

105TH CONGRESS
1ST SESSION

H. R. 1048

To make technical amendments relating to the Personal Responsibility and
Work Opportunity Reconciliation Act of 1996.

IN THE HOUSE OF REPRESENTATIVES

MARCH 12, 1997

Mr. SHAW (for himself and Mr. LEVIN) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on the Judiciary and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To make technical amendments relating to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

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 Tech-
5 nical Corrections Act of 1997”.

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—BLOCK GRANTS FOR TEMPORARY ASSISTANCE TO
NEEDY FAMILIES

- Sec. 101. Amendment of the Social Security Act.
- Sec. 102. Eligible States; State plan.
- Sec. 103. Grants to States.
- Sec. 104. Use of grants.
- Sec. 105. Mandatory work requirements.
- Sec. 106. Prohibitions; requirements.
- Sec. 107. Penalties.
- Sec. 108. Data collection and reporting.
- Sec. 109. Direct funding and administration by Indian Tribes.
- Sec. 110. Research, evaluations, and national studies.
- Sec. 111. Report on data processing.
- Sec. 112. Study on alternative outcomes measures.
- Sec. 113. Limitation on payments to the territories.
- Sec. 114. Conforming amendments to the Social Security Act.
- Sec. 115. Other conforming amendments.
- Sec. 116. Denial of assistance and benefits for drug-related convictions.
- Sec. 117. Transition rule.
- Sec. 118. Effective dates.

TITLE II—SUPPLEMENTAL SECURITY INCOME

Subtitle A—Conforming and Technical Amendments

- Sec. 201. Conforming and technical amendments relating to eligibility restrictions
- Sec. 202. Conforming and technical amendments relating to benefits for disabled children.
- Sec. 203. Additional technical amendments to title II.
- Sec. 204. Additional technical amendments to title XVI.
- Sec. 205. Additional technical amendments relating to titles II and XVI.
- Sec. 206. Effective dates.

Subtitle B—Additional Amendments

- Sec. 221. Technical amendments relating to drug addicts and alcoholics.
- Sec. 222. Extension of disability insurance program demonstration project authority.
- Sec. 223. Perfecting amendments related to withholding from social security benefits.
- Sec. 224. Treatment of prisoners.
- Sec. 225. Social Security Advisory Board personnel.

TITLE III—CHILD SUPPORT

- Sec. 301. State obligation to provide child support enforcement services.
- Sec. 302. Distribution of collected support.
- Sec. 303. Civil penalties relating to State directory of new hires.
- Sec. 304. Federal Parent Locator Service.
- Sec. 305. Access to registry data for research purposes.
- Sec. 306. Collection and use of social security numbers for use in child support enforcement.
- Sec. 307. Adoption of uniform State laws.

- Sec. 308. State laws providing expedited procedures.
- Sec. 309. Voluntary paternity acknowledgement.
- Sec. 310. Calculation of paternity establishment percentage.
- Sec. 311. Means available for provision of technical assistance and operation of Federal Parent Locator Service.
- Sec. 312. Authority to collect support from Federal employees.
- Sec. 313. Definition of support order.
- Sec. 314. State law authorizing suspension of licenses.
- Sec. 315. International support enforcement.
- Sec. 316. Child support enforcement for Indian Tribes.
- Sec. 317. Continuation of rules for distribution of support in the case of a title IV-E child.
- Sec. 318. Good cause in foster care and food stamp cases.
- Sec. 319. Date of collection of support.
- Sec. 320. Administrative enforcement in interstate cases.
- Sec. 321. Work orders for arrearages.
- Sec. 322. Additional technical State plan amendments.
- Sec. 323. Federal Case Registry of Child Support Orders.
- Sec. 324. Full faith and credit for child support orders.
- Sec. 325. Additional technical amendments.
- Sec. 326. Effective date.

TITLE IV—RESTRICTING WELFARE AND PUBLIC BENEFITS FOR ALIENS

Subtitle A—Eligibility for Federal Benefits

- Sec. 401. Alien eligibility for Federal benefits: limited application to medicare and benefits under the Railroad Retirement Act.
- Sec. 402. Exceptions to benefit limitations: corrections to reference concerning aliens whose deportation is withheld.
- Sec. 403. Veteran exception: application of minimum active duty service requirement; extension to unremarried surviving spouse.
- Sec. 404. Correction of reference concerning Cuban and Haitian entrants.
- Sec. 405. Notification concerning aliens not lawfully present: correction of terminology.

Subtitle B—Eligibility for State and Local Public Benefits Programs; Attribution of Income and Affidavits of Support

- Sec. 421. Alien eligibility for State and local benefits: inclusion of aliens otherwise lawfully present in the United States.

Subtitle C—General Provisions

- Sec. 431. Definition of qualified alien: inclusion of alien child of battered parent as qualified alien.
- Sec. 432. Verification of eligibility for Federal public benefits.
- Sec. 433. Qualifying quarters: disclosure of quarters of coverage information; correction to assure that crediting applies to all quarters earned by parents before child is 18.

Subtitle D—Miscellaneous Clerical and Technical Amendments; Effective Date

- Sec. 451. Correcting miscellaneous clerical and technical errors.
- Sec. 452. Effective date.

TITLE V—CHILD PROTECTION

- Sec. 501. Conforming and technical amendments relating to child protection.
Sec. 502. Additional technical amendments relating to child protection.
Sec. 503. Effective date.

TITLE VI—CHILD CARE

- Sec. 601. Conforming and technical amendments relating to child care.
Sec. 602. Additional conforming and technical amendments.
Sec. 603. Repeals.
Sec. 604. Effective dates.

1 **TITLE I—BLOCK GRANTS FOR**
2 **TEMPORARY ASSISTANCE TO**
3 **NEEDY FAMILIES**

4 **SEC. 101. AMENDMENT OF THE SOCIAL SECURITY ACT.**

5 Except as otherwise expressly provided, wherever in
6 this title an amendment or repeal is expressed in terms
7 of an amendment to, or repeal of a section or other provi-
8 sion, the reference shall be considered to be made to a
9 section or other provision of the Social Security Act, and
10 if the section or other provision is of part A of title IV
11 of such Act, the reference shall be considered to be made
12 to the section or other provision as amended by section
13 103, and as in effect pursuant to section 116, of the Per-
14 sonal Responsibility and Work Opportunity Reconciliation
15 Act of 1996.

16 **SEC. 102. ELIGIBLE STATES; STATE PLAN.**

17 (a) LATER DEADLINE FOR SUBMISSION OF STATE
18 PLANS.—Section 402(a) (42 U.S.C. 602(a)) is amended
19 by striking “2-year period immediately preceding” and in-

1 serting “27-month period ending with the close of the 1st
2 quarter of”.

3 (b) CLARIFICATION OF SCOPE OF WORK PROVI-
4 SIONS.—Section 402(a)(1)(A)(ii) (42 U.S.C.
5 602(a)(1)(A)(ii)) is amended by inserting “, consistent
6 with section 407(e)(2)” before the period.

7 (c) CORRECTION OF CROSS-REFERENCE.—Section
8 402(a)(1)(A)(v) (42 U.S.C. 602(a)(1)(A)(v)) is amended
9 by striking “403(a)(2)(B)” and inserting
10 “403(a)(2)(C)(iii)”.

11 (d) NOTIFICATION OF PLAN AMENDMENTS.—Section
12 402 (42 U.S.C. 602) is amended—

13 (1) by redesignating subsection (b) as sub-
14 section (c) and inserting after subsection (a) the fol-
15 lowing:

16 “(b) PLAN AMENDMENTS.—Within 30 days after a
17 State amends a plan submitted pursuant to subsection (a),
18 the State shall notify the Secretary of the amendment.”;
19 and

20 (2) in subsection (c) (as so redesignated), by in-
21 serting “or plan amendment” after “plan”.

22 **SEC. 103. GRANTS TO STATES.**

23 (a) BONUS FOR DECREASE IN ILLEGITIMACY MODI-
24 FIED TO TAKE ACCOUNT OF CERTAIN TERRITORIES.—

1 (1) IN GENERAL.—Section 403(a)(2)(B) (42
2 U.S.C. 603(a)(2)(B)) is amended to read as follows:

3 “(B) AMOUNT OF GRANT.—

4 “(i) IN GENERAL.—If, for a bonus
5 year, none of the eligible States is Guam,
6 the Virgin Islands, or American Samoa,
7 then the amount of the grant shall be—

8 “(I) \$20,000,000 if there are 5
9 eligible States; or

10 “(II) \$25,000,000 if there are
11 fewer than 5 eligible States.

12 “(ii) AMOUNT IF CERTAIN TERRI-
13 TORIES ARE ELIGIBLE.—If, for a bonus
14 year, Guam, the Virgin Islands, or Amer-
15 ican Samoa is an eligible State, then the
16 amount of the grant shall be—

17 “(I) in the case of such a terri-
18 tory, 25 percent of the mandatory
19 ceiling amount (as defined in section
20 1108(e)(4)) with respect to the terri-
21 tory; and

22 “(II) in the case of a State that
23 is not such a territory—

24 “(aa) if there are 5 eligible
25 States other than such terri-

1 territories, \$20,000,000, minus $\frac{1}{5}$ of
 2 the total amount of the grants
 3 payable under this paragraph to
 4 such territories for the bonus
 5 year; or

6 “(bb) if there are fewer than
 7 5 such eligible States,
 8 \$25,000,000, or such lesser
 9 amount as may be necessary to
 10 ensure that the total amount of
 11 grants payable under this para-
 12 graph for the bonus year does
 13 not exceed \$100,000,000.

14 (2) CERTAIN TERRITORIES TO BE IGNORED IN
 15 RANKING OTHER STATES.—Section
 16 403(a)(2)(C)(i)(I)(aa) (42 U.S.C.
 17 603(a)(2)(C)(i)(I)(aa)) is amended by adding at the
 18 end the following: “In the case of a State that is not
 19 a territory specified in subparagraph (B), the com-
 20 parative magnitude of the decrease for the State
 21 shall be determined without regard to the magnitude
 22 of the corresponding decrease for any such terri-
 23 tory.”.

24 (b) COMPUTATION OF BONUS BASED ON RATIOS OF
 25 OUT-OF-WEDLOCK BIRTHS TO ALL BIRTHS INSTEAD OF

1 NUMBERS OF OUT-OF-WEDLOCK BIRTHS.—Section
2 403(a)(2) (42 U.S.C. 603(a)(2)) is amended—

3 (1) in the paragraph heading, by inserting
4 “RATIO” before the period;

5 (2) in subparagraph (A), by striking all that
6 follows “bonus year” and inserting a period; and

7 (3) in subparagraph (C)—

8 (A) in clause (i)—

9 (i) in subclause (I)(aa)—

10 (I) by striking “number of out-
11 of-wedlock births that occurred in the
12 State during” and inserting “illegit-
13 imacy ratio of the State for”; and

14 (II) by striking “number of such
15 births that occurred during” and in-
16 serting “illegitimacy ratio of the State
17 for”; and

18 (ii) in subclause (II)(aa)—

19 (I) by striking “number of out-
20 of-wedlock births that occurred in”
21 each place such term appears and in-
22 serting “illegitimacy ratio of”; and

23 (II) by striking “calculate the
24 number of out-of-wedlock births” and

1 inserting “calculate the illegitimacy
2 ratio”; and

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

4 “(iii) ILLEGITIMACY RATIO.—The
5 term ‘illegitimacy ratio’ means, with re-
6 spect to a State and a period—

7 “(I) the number of out-of-wed-
8 lock births to mothers residing in the
9 State that occurred during the period;
10 divided by

11 “(II) the number of births to
12 mothers residing in the State that oc-
13 curred during the period.”.

14 (c) USE OF CALENDAR YEAR DATA INSTEAD OF FIS-
15 CAL YEAR DATA IN CALCULATING BONUS FOR DECREASE
16 IN ILLEGITIMACY RATIO.—Section 403(a)(2)(C) (42
17 U.S.C. 603(a)(2)(C)) is amended—

18 (1) in clause (i)—

19 (A) in subclause (I)(bb)—

20 (i) by striking “the fiscal year” and
21 inserting “the calendar year in which the
22 bonus year begins”; and

23 (ii) by striking “fiscal year 1995” and
24 inserting “calendar year 1995”;

1 (B) in subclause (II), by striking “fiscal”
2 each place such term appears and inserting
3 “calendar”; and

4 (2) in clause (ii), by striking “fiscal years” and
5 inserting “calendar years”.

6 (d) CORRECTION OF HEADING.—Section
7 403(a)(3)(C)(ii) (42 U.S.C. 603(a)(3)(C)(ii)) is amended
8 in the heading by striking “1997” and inserting “1998”.

9 (e) CLARIFICATION OF MEANING OF REFERENCE TO
10 MEDICAID MATCH RATE.—Section 403(b)(4)(A) (42
11 U.S.C. 603(b)(4)(A)) is amended by striking “as in effect
12 on” and inserting “as such section was in effect on”.

13 (f) ADMINISTRATION OF CONTINGENCY FUND
14 TRANSFERRED TO THE SECRETARY OF HHS.—Section
15 403(b)(7) (42 U.S.C. 603(b)(7)) is amended to read as
16 follows:

17 “(7) STATE DEFINED.—As used in this sub-
18 section, the term ‘State’ means each of the 50
19 States and the District of Columbia.”.

20 **SEC. 104. USE OF GRANTS.**

21 Section 404(a)(2) (42 U.S.C. 604(a)(2)) is amended
22 by inserting “, or (at the option of the State) August 21,
23 1996” before the period.

1 **SEC. 105. MANDATORY WORK REQUIREMENTS.**

2 (a) FAMILY WITH A DISABLED PARENT NOT TREAT-
3 ED AS A 2-PARENT FAMILY.—Section 407(b)(2) (42
4 U.S.C. 607(b)(2)) is amended by adding at the end the
5 following:

6 “(C) FAMILY WITH A DISABLED PARENT
7 NOT TREATED AS A 2-PARENT FAMILY.—A fam-
8 ily that includes a disabled parent shall not be
9 considered a 2-parent family for purposes of
10 subsections (a) and (b) of this section.

11 (b) CORRECTION OF HEADING.—Section 407(b)(3)
12 (42 U.S.C. 607(b)(3)) is amended in the heading by in-
13 serting “AND NOT RESULTING FROM CHANGES IN STATE
14 ELIGIBILITY CRITERIA” before the period.

15 (c) STATE OPTION TO INCLUDE INDIVIDUALS RE-
16 CEIVING ASSISTANCE UNDER A TRIBAL WORK PROGRAM
17 IN PARTICIPATION RATE CALCULATION.—Section
18 407(b)(4) (42 U.S.C. 607(b)(4)) is amended—

19 (1) in the heading, by inserting “OR TRIBAL
20 WORK PROGRAM”; and

21 (2) by inserting “or under a tribal work pro-
22 gram to which funds are provided under this part”
23 before the period.

24 (d) SHARING OF 35-HOUR WORK REQUIREMENT BE-
25 TWEEN PARENTS IN 2-PARENT FAMILIES.—Section
26 407(c)(1)(B)(i) (42 U.S.C. 607(c)(1)(B)(i)) is amended—

1 (1) by striking “is” and inserting “and the
2 other parent in the family are”; and

3 (2) by inserting “a total of” before “at least”.

4 (e) CLARIFICATION OF EFFORT REQUIRED IN WORK
5 ACTIVITIES.—Section 407(c)(1)(B) (42 U.S.C.
6 607(c)(1)(B)) is amended by striking “making progress”
7 each place such term appears and inserting “participat-
8 ing”.

9 (f) ADDITIONAL CONDITION UNDER WHICH 12
10 WEEKS OF JOB SEARCH MAY COUNT AS WORK.—Section
11 407(c)(2)(A)(i) (42 U.S.C. 607(c)(2)(A)(i)) is amended by
12 inserting “or the State is a needy State (within the mean-
13 ing of section 403(b)(6))” after “United States”.

14 (g) CARETAKER RELATIVE OF CHILD UNDER AGE
15 6 DEEMED TO BE MEETING WORK REQUIREMENTS IF
16 ENGAGED IN WORK FOR 20 HOURS PER WEEK.—Section
17 407(c)(2)(B) (42 U.S.C. 607(c)(2)(B)) is amended—

18 (1) in the heading, by inserting “OR RELATIVE”
19 after “PARENT” each place such term appears; and

20 (2) by striking “in a 1-parent family who is the
21 parent” and inserting “who is the only parent or
22 caretaker relative in the family”.

23 (h) EXTENSION TO MARRIED TEENS OF RULE THAT
24 RECEIPT OF SUFFICIENT EDUCATION IS ENOUGH TO

1 MEET WORK PARTICIPATION REQUIREMENTS.—Section
2 407(e)(2)(C) (42 U.S.C. 607(e)(2)(C)) is amended—

3 (1) in the heading, by striking “TEEN HEAD OF
4 HOUSEHOLD” and inserting “SINGLE TEEN HEAD
5 OF HOUSEHOLD OR MARRIED TEEN”; and

6 (2) by striking “a single” and inserting “mar-
7 ried or a”.

