

113TH CONGRESS
1ST SESSION

H. R. 2729

To amend title IV of the Social Security Act to provide for information comparisons for USDA Housing Assistance programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2013

Mr. ADERHOLT (for himself, Mr. FARR, Mr. REICHERT, and Mr. DOGGETT) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title IV of the Social Security Act to provide for information comparisons for USDA Housing Assistance programs, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Housing Assistance
5 Eligibility Verification Act of 2013”.

1 **SEC. 2. INFORMATION COMPARISONS FOR USDA HOUSING**
2 **ASSISTANCE PROGRAMS.**

3 (a) IN GENERAL.—Section 453(j) of the Social Secu-
4 rity Act (42 U.S.C. 653(j)) is amended by adding at the
5 end the following new paragraph:

6 “(12) INFORMATION COMPARISONS FOR USDA
7 HOUSING ASSISTANCE PROGRAMS.—

8 “(A) FURNISHING OF INFORMATION BY
9 SECRETARY OF AGRICULTURE.—Subject to the
10 provisions of this paragraph, the Secretary of
11 Agriculture shall furnish to the Secretary, on
12 such periodic basis as determined by the Sec-
13 retary of Agriculture in consultation with the
14 Secretary, information in the custody of the
15 Secretary of Agriculture for comparison with
16 information in the National Directory of New
17 Hires, in order to obtain information in such
18 Directory with respect to individuals (including
19 tenants) who are applying for or participating
20 in any housing program under title V of the
21 Housing Act of 1949 (42 U.S.C. 1471 et seq.),
22 including the single family and multifamily
23 housing programs.

24 “(B) REQUIREMENT TO SEEK MINIMUM
25 INFORMATION.—The Secretary of Agriculture
26 shall seek information pursuant to this para-

graph only to the extent necessary to verify the employment and income of individuals described in subparagraph (A).

“(C) DUTIES OF THE SECRETARY.—

“(i) INFORMATION DISCLOSURE.—The Secretary, in consultation with the Secretary of Agriculture, shall compare information in the National Directory of New Hires with information provided by the Secretary of Agriculture with respect to individuals described in subparagraph (A), and shall disclose information in such Directory regarding such individuals to the Secretary of Agriculture, in accordance with this paragraph, for the purposes specified in this paragraph.

“(ii) CONDITION ON DISCLOSURE.—

The Secretary shall make disclosures in accordance with clause (i) only to the extent that the Secretary determines that such disclosures do not interfere with the effective operation of the program under this part.

“(D) USE OF INFORMATION BY SECRETARY OF AGRICULTURE.—The Secretary of

1 Agriculture may use information resulting from
2 a data match pursuant to this paragraph
3 only—

4 “(i) for the purposes specified in sub-
5 paragraph (B); and

6 “(ii) after removal of personal identi-
7 fiers, to conduct analyses of the employ-
8 ment and income reporting of individuals
9 described in subparagraph (B).

10 “(E) DISCLOSURE OF INFORMATION BY
11 SECRETARY OF AGRICULTURE.—

12 “(i) PURPOSE OF DISCLOSURE.—The
13 Secretary of Agriculture may make a dis-
14 closure under this subparagraph only for
15 the purpose of verifying the employment
16 and income of individuals described in sub-
17 paragraph (A).

18 “(ii) DISCLOSURES PERMITTED.—
19 Subject to clause (iii), the Secretary of Ag-
20 riculture may disclose information result-
21 ing from a data match pursuant to this
22 paragraph only to the owner of a property,
23 the Inspector General of the Department
24 of Agriculture, and the Attorney General
25 in connection with the enforcement of em-

1 ployment and income requirements for the
2 programs described in subparagraph (A).
3 Information obtained by the Secretary of
4 Agriculture pursuant to this paragraph
5 shall not be made available under section
6 552(b)(3) of title 5, United States Code.

7 “(iii) CONDITIONS ON DISCLOSURE.—
8 Disclosures under this paragraph shall
9 be—

10 “(I) made in accordance with
11 data security and control policies es-
12 tablished by the Secretary of Agri-
13 culture and approved by the Sec-
14 retary;

15 “(II) subject to audit in a man-
16 ner satisfactory to the Secretary; and

17 “(III) subject to the sanctions
18 under subsection (l)(2).

19 “(iv) ADDITIONAL DISCLOSURES.—

20 “(I) DETERMINATION BY SECRE-
21 TARIES.—The Secretary of Agri-
22 culture and the Secretary shall deter-
23 mine whether to permit disclosure of
24 information under this paragraph to
25 persons or entities described in sub-

1 clause (II), based on an evaluation
2 made by the Secretary of Agriculture
3 (in consultation with and approved by
4 the Secretary), of the costs and bene-
5 fits of disclosures made under clause
6 (ii) and the adequacy of measures
7 used to safeguard the security and
8 confidentiality of information so dis-
9 closed.

10 “(II) PERMITTED PERSONS OR
11 ENTITIES.—If the Secretary of Agri-
12 culture and the Secretary determine
13 pursuant to subclause (I) that disclo-
14 sures to additional persons or entities
15 shall be permitted, information under
16 this paragraph may be disclosed by
17 the Secretary of Agriculture to a pri-
18 vate owner of a property and a man-
19 agement agent, in connection with the
20 administration of a program described
21 in subparagraph (A), subject to the
22 conditions in clause (iii) and such ad-
23 ditional conditions as agreed to by the
24 Secretaries.

1 “(v) RESTRICTIONS ON REDISCLO-
 2 SURE.—A person or entity to which infor-
 3 mation is disclosed under this subpara-
 4 graph may use or disclose such informa-
 5 tion only as needed for verifying the em-
 6 ployment and income of individuals de-
 7 scribed in subparagraph (A), subject to the
 8 conditions in clause (iii) and such addi-
 9 tional conditions as agreed to by the Secre-
 10 taries.

11 “(F) REIMBURSEMENT OF HHS COSTS.—
 12 The Secretary of Agriculture shall reimburse
 13 the Secretary, in accordance with subsection
 14 (k)(3), for the costs incurred by the Secretary
 15 in furnishing the information requested under
 16 this paragraph.

17 “(G) CONSENT.—The Secretary of Agri-
 18 culture shall not seek, use, or disclose informa-
 19 tion under this paragraph relating to an indi-
 20 vidual without the prior written consent of such
 21 individual (or of a person legally authorized to
 22 consent on behalf of such individual).”.

23 (b) AMENDMENT TO THE INTERNAL REVENUE
 24 CODE.—Section 6103(l)(7)(D) of the Internal Revenue
 25 Code of 1986 (26 U.S.C. 6103(l)(7)(D)) is amended—

1 (1) in clause (viii), by striking the “and” at the
2 end;

3 (2) in clause (ix), by striking the period at the
4 end and inserting “, and”; and

5 (3) by inserting after clause (ix) the following
6 new clause:

7 “(x) any housing program under title
8 V of the Housing Act of 1949 (42 U.S.C.
9 1471 et seq.).”.

○