

103^D CONGRESS
2^D SESSION

H. R. 3892

To improve the child support system.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 24, 1994

Mr. ANDREWS of Texas introduced the following bill; which was referred jointly to the Committees on Ways and Means, the Judiciary, Education and Labor, and Banking, Finance and Urban Affairs

A BILL

To improve the child support system.

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 “Child Support En-
5 hancement Act of 1994”.

6 **TITLE I—NATIONAL REGISTRY**
7 **OF CHILD SUPPORT ORDERS**

8 **SEC. 101. NATIONAL CHILD SUPPORT ORDER REGISTRY.**

9 (a) ESTABLISHMENT.—

10 (1) IN GENERAL.—The Secretary of Health and
11 Human Services shall establish a national registry of

1 all child support orders the information in which
2 shall be accessible in the form of a computerized
3 database.

4 (2) CHILD SUPPORT ORDER DEFINED.—As
5 used in this section, the term “child support order”
6 means an order, issued or modified by a State court
7 or an administrative process established under State
8 law, that requires an individual to make payments
9 for support and maintenance of a child or of a child
10 and the parent with whom the child is living.

11 (b) TRANSMISSION OF COPIES OF CHILD SUPPORT
12 ORDERS TO THE NATIONAL REGISTRY.—Section 466(a)
13 of the Social Security Act (42 U.S.C. 666(a)) is amended
14 by inserting after paragraph (11) the following:

15 “(12) Procedures to ensure that a copy of each
16 child support order issued or modified in the State
17 is transmitted to the national registry of child sup-
18 port orders established under section 2(a) of the
19 Child Support Enhancement Act of 1994.”.

20 (c) PROVISION OF CHILD SUPPORT INFORMATION TO
21 EMPLOYERS.—Upon receipt from an employer of a
22 W-4 form completed by an employee, the national registry
23 shall—

24 (1) compare the child support information re-
25 ported on the W-4 form with the information in the

1 national registry on the child support obligations of
2 the employee; and

3 (2) report to the employer such information as
4 the national registry may have as to—

5 (A) whether the employee is required to
6 make payments pursuant to a child support
7 order; and

8 (B) if so, the aggregate amount required
9 to be so paid (and to whom) by the employee
10 on a monthly basis.

11 **TITLE II—ENFORCEMENT OF**
12 **CHILD SUPPORT ORDERS**
13 **THROUGH EMPLOYER WITH-**
14 **HOLDING**

15 **SEC. 201. REPORTING OF CHILD SUPPORT INFORMATION.**

16 (a) W-4 REPORTING REQUIREMENT.—

17 (1) IN GENERAL.—The Secretary of the Treas-
18 ury, in consultation with the Secretary of Labor,
19 shall require all employees to file a new W-4 form
20 with their employers within 5 calendar days after
21 the later of the effective date of this subsection or
22 the date the employee is hired, and require all em-
23 ployers to provide a copy of every employee's W-4
24 form to the national child support order registry es-
25 tablished under section 101(a) of this Act.

1 (2) EXPANDED USE OF FORM.—The Secretary
 2 of the Treasury shall modify the W-4 form to be
 3 completed by an employee to enable the employee to
 4 indicate on the form—

5 (A) whether the employee owes child sup-
 6 port, and if so—

7 (i) to whom the support is payable
 8 and the amount of the support payable;
 9 and

10 (ii) whether the support is to be paid
 11 through wage withholding; and

12 (B) whether health care insurance is avail-
 13 able to the new employee, and, if so, whether
 14 the employee has obtained such insurance for
 15 the dependent children of the employee.

16 (b) EMPLOYER WITHHOLDING OBLIGATION.—

17 (1) IN GENERAL.—Subtitle C of the Internal
 18 Revenue Code of 1986 (relating to employment
 19 taxes) is amended by inserting after chapter 24 the
 20 following new chapter:

21 **“CHAPTER 24A—COLLECTION OF CHILD**
 22 **SUPPORT OBLIGATIONS AT SOURCE**
 23 **ON WAGES**

“Sec. 3411. Child support obligations collected at source.

1 **“SEC. 3411. CHILD SUPPORT OBLIGATIONS COLLECTED AT**
2 **SOURCE.**

3 “(a) REQUIREMENT OF WITHHOLDING.—Every em-
4 ployer making payment of wages shall deduct and with-
5 hold upon such wages a specified child support obligation
6 amount.