8 (i) CLARIFICATION OF NUMBER OF HOURS OF PAR-
9 TICIPATION IN EDUCATION DIRECTLY RELATED TO EM-
10 PLOYMENT THAT ARE REQUIRED IN ORDER FOR SINGLE
11 TEEN HEAD OF HOUSEHOLD OR MARRIED TEEN TO BE
12 DEEMED TO BE ENGAGED IN WORK.—Section
13 407(e)(2)(C)(ii) (42 U.S.C. 607(e)(2)(C)(ii)) is amended
14 by striking “at least” and all that follows through “sub-
15 section” and inserting “an average of at least 20 hours
16 per week during the month”.

17 (j) CLARIFICATION OF REFUSAL TO WORK FOR PUR-
18 POSES OF WORK PENALTIES FOR INDIVIDUALS.—Section
19 407(e)(2) (42 U.S.C. 607(e)(2)) is amended by striking
20 “work” and inserting “engage in work required in accord-
21 ance with this section”.

22 **SEC. 106. PROHIBITIONS; REQUIREMENTS.**

23 (a) ELIMINATION OF REDUNDANT LANGUAGE; CLAR-
24 IFICATION OF HOME RESIDENCE REQUIREMENT.—Sec-

1 tion 408(a)(1) (42 U.S.C. 608(a)(1)) is amended to read
2 as follows:

3 “(1) NO ASSISTANCE FOR FAMILIES WITHOUT A
4 MINOR CHILD.—A State to which a grant is made
5 under section 403 shall not use any part of the
6 grant to provide assistance to a family, unless the
7 family includes a minor child who resides with the
8 family (consistent with paragraph (10)) or a preg-
9 nant individual.”.

10 (b) CLARIFICATION OF TERMINOLOGY.—Section
11 408(a)(3) (42 U.S.C. 608(a)(3)) is amended—

12 (1) by striking “leaves” the 1st, 3rd, and 4th
13 places such term appears and inserting “ceases to
14 receive assistance under”; and

15 (2) by striking “the date the family leaves the
16 program” the 2nd place such term appears and in-
17 serting “such date”.

18 (c) ELIMINATION OF SPACE.—Section
19 408(a)(5)(A)(ii) (42 U.S.C. 608(a)(5)(A)(ii)) is amended
20 by striking “DESCRIBED.—For” and inserting “DE-
21 SCRIBED.—For”.

22 (d) CORRECTIONS TO 5-YEAR LIMIT ON ASSIST-
23 ANCE.—

1 (1) CLARIFICATION OF LIMITATION ON HARD-
2 SHIP EXEMPTION.—Section 408(a)(7)(C)(ii) (42
3 U.S.C. 608(a)(7)(C)(ii)) is amended—

4 (A) by striking “The number” and insert-
5 ing “The average monthly number”; and

6 (B) by inserting “during the fiscal year or
7 the immediately preceding fiscal year (but not
8 both), as the State may elect” before the pe-
9 riod.

10 (2) RESIDENCE EXCEPTION MADE MORE UNI-
11 FORM AND EASIER TO ADMINISTER.—Section
12 408(a)(7)(D) (42 U.S.C. 608(a)(7)(D)) is amended
13 to read as follows:

14 “(D) DISREGARD OF MONTHS OF ASSIST-
15 ANCE RECEIVED BY ADULT WHILE LIVING IN
16 INDIAN COUNTRY OR AN ALASKAN NATIVE VIL-
17 LAGE WITH 50 PERCENT UNEMPLOYMENT.—

18 “(i) IN GENERAL.—In determining
19 the number of months for which an adult
20 has received assistance under a State or
21 tribal program funded under this part, the
22 State or tribe shall disregard any month
23 during which the adult lived in Indian
24 country or an Alaskan Native village if the
25 most reliable Federal data available with

1 respect to the month (or a period including
2 the month) indicate that at least 50 per-
3 cent of the adults living in Indian country
4 or in the village were not employed.

5 “(ii) INDIAN COUNTRY DEFINED.—As
6 used in clause (i), the term ‘Indian coun-
7 try’ has the meaning given such term in
8 section 1151 of title 18, United States
9 Code.”.

10 (e) REINSTATEMENT OF DEEMING AND OTHER
11 RULES APPLICABLE TO ALIENS WHO ENTERED THE
12 UNITED STATES UNDER AFFIDAVITS OF SUPPORT FOR-
13 MERLY USED.—Section 408 (42 U.S.C. 608) is amended
14 by striking subsection (d) and inserting the following:

15 “(d) SPECIAL RULES RELATING TO TREATMENT OF
16 CERTAIN ALIENS.—For special rules relating to the treat-
17 ment of certain aliens, see title IV of the Personal Respon-
18 sibility and Work Opportunity Reconciliation Act of 1996.

19 “(e) SPECIAL RULES RELATING TO THE TREATMENT
20 OF NON-213A ALIENS.—

21 “(1) DEEMING OF SPONSOR’S INCOME AND RE-
22 SOURCES.—

23 “(A) GENERAL RULE.—In determining the
24 eligibility of a non-213A alien for assistance,
25 and the amount of assistance to be provided to

1 a non-213A alien, under a State program fund-
2 ed under this part, the State shall deem the in-
3 come, and the resources (to the extent their ag-
4 gregate value exceeds \$1,500), of each sponsor
5 of the alien and of any sponsor's spouse to be
6 income and resources of the alien for a period
7 of 3 years after the alien's entry into the Unit-
8 ed States.

9 “(B) SPONSORS OF MULTIPLE NON-213A
10 ALIENS.—If a person is a sponsor of 2 or more
11 non-213A aliens who are living in the same
12 home, the income and resources of the sponsor
13 (and the sponsor's spouse) that would be
14 deemed income and resources of any such alien
15 under subparagraph (A) shall be divided into a
16 number of equal shares equal to the number of
17 such aliens, and the State shall deem the in-
18 come and resources of each such alien to in-
19 clude 1 such share.

20 “(2) INELIGIBILITY OF NON-213A ALIENS SPON-
21 SORED BY AGENCIES; EXCEPTION.—A non-213A
22 alien whose sponsor is or was a public or private
23 agency shall be ineligible for assistance under a
24 State program funded under this part, during the
25 period of 3 years after the alien's entry into the

1 United States, unless the State agency administering
2 the program determines that the sponsor either no
3 longer exists or has become unable to meet the
4 alien's needs.

5 “(3) INFORMATION PROVISIONS.—

6 “(A) DUTIES OF NON-213A ALIENS.—A
7 non-213A alien, as a condition of eligibility for
8 assistance under a State program funded under
9 this part during the period of 3 years after the
10 alien's entry into the United States, shall be re-
11 quired to provide to the State agency admin-
12 istering the program—

13 “(i) such information and documenta-
14 tion with respect to the alien's sponsor as
15 may be necessary in order for the State
16 agency to make any determination required
17 under this section, and to obtain any co-
18 operation from the sponsor necessary for
19 any such determination; and

20 “(ii) such information and documenta-
21 tion as the State agency may request and
22 which the alien or the alien's sponsor pro-
23 vided in support of the alien's immigration
24 application.

1 “(B) DUTIES OF FEDERAL AGENCIES.—

2 The Secretary shall enter into agreements with
3 the Secretary of State and the Attorney Gen-
4 eral under which any information available to
5 them and required in order to make any deter-
6 mination under this section will be provided by
7 them to the Secretary (who may, in turn, make
8 the information available, upon request, to a
9 concerned State agency).

10 “(4) NON-213A ALIEN DEFINED.—An alien is a
11 non-213A alien for purposes of this section if the af-
12 fidavit of support or similar agreement with respect
13 to the alien that was executed by the sponsor of the
14 alien’s entry into the United States was executed
15 other than pursuant to section 213A of the Immi-
16 gration and Nationality Act.

17 “(5) INAPPLICABILITY TO ALIEN MINOR SPON-
18 SORED BY A PARENT.—This subsection shall not
19 apply to an alien who is a minor child if the sponsor
20 of the alien (or the sponsor’s spouse) is a parent of
21 the alien.

22 “(6) INAPPLICABILITY TO CERTAIN CAT-
23 EGORIES OF ALIENS.—This subsection shall not
24 apply to an alien who is—

1 “(A) admitted to the United States as a
2 refugee under section 207 of the Immigration
3 and Nationality Act;

4 “(B) paroled into the United States under
5 section 212(d)(5) of such Act for a period of at
6 least 1 year; or

7 “(C) granted political asylum by the Attor-
8 ney General under section 208 of such Act.”.

9 **SEC. 107. PENALTIES.**

10 (a) STATES GIVEN MORE TIME TO FILE QUARTERLY
11 REPORTS.—Section 409(a)(2)(A) (42 U.S.C.
12 609(a)(2)(A)) is amended by striking “1 month” and in-
13 serting “45 days”.

14 (b) TREATMENT OF SUPPORT PAYMENTS PASSED
15 THROUGH TO FAMILIES AS QUALIFIED STATE EXPENDI-
16 TURES.—Section 409(a)(7)(B)(i)(I)(aa) (42 U.S.C.
17 609(a)(7)(B)(i)(I)(aa)) is amended by inserting “, includ-
18 ing any amount collected by the State as support pursuant
19 to a plan approved under part D, on behalf of a family
20 receiving assistance under the State program funded
21 under this part, that is distributed to the family and dis-
22 regarded in determining the eligibility of the family for
23 such assistance” before the period.

24 (c) DISREGARD OF EXPENDITURES MADE TO RE-
25 PLACE PENALTY GRANT REDUCTIONS.—Section

1 409(a)(7)(B)(i) (42 U.S.C. 609(a)(7)(B)(i)) is amended
2 by redesignating subclause (III) as subclause (IV) and by
3 inserting after subclause (II) the following:

4 “(III) EXCLUSION OF AMOUNTS
5 EXPENDED TO REPLACE PENALTY
6 GRANT REDUCTIONS.—Such term
7 does not include any amount expended
8 in order to comply with paragraph
9 (12).”.

10 (d) TREATMENT OF FAMILIES OF CERTAIN ALIENS
11 AS ELIGIBLE FAMILIES.—Section 409(a)(7)(B)(i)(IV) (42
12 U.S.C. 609(a)(7)(B)(i)(IV)), as so redesignated by sub-
13 section (d) of this section, is amended—

14 (1) by striking “and families” and inserting
15 “families”; and

16 (2) by striking “Act or section 402” and insert-
17 ing “Act, and families of aliens lawfully present in
18 the United States that would be eligible for such as-
19 sistance but for the application of title IV”.

20 (e) ELIMINATION OF MEANINGLESS LANGUAGE.—
21 Section 409(a)(7)(B)(ii) (42 U.S.C. 609(a)(7)(B)(ii)) is
22 amended by striking “, reduced (if appropriate) in accord-
23 ance with subparagraph (C)(ii)”.

24 (f) CLARIFICATION OF SOURCE OF DATA TO BE
25 USED IN DETERMINING HISTORIC STATE EXPENDI-

1 TURES.—Section 409(a)(7)(B) (42 U.S.C. 609(a)(7)(B))
 2 is amended by adding at the end the following:

3 “(v) SOURCE OF DATA.— In deter-
 4 mining expenditures by a State for fiscal
 5 years 1994 and 1995, the Secretary shall
 6 use information which was reported by the
 7 State on ACF Form 231 or (in the case of
 8 expenditures under part F) ACF Form
 9 331, available as of the dates specified in
 10 clauses (ii) and (iii) of section
 11 403(a)(1)(D).”.

12 (g) CLARIFICATION OF EXPENDITURES TO BE EX-
 13 CLUDED IN DETERMINING HISTORIC STATE EXPENDI-
 14 TURES.—Section 409(a)(7)(B)(iv) (42 U.S.C.
 15 609(a)(7)(B)(iv)) is amended—

16 (1) in subclause (IV), by striking “under Fed-
 17 eral programs”;

18 (2) by striking subclause (III) and redesignat-
 19 ing subclause (IV) as subclause (III); and

20 (3) in the 2nd sentence—

21 (A) by striking “(IV)” and inserting
 22 “(III)”;

23 (B) by striking “an amount equal to”; and

24 (C) by striking “that equal” and inserting
 25 “that equals”.

1 (h) CONFORMING TITLE IV–A PENALTIES TO TITLE
2 IV–D PERFORMANCE-BASED STANDARDS.—Section
3 409(a)(8) (42 U.S.C. 609(a)(8)) is amended to read as
4 follows:

5 “(8) NONCOMPLIANCE OF STATE CHILD SUP-
6 PORT ENFORCEMENT PROGRAM WITH REQUIRE-
7 MENTS OF PART D.—

8 “(A) IN GENERAL.—If the Secretary finds,
9 with respect to a State’s program under part D,
10 in a fiscal year beginning on or after October
11 1, 1997—

12 “(i)(I) on the basis of data submitted
13 by a State pursuant to section 454(15)(B),
14 or on the basis of the results of a review
15 conducted under section 452(a)(4), that
16 the State program failed to achieve the pa-
17 ternity establishment percentages (as de-
18 fined in section 452(g)(2)), or to meet
19 other performance measures that may be
20 established by the Secretary;

21 “(II) on the basis of the results of an
22 audit or audits conducted under section
23 452(a)(4)(C)(i) that the State data sub-
24 mitted pursuant to section 454(15)(B) is
25 incomplete or unreliable; or

1 “(III) on the basis of the results of an
2 audit or audits conducted under section
3 452(a)(4)(C) that a State failed to sub-
4 stantially comply with 1 or more of the re-
5 quirements of part D; and

6 “(ii) that, with respect to the succeed-
7 ing fiscal year—

8 “(I) the State failed to take suffi-
9 cient corrective action to achieve the
10 appropriate performance levels or
11 compliance as described in subpara-
12 graph (A)(i); or

13 “(II) the data submitted by the
14 State pursuant to section 454(15)(B)
15 is incomplete or unreliable;

16 the amounts otherwise payable to the State
17 under this part for quarters following the end
18 of such succeeding fiscal year, prior to quarters
19 following the end of the first quarter through-
20 out which the State program has achieved the
21 paternity establishment percentages or other
22 performance measures as described in subpara-
23 graph (A)(i)(I), or is in substantial compliance
24 with 1 or more of the requirements of part D
25 as described in subparagraph (A)(i)(III), as ap-

1 appropriate, shall be reduced by the percentage
2 specified in subparagraph (B).

3 “(B) AMOUNT OF REDUCTIONS.—The re-
4 ductions required under subparagraph (A) shall
5 be—

6 “(i) not less than 1 nor more than 2
7 percent;

8 “(ii) not less than 2 nor more than 3
9 percent, if the finding is the 2nd consecu-
10 tive finding made pursuant to subpara-
11 graph (A); or

12 “(iii) not less than 3 nor more than 5
13 percent, if the finding is the 3rd or a sub-
14 sequent consecutive such finding.

15 “(C) DISREGARD OF NONCOMPLIANCE
16 WHICH IS OF A TECHNICAL NATURE.—For pur-
17 poses of this section and section 452(a)(4), a
18 State determined as a result of an audit—

19 “(i) to have failed to have substan-
20 tially complied with 1 or more of the re-
21 quirements of part D shall be determined
22 to have achieved substantial compliance
23 only if the Secretary determines that the
24 extent of the noncompliance is of a tech-
25 nical nature which does not adversely af-

1 fect the performance of the State’s pro-
2 gram under part D; or

3 “(ii) to have submitted incomplete or
4 unreliable data pursuant to section
5 454(15)(B) shall be determined to have
6 submitted adequate data only if the Sec-
7 retary determines that the extent of the in-
8 completeness or unreliability of the data is
9 of a technical nature which does not ad-
10 versely affect the determination of the level
11 of the State’s paternity establishment per-
12 centages (as defined under section
13 452(g)(2)) or other performance measures
14 that may be established by the Secretary.”.

15 (i) CORRECTION OF REFERENCE TO 5-YEAR LIMIT
16 ON ASSISTANCE.—Section 409(a)(9) (42 U.S.C.
17 609(a)(9)) is amended by striking “408(a)(1)(B)” and in-
18 serting “408(a)(7)”.

19 (j) CORRECTION OF ERRORS IN PENALTY FOR FAIL-
20 URE TO MEET MAINTENANCE OF EFFORT REQUIREMENT
21 APPLICABLE TO THE CONTINGENCY FUND.—Section
22 409(a)(10) (42 U.S.C. 609(a)(10)) is amended—

23 (1) by striking “the expenditures under the
24 State program funded under this part for the fiscal
25 year (excluding any amounts made available by the

1 Federal Government)” and inserting “the sum of the
2 expenditures under the State program funded under
3 this part (excluding any amounts made available by
4 the Federal Government) and any additional quali-
5 fied State expenditures (as defined in paragraph
6 (7)(B)(i)) made under the Child Care and Develop-
7 ment Block Grant Act of 1990 for the fiscal year”;
8 and

9 (2) by inserting “that the State has not remit-
10 ted under section 403(b)(4)” before the period.

11 (k) ELIMINATION OF CERTAIN REASONABLE CAUSE
12 EXCEPTIONS.—Section 409(b)(2) (42 U.S.C. 609(b)(2))
13 is amended by striking “(7) or (8)” and inserting “(6),
14 (7), (8), (10), or (12)”.

