

So I would ask my friends, particularly those on the other side of the aisle, to join in this time to help us fight, stop the games, stop the demagoging. It will not help your campaigns to put our seniors at risk. Let us save Medicare.

#### HOUSE MUST ACT NOW

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, as a member of the House Committee on the Judiciary and Subcommittee on Crime, I rise today to say to America, hatreds, no, terrorists, yes. The Republic of Texas this past weekend and the last couple of days held hostage two innocent Americans, two individuals who were guilty of nothing other than rejecting their terrorist activities.

Over 800 militia exist across the Nation. It does us no good to not respond to these unchecked fringe groups, violating the civil rights and constitutional rights of Americans.

This House must act now. Among the legislative inertia, we must respond to militia that are organized across this Nation to unseat this Government in a violent way. We must now have immediate hearings dealing with these types of groups. We must pass my House Resolution that indicates and asks for vigorous enforcement of U.S. laws against such militia and we must update the database. We cannot stand for these kinds of attacks on the constitutional and civil rights of Americans.

#### COMMONSENSE REFORMS TO REBUILD AMERICA

(Mr. NEUMANN asked and was given permission to address the House for 1 minute.)

Mr. NEUMANN. Mr. Speaker, what American does not dream of creating a better life for himself, his family and his children. What American does not dream of living in a community where children are safe, the rights of all are respected and people feel a sense of belonging to that same community.

Mr. Speaker, I ask you what American who achieves success does not feel an obligation to give something back to his community and make a contribution to those who helped him get there. What American does not feel a duty to help those in need, a moral imperative to help those who face hardships, misfortunes, and struggles in their life.

Mr. Speaker, Americans have these dreams, feel these obligations and think about these challenges. The Republican agenda is aimed at addressing these very American ways of thinking about our society. It is an agenda aimed at commonsense reforms that will allow people to pursue their dreams, build strong families in safe communities, and create a better

America for future generations. That is our agenda. It is time for this Congress to move forward and quickly act to implement that agenda.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SNOWBARGER). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 5 p.m. today.

#### WELFARE REFORM TECHNICAL CORRECTIONS ACT OF 1997

Mr. SHAW. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1048) to make technical amendments relating to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, as amended.

The Clerk read as follows:

H.R. 1048

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Welfare Reform Technical Corrections Act of 1997".

##### SEC. 2. TABLE OF CONTENTS.

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 acknowledgment.

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 unmarried 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.

#### TITLE V—CHILD PROTECTION

- Sec. 501. Conforming and technical amendments relating to child protection.
- Sec. 502. Additional technical amendments relating to child protection.
- Sec. 503. Effective date.

#### TITLE VI—CHILD CARE

- 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.

#### TITLE I—BLOCK GRANTS FOR TEMPORARY ASSISTANCE TO NEEDY FAMILIES

##### SEC. 101. AMENDMENT OF THE SOCIAL SECURITY ACT.

Except as otherwise expressly provided, wherever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Social Security Act, and if the section or other provision is of part A of title IV of such Act, the reference shall be considered to be made to the section or other provision as amended by section 103, and as in effect pursuant to section 116, of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

##### SEC. 102. ELIGIBLE STATES; STATE PLAN.

(a) LATER DEADLINE FOR SUBMISSION OF STATE PLANS.—Section 402(a) (42 U.S.C. 602(a)) is amended by striking “2-year period

immediately preceding” and inserting “27-month period ending with the close of the 1st quarter of”.

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

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

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

(1) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) the following:

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

(2) in subsection (c) (as so redesignated), by inserting “or plan amendment” after “plan”.

##### SEC. 103. GRANTS TO STATES.

(a) BONUS FOR DECREASE IN ILLEGITIMACY MODIFIED TO TAKE ACCOUNT OF CERTAIN TERRITORIES.—

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

“(B) AMOUNT OF GRANT.—

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

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

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

“(ii) AMOUNT IF CERTAIN TERRITORIES ARE ELIGIBLE.—If, for a bonus year, Guam, the Virgin Islands, or American Samoa is an eligible State, then the amount of the grant shall be—

“(I) in the case of such a territory, 25 percent of the mandatory ceiling amount (as defined in section 1108(c)(4)) with respect to the territory; and

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

“(aa) if there are 5 eligible States other than such territories, \$20,000,000, minus 1/5 of the total amount of the grants payable under this paragraph to such territories for the bonus year; or

“(bb) if there are fewer than 5 such eligible States, \$25,000,000, or such lesser amount as may be necessary to ensure that the total amount of grants payable under this paragraph for the bonus year does not exceed \$100,000,000.”.

(2) CERTAIN TERRITORIES TO BE IGNORED IN RANKING OTHER STATES.—Section 403(a)(2)(C)(i)(I)(aa) (42 U.S.C. 603(a)(2)(C)(i)(I)(aa)) is amended by adding at the end the following: “In the case of a State that is not a territory specified in subparagraph (B), the comparative magnitude of the decrease for the State shall be determined without regard to the magnitude of the corresponding decrease for any such territory.”.

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

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

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

(3) in subparagraph (C)—

(A) in clause (i)—

(i) in subclause (I)(aa)—

(I) by striking “number of out-of-wedlock births that occurred in the State during” and inserting “illegitimacy ratio of the State for”; and

(II) by striking “number of such births that occurred during” and inserting “illegitimacy ratio of the State for”; and

(ii) in subclause (II)(aa)—

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

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

(B) by adding at the end the following:

“(iii) ILLEGITIMACY RATIO.—The term ‘illegitimacy ratio’ means, with respect to a State and a period—

“(I) the number of out-of-wedlock births to mothers residing in the State that occurred during the period; divided by

“(II) the number of births to mothers residing in the State that occurred during the period.”.

(c) USE OF CALENDAR YEAR DATA INSTEAD OF FISCAL YEAR DATA IN CALCULATING BONUS FOR DECREASE IN ILLEGITIMACY RATIO.—Section 403(a)(2)(C) (42 U.S.C. 603(a)(2)(C)) is amended—

(1) in clause (i)—

(A) in subclause (I)(bb)—

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

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

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

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

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

(e) CLARIFICATION OF CONTINGENCY FUND PROVISION.—Section 403(b) (42 U.S.C. 603(b)) is amended—

(1) in paragraph (6), by striking “(5)” and inserting “(4)”;

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

(3) by inserting after paragraph (5) the following:

“(6) ANNUAL RECONCILIATION.—

“(A) IN GENERAL.—Notwithstanding paragraph (3), if the Secretary makes a payment to a State under this subsection in a fiscal year, then the State shall remit to the Secretary, within 1 year after the end of the first subsequent period of 3 consecutive months for which the State is not a needy State, an amount equal to the amount (if any) by which—

“(i) the total amount paid to the State under paragraph (3) of this subsection in the fiscal year; exceeds

“(ii) the product of—

“(I) the Federal medical assistance percentage for the State (as defined in section 1905(b), as such section was in effect on September 30, 1995);

“(II) the State’s reimbursable expenditures for the fiscal year; and

“(III) 1/2 times the number of months during the fiscal year for which the Secretary made a payment to the State under such paragraph (3).