7 “(b) SPECIFIED CHILD SUPPORT OBLIGATION
8 AMOUNT.—For purposes of this chapter, the specified
9 child support obligation amount with respect to any em-
10 ployee shall be determined based on—

11 “(1) information provided by the employee, or

12 “(2) if the national registry of child support or-
13 ders established under section 101 of the Child Sup-
14 port Enhancement Act of 1994 notifies the employer
15 that such information is inaccurate, information pro-
16 vided by the registry.

17 “(c) LIABILITY FOR PAYMENT.—The employer shall
18 be liable for the payment of the specified child support
19 obligation amount to the person entitled to such amount,
20 as determined based on the information referred to in sub-
21 section (b).

22 “(d) SPECIAL RULES.—For purposes of this chapter
23 (and so much of subtitle F as relates to this chapter), any
24 specified child support obligation amount shall be treated
25 as if it were a tax withheld under chapter 24 and rules
26 similar to the rules of such chapter shall apply.”

1 (2) CLERICAL AMENDMENT.—The table of
2 chapters of subtitle C of the Internal Revenue Code
3 of 1986 is amended by inserting after the item relat-
4 ing to chapter 24 the following new item:

“CHAPTER 24A. Child support obligations collected at source.”

5 (c) WITHHELD CHILD SUPPORT OBLIGATIONS RE-
6 PORTED ON W-2 FORMS.—Subsection (a) of section 6051
7 of the Internal Revenue Code of 1986 (relating to receipts
8 for employees) is amended by striking “and” at the end
9 of paragraph (8), by striking the period at the end of para-
10 graph (9) and inserting “, and”, and by inserting after
11 paragraph (9) the following new paragraph:

12 “(10) the total amount of specified child sup-
13 port obligations withheld under section 3411.”

14 **TITLE III—ENFORCEMENT OF**
15 **CRIMINAL PENALTIES FOR**
16 **FLIGHT TO AVOID PAYMENT**
17 **OF CHILD SUPPORT**

18 **SEC. 301. ADDITIONAL AUTHORIZATION FOR ENFORCE-**
19 **MENT.**

20 There are authorized to be appropriated to the Attor-
21 ney General for each of fiscal years 1994, 1995, 1996,
22 1997, and 1998 the amount of \$50,000,000 for the en-
23 forcement of section 228 of title 18, United States Code.

1 **TITLE IV—CREDIT BUREAU**
2 **REPORTING**

3 **SEC. 401. REPORTS TO CREDIT BUREAUS ON PERSONS DE-**
4 **LINQUENT IN CHILD SUPPORT PAYMENTS.**

5 (a) IN GENERAL.—Section 466(a)(7) of the Social
6 Security Act (42 U.S.C. 666(a)(7)) is amended to read
7 as follows:

8 “(7) Procedures requiring the State to provide
9 to each consumer reporting agency (as defined in
10 section 603(f) of the Fair Credit Reporting Act in-
11 formation regarding the amount of overdue support
12 owed by any absent parent who resides in the
13 State.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall take effect on October 1, 1994.

16 **TITLE V—NATIONAL**
17 **JURISDICTION**

18 **SEC. 501. FINDINGS AND PURPOSES.**

19 (a) The Congress finds that—

20 (1) there are a large and growing number of
21 child support cases annually involving disputes be-
22 tween parents or alleged parents who reside in dif-
23 ferent States, the District of Columbia, the Com-
24 monwealth of Puerto Rico, the territories and pos-
25 sessions of the United States, and Indian country;

1 (2) the laws by which the courts of these juris-
2 dictions determining their jurisdiction to adjudicate
3 parentage and establish child support orders are not
4 uniform;

5 (3) these nonuniform laws, along with the limits
6 imposed by a Federal system on the authority of
7 each jurisdiction to take certain actions outside its
8 own boundaries, contribute to the pressing problem
9 of parties moving to avoid jurisdiction, to inequities
10 based solely on choice of domicile, to a disregard of
11 court orders resulting in massive arrearages nation-
12 wide, to excessive relitigation of cases, to the estab-
13 lishment of conflicting orders by the courts of var-
14 ious jurisdictions, and to interstate travel and com-
15 munication that is so expensive and time consuming
16 as to disrupt parties' occupations and commercial
17 activities;