15 (l) CLARIFICATION OF WHAT IT MEANS TO CORRECT
16 A VIOLATION.—Section 409(c) (42 U.S.C. 609(c)) is
17 amended—

18 (1) in each of subparagraphs (A) and (B) of
19 paragraph (1), by striking “correct” and inserting
20 “discontinue”;

21 (2) in paragraph (2)—

22 (A) in the heading by striking “CORRECT-
23 ING” and inserting “DISCONTINUING”; and

24 (B) by striking “corrects” and inserting
25 “discontinues”; and

1 (3) in paragraph (3)—

2 (A) in the heading, by striking “FAILING
3 TO CORRECT” and inserting “CONTINUING”;
4 and

5 (B) by striking “correct the” and inserting
6 “discontinue the”.

7 (m) CERTAIN PENALTIES NOT AVOIDABLE
8 THROUGH CORRECTIVE COMPLIANCE PLANS.—Section
9 409(c)(4) (42 U.S.C. 609(c)(4)) is amended to read as
10 follows:

11 “(4) INAPPLICABILITY TO CERTAIN PEN-
12 ALTIES.—This subsection shall not apply to the im-
13 position of a penalty against a State under para-
14 graph (6), (7), (8), (10), or (12) of subsection (a).”.

15 **SEC. 108. DATA COLLECTION AND REPORTING.**

16 Section 411(a) (42 U.S.C. 611(a)) is amended—

17 (1) in paragraph (1)—

18 (A) in subparagraph (A)—

19 (i) by striking clause (ii) and inserting
20 the following:

21 “(ii) Whether a child receiving such
22 assistance or an adult in the family is re-
23 ceiving—

24 “(I) disability insurance benefits
25 under section 223;

1 “(II) benefits based on disability
2 under section 202;

3 “(III) aid under a State plan ap-
4 proved under title XIV (as in effect
5 without regard to the amendment
6 made by section 301 of the Social Se-
7 curity Amendments of 1972));

8 “(IV) aid or assistance under a
9 State plan approved under title XVI
10 (as in effect without regard to such
11 amendment) by reason of being per-
12 manently and totally disabled; or

13 “(V) supplemental security in-
14 come benefits under title XVI (as in
15 effect pursuant to such amendment)
16 by reason of disability.”;

17 (ii) in clause (iv), by striking “young-
18 est child in” and inserting “head of”;

19 (iii) in each of clauses (vii) and (viii),
20 by striking “status” and inserting “level”;
21 and

22 (iv) by adding at the end the follow-
23 ing:

24 “(xvii) With respect to each individual
25 in the family who has not attained 20

1 years of age, whether the individual is a
 2 parent of a child in the family.”; and

3 (B) in subparagraph (B)—

4 (i) in the heading, by striking “ESTI-
 5 MATES” and inserting “SAMPLES”; and

6 (ii) in clause (i), by striking “an esti-
 7 mate which is obtained” and inserting
 8 “disaggregated case record information on
 9 a sample of families selected”; and

10 (2) by redesignating paragraph (6) as para-
 11 graph (7) and inserting after paragraph (5) the fol-
 12 lowing:

13 “(6) REPORT ON FAMILIES RECEIVING ASSIST-
 14 ANCE.—The report required by paragraph (1) for a
 15 fiscal quarter shall include for each month in the
 16 quarter the number of families and individuals re-
 17 ceiving assistance under the State program funded
 18 under this part (including the number of 2-parent
 19 and 1-parent families), and the total dollar value of
 20 such assistance received by all families.”.

21 **SEC. 109. DIRECT FUNDING AND ADMINISTRATION BY IN-**
 22 **DIAN TRIBES.**

23 (a) PRORATING OF TRIBAL FAMILY ASSISTANCE
 24 GRANTS.—Section 412(a)(1)(A) (42 U.S.C. 612(a)(1)(A))
 25 is amended by inserting “, which shall be reduced for a

1 fiscal year, on a pro rata basis for each quarter, in the
2 case of a tribal family assistance plan approved during a
3 fiscal year for which the plan is to be in effect,” before
4 “and shall”.

5 (b) TRIBAL OPTION TO OPERATE WORK ACTIVITIES
6 PROGRAM.—Section 412(a)(2)(A) (42 U.S.C.
7 612(a)(2)(A)) is amended by striking “The Secretary”
8 and all that follows through “2002” and inserting “For
9 each of fiscal years 1997, 1998, 1999, 2000, 2001, and
10 2002, the Secretary shall pay to each eligible Indian tribe
11 that proposes to operate a program described in subpara-
12 graph (C)”.

13 (c) DISCRETION OF TRIBES TO SELECT POPULATION
14 TO BE SERVED BY TRIBAL WORK ACTIVITIES PRO-
15 GRAM.—Section 412(a)(2)(C) (42 U.S.C. 612(a)(2)(C)) is
16 amended by striking “members of the Indian tribe” and
17 inserting “such population and such service area or areas
18 as the tribe specifies”.

19 (d) REDUCTION OF APPROPRIATION FOR TRIBAL
20 WORK ACTIVITIES PROGRAMS.—Section 412(a)(2)(D) (42
21 U.S.C. 612(a)(2)(D)) is amended by striking
22 “\$7,638,474” and inserting “\$7,633,287”.

23 (e) ELIGIBILITY OF TRIBES FOR FEDERAL LOANS
24 FOR WELFARE PROGRAMS.—Section 412 (42 U.S.C. 612)
25 is amended by redesignating subsections (f), (g), and (h)

1 as subsections (g), (h), and (i), respectively, and by insert-
 2 ing after subsection (e) the following:

3 “(f) **ELIGIBILITY FOR FEDERAL LOANS.**—Section
 4 406 shall apply to an Indian tribe with an approved tribal
 5 assistance plan in the same manner as such section applies
 6 to a State, except that section 406(c) shall be applied by
 7 substituting ‘section 412(a)’ for ‘section 403(a)’.”.

8 **SEC. 110. RESEARCH, EVALUATIONS, AND NATIONAL STUD-**
 9 **IES.**

10 (a) **RESEARCH.**—

11 (1) **METHODS.**—Section 413(a) (42 U.S.C.
 12 613(a)) is amended by inserting “, directly or
 13 through grants, contracts, or interagency agree-
 14 ments,” before “shall conduct”.

15 (2) **CORRECTION OF CROSS REFERENCE.**—Sec-
 16 tion 413(a) (42 U.S.C. 613(a)) is amended by strik-
 17 ing “409” and inserting “407”.

18 (b) **CORRECTION OF ERRONEOUSLY INDENTED**
 19 **PARAGRAPH.**—Section 413(e)(1) (42 U.S.C. 613(e)(1)) is
 20 amended to read as follows:

21 “(1) **IN GENERAL.**—The Secretary shall annu-
 22 ally rank States to which grants are made under
 23 section 403 based on the following ranking factors:

24 “(A) **ABSOLUTE OUT-OF-WEDLOCK RA-**
 25 **TIOS.**—The ratio represented by—

1 “(i) the total number of out-of-wed-
2 lock births in families receiving assistance
3 under the State program under this part
4 in the State for the most recent year for
5 which information is available; over

6 “(ii) the total number of births in
7 families receiving assistance under the
8 State program under this part in the State
9 for the year.

10 “(B) NET CHANGES IN THE OUT-OF-WED-
11 LOCK RATIO.—The difference between the ratio
12 described in subparagraph (A) with respect to
13 a State for the most recent year for which such
14 information is available and the ratio with re-
15 spect to the State for the immediately preceding
16 year.”.

17 (c) FUNDING OF PRIOR AUTHORIZED DEMONSTRA-
18 TIONS.—Section 413(h)(1)(D) (42 U.S.C. 613(h)(1)(D))
19 is amended by striking “September 30, 1995” and insert-
20 ing “August 22, 1996”.

21 (d) CHILD POVERTY REPORTS.—

22 (1) DELAYED DUE DATE FOR INITIAL RE-
23 PORT.—Section 413(i)(1) (42 U.S.C. 613(i)(1)) is
24 amended by striking “90 days after the date of the

1 enactment of this part” and inserting “November
2 30, 1997”.

3 (2) MODIFICATION OF FACTORS TO BE USED IN
4 ESTABLISHING METHODOLOGY FOR USE IN DETER-
5 MINING CHILD POVERTY RATES.—Section 413(i)(5)
6 (42 U.S.C. 613(i)(5)) is amended by striking “the
7 county-by-county” and inserting “, to the extent
8 available, county-by-county”.

9 **SEC. 111. REPORT ON DATA PROCESSING.**

10 Section 106(a)(1) of the Personal Responsibility and
11 Work Opportunity Reconciliation Act of 1996 (Public Law
12 104–193; 110 Stat. 2164) is amended by striking
13 “(whether in effect before or after October 1, 1995)”.

14 **SEC. 112. STUDY ON ALTERNATIVE OUTCOMES MEASURES.**

15 Section 107(a) of the Personal Responsibility and
16 Work Opportunity Reconciliation Act of 1996 (Public Law
17 104–193; 110 Stat. 2164) is amended by striking
18 “409(a)(7)(C)” and inserting “408(a)(7)(C)”.

19 **SEC. 113. LIMITATION ON PAYMENTS TO THE TERRITORIES.**

20 (a) CERTAIN PAYMENTS TO BE DISREGARDED IN
21 DETERMINING LIMITATION.—Section 1108(a) (42 U.S.C.
22 1308) is amended to read as follows:

23 “(a) LIMITATION ON TOTAL PAYMENTS TO EACH
24 TERRITORY.—

1 “(1) IN GENERAL.—Notwithstanding any other
2 provision of this Act (except for paragraph (2) of
3 this subsection), the total amount certified by the
4 Secretary of Health and Human Services under ti-
5 tles I, X, XIV, and XVI, under parts A and E of
6 title IV, and under subsection (b) of this section, for
7 payment to any territory for a fiscal year shall not
8 exceed the ceiling amount for the territory for the
9 fiscal year.

10 “(2) CERTAIN PAYMENTS DISREGARDED.—
11 Paragraph (1) of this subsection shall be applied
12 without regard to any payment made under section
13 403(a)(2), 403(a)(4), 406, or 413(f).”.

14 (b) CERTAIN CHILD CARE AND SOCIAL SERVICES
15 EXPENDITURES BY TERRITORIES TREATED AS IV–A EX-
16 PENDITURES FOR PURPOSES OF MATCHING GRANT.—
17 Section 1108(b)(1)(A) (42 U.S.C. 1308(b)(1)(A)) is
18 amended by inserting “, including any amount paid to the
19 State under part A of title IV that is transferred in ac-
20 cordance with section 404(d) and expended under the pro-
21 gram to which transferred” before the semicolon.

22 (c) ELIMINATION OF DUPLICATIVE MAINTENANCE
23 OF EFFORT REQUIREMENT.—Section 1108 (42 U.S.C.
24 1308) is amended by striking subsection (e).

1 **SEC. 114. CONFORMING AMENDMENTS TO THE SOCIAL SE-**
2 **CURITY ACT.**

3 (a) AMENDMENTS TO PART D OF TITLE IV.—

4 (1) CORRECTIONS TO DETERMINATION OF PA-
5 TERNITY ESTABLISHMENT PERCENTAGES.—Section
6 452 (42 U.S.C. 652) is amended—

7 (A) in subsection (d)(3)(A), by striking all
8 that follows “for purposes of” and inserting
9 “section 409(a)(8), to achieve the paternity es-
10 tablishment percentages (as defined under sec-
11 tion 452(g)(2)) and other performance meas-
12 ures that may be established by the Secretary,
13 and to submit data under section 454(15)(B)
14 that is complete and reliable, and to substan-
15 tially comply with the requirements of this part;
16 and”; and

17 (B) in subsection (g)(1), by striking “sec-
18 tion 403(h) of this title” and inserting “section
19 409(a)(8)”.

20 (2) ELIMINATION OF OBSOLETE LANGUAGE.—
21 Section 108(c)(8)(C) of the Personal Responsibility
22 and Work Opportunity Reconciliation Act of 1996
23 (Public Law 104–193; 110 Stat. 2165) is amended
24 by inserting “and all that follows through ‘the best
25 interests of such child to do so’”.

1 (3) INSERTION OF LANGUAGE INADVERTENTLY
2 OMITTED.—Section 108(c)(13) of the Personal Re-
3 sponsibility and Work Opportunity Reconciliation
4 Act of 1996 (Public Law 104–193; 110 Stat. 2166)
5 is amended by inserting “and inserting ‘pursuant to
6 section 408(a)(3)’” before the period.

7 (4) ELIMINATION OF OBSOLETE CROSS REF-
8 ERENCE.—Section 464(a)(1) (42 U.S.C. 664(a)(1))
9 is amended by striking “under section 402(a)(26)”
10 and inserting “pursuant to section 408(a)(3)”.

11 (b) AMENDMENTS TO PART E OF TITLE IV.—

12 (1) CORRECTION OF DATE.—Each of the follow-
13 ing is amended by striking “June 1, 1995” each
14 place such term appears and inserting “July 16,
15 1996”:

16 (A) Section 472(a) (42 U.S.C. 672(a)).

17 (B) Section 472(h) (42 U.S.C. 672(h)).

18 (C) Section 473(a)(2) (42 U.S.C.
19 673(a)(2)).

20 (D) Section 473(b) (42 U.S.C. 673(b)).

21 (2) ELIGIBILITY FOR AFDC DUE TO WAIVER
22 SUFFICIENT TO ESTABLISH ELIGIBILITY FOR FOS-
23 TER CARE MAINTENANCE PAYMENTS.—Section
24 472(a) (42 U.S.C. 672(a)) is amended by inserting
25 “(including, at the option of the State, by reason of

1 a waiver of a provision of part A which is in effect
2 with respect to the State as of July 16, 1996, or
3 which is submitted to the Secretary before August
4 21, 1996, and approved by the Secretary on or be-
5 fore July 1, 1997, if the waiver results in broaden-
6 ing the eligibility of individuals for foster care main-
7 tenance payments under this section)” before “but
8 for”.

9 **SEC. 115. OTHER CONFORMING AMENDMENTS.**

10 (a) **ELIMINATION OF AMENDMENTS INCLUDED INAD-**
11 **VERTENTLY.**—Section 110(l) of the Personal Responsibil-
12 ity and Work Opportunity Reconciliation Act of 1996
13 (Public Law 104–193; 110 Stat. 2173) is amended—

14 (1) by adding “and” at the end of paragraph
15 (6); and

16 (2) by striking paragraph (7) and redesignating
17 paragraph (8) as paragraph (7).

18 (b) **CORRECTION OF INTERNAL CROSS REF-**
19 **ERENCE.**—Section 103(a)(1) of the Personal Responsibil-
20 ity and Work Opportunity Reconciliation Act of 1996
21 (Public Law 104–193; 110 Stat. 2112) is amended by
22 striking “603(b)(2)” and inserting “603(b)”.

1 **SEC. 116. DENIAL OF ASSISTANCE AND BENEFITS FOR**
2 **DRUG-RELATED CONVICTIONS.**

3 Section 115(d)(2) of the Personal Responsibility and
4 Work Opportunity Reconciliation Act of 1996 (Public Law
5 104–193; 110 Stat. 2181) is amended by striking “convic-
6 tions” and inserting “a conviction if the conviction is for
7 conduct”.

8 **SEC. 117. TRANSITION RULE.**

9 Section 116 of the Personal Responsibility and Work
10 Opportunity Reconciliation Act of 1996 (Public Law 104–
11 193; 110 Stat. 2164) is amended—

12 (1) in subsection (a)(2), by inserting “(but sub-
13 ject to subsection (b)(1)(A)(ii))” after “this sec-
14 tion”; and

15 (2) in subsection (b)(1)(A)(ii), by striking
16 “June 30, 1997” and inserting “the later of June
17 30, 1997, or the day before the date described in
18 subsection (a)(2)(B) of this section”.

19 **SEC. 118. EFFECTIVE DATES.**

20 (a) AMENDMENTS TO PART A OF TITLE IV OF THE
21 SOCIAL SECURITY ACT.—The amendments made by this
22 title to a provision of part A of title IV of the Social Secu-
23 rity Act shall take effect as if the amendments had been
24 included in section 103(a) of the Personal Responsibility
25 and Work Opportunity Reconciliation Act of 1996 at the
26 time such section became law.

1 (b) AMENDMENTS TO PARTS D AND E OF TITLE IV
2 OF THE SOCIAL SECURITY ACT.—The amendments made
3 by section 114 of this Act shall take effect as if the amend-
4 ments had been included in section 108 of the Personal
5 Responsibility and Work Opportunity Reconciliation Act
6 of 1996 at the time such section 108 became law.

7 (c) AMENDMENTS TO OTHER AMENDATORY PROVI-
8 SIONS.—The amendments made by section 115(a) of this
9 Act shall take effect as if the amendments had been in-
10 cluded in section 110 of the Personal Responsibility and
11 Work Opportunity Reconciliation Act of 1996 at the time
12 such section 110 became law.

13 (d) AMENDMENTS TO FREESTANDING PROVISIONS
14 OF THE PERSONAL RESPONSIBILITY AND WORK OPPOR-
15 TUNITY RECONCILIATION ACT OF 1996.—The amend-
16 ments made by this title to a provision of the Personal
17 Responsibility and Work Opportunity Reconciliation Act
18 of 1996 that, as of July 1, 1997, will not have become
19 part of another statute shall take effect as if the amend-
20 ments had been included in the provision at the time the
21 provision became law.

