

105TH CONGRESS
1ST SESSION

H. R. 1048

IN THE SENATE OF THE UNITED STATES

APRIL 30, 1997

Received; read twice and referred to the Committee on Finance

AN ACT

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,*

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Welfare Reform Tech-
3 nical Corrections Act of 1997”.

4 SEC. 2. TABLE OF CONTENTS.

5 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. Modifications to the job opportunities for certain low-income individuals program.
- Sec. 117. Denial of assistance and benefits for drug-related convictions.
- Sec. 118. Transition rule.
- Sec. 119. 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. 211. Technical amendments relating to drug addicts and alcoholics.
- Sec. 212. Extension of disability insurance program demonstration project authority.

- Sec. 213. Perfecting amendments related to withholding from social security benefits.
- Sec. 214. Treatment of prisoners.
- Sec. 215. 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. Development costs of automated systems.
- Sec. 326. Additional technical amendments.
- Sec. 327. Effective date.

TITLE IV—RESTRICTING WELFARE AND PUBLIC BENEFITS FOR ALIENS

Subtitle A—Eligibility for Federal, State, and Local 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. Veterans exception: application of minimum active duty service requirement; extension to unremarried surviving spouse; expanded definition of veteran.
- Sec. 404. Correction of reference concerning Cuban and Haitian entrants.
- Sec. 405. Notification concerning aliens not lawfully present: correction of terminology.
- Sec. 406. Freely associated states: contracts and licenses.
- Sec. 407. Congressional statement regarding benefits for Hmong and other highland Lao veterans.

Subtitle B—General Provisions

- Sec. 411. Determination of treatment of battered aliens as qualified aliens; inclusion of alien child of battered parent as qualified alien.
- Sec. 412. Verification of eligibility for benefits.
- Sec. 413. Qualifying quarters: disclosure of quarters of coverage information; correction to assure that crediting applies to all quarters earned by parents before child is 18.
- Sec. 414. Statutory construction: benefit eligibility limitations applicable only with respect to aliens present in United States.

Subtitle C—Miscellaneous Clerical and Technical Amendments; Effective Date

- Sec. 421. Correcting miscellaneous clerical and technical errors.
- Sec. 422. Effective date.

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- Sec. 501. Conforming and technical amendments relating to child protection.
- Sec. 502. Additional technical amendments relating to child protection.
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- Sec. 601. Conforming and technical amendments relating to child care.
- Sec. 602. Additional conforming and technical amendments.
- Sec. 603. Repeals.
- Sec. 604. Effective dates.

TITLE VII—ERISA AMENDMENTS RELATING TO MEDICAL CHILD SUPPORT ORDERS

- Sec. 701. Amendments relating to section 303 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
- Sec. 702. Amendment relating to section 381 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.
- Sec. 703. Amendments relating to section 382 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

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

1 if the section or other provision is of part A of title IV
2 of such Act, the reference shall be considered to be made
3 to the section or other provision as amended by section
4 103, and as in effect pursuant to section 116, of the Per-
5 sonal Responsibility and Work Opportunity Reconciliation
6 Act of 1996.

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

8 (a) **LATER DEADLINE FOR SUBMISSION OF STATE**
9 **PLANS.**—Section 402(a) (42 U.S.C. 602(a)) is amended
10 by striking “2-year period immediately preceding” and in-
11 serting “27-month period ending with the close of the 1st
12 quarter of”.

13 (b) **CLARIFICATION OF SCOPE OF WORK PROVI-**
14 **SIONS.**—Section 402(a)(1)(A)(ii) (42 U.S.C.
15 602(a)(1)(A)(ii)) is amended by inserting “, consistent
16 with section 407(e)(2)” before the period.

17 (c) **CORRECTION OF CROSS-REFERENCE.**—Section
18 402(a)(1)(A)(v) (42 U.S.C. 602(a)(1)(A)(v)) is amended
19 by striking “403(a)(2)(B)” and inserting
20 “403(a)(2)(C)(iii)”.

21 (d) **NOTIFICATION OF PLAN AMENDMENTS.**—Section
22 402 (42 U.S.C. 602) is amended—

23 (1) by redesignating subsection (b) as sub-
24 section (c) and inserting after subsection (a) the fol-
25 lowing:

1 “(b) PLAN AMENDMENTS.—Within 30 days after a
2 State amends a plan submitted pursuant to subsection (a),
3 the State shall notify the Secretary of the amendment.”;
4 and

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

7 **SEC. 103. GRANTS TO STATES.**

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

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

12 “(B) AMOUNT OF GRANT.—

13 “(i) IN GENERAL.—If, for a bonus
14 year, none of the eligible States is Guam,
15 the Virgin Islands, or American Samoa,
16 then the amount of the grant shall be—

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

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

21 “(ii) AMOUNT IF CERTAIN TERRI-
22 TORIES ARE ELIGIBLE.—If, for a bonus
23 year, Guam, the Virgin Islands, or Amer-
24 ican Samoa is an eligible State, then the
25 amount of the grant shall be—

1 “(I) in the case of such a terri-
2 tory, 25 percent of the mandatory
3 ceiling amount (as defined in section
4 1108(e)(4)) with respect to the terri-
5 tory; and

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

8 “(aa) if there are 5 eligible
9 States other than such terri-
10 tories, \$20,000,000, minus $\frac{1}{5}$ of
11 the total amount of the grants
12 payable under this paragraph to
13 such territories for the bonus
14 year; or

15 “(bb) if there are fewer than
16 5 such eligible States,
17 \$25,000,000, or such lesser
18 amount as may be necessary to
19 ensure that the total amount of
20 grants payable under this para-
21 graph for the bonus year does
22 not exceed \$100,000,000.”.

23 (2) CERTAIN TERRITORIES TO BE
24 IGNORED IN RANKING OTHER STATES.—
25 Section 403(a)(2)(C)(i)(I)(aa) (42 U.S.C.

1 603(a)(2)(C)(i)(I)(aa)) is amended by adding at the
2 end the following: “In the case of a State that is not
3 a territory specified in subparagraph (B), the com-
4 parative magnitude of the decrease for the State
5 shall be determined without regard to the magnitude
6 of the corresponding decrease for any such terri-
7 tory.”.

8 (b) COMPUTATION OF BONUS BASED ON RATIOS OF
9 OUT-OF-WEDLOCK BIRTHS TO ALL BIRTHS INSTEAD OF
10 NUMBERS OF OUT-OF-WEDLOCK BIRTHS.—Section
11 403(a)(2) (42 U.S.C. 603(a)(2)) is amended—

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

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

16 (3) in subparagraph (C)—

17 (A) in clause (i)—

18 (i) in subclause (I)(aa)—

19 (I) by striking “number of out-
20 of-wedlock births that occurred in the
21 State during” and inserting “illegit-
22 imacy ratio of the State for”; and

23 (II) by striking “number of such
24 births that occurred during” and in-

1 serting “illegitimacy ratio of the State
2 for”; and

3 (ii) in subclause (II)(aa)—

4 (I) by striking “number of out-
5 of-wedlock births that occurred in”
6 each place such term appears and in-
7 serting “illegitimacy ratio of”; and

8 (II) by striking “calculate the
9 number of out-of-wedlock births” and
10 inserting “calculate the illegitimacy
11 ratio”; and

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

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

16 “(I) the number of out-of-wed-
17 lock births to mothers residing in the
18 State that occurred during the period;
19 divided by

20 “(II) the number of births to
21 mothers residing in the State that oc-
22 curred during the period.”.

23 (c) USE OF CALENDAR YEAR DATA INSTEAD OF FIS-
24 CAL YEAR DATA IN CALCULATING BONUS FOR DECREASE

1 IN ILLEGITIMACY RATIO.—Section 403(a)(2)(C) (42
2 U.S.C. 603(a)(2)(C)) is amended—

3 (1) in clause (i)—

4 (A) in subclause (I)(bb)—

5 (i) by striking “the fiscal year” and
6 inserting “the calendar year for which the
7 most recent data are available”; and

8 (ii) by striking “fiscal year 1995” and
9 inserting “calendar year 1995”;

10 (B) in subclause (II), by striking “fiscal”
11 each place such term appears and inserting
12 “calendar”; and

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

15 (d) CORRECTION OF HEADING.—Section
16 403(a)(3)(C)(ii) (42 U.S.C. 603(a)(3)(C)(ii)) is amended
17 in the heading by striking “1997” and inserting “1998”.

18 (e) CLARIFICATION OF CONTINGENCY FUND PROVI-
19 SION.—Section 403(b) (42 U.S.C. 603(b)) is amended—

20 (1) in paragraph (6), by striking “(5)” and in-
21 serting “(4)”;

22 (2) by striking paragraph (4) and redesignating
23 paragraphs (5) and (6) as paragraphs (4) and (5),
24 respectively; and

1 (3) by inserting after paragraph (5) the follow-
2 ing:

3 “(6) ANNUAL RECONCILIATION.—

4 “(A) IN GENERAL.—Notwithstanding para-
5 graph (3), if the Secretary makes a payment to
6 a State under this subsection in a fiscal year,
7 then the State shall remit to the Secretary,
8 within 1 year after the end of the first subse-
9 quent period of 3 consecutive months for which
10 the State is not a needy State, an amount equal
11 to the amount (if any) by which—

12 “(i) the total amount paid to the
13 State under paragraph (3) of this sub-
14 section in the fiscal year; exceeds

15 “(ii) the product of—

16 “(I) the Federal medical assist-
17 ance percentage for the State (as de-
18 fined in section 1905(b), as such sec-
19 tion was in effect on September 30,
20 1995);

21 “(II) the State’s reimbursable ex-
22 penditures for the fiscal year; and

23 “(III) $\frac{1}{12}$ times the number of
24 months during the fiscal year for
25 which the Secretary made a payment

1 to the State under such paragraph
2 (3).

3 “(B) DEFINITIONS.—As used in subpara-
4 graph (A):

5 “(i) REIMBURSABLE EXPENDI-
6 TURES.—The term ‘reimbursable expendi-
7 tures’ means, with respect to a State and
8 a fiscal year, the amount (if any) by
9 which—

10 “(I) countable State expenditures
11 for the fiscal year; exceeds

12 “(II) historic State expenditures
13 (as defined in section
14 409(a)(7)(B)(iii)), excluding any
15 amount expended by the State for
16 child care under subsection (g) or (i)
17 of section 402 (as in effect during fis-
18 cal year 1994) for fiscal year 1994.

19 “(ii) COUNTABLE STATE EXPENDI-
20 TURES.—The term ‘countable expendi-
21 tures’ means, with respect to a State and
22 a fiscal year—

23 “(I) the qualified State expendi-
24 tures (as defined in section
25 409(a)(7)(B)(i) (other than the ex-

1 penditures described in subclause
2 (I)(bb) of such section)) under the
3 State program funded under this part
4 for the fiscal year; plus

5 “(II) any amount paid to the
6 State under paragraph (3) during the
7 fiscal year that is expended by the
8 State under the State program funded
9 under this part.”.

10 (f) ADMINISTRATION OF CONTINGENCY FUND
11 TRANSFERRED TO THE SECRETARY OF HHS.—Section
12 403(b)(7) (42 U.S.C. 603(b)(7)) is amended to read as
13 follows:

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

17 **SEC. 104. USE OF GRANTS.**

18 Section 404(a)(2) (42 U.S.C. 604(a)(2)) is amended
19 by inserting “, or (at the option of the State) August 21,
20 1996” before the period.

21 **SEC. 105. MANDATORY WORK REQUIREMENTS.**

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

1 “(C) FAMILY WITH A DISABLED PARENT
2 NOT TREATED AS A 2-PARENT FAMILY.—A fam-
3 ily that includes a disabled parent shall not be
4 considered a 2-parent family for purposes of
5 subsections (a) and (b) of this section.”.

6 (b) CORRECTION OF HEADING.—Section 407(b)(3)
7 (42 U.S.C. 607(b)(3)) is amended in the heading by in-
8 serting “AND NOT RESULTING FROM CHANGES IN STATE
9 ELIGIBILITY CRITERIA” before the period.

10 (c) STATE OPTION TO INCLUDE INDIVIDUALS RE-
11 CEIVING ASSISTANCE UNDER A TRIBAL WORK PROGRAM
12 IN PARTICIPATION RATE CALCULATION.—Section
13 407(b)(4) (42 U.S.C. 607(b)(4)) is amended—

14 (1) in the heading, by inserting “OR TRIBAL
15 WORK PROGRAM” before the period; and

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

19 (d) SHARING OF 35-HOUR WORK REQUIREMENT BE-
20 TWEEN PARENTS IN 2-PARENT FAMILIES.—Section
21 407(c)(1)(B) (42 U.S.C. 607(c)(1)(B)) is amended—

22 (1) in clause (i)—

23 (A) by striking “is” and inserting “and the
24 other parent in the family are”; and

1 (B) by inserting “a total of” before “at
2 least”; and

3 (2) in clause (ii)—

4 (A) by striking “individual’s spouse is”
5 and inserting “individual and the other parent
6 in the family are”;

7 (B) by inserting “for a total of at least 55
8 hours per week” before “during the month”;
9 and

10 (C) by striking “20” and inserting “50”.

11 (e) CLARIFICATION OF EFFORT REQUIRED IN WORK
12 ACTIVITIES.—Section 407(c)(1)(B) (42 U.S.C.
13 607(c)(1)(B)) is amended by striking “making progress”
14 each place such term appears and inserting “participat-
15 ing”.

16 (f) ADDITIONAL CONDITION UNDER WHICH 12
17 WEEKS OF JOB SEARCH MAY COUNT AS WORK.—Section
18 407(c)(2)(A)(i) (42 U.S.C. 607(c)(2)(A)(i)) is amended by
19 inserting “or the State is a needy State (within the mean-
20 ing of section 403(b)(6))” after “United States”.

21 (g) CARETAKER RELATIVE OF CHILD UNDER AGE
22 6 DEEMED TO BE MEETING WORK REQUIREMENTS IF
23 ENGAGED IN WORK FOR 20 HOURS PER WEEK.—Section
24 407(c)(2)(B) (42 U.S.C. 607(c)(2)(B)) is amended—

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

3 (2) by striking “in a 1-parent family who is the
4 parent” and inserting “who is the only parent or
5 caretaker relative in the family”.

6 (h) EXTENSION TO MARRIED TEENS OF RULE THAT
7 RECEIPT OF SUFFICIENT EDUCATION IS ENOUGH TO
8 MEET WORK PARTICIPATION REQUIREMENTS.—Section
9 407(e)(2)(C) (42 U.S.C. 607(e)(2)(C)) is amended—

10 (1) in the heading, by striking “TEEN HEAD OF
11 HOUSEHOLD” and inserting “SINGLE TEEN HEAD
12 OF HOUSEHOLD OR MARRIED TEEN”; and

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

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

24 (j) CLARIFICATION OF REFUSAL TO WORK FOR PUR-
25 POSES OF WORK PENALTIES FOR INDIVIDUALS.—Section

1 407(e)(2) (42 U.S.C. 607(e)(2)) is amended by striking
2 “work” and inserting “engage in work required in accord-
3 ance with this section”.