18 (4) among the results of these conditions are
19 the failure of the courts of such jurisdictions to give
20 full faith and credit to the judicial proceedings of
21 the other jurisdictions, the deprivation of rights of
22 liberty and property without due process of law, bur-
23 dens of commerce among such jurisdictions, and
24 harm to the welfare of children and their parents
25 and other custodians;

1 (5) the child's best interests should play a deci-
2 sive role in the determination of jurisdiction in ac-
3 tions arising from domestic relations;

4 (6) it is in the child's best interest to expand
5 the forums available in which a contestant can val-
6 idly assert personal jurisdiction over a nonresident
7 contestant in an action to adjudicate parentage or
8 make a child support order;

9 (7) a State has an interest in the financial sta-
10 bility of its children citizens;

11 (8) it is reasonably foreseeable for a parent or
12 presumed parent to be required to support his or her
13 child wherever that child is domiciled;

14 (9) if a parent fails to fulfill his or her support
15 obligations to a child, it is the State where the child
16 is domiciled that may incur public expenditures on
17 behalf of that child; and

18 (10) the domicile of a child to whom a support
19 obligation is owed or presumed to be owed is a suffi-
20 cient connection between a parent or presumed par-
21 ent and the child's State to make it fair to require
22 the parent to defend the action in the child's State
23 of domicile.

24 (b) For these reasons it is necessary to establish na-
25 tional standards under which the courts of such jurisdic-

1 tions will determine their jurisdiction to adjudicate parent-
2 age and to establish a child support order and the effect
3 to be given by each jurisdiction to such decisions by the
4 courts of other jurisdictions.

5 (c) The purposes of this title are to—

6 (1) expand the forums available to adjudicate
7 parentage and to establish a child support order so
8 that such actions may be heard in the State which
9 has the strongest interest in the child's financial se-
10 curity;

11 (2) promote and expand the exchange of infor-
12 mation and other forms of mutual assistance be-
13 tween States which are concerned with the same
14 child;

15 (3) facilitate the enforcement of support decrees
16 of sister States;

17 (4) discourage continuing interstate controver-
18 sies over child support in the interest of greater fi-
19 nancial stability and secure family relationships for
20 the child; and

21 (5) avoid jurisdictional competition and conflict
22 between State courts in matters of adjudication of
23 parentage and establishment of child support order
24 which have in the past resulted in the movement of
25 parties among the States and a low percentage of

1 interstate cases with support orders, adversely af-
2 fecting children's well-being.

3 **SEC. 502. FULL FAITH AND CREDIT GIVEN TO CHILD SUP-**
4 **PORT ORDERS.**

5 Chapter 115 of title 28, United States Code, is
6 amended by inserting after section 1738A the following:

7 **"SEC. 1738B. FULL FAITH AND CREDIT GIVEN TO CHILD**
8 **SUPPORT ORDERS.**

9 "(a) The appropriate authorities of every State shall
10 enforce according to its terms, and shall not modify except
11 as provided in subsection (f) of this section, any child sup-
12 port order made consistently with the provisions of this
13 section by a court of another State.

14 "(b) As used in this section, the term—

15 "(1) 'child' means any person under the age of
16 18; and includes an individual 18 or more years of
17 age for whom a child support order can be made
18 under the rendering State's law;

19 "(2) 'child's State' means the State in which
20 the child is currently domiciled with a parent, or a
21 person acting as a parent;

22 "(3) 'child support order' means a judgment,
23 decree or order of a court requiring the payment of
24 money, whether in periodic amounts or lump sum,
25 for the support of a child and includes permanent

1 and temporary orders, initial orders and modifica-
2 tions, ongoing support and arrearages;

3 “(4) ‘contestant’ means a person, including a
4 parent, who claims a right to receive child support
5 or is under an order to pay child support. ‘Contest-
6 ant’ includes States and political subdivisions to
7 whom support rights have been assigned;

8 “(5) ‘court’ means a court, administrative proc-
9 ess or quasijudicial process of a State which is au-
10 thorized to adjudicate parentage, establish the
11 amount of support payable by a contestant, or mod-
12 ify the amount of support payable by a contestant;

13 “(6) ‘domicile’ means physical residence accom-
14 panied by an intent to indefinitely remain there;

15 “(7) ‘home State’ means a State in which, im-
16 mediately preceding the time involved, the child lived
17 with his parents, a parent, or a person acting as
18 parent, for at least 6 consecutive months, and in the
19 case of a child less than 6 months old, the State in
20 which the child lived from birth with any of such
21 persons. Periods of temporary absence of any of
22 such persons are counted as part of the 6-month or
23 other period;