1 **TITLE II—SUPPLEMENTAL**
2 **SECURITY INCOME**
3 **Subtitle A—Conforming and**
4 **Technical Amendments**

5 **SEC. 201. CONFORMING AND TECHNICAL AMENDMENTS RE-**
6 **LATING TO ELIGIBILITY RESTRICTIONS**

7 (a) DENIAL OF SSI BENEFITS FOR FUGITIVE FEL-
8 ONS AND PROBATION AND PAROLE VIOLATORS.—Section
9 1611(e)(6) of the Social Security Act (42 U.S.C.
10 1382(e)(6)) is amended by inserting “and section 1106(c)
11 of this Act,” after “of 1986”.

12 (b) TREATMENT OF PRISONERS.—Section
13 1611(e)(1)(I)(i)(II) of the Social Security Act (42 U.S.C.
14 1382(e)(1)(I)(i)(II)) is amended by striking “inmate of
15 the institution” and all that follows through “this sub-
16 paragraph” and inserting “individual who receives in the
17 month preceding the first month throughout which such
18 individual is an inmate of the jail, prison, penal institu-
19 tion, or correctional facility that furnishes information re-
20 specting such individual pursuant to subclause (I), or is
21 confined in the institution (that so furnishes such informa-
22 tion) as described in section 202(x)(1)(A)(ii), a benefit
23 under this title for such preceding month, and who is de-
24 termined by the Commissioner to be ineligible for benefits

1 under this title by reason of confinement based on the in-
2 formation provided by such institution”.

3 (c) CORRECTION OF REFERENCE.—Section
4 1611(e)(1)(I)(i)(I) of the Social Security Act (42 U.S.C.
5 1382(e)(1)(I)(i)(I)) is amended by striking “paragraph
6 (1)” and inserting “this paragraph”.

7 **SEC. 202. CONFORMING AND TECHNICAL AMENDMENTS RE-**
8 **LATING TO BENEFITS FOR DISABLED CHIL-**
9 **DREN.**

10 (a) ELIGIBILITY REDETERMINATIONS FOR CURRENT
11 RECIPIENTS.—Section 211(d)(2) of the Personal Respon-
12 sibility and Work Opportunity Reconciliation Act of 1996
13 (Public Law 104–193, 110 Stat. 2191) is amended by
14 adding at the end the following:

15 “(D) ELIGIBILITY REDETERMINATIONS
16 NOT MADE WITHIN THE TIME PERIOD DE-
17 SCRIBED IN SUBPARAGRAPH (A).—Notwith-
18 standing the provisions of this paragraph, with
19 respect to any child for whom the Commissioner
20 does not perform a redetermination of eligibility
21 within the time period described in subpara-
22 graph (A), the Commissioner shall perform
23 such eligibility redetermination in lieu of a con-
24 tinuing disability review whenever the Commis-
25 sioner determines that a child’s case is subject

1 to redetermination based on the provisions of
2 subparagraph (A), and the provisions of clauses
3 (i) through (iv) of subparagraph (A) shall apply
4 to such redeterminations.”.

5 (b) ELIGIBILITY REDETERMINATIONS AND CONTINU-
6 ING DISABILITY REVIEWS.—

7 (1) DISABILITY ELIGIBILITY REDETERMINA-
8 TIONS REQUIRED FOR SSI RECIPIENTS WHO ATTAIN
9 18 YEARS OF AGE.—Section 1614(a)(3)(H)(iii) of
10 the Social Security Act (42 U.S.C.
11 1382c(a)(3)(H)(iii)) is amended by striking sub-
12 clauses (I) and (II) and all that follows and insert-
13 ing the following:

14 “(I) by applying the criteria used in determin-
15 ing initial eligibility for individuals who are age 18
16 or older; and

17 “(II) either during the 1-year period beginning
18 on the individual’s 18th birthday or, in lieu of a con-
19 tinuing disability review, whenever the Commissioner
20 determines that an individual’s case is subject to a
21 redetermination under this clause.

22 With respect to any redetermination under this clause,
23 paragraph (4) shall not apply.”.

24 (2) CONTINUING DISABILITY REVIEW REQUIRED
25 FOR LOW BIRTH WEIGHT BABIES.—Section

1 1614(a)(3)(H)(iv) of the Social Security Act (42
2 U.S.C. 1382c(a)(3)(H)(iv)) is amended—

3 (A) in subclause (I), by striking “Not” and
4 inserting “Except as provided in subclause (VI),
5 not”; and

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

7 “(VI) Subclause (I) shall not apply in the case of an
8 individual described in that subclause who, at the time of
9 the individual’s initial disability determination, the Com-
10 missioner determines has an impairment that is not ex-
11 pected to improve within 12 months after the birth of that
12 individual, and who the Commissioner schedules for a con-
13 tinuing disability review at a date that is after the individ-
14 ual attains 1 year of age.”.

15 (c) ADDITIONAL ACCOUNTABILITY REQUIRE-
16 MENTS.—Section 1631(a)(2)(F) of the Social Security Act
17 (42 U.S.C. 1383(a)(2)(F)) is amended—

18 (1) in clause (ii)(III)(bb), by striking “the total
19 amount” and all that follows through “1613(c)” and
20 inserting “in any case in which the individual know-
21 ingly misapplies benefits from such an account, the
22 Commissioner shall reduce future benefits payable to
23 such individual (or to such individual and his
24 spouse) by an amount equal to the total amount of
25 such benefits so misapplied”; and

1 (2) by striking clause (iii) and inserting the fol-
2 lowing:

3 “(iii) The representative payee may deposit into the
4 account established under clause (i) any other funds rep-
5 resenting past due benefits under this title to the eligible
6 individual, provided that the amount of such past due ben-
7 efits is equal to or exceeds the maximum monthly benefit
8 payable under this title to an eligible individual (including
9 State supplementary payments made by the Commissioner
10 pursuant to an agreement under section 1616 or section
11 212(b) of Public Law 93–66).”.

12 (d) REDUCTION IN CASH BENEFITS PAYABLE TO IN-
13 STITUTIONALIZED INDIVIDUALS WHOSE MEDICAL COSTS
14 ARE COVERED BY PRIVATE INSURANCE.—Section
15 1611(e) of the Social Security Act (42 U.S.C. 1382(e))
16 is amended—

17 (1) in paragraph (1)(B)—

18 (A) in the matter preceding clause (i), by
19 striking “hospital, extended care facility, nurs-
20 ing home, or intermediate care facility” and in-
21 serting “medical treatment facility”;

22 (B) in clause (ii)—

23 (i) in the matter preceding subclause
24 (I), by striking “hospital, home or”; and

1 (ii) in subclause (I), by striking “hos-
2 pital, home, or”;

3 (C) in clause (iii), by striking “hospital,
4 home, or”; and

5 (D) in the matter following clause (iii), by
6 striking “hospital, extended care facility, nurs-
7 ing home, or intermediate care facility which is
8 a ‘medical institution or nursing facility’ within
9 the meaning of section 1917(c)” and inserting
10 “medical treatment facility that provides serv-
11 ices described in section 1917(c)(1)(C)”;

12 (2) in paragraph (1)(E)—

13 (A) in clause (i)(II), by striking “hospital,
14 extended care facility, nursing home, or inter-
15 mediate care facility” and inserting “medical
16 treatment facility”; and

17 (B) in clause (iii), by striking “hospital,
18 extended care facility, nursing home, or inter-
19 mediate care facility” and inserting “medical
20 treatment facility”;

21 (3) in paragraph (1)(G), in the matter preced-
22 ing clause (i)—

23 (A) by striking “or which is a hospital, ex-
24 tended care facility, nursing home, or inter-

1 mediate care” and inserting “or is in a medical
2 treatment”; and

3 (B) by inserting “or, in the case of an in-
4 dividual who is a child under the age of 18,
5 under any health insurance policy issued by a
6 private provider of such insurance” after “title
7 XIX”; and

8 (4) in paragraph (3)—

9 (A) by striking “same hospital, home, or
10 facility” and inserting “same medical treatment
11 facility”; and

12 (B) by striking “same such hospital, home,
13 or facility” and inserting “same such facility”.

14 (e) CORRECTION OF U.S.C. CITATION.—Section
15 211(e) of the Personal Responsibility and Work Oppor-
16 tunity Reconciliation Act of 1996 (Public Law 104–193;
17 110 Stat. 2189) is amended by striking “1382(a)(4)” and
18 inserting “1382c(a)(4)”.

19 **SEC. 203. ADDITIONAL TECHNICAL AMENDMENTS TO TITLE**

20 **II.**

21 Title II of the Social Security Act (42 U.S.C. 401
22 et seq.) is amended—

23 (1) in section 205(j)(4)(B)(i), by adding “and”
24 at the end; and

1 (B) by inserting “(or the Commissioner, as
2 applicable)” after “Secretary” the second place
3 it appears.

4 **SEC. 206. EFFECTIVE DATES.**

5 (a) IN GENERAL.—Except as provided in subsection
6 (b), the amendments made by this subtitle shall take effect
7 as if included in the enactment of title II of the Personal
8 Responsibility and Work Opportunity Reconciliation Act
9 of 1996 (Public Law 104–193; 110 Stat. 2185).

10 (b) EXCEPTION.—The amendments made by section
11 205 shall take effect as if included in the enactment of
12 the Social Security Independence and Program Improve-
13 ments Act of 1994 (Public Law 103–296; 108 Stat.
14 1464).

15 **Subtitle B—Additional**
16 **Amendments**

17 **SEC. 221. TECHNICAL AMENDMENTS RELATING TO DRUG**
18 **ADDICTS AND ALCOHOLICS.**

19 (a) CLARIFICATIONS RELATING TO THE EFFECTIVE
20 DATE OF THE DENIAL OF DISABILITY BENEFITS TO
21 DRUG ADDICTS AND ALCOHOLICS.—

22 (1) AMENDMENTS RELATING TO DISABILITY
23 BENEFITS UNDER TITLE II.—Section 105(a)(5) of
24 the Contract with America Advancement Act of

1 1996 (Public Law 104–121; 110 Stat. 853) is
2 amended—

3 (A) in subparagraph (A), by striking “by
4 the Commissioner of Social Security” and “by
5 the Commissioner”; and

6 (B) by adding at the end the following new
7 subparagraphs:

8 “(D) For purposes of this paragraph, an
9 individual’s claim, with respect to benefits
10 under title II of the Social Security Act based on
11 disability, which has been denied in whole be-
12 fore the date of the enactment of this Act, may
13 not be considered to be finally adjudicated be-
14 fore such date if, on or after such date—

15 “(i) there is pending a request for ei-
16 ther administrative or judicial review with
17 respect to such claim, or

18 “(ii) there is pending, with respect to
19 such claim, a readjudication by the Com-
20 missioner of Social Security pursuant to
21 relief in a class action or implementation
22 by the Commissioner of a court remand
23 order.

24 “(E) Notwithstanding the provisions of
25 this paragraph, with respect to any individual

1 for whom the Commissioner of Social Security
2 does not perform the entitlement redetermina-
3 tion before the date prescribed in subparagraph
4 (C), the Commissioner shall perform such enti-
5 tlement redetermination in lieu of a continuing
6 disability review whenever the Commissioner de-
7 termines that the individual’s entitlement is
8 subject to redetermination based on the preced-
9 ing provisions of this paragraph, and the provi-
10 sions of section 223(f) of the Social Security
11 Act shall not apply to such redetermination.”.

12 (2) AMENDMENTS RELATING TO SUPPLE-
13 MENTAL SECURITY INCOME DISABILITY BENEFITS
14 UNDER TITLE XVI.—Section 105(b)(5) of such Act
15 (Public Law 104–121; 110 Stat. 853) is amended—

16 (A) in subparagraph (A), by striking “by
17 the Commissioner of Social Security” and “by
18 the Commissioner”; and

19 (B) by redesignating subparagraph (D) as
20 subparagraph (F) and by inserting after sub-
21 paragraph (C) the following new subpara-
22 graphs:

23 “(D) For purposes of this paragraph, an
24 individual’s claim, with respect to supplemental
25 security income benefits under title XVI of the

1 Social Security Act based on disability, which
2 has been denied in whole before the date of the
3 enactment of this Act, may not be considered
4 to be finally adjudicated before such date if, on
5 or after such date—

6 “(i) there is pending a request for ei-
7 ther administrative or judicial review with
8 respect to such claim, or

9 “(ii) there is pending, with respect to
10 such claim, a readjudication by the Com-
11 missioner of Social Security pursuant to
12 relief in a class action or implementation
13 by the Commissioner of a court remand
14 order.

15 “(E) Notwithstanding the provisions of
16 this paragraph, with respect to any individual
17 for whom the Commissioner does not perform
18 the eligibility redetermination before the date
19 prescribed in subparagraph (C), the Commis-
20 sioner shall perform such eligibility redeter-
21 mination in lieu of a continuing disability re-
22 view whenever the Commissioner determines
23 that the individual’s eligibility is subject to re-
24 determination based on the preceding provisions
25 of this paragraph, and the provisions of section

1 1614(a)(4) of the Social Security Act shall not
2 apply to such redetermination.”.

3 (b) CORRECTIONS TO EFFECTIVE DATE OF PROVI-
4 SIONS CONCERNING REPRESENTATIVE PAYEES AND
5 TREATMENT REFERRALS OF DRUG ADDICTS AND ALCO-
6 HOLICS.—

7 (1) AMENDMENTS RELATING TO TITLE II DIS-
8 ABILITY BENEFICIARIES.—Section 105(a)(5)(B) of
9 such Act (Public Law 104–121; 110 Stat. 853) is
10 amended to read as follows:

11 “(B) The amendments made by para-
12 graphs (2) and (3) shall take effect on July 1,
13 1996, with respect to any individual—

14 “(i) whose claim for benefits is finally
15 adjudicated on or after the date of the en-
16 actment of this Act, or

17 “(ii) whose entitlement to benefits is
18 based upon an entitlement redetermination
19 made pursuant to subparagraph (C).”.

20 (2) AMENDMENTS RELATING TO SUPPLE-
21 MENTAL SECURITY INCOME RECIPIENTS.—Section
22 105(b)(5)(B) of such Act (Public Law 104–121; 110
23 Stat. 853) is amended to read as follows:

1 “(B) The amendments made by para-
2 graphs (2) and (3) shall take effect on July 1,
3 1996, with respect to any individual—

4 “(i) whose claim for benefits is finally
5 adjudicated on or after the date of the en-
6 actment of this Act, or

7 “(ii) whose eligibility for benefits is
8 based upon an eligibility redetermination
9 made pursuant to subparagraph (C).”.

10 (c) REPEAL OF OBSOLETE REPORTING REQUIRE-
11 MENTS.—Subsections (a)(3)(B) and (b)(3)(B)(ii) of sec-
12 tion 201 of the Social Security Independence and Program
13 Improvements Act of 1994 (Public Law 103–296; 108
14 Stat. 1497, 1504) are repealed.

15 (d) EFFECTIVE DATES.—

16 (1) IN GENERAL.—The amendments made by
17 subsections (a) and (b) shall take effect as if in-
18 cluded in the enactment of section 105 of the Con-
19 tract with America Advancement Act of 1996 (Pub-
20 lic Law 104–121; 110 Stat. 852 et seq.).

21 (2) REPEALS.—The repeals made by subsection
22 (c) shall take effect on the date of the enactment of
23 this Act.

1 **SEC. 222. EXTENSION OF DISABILITY INSURANCE PRO-**
2 **GRAM DEMONSTRATION PROJECT AUTHOR-**
3 **ITY.**

4 (a) IN GENERAL.—Section 505 of the Social Security
5 Disability Amendments of 1980 (Public Law 96–265; 94
6 Stat. 473), as amended by section 12101 of the Consoli-
7 dated Omnibus Budget Reconciliation Act of 1985 (Public
8 Law 99–272; 100 Stat. 282), section 10103 of the Omni-
9 bus Budget Reconciliation Act of 1989 (Public Law 101–
10 239; 103 Stat. 2472), section 5120(f) of the Omnibus
11 Budget Reconciliation Act of 1990 (Public Law 101–508;
12 104 Stat. 1388–282), and section 315 of the Social Secu-
13 rity Independence and Program Improvements Act of
14 1994 (Public Law 103–296; 108 Stat. 1531), is further
15 amended—

16 (1) in paragraph (1) of subsection (a), by add-
17 ing at the end the following new sentence: “The
18 Commissioner may expand the scope of any such ex-
19 periment or demonstration project to include any
20 group of applicants for benefits under such program
21 with impairments which may reasonably be pre-
22 sumed to be disabling for purposes of such experi-
23 ment or demonstration project, and may limit any
24 such experiment or demonstration project to any
25 such group of applicants, subject to the terms of

1 such experiment or demonstration project which
2 shall define the extent of any such presumption.”;

3 (2) in paragraph (3) of subsection (a), by strik-
4 ing “June 10, 1996” and inserting “June 10,
5 1999”;

6 (3) in paragraph (4) of subsection (a), by in-
7 serting “and on or before October 1, 1998,” after
8 “1995,”; and

9 (4) in subsection (c), by striking “October 1,
10 1996” and inserting “October 1, 1999”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 subsection (a) shall take effect on the date of the enact-
13 ment of this Act.

14 **SEC. 223. PERFECTING AMENDMENTS RELATED TO WITH-**
15 **HOLDING FROM SOCIAL SECURITY BENEFITS.**

16 (a) INAPPLICABILITY OF ASSIGNMENT PROHIBI-
17 TION.—Section 207 of the Social Security Act (42 U.S.C.
18 407) is amended by adding at the end the following new
19 subsection:

20 “(c) Nothing in this section shall be construed to pro-
21 hibit withholding taxes from any benefit under this title,
22 if such withholding is done pursuant to a request made
23 in accordance with section 3402(p)(1) of the Internal Rev-
24 enue Code of 1986 by the person entitled to such benefit
25 or such persons’ representative payee.”.