4 **SEC. 106. PROHIBITIONS; REQUIREMENTS.**

5 (a) **ELIMINATION OF REDUNDANT LANGUAGE; CLAR-**
6 **IFICATION OF HOME RESIDENCE REQUIREMENT.**—Sec-
7 tion 408(a)(1) (42 U.S.C. 608(a)(1)) is amended to read
8 as follows:

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

16 (b) **CLARIFICATION OF TERMINOLOGY.**—Section
17 408(a)(3) (42 U.S.C. 608(a)(3)) is amended—

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

21 (2) by striking “the date the family leaves the
22 program” the 2nd place such term appears and in-
23 serting “such date”.

24 (c) **ELIMINATION OF SPACE.**—Section
25 408(a)(5)(A)(ii) (42 U.S.C. 608(a)(5)(A)(ii)) is amended

1 by striking “DESCRIBED.— For” and inserting “DE-
2 SCRIBED.—For”.

3 (d) CORRECTIONS TO 5-YEAR LIMIT ON ASSIST-
4 ANCE.—

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

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

10 (B) by inserting “during the fiscal year or
11 the immediately preceding fiscal year (but not
12 both), as the State may elect” before the pe-
13 riod.

14 (2) RESIDENCE EXCEPTION MADE MORE UNI-
15 FORM AND EASIER TO ADMINISTER.—Section
16 408(a)(7)(D) (42 U.S.C. 608(a)(7)(D)) is amended
17 to read as follows:

18 “(D) DISREGARD OF MONTHS OF ASSIST-
19 ANCE RECEIVED BY ADULT WHILE LIVING IN
20 INDIAN COUNTRY OR AN ALASKAN NATIVE VIL-
21 LAGE WITH 50 PERCENT UNEMPLOYMENT.—

22 “(i) IN GENERAL.—In determining
23 the number of months for which an adult
24 has received assistance under a State or
25 tribal program funded under this part, the

1 State or tribe shall disregard any month
2 during which the adult lived in Indian
3 country or an Alaskan Native village if the
4 most reliable data available with respect to
5 the month (or a period including the
6 month) indicate that at least 50 percent of
7 the adults living in Indian country or in
8 the village were not employed.

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

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

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

23 “(e) SPECIAL RULES RELATING TO THE TREATMENT
24 OF NON-213A ALIENS.—The following rules shall apply
25 if a State elects to take the income or resources of any

1 sponsor of a non-213A alien into account in determining
2 whether the alien is eligible for assistance under the State
3 program funded under this part, or in determining the
4 amount or types of such assistance to be provided to the
5 alien:

6 “(1) DEEMING OF SPONSOR’S INCOME AND RE-
7 SOURCES.—For a period of 3 years after a non-
8 213A alien enters the United States:

9 “(A) INCOME DEEMING RULE.—The in-
10 come of any sponsor of the alien and of any
11 spouse of the sponsor is deemed to be income
12 of the alien, to the extent that the total amount
13 of the income exceeds the sum of—

14 “(i) the lesser of—

15 “(I) 20 percent of the total of
16 any amounts received by the sponsor
17 or any such spouse in the month as
18 wages or salary or as net earnings
19 from self-employment, plus the full
20 amount of any costs incurred by the
21 sponsor and any such spouse in pro-
22 ducing self-employment income in
23 such month; or

24 “(II) \$175;

1 “(ii) the cash needs standard estab-
2 lished by the State for purposes of deter-
3 mining eligibility for assistance under the
4 State program funded under this part for
5 a family of the same size and composition
6 as the sponsor and any other individuals
7 living in the same household as the sponsor
8 who are claimed by the sponsor as depend-
9 ents for purposes of determining the spon-
10 sor’s Federal personal income tax liability
11 but whose needs are not taken into account
12 in determining whether the sponsor’s fam-
13 ily has met the cash needs standard;

14 “(iii) any amounts paid by the spon-
15 sor or any such spouse to individuals not
16 living in the household who are claimed by
17 the sponsor as dependents for purposes of
18 determining the sponsor’s Federal personal
19 income tax liability; and

20 “(iv) any payments of alimony or
21 child support with respect to individuals
22 not living in the household.

23 “(B) RESOURCE DEEMING RULE.—The re-
24 sources of a sponsor of the alien and of any
25 spouse of the sponsor are deemed to be re-

1 sources of the alien to the extent that the ag-
2 gregate value of the resources exceeds \$1,500.

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

14 “(2) INELIGIBILITY OF NON-213A ALIENS SPON-
15 SORED BY AGENCIES; EXCEPTION.—A non-213A
16 alien whose sponsor is or was a public or private
17 agency shall be ineligible for assistance under a
18 State program funded under this part, during a pe-
19 riod of 3 years after the alien enters the United
20 States, unless the State agency administering the
21 program determines that the sponsor either no
22 longer exists or has become unable to meet the
23 alien’s needs.

24 “(3) INFORMATION PROVISIONS.—

1 “(A) DUTIES OF NON-213A ALIENS.—A
2 non-213A alien, as a condition of eligibility for
3 assistance under a State program funded under
4 this part during the period of 3 years after the
5 alien enters the United States, shall be required
6 to provide to the State agency administering
7 the program—

8 “(i) such information and documenta-
9 tion with respect to the alien’s sponsor as
10 may be necessary in order for the State
11 agency to make any determination required
12 under this subsection, and to obtain any
13 cooperation from the sponsor necessary for
14 any such determination; and

15 “(ii) such information and documenta-
16 tion as the State agency may request and
17 which the alien or the alien’s sponsor pro-
18 vided in support of the alien’s immigration
19 application.

20 “(B) DUTIES OF FEDERAL AGENCIES.—
21 The Secretary shall enter into agreements with
22 the Secretary of State and the Attorney Gen-
23 eral under which any information available to
24 them and required in order to make any deter-
25 mination under this subsection will be provided

1 by them to the Secretary (who may, in turn,
2 make the information available, upon request,
3 to a concerned State agency).

4 “(4) NON-213A ALIEN DEFINED.—An alien is a
5 non-213A alien for purposes of this subsection if the
6 affidavit of support or similar agreement with re-
7 spect to the alien that was executed by the sponsor
8 of the alien’s entry into the United States was exe-
9 cuted other than pursuant to section 213A of the
10 Immigration and Nationality Act.

11 “(5) INAPPLICABILITY TO ALIEN MINOR SPON-
12 SORED BY A PARENT.—This subsection shall not
13 apply to an alien who is a minor child if the sponsor
14 of the alien or any spouse of the sponsor is a parent
15 of the alien.

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

19 “(A) admitted to the United States as a
20 refugee under section 207 of the Immigration
21 and Nationality Act;

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

1 GRANT REDUCTIONS.—Such term
2 does not include any amount expended
3 in order to comply with paragraph
4 (12).”.

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

9 (1) by striking “and families” and inserting
10 “families”; and

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

15 (e) ELIMINATION OF MEANINGLESS LANGUAGE.—
16 Section 409(a)(7)(B)(ii) (42 U.S.C. 609(a)(7)(B)(ii)) is
17 amended by striking “reduced (if appropriate) in accord-
18 ance with subparagraph (C)(ii)”.

19 (f) CLARIFICATION OF SOURCE OF DATA TO BE
20 USED IN DETERMINING HISTORIC STATE EXPENDI-
21 TURES.—Section 409(a)(7)(B) (42 U.S.C. 609(a)(7)(B))
22 is amended by adding at the end the following:

23 “(v) SOURCE OF DATA.—In determin-
24 ing expenditures by a State for fiscal years
25 1994 and 1995, the Secretary shall use in-

1 formation which was reported by the State
2 on ACF Form 231 or (in the case of ex-
3 penditures under part F) ACF Form 331,
4 available as of the dates specified in
5 clauses (ii) and (iii) of section
6 403(a)(1)(D).”.

7 (g) CLARIFICATION OF EXPENDITURES TO BE EX-
8 CLUDED IN DETERMINING HISTORIC STATE EXPENDI-
9 TURES.—Section 409(a)(7)(B)(iv) (42 U.S.C.
10 609(a)(7)(B)(iv)) is amended—

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

13 (2) by striking subclause (III) and redesignat-
14 ing subclause (IV) as subclause (III); and

15 (3) in the 2nd sentence—

16 (A) by striking “(IV)” and inserting
17 “(III)”;

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

19 (C) by striking “that equal” and inserting
20 “that equals”.

21 (h) CONFORMING TITLE IV–A PENALTIES TO TITLE
22 IV–D PERFORMANCE-BASED STANDARDS.—Section
23 409(a)(8) (42 U.S.C. 609(a)(8)) is amended to read as
24 follows:

1 “(8) NONCOMPLIANCE OF STATE CHILD SUP-
2 PORT ENFORCEMENT PROGRAM WITH REQUIRE-
3 MENTS OF PART D.—

4 “(A) IN GENERAL.—If the Secretary finds,
5 with respect to a State’s program under part D,
6 in a fiscal year beginning on or after October
7 1, 1997—

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

17 “(II) on the basis of the results of an
18 audit or audits conducted under section
19 452(a)(4)(C)(i) that the State data sub-
20 mitted pursuant to section 454(15)(B) is
21 incomplete or unreliable; or

22 “(III) on the basis of the results of an
23 audit or audits conducted under section
24 452(a)(4)(C) that a State failed to sub-

1 stantially comply with 1 or more of the re-
2 quirements of part D; and

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

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

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

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

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

4 “(i) not less than 1 nor more than 2
5 percent;

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

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

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

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

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

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

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

21 (1) by striking “the expenditures under the
22 State program funded under this part for the fiscal
23 year (excluding any amounts made available by the
24 Federal Government)” and inserting “the qualified
25 State expenditures (as defined in paragraph

1 (7)(B)(i) (other than the expenditures described in
2 subclause (I)(bb) of that paragraph)) under the
3 State program funded under this part for the fiscal
4 year”;

5 (2) by inserting “excluding any amount ex-
6 pended by the State for child care under subsection
7 (g) or (i) of section 402 (as in effect during fiscal
8 year 1994) for fiscal year 1994,” after “(as defined
9 in paragraph (7)(B)(iii) of this subsection),”; and

10 (3) by inserting “that the State has not remit-
11 ted under section 403(b)(6)” before the period.

12 (k) PENALTY FOR STATE FAILURE TO EXPEND AD-
13 DITIONAL STATE FUNDS TO REPLACE GRANT REDUC-
14 TIONS.—Section 409(a)(12) (42 U.S.C. 609(a)(12)) is
15 amended—

16 (1) in the heading—

17 (A) by striking “FAILURE” and inserting
18 “REQUIREMENT”; and

19 (B) by striking “REDUCTIONS” and insert-
20 ing “REDUCTIONS; PENALTY FOR FAILURE TO
21 DO SO”; and

22 (2) by inserting “, and if the State fails to do
23 so, the Secretary may reduce the grant payable to
24 the State under section 403(a)(1) for the fiscal year
25 that follows such succeeding fiscal year by an

1 amount equal to not more than 2 percent of the
2 State family assistance grant” before the period.

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

7 (m) CLARIFICATION OF WHAT IT MEANS TO COR-
8 RECT A VIOLATION.—Section 409(e) (42 U.S.C. 609(e))
9 is amended—

10 (1) in each of subparagraphs (A) and (B) of
11 paragraph (1), by inserting “or discontinue, as ap-
12 propriate,” after “correct”;

13 (2) in paragraph (2)—

14 (A) in the heading, by inserting “OR DIS-
15 CONTINUING” after “CORRECTING”; and

16 (B) by inserting “or discontinues, as ap-
17 propriate” after “corrects”; and

18 (3) in paragraph (3)—

19 (A) in the heading, by inserting “OR DIS-
20 CONTINUE” after “CORRECT”; and

21 (B) by inserting “or discontinue, as appro-
22 priate,” before “the violation”.

23 (n) CERTAIN PENALTIES NOT AVOIDABLE THROUGH
24 CORRECTIVE COMPLIANCE PLANS.—Section 409(e)(4)
25 (42 U.S.C. 609(e)(4)) is amended to read as follows:

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

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

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

7 (1) in paragraph (1)—

8 (A) in subparagraph (A)—

9 (i) by striking clause (ii) and inserting
10 the following:

11 “(ii) Whether a child receiving such
12 assistance or an adult in the family is re-
13 ceiving—

14 “(I) disability insurance benefits
15 under section 223;

16 “(II) benefits based on disability
17 under section 202;

18 “(III) aid under a State plan ap-
19 proved under title XIV (as in effect
20 without regard to the amendment
21 made by section 301 of the Social Se-
22 curity Amendments of 1972));

23 “(IV) aid or assistance under a
24 State plan approved under title XVI
25 (as in effect without regard to such

1 amendment) by reason of being per-
2 manently and totally disabled; or

3 “(V) supplemental security in-
4 come benefits under title XVI (as in
5 effect pursuant to such amendment)
6 by reason of disability.”;

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

9 (iii) in each of clauses (vii) and (viii),
10 by striking “status” and inserting “level”;
11 and

12 (iv) by adding at the end the follow-
13 ing:

14 “(xvii) With respect to each individual
15 in the family who has not attained 20
16 years of age, whether the individual is a
17 parent of a child in the family.”; and

18 (B) in subparagraph (B)—

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

21 (ii) in clause (i), by striking “an esti-
22 mate which is obtained” and inserting
23 “disaggregated case record information on
24 a sample of families selected”; and

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

4 “(6) REPORT ON FAMILIES RECEIVING ASSIST-
5 ANCE.—The report required by paragraph (1) for a
6 fiscal quarter shall include for each month in the
7 quarter the number of families and individuals re-
8 ceiving assistance under the State program funded
9 under this part (including the number of 2-parent
10 and 1-parent families), and the total dollar value of
11 such assistance received by all families.”.

12 **SEC. 109. DIRECT FUNDING AND ADMINISTRATION BY IN-**
13 **DIAN TRIBES.**

14 (a) PRORATING OF TRIBAL FAMILY ASSISTANCE
15 GRANTS.—Section 412(a)(1)(A) (42 U.S.C. 612(a)(1)(A))
16 is amended by inserting “which shall be reduced for a fis-
17 cal year, on a pro rata basis for each quarter, in the case
18 of a tribal family assistance plan approved during a fiscal
19 year for which the plan is to be in effect,” before “and
20 shall”.

21 (b) TRIBAL OPTION TO OPERATE WORK ACTIVITIES
22 PROGRAM.—Section 412(a)(2)(A) (42 U.S.C.
23 612(a)(2)(A)) is amended by striking “The Secretary”
24 and all that follows through “2002” and inserting “For
25 each of fiscal years 1997, 1998, 1999, 2000, 2001, and

1 2002, the Secretary shall pay to each eligible Indian tribe
2 that proposes to operate a program described in subpara-
3 graph (C)”.

