

112TH CONGRESS
1ST SESSION

H. R. 3659

IN THE SENATE OF THE UNITED STATES

DECEMBER 15, 2011

Received; read twice and referred to the Committee on Finance

AN ACT

To reauthorize the program of block grants to States for temporary assistance for needy families through fiscal year 2012, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Welfare Integrity and
3 Data Improvement Act”.

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.

Sec. 3. Extension of program.

Sec. 4. Data standardization.

Sec. 5. Spending policies for assistance under State TANF programs.

Sec. 6. Technical corrections.

6 **SEC. 3. EXTENSION OF PROGRAM.**

7 (a) FAMILY ASSISTANCE GRANTS.—Section
8 403(a)(1) of the Social Security Act (42 U.S.C. 603(a)(1)
9 is amended—

10 (1) in subparagraph (A), by striking “ each of
11 fiscal years 1996” and all that follows through
12 “2003” and inserting “fiscal year 2012”;

13 (2) in subparagraph (B)—

14 (A) by inserting “(as in effect just before
15 the enactment of the Welfare Integrity and
16 Data Improvement Act)” after “this para-
17 graph” the 1st place it appears; and

18 (B) by inserting “(as so in effect)” after
19 “this paragraph” the 2nd place it appears; and

20 (3) in subparagraph (C), by striking “2003”
21 and inserting “2012”.

1 (b) HEALTHY MARRIAGE PROMOTION AND RESPON-
2 SIBLE FATHERHOOD GRANTS.—Section 403(a)(2)(D) of
3 such Act (42 U.S.C. 603(a)(2)(D)) is amended by striking
4 “2011” and inserting “2012”.

5 (c) MAINTENANCE OF EFFORT REQUIREMENT.—
6 Section 409(a)(7) of such Act (42 U.S.C. 609(a)(7)) is
7 amended—

8 (1) in subparagraph (A), by striking “fiscal
9 year” and all that follows through “2013” and in-
10 serting “a fiscal year”; and

11 (2) in subparagraph (B)(ii)—

12 (A) by striking “for fiscal years 1997
13 through 2012,”; and

14 (B) by striking “407(a) for the fiscal
15 year,” and inserting “407(a),”.

16 (d) TRIBAL GRANTS.—Section 412(a) of such Act
17 (42 U.S.C. 612(a)) is amended in each of paragraphs
18 (1)(A) and (2)(A) by striking “each of fiscal years 1997”
19 and all that follows through “2003” and inserting “fiscal
20 year 2012”.

21 (e) STUDIES AND DEMONSTRATIONS.—Section
22 413(h)(1) of such Act (42 U.S.C. 613(h)(1)) is amended
23 by striking “each of fiscal years 1997 through 2002” and
24 inserting “fiscal year 2012”.

1 (f) CENSUS BUREAU STUDY.—Section 414(b) of
2 such Act (42 U.S.C. 614(b)) is amended by striking “each
3 of fiscal years 1996” and all that follows through “2003”
4 and inserting “fiscal year 2012”.

5 (g) CHILD CARE ENTITLEMENT.—Section 418(a)(3)
6 of such Act (42 U.S.C. 618(a)(3)) is amended by striking
7 “appropriated” and all that follows and inserting “appro-
8 priated \$2,917,000,000 for fiscal year 2012.”.

9 (h) GRANTS TO TERRITORIES.—Section 1108(b)(2)
10 of such Act (42 U.S.C. 1308(b)(2)) is amended by striking
11 “for fiscal years 1997 through 2003” and inserting “fiscal
12 year 2012”.

13 (i) PREVENTION OF DUPLICATE APPROPRIATIONS
14 FOR FISCAL YEAR 2012.—Expenditures made pursuant
15 to the Short-Term TANF Extension Act (Public Law
16 112–35) for fiscal year 2012 shall be charged to the appli-
17 cable appropriation or authorization provided by the
18 amendments made by this section for such fiscal year.