1 (b) PROPER ALLOCATION OF COSTS OF WITHHOLD-
2 ING BETWEEN THE TRUST FUNDS AND THE GENERAL
3 FUND.—Section 201(g) of such Act (42 U.S.C. 401(g))
4 is amended—

5 (1) by inserting before the period in paragraph
6 (1)(A)(ii) the following: “and the functions of the
7 Social Security Administration in connection with
8 the withholding of taxes from benefits, as described
9 in section 207(c), pursuant to requests by persons
10 entitled to such benefits or such persons’ representa-
11 tive payee”;

12 (2) by inserting before the period at the end of
13 paragraph (1)(A) the following: “and the functions
14 of the Social Security Administration in connection
15 with the withholding of taxes from benefits, as de-
16 scribed in section 207(c), pursuant to requests by
17 persons entitled to such benefits or such persons’
18 representative payee”;

19 (3) in paragraph (1)(B)(i)(I), by striking “sub-
20 paragraph (A)),” and inserting “subparagraph (A))
21 and the functions of the Social Security Administra-
22 tion in connection with the withholding of taxes from
23 benefits, as described in section 207(c), pursuant to
24 requests by persons entitled to such benefits or such
25 persons’ representative payee,”;

1 (4) in paragraph (1)(C)(iii), by inserting before
2 the period the following: “and the functions of the
3 Social Security Administration in connection with
4 the withholding of taxes from benefits, as described
5 in section 207(c), pursuant to requests by persons
6 entitled to such benefits or such persons’ representa-
7 tive payee”;

8 (5) in paragraph (1)(D), by inserting after
9 “section 232” the following: “and the functions of
10 the Social Security Administration in connection
11 with the withholding of taxes from benefits as de-
12 scribed in section 207(c)”;

13 (6) in paragraph (4), by inserting after the first
14 sentence the following: “The Board of Trustees of
15 such Trust Funds shall prescribe before January 1,
16 1998, the method of determining the costs which
17 should be borne by the general fund in the Treasury
18 of carrying out the functions of the Social Security
19 Administration in connection with the withholding of
20 taxes from benefits, as described in section 207(c),
21 pursuant to requests by persons entitled to such
22 benefits or such persons’ representative payee.”.

23 (c) EFFECTIVE DATE.—The amendments made by
24 subsection (b) shall apply to benefits paid on or after the

1 first day of the second month beginning after the month
2 in which this Act is enacted.

3 **SEC. 224. TREATMENT OF PRISONERS.**

4 (a) IMPLEMENTATION OF PROHIBITION AGAINST
5 PAYMENT OF TITLE II BENEFITS TO PRISONERS.—

6 (1) IN GENERAL.—Section 202(x)(3) of the So-
7 cial Security Act (42 U.S.C. 402(x)(3)) is amend-
8 ed—

9 (A) by inserting “(A)” after “(3)”; and

10 (B) by adding at the end the following new
11 subparagraph:

12 “(B)(i) The Commissioner shall enter into an agree-
13 ment, with any interested State or local institution com-
14 prising a jail, prison, penal institution, correctional facil-
15 ity, or other institution a purpose of which is to confine
16 individuals as described in paragraph (1)(A), under
17 which—

18 “(I) the institution shall provide to the Com-
19 missioner, on a monthly basis and in a manner spec-
20 ified by the Commissioner, the names, social security
21 account numbers, dates of birth, confinement com-
22 mencement dates, and, to the extent available to the
23 institution, such other identifying information con-
24 cerning the individuals confined in the institution as

1 the Commissioner may require for the purpose of
2 carrying out paragraph (1); and

3 “(II) the Commissioner shall pay to the institu-
4 tion, with respect to information described in sub-
5 clause (I) concerning each individual who is confined
6 therein as described in paragraph (1)(A), to whom
7 a benefit under this title is payable for the month
8 preceding the first month of such confinement, and
9 whose benefit under this title is determined by the
10 Commissioner to be not payable by reason of con-
11 finement based on the information provided by the
12 institution, \$400 (subject to reduction under clause
13 (ii)) if the institution furnishes the information to
14 the Commissioner within 30 days after the date such
15 individual’s confinement in such institution begins,
16 or \$200 (subject to reduction under clause (ii)) if
17 the institution furnishes the information after 30
18 days after such date but within 90 days after such
19 date.

20 “(ii) The dollar amounts specified in clause (i)(II)
21 shall be reduced by 50 percent if the Commissioner is also
22 required to make a payment to the institution with respect
23 to the same individual under an agreement entered into
24 under section 1611(e)(1)(I).

1 “(iii) There shall be transferred from the Federal
2 Old-Age and Survivors Insurance Trust Fund and the
3 Federal Disability Insurance Trust Fund, as appropriate,
4 such sums as may be necessary to enable the Commis-
5 sioner to make payments to institutions required by clause
6 (i)(II). Sums so transferred shall be treated as direct
7 spending for purposes of the Balanced Budget and Emer-
8 gency Deficit Control Act of 1985 and excluded from
9 budget totals in accordance with section 13301 of the
10 Budget Enforcement Act of 1990.

11 “(iv) The Commissioner is authorized to provide, on
12 a reimbursable basis, information obtained pursuant to
13 agreements entered into under clause (i) to any agency
14 administering a Federal or federally-assisted cash, food,
15 or medical assistance program for eligibility purposes.”.

16 (2) EFFECTIVE DATE.—The amendments made
17 by this subsection shall apply to individuals whose
18 period of confinement in an institution commences
19 on or after the first day of the fourth month begin-
20 ning after the month in which this Act is enacted.

21 (b) ELIMINATION OF TITLE II REQUIREMENT THAT
22 CONFINEMENT STEM FROM CRIME PUNISHABLE BY IM-
23 PRISONMENT FOR MORE THAN 1 YEAR.—

24 (1) IN GENERAL.—Section 202(x)(1)(A) of such
25 Act (42 U.S.C. 402(x)(1)(A)) is amended—

1 (A) in the matter preceding clause (i), by
2 striking “during” and inserting “throughout”;

3 (B) in clause (i), by striking “an offense
4 punishable by imprisonment for more than 1
5 year (regardless of the actual sentence im-
6 posed)” and inserting “a criminal offense”; and

7 (C) in clause (ii)(I), by striking “an of-
8 fense punishable by imprisonment for more
9 than 1 year” and inserting “a criminal of-
10 fense”.

11 (2) EFFECTIVE DATE.—The amendments made
12 by this subsection shall apply to individuals whose
13 period of confinement in an institution commences
14 on or after the first day of the fourth month begin-
15 ning after the month in which this Act is enacted.

16 (c) INCLUSION OF TITLE II ISSUES IN STUDY AND
17 REPORT REQUIREMENTS RELATING TO PRISONERS.—

18 (1) IN GENERAL.—Section 203(b)(1) of the
19 Personal Responsibility and Work Opportunity Rec-
20 onciliation Act of 1996 (Public Law 104–193) is
21 amended—

22 (A) in subparagraph (A), by striking “sec-
23 tion 1611(e)(1)” and inserting “sections 202(x)
24 and 1611(e)(1)”; and

1 (B) in subparagraph (B), by striking “sec-
2 tion 1611(e)(1)(I)” and inserting “section
3 202(x)(3)(B) or 1611(e)(1)(I)”.

4 (2) CONFORMING AMENDMENT.—Section
5 203(c) of such Act is amended by striking “section
6 1611(e)(1)(I)” and all that follows and inserting the
7 following: “sections 202(x)(3)(B) and 1611(e)(1)(I)
8 of the Social Security Act.”.

9 (3) APPLICATION.—The amendments made by
10 paragraph (1) shall apply as if included in the enact-
11 ment of section 203(b) of the Personal Responsibil-
12 ity and Work Opportunity Reconciliation Act of
13 1996 (Public Law 104–193). The amendment made
14 by paragraph (2) shall apply as if included in the
15 enactment of section 203(c) of such Act.

16 (d) CONFORMING TITLE XVI AMENDMENTS.—

17 (1) FIFTY PERCENT REDUCTION IN TITLE XVI
18 PAYMENT IN CASE INVOLVING COMPARABLE TITLE II
19 PAYMENT.—Section 1611(e)(1)(I) of the Social Se-
20 curity Act (as amended by section 201(b) of this
21 Act) is amended further—

22 (A) in clause (i)(II), by inserting “(subject
23 to reduction under clause (ii))” after “\$400”
24 and after “\$200”;

1 (B) by redesignating clauses (ii) and (iii)
2 as clauses (iii) and (iv) respectively; and

3 (C) by inserting after clause (i) the follow-
4 ing new clause:

5 “(ii) The dollar amounts specified in clause (i)(II)
6 shall be reduced by 50 percent if the Commissioner is also
7 required to make a payment to the institution with respect
8 to the same individual under an agreement entered into
9 under section 202(x)(3)(B).”.

10 (2) EXPANSION OF CATEGORIES OF INSTITU-
11 TIONS ELIGIBLE TO ENTER INTO AGREEMENTS WITH
12 THE COMMISSIONER.—Section 1611(e)(1)(I)(i) of
13 such Act (as added by section 203(a)(1) of the Per-
14 sonal Responsibility and Work Opportunity Rec-
15 onciliation Act of 1996 (Public Law 104–193)) is
16 amended in the matter preceding subclause (I) by
17 striking “institution” and all that follows through
18 “section 202(x)(1)(A),” and inserting “institution
19 comprising a jail, prison, penal institution, or correc-
20 tional facility, or with any other interested State or
21 local institution a purpose of which is to confine in-
22 dividuals as described in section 202(x)(1)(A)(ii),”.

23 (3) EFFECTIVE DATE.—The amendments made
24 by this subsection shall take effect as if included in
25 the enactment of section 203(a) of the Personal Re-

1 sponsibility and Work Opportunity Reconciliation
2 Act of 1996 (Public Law 104–193; 110 Stat. 2186).
3 The reference to section 202(x)(1)(A)(ii) of the So-
4 cial Security Act in section 1611(e)(1)(I)(i) of such
5 Act as amended by paragraph (2) shall be deemed
6 a reference to such section 202(x)(1)(A)(ii) as
7 amended by subsection (b)(1)(C).

8 (e) EXEMPTION FROM COMPUTER MATCHING RE-
9 QUIREMENTS.—

10 (1) IN GENERAL.—Section 552a(a)(8)(B) of
11 title 5, United States Code, is amended—

12 (A) by striking “or” at the end of clause
13 (vi);

14 (B) by inserting “or” at the end of clause
15 (vii); and

16 (C) by inserting after clause (vii) the fol-
17 lowing new clause:

18 “(viii) matches performed pursuant to
19 section 202(x), 205(j), 1611(e)(1), or
20 1631(a)(2) of the Social Security Act;”.

21 (2) CONFORMING AMENDMENT.—Section
22 1611(e)(1)(I)(ii) of the Social Security Act (as
23 added by section 203(a)(1) of the Personal Respon-
24 sibility and Work Opportunity Reconciliation Act of
25 1996 (Public Law 104–193) is amended further—

1 (A) by striking “(I) The provisions” and
2 all that follows through “(II) The Commis-
3 sioner” and inserting “The Commissioner”; and

4 (B) by inserting “agency administering a”
5 before “Federal or federally–assisted”.

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

9 (f) CONTINUED DENIAL OF BENEFITS TO SEX OF-
10 FENDERS REMAINING CONFINED TO PUBLIC INSTITU-
11 TIONS UPON COMPLETION OF PRISON TERM.—

12 (1) IN GENERAL.—Section 202(x)(1)(A) of the
13 Social Security Act (42 U.S.C. 402(x)(1)(A)) is
14 amended—

15 (A) in clause (i), by striking “or” at the
16 end;

17 (B) in clause (ii)(IV), by striking the pe-
18 riod and inserting “, or”; and

19 (C) by adding at the end the following new
20 clause:

21 “(iii) immediately upon completion of confine-
22 ment as described in clause (i) pursuant to convic-
23 tion of a criminal offense an element of which is sex-
24 ual activity, is confined by court order in an institu-
25 tion at public expense pursuant to a finding that the

1 individual is a sexually dangerous person or a sexual
2 predator or a similar finding.”.

3 (2) EFFECTIVE DATE.—The amendments made
4 by this subsection shall apply with respect to bene-
5 fits for months ending after the date of the enact-
6 ment of this Act.

7 **SEC. 225. SOCIAL SECURITY ADVISORY BOARD PERSONNEL.**

8 (a) IN GENERAL.—Section 703(i) of the Social Secu-
9 rity Act (42 U.S.C. 903(i)) is amended—

10 (1) in the first sentence, by striking “, and
11 three” and all that follows through “Board,”; and

12 (2) in the last sentence, by striking “clerical”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 subsection (a) shall take effect as if included in the enact-
15 ment of section 108 of the Contract with America Ad-
16 vancement Act of 1996 (Public Law 104–121; 110 Stat.
17 857).

18 **TITLE III—CHILD SUPPORT**

19 **SEC. 301. STATE OBLIGATION TO PROVIDE CHILD SUPPORT**
20 **ENFORCEMENT SERVICES.**

21 (a) INDIVIDUALS SUBJECT TO FEE FOR CHILD SUP-
22 PORT ENFORCEMENT SERVICES.—Section 454(6)(B) of
23 the Social Security Act (42 U.S.C. 654(6)(B)) is amended
24 by striking “individuals not receiving assistance under any
25 State program funded under part A, which” and inserting

1 “an individual, other than an individual receiving assist-
2 ance under a State program funded under part A or E,
3 or under a State plan approved under title XIX, or who
4 is required by the State to cooperate with the State agency
5 administering the program under this part pursuant to
6 subsection (l) or (m) of section 6 of the Food Stamp Act
7 of 1977, and”.

8 (b) CORRECTION OF REFERENCE.—Section
9 464(a)(2)(A) of the Social Security Act (42 U.S.C.
10 654(a)(2)(A)) is amended in the first sentence by striking
11 “section 454(6)” and inserting “section 454(4)(A)(ii)”.

12 **SEC. 302. DISTRIBUTION OF COLLECTED SUPPORT.**

13 (a) CONTINUATION OF ASSIGNMENTS.—Section
14 457(b) of the Social Security Act (42 U.S.C. 657(b)) is
15 amended—

16 (1) by striking “which were assigned” and in-
17 serting “assigned”; and

18 (2) by striking “and which were in effect” and
19 all that follows and inserting “and in effect on Sep-
20 tember 30, 1997 (or such earlier date, on or after
21 August 22, 1996, as the State may choose), shall re-
22 main assigned after such date.”.

23 (b) STATE OPTION FOR APPLICABILITY.—

1 (1) IN GENERAL.—Section 457(a) of the Social
2 Security Act (42 U.S.C. 657(a)) is amended by add-
3 ing at the end the following:

4 “(6) STATE OPTION FOR APPLICABILITY.—Not-
5 withstanding any other provision of this subsection,
6 a State may elect—

7 “(A) to apply the rules described in clauses
8 (i)(II), (ii)(II), and (v) of paragraph (2)(B) to
9 support arrearages collected on and after Octo-
10 ber 1, 1998; and

11 “(B) to apply the provisions of this section,
12 as in effect and applied on the day before the
13 date of enactment of section 302 of the Per-
14 sonal Responsibility and Work Opportunity Act
15 of 1996 (Public Law 104–193, 110 Stat.
16 2200), other than subsection (b)(1) (as so in ef-
17 fect), to amounts collected before October 1,
18 1998.”.

19 (2) CONFORMING AMENDMENTS.—Section
20 408(a)(3)(A) of the Social Security Act (42 U.S.C.
21 608(a)(3)(A)) is amended—

22 (A) in clause (i), by inserting “(I)” after
23 “(i)”;

24 (B) in clause (ii)—

1 (i) by striking “(ii)” and inserting
2 “(II)”; and

3 (ii) by striking the period and insert-
4 ing “; or”; and

5 (C) by adding at the end, the following:

6 “(ii) if the State elects to distribute
7 collections under section 457(a)(6), the
8 date the family ceases to receive assistance
9 under the program, if the assignment is
10 executed on or after October 1, 1998.”.

11 (c) DISTRIBUTION OF COLLECTIONS WITH RESPECT
12 TO FAMILIES RECEIVING ASSISTANCE.—Section
13 457(a)(1) of the Social Security Act (42 U.S.C. 657(a)(1))
14 is amended by adding at the end the following flush lan-
15 guage:

16 “In no event shall the total of the amounts paid to
17 the Federal Government and retained by the State
18 exceed the total of the amounts that have been paid
19 to the family as assistance by the State.”.

20 (d) FAMILIES UNDER CERTAIN AGREEMENTS.—Sec-
21 tion 457(a)(4) of the Social Security Act (42 U.S.C.
22 657(a)(4)) is amended to read as follows:

23 “(4) FAMILIES UNDER CERTAIN AGREE-
24 MENTS.—In the case of an amount collected for a
25 family in accordance with a cooperative agreement

1 under section 454(33), distribute the amount so col-
2 lected pursuant to the terms of the agreement.”.