“(B) DEFINITIONS.—As used in subparagraph (A):

“(i) REIMBURSABLE EXPENDITURES.—The term ‘reimbursable expenditures’ means, with respect to a State and a fiscal year, the amount (if any) by which—

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

“(II) historic State expenditures (as defined in section 409(a)(7)(B)(iii)), excluding any amount expended by the State for child care under subsection (g) or (i) of section 402

(as in effect during fiscal year 1994) for fiscal year 1994.

"(ii) COUNTABLE STATE EXPENDITURES.—The term 'countable expenditures' means, with respect to a State and a fiscal year—

"(1) the qualified State expenditures (as defined in section 409(a)(7)(B)(i) (other than the expenditures described in subclause (I)(bb) of such section)) under the State program funded under this part for the fiscal year; plus

"(II) any amount paid to the State under paragraph (3) during the fiscal year that is expended by the State under the State program funded under this part."

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

"(7) STATE DEFINED.—As used in this subsection, the term 'State' means each of the 50 States and the District of Columbia."

#### SEC. 104. USE OF GRANTS.

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

#### SEC. 105. MANDATORY WORK REQUIREMENTS.

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

"(C) FAMILY WITH A DISABLED PARENT NOT TREATED AS A 2-PARENT FAMILY.—A family that includes a disabled parent shall not be considered a 2-parent family for purposes of subsections (a) and (b) of this section."

(b) CORRECTION OF HEADING.—Section 407(b)(3) (42 U.S.C. 607(b)(3)) is amended in the heading by inserting "AND NOT RESULTING FROM CHANGES IN STATE ELIGIBILITY CRITERIA" before the period.

(c) STATE OPTION TO INCLUDE INDIVIDUALS RECEIVING ASSISTANCE UNDER A TRIBAL WORK PROGRAM IN PARTICIPATION RATE CALCULATION.—Section 407(b)(4) (42 U.S.C. 607(b)(4)) is amended—

(1) in the heading, by inserting "OR TRIBAL WORK PROGRAM" before the period; and

(2) by inserting "or under a tribal work program to which funds are provided under this part" before the period.

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

(1) in clause (i)—

(A) by striking "is" and inserting "and the other parent in the family are"; and

(B) by inserting "a total of" before "at least"; and

(2) in clause (ii)—

(A) by striking "individual's spouse is" and inserting "individual and the other parent in the family are";

(B) by inserting "for a total of at least 55 hours per week" before "during the month"; and

(C) by striking "20" and inserting "50".

(e) CLARIFICATION OF EFFORT REQUIRED IN WORK ACTIVITIES.—Section 407(c)(1)(B) (42 U.S.C. 607(c)(1)(B)) is amended by striking "making progress" each place such term appears and inserting "participating".

(f) ADDITIONAL CONDITION UNDER WHICH 12 WEEKS OF JOB SEARCH MAY COUNT AS WORK.—Section 407(c)(2)(A)(i) (42 U.S.C. 607(c)(2)(A)(i)) is amended by inserting "or the State is a needy State (within the meaning of section 403(b)(6))" after "United States".

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

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

(2) by striking "in a 1-parent family who is the parent" and inserting "who is the only parent or caretaker relative in the family".

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

(1) in the heading, by striking "TEEN HEAD OF HOUSEHOLD" and inserting "SINGLE TEEN HEAD OF HOUSEHOLD OR MARRIED TEEN"; and

(2) by striking "a single" and inserting "married or a".

(i) CLARIFICATION OF NUMBER OF HOURS OF PARTICIPATION IN EDUCATION DIRECTLY RELATED TO EMPLOYMENT THAT ARE REQUIRED IN ORDER FOR SINGLE TEEN HEAD OF HOUSEHOLD OR MARRIED TEEN TO BE DEEMED TO BE ENGAGED IN WORK.—Section 407(c)(2)(C)(ii) (42 U.S.C. 607(c)(2)(C)(ii)) is amended by striking "at least" and all that follows through "subsection" and inserting "an average of at least 20 hours per week during the month".

(j) CLARIFICATION OF REFUSAL TO WORK FOR PURPOSES OF WORK PENALTIES FOR INDIVIDUALS.—Section 407(e)(2) (42 U.S.C. 607(e)(2)) is amended by striking "work" and inserting "engage in work required in accordance with this section".

#### SEC. 106. PROHIBITIONS; REQUIREMENTS.

(a) ELIMINATION OF REDUNDANT LANGUAGE; CLARIFICATION OF HOME RESIDENCE REQUIREMENT.—Section 408(a)(1) (42 U.S.C. 608(a)(1)) is amended to read as follows:

"(1) NO ASSISTANCE FOR FAMILIES WITHOUT A MINOR CHILD.—A State to which a grant is made under section 403 shall not use any part of the grant to provide assistance to a family, unless the family includes a minor child who resides with the family (consistent with paragraph (10)) or a pregnant individual."

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

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

(2) by striking "the date the family leaves the program" the 2nd place such term appears and inserting "such date".

(c) ELIMINATION OF SPACE.—Section 408(a)(5)(A)(ii) (42 U.S.C. 608(a)(5)(A)(ii)) is amended by striking "DESCRIBED.—For" and inserting "DESCRIBED.—For".

(d) CORRECTIONS TO 5-YEAR LIMIT ON ASSISTANCE.—

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

(A) by striking "The number" and inserting "The average monthly number"; and

(B) by inserting "during the fiscal year or the immediately preceding fiscal year (but not both), as the State may elect" before the period.

(2) RESIDENCE EXCEPTION MADE MORE UNIFORM AND EASIER TO ADMINISTER.—Section 408(a)(7)(D) (42 U.S.C. 608(a)(7)(D)) is amended to read as follows:

"(D) DISREGARD OF MONTHS OF ASSISTANCE RECEIVED BY ADULT WHILE LIVING IN INDIAN COUNTRY OR AN ALASKAN NATIVE VILLAGE WITH 50 PERCENT UNEMPLOYMENT.—

"(i) IN GENERAL.—In determining the number of months for which an adult has received assistance under a State or tribal program funded under this part, the State or tribe shall disregard any month during which the adult lived in Indian country or an Alaskan Native village if the most reliable data available with respect to the month (or a period including the month) indicate that at least 50 percent of the adults living in Indian country or in the village were not employed.

