. 502. PROHIBITION ON FUNDING FOR HEALTH BENE-**  
2 **FITS PLANS THAT COVER ABORTION.**

3 None of the funds authorized or appropriated by Fed-  
4 eral law, and none of the funds in any trust fund to which  
5 funds are authorized or appropriated by Federal law, shall  
6 be expended for health benefits coverage that includes cov-  
7 erage of abortion.

8 **SEC. 503. PROHIBITION ON TAX BENEFITS RELATING TO**  
9 **ABORTION.**

10 For taxable years beginning after the date of the en-  
11 actment of this section, no credit shall be allowed under  
12 the internal revenue laws with respect to amounts paid  
13 or incurred for an abortion or with respect to amounts  
14 paid or incurred for a health benefits plan (including pre-  
15 mium assistance) that includes coverage of abortion.

16 **SEC. 504. CONSTRUCTION RELATING TO SEPARATE COV-**  
17 **ERAGE.**

18 Nothing in this title shall be construed as prohibiting  
19 any individual, entity, or State or locality from purchasing  
20 separate abortion coverage or health benefits coverage  
21 that includes abortion so long as such coverage is paid  
22 for entirely using only funds not authorized or appro-  
23 priated by Federal law and such coverage shall not be pur-  
24 chased using matching funds required for a federally sub-  
25 sidized program, including a State's or locality's contribu-  
26 tion of Medicaid matching funds.

1 **SEC. 505. CONSTRUCTION RELATING TO THE USE OF NON-**  
2 **FEDERAL FUNDS FOR HEALTH COVERAGE.**

3 Nothing in this title shall be construed as restricting  
4 the ability of any non-Federal health benefits coverage  
5 provider from offering abortion coverage, or the ability of  
6 a State or locality to contract separately with such a pro-  
7 vider for such coverage, so long as only funds not author-  
8 ized or appropriated by Federal law are used and such  
9 coverage shall not be purchased using matching funds re-  
10 quired for a federally subsidized program, including a  
11 State's or locality's contribution of Medicaid matching  
12 funds.

13 **SEC. 506. TREATMENT OF ABORTIONS RELATED TO RAPE,**  
14 **INCEST, OR PRESERVING THE LIFE OF THE**  
15 **MOTHER.**

16 The limitations established in this title shall not apply  
17 to an abortion—

18 (1) if the pregnancy is the result of an act of  
19 rape or incest; or

20 (2) in the case where a woman suffers from a  
21 physical disorder, physical injury, or physical illness  
22 that would, as certified by a physician, place the  
23 woman in danger of death unless an abortion is per-  
24 formed, including a life-endangering physical condi-  
25 tion caused by or arising from the pregnancy itself.

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