3 (e) STUDY AND REPORT.—Section 457(a)(5) of the
4 Social Security Act (42 U.S.C. 657(a)(5)) is amended by
5 striking “1998” and inserting “1999”.

6 (f) CORRECTIONS OF REFERENCES.—Section
7 457(a)(2)(B) of the Social Security Act (42 U.S.C.
8 657(a)(2)(B)) is amended—

9 (1) in clauses (i)(I) and (ii)(I), by striking
10 “(other than subsection (b)(1))” each place it ap-
11 pears and inserting “(other than subsection (b)(1)
12 (as so in effect))” after “1996” each place it ap-
13 pears; and

14 (2) in clause (ii)(II), by striking “paragraph
15 (4)” and inserting “paragraph (5)”.

16 (g) CORRECTION OF TERRITORIAL MATCH.—Section
17 457(c)(3)(A) of the Social Security Act (42 U.S.C.
18 657(c)(3)(A)) is amended by striking “the Federal medi-
19 cal assistance percentage (as defined in section 1118)”
20 and inserting “75 percent”.

21 (h) DEFINITIONS.—

22 (1) FEDERAL SHARE.—Section 457(c)(2) of the
23 Social Security Act (42 U.S.C. 657(c)(2)) is amend-
24 ed by striking “collected” the second place it ap-
25 pears and inserting “distributed”.

1 (2) FEDERAL MEDICAL ASSISTANCE PERCENT-
2 AGE.—Section 457(c)(3)(B) of the Social Security
3 Act (42 U.S.C. 657(c)(3)(B)) is amended by striking
4 “as in effect on September 30, 1996” and inserting
5 “as such section was in effect on September 30,
6 1995”.

7 (i) CONFORMING AMENDMENTS.—

8 (1) Section 464(a)(2)(A) of the Social Security
9 Act (42 U.S.C. 664(a)(2)(A)) is amended, in the pe-
10 nultimate sentence, by inserting “in accordance with
11 section 457” after “owed”.

12 (2) Section 466(a)(3)(B) of the Social Security
13 Act (42 U.S.C. 666(a)(3)(B)) is amended by strik-
14 ing “457(b)(4) or (d)(3)” and inserting “457”.

15 **SEC. 303. CIVIL PENALTIES RELATING TO STATE DIREC-**
16 **TORY OF NEW HIRES.**

17 Section 453A of the Social Security Act (42 U.S.C.
18 653a) is amended—

19 (1) in subsection (d)—

20 (A) in the matter preceding paragraph (1),
21 by striking “shall be less than” and inserting
22 “shall not exceed”; and

23 (B) in paragraph (1), by striking “\$25”
24 and inserting “\$25 per failure to meet the re-

1 requirements of this section with respect to a
2 newly hired employee”; and

3 (2) in subsection (g)(2)(B), by striking “ex-
4 tracts” and all that follows through “Labor” and in-
5 sserting “information”.

6 **SEC. 304. FEDERAL PARENT LOCATOR SERVICE.**

7 (a) IN GENERAL.—Section 453 of the Social Security
8 Act (42 U.S.C. 653) is amended—

9 (1) in subsection (a)—

10 (A) in the matter preceding paragraph (1),
11 by striking “obligations, or enforcing child cus-
12 tody or visitation orders—” and inserting “obli-
13 gations—”;

14 (B) in paragraph (1)(A), by striking “or
15 provide child custody or visitation rights”;

16 (C) in paragraph (3), by striking the pe-
17 riod and inserting a comma; and

18 (D) by inserting after paragraph (3), the
19 following flush language:

20 “and which shall be used to obtain and transmit informa-
21 tion pursuant to section 463 for the purposes of enforcing
22 any State or Federal law with respect to the unlawful tak-
23 ing or restraint of a child, or making or enforcing a child
24 custody determination.”; and

25 (2) in subsection (c)—

1 (A) in paragraph (1), by striking “or to
2 seek to enforce orders providing child custody
3 or visitation rights”; and

4 (B) in paragraph (2), by striking “or to
5 issue an order against a resident parent for
6 child custody or visitation rights”.

7 (b) **USE OF THE FEDERAL PARENT LOCATOR SERV-**
8 **ICE.**—Section 463 of the Social Security Act (42 U.S.C.
9 663) is amended—

10 (1) in subsection (a)—

11 (A) by striking “any State which is able
12 and willing to do so,” and inserting “every
13 State”; and

14 (B) by striking “such State” and inserting
15 “each State”; and

16 (2) by striking “noncustodial” each place it ap-
17 pears.

18 **SEC. 305. ACCESS TO REGISTRY DATA FOR RESEARCH PUR-**
19 **POSES.**

20 (a) **IN GENERAL.**—Section 453(j)(5) of the Social Se-
21 curity Act (42 U.S.C. 653(j)(5)) is amended by inserting
22 “data in each component of the Federal Parent Locator
23 Service maintained under this section and to” before “in-
24 formation”.

1 (b) CONFORMING AMENDMENTS.—Section 453 of the
2 Social Security Act (42 U.S.C. 653) is amended—

3 (1) in subsection (j)(3)(B), by striking “reg-
4 istries” and inserting “components”; and

5 (2) in subsection (k)(2), by striking “subsection
6 (j)(3)” and inserting “section 453A(g)(2)”.

7 **SEC. 306. COLLECTION AND USE OF SOCIAL SECURITY**
8 **NUMBERS FOR USE IN CHILD SUPPORT EN-**
9 **FORCEMENT.**

10 (a) RECORDING OF SOCIAL SECURITY NUMBERS.—
11 Section 466(a)(13) of the Social Security Act (42 U.S.C.
12 666(a)(13)) is amended—

13 (1) in subparagraph (A), by striking “commer-
14 cial”; and

15 (2) in the matter following subparagraph (C),
16 by inserting “to be used on the face of the document
17 while the social security number is kept on file at
18 the agency” after “other than the social security
19 number”.

20 (b) CONFORMING AMENDMENTS.—Section
21 205(e)(2)(C) of the Social Security Act (42 U.S.C.
22 405(e)(2)(C)), as amended by section 321(a)(9) of the So-
23 cial Security Independence and Program Improvements
24 Act of 1994, is amended—

1 (1) in clause (i), by striking “may require” and
2 inserting “shall require”;

3 (2) in clause (ii), by inserting after the 1st sen-
4 tence the following: “In the administration of any
5 law involving the issuance of a marriage certificate
6 or license, each State shall require each party named
7 in the certificate or license to furnish to the State
8 (or political subdivision thereof), or any State agen-
9 cy having administrative responsibility for the law
10 involved, the social security number of the party.”;

11 (3) in clause (ii), by inserting “or marriage cer-
12 tificate” after “Such numbers shall not be recorded
13 on the birth certificate”.

14 (4) in clause (vi), by striking “may” and insert-
15 ing “shall”; and

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

17 “(x) An agency of a State (or a political subdivision
18 thereof) charged with the administration of any law con-
19 cerning the issuance or renewal of a driver’s license or a
20 license, certificate, permit, or other authorization to en-
21 gage in a profession, an occupation, or a commercial activ-
22 ity shall require all applicants for issuance or renewal of
23 the license, certificate, permit, or other authorization to
24 provide the applicant’s social security number to the agen-
25 cy for the purpose of administering such laws, and for the

1 purpose of responding to requests for information from
2 an agency operating pursuant to part D of title IV.

3 “(xi) All divorce decrees, support orders, and pater-
4 nity determinations issued, and all paternity acknowledg-
5 ments made, in each State shall include the social security
6 number of each party to the decree, order, determination,
7 or acknowledgment in the records relating to the matter,
8 for the purpose of responding to requests for information
9 from an agency operating pursuant to part D of title IV.”.

10 **SEC. 307. ADOPTION OF UNIFORM STATE LAWS.**

11 Section 466(f) of the Social Security Act (42 U.S.C.
12 666(f)) is amended by striking “together” and all that fol-
13 lows and inserting “and as in effect on August 22, 1996,
14 including any amendments officially adopted as of such
15 date by the National Conference of Commissioners on
16 Uniform State Laws.”.

17 **SEC. 308. STATE LAWS PROVIDING EXPEDITED PROCE-**
18 **DURES.**

19 Section 466(c) of the Social Security Act (42 U.S.C.
20 666(c)) is amended—

21 (1) in paragraph (1)(E), by inserting “, part
22 E,” after “part A”; and

23 (2) in paragraph (2)(A)—

24 (A) in clause (i), by striking “the tribunal
25 and”; and

1 (B) in clause (ii)—

2 (i) by striking “tribunal may” and in-
3 sserting “court or administrative agency of
4 competent jurisdiction shall”; and

5 (ii) by striking “filed with the tribu-
6 nal” and inserting “filed with the State
7 case registry”.

8 **SEC. 309. VOLUNTARY PATERNITY ACKNOWLEDGEMENT.**

9 Section 466(a)(5)(C)(i) of the Social Security Act
10 (42 U.S.C. 666(a)(5)(C)(i)) is amended by inserting
11 “, or through the use of video or audio equipment,” after
12 “orally”.

13 **SEC. 310. CALCULATION OF PATERNITY ESTABLISHMENT**
14 **PERCENTAGE.**

15 Section 452(g)(2) of the Social Security Act (42
16 U.S.C. 652(g)(2)) is amended, in the matter following
17 subparagraph (C), by striking “subparagraph (A)” and in-
18 sserting “subparagraphs (A) and (B)”.

19 **SEC. 311. MEANS AVAILABLE FOR PROVISION OF TECH-**
20 **NICAL ASSISTANCE AND OPERATION OF FED-**
21 **ERAL PARENT LOCATOR SERVICE.**

22 (a) TECHNICAL ASSISTANCE.—Section 452(j) of the
23 Social Security Act (42 U.S.C. 652(j)), is amended, in the
24 matter preceding paragraph (1), by striking “to cover
25 costs incurred by the Secretary” and inserting “which

1 shall be available for use by the Secretary, either directly
2 or through grants, contracts, or interagency agreements,”.

3 (b) OPERATION OF FEDERAL PARENT LOCATOR
4 SERVICE.—

5 (1) MEANS AVAILABLE.—Section 453(o) of the
6 Social Security Act (42 U.S.C. 653(o)) is amend-
7 ed—

8 (A) in the heading, by striking “RECOVERY
9 OF COSTS” and inserting “USE OF SET-ASIDE
10 FUNDS”; and

11 (B) by striking “to cover costs incurred by
12 the Secretary” and inserting “which shall be
13 available for use by the Secretary, either di-
14 rectly or through grants, contracts, or inter-
15 agency agreements,”.

16 (2) AVAILABILITY OF FUNDS.—Section 453(o)
17 of the Social Security Act (42 U.S.C. 653(o)) is
18 amended by adding at the end the following:
19 “Amounts appropriated under this subsection for
20 each of fiscal years 1997 through 2001 shall remain
21 available until expended.”.

22 **SEC. 312. AUTHORITY TO COLLECT SUPPORT FROM FED-**
23 **ERAL EMPLOYEES.**

24 (a) RESPONSE TO NOTICE OR PROCESS.—Section
25 459(c)(2)(C) of the Social Security Act (42 U.S.C.

1 659(c)(2)(C)) is amended by striking “respond to the
2 order, process, or interrogatory” and inserting “withhold
3 available sums in response to the order or process, or an-
4 swer the interrogatory”.

5 (b) MONEYS SUBJECT TO PROCESS.—Section
6 459(h)(1) of the Social Security Act (42 U.S.C.
7 659(h)(1)) is amended—

8 (1) in the matter preceding subparagraph (A)
9 and in subparagraph (A)(i), by striking “paid or”
10 each place it appears;

11 (2) in subparagraph (A)—

12 (A) in clause (ii)(V), by striking “and” at
13 the end;

14 (B) in clause (iii)—

15 (i) by inserting “or payable” after
16 “paid”; and

17 (ii) by striking “but” and inserting “;
18 and”; and

19 (C) by inserting after clause (iii), the fol-
20 lowing:

21 “(iv) benefits paid or payable under
22 the Railroad Retirement System, but”; and

23 (3) in subparagraph (B)—

24 (A) in clause (i), by striking “or” at the
25 end;

1 (B) in clause (ii), by striking the period
2 and inserting “; or”; and

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

4 “(iii) of periodic benefits under title
5 38, United States Code, except as provided
6 in subparagraph (A)(ii)(V).”.

7 (c) CONFORMING AMENDMENT.—Section
8 454(19)(B)(ii) of the Social Security Act (42 U.S.C.
9 654(19)(B)(ii)) is amended by striking “section 462(e)”
10 and inserting “section 459(i)(5)”.

11 **SEC. 313. DEFINITION OF SUPPORT ORDER.**

12 Section 453(p) of the Social Security Act (42 U.S.C.
13 653(p)), is amended by striking “a child and” and insert-
14 ing “of”.

15 **SEC. 314. STATE LAW AUTHORIZING SUSPENSION OF LI-**
16 **CENSES.**

17 Section 466(a)(16) of the Social Security Act (42
18 U.S.C. 666(a)(16)) is amended by inserting “and sport-
19 ing” after “recreational”.

20 **SEC. 315. INTERNATIONAL SUPPORT ENFORCEMENT.**

21 Section 454(32)(A) of the Social Security Act (42
22 U.S.C. 654(32)(A)) is amended by striking “section
23 459A(d)(2)” and inserting “section 459A(d)”.

1 **SEC. 316. CHILD SUPPORT ENFORCEMENT FOR INDIAN**
2 **TRIBES.**

3 (a) COOPERATIVE AGREEMENTS BY INDIAN TRIBES
4 AND STATES FOR CHILD SUPPORT ENFORCEMENT.—Sec-
5 tion 454(33) of the Social Security Act (42 U.S.C.
6 654(33)) is amended—

7 (1) by striking “and enforce support orders,
8 and” and inserting “or enforce support orders, or”;

9 (2) by striking “guidelines established by such
10 tribe or organization” and inserting “guidelines es-
11 tablished or adopted by such tribe or organization”;

12 (3) by striking “funding collected” and insert-
13 ing “collections”; and

14 (4) by striking “such funding” and inserting
15 “such collections”.

16 (b) CORRECTION OF SUBSECTION DESIGNATION.—
17 Section 455 of the Social Security Act (42 U.S.C. 655),
18 is amended by redesignating subsection (b), as added by
19 section 375(b) of the Personal Responsibility and Work
20 Opportunity Reconciliation Act of 1996 (Public Law 104–
21 193, 110 Stat. 2256), as subsection (f).

22 (c) DIRECT GRANTS TO TRIBES.—Section 455(f) of
23 the Social Security Act (42 U.S.C. 655(f)), as redesi-
24 gnated by subsection (b), is amended to read as follows:

25 “(f) The Secretary may make direct payments under
26 this part to an Indian tribe or tribal organization that

1 demonstrates to the satisfaction of the Secretary that it
2 has the capacity to operate a child support enforcement
3 program meeting the objectives of this part, including es-
4 tablishment of paternity, establishment, modification, and
5 enforcement of support orders, and location of absent par-
6 ents. The Secretary shall promulgate regulations estab-
7 lishing the requirements which must be met by an Indian
8 tribe or tribal organization to be eligible for a grant under
9 this subsection.”.

10 **SEC. 317. CONTINUATION OF RULES FOR DISTRIBUTION OF**
11 **SUPPORT IN THE CASE OF A TITLE IV-E**
12 **CHILD.**

13 Section 457 of the Social Security Act (42 U.S.C.
14 657) is amended—

15 (1) in subsection (a), in the matter preceding
16 paragraph (1), by striking “subsection (e)” and in-
17 serting “subsections (e) and (f)”; and

18 (2) by adding at the end, the following:

19 “(f) Notwithstanding the preceding provisions of this
20 section, amounts collected by a State as child support for
21 months in any period on behalf of a child for whom a pub-
22 lic agency is making foster care maintenance payments
23 under part E—

24 “(1) shall be retained by the State to the extent
25 necessary to reimburse it for the foster care mainte-

1 nance payments made with respect to the child dur-
2 ing such period (with appropriate reimbursement of
3 the Federal Government to the extent of its partici-
4 pation in the financing);

5 “(2) shall be paid to the public agency respon-
6 sible for supervising the placement of the child to
7 the extent that the amounts collected exceed the fos-
8 ter care maintenance payments made with respect to
9 the child during such period but not the amounts re-
10 quired by a court or administrative order to be paid
11 as support on behalf of the child during such period;
12 and the responsible agency may use the payments in
13 the manner it determines will serve the best inter-
14 ests of the child, including setting such payments
15 aside for the child’s future needs or making all or
16 a part thereof available to the person responsible for
17 meeting the child’s day-to-day needs; and

18 “(3) shall be retained by the State, if any por-
19 tion of the amounts collected remains after making
20 the payments required under paragraphs (1) and
21 (2), to the extent that such portion is necessary to
22 reimburse the State (with appropriate reimburse-
23 ment to the Federal Government to the extent of its
24 participation in the financing) for any past foster
25 care maintenance payments (or payments of assist-

1 ance under the State program funded under part A)
2 which were made with respect to the child (and with
3 respect to which past collections have not previously
4 been retained);
5 and any balance shall be paid to the State agency respon-
6 sible for supervising the placement of the child, for use
7 by such agency in accordance with paragraph (2).”.