"(ii) INDIAN COUNTRY DEFINED.—As used in clause (i), the term 'Indian country' has the meaning given such term in section 1151 of title 18, United States Code."

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

"(d) SPECIAL RULES RELATING TO TREATMENT OF CERTAIN ALIENS.—For special rules relating to the treatment of certain aliens, see title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

"(e) SPECIAL RULES RELATING TO THE TREATMENT OF NON-213A ALIENS.—The following rules shall apply if a State elects to take the income or resources of any sponsor of a non-213A alien into account in determining whether the alien is eligible for assistance under the State program funded under this part, or in determining the amount or types of such assistance to be provided to the alien:

"(1) DEEMING OF SPONSOR'S INCOME AND RESOURCES.—For a period of 3 years after a non-213A alien enters the United States:

"(A) INCOME DEEMING RULE.—The income of any sponsor of the alien and of any spouse of the sponsor is deemed to be income of the alien, to the extent that the total amount of the income exceeds the sum of—

"(i) the lesser of—

"(I) 20 percent of the total of any amounts received by the sponsor or any such spouse in the month as wages or salary or as net earnings from self-employment, plus the full amount of any costs incurred by the sponsor and any such spouse in producing self-employment income in such month; or

"(II) \$175;

"(ii) the cash needs standard established by the State for purposes of determining eligibility for assistance under the State program funded under this part for a family of the same size and composition as the sponsor and any other individuals living in the same household as the sponsor who are claimed by the sponsor as dependents for purposes of determining the sponsor's Federal personal income tax liability but whose needs are not taken into account in determining whether the sponsor's family has met the cash needs standard;

"(iii) any amounts paid by the sponsor or any such spouse to individuals not living in the household who are claimed by the sponsor as dependents for purposes of determining the sponsor's Federal personal income tax liability; and

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

"(B) RESOURCE DEEMING RULE.—The resources of a sponsor of the alien and of any spouse of the sponsor are deemed to be resources of the alien to the extent that the aggregate value of the resources exceeds \$1,500.

"(C) SPONSORS OF MULTIPLE NON-213A ALIENS.—If a person is a sponsor of 2 or more non-213A aliens who are living in the same home, the income and resources of the sponsor and any spouse of the sponsor that would be deemed income and resources of any such alien under subparagraph (A) shall be divided into a number of equal shares equal to the number of such aliens, and the State shall deem the income and resources of each such alien to include 1 such share.

"(2) INELIGIBILITY OF NON-213A ALIENS SPONSORED BY AGENCIES; EXCEPTION.—A non-213A alien whose sponsor is or was a public or private agency shall be ineligible for assistance under a State program funded under this part, during a period of 3 years after the

alien enters the United States, unless the State agency administering the program determines that the sponsor either no longer exists or has become unable to meet the alien's needs.

“(3) INFORMATION PROVISIONS.—

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

“(i) such information and documentation with respect to the alien's sponsor as may be necessary in order for the State agency to make any determination required under this subsection, and to obtain any cooperation from the sponsor necessary for any such determination; and

“(ii) such information and documentation as the State agency may request and which the alien or the alien's sponsor provided in support of the alien's immigration application.

“(B) DUTIES OF FEDERAL AGENCIES.—The Secretary shall enter into agreements with the Secretary of State and the Attorney General under which any information available to them and required in order to make any determination under this subsection will be provided by them to the Secretary (who may, in turn, make the information available, upon request, to a concerned State agency).

“(4) NON-213A ALIEN DEFINED.—An alien is a non-213A alien for purposes of this subsection if the affidavit of support or similar agreement with respect to the alien that was executed by the sponsor of the alien's entry into the United States was executed other than pursuant to section 213A of the Immigration and Nationality Act.

“(5) INAPPLICABILITY TO ALIEN MINOR SPONSORED BY A PARENT.—This subsection shall not apply to an alien who is a minor child if the sponsor of the alien or any spouse of the sponsor is a parent of the alien.

“(6) INAPPLICABILITY TO CERTAIN CATEGORIES OF ALIENS.—This subsection shall not apply to an alien who is—

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

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

“(C) granted political asylum by the Attorney General under section 208 of such Act.”.

**SEC. 107. PENALTIES.**

(a) STATES GIVEN MORE TIME TO FILE QUARTERLY REPORTS.—Section 409(a)(2)(A) (42 U.S.C. 609(a)(2)(A)) is amended by striking “1 month” and inserting “45 days”.

(b) TREATMENT OF SUPPORT PAYMENTS PASSED THROUGH TO FAMILIES AS QUALIFIED STATE EXPENDITURES.—Section 409(a)(7)(B)(i)(I)(aa) (42 U.S.C. 609(a)(7)(B)(i)(I)(aa)) is amended by inserting “, including any amount collected by the State as support pursuant to a plan approved under part D, on behalf of a family receiving assistance under the State program funded under this part, that is distributed to the family under section 457(a)(1)(B) and disregarded in determining the eligibility of the family for, and the amount of, such assistance” before the period.

(c) DISREGARD OF EXPENDITURES MADE TO REPLACE PENALTY GRANT REDUCTIONS.—Section 409(a)(7)(B)(i) (42 U.S.C. 609(a)(7)(B)(i)) is amended by redesignating subclause (III) as subclause (IV) and by inserting after subclause (II) the following:

“(III) EXCLUSION OF AMOUNTS EXPENDED TO REPLACE PENALTY GRANT REDUCTIONS.—Such term does not include any amount expended in order to comply with paragraph (12).”.

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

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

(2) by striking “Act or section 402” and inserting “Act, and families of aliens lawfully present in the United States that would be eligible for such assistance but for the application of title IV”.

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

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

“(v) SOURCE OF DATA.—In determining expenditures by a State for fiscal years 1994 and 1995, the Secretary shall use information which was reported by the State on ACF Form 231 or (in the case of expenditures under part F) ACF Form 331, available as of the dates specified in clauses (ii) and (iii) of section 403(a)(1)(D).”.