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

10 (d) REDUCTION OF APPROPRIATION FOR TRIBAL
11 WORK ACTIVITIES PROGRAMS.—Section 412(a)(2)(D) (42
12 U.S.C. 612(a)(2)(D)) is amended by striking
13 “\$7,638,474” and inserting “\$7,633,287”.

14 (e) AVAILABILITY OF CORRECTIVE COMPLIANCE
15 PLANS TO INDIAN TRIBES.—Section 412(f)(1) (42 U.S.C.
16 612(f)(1)) is amended by striking “and (b)” and inserting
17 “(b), and (c)”.

18 (f) ELIGIBILITY OF TRIBES FOR FEDERAL LOANS
19 FOR WELFARE PROGRAMS.—Section 412 (42 U.S.C. 612)
20 is amended by redesignating subsections (f), (g), and (h)
21 as subsections (g), (h), and (i), respectively, and by insert-
22 ing after subsection (e) the following:

23 “(f) ELIGIBILITY FOR FEDERAL LOANS.—Section
24 406 shall apply to an Indian tribe with an approved tribal
25 assistance plan in the same manner as such section applies

1 to a State, except that section 406(c) shall be applied by
 2 substituting ‘section 412(a)’ for ‘section 403(a)’.”.

3 **SEC. 110. RESEARCH, EVALUATIONS, AND NATIONAL STUD-**
 4 **IES.**

5 (a) RESEARCH.—

6 (1) METHODS.—Section 413(a) (42 U.S.C.
 7 613(a)) is amended by inserting “, directly or
 8 through grants, contracts, or interagency agree-
 9 ments,” before “shall conduct”.

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

13 (b) CORRECTION OF ERRONEOUSLY INDENTED
 14 PARAGRAPH.—Section 413(e)(1) (42 U.S.C. 613(e)(1)) is
 15 amended to read as follows:

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

19 “(A) ABSOLUTE OUT-OF-WEDLOCK RA-
 20 TIOS.—The ratio represented by—

21 “(i) the total number of out-of-wed-
 22 lock births in families receiving assistance
 23 under the State program under this part
 24 in the State for the most recent year for
 25 which information is available; over

1 “(ii) the total number of births in
2 families receiving assistance under the
3 State program under this part in the State
4 for the year.

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

12 (c) FUNDING OF PRIOR AUTHORIZED DEMONSTRATION-
13 TIONS.—Section 413(h)(1)(D) (42 U.S.C. 613(h)(1)(D))
14 is amended by striking “September 30, 1995” and insert-
15 ing “August 22, 1996”.

16 (d) CHILD POVERTY REPORTS.—

17 (1) DELAYED DUE DATE FOR INITIAL RE-
18 PORT.—Section 413(i)(1) (42 U.S.C. 613(i)(1)) is
19 amended by striking “90 days after the date of the
20 enactment of this part” and inserting “November
21 30, 1997”.

22 (2) MODIFICATION OF FACTORS TO BE USED IN
23 ESTABLISHING METHODOLOGY FOR USE IN DETER-
24 MINING CHILD POVERTY RATES.—Section 413(i)(5)
25 (42 U.S.C. 613(i)(5)) is amended by striking “the

1 county-by-county” and inserting “, to the extent
2 available, county-by-county”.

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

4 Section 106(a)(1) of the Personal Responsibility and
5 Work Opportunity Reconciliation Act of 1996 (Public Law
6 104–193; 110 Stat. 2164) is amended by striking
7 “(whether in effect before or after October 1, 1995)”.

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

9 Section 107(a) of the Personal Responsibility and
10 Work Opportunity Reconciliation Act of 1996 (Public Law
11 104–193; 110 Stat. 2164) is amended by striking
12 “409(a)(7)(C)” and inserting “408(a)(7)(C)”.

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

14 (a) CERTAIN PAYMENTS TO BE DISREGARDED IN
15 DETERMINING LIMITATION.—Section 1108(a) (42 U.S.C.
16 1308) is amended to read as follows:

17 “(a) LIMITATION ON TOTAL PAYMENTS TO EACH
18 TERRITORY.—

19 “(1) IN GENERAL.—Notwithstanding any other
20 provision of this Act (except for paragraph (2) of
21 this subsection), the total amount certified by the
22 Secretary of Health and Human Services under ti-
23 tles I, X, XIV, and XVI, under parts A and E of
24 title IV, and under subsection (b) of this section, for
25 payment to any territory for a fiscal year shall not

1 exceed the ceiling amount for the territory for the
2 fiscal year.

3 “(2) CERTAIN PAYMENTS DISREGARDED.—
4 Paragraph (1) of this subsection shall be applied
5 without regard to any payment made under section
6 403(a)(2), 403(a)(4), 406, or 413(f).”

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

15 (c) ELIMINATION OF DUPLICATIVE MAINTENANCE
16 OF EFFORT REQUIREMENT.—Section 1108 (42 U.S.C.
17 1308) is amended by striking subsection (e).

18 **SEC. 114. CONFORMING AMENDMENTS TO THE SOCIAL SE-**
19 **CURITY ACT.**

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

21 (1) CORRECTIONS TO DETERMINATION OF PA-
22 TERNITY ESTABLISHMENT PERCENTAGES.—Section
23 452 (42 U.S.C. 652) is amended—

24 (A) in subsection (d)(3)(A), by striking all
25 that follows “for purposes of” and inserting

1 “section 409(a)(8), to achieve the paternity es-
2 tablishment percentages (as defined under sec-
3 tion 452(g)(2)) and other performance meas-
4 ures that may be established by the Secretary,
5 and to submit data under section 454(15)(B)
6 that is complete and reliable, and to substan-
7 tially comply with the requirements of this part;
8 and”;

9 (B) in subsection (g)(1), by striking “sec-
10 tion 403(h)” and inserting “section 409(a)(8)”.

11 (2) ELIMINATION OF OBSOLETE LANGUAGE.—
12 Section 108(c)(8)(C) of the Personal Responsibility
13 and Work Opportunity Reconciliation Act of 1996
14 (Public Law 104–193; 110 Stat. 2165) is amended
15 by inserting “and all that follows through ‘the best
16 interests of such child to do so’” before “and insert-
17 ing”.

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

24 (4) ELIMINATION OF OBSOLETE CROSS REF-
25ERENCE.—Section 464(a)(1) (42 U.S.C. 664(a)(1))

1 is amended by striking “section 402(a)(26)” and in-
2 sserting “section 408(a)(3)”.

3 (b) AMENDMENTS TO PART E OF TITLE IV.—Each
4 of the following is amended by striking “June 1, 1995”
5 each place such term appears and inserting “July 16,
6 1996”:

7 (1) Section 472(a) (42 U.S.C. 672(a)).

8 (2) Section 472(h) (42 U.S.C. 672(h)).

9 (3) Section 473(a)(2) (42 U.S.C. 673(a)(2)).

10 (4) Section 473(b) (42 U.S.C. 673(b)).

11 **SEC. 115. OTHER CONFORMING AMENDMENTS.**

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

16 (1) by adding “and” at the end of paragraph
17 (6); and

18 (2) by striking paragraph (7) and redesignating
19 paragraph (8) as paragraph (7).

20 (b) CORRECTION OF CITATION.—Section 109(f) of
21 the Personal Responsibility and Work Opportunity Rec-
22 onciliation Act of 1996 (Public Law 104–193; 110 Stat.
23 2177) is amended by striking “93–186” and inserting
24 “93–86”.

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

6 **SEC. 116. MODIFICATIONS TO THE JOB OPPORTUNITIES**
7 **FOR CERTAIN LOW-INCOME INDIVIDUALS**
8 **PROGRAM.**

9 Section 112(5) of the Personal Responsibility and
10 Work Opportunity Reconciliation Act of 1996 (Public Law
11 104–193; 110 Stat. 2177) is amended in each of subpara-
12 graphs (A) and (B) by inserting “under” after “funded”.

13 **SEC. 117. DENIAL OF ASSISTANCE AND BENEFITS FOR**
14 **DRUG-RELATED CONVICTIONS.**

15 (a) EXTENSION OF CERTAIN REQUIREMENTS CO-
16 ORDINATED WITH DELAYED EFFECTIVE DATE FOR SUC-
17 CESSOR PROVISIONS.—Section 115(d)(2) of the Personal
18 Responsibility and Work Opportunity Reconciliation Act
19 of 1996 (Public Law 104–193; 110 Stat. 2181) is amend-
20 ed by striking “convictions” and inserting “a conviction
21 if the conviction is for conduct”.

22 (b) IMMEDIATE EFFECTIVENESS OF PROVISIONS RE-
23 LATING TO RESEARCH, EVALUATIONS, AND NATIONAL
24 STUDIES.—Section 116(a) of such Act (Public Law 104–

1 193; 110 Stat. 2181) is amended by adding at the end
2 the following:

3 “(6) RESEARCH, EVALUATIONS, AND NATIONAL
4 STUDIES.—Section 413 of the Social Security Act,
5 as added by the amendment made by section 103(a)
6 of this Act, shall take effect on the date of the en-
7 actment of this Act.”.

8 **SEC. 118. TRANSITION RULE.**

9 Section 116 of the Personal Responsibility and Work
10 Opportunity Reconciliation Act of 1996 (Public Law 104–
11 193; 110 Stat. 2181) 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. 119. 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

1 and Work Opportunity Reconciliation Act of 1996 at the
2 time such section became law.

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

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

15 (d) AMENDMENTS TO FREESTANDING PROVISIONS
16 OF THE PERSONAL RESPONSIBILITY AND WORK OPPOR-
17 TUNITY RECONCILIATION ACT OF 1996.—The amend-
18 ments made by this title to a provision of the Personal
19 Responsibility and Work Opportunity Reconciliation Act
20 of 1996 that, as of July 1, 1997, will not have become
21 part of another statute shall take effect as if the amend-
22 ments had been included in the provision at the time the
23 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)(A) of the Personal Re-
12 sponsibility and Work Opportunity Reconciliation Act of
13 1996 (42 U.S.C. 1382c note) is amended by striking “1
14 year” and inserting “18 months”.

15 (b) ELIGIBILITY REDETERMINATIONS AND CONTINU-
16 ING DISABILITY REVIEWS.—

17 (1) DISABILITY ELIGIBILITY REDETERMINA-
18 TIONS REQUIRED FOR SSI RECIPIENTS WHO ATTAIN
19 18 YEARS OF AGE.—Section 1614(a)(3)(H)(iii) of
20 the Social Security Act (42 U.S.C.
21 1382c(a)(3)(H)(iii)) is amended by striking sub-
22 clauses (I) and (II) and all that follows and insert-
23 ing the following:

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

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

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

11 (2) CONTINUING DISABILITY REVIEW REQUIRED
12 FOR LOW BIRTH WEIGHT BABIES.—Section
13 1614(a)(3)(H)(iv) of the Social Security Act (42
14 U.S.C. 1382c(a)(3)(H)(iv)) is amended—

15 (A) in subclause (I), by striking “Not” and
16 inserting “Except as provided in subclause (VI),
17 not”; and

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

19 “(VI) Subclause (I) shall not apply in the case of an
20 individual described in that subclause who, at the time of
21 the individual’s initial disability determination, the Com-
22 missioner determines has an impairment that is not ex-
23 pected to improve within 12 months after the birth of that
24 individual, and who the Commissioner schedules for a con-

1 tinuing disability review at a date that is after the individ-
2 ual attains 1 year of age.”.

3 (c) ADDITIONAL ACCOUNTABILITY REQUIRE-
4 MENTS.—Section 1631(a)(2)(F) of the Social Security Act
5 (42 U.S.C. 1383(a)(2)(F)) is amended—

6 (1) in clause (ii)(III)(bb), by striking “the total
7 amount” and all that follows through “1613(c)” and
8 inserting “in any case in which the individual know-
9 ingly misapplies benefits from such an account, the
10 Commissioner shall reduce future benefits payable to
11 such individual (or to such individual and his
12 spouse) by an amount equal to the total amount of
13 such benefits so misapplied”; and

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

16 “(iii) The representative payee may deposit into the
17 account established under clause (i) any other funds rep-
18 resenting past due benefits under this title to the eligible
19 individual, provided that the amount of such past due ben-
20 efits is equal to or exceeds the maximum monthly benefit
21 payable under this title to an eligible individual (including
22 State supplementary payments made by the Commissioner
23 pursuant to an agreement under section 1616 or section
24 212(b) of Public Law 93–66).”.

1 (d) REDUCTION IN CASH BENEFITS PAYABLE TO IN-
2 STITUTIONALIZED INDIVIDUALS WHOSE MEDICAL COSTS
3 ARE COVERED BY PRIVATE INSURANCE.—Section
4 1611(e) of the Social Security Act (42 U.S.C. 1382(e))
5 is amended—

6 (1) in paragraph (1)(B)—

7 (A) in the matter preceding clause (i), by
8 striking “hospital, extended care facility, nurs-
9 ing home, or intermediate care facility” and in-
10 sserting “medical treatment facility”;

11 (B) in clause (ii)—

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

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

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

18 (D) in the matter following clause (iii), by
19 striking “hospital, extended care facility, nurs-
20 ing home, or intermediate care facility which is
21 a ‘medical institution or nursing facility’ within
22 the meaning of section 1917(c)” and inserting
23 “medical treatment facility that provides serv-
24 ices described in section 1917(c)(1)(C)”;

25 (2) in paragraph (1)(E)—

1 (A) in clause (i)(II), by striking “hospital,
2 extended care facility, nursing home, or inter-
3 mediate care facility” and inserting “medical
4 treatment facility”; and

5 (B) in clause (iii), by striking “hospital,
6 extended care facility, nursing home, or inter-
7 mediate care facility” and inserting “medical
8 treatment facility”;

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

11 (A) by striking “or which is a hospital, ex-
12 tended care facility, nursing home, or inter-
13 mediate care” and inserting “or is in a medical
14 treatment”; and

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

20 (4) in paragraph (3)—

21 (A) by striking “same hospital, home, or
22 facility” and inserting “same medical treatment
23 facility”; and

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

1 (e) CORRECTION OF U.S.C. CITATION.—Section
2 211(c) of the Personal Responsibility and Work Oppor-
3 tunity Reconciliation Act of 1996 (Public Law 104–193;
4 110 Stat. 2189) is amended by striking “1382(a)(4)” and
5 inserting “1382c(a)(4)”.

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

7 **II.**

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

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

12 (2) in section 215(i)(2)(D), by striking “He”
13 and inserting “The Commissioner of Social Secu-
14 rity”.

15 **SEC. 204. ADDITIONAL TECHNICAL AMENDMENTS TO TITLE**

16 **XVI.**

17 Section 1615(d) of the Social Security Act (42 U.S.C.
18 1382d(d)) is amended—

19 (1) in the first sentence, by inserting a comma
20 after “subsection (a)(1)”; and

21 (2) in the last sentence, by striking “him” and
22 inserting “the Commissioner”.