8 **SEC. 318. GOOD CAUSE IN FOSTER CARE AND FOOD STAMP**
9 **CASES.**

10 (a) STATE PLAN.—Section 454(4)(A)(i) of the Social
11 Security Act (42 U.S.C. 654(4)(A)(i)) is amended—

12 (1) by striking “or” before “(III)”; and

13 (2) by inserting “or (IV) cooperation is required
14 pursuant to section 6(l)(1) of the Food Stamp Act
15 of 1977 (7 U.S.C. 2015(l)(1)),” after “title XIX,”.

16 (b) CONFORMING AMENDMENTS.—Section 454(29)
17 of the Social Security Act (42 U.S.C. 654(29)) is amend-
18 ed—

19 (1) in subparagraph (A)—

20 (A) in the matter preceding clause (i), by
21 striking “part A of this title or the State pro-
22 gram under title XIX” and inserting “part A,
23 the State program under part E, the State pro-
24 gram under title XIX, or the food stamp pro-

1 gram, as defined under section 3(h) of the Food
2 Stamp Act of 1977 (7 U.S.C. 2012(h)),”; and

3 (B) in the matter following clause (ii)—

4 (i) by inserting “part E,” after “this
5 part,”; and

6 (ii) by inserting “, or the food stamp
7 program, as defined under section 3(h) of
8 the Food Stamp Act of 1977 (7 U.S.C.
9 2012(h))” after “title XIX”;

10 (2) in subparagraph (D), by striking “or the
11 State program under title XIX” and inserting “the
12 State program under part E, the State program
13 under title XIX, or the food stamp program, as de-
14 fined under section 3(h) of the Food Stamp Act of
15 1977 (7 U.S.C. 2012(h))”; and

16 (3) in subparagraph (E), by striking “individ-
17 ual,” and all that follows through “XIX,” and in-
18 serting “individual and the State agency administer-
19 ing the State program funded under part A, the
20 State agency administering the State program under
21 part E, the State agency administering the State
22 program under title XIX, or the State agency ad-
23 ministering the food stamp program, as defined
24 under section 3(h) of the Food Stamp Act of 1977
25 (7 U.S.C. 2012(h)),”.

1 **SEC. 319. DATE OF COLLECTION OF SUPPORT.**

2 Section 454B(c)(1) of the Social Security Act (42
3 U.S.C. 654B(c)(1)) is amended by adding at the end the
4 following: “The date of collection for amounts collected
5 and distributed under this part is the date of receipt by
6 the State disbursement unit.”.

7 **SEC. 320. ADMINISTRATIVE ENFORCEMENT IN INTERSTATE**
8 **CASES.**

9 (a) PROCEDURES.—Section 466(a)(14)(A) of the So-
10 cial Security Act (42 U.S.C. 666(a)(14)(A)) is amended—

11 (1) in clause (i)—

12 (A) by striking “respond within 5 business
13 days to” and inserting “take enforcement ac-
14 tion not less than 90 days after”;

15 (B) by striking “and” at the end; and

16 (C) by striking “(A)(i)” and inserting
17 “(A)”; and

18 (2) by striking clause (ii).

19 (b) INCENTIVE PAYMENTS.—Section 458(d) of the
20 Social Security Act (42 U.S.C. 658(d)) is amended by in-
21 serting “, including amounts collected under section
22 466(a)(14),” after “another State”.

23 **SEC. 321. WORK ORDERS FOR ARREARAGES.**

24 Section 466(a)(15) of the Social Security Act (42
25 U.S.C. 666(a)(15)) is amended to read as follows:

1 “(15) PROCEDURES TO ENSURE THAT PERSONS
2 OWING OVERDUE SUPPORT WORK OR HAVE A PLAN
3 FOR PAYMENT OF SUCH SUPPORT.—Procedures
4 under which the State has the authority, in any case
5 in which an individual owes overdue support with re-
6 spect to a child receiving assistance under a State
7 program funded under part A, to issue an order or
8 to request that a court or an administrative process
9 established pursuant to State law issue an order
10 that requires the individual to—

11 “(A) pay such support in accordance with
12 a plan approved by the court, or, at the option
13 of the State, a plan approved by the State
14 agency administering the State program under
15 this part; or

16 “(B) if the individual is subject to such a
17 plan and is not incapacitated, participate in
18 such work activities (as defined in section
19 407(d)) as the court, or, at the option of the
20 State, the State agency administering the State
21 program under this part, deems appropriate.”.

22 **SEC. 322. ADDITIONAL TECHNICAL STATE PLAN AMEND-**
23 **MENTS.**

24 Section 454 of the Social Security Act (42 U.S.C.
25 654) is amended—

1 (1) in paragraph (8)—

2 (A) in the matter preceding subparagraph

3 (A)—

4 (i) by striking “noncustodial”; and

5 (ii) by inserting “, for the purpose of
6 establishing parentage, establishing, set-
7 ting the amount of, modifying, or enforcing
8 child support obligations,” after “provide
9 that”;

10 (B) in subparagraph (A), by striking the
11 comma and inserting a semicolon;

12 (C) in subparagraph (B), by striking the
13 semicolon and inserting a comma; and

14 (D) by inserting after subparagraph (B),
15 the following flush language:

16 “and shall, subject to the privacy safeguards re-
17 quired under paragraph (26), disclose only the infor-
18 mation described in sections 453 and 463 to the au-
19 thorized persons specified in such sections for the
20 purposes specified in such sections;”;

21 (2) in paragraph (17)—

22 (A) by striking “in the case of a State
23 which has” and inserting “provide that the
24 State will have”; and

1 (B) by inserting “and” after “section
2 453,”; and

3 (3) in paragraph (26)—

4 (A) in the matter preceding subparagraph
5 (A), by striking “will”;

6 (B) in subparagraph (A)—

7 (i) by inserting “, modify,” after “es-
8 tablish”, the second place it appears; and

9 (ii) by inserting “, or to make or en-
10 force a child custody determination” after
11 “support”;

12 (C) in subparagraph (B)—

13 (i) by inserting “or the child” after “1
14 party”; and

15 (ii) by inserting “or the child” after
16 “former party”; and

17 (D) in subparagraph (C)—

18 (i) by inserting “or the child” after “1
19 party”;

20 (ii) by striking “another party” and
21 inserting “another person”;

22 (iii) by inserting “to that person”
23 after “release of the information”; and

24 (iv) by striking “former party” and
25 inserting “party or the child”.

1 **SEC. 323. FEDERAL CASE REGISTRY OF CHILD SUPPORT**
2 **ORDERS.**

3 Section 453(h) of the Social Security Act (42 U.S.C.
4 653(h)) is amended—

5 (1) in paragraph (1), by inserting “and order”
6 after “with respect to each case”; and

7 (2) in paragraph (2)—

8 (A) in the heading, by inserting “AND
9 ORDER” after “CASE”;

10 (B) by inserting “or an order” after “with
11 respect to a case” and

12 (C) by inserting “or order” after “and the
13 State or States which have the case”.

14 **SEC. 324. FULL FAITH AND CREDIT FOR CHILD SUPPORT**
15 **ORDERS.**

16 Section 1738B(f) of title 28, United States Code, is
17 amended—

18 (1) in paragraph (4), by striking “a court may”
19 and all that follows and inserting “a court having
20 jurisdiction over the parties shall issue a child sup-
21 port order, which must be recognized.”; and

22 (2) in paragraph (5), by inserting “under sub-
23 section (d)” after “jurisdiction”.

1 **SEC. 325. ADDITIONAL TECHNICAL AMENDMENTS.**

2 (a) ELIMINATION OF SURPLUSAGE.—Section
3 466(c)(1)(F) (42 U.S.C. 666(c)(1)(F)) is amended by
4 striking “of section 466”.

5 (b) CORRECTION OF AMBIGUOUS AMENDMENT.—
6 Section 344(a)(1)(F) of the Personal Responsibility and
7 Work Opportunity Reconciliation Act of 1996 (Public Law
8 104–193; 110 Stat. 2234) is amended by inserting “the
9 first place such term appears” before “and all that fol-
10 lows”.

11 (c) CORRECTION OF ERRONEOUSLY DRAFTED PRO-
12 VISION.—Section 215 of the Departments of Labor,
13 Health and Human Services, and Education, and Related
14 Agencies Appropriations Act, 1997 (as contained in sec-
15 tion 101(e) of the Omnibus Consolidated Appropriations
16 Act, 1997), is amended to read as follows:

17 “SEC. 215. Sections 452(j) and 453(o) of the Social
18 Security Act (42 U.S.C. 652(j) and 653(o)), as amended
19 by section 345 of the Personal Responsibility and Work
20 Opportunity Reconciliation Act of 1996 (Public Law 104–
21 193; 110 Stat. 2237) are each amended by striking ‘sec-
22 tion 457(a)’ and inserting ‘a plan approved under this
23 part’. Amounts available under such sections 452(j) and
24 453(o) shall be calculated as though the amendments
25 made by this section were effective October 1, 1995.”

1 (d) ELIMINATION OF SURPLUSAGE.—Section
 2 456(a)(2)(B) (42 U.S.C. 656(a)(2)(B)) is amended by
 3 striking “, and” and inserting a period.

4 **SEC. 326. EFFECTIVE DATE.**

5 (a) IN GENERAL.—Except as provided in subsection
 6 (b), the amendments made by this title shall take effect
 7 as if included in the enactment of title III of the Personal
 8 Responsibility and Work Opportunity Reconciliation Act
 9 of 1996 (Public Law 104–193; 110 Stat. 2105).

10 (b) EXCEPTION.—The amendments made by section
 11 302(b)(2) shall take effect as if the amendments had been
 12 included in the enactment of section 103(a) of the Per-
 13 sonal Responsibility and Work Opportunity Reconciliation
 14 Act of 1996 (Public Law 104–193; 110 Stat. 2112).

15 **TITLE IV—RESTRICTING WEL-**
 16 **FARE AND PUBLIC BENEFITS**
 17 **FOR ALIENS**

18 **Subtitle A—Eligibility for Federal**
 19 **Benefits**

20 **SEC. 401. ALIEN ELIGIBILITY FOR FEDERAL BENEFITS: LIM-**
 21 **ITED APPLICATION TO MEDICARE AND BENE-**
 22 **FITS UNDER THE RAILROAD RETIREMENT**
 23 **ACT.**

24 (a) LIMITED APPLICATION TO MEDICARE.—Section
 25 401(b) of the Personal Responsibility and Work Oppor-

1 tunity Reconciliation Act of 1996 (8 U.S.C. 6111(b)) is
2 amended by adding at the end the following:

3 “(3) Subsection (a) shall not apply to any bene-
4 fit payable under title XVIII of the Social Security
5 Act (relating to the medicare program) to an alien
6 who is lawfully present in the United States as de-
7 termined by the Attorney General and, with respect
8 to benefits payable under part A of such title, who
9 was authorized to be employed with respect to any
10 wages attributable to employment which are counted
11 for purposes of eligibility for such benefits.”.

12 (b) LIMITED APPLICATION TO BENEFITS UNDER
13 THE RAILROAD RETIREMENT ACT.—Section 401(b) of
14 the Personal Responsibility and Work Opportunity Recon-
15 ciliation Act of 1996 (8 U.S.C. 6111(b)) (as amended by
16 subsection (a)) is amended by inserting at the end the
17 following:

18 “(4) Subsection (a) shall not apply to any bene-
19 fit payable under the Railroad Retirement Act of
20 1974 or the Railroad Unemployment Insurance Act
21 to an alien who is lawfully present in the United
22 States as determined by the Attorney General or to
23 an alien residing outside the United States.”.

1 **SEC. 402. EXCEPTIONS TO BENEFIT LIMITATIONS: CORREC-**
 2 **TIONS TO REFERENCE CONCERNING ALIENS**
 3 **WHOSE DEPORTATION IS WITHHELD.**

4 Sections 402(a)(2)(A)(iii), 402(b)(2)(A)(iii),
 5 403(b)(1)(C), 412(b)(1)(C), and 431(b)(5) of the Per-
 6 sonal Responsibility and Work Opportunity Reconciliation
 7 Act of 1996 (8 U.S.C. 1612(a)(2)(A)(iii),
 8 1612(b)(2)(A)(iii), 1602(b)(1)(C), 1622(b)(1)(C), and
 9 1641(b)(5)) are each amended by striking “section 243(h)
 10 of such Act” each place it appears and inserting “section
 11 243(h) of such Act (as in effect immediately before enact-
 12 ment of section 307 of division C of Public Law 104–208)
 13 or section 241(b)(3) of such Act (as amended by section
 14 305(a) of division C of Public Law 104–208)”.

15 **SEC. 403. VETERAN EXCEPTION: APPLICATION OF MINI-**
 16 **MUM ACTIVE DUTY SERVICE REQUIREMENT;**
 17 **EXTENSION TO UNREARRIED SURVIVING**
 18 **SPOUSE.**

19 (a) APPLICATION OF MINIMUM ACTIVE DUTY SERV-
 20 ICE REQUIREMENT.—Sections 402(a)(2)(C)(i),
 21 402(b)(2)(C)(i), 403(b)(2)(A), and 412(b)(3)(A) of the
 22 Personal Responsibility and Work Opportunity Reconcili-
 23 ation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(i),
 24 1612(b)(2)(C)(i), 1601(b)(2)(A), and 1622(b)(3)(A)) are
 25 each amended by inserting “and who fulfills the minimum

1 active-duty service requirements of section 5303A(d) of
2 title 38, United States Code” after “alienage”.

3 (b) EXCEPTION APPLICABLE TO UNREMARIED SUR-
4 VIVING SPOUSE.—Section 402(a)(2)(C)(iii),
5 402(b)(2)(C)(iii), 403(b)(2)(C), and 412(b)(3)(C) of the
6 Personal Responsibility and Work Opportunity Reconcili-
7 ation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(iii),
8 1612(b)(2)(C)(iii), 1601(b)(2)(C), and 1622(b)(3)(C)) are
9 each amended by inserting before the period “or the
10 unremarried surviving spouse of an individual described
11 in clause (i) or (ii) who is deceased if the marriage fulfills
12 the requirements of section 1304 of title 38, United States
13 Code”.

14 **SEC. 404. CORRECTION OF REFERENCE CONCERNING**
15 **CUBAN AND HAITIAN ENTRANTS.**

16 Section 403(d) of the Personal Responsibility and
17 Work Opportunity Reconciliation Act of 1997 (8 U.S.C.
18 1601(d)) is amended—

19 (1) by striking “section 501 of the Refugee”
20 and insert “section 501(a) of the Refugee”; and

21 (2) by striking “section 501(e)(2)” and insert-
22 ing “section 501(e)”.

1 **SEC. 405. NOTIFICATION CONCERNING ALIENS NOT LAW-**
2 **FULLY PRESENT: CORRECTION OF TERMI-**
3 **NOLOGY.**

4 Section 1631(e)(9) of the Social Security Act (42
5 U.S.C. 1383(e)) and section 27 of the United States
6 Housing Act of 1937, as added by section 404 of the Per-
7 sonal Responsibility and Work Opportunity Reconciliation
8 Act of 1996, are each amended by striking “unlawfully
9 in the United States” each place it appears and inserting
10 “not lawfully present in the United States”.

11 **Subtitle B—Eligibility for State**
12 **and Local Public Benefits Pro-**
13 **grams; Attribution of Income**
14 **and Affidavits of Support**

15 **SEC. 421. ALIEN ELIGIBILITY FOR STATE AND LOCAL BENE-**
16 **FITS: INCLUSION OF ALIENS OTHERWISE**
17 **LAWFULLY PRESENT IN THE UNITED STATES.**

18 Section 411(a) of the Personal Responsibility and
19 Work Opportunity Reconciliation Act of 1997 (8 U.S.C.
20 1621(a)) is amended—

21 (1) by striking “or” at the end of paragraph

22 (2);

23 (2) by inserting “or” at the end of paragraph

24 (3); and

25 (3) by inserting after paragraph (3) the follow-
26 ing paragraph:

1 “(4) otherwise lawfully present in the United
2 States.”.

3 **Subtitle C—General Provisions**

4 **SEC. 431. DEFINITION OF QUALIFIED ALIEN: INCLUSION OF** 5 **ALIEN CHILD OF BATTERED PARENT AS** 6 **QUALIFIED ALIEN.**

7 (a) DETERMINATION OF STATUS BY AGENCY PRO-
8 VIDING BENEFITS.—Section 431 of the Personal Respon-
9 sibility and Work Opportunity Reconciliation Act of 1996
10 (8 U.S.C. 1641) is amended in subsections (c)(1)(A) and
11 (c)(2)(A) by striking “Attorney General, which opinion is
12 not subject to review by any court)” each place it appears
13 and inserting “agency providing such benefits)”.

14 (b) INCLUSION OF ALIEN CHILD OF BATTERED PAR-
15 ENT AS QUALIFIED ALIEN.—Section 431(c) of the Per-
16 sonal Responsibility and Work Opportunity Reconciliation
17 Act of 1996 (8 U.S.C. 1641(c)) is amended—

18 (1) at the end of paragraph (1)(B)(iv) by strik-
19 ing “or”;

20 (2) at the end of paragraph (2)(B) by striking
21 the period and inserting “; or”; and

22 (3) by inserting after paragraph (2)(B) and be-
23 fore the last sentence of such subsection the follow-
24 ing new paragraph:

25 “(3) an alien child who—

1 “(A) resides in the same household as a
2 parent who has been battered or subjected to
3 extreme cruelty in the United States by that
4 parent’s spouse or by a member of the spouse’s
5 family residing in the same household as the
6 parent and the spouse consented or acquiesced
7 to such battery or cruelty, but only if (in the
8 opinion of the agency providing such benefits)
9 there is a substantial connection between such
10 battery or cruelty and the need for the benefits
11 to be provided; and

12 “(B) who meets the requirement of sub-
13 paragraph (B) of paragraph (1).”.