19 (j) EFFECTIVE DATE.—This section and the amend-
20 ments made by this section shall take effect on the date
21 of the enactment of this Act.

22 **SEC. 4. DATA STANDARDIZATION.**

23 (a) IN GENERAL.—Section 411 of the Social Security
24 Act (42 U.S.C. 611) is amended by adding at the end the
25 following:

1 “(d) DATA STANDARDIZATION.—

2 “(1) STANDARD DATA ELEMENTS.—

3 “(A) DESIGNATION.—The Secretary, in
4 consultation with an interagency work group
5 which shall be established by the Office of Man-
6 agement and Budget, and considering State
7 and tribal perspectives, shall, by rule, designate
8 standard data elements for any category of in-
9 formation required to be reported under this
10 part.

11 “(B) REQUIREMENTS.—In designating the
12 standard data elements, the Secretary shall, to
13 the extent practicable—

14 “(i) ensure that the data elements are
15 nonproprietary and interoperable;

16 “(ii) incorporate interoperable stand-
17 ards developed and maintained by an inter-
18 national voluntary consensus standards
19 body, as defined by the Office of Manage-
20 ment and Budget, such as the Inter-
21 national Organization for Standardization;

22 “(iii) incorporate interoperable stand-
23 ards developed and maintained by inter-
24 governmental partnerships, such as the

1 National Information Exchange Model;
2 and

3 “(iv) incorporate interoperable stand-
4 ards developed and maintained by Federal
5 entities with authority over contracting
6 and financial assistance, such as the Fed-
7 eral Acquisition Regulatory Council.

8 “(2) DATA REPORTING STANDARDS.—

9 “(A) DESIGNATION.—The Secretary, in
10 consultation with an interagency work group es-
11 tablished by the Office of Management and
12 Budget, and considering State and tribal per-
13 spectives, shall, by rule, designate standards to
14 govern the data reporting required under this
15 part.

16 “(B) REQUIREMENTS.—In designating the
17 data reporting standards, the Secretary shall, to
18 the extent practicable, incorporate existing non-
19 proprietary standards, such as the eXtensible
20 Business Reporting Language. Such standards
21 shall, to the extent practicable—

22 “(i) incorporate a widely-accepted,
23 nonproprietary, searchable, computer-read-
24 able format;

1 “(ii) be consistent with and implement
 2 applicable accounting principles; and
 3 “(iii) be capable of being continually
 4 upgraded as necessary.”.

5 (b) APPLICABILITY.—The amendments made by this
 6 subsection shall apply with respect to information required
 7 to be reported on or after October 1, 2012.

8 **SEC. 5. SPENDING POLICIES FOR ASSISTANCE UNDER**
 9 **STATE TANF PROGRAMS.**

10 (a) STATE REQUIREMENT.—Section 408(a) of the
 11 Social Security Act (42 U.S.C. 608(a)) is amended by add-
 12 ing at the end the following:

13 “(12) STATE REQUIREMENT TO PREVENT UN-
 14 AUTHORIZED SPENDING OF BENEFITS.—

15 “(A) IN GENERAL.—A State to which a
 16 grant is made under section 403 shall maintain
 17 policies and practices as necessary to prevent
 18 assistance provided under the State program
 19 funded under this part from being used in any
 20 electronic benefit transfer transaction in—

21 “(i) any liquor store;

22 “(ii) any casino, gambling casino, or
 23 gaming establishment; or

24 “(iii) any retail establishment which
 25 provides adult-oriented entertainment in

1 which performers disrobe or perform in an
2 unclothed state for entertainment.

3 “(B) DEFINITIONS.—For purposes of sub-
4 paragraph (A)—

5 “(i) LIQUOR STORE.—The term ‘liq-
6 uor store’ means any retail establishment
7 which sells exclusively or primarily intoxi-
8 cating liquor. Such term does not include
9 a grocery store which sells both intoxi-
10 cating liquor and groceries including staple
11 foods (within the meaning of section 3(r)
12 of the Food and Nutrition Act of 2008 (7
13 U.S.C. 2012(r))).