1 **SEC. 205. ADDITIONAL TECHNICAL AMENDMENTS RELAT-**
2 **ING TO TITLES II AND XVI.**

3 Section 1110(a)(3) of the Social Security Act (42
4 U.S.C. 1310(a)(3)) is amended—

5 (1) by inserting “(or the Commissioner, with
6 respect to any jointly financed cooperative agree-
7 ment or grant concerning titles II or XVI)” after
8 “Secretary” the first place it appears; and

9 (2) by inserting “(or the Commissioner, as ap-
10 plicable)” after “Secretary” the second place it ap-
11 pears.

12 **SEC. 206. EFFECTIVE DATES.**

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

18 (b) EXCEPTION.—The amendments made by section
19 205 shall take effect as if included in the enactment of
20 the Social Security Independence and Program Improve-
21 ments Act of 1994 (Public Law 103–296; 108 Stat.
22 1464).

1 **Subtitle B—Additional**
2 **Amendments**

3 **SEC. 211. TECHNICAL AMENDMENTS RELATING TO DRUG**
4 **ADDICTS AND ALCOHOLICS.**

5 (a) CLARIFICATIONS RELATING TO THE EFFECTIVE
6 DATE OF THE DENIAL OF DISABILITY BENEFITS TO
7 DRUG ADDICTS AND ALCOHOLICS.—

8 (1) AMENDMENTS RELATING TO DISABILITY
9 BENEFITS UNDER TITLE II.—Section 105(a)(5) of
10 the Contract with America Advancement Act of
11 1996 (Public Law 104–121; 110 Stat. 853) is
12 amended—

13 (A) in subparagraph (A), by striking “by
14 the Commissioner of Social Security” and “by
15 the Commissioner”; and

16 (B) by adding at the end the following new
17 subparagraphs:

18 “(D) For purposes of this paragraph, an
19 individual’s claim, with respect to benefits
20 under title II of the Social Security Act based
21 on disability, which has been denied in whole
22 before the date of the enactment of this Act,
23 may not be considered to be finally adjudicated
24 before such date if, on or after such date—

1 “(i) there is pending a request for ei-
2 ther administrative or judicial review with
3 respect to such claim, or

4 “(ii) there is pending, with respect to
5 such claim, a readjudication by the Com-
6 missioner of Social Security pursuant to
7 relief in a class action or implementation
8 by the Commissioner of a court remand
9 order.

10 “(E) Notwithstanding the provisions of
11 this paragraph, with respect to any individual
12 for whom the Commissioner of Social Security
13 does not perform the entitlement redetermina-
14 tion before the date prescribed in subparagraph
15 (C), the Commissioner shall perform such enti-
16 tlement redetermination in lieu of a continuing
17 disability review whenever the Commissioner de-
18 termines that the individual’s entitlement is
19 subject to redetermination based on the preced-
20 ing provisions of this paragraph, and the provi-
21 sions of section 223(f) of the Social Security
22 Act shall not apply to such redetermination.”.

23 (2) AMENDMENTS RELATING TO SUPPLE-
24 MENTAL SECURITY INCOME DISABILITY BENEFITS

1 UNDER TITLE XVI.—Section 105(b)(5) of such Act
2 (Public Law 104–121; 110 Stat. 853) is amended—

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

6 (B) by redesignating subparagraph (D) as
7 subparagraph (F) and by inserting after sub-
8 paragraph (C) the following new subpara-
9 graphs:

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

18 “(i) there is pending a request for ei-
19 ther administrative or judicial review with
20 respect to such claim, or

21 “(ii) there is pending, with respect to
22 such claim, a readjudication by the Com-
23 missioner of Social Security pursuant to
24 relief in a class action or implementation

1 by the Commissioner of a court remand
2 order.

3 “(E) Notwithstanding the provisions of
4 this paragraph, with respect to any individual
5 for whom the Commissioner does not perform
6 the eligibility redetermination before the date
7 prescribed in subparagraph (C), the Commis-
8 sioner shall perform such eligibility redeter-
9 mination in lieu of a continuing disability re-
10 view whenever the Commissioner determines
11 that the individual’s eligibility is subject to re-
12 determination based on the preceding provisions
13 of this paragraph, and the provisions of section
14 1614(a)(4) of the Social Security Act shall not
15 apply to such redetermination.”.

16 (b) CORRECTIONS TO EFFECTIVE DATE OF PROVI-
17 SIONS CONCERNING REPRESENTATIVE PAYEES AND
18 TREATMENT REFERRALS OF DRUG ADDICTS AND ALCO-
19 HOLICS.—

20 (1) AMENDMENTS RELATING TO TITLE II DIS-
21 ABILITY BENEFICIARIES.—Section 105(a)(5)(B) of
22 such Act (Public Law 104–121; 110 Stat. 853) is
23 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 entitlement to benefits is
8 based upon an entitlement redetermination
9 made pursuant to subparagraph (C).”.

10 (2) AMENDMENTS RELATING TO SUPPLE-
11 MENTAL SECURITY INCOME RECIPIENTS.—Section
12 105(b)(5)(B) of such Act (Public Law 104–121; 110
13 Stat. 853) is amended to read as follows:

14 “(B) The amendments made by para-
15 graphs (2) and (3) shall take effect on July 1,
16 1996, with respect to any individual—

17 “(i) whose claim for benefits is finally
18 adjudicated on or after the date of the en-
19 actment of this Act, or

20 “(ii) whose eligibility for benefits is
21 based upon an eligibility redetermination
22 made pursuant to subparagraph (C).”.

23 (c) REPEAL OF OBSOLETE REPORTING REQUIRE-
24 MENTS.—Subsections (a)(3)(B) and (b)(3)(B)(ii) of sec-
25 tion 201 of the Social Security Independence and Program

1 Improvements Act of 1994 (Public Law 103–296; 108
2 Stat. 1497, 1504) are repealed.

3 (d) EFFECTIVE DATES.—

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

9 (2) REPEALS.—The repeals made by subsection
10 (c) shall take effect on the date of the enactment of
11 this Act.

12 **SEC. 212. EXTENSION OF DISABILITY INSURANCE PRO-**
13 **GRAM DEMONSTRATION PROJECT AUTHOR-**
14 **ITY.**

15 (a) IN GENERAL.—Section 505 of the Social Security
16 Disability Amendments of 1980 (Public Law 96–265; 94
17 Stat. 473), as amended by section 12101 of the Consoli-
18 dated Omnibus Budget Reconciliation Act of 1985 (Public
19 Law 99–272; 100 Stat. 282), section 10103 of the Omni-
20 bus Budget Reconciliation Act of 1989 (Public Law 101–
21 239; 103 Stat. 2472), section 5120(f) of the Omnibus
22 Budget Reconciliation Act of 1990 (Public Law 101–508;
23 104 Stat. 1388–282), and section 315 of the Social Secu-
24 rity Independence and Program Improvements Act of

1 1994 (Public Law 103–296; 108 Stat. 1531), is further
2 amended—

3 (1) in paragraph (1) of subsection (a), by add-
4 ing at the end the following new sentence: “The
5 Commissioner may expand the scope of any such ex-
6 periment or demonstration project to include any
7 group of applicants for benefits under such program
8 with impairments which may reasonably be pre-
9 sumed to be disabling for purposes of such experi-
10 ment or demonstration project, and may limit any
11 such experiment or demonstration project to any
12 such group of applicants, subject to the terms of
13 such experiment or demonstration project which
14 shall define the extent of any such presumption.”;

15 (2) in paragraph (3) of subsection (a), by strik-
16 ing “June 10, 1996” and inserting “June 10,
17 1999”;

18 (3) in paragraph (4) of subsection (a), by in-
19 serting “and on or before October 1, 1998,” after
20 “1995,”; and

21 (4) in subsection (c), by striking “October 1,
22 1996” and inserting “October 1, 1999”.

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

1 **SEC. 213. PERFECTING AMENDMENTS RELATED TO WITH-**
2 **HOLDING FROM SOCIAL SECURITY BENEFITS.**

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

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

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

17 (1) by inserting before the period in paragraph
18 (1)(A)(ii) the following: “and the functions of the
19 Social Security Administration in connection with
20 the withholding of taxes from benefits, as described
21 in section 207(c), pursuant to requests by persons
22 entitled to such benefits or such persons’ representa-
23 tive payee”;

24 (2) by inserting before the period at the end of
25 paragraph (1)(A) the following: “and the functions
26 of the Social Security Administration in connection

1 with the withholding of taxes from benefits, as de-
2 scribed in section 207(c), pursuant to requests by
3 persons entitled to such benefits or such persons'
4 representative payee”;

5 (3) in paragraph (1)(B)(i)(I), by striking “sub-
6 paragraph (A)),” and inserting “subparagraph (A))
7 and the functions of the Social Security Administra-
8 tion in connection with the withholding of taxes from
9 benefits, as described in section 207(c), pursuant to
10 requests by persons entitled to such benefits or such
11 persons' representative payee,”;

12 (4) in paragraph (1)(C)(iii), by inserting before
13 the period the following: “and the functions of the
14 Social Security Administration in connection with
15 the withholding of taxes from benefits, as described
16 in section 207(c), pursuant to requests by persons
17 entitled to such benefits or such persons' representa-
18 tive payee”;

19 (5) in paragraph (1)(D), by inserting after
20 “section 232” the following: “and the functions of
21 the Social Security Administration in connection
22 with the withholding of taxes from benefits as de-
23 scribed in section 207(c)”;

24 (6) in paragraph (4), by inserting after the first
25 sentence the following: “The Board of Trustees of

1 such Trust Funds shall prescribe before January 1,
2 1998, the method of determining the costs which
3 should be borne by the general fund in the Treasury
4 of carrying out the functions of the Social Security
5 Administration in connection with the withholding of
6 taxes from benefits, as described in section 207(e),
7 pursuant to requests by persons entitled to such
8 benefits or such persons' representative payee."

9 (c) EFFECTIVE DATE.—The amendments made by
10 subsection (b) shall apply to benefits paid on or after the
11 first day of the second month beginning after the month
12 in which this Act is enacted.

13 **SEC. 214. TREATMENT OF PRISONERS.**

14 (a) IMPLEMENTATION OF PROHIBITION AGAINST
15 PAYMENT OF TITLE II BENEFITS TO PRISONERS.—

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

19 (A) by inserting "(A)" after "(3)"; and

20 (B) by adding at the end the following new
21 subparagraph:

22 "(B)(i) The Commissioner shall enter into an agree-
23 ment, with any interested State or local institution com-
24 prising a jail, prison, penal institution, correctional facil-
25 ity, or other institution a purpose of which is to confine

1 individuals as described in paragraph (1)(A), under
2 which—

3 “(I) the institution shall provide to the Com-
4 missioner, on a monthly basis and in a manner spec-
5 ified by the Commissioner, the names, social security
6 account numbers, dates of birth, confinement com-
7 mencement dates, and, to the extent available to the
8 institution, such other identifying information con-
9 cerning the individuals confined in the institution as
10 the Commissioner may require for the purpose of
11 carrying out paragraph (1); and

12 “(II) the Commissioner shall pay to the institu-
13 tion, with respect to information described in sub-
14 clause (I) concerning each individual who is confined
15 therein as described in paragraph (1)(A), who re-
16 ceives a benefit under this title for the month pre-
17 ceding the first month of such confinement, and
18 whose benefit under this title is determined by the
19 Commissioner to be not payable by reason of con-
20 finement based on the information provided by the
21 institution, \$400 (subject to reduction under clause
22 (ii)) if the institution furnishes the information to
23 the Commissioner within 30 days after the date such
24 individual’s confinement in such institution begins,
25 or \$200 (subject to reduction under clause (ii)) if

1 the institution furnishes the information after 30
2 days after such date but within 90 days after such
3 date.

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

9 “(iii) There is authorized to be transferred from the
10 Federal Old-Age and Survivors Insurance Trust Fund and
11 the Federal Disability Insurance Trust Fund, as appro-
12 priate, such sums as may be necessary to enable the Com-
13 missioner to make payments to institutions required by
14 clause (i)(II).

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

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

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

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

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

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

12 (C) in clause (ii)(I), by striking “an of-
13 fense punishable by imprisonment for more
14 than 1 year” and inserting “a criminal of-
15 fense”.

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

23 (1) IN GENERAL.—Section 203(b)(1) of the
24 Personal Responsibility and Work Opportunity Rec-

1 conciliation Act of 1996 (Public Law 104–193) is
2 amended—

3 (A) in subparagraph (A), by striking “sec-
4 tion 1611(e)(1)” and inserting “sections 202(x)
5 and 1611(e)(1)”; and

6 (B) in subparagraph (B), by striking “sec-
7 tion 1611(e)(1)(I)” and inserting “section
8 202(x)(3)(B) or 1611(e)(1)(I)”.

9 (2) CONFORMING AMENDMENT.—Section
10 203(c) of such Act is amended by striking “section
11 1611(e)(1)(I)” and all that follows and inserting the
12 following: “sections 202(x)(3)(B) and 1611(e)(1)(I)
13 of the Social Security Act.”.

14 (3) APPLICATION.—The amendments made by
15 paragraph (1) shall apply as if included in the enact-
16 ment of section 203(b) of the Personal Responsibil-
17 ity and Work Opportunity Reconciliation Act of
18 1996 (Public Law 104–193). The amendment made
19 by paragraph (2) shall apply as if included in the
20 enactment of section 203(c) of such Act.

21 (d) CONFORMING TITLE XVI AMENDMENTS.—

22 (1) FIFTY PERCENT REDUCTION IN TITLE XVI
23 PAYMENT IN CASE INVOLVING COMPARABLE TITLE II
24 PAYMENT.—Section 1611(e)(1)(I) of the Social Se-

1 security Act (42 U.S.C. 1382(e)(1)(I)), as amended by
2 section 201(b) of this Act, is amended further—

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

6 (B) by redesignating clauses (ii) and (iii)
7 as clauses (iii) and (iv) respectively; and

8 (C) by inserting after clause (i) the follow-
9 ing new clause:

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

15 (2) EXPANSION OF CATEGORIES OF INSTITU-
16 TIONS ELIGIBLE TO ENTER INTO AGREEMENTS WITH
17 THE COMMISSIONER.—Section 1611(e)(1)(I)(i) of
18 such Act (42 U.S.C. 1382(e)(1)(I)(i)) is amended in
19 the matter preceding subclause (I) by striking “in-
20 stitution” and all that follows through “section
21 202(x)(1)(A),” and inserting “institution comprising
22 a jail, prison, penal institution, or correctional facil-
23 ity, or with any other interested State or local insti-
24 tution a purpose of which is to confine individuals
25 as described in section 202(x)(1)(A)(ii).”.