14 (c) INCLUSION OF ALIEN CHILD OF BATTERED PAR-
15 ENT UNDER SPECIAL RULE FOR ATTRIBUTION OF IN-
16 COME.—Section 421(f)(1)(A) of the Personal Responsibil-
17 ity and Work Opportunity Reconciliation Act of 1996 (8
18 U.S.C. 1631(f)(1)(A)) is amended—

19 (1) at the end of clause (i) by striking “or”;

20 (2) by striking “and the battery or cruelty de-
21 scribed in clause (i) or (ii)” and inserting “or (iii)
22 the alien is a child whose parent (who resides in the
23 same household as the alien child) has been battered
24 or subjected to extreme cruelty in the United States
25 by that parent’s spouse, or by a member of the

1 spouse's family residing in the same household as
2 the parent and the spouse consented to, or acqui-
3 esced in, such battery or cruelty, and the battery or
4 cruelty described in clause (i), (ii), or (iii)".

5 **SEC. 432. VERIFICATION OF ELIGIBILITY FOR FEDERAL**
6 **PUBLIC BENEFITS.**

7 Section 432(a) of the Personal Responsibility and
8 Work Opportunity Reconciliation Act of 1996 (8 U.S.C.
9 1642(a)) is amended—

10 (1) in paragraph (1) by striking “18 months
11 after the date of the enactment of this Act” and in-
12 serting “90 days after the date of the enactment of
13 the Welfare Reform Technical Corrections Act of
14 1997”; and

15 (2) in paragraph (1) by striking “requiring”
16 and inserting “setting forth procedures for verify-
17 ing”; and

18 (3) by adding after paragraph (2) the following
19 new paragraph:

20 “(3) Not later than 90 days after the date of the en-
21 actment of the Welfare Reform Technical Corrections Act
22 of 1997, the Attorney General shall promulgate regula-
23 tions which set forth the procedures by which a State or
24 local government can verify whether an alien applying for
25 a State or local public benefit is a qualified alien, a non-

1 immigrant under the Immigration and Nationality Act, or
2 an alien paroled into the United States under section
3 212(d)(5) of the Immigration and Nationality Act for less
4 than 1 year, for purposes of determining whether the alien
5 is ineligible for benefits under section 411 of this Act.”.

6 **SEC. 433. QUALIFYING QUARTERS: DISCLOSURE OF QUAR-**
7 **TERS OF COVERAGE INFORMATION; CORREC-**
8 **TION TO ASSURE THAT CREDITING APPLIES**
9 **TO ALL QUARTERS EARNED BY PARENTS BE-**
10 **FORE CHILD IS 18.**

11 (a) DISCLOSURE OF QUARTERS OF COVERAGE IN-
12 FORMATION.—Section 435 of the Personal Responsibility
13 and Work Opportunity Reconciliation Act of 1996 (8
14 U.S.C. 1645) is amended by adding at the end the follow-
15 ing: “Notwithstanding section 6103 of the Internal Reve-
16 nue Code of 1986, the Commissioner of Social Security
17 is authorized to disclose quarters of coverage information
18 concerning an alien and an alien’s spouse or parents to
19 a government agency for the purposes of this title.”.

20 (b) CORRECTION TO ASSURE THAT CREDITING AP-
21 PLIES TO ALL QUARTERS EARNED BY PARENTS BEFORE
22 CHILD IS 18.—Section 435(1) of the Personal Responsibil-
23 ity and Work Opportunity Reconciliation Act of 1996 (8
24 U.S.C. 1645(1)) is amended by striking “while the alien

1 was under age 18,” and inserting “before the date on
2 which the alien attains age 18,”.

3 **Subtitle D—Miscellaneous Clerical**
4 **and Technical Amendments; Ef-**
5 **fective Date**

6 **SEC. 451. CORRECTING MISCELLANEOUS CLERICAL AND**
7 **TECHNICAL ERRORS.**

8 (a) INFORMATION REPORTING UNDER TITLE IV OF
9 THE SOCIAL SECURITY ACT.—Effective July 1, 1997, sec-
10 tion 408 of the Social Security Act (42 U.S.C. 608), as
11 amended by section 103, and as in effect pursuant to sec-
12 tion 116, of the Personal Responsibility and Work Oppor-
13 tunity Reconciliation Act of 1996, is amended by adding
14 at the end the following new subsection:

15 “(f) STATE REQUIRED TO PROVIDE CERTAIN INFOR-
16 MATION.—Each State to which a grant is made under sec-
17 tion 403 shall, at least 4 times annually and upon request
18 of the Immigration and Naturalization Service, furnish the
19 Immigration and Naturalization Service with the name
20 and address of, and other identifying information on, any
21 individual who the State knows is not lawfully present in
22 the United States.”.

23 (b) MISCELLANEOUS CLERICAL AND TECHNICAL
24 CORRECTIONS—

1 (1) Section 411(c)(3) of the Personal Respon-
2 sibility and Work Opportunity Reconciliation Act (8
3 U.S.C. 1621(c)(3)) is amended by striking
4 “4001(c)” and inserting “401(c)”.

5 (2) Section 422(a) of the Personal Responsibil-
6 ity and Work Opportunity Reconciliation Act (8
7 U.S.C. 1632(a)) is amended by striking “benefits
8 (as defined in section 412(c)),” and inserting “bene-
9 fits,”.

10 (3) Section 412(b)(1)(C) of the Personal Re-
11 sponsibility and Work Opportunity Reconciliation
12 Act (8 U.S.C. 1622(b)(1)(C)) is amended by striking
13 “with-holding” and inserting “withholding”.

14 (4) The subtitle heading for subtitle D of title
15 IV of the Personal Responsibility and Work Oppor-
16 tunity Reconciliation Act is amended to read as fol-
17 lows:

“Subtitle D—General Provisions”.

18 (5) The subtitle heading for subtitle F of title
19 IV of the Personal Responsibility and Work Oppor-
20 tunity Reconciliation Act is amended to read as fol-
21 lows:

**“Subtitle F—Earned Income Credit
Denied to Unauthorized Em-
ployees”.**

1 **SEC. 452. EFFECTIVE DATE.**

2 Except as otherwise provided, the amendments made
3 by this title shall be effective as if included in the enact-
4 ment of title IV of the Personal Responsibility and Work
5 Opportunity Reconciliation Act of 1996.

6 **TITLE V—CHILD PROTECTION**

7 **SEC. 501. CONFORMING AND TECHNICAL AMENDMENTS RE-**
8 **LATING TO CHILD PROTECTION.**

9 (a) **METHODS PERMITTED FOR CONDUCT OF STUDY**
10 **OF CHILD WELFARE.**—Section 429A(a) of the Social Se-
11 curity Act (42 U.S.C. 628b(a)) is amended by inserting
12 “(directly, or by grant, contract, or interagency agree-
13 ment)” after “conduct”.

14 (b) **REDESIGNATION OF PARAGRAPH.**—Section
15 471(a) of the Social Security Act (42 U.S.C. 671(a)) is
16 amended—

17 (1) by striking “and” at the end of paragraph
18 (17);

19 (2) by striking the period at the end of para-
20 graph (18) (as added by section 1808(a) of the
21 Small Business Job Protection Act of 1996 (Public

1 Law 104–188; 110 Stat. 1903)) and inserting “;
2 and”; and

3 (3) by redesignating paragraph (18) (as added
4 by section 505(3) of the Personal Responsibility and
5 Work Opportunity Reconciliation Act of 1996 (Pub-
6 lic Law 104–193; 110 Stat. 2278)) as paragraph
7 (19).

8 **SEC. 502. ADDITIONAL TECHNICAL AMENDMENTS RELAT-**
9 **ING TO CHILD PROTECTION.**

10 (a) PART B AMENDMENTS.—

11 (1) IN GENERAL.—Part B of title IV of the So-
12 cial Security Act (42 U.S.C. 620-635) is amended—

13 (A) in section 422(b)—

14 (i) by striking the period at the end of
15 the paragraph (9) (as added by section
16 554(3) of the Improving America’s Schools
17 Act of 1994 (Public Law 103–382; 108
18 Stat. 4057)) and inserting a semicolon;

19 (ii) by redesignating paragraph (10)
20 as paragraph (11); and

21 (iii) by redesignating paragraph (9),
22 as added by section 202(a)(3) of the Social
23 Security Act Amendments of 1994 (Public
24 Law 103–432, 108 Stat. 4453), as para-
25 graph (10);

1 (B) in sections 424(b) and 425(a), by
2 striking “422(b)(9)” each place it appears and
3 inserting “422(b)(10)”; and

4 (C) by transferring section 429A (as added
5 by section 503 of the Personal Responsibility
6 and Work Opportunity Reconciliation Act of
7 1996 (Public Law 104–193; 110 Stat. 2277))
8 to the end of subpart 1.

9 (2) CLARIFICATION OF CONFLICTING AMEND-
10 MENTS.—Section 204(a)(2) of the Social Security
11 Act Amendments of 1994 (Public Law 103–432;
12 108 Stat. 4456) is amended by inserting “(as added
13 by such section 202(a))” before “and inserting”.

14 (b) PART E AMENDMENTS.—Section 472(d) of the
15 Social Security Act (42 U.S.C. 672(d)) is amended by
16 striking “422(b)(9)” and inserting “422(b)(10)”.

17 **SEC. 503. EFFECTIVE DATE.**

18 The amendments made by this title shall take effect
19 as if included in the enactment of title V of the Personal
20 Responsibility and Work Opportunity Reconciliation Act
21 of 1996 (Public Law 104-193; 110 Stat. 2277).

TITLE VI—CHILD CARE**SEC. 601. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO CHILD CARE.**

(a) FUNDING.—Section 418(a) of the Social Security Act (42 U.S.C. 618(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by inserting “the greater of” after “equal to”;

(B) in subparagraph (A)—

(i) by striking “the sum of”;

(ii) by striking “amounts expended” and inserting “expenditures”; and

(iii) by striking “section—” and all that follows and inserting “subsections (g) and (i) of section 402 (as in effect before October 1, 1995); or”;

(C) in subparagraph (B)—

(i) by striking “sections” and inserting “subsections”; and

(ii) by striking the semicolon at the end and inserting a period; and

(D) in the matter following subparagraph (B), by striking “whichever is greater.”; and

(2) in paragraph (2)—

1 (A) by striking subparagraph (B) and in-
2 serting the following:

3 “(B) ALLOTMENTS TO STATES.—The total
4 amount available for payments to States under
5 this paragraph, as determined under subpara-
6 graph (A), shall be allotted among the States
7 based on the formula used for determining the
8 amount of Federal payments to each State
9 under section 403(n) (as in effect before Octo-
10 ber 1, 1995).”;

11 (B) by striking subparagraph (C) and in-
12 serting the following:

13 “(C) FEDERAL MATCHING OF STATE EX-
14 PENDITURES EXCEEDING HISTORICAL EXPEND-
15 ITURES.—The Secretary shall pay to each eligi-
16 ble State for a fiscal year an amount equal to
17 the lesser of the State’s allotment under sub-
18 paragraph (B) or the Federal medical assist-
19 ance percentage for the State for the fiscal year
20 (as defined in section 1905(b), as such section
21 was in effect on September 30, 1995) of so
22 much of the State’s expenditures for child care
23 in that fiscal year as exceed the total amount
24 of expenditures by the State (including expendi-
25 tures from amounts made available from Fed-

1 eral funds) in fiscal year 1994 or 1995 (which-
2 ever is greater) for the programs described in
3 paragraph (1)(A).”; and

4 (C) in subparagraph (D)(i)—

5 (i) by striking “amounts under any
6 grant awarded” and inserting “any
7 amounts allotted”; and

8 (ii) by striking “the grant is made”
9 and inserting “such amounts are allotted”.

10 (b) DATA USED TO DETERMINE HISTORIC STATE
11 EXPENDITURES.—Section 418(a) of the Social Security
12 Act (42 U.S.C. 618(a)), is amended by adding at the end
13 the following:

14 “(5) DATA USED TO DETERMINE STATE AND
15 FEDERAL SHARES OF EXPENDITURES.—In making
16 the determinations concerning expenditures required
17 under paragraphs (1) and (2)(C), the Secretary shall
18 use information that was reported by the State on
19 ACF Form 231 and available as of the applicable
20 dates specified in clauses (i)(I), (ii), and (iii)(III) of
21 section 403(a)(1)(D).”.

22 (c) DEFINITION OF STATE.—Section 418(d) of the
23 Social Security Act (42 U.S.C. 618(d)) is amended by
24 striking “or” and inserting “and”.

1 **SEC. 602. ADDITIONAL CONFORMING AND TECHNICAL**
2 **AMENDMENTS.**

3 The Child Care and Development Block Grant Act
4 of 1990 (42 U.S.C. 9858 et seq.) is amended—

5 (1) in section 658E(c)(2)(E)(ii), by striking
6 “tribal organization” and inserting “tribal organiza-
7 tions”;

8 (2) in section 658K(a)—

9 (A) in paragraph (1)—

10 (i) in subparagraph (B)—

11 (I) by striking clause (iv) and in-
12 sserting the following:

13 “(iv) whether the head of the family
14 unit is a single parent;”;

15 (II) in clause (v)—

16 (aa) in the matter preceding
17 subclause (I), by striking “in-
18 cluding the amount obtained
19 from (and separately identi-
20 fied)—” and inserting “includ-
21 ing—”; and

22 (bb) by striking subclause
23 (II) and inserting the following:

24 “(II) cash or other assistance
25 under—

1 “(aa) the temporary assist-
2 ance for needy families program
3 under part A of title IV of the
4 Social Security Act (42 U.S.C.
5 601 et seq.); and

6 “(bb) a State program for
7 which State spending is counted
8 toward the maintenance of effort
9 requirement under section
10 409(a)(7) of the Social Security
11 Act (42 U.S.C. 609(a)(7));” and
12 (III) in clause (x), by striking

13 “week” and inserting “month”; and

14 (ii) by striking subparagraph (D) and
15 inserting the following:

16 “(D) USE OF ESTIMATES.—

17 “(i) AUTHORITY.—A State may com-
18 ply with the requirement to collect the in-
19 formation described in subparagraph (B)
20 through the use of estimates which are ob-
21 tained through the use of scientifically ac-
22 ceptable sampling methods approved by the
23 Secretary.

24 “(ii) SAMPLING AND OTHER METH-
25 ODS.—The Secretary shall provide the

1 States with such case sampling plans and
2 data collection procedures as the Secretary
3 deems necessary to produce statistically
4 valid estimates of the information de-
5 scribed in subparagraph (B). The Sec-
6 retary may develop and implement proce-
7 dures for verifying the quality of data sub-
8 mitted by the States.”; and

9 (B) in paragraph (2)—

10 (i) in the heading, by striking “BIAN-
11 NUAL” and inserting “ANNUAL”; and

12 (ii) by striking “6” and inserting
13 “12”;

14 (3) in section 658L, by striking “1997” and in-
15 sserting “1998”;

16 (4) in section 658O(c)(6)(C), by striking “(A)”
17 and inserting “(B)”;

18 (5) in section 658P(13), by striking “or” and
19 inserting “and”.

20 **SEC. 603. REPEALS.**

21 (a) CHILD DEVELOPMENT ASSOCIATE SCHOLARSHIP
22 ASSISTANCE ACT OF 1985.—Title VI of the Human Serv-
23 ices Reauthorization Act of 1986 (42 U.S.C. 10901–
24 10905) is repealed.

1 (b) STATE DEPENDENT CARE DEVELOPMENT
2 GRANTS ACT.—Subchapter E of chapter 8 of subtitle A
3 of title VI of the Omnibus Budget Reconciliation Act of
4 1981 (42 U.S.C. 9871–9877) is repealed.

5 (c) PROGRAMS OF NATIONAL SIGNIFICANCE.—Title
6 X of the Elementary and Secondary Education Act of
7 1965 (20 U.S.C. 8001 et seq.) is amended—

8 (1) in section 10413(a), by striking paragraph
9 (4);

10 (2) in section 10963(b)(2), by striking subpara-
11 graph (G); and

12 (3) in section 10974(a)(6), by striking subpara-
13 graph (G).

14 (d) NATIVE HAWAIIAN FAMILY-BASED EDUCATION
15 CENTERS.—Section 9205 of the Native Hawaiian Edu-
16 cation Act (20 U.S.C. 7905) is repealed.

17 **SEC. 604. EFFECTIVE DATES.**

18 (a) IN GENERAL.—Except as provided in subsection
19 (b), this title and the amendments made by this title shall
20 take effect as if included in the enactment of title VI of
21 the Personal Responsibility and Work Opportunity Rec-
22 onciliation Act of 1996 (Public Law 104–193; 110 Stat.
23 2278).

1 (b) EXCEPTIONS.—The amendment made by section
2 601(a)(2)(B) and the repeal made by section 603(d) shall
3 each take effect on October 1, 1997.

○