(g) CLARIFICATION OF EXPENDITURES TO BE EXCLUDED IN DETERMINING HISTORIC STATE EXPENDITURES.—Section 409(a)(7)(B)(iv) (42 U.S.C. 609(a)(7)(B)(iv)) is amended—

(1) in subclause (IV), by striking “under Federal programs”;

(2) by striking subclause (III) and redesignating subclause (IV) as subclause (III); and

(3) in the 2nd sentence—

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

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

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

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

“(8) NONCOMPLIANCE OF STATE CHILD SUPPORT ENFORCEMENT PROGRAM WITH REQUIREMENTS OF PART D.—

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

“(i) (I) on the basis of data submitted by a State pursuant to section 454(15)(B), or on the basis of the results of a review conducted under section 452(a)(4), that the State program failed to achieve the paternity establishment percentages (as defined in section 452(g)(2)), or to meet other performance measures that may be established by the Secretary;

“(II) on the basis of the results of an audit or audits conducted under section 452(a)(4)(C)(i) that the State data submitted pursuant to section 454(15)(B) is incomplete or unreliable; or

“(III) on the basis of the results of an audit or audits conducted under section 452(a)(4)(C) that a State failed to substantially comply with 1 or more of the requirements of part D; and

“(ii) that, with respect to the succeeding fiscal year—

“(I) the State failed to take sufficient corrective action to achieve the appropriate performance levels or compliance as described in subparagraph (A)(i); or

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

the amounts otherwise payable to the State under this part for quarters following the end of such succeeding fiscal year, prior to quarters following the end of the first quar-

ter throughout which the State program has achieved the paternity establishment percentages or other performance measures as described in subparagraph (A)(i)(I), or is in substantial compliance with 1 or more of the requirements of part D as described in subparagraph (A)(i)(III), as appropriate, shall be reduced by the percentage specified in subparagraph (B).

“(B) AMOUNT OF REDUCTIONS.—The reductions required under subparagraph (A) shall be—

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

“(ii) not less than 2 nor more than 3 percent, if the finding is the 2nd consecutive finding made pursuant to subparagraph (A); or

“(iii) not less than 3 nor more than 5 percent, if the finding is the 3rd or a subsequent consecutive such finding.

“(C) DISREGARD OF NONCOMPLIANCE WHICH IS OF A TECHNICAL NATURE.—For purposes of this section and section 452(a)(4), a State determined as a result of an audit—

“(i) to have failed to have substantially complied with 1 or more of the requirements of part D shall be determined to have achieved substantial compliance only if the Secretary determines that the extent of the noncompliance is of a technical nature which does not adversely affect the performance of the State's program under part D; or

“(ii) to have submitted incomplete or unreliable data pursuant to section 454(15)(B) shall be determined to have submitted adequate data only if the Secretary determines that the extent of the incompleteness or unreliability of the data is of a technical nature which does not adversely affect the determination of the level of the State's paternity establishment percentages (as defined under section 452(g)(2)) or other performance measures that may be established by the Secretary.”.

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

(j) CORRECTION OF ERRORS IN PENALTY FOR FAILURE TO MEET MAINTENANCE OF EFFORT REQUIREMENT APPLICABLE TO THE CONTINGENCY FUND.—Section 409(a)(10) (42 U.S.C. 609(a)(10)) is amended—

(1) by striking “the expenditures under the State program funded under this part for the fiscal year (excluding any amounts made available by the Federal Government)” and inserting “the qualified State expenditures (as defined in paragraph (7)(B)(i) (other than the expenditures described in subclause (I)(bb) of that paragraph)) under the State program funded under this part for the fiscal year”;

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

(3) by inserting “that the State has not remitted under section 403(b)(6)” before the period.

(k) PENALTY FOR STATE FAILURE TO EXPEND ADDITIONAL STATE FUNDS TO REPLACE GRANT REDUCTIONS.—Section 409(a)(12) (42 U.S.C. 609(a)(12)) is amended—

(1) in the heading—

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

(B) by striking “REDUCTIONS” and inserting “REDUCTIONS; PENALTY FOR FAILURE TO DO SO”; and

(2) by inserting “, and if the State fails to do so, the Secretary may reduce the grant payable to the State under section 403(a)(1) for the fiscal year that follows such succeeding fiscal year by an amount equal to not

more than 2 percent of the State family assistance grant" before the period.

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

(m) **CLARIFICATION OF WHAT IT MEANS TO CORRECT A VIOLATION.**—Section 409(c) (42 U.S.C. 609(c)) is amended—

(1) in each of subparagraphs (A) and (B) of paragraph (1), by inserting "or discontinue, as appropriate," after "correct";

(2) in paragraph (2)—

(A) in the heading, by inserting "OR DISCONTINUING" after "CORRECTING"; and

(B) by inserting "or discontinues, as appropriate" after "corrects"; and

(3) in paragraph (3)—

(A) in the heading, by inserting "OR DISCONTINUE" after "CORRECT"; and

(B) by inserting "or discontinue, as appropriate," before "the violation".

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

"(4) **INAPPLICABILITY TO CERTAIN PENALTIES.**—This subsection shall not apply to the imposition of a penalty against a State under paragraph (6), (7), (8), (10), or (12) of subsection (a)."

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

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

(1) in paragraph (1)—

(A) in subparagraph (A)—

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

"(ii) Whether a child receiving such assistance or an adult in the family is receiving—

"(I) disability insurance benefits under section 223;

"(II) benefits based on disability under section 202;

"(III) aid under a State plan approved under title XIV (as in effect without regard to the amendment made by section 301 of the Social Security Amendments of 1972));

"(IV) aid or assistance under a State plan approved under title XVI (as in effect without regard to such amendment) by reason of being permanently and totally disabled; or

"(V) supplemental security income benefits under title XVI (as in effect pursuant to such amendment) by reason of disability.";

(ii) in clause (iv), by striking "youngest child in" and inserting "head of";

(iii) in each of clauses (vii) and (viii), by striking "status" and inserting "level"; and

(iv) by adding at the end the following:

"(xvii) With respect to each individual in the family who has not attained 20 years of age, whether the individual is a parent of a child in the family.";

(B) in subparagraph (B)—

(i) in the heading, by striking "ESTIMATES" and inserting "SAMPLES"; and

(ii) in clause (i), by striking "an estimate which is obtained" and inserting "disaggregated case record information on a sample of families selected"; and

(2) by redesignating paragraph (6) as paragraph (7) and inserting after paragraph (5) the following:

"(6) **REPORT ON FAMILIES RECEIVING ASSISTANCE.**—The report required by paragraph (1) for a fiscal quarter shall include for each month in the quarter the number of families and individuals receiving assistance under the State program funded under this part (including the number of 2-parent and 1-parent families), and the total dollar value of such assistance received by all families."

#### **SEC. 109. DIRECT FUNDING AND ADMINISTRATION BY INDIAN TRIBES.**

(a) **PRORATING OF TRIBAL FAMILY ASSISTANCE GRANTS.**—Section 412(a)(1)(A) (42 U.S.C.

612(a)(1)(A)) is amended by inserting "which shall be reduced for a fiscal year, on a pro rata basis for each quarter, in the case of a tribal family assistance plan approved during a fiscal year for which the plan is to be in effect," before "and shall".