1 (3) EFFECTIVE DATE.—The amendments made
2 by this subsection shall take effect as if included in
3 the enactment of section 203(a) of the Personal Re-
4 sponsibility and Work Opportunity Reconciliation
5 Act of 1996 (Public Law 104–193; 110 Stat. 2186).
6 The reference to section 202(x)(1)(A)(ii) of the So-
7 cial Security Act in section 1611(e)(1)(I)(i) of such
8 Act as amended by paragraph (2) shall be deemed
9 a reference to such section 202(x)(1)(A)(ii) as
10 amended by subsection (b)(1)(C).

11 (e) EXEMPTION FROM COMPUTER MATCHING RE-
12 QUIREMENTS.—

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

15 (A) by striking “or” at the end of clause
16 (v) and inserting a semicolon;

17 (B) by inserting “or” at the end of clause
18 (vi); and

19 (C) by inserting after clause (vi) the fol-
20 lowing new clause:

21 “(vii) matches performed pursuant to
22 section 202(x), 205(j), 1611(e)(1), or
23 1631(a)(2) of the Social Security Act;”.

24 (2) CONFORMING AMENDMENT.—Section
25 1611(e)(1)(I)(iii) of the Social Security Act (42

1 U.S.C. 1382(e)(1)(I)(iii)), as so redesignated by sub-
2 section (d)(1)(B) of this section, is amended—

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

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

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

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

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

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

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

21 (C) by adding at the end the following new
22 clause:

23 “(iii) immediately upon completion of confine-
24 ment as described in clause (i) pursuant to convic-
25 tion of a criminal offense an element of which is sex-

1 ual activity, is confined by court order in an institu-
2 tion at public expense pursuant to a finding that the
3 individual is a sexually dangerous person or a sexual
4 predator or a similar finding.”.

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

9 **SEC. 215. SOCIAL SECURITY ADVISORY BOARD PERSONNEL.**

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

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

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

15 (b) EFFECTIVE DATE.—The amendments made by
16 subsection (a) shall take effect as if included in the enact-
17 ment of section 108 of the Contract with America Ad-
18 vancement Act of 1996 (Public Law 104–121; 110 Stat.
19 857).

20 **TITLE III—CHILD SUPPORT**

21 **SEC. 301. STATE OBLIGATION TO PROVIDE CHILD SUPPORT**
22 **ENFORCEMENT SERVICES.**

23 (a) INDIVIDUALS SUBJECT TO FEE FOR CHILD SUP-
24 PORT ENFORCEMENT SERVICES.—Section 454(6)(B) of
25 the Social Security Act (42 U.S.C. 654(6)(B)) is amended

1 by striking “individuals not receiving assistance under any
2 State program funded under part A, which” and inserting
3 “an individual, other than an individual receiving assist-
4 ance under a State program funded under part A or E,
5 or under a State plan approved under title XIX, or who
6 is required by the State to cooperate with the State agency
7 administering the program under this part pursuant to
8 subsection (l) or (m) of section 6 of the Food Stamp Act
9 of 1977, and”.

10 (b) CORRECTION OF REFERENCE.—Section
11 464(a)(2)(A) of the Social Security Act (42 U.S.C.
12 654(a)(2)(A)) is amended in the first sentence by striking
13 “section 454(6)” and inserting “section 454(4)(A)(ii)”.

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

15 (a) CONTINUATION OF ASSIGNMENTS.—Section
16 457(b) of the Social Security Act (42 U.S.C. 657(b)) is
17 amended—

18 (1) by striking “which were assigned” and in-
19 serting “assigned”; and

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

25 (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 to apply the rules described in
7 clauses (i)(II), (ii)(II), and (v) of paragraph (2)(B)
8 to support arrearages collected on and after October
9 1, 1998, and, if the State makes such an election,
10 shall apply the provisions of this section, as in effect
11 and applied on the day before the date of enactment
12 of section 302 of the Personal Responsibility and
13 Work Opportunity Act of 1996 (Public Law 104–
14 193, 110 Stat. 2200), other than subsection (b)(1)
15 (as so in effect), to amounts collected before October
16 1, 1998.”.

17 (2) CONFORMING AMENDMENTS.—Section
18 408(a)(3)(A) of the Social Security Act (42 U.S.C.
19 608(a)(3)(A)) is amended—

20 (A) in clause (i), by inserting “(I)” after

21 “(i)”;

22 (B) in clause (ii)—

23 (i) by striking “(ii)” and inserting

24 “(II)”;

1 (ii) by striking the period and insert-
2 ing “; or”; and

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

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

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

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

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

21 “(4) FAMILIES UNDER CERTAIN AGREE-
22 MENTS.—In the case of an amount collected for a
23 family in accordance with a cooperative agreement
24 under section 454(33), distribute the amount so col-
25 lected pursuant to the terms of the agreement.”.

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

4 (f) CORRECTIONS OF REFERENCES.—Section
5 457(a)(2)(B) of the Social Security Act (42 U.S.C.
6 657(a)(2)(B)) is amended—

7 (1) in clauses (i)(I) and (ii)(I)—

8 (A) by striking “(other than subsection
9 (b)(1))” each place it appears; and

10 (B) by inserting “(other than subsection
11 (b)(1) (as so in effect))” after “1996” each
12 place it appears; and

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

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

20 (h) DEFINITIONS.—

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

11 (B) by striking “to obtain” and all that
12 follows through the period and inserting “for
13 the purposes specified in paragraphs (2) and
14 (3).

15 “(2) For the purpose of establishing parentage, es-
16 tablishing, setting the amount of, modifying, or enforcing
17 child support obligations, the Federal Parent Locator
18 Service shall obtain and transmit to any authorized person
19 specified in subsection (c)—

20 “(A) information on, or facilitating the discov-
21 ery of, the location of any individual—

22 “(i) who is under an obligation to pay child
23 support;

24 “(ii) against whom such an obligation is
25 sought; or

1 “(iii) to whom such an obligation is owed,
2 including the individual’s social security number (or
3 numbers), most recent address, and the name, ad-
4 dress, and employer identification number of the in-
5 dividual’s employer;

6 “(B) information on the individual’s wages (or
7 other income) from, and benefits of, employment (in-
8 cluding rights to or enrollment in group health care
9 coverage); and

10 “(C) information on the type, status, location,
11 and amount of any assets of, or debts owed by or
12 to, any such individual.

13 “(3) For the purpose of enforcing any Federal or
14 State law with respect to the unlawful taking or restraint
15 of a child, or making or enforcing a child custody or visita-
16 tion determination, as defined in section 463(d)(1), the
17 Federal Parent Locator Service shall be used to obtain
18 and transmit the information specified in section 463(c)
19 to the authorized persons specified in section 463(d)(2).”;

20 (2) by striking subsection (b) and inserting the
21 following:

22 “(b)(1) Upon request, filed in accordance with sub-
23 section (d), of any authorized person, as defined in sub-
24 section (c) for the information described in subsection
25 (a)(2), or of any authorized person, as defined in section

1 463(d)(2) for the information described in section 463(c),
2 the Secretary shall, notwithstanding any other provision
3 of law, provide through the Federal Parent Locator Serv-
4 ice such information to such person, if such information—

5 “(A) is contained in any files or records main-
6 tained by the Secretary or by the Department of
7 Health and Human Services; or

8 “(B) is not contained in such files or records,
9 but can be obtained by the Secretary, under the au-
10 thority conferred by subsection (e), from any other
11 department, agency, or instrumentality of the United
12 States or of any State,

13 and is not prohibited from disclosure under paragraph (2).

14 “(2) No information shall be disclosed to any person
15 if the disclosure of such information would contravene the
16 national policy or security interests of the United States
17 or the confidentiality of census data. The Secretary shall
18 give priority to requests made by any authorized person
19 described in subsection (c)(1). No information shall be dis-
20 closed to any person if the State has notified the Secretary
21 that the State has reasonable evidence of domestic violence
22 or child abuse and the disclosure of such information could
23 be harmful to the custodial parent or the child of such
24 parent, provided that—

1 “(A) in response to a request from an author-
2 ized person (as defined in subsection (c) and section
3 463(d)(2)), the Secretary shall advise the authorized
4 person that the Secretary has been notified that
5 there is reasonable evidence of domestic violence or
6 child abuse and that information can only be dis-
7 closed to a court or an agent of a court pursuant to
8 subparagraph (B); and

9 “(B) information may be disclosed to a court or
10 an agent of a court described in subsection (c)(2) or
11 section 463(d)(2)(B), if—

12 “(i) upon receipt of information from the
13 Secretary, the court determines whether disclo-
14 sure to any other person of that information
15 could be harmful to the parent or the child; and

16 “(ii) if the court determines that disclosure
17 of such information to any other person could
18 be harmful, the court and its agents shall not
19 make any such disclosure.

20 “(3) Information received or transmitted pursuant to
21 this section shall be subject to the safeguard provisions
22 contained in section 454(26).”; and

23 (3) 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)—

5 (i) by inserting “or to serve as the ini-
6 tiating court in an action to seek an order”
7 after “issue an order”; and

8 (ii) by striking “or to issue an order
9 against a resident parent for child custody
10 or visitation rights”.

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

14 (1) in subsection (a)—

15 (A) in the matter preceding paragraph
16 (1)—

17 (i) by striking “any State which is
18 able and willing to do so,” and inserting
19 “every State”; and

20 (ii) by striking “such State” and in-
21 serting “each State”; and

22 (B) in paragraph (2), by inserting “or visi-
23 tation” after “custody”;

24 (2) in subsection (b)(2), by inserting “or visita-
25 tion” after “custody”;

1 (3) in subsection (d)—

2 (A) in paragraph (1), by inserting “or visi-
3 tation” after “custody”; and

4 (B) in subparagraphs (A) and (B) of para-
5 graph (2), by inserting “or visitation” after
6 “custody” each place it appears;

7 (4) in subsection (f)(2), by inserting “or visita-
8 tion” after “custody”; and

9 (5) by striking “noncustodial” each place it ap-
10 pears.

11 **SEC. 305. ACCESS TO REGISTRY DATA FOR RESEARCH PUR-**
12 **POSES.**

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

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

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

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

1 **SEC. 306. COLLECTION AND USE OF SOCIAL SECURITY**
2 **NUMBERS FOR USE IN CHILD SUPPORT EN-**
3 **FORCEMENT.**

4 Section 466(a)(13) of the Social Security Act (42
5 U.S.C. 666(a)(13)) is amended—

6 (1) in subparagraph (A)—

7 (A) by striking “commercial”; and

8 (B) by inserting “recreational license,”
9 after “occupational license,”; and

10 (2) in the matter following subparagraph (C),
11 by inserting “to be used on the face of the document
12 while the social security number is kept on file at
13 the agency” after “other than the social security
14 number”.

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

16 Section 466(f) of the Social Security Act (42 U.S.C.
17 666(f)) is amended by striking “together” and all that fol-
18 lows and inserting “and as in effect on August 22, 1996,
19 including any amendments officially adopted as of such
20 date by the National Conference of Commissioners on
21 Uniform State Laws.”.

22 **SEC. 308. STATE LAWS PROVIDING EXPEDITED PROCE-**
23 **DURES.**

24 Section 466(c) of the Social Security Act (42 U.S.C.
25 666(c)) is amended—

26 (1) in paragraph (1)—

1 (A) in subparagraph (E), by inserting “,
2 part E,” after “part A”; and

3 (B) in subparagraph (G), by inserting
4 “any current support obligation and” after “to
5 satisfy”; and

6 (2) in paragraph (2)(A)—

7 (A) in clause (i), by striking “the tribunal
8 and”; and

9 (B) in clause (ii)—

10 (i) by striking “tribunal may” and in-
11 serting “court or administrative agency of
12 competent jurisdiction shall”; and

13 (ii) by striking “filed with the tribu-
14 nal” and inserting “filed with the State
15 case registry”.

16 **SEC. 309. VOLUNTARY PATERNITY ACKNOWLEDGEMENT.**

17 Section 466(a)(5)(C)(i) of the Social Security Act (42
18 U.S.C. 666(a)(5)(C)(i)) is amended by inserting “, or
19 through the use of video or audio equipment,” after “oral-
20 ly”.

21 **SEC. 310. CALCULATION OF PATERNITY ESTABLISHMENT
22 PERCENTAGE.**

23 Section 452(g)(2) of the Social Security Act (42
24 U.S.C. 652(g)(2)) is amended, in the matter following

1 subparagraph (C), by striking “subparagraph (A)” and in-
2 serting “subparagraphs (A) and (B)”.

3 **SEC. 311. MEANS AVAILABLE FOR PROVISION OF TECH-**
4 **NICAL ASSISTANCE AND OPERATION OF FED-**
5 **ERAL PARENT LOCATOR SERVICE.**

6 (a) TECHNICAL ASSISTANCE.—Section 452(j) of the
7 Social Security Act (42 U.S.C. 652(j)), is amended, in the
8 matter preceding paragraph (1), by striking “to cover
9 costs incurred by the Secretary” and inserting “which
10 shall be available for use by the Secretary, either directly
11 or through grants, contracts, or interagency agreements,”.

12 (b) OPERATION OF FEDERAL PARENT LOCATOR
13 SERVICE.—

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

17 (A) in the heading, by striking “RECOVERY
18 OF COSTS” and inserting “USE OF SET-ASIDE
19 FUNDS”; and

20 (B) by striking “to cover costs incurred by
21 the Secretary” and inserting “which shall be
22 available for use by the Secretary, either di-
23 rectly or through grants, contracts, or inter-
24 agency agreements,”.

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

7 **SEC. 312. AUTHORITY TO COLLECT SUPPORT FROM FED-**
8 **ERAL EMPLOYEES.**

9 (a) RESPONSE TO NOTICE OR PROCESS.—Section
10 459(c)(2)(C) of the Social Security Act (42 U.S.C.
11 659(c)(2)(C)) is amended by striking “respond to the
12 order, process, or interrogatory” and inserting “withhold
13 available sums in response to the order or process, or an-
14 swer the interrogatory”.

15 (b) MONEYS SUBJECT TO PROCESS.—Section
16 459(h)(1) of the Social Security Act (42 U.S.C.
17 659(h)(1)) is amended—

18 (1) in the matter preceding subparagraph (A)
19 and in subparagraph (A)(i), by striking “paid or”
20 each place it appears;

21 (2) in subparagraph (A)—

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

24 (B) in clause (iii)—

1 (i) by inserting “or payable” after
2 “paid”; and

3 (ii) by striking “but” and inserting “;
4 and”; and

5 (C) by inserting after clause (iii), the fol-
6 lowing:

7 “(iv) benefits paid or payable under
8 the Railroad Retirement System, but”; and
9 (3) in subparagraph (B)—

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

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

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

15 “(iii) of periodic benefits under title
16 38, United States Code, except as provided
17 in subparagraph (A)(ii)(V).”.

18 (c) CONFORMING AMENDMENT.—Section
19 454(19)(B)(ii) of the Social Security Act (42 U.S.C.
20 654(19)(B)(ii)) is amended by striking “section 462(e)”
21 and inserting “section 459(i)(5)”.