24 “(8) ‘modification’ and ‘modify’ refer to a child
25 support order which modifies, replaces, supersedes,

1 or otherwise is made subsequent to, a prior child
2 support order concerning the same child, whether
3 made by the same court or not;

4 “(9) ‘person acting as a parent’ means a child,
5 other than a parent, who has physical custody of a
6 child and who has either been awarded custody by
7 a court or claims a right to custody; and

8 “(10) ‘State’ means a State of the United
9 States, the District of Columbia, the Commonwealth
10 of Puerto Rico, a territory or possession of the Unit-
11 ed States, or an Indian tribe.

12 “(c) A child support order made by a court of a State
13 is consistent with the provisions of this section only if such
14 court had personal jurisdiction of the contestants. A court
15 has personal jurisdiction over a nonresident contestant if
16 one or more of the following factors are met—

17 “(1) the individual is personally served with a
18 citation, summons, or notice in the State;

19 “(2) the individual submits to the jurisdiction
20 of the State by consent, by entering a general ap-
21 pearance, or by filing a responsive document having
22 the effect of waiving any contest to personal jurisdic-
23 tion;

24 “(3) the individual resided with the child in the
25 State;

1 “(4) the individual resided in the State and
2 provided prenatal expenses or support for the child;

3 “(5) the child resides in the State as a result
4 of the acts or directives of the individual;

5 “(6) the individual engaged in sexual inter-
6 course in the State and the child may have been con-
7 ceived by that act of intercourse;

8 “(7) the individual asserted parentage in the
9 putative father registry maintained in the State by
10 the appropriate agency; or

11 “(8) there is any other basis consistent with the
12 constitutions of the State and the United States for
13 the exercise of personal jurisdiction.

14 “(d) A court of a State which has made a child sup-
15 port order consistently with the provisions of this section
16 has continuing, exclusive jurisdiction for so long as such
17 State remains the child’s State or the residence of any
18 contestant.

19 “(e) Before a child support order is made, reasonable
20 notice and opportunity to be heard shall be given to the
21 contestants.

22 “(f) A court of a State may modify a child support
23 order for the same child made by a court of another State,
24 if—

1 “(1) it has jurisdiction to make such a child
2 support order; and

3 “(2) the court of the other State no longer has
4 continuing, exclusive jurisdiction because such State
5 no longer is the child’s State or the residence of any
6 contestant, or each individual party has filed written
7 consent for the State to modify the order and as-
8 sume continuing exclusive jurisdiction.

9 “(g) A court of a State shall not exercise jurisdiction
10 in any proceeding for a child support order commenced
11 during the pendency of a proceeding in a court of another
12 State where such court of that other State is exercising
13 jurisdiction consistently with the provisions of this section
14 to make a child support order unless—

15 “(1) the proceeding in the State is filed before
16 the expiration of the time allowed in the other State
17 for filing a responsive pleading challenging the exer-
18 cise of jurisdiction by the other State;

19 “(2) the contesting party timely challenges the
20 exercise of jurisdiction in the other State; and

21 “(3) if applicable, the State is the home State
22 of the child.”.

23 **SEC. 503. REQUIRED STATE LONG ARM JURISDICTION.**

24 Section 466(a) of the Social Security Act (42 U.S.C.
25 666(a)), as amended by sections 101(b) and 201(b) of this

1 Act, is amended by inserting after paragraph (13) the fol-
2 lowing:

3 “(14) Effective January 1, 1994, procedures
4 under which the State may validly assert personal
5 jurisdiction over a nonresident contestant for pur-
6 poses of adjudicating parentage and/or establishing
7 a child support order if one or more of the following
8 factors are met—

9 “(A) the individual is personally served
10 with a citation, summons, or notice in the
11 State;

12 “(B) the individual submits to the jurisdic-
13 tion of the State by consent, by entering a gen-
14 eral appearance, or by filing a responsive docu-
15 ment having the effect of waiving any contest to
16 personal jurisdiction;

17 “(C) the individual resided with the child
18 in the State;

19 “(D) the individual resided in the State
20 and provided prenatal expenses or support for
21 the child;

22 “(E) the child resides in the State as a re-
23 sult of the acts or directives of the individual;

1 “(F) the individual engaged in sexual
2 intercourse in the State and the child may have
3 been conceived by that act of intercourse;

4 “(G) the individual asserted parentage in
5 the putative father registry maintained in the
6 State by the appropriate agency; or

7 “(H) there is any other basis consistent
8 with the constitutions of the State and the
9 United States for the exercise of personal juris-
10 diction.”.