(b) **TRIBAL OPTION TO OPERATE WORK ACTIVITIES PROGRAM.**—Section 412(a)(2)(A) (42 U.S.C. 612(a)(2)(A)) is amended by striking "The Secretary" and all that follows through "2002" and inserting "For each of fiscal years 1997, 1998, 1999, 2000, 2001, and 2002, the Secretary shall pay to each eligible Indian tribe that proposes to operate a program described in subparagraph (C)".

(c) **DISCRETION OF TRIBES TO SELECT POPULATION TO BE SERVED BY TRIBAL WORK ACTIVITIES PROGRAM.**—Section 412(a)(2)(C) (42 U.S.C. 612(a)(2)(C)) is amended by striking "members of the Indian tribe" and inserting "such population and such service area or areas as the tribe specifies".

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

(e) **AVAILABILITY OF CORRECTIVE COMPLIANCE PLANS TO INDIAN TRIBES.**—Section 412(f)(1) (42 U.S.C. 612(f)(1)) is amended by striking "and (b)" and inserting "(b), and (c)".

(f) **ELIGIBILITY OF TRIBES FOR FEDERAL LOANS FOR WELFARE PROGRAMS.**—Section 412 (42 U.S.C. 612) is amended by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively, and by inserting after subsection (e) the following:

"(f) **ELIGIBILITY FOR FEDERAL LOANS.**—Section 406 shall apply to an Indian tribe with an approved tribal assistance plan in the same manner as such section applies to a State, except that section 406(c) shall be applied by substituting 'section 412(a)' for 'section 403(a)'."

#### **SEC. 110. RESEARCH, EVALUATIONS, AND NATIONAL STUDIES.**

(a) **RESEARCH.**—

(1) **METHODS.**—Section 413(a) (42 U.S.C. 613(a)) is amended by inserting ", directly or through grants, contracts, or interagency agreements," before "shall conduct".

(2) **CORRECTION OF CROSS REFERENCE.**—Section 413(a) (42 U.S.C. 613(a)) is amended by striking "409" and inserting "407".

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

"(1) **IN GENERAL.**—The Secretary shall annually rank States to which grants are made under section 403 based on the following ranking factors:

"(A) **ABSOLUTE OUT-OF-WEDLOCK RATIOS.**—The ratio represented by—

"(i) the total number of out-of-wedlock births in families receiving assistance under the State program under this part in the State for the most recent year for which information is available; over

"(ii) the total number of births in families receiving assistance under the State program under this part in the State for the year.

"(B) **NET CHANGES IN THE OUT-OF-WEDLOCK RATIO.**—The difference between the ratio described in subparagraph (A) with respect to a State for the most recent year for which such information is available and the ratio with respect to the State for the immediately preceding year."

(c) **FUNDING OF PRIOR AUTHORIZED DEMONSTRATIONS.**—Section 413(h)(1)(D) (42 U.S.C. 613(h)(1)(D)) is amended by striking "September 30, 1995" and inserting "August 22, 1996".

(d) **CHILD POVERTY REPORTS.**—

(1) **DELAYED DUE DATE FOR INITIAL REPORT.**—Section 413(i)(1) (42 U.S.C. 613(i)(1)) is

amended by striking "90 days after the date of the enactment of this part" and inserting "November 30, 1997".

(2) **MODIFICATION OF FACTORS TO BE USED IN ESTABLISHING METHODOLOGY FOR USE IN DETERMINING CHILD POVERTY RATES.**—Section 413(i)(5) (42 U.S.C. 613(i)(5)) is amended by striking "the county-by-county" and inserting ", to the extent available, county-by-county".

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

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

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

Section 107(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2164) is amended by striking "409(a)(7)(C)" and inserting "408(a)(7)(C)".

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

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

"(a) **LIMITATION ON TOTAL PAYMENTS TO EACH TERRITORY.**—

"(1) **IN GENERAL.**—Notwithstanding any other provision of this Act (except for paragraph (2) of this subsection), the total amount certified by the Secretary of Health and Human Services under titles I, X, XIV, and XVI, under parts A and E of title IV, and under subsection (b) of this section, for payment to any territory for a fiscal year shall not exceed the ceiling amount for the territory for the fiscal year.

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

(b) **CERTAIN CHILD CARE AND SOCIAL SERVICES EXPENDITURES BY TERRITORIES TREATED AS IV-A EXPENDITURES FOR PURPOSES OF MATCHING GRANT.**—Section 1108(b)(1)(A) (42 U.S.C. 1308(b)(1)(A)) is amended by inserting ", including any amount paid to the State under part A of title IV that is transferred in accordance with section 404(d) and expended under the program to which transferred" before the semicolon.

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

#### **SEC. 114. CONFORMING AMENDMENTS TO THE SOCIAL SECURITY ACT.**

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

(1) **CORRECTIONS TO DETERMINATION OF PATERNITY ESTABLISHMENT PERCENTAGES.**—Section 452 (42 U.S.C. 652) is amended—

(A) in subsection (d)(3)(A), by striking all that follows "for purposes of" and inserting "section 409(a)(8), to achieve the paternity establishment percentages (as defined under section 452(g)(2)) and other performance measures that may be established by the Secretary, and to submit data under section 454(15)(B) that is complete and reliable, and to substantially comply with the requirements of this part; and"; and

(B) in subsection (g)(1), by striking "section 403(h)" and inserting "section 409(a)(8)".

(2) **ELIMINATION OF OBSOLETE LANGUAGE.**—Section 108(c)(8)(C) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2165) is amended by inserting "and all that follows through 'the best interests of such child to do so'" before "and inserting".

(3) **INSERTION OF LANGUAGE INADVERTENTLY OMITTED.**—Section 108(c)(13) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193;

110 Stat. 2166) is amended by inserting "and inserting 'pursuant to section 408(a)(3)' " before the period.

(4) ELIMINATION OF OBSOLETE CROSS REFERENCE.—Section 464(a)(1) (42 U.S.C. 664(a)(1)) is amended by striking "section 402(a)(26)" and inserting "section 408(a)(3)".

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

- (1) Section 472(a) (42 U.S.C. 672(a)).
- (2) Section 472(h) (42 U.S.C. 672(h)).
- (3) Section 473(a)(2) (42 U.S.C. 673(a)(2)).
- (4) Section 473(b) (42 U.S.C. 673(b)).

#### SEC. 115. OTHER CONFORMING AMENDMENTS.

(a) ELIMINATION OF AMENDMENTS INCLUDED INADVERTENTLY.—Section 110(l) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2173) is amended—

(1) by adding "and" at the end of paragraph (6); and

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

(b) CORRECTION OF CITATION.—Section 109(f) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2177) is amended by striking "93-186" and inserting "93-86".

(c) CORRECTION OF INTERNAL CROSS REFERENCE.—Section 103(a)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2112) is amended by striking "603(b)(2)" and inserting "603(b)".