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

23 Section 453(p) of the Social Security Act (42 U.S.C.
24 653(p)), is amended by striking “a child and” and insert-
25 ing “of”.

1 **SEC. 314. STATE LAW AUTHORIZING SUSPENSION OF LI-**
2 **CENSES.**

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

6 **SEC. 315. INTERNATIONAL SUPPORT ENFORCEMENT.**

7 Section 454(32)(A) of the Social Security Act (42
8 U.S.C. 654(32)(A)) is amended by striking “section
9 459A(d)(2)” and inserting “section 459A(d)”.

10 **SEC. 316. CHILD SUPPORT ENFORCEMENT FOR INDIAN**
11 **TRIBES.**

12 (a) COOPERATIVE AGREEMENTS BY INDIAN TRIBES
13 AND STATES FOR CHILD SUPPORT ENFORCEMENT.—Sec-
14 tion 454(33) of the Social Security Act (42 U.S.C.
15 654(33)) is amended—

16 (1) by striking “and enforce support orders,
17 and” and inserting “or enforce support orders, or”;

18 (2) by striking “guidelines established by such
19 tribe or organization” and inserting “guidelines es-
20 tablished or adopted by such tribe or organization”;

21 (3) by striking “funding collected” and insert-
22 ing “collections”; and

23 (4) by striking “such funding” and inserting
24 “such collections”.

25 (b) CORRECTION OF SUBSECTION DESIGNATION.—
26 Section 455 of the Social Security Act (42 U.S.C. 655),

1 is amended by redesignating subsection (b), as added by
2 section 375(b) of the Personal Responsibility and Work
3 Opportunity Reconciliation Act of 1996 (Public Law 104–
4 193, 110 Stat. 2256), as subsection (f).

5 (c) DIRECT GRANTS TO TRIBES.—Section 455(f) of
6 the Social Security Act (42 U.S.C. 655(f)), as redesignig-
7 nated by subsection (b), is amended to read as follows:

8 “(f) The Secretary may make direct payments under
9 this part to an Indian tribe or tribal organization that
10 demonstrates to the satisfaction of the Secretary that it
11 has the capacity to operate a child support enforcement
12 program meeting the objectives of this part, including es-
13 tablishment of paternity, establishment, modification, and
14 enforcement of support orders, and location of absent par-
15 ents. The Secretary shall promulgate regulations estab-
16 lishing the requirements which must be met by an Indian
17 tribe or tribal organization to be eligible for a grant under
18 this subsection.”.

19 **SEC. 317. CONTINUATION OF RULES FOR DISTRIBUTION OF**
20 **SUPPORT IN THE CASE OF A TITLE IV-E**
21 **CHILD.**

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

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

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

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

10 “(1) shall be retained by the State to the extent
11 necessary to reimburse it for the foster care mainte-
12 nance payments made with respect to the child dur-
13 ing such period (with appropriate reimbursement of
14 the Federal Government to the extent of its partici-
15 pation in the financing);

16 “(2) shall be paid to the public agency respon-
17 sible for supervising the placement of the child to
18 the extent that the amounts collected exceed the fos-
19 ter care maintenance payments made with respect to
20 the child during such period but not the amounts re-
21 quired by a court or administrative order to be paid
22 as support on behalf of the child during such period;
23 and the responsible agency may use the payments in
24 the manner it determines will serve the best inter-
25 ests of the child, including setting such payments

1 aside for the child’s future needs or making all or
2 a part thereof available to the person responsible for
3 meeting the child’s day-to-day needs; and

4 “(3) shall be retained by the State, if any por-
5 tion of the amounts collected remains after making
6 the payments required under paragraphs (1) and
7 (2), to the extent that such portion is necessary to
8 reimburse the State (with appropriate reimburse-
9 ment to the Federal Government to the extent of its
10 participation in the financing) for any past foster
11 care maintenance payments (or payments of assist-
12 ance under the State program funded under part A)
13 which were made with respect to the child (and with
14 respect to which past collections have not previously
15 been retained);

16 and any balance shall be paid to the State agency respon-
17 sible for supervising the placement of the child, for use
18 by such agency in accordance with paragraph (2).”.

19 **SEC. 318. GOOD CAUSE IN FOSTER CARE AND FOOD STAMP**
20 **CASES.**

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

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

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

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

7 (1) in subparagraph (A)—

8 (A) in the matter preceding clause (i), by
9 striking “part A of this title or the State pro-
10 gram under title XIX” and inserting “part A,
11 the State program under part E, the State pro-
12 gram under title XIX, or the food stamp pro-
13 gram, as defined under section 3(h) of the Food
14 Stamp Act of 1977 (7 U.S.C. 2012(h)),”; and

15 (B) by striking clauses (i) and (ii) and all
16 that follows through the semicolon and insert-
17 ing the following:

18 “(i) in the case of the State program
19 funded under part A, the State program
20 under part E, or the State program under
21 title XIX shall, at the option of the State,
22 be defined, taking into account the best in-
23 terests of the child, and applied in each
24 case, by the State agency administering
25 such program; and

1 “(ii) in the case of the food stamp
2 program, as defined under section 3(h) of
3 the Food Stamp Act of 1977 (7 U.S.C.
4 2012(h)), shall be defined and applied in
5 each case under that program in accord-
6 ance with section 6(l)(2) of the Food
7 Stamp Act of 1977 (7 U.S.C.
8 2015(l)(2));”;

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

15 (3) in subparagraph (E), by striking “individ-
16 ual,” and all that follows through “XIX,” and in-
17 serting “individual and the State agency administer-
18 ing the State program funded under part A, the
19 State agency administering the State program under
20 part E, the State agency administering the State
21 program under title XIX, or the State agency ad-
22 ministering the food stamp program, as defined
23 under section 3(h) of the Food Stamp Act of 1977
24 (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, except that if current support
7 is withheld by an employer in the month when due and
8 is received by the State disbursement unit in a month
9 other than the month when due, the date of withholding
10 may be deemed to be the date of collection.”.

11 **SEC. 320. ADMINISTRATIVE ENFORCEMENT IN INTERSTATE**
12 **CASES.**

13 (a) PROCEDURES.—Section 466(a)(14) of the Social
14 Security Act (42 U.S.C. 666(a)(14)) is amended to read
15 as follows:

16 “(14) HIGH-VOLUME, AUTOMATED ADMINIS-
17 TRATIVE ENFORCEMENT IN INTERSTATE CASES.—

18 “(A) IN GENERAL.—Procedures under
19 which—

20 “(i) the State shall use high-volume
21 automated administrative enforcement, to
22 the same extent as used for intrastate
23 cases, in response to a request made by
24 another State to enforce support orders,
25 and shall promptly report the results of

1 such enforcement procedure to the request-
2 ing State;

3 “(ii) the State may, by electronic or
4 other means, transmit to another State a
5 request for assistance in enforcing support
6 orders through high-volume, automated ad-
7 ministrative enforcement, which request—

8 “(I) shall include such informa-
9 tion as will enable the State to which
10 the request is transmitted to compare
11 the information about the cases to the
12 information in the data bases of the
13 State; and

14 “(II) shall constitute a certifi-
15 cation by the requesting State—

16 “(aa) of the amount of sup-
17 port under an order the payment
18 of which is in arrears; and

19 “(bb) that the requesting
20 State has complied with all pro-
21 cedural due process requirements
22 applicable to each case;

23 “(iii) if the State provides assistance
24 to another State pursuant to this para-
25 graph with respect to a case, neither State

1 shall consider the case to be transferred to
2 the caseload of such other State; and

3 “(iv) the State shall maintain records
4 of—

5 “(I) the number of such requests
6 for assistance received by the State;

7 “(II) the number of cases for
8 which the State collected support in
9 response to such a request; and

10 “(III) the amount of such col-
11 lected support.

12 “(B) HIGH-VOLUME AUTOMATED ADMINIS-
13 TRATIVE ENFORCEMENT.—In this part, the
14 term ‘high-volume automated administrative en-
15 forcement’ means the use of automatic data
16 processing to search various State data bases,
17 including license records, employment service
18 data, and State new hire registries, to deter-
19 mine whether information is available regarding
20 a parent who owes a child support obligation.”.

21 (b) INCENTIVE PAYMENTS.—Section 458(d) of the
22 Social Security Act (42 U.S.C. 658(d)) is amended by in-
23 serting “, including amounts collected under section
24 466(a)(14),” after “another State”.

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

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

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

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

19 “(B) if the individual is subject to such a
20 plan and is not incapacitated, participate in
21 such work activities (as defined in section
22 407(d)) as the court, or, at the option of the
23 State, the State agency administering the State
24 program under this part, deems appropriate.”.

1 **SEC. 322. ADDITIONAL TECHNICAL STATE PLAN AMEND-**
2 **MENTS.**

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

5 (1) in paragraph (8)—

6 (A) in the matter preceding subparagraph

7 (A)—

8 (i) by striking “noncustodial”; and

9 (ii) by inserting “, for the purpose of
10 establishing parentage, establishing, set-
11 ting the amount of, modifying, or enforcing
12 child support obligations, or making or en-
13 forcing a child custody or visitation deter-
14 mination, as defined in section 463(d)(1)”
15 after “provide that”;

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

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

20 (D) by inserting after subparagraph (B),
21 the following flush language:

22 “and shall, subject to the privacy safeguards re-
23 quired under paragraph (26), disclose only the infor-
24 mation described in sections 453 and 463 to the au-
25 thorized persons specified in such sections for the
26 purposes specified in such sections;”;

1 (2) in paragraph (17)—

2 (A) by striking “in the case of a State
3 which has” and inserting “provide that the
4 State will have”; and

5 (B) by inserting “and” after “section
6 453,”; and

7 (3) in paragraph (26)—

8 (A) in the matter preceding subparagraph
9 (A), by striking “will”;

10 (B) in subparagraph (A)—

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

13 (ii) by inserting “, or to make or en-
14 force a child custody determination” after
15 “support”;

16 (C) in subparagraph (B)—

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

19 (ii) by inserting “or the child” after
20 “former party”; and

21 (iii) by striking “and” at the end;

22 (D) in subparagraph (C)—

23 (i) by inserting “or the child” after “1
24 party”;

1 (ii) by striking “another party” and
2 inserting “another person”;

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

5 (iv) by striking “former party” and
6 inserting “party or the child”; and

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

8 “(D) in cases in which the prohibitions
9 under subparagraphs (B) and (C) apply, the re-
10 quirement to notify the Secretary, for purposes
11 of section 453(b)(2), that the State has reason-
12 able evidence of domestic violence or child abuse
13 against a party or the child and that the disclo-
14 sure of such information could be harmful to
15 the party or the child; and

16 “(E) procedures providing that when the
17 Secretary discloses information about a parent
18 or child to a State court or an agent of a State
19 court described in section 453(c)(2) or
20 463(d)(2)(B), and advises that court or agent
21 that the Secretary has been notified that there
22 is reasonable evidence of domestic violence or
23 child abuse pursuant to section 453(b)(2), the
24 court shall determine whether disclosure to any
25 other person of information received from the

1 Secretary could be harmful to the parent or
2 child and, if the court determines that disclo-
3 sure to any other person could be harmful, the
4 court and its agents shall not make any such
5 disclosure;”.

6 **SEC. 323. FEDERAL CASE REGISTRY OF CHILD SUPPORT**
7 **ORDERS.**

8 Section 453(h) of the Social Security Act (42 U.S.C.
9 653(h)) is amended—

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

12 (2) in paragraph (2)—

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

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

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

19 **SEC. 324. FULL FAITH AND CREDIT FOR CHILD SUPPORT**
20 **ORDERS.**

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

23 (1) in paragraph (4), by striking “a court may”
24 and all that follows and inserting “a court having

1 jurisdiction over the parties shall issue a child sup-
2 port order, which must be recognized.”; and

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

5 **SEC. 325. DEVELOPMENT COSTS OF AUTOMATED SYSTEMS.**

6 (a) DEFINITION OF STATE.—Section 455(a)(3)(B) of
7 the Social Security Act (42 U.S.C. 655(a)(3)(B)) is
8 amended—

9 (1) in clause (i)—

10 (A) by inserting “or system described in
11 clause (iii)” after “each State”; and

12 (B) by inserting “or system” after “the
13 State”; and

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

15 “(iii) For purposes of clause (i), a system described
16 in this clause is a system that has been approved by the
17 Secretary to receive enhanced funding pursuant to the
18 Family Support Act of 1988 (Public Law 100–485; 102
19 Stat. 2343) for the purpose of developing a system that
20 meets the requirements of sections 454(16) (as in effect
21 on and after September 30, 1995) and 454A, including
22 systems that have received funding for such purpose pur-
23 suant to a waiver under section 1115(a).”.

24 (b) TEMPORARY LIMITATION ON PAYMENTS.—Sec-
25 tion 344(b)(2) of the Personal Responsibility and Work

1 Opportunity Reconciliation Act of 1996 (42 U.S.C. 655
2 note) is amended—

3 (1) in subparagraph (B)—

4 (A) by inserting “or a system described in
5 subparagraph (C)” after “to a State”; and

6 (B) by inserting “or system” after “for the
7 State”; and

8 (2) in subparagraph (C), by striking “Act,” and
9 all that follows and inserting “Act, and among sys-
10 tems that have been approved by the Secretary to
11 receive enhanced funding pursuant to the Family
12 Support Act of 1988 (Public Law 100–485; 102
13 Stat. 2343) for the purpose of developing a system
14 that meets the requirements of sections 454(16) (as
15 in effect on and after September 30, 1995) and
16 454A, including systems that have received funding
17 for such purpose pursuant to a waiver under section
18 1115(a), which shall take into account—

19 “(i) the relative size of such State and
20 system caseloads under part D of title IV
21 of the Social Security Act; and

22 “(ii) the level of automation needed to
23 meet the automated data processing re-
24 quirements of such part.”.

1 **SEC. 326. ADDITIONAL TECHNICAL AMENDMENTS.**

2 (a) **ELIMINATION OF SURPLUSAGE.**—Section
3 466(c)(1)(F) of the Social Security Act (42 U.S.C.
4 666(c)(1)(F)) is amended by 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 Department of Health and
13 Human Services Appropriations Act, 1997, (as contained
14 in section 101(e) of the Omnibus Consolidated Appropria-
15 tions Act, 1997) is amended to read as follows:

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

25 (d) **ELIMINATION OF SURPLUSAGE.**—Section
26 456(a)(2)(B) of the Social Security Act (42 U.S.C.

1 656(a)(2)(B)) is amended by striking “, and” and insert-
2 ing a period.

3 (e) CORRECTION OF DATE.—Section 466(a)(1)(B) of
4 the Social Security Act (42 U.S.C. 666(a)(1)(B)) is
5 amended by striking “October 1, 1996” and inserting
6 “January 1, 1994”.

