

104TH CONGRESS
1ST SESSION

S. 249

To amend title IV of the Social Security Act to require States to establish a 2-digit fingerprint matching identification system in order to prevent multiple enrollments by an individual for benefits under such Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 19 (legislative day, JANUARY 10), 1995

Mrs. HUTCHISON (for herself, Mr. BROWN, Mr. D'AMATO, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title IV of the Social Security Act to require States to establish a 2-digit fingerprint matching identification system in order to prevent multiple enrollments by an individual for benefits under such Act, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Welfare Antifraud Act
5 of 1995".

1 **SEC. 2. FINGERPRINT IDENTIFICATION TO PREVENT MUL-**
 2 **TIPLE ENROLLMENT.**

3 (a) STATE PLAN REQUIREMENT.—Section
 4 402(a)(45) of the Social Security Act (42 U.S.C.
 5 602(a)(45)) is amended—

6 (1) by inserting “(A)” after “(45)”;

7 (2) by striking the period at the end and insert-
 8 ing “; and”; and

9 (3) by adding at the end the following new sub-
 10 paragraph:

11 “(B) provide that the State agency shall pro-
 12 cure a 2-digit fingerprint matching identification
 13 system on a competitive basis (or utilize such an ex-
 14 isting system) and shall operate such system in ac-
 15 cordance with section 418 for the purpose of pre-
 16 venting multiple enrollments of an individual in the
 17 aid to families with dependent children program
 18 under the State plan.”.

19 (b) FINGERPRINT MATCHING IDENTIFICATION SYS-
 20 TEM.—Part A of title IV of the Social Security Act (42
 21 U.S.C. 601 et seq.) is amended by adding after section
 22 417 the following new section:

23 “2-DIGIT FINGERPRINT MATCHING IDENTIFICATION
 24 SYSTEM

25 “SEC. 418. (a) IN GENERAL.—In order to operate
 26 a 2-digit fingerprint matching identification system (here-

1 after in this section referred to as the ‘system’) in accord-
2 ance with this section, a State shall—

3 “(1) scan the fingerprints of the index fingers
4 of each applicant for aid to families with dependent
5 children and each recipient of such aid into an auto-
6 mated fingerprint imaging system;

7 “(2) employ qualified individuals to scan finger-
8 prints as described in paragraph (1) and enter asso-
9 ciated identifying and case information into an auto-
10 mated fingerprint imaging system;

11 “(3) operate a computer matching database
12 containing all the scanned fingerprints, identifying
13 information, and case information described in para-
14 graph (2) that is able to determine whether an indi-
15 vidual is receiving or attempting to receive multiple
16 benefits under the aid to families with dependent
17 children program under the State plan as a result of
18 multiple enrollment;

19 “(4) consult a fingerprint specialist to verify a
20 fingerprint match if the computer matching
21 database determines that an individual’s fingerprints
22 match the fingerprints of an individual already re-
23 ceiving aid to families with dependent children; and

1 “(5) establish procedures to ensure that the
2 data collected and maintained in the system be used
3 only as specified in this subsection.

4 “(b) DENIAL OF BENEFITS.—If an individual is iden-
5 tified under a system established under this section as re-
6 ceiving or attempting to receive multiple benefits under
7 the aid to families with dependent children program, the
8 needs of such individual shall not be taken into account
9 in making the determination under section 402(a)(7) with
10 respect to the individual’s family—

11 “(1) for a period of 6 months upon the first oc-
12 casion of such offense;

13 “(2) for a period of 12 months upon the second
14 occasion of such offense; and

15 “(3) permanently upon the third or a subse-
16 quent occasion of any such offense.

17 “(c) CRIMINAL PENALTY.—Any person who know-
18 ingly and intentionally makes or obtains any unauthorized
19 disclosure of data collected and maintained by a State sys-
20 tem operated in accordance with this section shall be im-
21 prisoned for not more than 6 months or fined up to
22 \$10,000, or both.”.

23 **SEC. 3. EFFECTIVE DATE.**

24 (a) IN GENERAL.—Except as provided in subsection
25 (b), the amendments made by this Act shall apply with

1 respect to calendar quarters beginning on or after the date
2 of the enactment of this Act.

3 (b) DELAY FOR STATE LEGISLATION.—In the case
4 of a State which the Secretary of Health and Human
5 Services determines requires State legislation (other than
6 legislation authorizing or appropriating funds) in order to
7 comply with the amendments made by this Act, the State
8 shall not be regarded as failing to comply with such
9 amendments solely on the basis of its failure to meet the
10 requirements of such amendments before the first day of
11 the first calendar quarter beginning after the close of the
12 first regular session of the State legislature that begins
13 after the date of the enactment of this Act. For purposes
14 of the preceding sentence, in the case of a State that has
15 a 2-year legislative session, each year of such session shall
16 be deemed to be a separate regular session of the State
17 legislature.

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