11 **SEC. 504. DUE PROCESS.**

12 Based on the findings set forth in section 501, Con-
13 gress pursuant to its powers to enforce the Due Process
14 Clause of the Fifth Amendment, Section 5 of the Four-
15 teenth Amendment, the Commerce Clause, the General
16 Welfare Clause, and the Full Faith and Credit Clause de-
17 clares that due process is satisfied when a child’s State
18 of domicile asserts personal jurisdiction over a nonresident
19 contestant who is the parent or presumed parent as de-
20 fined by that State’s law of that child in an action to adju-
21 dicate parentage or establish a child support order.

22 **SEC. 505. DURATION OF CHILD SUPPORT.**

23 (a) Subject to subsections (b) and (c), one or both
24 parents may be ordered to pay child support for a child,
25 until the later of the following occurs:

1 (1) the child reaches the age of 18 and is no
2 longer enrolled as a student in an accredited second-
3 ary school or its vocational or private equivalent; or

4 (2) the child, enrolled at the time of reaching
5 the age of 18 as a student working toward fulfilling
6 requirements to receive a high school diploma or its
7 vocational or private equivalent, subsequently—

8 (A) graduates; or

9 (B) reaches the maximum age permitted
10 under State law for enrollment in public sec-
11 ondary education in that State.

12 (b)(1) A child support duty may be extended to cover
13 any of the following occurrences:

14 (A) A child's disability, if the child becomes dis-
15 abled during the period he or she would qualify for
16 support under subsection (a), for the period for
17 which the child suffers a mental, physical, or emo-
18 tional impairment that is so severe as to make im-
19 probable the ability of the child to live financially
20 independently on a long-term basis, whether institu-
21 tionalized or not, for as long as the impairment in-
22 hibits financial independence; an action under this
23 paragraph may be brought only by a natural or
24 adoptive parent of the child, or by the child or his
25 or her guardian ad litem, entitlement to which can-

1 not be assigned to any person or government agency,
2 except to the State child support agency as defined
3 under section 452 of title IV–D of the Social Secu-
4 rity Act.

5 (B) A child’s enrollment in an accredited post-
6 secondary educational or vocational school, college,
7 or institute if the child has not attained the age of
8 22; for the purpose of this section, a child is and
9 continues to be an enrolled student during all regu-
10 larly scheduled or approved school breaks including
11 summer recess; the trier of fact shall decide whether
12 any intervals in attendance between secondary and
13 postsecondary education and any intervals between
14 enrollments in postsecondary educational or voca-
15 tional schools, college, or institutes require the con-
16 tinuation of the obligation of providing support dur-
17 ing those intervals.

18 (C) If a written, voluntary agreement, executed
19 by the parents of the child or oral, voluntary con-
20 firmed by both parents of a child, extends the duty
21 until the child reaches a certain age or until a speci-
22 fied event occurs.

23 (2) Child support ordered under this subsection may
24 follow the State’s guidelines for determining support or
25 may deviate without need of special justification if the

1 order states the reasoning behind the amount set and the
2 calculations therefor.

3 (c) The duty to provide current child support termi-
4 nates for a child at the time any one of the following
5 events occurs:

6 (1) The child dies.

7 (2) The child marries.

8 (3) The child's parent who has a support duty
9 has his or her parental rights terminated regarding
10 that child; if another person has a duty to support
11 the child, the other person's support duty is not ex-
12 tinguished.

13 (4) The child is emancipated by court order.

14 (5) The child enlists in the armed forces and
15 reports for active duty.

16 (d) A child support duty shall continue after the
17 death or permanent, total disability of one or both parents
18 who owe a support duty until conditions under subsection
19 (a), (b), or (c) are met, with said support having priority
20 payment and distribution status above that belonging to
21 all other non-Federal creditors.

22 (e) Notwithstanding the provisions of subsection (a),
23 (b), (c), or (d), termination of a child support duty does
24 not relieve the obligor of liability for past-due support.

1 (f) Notwithstanding any other provision in this sec-
2 tion, a child in foster care is entitled to parental support
3 for as long as Federal and State law permit.

4 (g) A child born out-of-wedlock whose parentage has
5 been determined under law is entitled to the same dura-
6 tion of support as a child born to a marriage.