7 **SEC. 327. EFFECTIVE DATE.**

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

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

1 **TITLE IV—RESTRICTING WEL-**
2 **FARE AND PUBLIC BENEFITS**
3 **FOR ALIENS**

4 **Subtitle A—Eligibility for Federal**
5 **Benefits**

6 **SEC. 401. ALIEN ELIGIBILITY FOR FEDERAL BENEFITS: LIM-**
7 **ITED APPLICATION TO MEDICARE AND BENE-**
8 **FITS UNDER THE RAILROAD RETIREMENT**
9 **ACT.**

10 (a) LIMITED APPLICATION TO MEDICARE.—Section
11 401(b) of the Personal Responsibility and Work Oppor-
12 tunity Reconciliation Act of 1996 (8 U.S.C. 1611(b)) is
13 amended by adding at the end the following:

14 “(3) Subsection (a) shall not apply to any bene-
15 fit payable under title XVIII of the Social Security
16 Act (relating to the medicare program) to an alien
17 who is lawfully present in the United States as de-
18 termined by the Attorney General and, with respect
19 to benefits payable under part A of such title, who
20 was authorized to be employed with respect to any
21 wages attributable to employment which are counted
22 for purposes of eligibility for such benefits.”.

23 (b) LIMITED APPLICATION TO BENEFITS UNDER
24 THE RAILROAD RETIREMENT ACT.—Section 401(b) of the
25 Personal Responsibility and Work Opportunity Reconcili-

1 ation Act of 1996 (8 U.S.C. 1611(b)) (as amended by sub-
2 section (a)) is amended by inserting at the end the follow-
3 ing:

4 “(4) Subsection (a) shall not apply to any bene-
5 fit payable under the Railroad Retirement Act of
6 1974 or the Railroad Unemployment Insurance Act
7 to an alien who is lawfully present in the United
8 States as determined by the Attorney General or to
9 an alien residing outside the United States.”.

10 **SEC. 402. EXCEPTIONS TO BENEFIT LIMITATIONS: CORREC-**
11 **TIONS TO REFERENCE CONCERNING ALIENS**
12 **WHOSE DEPORTATION IS WITHHELD.**

13 Sections 402(a)(2)(A)(iii), 402(b)(2)(A)(iii),
14 403(b)(1)(C), 412(b)(1)(C), and 431(b)(5) of the Per-
15 sonal Responsibility and Work Opportunity Reconciliation
16 Act of 1996 (8 U.S.C. 1612(a)(2)(A)(iii),
17 1612(b)(2)(A)(iii), 1613(b)(1)(C), 1622(b)(1)(C), and
18 1641(b)(5)) are each amended by striking “section 243(h)
19 of such Act” each place it appears and inserting “section
20 243(h) of such Act (as in effect immediately before the
21 effective date of section 307 of division C of Public Law
22 104–208) or section 241(b)(3) of such Act (as amended
23 by section 305(a) of division C of Public Law 104–208)”.

1 **SEC. 403. VETERANS EXCEPTION: APPLICATION OF MINI-**
2 **MUM ACTIVE DUTY SERVICE REQUIREMENT;**
3 **EXTENSION TO UNREMARIED SURVIVING**
4 **SPOUSE; EXPANDED DEFINITION OF VET-**
5 **ERAN.**

6 (a) APPLICATION OF MINIMUM ACTIVE DUTY SERV-
7 ICE REQUIREMENT.—Sections 402(a)(2)(C)(i),
8 402(b)(2)(C)(i), 403(b)(2)(A), and 412(b)(3)(A) of the
9 Personal Responsibility and Work Opportunity Reconcili-
10 ation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(i),
11 1612(b)(2)(C)(i), 1613(b)(2)(A), and 1622(b)(3)(A)) are
12 each amended by inserting “and who fulfills the minimum
13 active-duty service requirements of section 5303A(d) of
14 title 38, United States Code” after “alienage”.

15 (b) EXCEPTION APPLICABLE TO UNREMARIED SUR-
16 VIVING SPOUSE.—Section 402(a)(2)(C)(iii),
17 402(b)(2)(C)(iii), 403(b)(2)(C), and 412(b)(3)(C) of the
18 Personal Responsibility and Work Opportunity Reconcili-
19 ation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(iii),
20 1612(b)(2)(C)(iii), 1613(b)(2)(C), and 1622(b)(3)(C)) are
21 each amended by inserting before the period “or the
22 unremarried surviving spouse of an individual described
23 in clause (i) or (ii) who is deceased if the marriage fulfills
24 the requirements of section 1304 of title 38, United States
25 Code”.

1 (c) EXPANDED DEFINITION OF VETERAN.—Sections
2 402(a)(2)(C)(i), 402(b)(2)(C)(i), 403(b)(2)(A), and
3 412(b)(3)(A) of the Personal Responsibility and Work Op-
4 portunity Reconciliation Act of 1996 (8 U.S.C.
5 1612(a)(2)(C)(i), 1612(b)(2)(C)(i), 1613(b)(2)(A), and
6 1622(b)(3)(A)) are each amended by inserting “, 1101,
7 or 1301, or as described in section 107” after “section
8 101”.

9 **SEC. 404. CORRECTION OF REFERENCE CONCERNING**
10 **CUBAN AND HAITIAN ENTRANTS.**

11 Section 403(d) of the Personal Responsibility and
12 Work Opportunity Reconciliation Act of 1996 (8 U.S.C.
13 1613(d)) is amended—

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

16 (2) by striking “section 501(e)(2)” and insert-
17 ing “section 501(e)”.

18 **SEC. 405. NOTIFICATION CONCERNING ALIENS NOT LAW-**
19 **FULLY PRESENT: CORRECTION OF TERMI-**
20 **NOLOGY.**

21 Section 1631(e)(9) of the Social Security Act (42
22 U.S.C. 1383(e)(9)) and section 27 of the United States
23 Housing Act of 1937, as added by section 404 of the Per-
24 sonal Responsibility and Work Opportunity Reconciliation
25 Act of 1996, are each amended by striking “unlawfully

1 in the United States” each place it appears and inserting
2 “not lawfully present in the United States”.

3 **SEC. 406. FREELY ASSOCIATED STATES: CONTRACTS AND**
4 **LICENSES.**

5 Sections 401(c)(2)(A) and 411(c)(2)(A) of the Per-
6 sonal Responsibility and Work Opportunity Reconciliation
7 Act of 1996 (8 U.S.C. 1611(c)(2)(A) and 1621(c)(2)(A))
8 are each amended by inserting before the semicolon at the
9 end “, or to a citizen of a freely associated state, if section
10 141 of the applicable compact of free association approved
11 in Public Law 99–239 or 99–658 (or a successor provi-
12 sion) is in effect”.

13 **SEC. 407. CONGRESSIONAL STATEMENT REGARDING BENE-**
14 **FITS FOR HMONG AND OTHER HIGHLAND**
15 **LAO VETERANS.**

16 (a) FINDINGS.—The Congress makes the following
17 findings:

18 (1) Hmong and other Highland Lao tribal peo-
19 ples were recruited, armed, trained, and funded for
20 military operations by the United States Department
21 of Defense, Central Intelligence Agency, Department
22 of State, and Agency for International Development
23 to further United States national security interests
24 during the Vietnam conflict.

1 (2) Hmong and other Highland Lao tribal
2 forces sacrificed their own lives and saved the lives
3 of American military personnel by rescuing downed
4 American pilots and aircrews and by engaging and
5 successfully fighting North Vietnamese troops.

6 (3) Thousands of Hmong and other Highland
7 Lao veterans who fought in special guerilla units on
8 behalf of the United States during the Vietnam con-
9 flict, along with their families, have been lawfully ad-
10 mitted to the United States in recent years.

11 (4) The Personal Responsibility and Work Op-
12 portunity Reconciliation Act of 1996 (Public Law
13 104–193), the new national welfare reform law, re-
14 stricts certain welfare benefits for noncitizens of the
15 United States and the exceptions for noncitizen vet-
16 erans of the Armed Forces of the United States do
17 not extend to Hmong veterans of the Vietnam con-
18 flict era, making Hmong veterans and their families
19 receiving certain welfare benefits subject to restric-
20 tions despite their military service on behalf of the
21 United States.

22 (b) CONGRESSIONAL STATEMENT.—It is the sense of
23 the Congress that Hmong and other Highland Lao veter-
24 ans who fought on behalf of the Armed Forces of the Unit-
25 ed States during the Vietnam conflict and have lawfully

1 been admitted to the United States for permanent resi-
2 dence should be considered veterans for purposes of con-
3 tinuing certain welfare benefits consistent with the excep-
4 tions provided other noncitizen veterans under the Per-
5 sonal Responsibility and Work Opportunity Reconciliation
6 Act of 1996.

7 **Subtitle B—General Provisions**

8 **SEC. 411. DETERMINATION OF TREATMENT OF BATTERED** 9 **ALIENS AS QUALIFIED ALIENS; INCLUSION** 10 **OF ALIEN CHILD OF BATTERED PARENT AS** 11 **QUALIFIED ALIEN.**

12 (a) DETERMINATION OF STATUS BY AGENCY PRO-
13 VIDING BENEFITS.—Section 431 of the Personal Respon-
14 sibility and Work Opportunity Reconciliation Act of 1996
15 (8 U.S.C. 1641) is amended in subsections (c)(1)(A) and
16 (c)(2)(A) by striking “Attorney General, which opinion is
17 not subject to review by any court)” each place it appears
18 and inserting “agency providing such benefits)”.

19 (b) GUIDANCE ISSUED BY ATTORNEY GENERAL.—
20 Section 431(c) of the Personal Responsibility and Work
21 Opportunity Reconciliation Act of 1996 (8 U.S.C.
22 1641(c)) is amended by adding at the end the following
23 new undesignated paragraph:

24 “After consultation with the Secretaries of Health
25 and Human Services, Agriculture, and Housing and

1 Urban Development, the Commissioner of Social Security,
2 and with the heads of such Federal agencies administering
3 benefits as the Attorney General considers appropriate,
4 the Attorney General shall issue guidance (in the Attorney
5 General's sole and unreviewable discretion) for purposes
6 of this subsection and section 421(f), concerning the
7 meaning of the terms 'battery' and 'extreme cruelty', and
8 the standards and methods to be used for determining
9 whether a substantial connection exists between battery or
10 cruelty suffered and an individual's need for benefits
11 under a specific Federal, State, or local program.”.

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

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

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

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

23 “(3) an alien child who—

24 “(A) resides in the same household as a
25 parent who has been battered or subjected to

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

10 “(B) who meets the requirement of sub-
11 paragraph (B) of paragraph (1).”.

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

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

18 and

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

1 the parent and the spouse consented to, or acqui-
2 esced in, such battery or cruelty, and the battery or
3 cruelty described in clause (i), (ii), or (iii)”.

4 **SEC. 412. VERIFICATION OF ELIGIBILITY FOR BENEFITS.**

5 (a) REGULATIONS AND GUIDANCE.—Section 432(a)
6 of the Personal Responsibility and Work Opportunity Rec-
7 onciliation Act of 1996 (8 U.S.C. 1642(a)) is amended—

8 (1) by inserting at the end of paragraph (1) the
9 following: “Not later than 90 days after the date of
10 the enactment of the Welfare Reform Technical Cor-
11 rections Act of 1997, the Attorney General of the
12 United States, after consultation with the Secretary
13 of Health and Human Services, shall issue interim
14 verification guidance.”; and

15 (2) by adding after paragraph (2) the following
16 new paragraph:

17 “(3) Not later than 90 days after the date of the en-
18 actment of the Welfare Reform Technical Corrections Act
19 of 1997, the Attorney General shall promulgate regula-
20 tions which set forth the procedures by which a State or
21 local government can verify whether an alien applying for
22 a State or local public benefit is a qualified alien, a non-
23 immigrant under the Immigration and Nationality Act, or
24 an alien paroled into the United States under section
25 212(d)(5) of the Immigration and Nationality Act for less

1 than 1 year, for purposes of determining whether the alien
2 is ineligible for benefits under section 411 of this Act.”.

3 (b) DISCLOSURE OF INFORMATION FOR VERIFICA-
4 TION.—Section 384(b) of the Illegal Immigration Reform
5 and Immigrant Responsibility Act of 1996 (division C of
6 Public Law 104–208) is amended by adding after para-
7 graph (4) the following new paragraph:

8 “(5) The Attorney General is authorized to dis-
9 close information, to Federal, State, and local public
10 and private agencies providing benefits, to be used
11 solely in making determinations of eligibility for ben-
12 efits pursuant to section 431(c) of the Personal Re-
13 sponsibility and Work Opportunity Reconciliation
14 Act of 1996.”.

15 **SEC. 413. QUALIFYING QUARTERS: DISCLOSURE OF QUAR-**
16 **TERS OF COVERAGE INFORMATION; CORREC-**
17 **TION TO ASSURE THAT CREDITING APPLIES**
18 **TO ALL QUARTERS EARNED BY PARENTS BE-**
19 **FORE CHILD IS 18.**

20 (a) DISCLOSURE OF QUARTERS OF COVERAGE IN-
21 FORMATION.—Section 435 of the Personal Responsibility
22 and Work Opportunity Reconciliation Act of 1996 (8
23 U.S.C. 1645) is amended by adding at the end the follow-
24 ing: “Notwithstanding section 6103 of the Internal Reve-
25 nue Code of 1986, the Commissioner of Social Security

1 is authorized to disclose quarters of coverage information
 2 concerning an alien and an alien's spouse or parents to
 3 a government agency for the purposes of this title.”.

4 (b) CORRECTION TO ASSURE THAT CREDITING AP-
 5 PLIES TO ALL QUARTERS EARNED BY PARENTS BEFORE
 6 CHILD IS 18.—Section 435(1) of the Personal Respon-
 7 sibility and Work Opportunity Reconciliation Act of 1996
 8 (8 U.S.C. 1645(1)) is amended by striking “while the alien
 9 was under age 18,” and inserting “before the date on
 10 which the alien attains age 18,”.

11 **SEC. 414. STATUTORY CONSTRUCTION: BENEFIT ELIGI-**
 12 **BILITY LIMITATIONS APPLICABLE ONLY**
 13 **WITH RESPECT TO ALIENS PRESENT IN THE**
 14 **UNITED STATES.**

15 Section 433 of the Personal Responsibility and Work
 16 Opportunity Reconciliation Act of 1996 (8 U.S.C. 1643)
 17 is amended—

18 (1) by redesignated subsections (b) and (c) as
 19 subsections (c) and (d); and

20 (2) by adding after subsection (a) the following
 21 new subsection:

22 “(b) BENEFIT ELIGIBILITY LIMITATIONS APPLICA-
 23 BLE ONLY WITH RESPECT TO ALIENS PRESENT IN THE
 24 UNITED STATES.—Notwithstanding any other provision
 25 of this title, the limitations on eligibility for benefits under

1 this title shall not apply to eligibility for benefits of aliens
2 who are not residing, or present, in the United States with
3 respect to—

4 “(1) wages, pensions, annuities, and other
5 earned payments to which an alien is entitled result-
6 ing from employment by, or on behalf of, a Federal,
7 State, or local government agency which was not
8 prohibited during the period of such employment or
9 service under section 274A or other applicable provi-
10 sion of the Immigration and Nationality Act; or

11 “(2) benefits under laws administered by the
12 Secretary of Veterans Affairs.”.