#### SEC. 116. MODIFICATIONS TO THE JOB OPPORTUNITIES FOR CERTAIN LOW-INCOME INDIVIDUALS PROGRAM.

Section 112(5) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2177) is amended in each of subparagraphs (A) and (B) by inserting "under" after "funded".

#### SEC. 117. DENIAL OF ASSISTANCE AND BENEFITS FOR DRUG-RELATED CONVICTIONS.

(a) EXTENSION OF CERTAIN REQUIREMENTS COORDINATED WITH DELAYED EFFECTIVE DATE FOR SUCCESSOR PROVISIONS.—Section 115(d)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2181) is amended by striking "convictions" and inserting "a conviction if the conviction is for conduct".

(b) IMMEDIATE EFFECTIVENESS OF PROVISIONS RELATING TO RESEARCH, EVALUATIONS, AND NATIONAL STUDIES.—Section 116(a) of such Act (Public Law 104-193; 110 Stat. 2181) is amended by adding at the end the following:

"(6) RESEARCH, EVALUATIONS, AND NATIONAL STUDIES.—Section 413 of the Social Security Act, as added by the amendment made by section 103(a) of this Act, shall take effect on the date of the enactment of this Act."

#### SEC. 118. TRANSITION RULE.

Section 116 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2181) is amended—

(1) in subsection (a)(2), by inserting "(but subject to subsection (b)(1)(A)(ii))" after "this section"; and

(2) in subsection (b)(1)(A)(ii), by striking "June 30, 1997" and inserting "the later of June 30, 1997, or the day before the date described in subsection (a)(2)(B) of this section".

#### SEC. 119. EFFECTIVE DATES.

(a) AMENDMENTS TO PART A OF TITLE IV OF THE SOCIAL SECURITY ACT.—The amendments made by this title to a provision of part A of title IV of the Social Security Act shall take effect as if the amendments had been included in section 103(a) of the Personal Responsibility and Work Opportunity Rec-

onciliation Act of 1996 at the time such section became law.

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

(c) AMENDMENTS TO OTHER AMENDATORY PROVISIONS.—The amendments made by section 115(a) of this Act shall take effect as if the amendments had been included in section 110 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 at the time such section 110 became law.

(d) AMENDMENTS TO FREESTANDING PROVISIONS OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.—The amendments made by this title to a provision of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that, as of July 1, 1997, will not have become part of another statute shall take effect as if the amendments had been included in the provision at the time the provision became law.

### TITLE II—SUPPLEMENTAL SECURITY INCOME

#### Subtitle A—Conforming and Technical Amendments

#### SEC. 201. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO ELIGIBILITY RESTRICTIONS

(a) DENIAL OF SSI BENEFITS FOR FUGITIVE FELONS AND PROBATION AND PAROLE VIOLATORS.—Section 1611(e)(6) of the Social Security Act (42 U.S.C. 1382(e)(6)) is amended by inserting "and section 1106(c) of this Act" after "of 1986".

(b) TREATMENT OF PRISONERS.—Section 1611(e)(1)(I)(i)(II) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(i)(II)) is amended by striking "inmate of the institution" and all that follows through "this subparagraph" and inserting "individual who receives in the month preceding the first month throughout which such individual is an inmate of the jail, prison, penal institution, or correctional facility that furnishes information respecting such individual pursuant to subclause (I), or is confined in the institution (that so furnishes such information) as described in section 202(x)(1)(A)(ii), a benefit under this title for such preceding month, and who is determined by the Commissioner to be ineligible for benefits under this title by reason of confinement based on the information provided by such institution".

(c) CORRECTION OF REFERENCE.—Section 1611(e)(1)(I)(i)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(i)(I)) is amended by striking "paragraph (I)" and inserting "this paragraph".

#### SEC. 202. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO BENEFITS FOR DISABLED CHILDREN.

(a) ELIGIBILITY REDETERMINATIONS FOR CURRENT RECIPIENTS.—Section 211(d)(2)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 1382c note) is amended by striking "1 year" and inserting "18 months".

(b) ELIGIBILITY REDETERMINATIONS AND CONTINUING DISABILITY REVIEWS.—

(1) DISABILITY ELIGIBILITY REDETERMINATIONS REQUIRED FOR SSI RECIPIENTS WHO ATTAIN 18 YEARS OF AGE.—Section 1614(a)(3)(H)(iii) of the Social Security Act (42 U.S.C. 1382c(a)(3)(H)(iii)) is amended by striking subclauses (I) and (II) and all that follows and inserting the following:

"(I) by applying the criteria used in determining initial eligibility for individuals who are age 18 or older; and

"(II) either during the 1-year period beginning on the individual's 18th birthday or, in

lieu of a continuing disability review, whenever the Commissioner determines that an individual's case is subject to a redetermination under this clause.

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

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

(A) in subclause (I), by striking "Not" and inserting "Except as provided in subclause (VI), not"; and

(B) by adding at the end the following:

"(VI) Subclause (I) shall not apply in the case of an individual described in that subclause who, at the time of the individual's initial disability determination, the Commissioner determines has an impairment that is not expected to improve within 12 months after the birth of that individual, and who the Commissioner schedules for a continuing disability review at a date that is after the individual attains 1 year of age."

(c) ADDITIONAL ACCOUNTABILITY REQUIREMENTS.—Section 1631(a)(2)(F) of the Social Security Act (42 U.S.C. 1383(a)(2)(F)) is amended—

(1) in clause (ii)(III)(bb), by striking "the total amount" and all that follows through "1613(c)" and inserting "in any case in which the individual knowingly misapplies benefits from such an account, the Commissioner shall reduce future benefits payable to such individual (or to such individual and his spouse) by an amount equal to the total amount of such benefits so misapplied"; and

(2) by striking clause (iii) and inserting the following:

"(iii) The representative payee may deposit into the account established under clause (i) any other funds representing past due benefits under this title to the eligible individual, provided that the amount of such past due benefits is equal to or exceeds the maximum monthly benefit payable under this title to an eligible individual (including State supplementary payments made by the Commissioner pursuant to an agreement under section 1616 or section 212(b) of Public Law 93-66)."