14 “(ii) CASINO, GAMBLING CASINO, OR
15 GAMING ESTABLISHMENT.—The terms ‘ca-
16 sino’, ‘gambling casino’, and ‘gaming es-
17 tablishment’ do not include a grocery store
18 which sells groceries including such staple
19 foods and which also offers, or is located
20 within the same building or complex as, ca-
21 sino, gambling, or gaming activities.

22 “(iii) ELECTRONIC BENEFIT TRANS-
23 FER TRANSACTION.—The term ‘electronic
24 benefit transfer transaction’ means the use
25 of a credit or debit card service, automated

1 teller machine, point-of-sale terminal, or
2 access to an online system for the with-
3 drawal of funds or the processing of a pay-
4 ment for merchandise or a service.”.

5 (b) PENALTY.—Section 409(a) of such Act (42
6 U.S.C. 609(a)) is amended by adding at the end the fol-
7 lowing:

8 “(16) PENALTY FOR FAILURE TO ENFORCE
9 SPENDING POLICIES.—

10 “(A) IN GENERAL.—If, within 2 years
11 after the date of the enactment of this para-
12 graph, any State has not reported to the Sec-
13 retary on such State’s implementation of the
14 policies and practices required by section
15 408(a)(12), or the Secretary determines, based
16 on the information provided in State reports,
17 that any State has not implemented and main-
18 tained such policies and practices, the Secretary
19 shall reduce, by an amount equal to 5 percent
20 of the State family assistance grant, the grant
21 payable to such State under section 403(a)(1)
22 for—

23 “(i) the fiscal year immediately suc-
24 ceeding the year in which such 2-year pe-
25 riod ends; and

1 “(ii) each succeeding fiscal year in
 2 which the State does not demonstrate that
 3 such State has implemented and main-
 4 tained such policies and practices.

5 “(B) REDUCTION OF APPLICABLE PEN-
 6 ALTY.—The Secretary may reduce the amount
 7 of the reduction required under subparagraph
 8 (A) based on the degree of noncompliance of
 9 the State.

10 “(C) STATE NOT RESPONSIBLE FOR INDIVIDUAL VIOLATIONS.—Fraudulent activity by
 11 any individual in an attempt to circumvent the
 12 policies and practices required by section
 13 408(a)(12) shall not trigger a State penalty
 14 under subparagraph (A).”.

16 (c) CONFORMING AMENDMENT.—Section 409(c)(4)
 17 of such Act (42 U.S.C. 609(c)(4)) is amended by striking
 18 “or (13)” and inserting “(13), or (16)”.

19 **SEC. 6. TECHNICAL CORRECTIONS.**

20 (a) Section 404(d)(1)(A) of the Social Security Act
 21 (42 U.S.C. 604(d)(1)(A)) is amended by striking “subtitle
 22 1 of Title” and inserting “Subtitle 1 of title”.

23 (b) Sections 407(c)(2)(A)(i) and 409(a)(3)(C) of
 24 such Act (42 U.S.C. 607(c)(2)(A)(i) and 609(a)(3)(C))

1 are each amended by striking “403(b)(6)” and inserting
2 “403(b)(5)”.

3 (c) Section 409(a)(2)(A) of such Act (42 U.S.C.
4 609(a)(2)(A)) is amended by moving clauses (i) and (ii)
5 2 ems to the right.

6 (d) Section 409(c)(2) of such Act (42 U.S.C.
7 609(c)(2)) is amended by inserting a comma after “appro-
8 priate”.

9 (e) Section 411(a)(1)(A)(ii)(III) of such Act (42
10 U.S.C. 611(a)(1)(A)(ii)(III)) is amended by striking the
11 last close parenthesis.

Passed the House of Representatives December 15,
2011.

Attest:

KAREN L. HAAS,
Clerk.