13 **Subtitle C—Miscellaneous Clerical**
14 **and Technical Amendments; Ef-**
15 **fective Date**

16 **SEC. 421. CORRECTING MISCELLANEOUS CLERICAL AND**
17 **TECHNICAL ERRORS.**

18 (a) INFORMATION REPORTING UNDER TITLE IV OF
19 THE SOCIAL SECURITY ACT.—Effective July 1, 1997, sec-
20 tion 408 of the Social Security Act (42 U.S.C. 608), as
21 amended by section 103, and as in effect pursuant to sec-
22 tion 116, of the Personal Responsibility and Work Oppor-
23 tunity Reconciliation Act of 1996, and as amended by sec-
24 tion 106(e) of this Act, is amended by adding at the end
25 the following new subsection:

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

9 (b) MISCELLANEOUS CLERICAL AND TECHNICAL
10 CORRECTIONS.—

11 (1) Section 411(c)(3) of the Personal Respon-
12 sibility and Work Opportunity Reconciliation Act of
13 1996 (8 U.S.C. 1621(c)(3)) is amended by striking
14 “4001(c)” and inserting “401(c)”.

15 (2) Section 422(a) of the Personal Respon-
16 sibility and Work Opportunity Reconciliation Act of
17 1996 (8 U.S.C. 1632(a)) is amended by striking
18 “benefits (as defined in section 412(c)),” and insert-
19 ing “benefits,”.

20 (3) Section 412(b)(1)(C) of the Personal Re-
21 sponsibility and Work Opportunity Reconciliation
22 Act of 1996 (8 U.S.C. 1622(b)(1)(C)) is amended by
23 striking “with-holding” and inserting “withholding”.

24 (4) The subtitle heading for subtitle D of title
25 IV of the Personal Responsibility and Work Oppor-

1 tunity Reconciliation Act of 1996 is amended to
2 read as follows:

“Subtitle D—General Provisions”.

3 (5) The subtitle heading for subtitle F of title
4 IV of the Personal Responsibility and Work Oppor-
5 tunity Reconciliation Act of 1996 is amended to
6 read as follows:

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

7 (6) Section 431(c)(2)(B) of the Personal Re-
8 sponsibility and Work Opportunity Reconciliation
9 Act of 1996 (8 U.S.C. 1641(c)(2)(B)) is amended by
10 striking “clause (ii) of subparagraph (A)” and in-
11 serting “subparagraph (B) of paragraph (1)”.

12 (7) Section 431(c)(1)(B) of the Personal Re-
13 sponsibility and Work Opportunity Reconciliation
14 Act of 1996 (8 U.S.C. 1641(c)(1)(B)) is amended—

15 (A) in clause (iii) by striking “, or” and in-
16 serting “(as in effect prior to April 1, 1997),”;
17 and

18 (B) by adding after clause (iv) the follow-
19 ing new clause:

20 “(v) cancellation of removal pursuant
21 to section 240A(b)(2) of such Act;”.

1 **SEC. 422. 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
22 Law 104–188; 110 Stat. 1903)) and inserting “;
23 and”; and

24 (3) by redesignating paragraph (18) (as added
25 by section 505(3) of the Personal Responsibility and
26 Work Opportunity Reconciliation Act of 1996 (Pub-

1 lic Law 104–193; 110 Stat. 2278)) as paragraph
2 (19).

3 **SEC. 502. ADDITIONAL TECHNICAL AMENDMENTS RELAT-**
4 **ING TO CHILD PROTECTION.**

5 (a) PART B AMENDMENTS.—

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

8 (A) in section 422(b)—

9 (i) by striking the period at the end of
10 the paragraph (9) (as added by section
11 554(3) of the Improving America’s Schools
12 Act of 1994 (Public Law 103–382; 108
13 Stat. 4057)) and inserting a semicolon;

14 (ii) by redesignating paragraph (10)
15 as paragraph (11); and

16 (iii) by redesignating paragraph (9),
17 as added by section 202(a)(3) of the Social
18 Security Act Amendments of 1994 (Public
19 Law 103–432, 108 Stat. 4453), as para-
20 graph (10);

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

24 (C) by transferring section 429A (as added
25 by section 503 of the Personal Responsibility

1 and Work Opportunity Reconciliation Act of
2 1996 (Public Law 104–193; 110 Stat. 2277))
3 to the end of subpart 1.

4 (2) CLARIFICATION OF CONFLICTING AMEND-
5 MENTS.—Section 204(a)(2) of the Social Security
6 Act Amendments of 1994 (Public Law 103–432;
7 108 Stat. 4456) is amended by inserting “(as added
8 by such section 202(a))” before “and inserting”.

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

12 **SEC. 503. EFFECTIVE DATE.**

13 The amendments made by this title shall take effect
14 as if included in the enactment of title V of the Personal
15 Responsibility and Work Opportunity Reconciliation Act
16 of 1996 (Public Law 104–193; 110 Stat. 2277).

17 **TITLE VI—CHILD CARE**

18 **SEC. 601. CONFORMING AND TECHNICAL AMENDMENTS RE-**
19 **LATING TO CHILD CARE.**

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

22 (1) in paragraph (1)—

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

- 1 (B) in subparagraph (A)—
- 2 (i) by striking “the sum of”;
- 3 (ii) by striking “amounts expended”
- 4 and inserting “expenditures”; and
- 5 (iii) by striking “section—” and all
- 6 that follows and inserting “subsections (g)
- 7 and (i) of section 402 (as in effect before
- 8 October 1, 1995); or”;
- 9 (C) in subparagraph (B)—
- 10 (i) by striking “sections” and insert-
- 11 ing “subsections”; and
- 12 (ii) by striking the semicolon at the
- 13 end and inserting a period; and
- 14 (D) in the matter following subparagraph
- 15 (B), by striking “whichever is greater.”; and
- 16 (2) in paragraph (2)—
- 17 (A) by striking subparagraph (B) and in-
- 18 sserting the following:
- 19 “(B) ALLOTMENTS TO STATES.—The total
- 20 amount available for payments to States under
- 21 this paragraph, as determined under subpara-
- 22 graph (A), shall be allotted among the States
- 23 based on the formula used for determining the
- 24 amount of Federal payments to each State

1 under section 403(n) (as in effect before Octo-
2 ber 1, 1995).”;

3 (B) by striking subparagraph (C) and in-
4 serting the following:

5 “(C) FEDERAL MATCHING OF STATE EX-
6 PENDITURES EXCEEDING HISTORICAL EXPEND-
7 ITURES.—The Secretary shall pay to each eligi-
8 ble State for a fiscal year an amount equal to
9 the lesser of the State’s allotment under sub-
10 paragraph (B) or the Federal medical assist-
11 ance percentage for the State for the fiscal year
12 (as defined in section 1905(b), as such section
13 was in effect on September 30, 1995) of so
14 much of the State’s expenditures for child care
15 in that fiscal year as exceed the total amount
16 of expenditures by the State (including expendi-
17 tures from amounts made available from Fed-
18 eral funds) in fiscal year 1994 or 1995 (which-
19 ever is greater) for the programs described in
20 paragraph (1)(A).”;

21 (C) in subparagraph (D)(i)—

22 (i) by striking “amounts under any
23 grant awarded” and inserting “any
24 amounts allotted”; and

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

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

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

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

18 **SEC. 602. ADDITIONAL CONFORMING AND TECHNICAL**
19 **AMENDMENTS.**

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

22 (1) in section 658E(c)(2)(E)(ii), by striking
23 “tribal organization” and inserting “tribal organiza-
24 tions”;

25 (2) in section 658K(a)—

1 (A) in paragraph (1)—

2 (i) in subparagraph (B)—

3 (I) by striking clause (iv) and in-
4 serting the following:

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

7 (II) in clause (v)—

8 (aa) in the matter preceding
9 subclause (I), by striking “in-
10 cluding the amount obtained
11 from (and separately identi-
12 fied)—” and inserting “includ-
13 ing—”; and

14 (bb) by striking subclause
15 (II) and inserting the following:

16 “(II) cash or other assistance
17 under—

18 “(aa) the temporary assist-
19 ance for needy families program
20 under part A of title IV of the
21 Social Security Act (42 U.S.C.
22 601 et seq.); and

23 “(bb) a State program for
24 which State spending is counted
25 toward the maintenance of effort

1 requirement under section
2 409(a)(7) of the Social Security
3 Act (42 U.S.C. 609(a)(7));” and
4 (III) in clause (x), by striking
5 “week” and inserting “month”; and
6 (ii) by striking subparagraph (D) and
7 inserting the following:

8 “(D) USE OF SAMPLES.—

9 “(i) AUTHORITY.—A State may com-
10 ply with the requirement to collect the in-
11 formation described in subparagraph (B)
12 through the use of disaggregated case
13 record information on a sample of families
14 selected through the use of scientifically
15 acceptable sampling methods approved by
16 the Secretary.

17 “(ii) SAMPLING AND OTHER METH-
18 ODS.—The Secretary shall provide the
19 States with such case sampling plans and
20 data collection procedures as the Secretary
21 deems necessary to produce statistically
22 valid samples of the information described
23 in subparagraph (B). The Secretary may
24 develop and implement procedures for veri-

1 fying the quality of data submitted by the
2 States.”; and

3 (B) in paragraph (2)—

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

6 (ii) by striking “6” and inserting
7 “12”;

8 (3) in section 658L, by striking “1997” and in-
9 serting “1998”;

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

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

14 **SEC. 603. REPEALS.**

15 (a) CHILD DEVELOPMENT ASSOCIATE SCHOLARSHIP
16 ASSISTANCE ACT OF 1985.—Title VI of the Human Serv-
17 ices Reauthorization Act of 1986 (42 U.S.C. 10901–
18 10905) is repealed.

19 (b) STATE DEPENDENT CARE DEVELOPMENT
20 GRANTS ACT.—Subchapter E of chapter 8 of subtitle A
21 of title VI of the Omnibus Budget Reconciliation Act of
22 1981 (42 U.S.C. 9871–9877) is repealed.

23 (c) PROGRAMS OF NATIONAL SIGNIFICANCE.—Title
24 X of the Elementary and Secondary Education Act of
25 1965 (20 U.S.C. 8001 et seq.) is amended—

1 (1) in section 10413(a), by striking paragraph
2 (4);

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

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

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

10 **SEC. 604. EFFECTIVE DATES.**

11 (a) IN GENERAL.—Except as provided in subsection
12 (b), this title and the amendments made by this title shall
13 take effect as if included in the enactment of title VI of
14 the Personal Responsibility and Work Opportunity Rec-
15 onciliation Act of 1996 (Public Law 104–193; 110 Stat.
16 2278).

17 (b) EXCEPTIONS.—The amendment made by section
18 601(a)(2)(B) and the repeal made by section 603(d) shall
19 each take effect on October 1, 1997.

1 **TITLE VII—ERISA AMENDMENTS**
2 **RELATING TO MEDICAL**
3 **CHILD SUPPORT ORDERS**

4 **SEC. 701. AMENDMENTS RELATING TO SECTION 303 OF THE**
5 **PERSONAL RESPONSIBILITY AND WORK OP-**
6 **PORTUNITY RECONCILIATION ACT OF 1996.**

7 (a) **PRIVACY SAFEGUARDS FOR MEDICAL CHILD**
8 **SUPPORT ORDERS.**—Section 609(a)(3)(A) of the Em-
9 ployee Retirement Income Security Act of 1974 (29
10 U.S.C. 1169(a)(3)(A)) is amended by adding at the end
11 the following: “except that, to the extent provided in the
12 order, the name and mailing address of an official of a
13 State or a political subdivision thereof may be substituted
14 for the mailing address of any such alternate recipient,”.

15 (b) **PAYMENT TO STATE OFFICIAL TREATED AS SAT-**
16 **ISFACTION OF PLAN’S OBLIGATION.**—Section 609(a) of
17 such Act (29 U.S.C. 1169(a)) is amended by adding at
18 the end the following new paragraph:

19 “(9) **PAYMENT TO STATE OFFICIAL TREATED**
20 **AS SATISFACTION OF PLAN’S OBLIGATION TO MAKE**
21 **PAYMENT TO ALTERNATE RECIPIENT.**—Payment of
22 benefits by a group health plan to an official of a
23 State or a political subdivision thereof who is named
24 in a qualified medical child support order in lieu of
25 the alternate recipient, pursuant to paragraph

1 (3)(A), shall be treated, for purposes of this title, as
2 payment of benefits to the alternate recipient.”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall be apply with respect to medical child
5 support orders issued on or after the date of the enact-
6 ment of this Act.

7 **SEC. 702. AMENDMENT RELATING TO SECTION 381 OF THE**
8 **PERSONAL RESPONSIBILITY AND WORK OP-**
9 **PORTUNITY RECONCILIATION ACT OF 1996.**

10 (a) CLARIFICATION OF EFFECT OF ADMINISTRATIVE
11 NOTICES.—Section 609(a)(2)(B) of the Employee Retire-
12 ment Income Security Act of 1974 (29 U.S.C.
13 1169(a)(2)(B)) is amended by adding at the end the fol-
14 lowing new sentence: “For purposes of this subparagraph,
15 an administrative notice which is issued pursuant to an
16 administrative process referred to in subclause (II) of the
17 preceding sentence and which has the effect of an order
18 described in clause (i) or (ii) of the preceding sentence
19 shall be treated as such an order.”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 this section shall be effective as if included in the enact-
22 ment of section 381 of the Personal Responsibility and
23 Work Opportunity Reconciliation Act of 1996 (Public Law
24 104–193; 110 Stat. 2257).

1 **SEC. 703. AMENDMENTS RELATING TO SECTION 382 OF THE**
2 **PERSONAL RESPONSIBILITY AND WORK OP-**
3 **PORTUNITY RECONCILIATION ACT OF 1996.**

4 (a) **ELIMINATION OF REQUIREMENT THAT ORDERS**
5 **SPECIFY AFFECTED PLANS.**—Section 609(a)(3) of the
6 Employee Retirement Income Security Act of 1974 (29
7 U.S.C. 1169(a)(3)) is amended—

8 (1) in subparagraph (C), by striking “, and”
9 and inserting a period; and

10 (2) by striking subparagraph (D).

11 (b) **EFFECTIVE DATE.**—The amendments made by
12 this section shall apply with respect to medical child sup-
13 port orders issued on or after the date of the enactment
14 of this Act.

Passed the House of Representatives April 29, 1997.

Attest:

ROBIN H. CARLE,

Clerk.