7 (h) A child or his or her guardian ad litem has a
8 right to bring an action under this section as does either
9 one of the child's parents or the State child support agen-
10 cy as defined in section 452 of title IV-D of the Social
11 Security Act.

12 (i) Nothing prohibits a State from enacting duration
13 of support laws that provide a longer duration of support
14 than that which this section provides.

15 **TITLE VI—ADMINISTRATIVE** 16 **PROCESS**

17 **SEC. 601. ADMINISTRATIVE PROCESS.**

18 Section 466(a)(2) of the Social Security Act (42
19 U.S.C. 666(a)(2)) is amended to read as follows:

20 “(2) Procedures under which expedited admin-
21 istrative processes are used to establish paternity in
22 contested paternity cases and to establish and en-
23 force support orders in all cases.”.

1 **TITLE VII—MEDICAL CHILD SUP-**
2 **PORT ORDERS ISSUED BY AD-**
3 **MINISTRATIVE ADJUDICA-**
4 **TORS**

5 **SEC. 701. TECHNICAL CORRECTION TO ERISA DEFINITION**
6 **OF MEDICAL CHILD SUPPORT ORDER.**

7 (a) IN GENERAL.—Section 609(a)(2)(B) of the Em-
8 ployee Retirement Income Security Act of 1974 (29
9 U.S.C. 1169(a)(2)(B)) is amended—

10 (1) by striking “issued by a court of competent
11 jurisdiction”;

12 (2) by striking the period at the end of clause
13 (ii) and inserting a comma; and

14 (3) by adding, after and below clause (ii), the
15 following:

16 “if such judgment, decree, or order (I) is issued
17 by a court of competent jurisdiction or (II) is
18 issued by an administrative adjudicator and has
19 the force and effect of law under applicable
20 State law.”.

21 (b) EFFECTIVE DATE.—

22 (1) IN GENERAL.—The amendments made by
23 this section shall take effect on the date of the en-
24 actment of this Act.

1 (2) PLAN AMENDMENTS NOT REQUIRED UNTIL
2 JANUARY 1, 1995.—Any amendment to a plan re-
3 quired to be made by an amendment made by this
4 section shall not be required to be made before the
5 first plan year beginning on or after January 1,
6 1995, if—

7 (A) during the period after the date before
8 the date of the enactment of this Act and be-
9 fore such first plan year, the plan is operated
10 in accordance with the requirements of the
11 amendments made by this section, and

12 (B) such plan amendment applies retro-
13 actively to the period after the date before the
14 date of the enactment of this Act and before
15 such first plan year.

16 A plan shall not be treated as failing to be operated
17 in accordance with the provisions of the plan merely
18 because it operates in accordance with this para-
19 graph.

1 **TITLE VIII—ELIMINATION OF**
2 **OPERATING SUBSIDIES FOR**
3 **VACANT PUBLIC HOUSING**

4 **SEC. 801. ELIMINATION OF OPERATING SUBSIDIES FOR VA-**
5 **CANT PUBLIC HOUSING.**

6 (a) IN GENERAL.—Section 9(a)(3)(B) of the United
7 States Housing Act of 1937 (42 U.S.C. 1437g(a)(3)(B))
8 is amended—

9 (1) in clause (iv), by striking “and” at the end;

10 (2) in clause (v), by striking the period at the
11 end and inserting “; and”; and

12 (3) by adding at the end the following new
13 clause:

14 “(vi) no payment may be provided under this
15 section for any dwelling unit that has been vacant
16 for a period of 180 days or more unless such unit
17 is vacant because of comprehensive modernization,
18 major reconstruction, demolition, or disposition ac-
19 tivities that have been funded or approved.”.

20 (b) ELIMINATION OF ANNUAL CONTRIBUTION RE-
21 SERVE.—Section 14(p) of the United States Housing Act
22 of 1937 (42 U.S.C. 1437l(p)) is amended by striking para-
23 graph (3).

24 (c) RECAPTURE OF ANNUAL CONTRIBUTION RE-
25 SERVE.—The Secretary of Housing and Urban Develop-

1 ment shall recapture any amounts reserved from annual
2 contributions for public housing agencies and deposited in
3 accounts established on behalf of the agencies pursuant
4 to paragraph (3) of section 14(p) of the United States
5 Housing Act of 1937 (as in effect immediately before the
6 date of the enactment of this Act).

○

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