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

(1) in paragraph (1)(B)—

(A) in the matter preceding clause (i), by striking "hospital, extended care facility, nursing home, or intermediate care facility" and inserting "medical treatment facility";

(B) in clause (ii)—

(i) in the matter preceding subclause (I), by striking "hospital, home or"; and

(ii) in subclause (I), by striking "hospital, home, or";

(C) in clause (iii), by striking "hospital, home, or"; and

(D) in the matter following clause (iii), by striking "hospital, extended care facility, nursing home, or intermediate care facility which is a 'medical institution or nursing facility' within the meaning of section 1917(c)" and inserting "medical treatment facility that provides services described in section 1917(c)(1)(C)";

(2) in paragraph (1)(E)—

(A) in clause (i)(II), by striking "hospital, extended care facility, nursing home, or intermediate care facility" and inserting "medical treatment facility"; and

(B) in clause (iii), by striking "hospital, extended care facility, nursing home, or intermediate care facility" and inserting "medical treatment facility";

(3) in paragraph (1)(G), in the matter preceding clause (i)—



(A) by striking "or which is a hospital, extended care facility, nursing home, or intermediate care" and inserting "or is in a medical treatment"; and

(B) by inserting "or, in the case of an individual who is a child under the age of 18, under any health insurance policy issued by a private provider of such insurance" after "title XIX"; and

(4) in paragraph (3)—

(A) by striking "same hospital, home, or facility" and inserting "same medical treatment facility"; and

(B) by striking "same such hospital, home, or facility" and inserting "same such facility".

(e) CORRECTION OF U.S.C. CITATION.—Section 211(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2189) is amended by striking "1382(a)(4)" and inserting "1382c(a)(4)".

#### SEC. 203. ADDITIONAL TECHNICAL AMENDMENTS TO TITLE II.

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

(1) in section 205(j)(4)(B)(i), by adding "and" at the end; and

(2) in section 215(i)(2)(D), by striking "He" and inserting "The Commissioner of Social Security".

#### SEC. 204. ADDITIONAL TECHNICAL AMENDMENTS TO TITLE XVI.

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

(1) in the first sentence, by inserting a comma after "subsection (a)(1)"; and

(2) in the last sentence, by striking "him" and inserting "the Commissioner".

#### SEC. 205. ADDITIONAL TECHNICAL AMENDMENTS RELATING TO TITLES II AND XVI.

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

(1) by inserting "(or the Commissioner, with respect to any jointly financed cooperative agreement or grant concerning titles II or XVI)" after "Secretary" the first place it appears; and

(2) by inserting "(or the Commissioner, as applicable)" after "Secretary" the second place it appears.

#### SEC. 206. EFFECTIVE DATES.

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

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

#### Subtitle B—Additional Amendments

#### SEC. 211. TECHNICAL AMENDMENTS RELATING TO DRUG ADDICTS AND ALCOHOLICS.

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

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

(A) in subparagraph (A), by striking "by the Commissioner of Social Security" and "by the Commissioner"; and

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

"(D) For purposes of this paragraph, an individual's claim, with respect to benefits under title II of the Social Security Act based on disability, which has been denied in whole before the date of the enactment of

this Act, may not be considered to be finally adjudicated before such date if, on or after such date—

"(i) there is pending a request for either administrative or judicial review with respect to such claim, or

"(ii) there is pending, with respect to such claim, a readjudication by the Commissioner of Social Security pursuant to relief in a class action or implementation by the Commissioner of a court remand order.

"(E) Notwithstanding the provisions of this paragraph, with respect to any individual for whom the Commissioner of Social Security does not perform the entitlement redetermination before the date prescribed in subparagraph (C), the Commissioner shall perform such entitlement redetermination in lieu of a continuing disability review whenever the Commissioner determines that the individual's entitlement is subject to redetermination based on the preceding provisions of this paragraph, and the provisions of section 223(f) of the Social Security Act shall not apply to such redetermination."

(2) AMENDMENTS RELATING TO SUPPLEMENTAL SECURITY INCOME DISABILITY BENEFITS UNDER TITLE XVI.—Section 105(b)(5) of such Act (Public Law 104-121; 110 Stat. 853) is amended—

(A) in subparagraph (A), by striking "by the Commissioner of Social Security" and "by the Commissioner"; and

(B) by redesignating subparagraph (D) as subparagraph (F) and by inserting after subparagraph (C) the following new subparagraphs:

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

"(i) there is pending a request for either administrative or judicial review with respect to such claim, or

"(ii) there is pending, with respect to such claim, a readjudication by the Commissioner of Social Security pursuant to relief in a class action or implementation by the Commissioner of a court remand order.

"(E) Notwithstanding the provisions of this paragraph, with respect to any individual for whom the Commissioner does not perform the eligibility redetermination before the date prescribed in subparagraph (C), the Commissioner shall perform such eligibility redetermination in lieu of a continuing disability review whenever the Commissioner determines that the individual's eligibility is subject to redetermination based on the preceding provisions of this paragraph, and the provisions of section 1614(a)(4) of the Social Security Act shall not apply to such redetermination."

(b) CORRECTIONS TO EFFECTIVE DATE OF PROVISIONS CONCERNING REPRESENTATIVE PAYEES AND TREATMENT REFERRALS OF DRUG ADDICTS AND ALCOHOLICS.—

(1) AMENDMENTS RELATING TO TITLE II DISABILITY BENEFICIARIES.—Section 105(a)(5)(B) of such Act (Public Law 104-121; 110 Stat. 853) is amended to read as follows:

"(B) The amendments made by paragraphs (2) and (3) shall take effect on July 1, 1996, with respect to any individual—

"(i) whose claim for benefits is finally adjudicated on or after the date of the enactment of this Act, or

"(ii) whose entitlement to benefits is based upon an entitlement redetermination made pursuant to subparagraph (C)."

(2) AMENDMENTS RELATING TO SUPPLEMENTAL SECURITY INCOME RECIPIENTS.—Section 105(b)(5)(B) of such Act (Public Law 104-

121; 110 Stat. 853) is amended to read as follows:

"(B) The amendments made by paragraphs (2) and (3) shall take effect on July 1, 1996, with respect to any individual—

"(i) whose claim for benefits is finally adjudicated on or after the date of the enactment of this Act, or

"(ii) whose eligibility for benefits is based upon an eligibility redetermination made pursuant to subparagraph (C)."

(c) REPEAL OF OBSOLETE REPORTING REQUIREMENTS.—Subsections (a)(3)(B) and (b)(3)(B)(ii) of section 201 of the Social Security Independence and Program Improvements Act of 1994 (Public Law 103-296; 108 Stat. 1497, 1504) are repealed.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsections (a) and (b) shall take effect as if included in the enactment of section 105 of the Contract with America Advancement Act of 1996 (Public Law 104-121; 110 Stat. 852 et seq.).

