

106TH CONGRESS  
1ST SESSION

# S. 174

To provide funding for States to correct Y2K problems in computers that are used to administer State and local government programs.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. MOYNIHAN (for himself, Mr. BENNETT, and Mr. DODD) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To provide funding for States to correct Y2K problems in computers that are used to administer State and local government programs.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Y2K State and Local  
5       GAP (Government Assistance Programs) Act of 1999”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

8               (1) **WELFARE PROGRAMS.**—The welfare pro-  
9       grams are as follows:

1 (A) TANF.—The State program funded  
2 under part A of title IV of the Social Security  
3 Act (42 U.S.C. 601 et seq.).

4 (B) MEDICAID.—The program of medical  
5 assistance under title XIX of the Social Secu-  
6 rity Act (42 U.S.C. 1396 et seq.).

7 (C) FOOD STAMPS.—The food stamp pro-  
8 gram, as defined in section 3(h) of the Food  
9 Stamp Act of 1977 (7 U.S.C. 2012(h)).

10 (D) WIC.—The program of assistance  
11 under the special supplemental nutrition pro-  
12 gram for women, infants and children (WIC)  
13 under section 17 of the Child Nutrition Act of  
14 1966 (42 U.S.C. 1786).

15 (E) CHILD SUPPORT ENFORCEMENT.—The  
16 child support and paternity establishment pro-  
17 gram established under part D of title IV of the  
18 Social Security Act (42 U.S.C. 651 et seq.).

19 (F) CHILD WELFARE.—A child welfare  
20 program or a program designed to promote safe  
21 and stable families established under subpart 1  
22 or 2 of part B of title IV of the Social Security  
23 Act (42 U.S.C. 620 et seq.).

24 (G) CHILD CARE.—The Child Care and  
25 Development Block Grant Act of 1990 (42

1 U.S.C. 9858 et seq.) (including funding pro-  
2 vided under section 418 of the Social Security  
3 Act (42 U.S.C. 618)).

4 (2) Y2K.—The term “Y2K compliant” means,  
5 with respect to information technology, that the in-  
6 formation technology accurately processes (including  
7 calculating, comparing, and sequencing) date and  
8 time data from, into, and between the 20th and 21st  
9 centuries and the years 1999 and 2000, and leap  
10 year calculations, to the extent that other informa-  
11 tion technology properly exchanges date and time  
12 data with it.

13 **SEC. 3. GRANTS TO STATES TO MAKE STATE AND LOCAL**  
14 **GOVERNMENT PROGRAMS Y2K COMPLIANT.**

15 (a) AUTHORITY TO AWARD GRANTS.—

16 (1) IN GENERAL.—Subject to paragraph (2),  
17 the Secretary of Commerce shall award grants in ac-  
18 cordance with this section to States for purposes of  
19 making grants to assist the States and local govern-  
20 ments in making programs administered by the  
21 States and local governments Y2K compliant. The  
22 Secretary of Commerce shall give priority to grant  
23 requests that relate to making Federal welfare pro-  
24 grams Y2K compliant.

25 (2) LIMITATIONS.—

1 (A) NUMBER OF GRANTS.—No more than  
2 75 grants may be awarded under this section.

3 (B) PER STATE LIMITATION.—Not more  
4 than 2 grants authorized under this section  
5 may be awarded per State.

6 (C) APPLICATION DEADLINE.—45 days  
7 after enactment.

8 (b) APPLICATION.—

9 (1) IN GENERAL.—A State, through the State  
10 Governor's Office, may submit an application for a  
11 grant authorized under this section at such time  
12 within the constraints of paragraph Sec. 3(a)(2)(C)  
13 and in such manner as the Secretary of Commerce  
14 may determine.

15 (2) INFORMATION REQUIRED.—An application  
16 for a grant authorized under this section shall con-  
17 tain the following:

18 (A) A description of a proposed plan for  
19 the development and implementation of a Y2K  
20 compliance program for the State's programs or  
21 for a local government program, including a  
22 proposed budget for the plan and a request for  
23 a specific funding amount.

24 (B) A description or identification of a  
25 proposed funding source for completion of the

1 plan (if applicable) and maintenance of the sys-  
2 tem after the conclusion of the period for which  
3 the grant is to be awarded.

4 (c) CONDITIONS FOR APPROVAL OF APPLICA-  
5 TIONS.—

6 (1) MATCHING REQUIREMENT.—

7 (A) IN GENERAL.—A State awarded a  
8 grant under this section shall expend \$1 for  
9 every \$2 awarded under the grant to carry out  
10 the development and implementation of a Y2K  
11 compliance program for the State's programs  
12 under the proposed plan.

13 (B) WAIVER FOR HARDSHIP.—The Sec-  
14 retary of Commerce may waive or modify the  
15 matching requirement described in subpara-  
16 graph (A) in the case of any State that the Sec-  
17 retary of Commerce determines would suffer  
18 undue hardship as a result of being subject to  
19 the requirement.

20 (C) NON-FEDERAL EXPENDITURES.—

21 (i) CASH OR IN KIND.—State expendi-  
22 tures required under subparagraph (A)  
23 may be in cash or in kind, fairly evaluated,  
24 including equipment, or services.

1 (ii) NO CREDIT FOR PRE-AWARD EX-  
 2 PENDITURES.—Only State expenditures  
 3 made after a grant has been awarded  
 4 under this section may be counted for pur-  
 5 poses of determining whether the State has  
 6 satisfied the matching expenditure require-  
 7 ment under subparagraph (A).

8 (2) CONSIDERATIONS.—In evaluating an appli-  
 9 cation for a grant under this section the Secretary  
 10 of Commerce shall consider the extent to which the  
 11 proposed system is feasible and likely to achieve the  
 12 purposes described in subsection (a)(1).

13 (d) LENGTH OF AWARDS.—No grant may be award-  
 14 ed under this section for a period of more than 2 years.

15 (e) AVAILABILITY OF FUNDS.—Funds provided to a  
 16 State under a grant awarded under this section shall re-  
 17 main available until expended without fiscal year limita-  
 18 tion.

19 (f) REPORTS.—

20 (1) ANNUAL REPORT FROM GRANTEES.—Each  
 21 State that is awarded a grant under this section  
 22 shall submit an annual report to the Secretary of  
 23 Commerce that contains a description of the ongoing  
 24 results of the independent evaluation of the plan for,

1       and implementation of, the compliance program  
2       funded under the grant.

3           (2) FINAL REPORT.—Not later than 90 days  
4       after the termination of all grants awarded under  
5       this section, the Secretary of Commerce shall submit  
6       to Congress a final report evaluating the programs  
7       funded under such grants.

8       (g) AUTHORIZATION OF APPROPRIATIONS.—There is  
9       authorized to be appropriated to carry out this section,  
10      \$40,000,000 for fiscal years 1999 to 2001 funded from  
11      the Y2K Emergency Supplemental Funds appropriated in  
12      the FY99 Omnibus Act, PL 105–277.

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