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

#### SEC. 212. EXTENSION OF DISABILITY INSURANCE PROGRAM DEMONSTRATION PROJECT AUTHORITY.

(a) IN GENERAL.—Section 505 of the Social Security Disability Amendments of 1980 (Public Law 96-265; 94 Stat. 473), as amended by section 12101 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99-272; 100 Stat. 282), section 10103 of the Omnibus Budget Reconciliation Act of 1989 (Public Law 101-239; 103 Stat. 2472), section 5120(f) of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508; 104 Stat. 1388-282), and section 315 of the Social Security Independence and Program Improvements Act of 1994 (Public Law 103-296; 108 Stat. 1531), is further amended—

(1) in paragraph (1) of subsection (a), by adding at the end the following new sentence: "The Commissioner may expand the scope of any such experiment or demonstration project to include any group of applicants for benefits under such program with impairments which may reasonably be presumed to be disabling for purposes of such experiment or demonstration project, and may limit any such experiment or demonstration project to any such group of applicants, subject to the terms of such experiment or demonstration project which shall define the extent of any such presumption.";

(2) in paragraph (3) of subsection (a), by striking "June 10, 1996" and inserting "June 10, 1999";

(3) in paragraph (4) of subsection (a), by inserting "and on or before October 1, 1998," after "1995."; and

(4) in subsection (c), by striking "October 1, 1996" and inserting "October 1, 1999".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

#### SEC. 213. PERFECTING AMENDMENTS RELATED TO WITHHOLDING FROM SOCIAL SECURITY BENEFITS.

(a) INAPPLICABILITY OF ASSIGNMENT PROHIBITION.—Section 207 of the Social Security Act (42 U.S.C. 407) is amended by adding at the end the following new subsection:

"(c) Nothing in this section shall be construed to prohibit withholding taxes from any benefit under this title, if such withholding is done pursuant to a request made in accordance with section 3402(p)(1) of the Internal Revenue Code of 1986 by the person entitled to such benefit or such persons' representative payee."

(b) PROPER ALLOCATION OF COSTS OF WITHHOLDING BETWEEN THE TRUST FUNDS AND THE GENERAL FUND.—Section 201(g) of such Act (42 U.S.C. 401(g)) is amended—

(1) by inserting before the period in paragraph (1)(A)(ii) the following: "and the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee";

(2) by inserting before the period at the end of paragraph (1)(A) the following: "and the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee";

(3) in paragraph (1)(B)(i)(I), by striking "subparagraph (A)," and inserting "subparagraph (A)) and the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee,";

(4) in paragraph (1)(C)(iii), by inserting before the period the following: "and the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee";

(5) in paragraph (1)(D), by inserting after "section 232" the following: "and the functions of the Social Security Administration in connection with the withholding of taxes from benefits as described in section 207(c)"; and

(6) in paragraph (4), by inserting after the first sentence the following: "The Board of Trustees of such Trust Funds shall prescribe before January 1, 1998, the method of determining the costs which should be borne by the general fund in the Treasury of carrying out the functions of the Social Security Administration in connection with the withholding of taxes from benefits, as described in section 207(c), pursuant to requests by persons entitled to such benefits or such persons' representative payee.".

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

#### SEC. 214. TREATMENT OF PRISONERS.

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

(1) **IN GENERAL.**—Section 202(x)(3) of the Social Security Act (42 U.S.C. 402(x)(3)) is amended—

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

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

"(B)(i) The Commissioner shall enter into an agreement, with any interested State or local institution comprising a jail, prison, penal institution, correctional facility, or other institution a purpose of which is to confine individuals as described in paragraph (1)(A), under which—

"(I) the institution shall provide to the Commissioner, on a monthly basis and in a manner specified by the Commissioner, the names, social security account numbers, dates of birth, confinement commencement dates, and, to the extent available to the institution, such other identifying information concerning the individuals confined in the institution as the Commissioner may require for the purpose of carrying out paragraph (1); and

"(II) the Commissioner shall pay to the institution, with respect to information described in subclause (I) concerning each individual who is confined therein as described

in paragraph (1)(A), who receives a benefit under this title for the month preceding the first month of such confinement, and whose benefit under this title is determined by the Commissioner to be not payable by reason of confinement based on the information provided by the institution, \$400 (subject to reduction under clause (ii)) if the institution furnishes the information to the Commissioner within 30 days after the date such individual's confinement in such institution begins, or \$200 (subject to reduction under clause (ii)) if the institution furnishes the information after 30 days after such date but within 90 days after such date.

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

"(iii) There is authorized to be transferred from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as appropriate, such sums as may be necessary to enable the Commissioner to make payments to institutions required by clause (i)(II).

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

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to individuals whose period of confinement in an institution commences on or after the first day of the fourth month beginning after the month in which this Act is enacted.

(b) **ELIMINATION OF TITLE II REQUIREMENT THAT CONFINEMENT STEM FROM CRIME PUNISHABLE BY IMPRISONMENT FOR MORE THAN 1 YEAR.**—

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

(A) in the matter preceding clause (i), by striking "during" and inserting "throughout";

(B) in clause (i), by striking "an offense punishable by imprisonment for more than 1 year (regardless of the actual sentence imposed)" and inserting "a criminal offense"; and

(C) in clause (ii)(I), by striking "an offense punishable by imprisonment for more than 1 year" and inserting "a criminal offense".

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply to individuals whose period of confinement in an institution commences on or after the first day of the fourth month beginning after the month in which this Act is enacted.

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

(1) **IN GENERAL.**—Section 203(b)(1) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) is amended—

(A) in subparagraph (A), by striking "section 1611(e)(1)" and inserting "sections 202(x) and 1611(e)(1)"; and

(B) in subparagraph (B), by striking "section 1611(e)(1)(I)" and inserting "section 202(x)(3)(B) or 1611(e)(1)(I)".

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

(3) **APPLICATION.**—The amendments made by paragraph (1) shall apply as if included in the enactment of section 203(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-

193). The amendment made by paragraph (2) shall apply as if included in the enactment of section 203(c) of such Act.

(d) **CONFORMING TITLE XVI AMENDMENTS.**—

(1) **FIFTY PERCENT REDUCTION IN TITLE XVI PAYMENT IN CASE INVOLVING COMPARABLE TITLE II PAYMENT.**—Section 1611(e)(1)(I) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)), as amended by section 201(b) of this Act, is amended further—

(A) in clause (i)(II), by inserting "(subject to reduction under clause (ii))" after "\$400" and after "\$200";

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

(C) by inserting after clause (i) the following new clause:

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

(2) **EXPANSION OF CATEGORIES OF INSTITUTIONS ELIGIBLE TO ENTER INTO AGREEMENTS WITH THE COMMISSIONER.**—Section 1611(e)(1)(I)(i) of such Act (42 U.S.C. 1382(e)(1)(I)(i)) is amended in the matter preceding subclause (I) by striking "institution" and all that follows through "section 202(x)(1)(A)," and inserting "institution comprising a jail, prison, penal institution, or correctional facility, or with any other interested State or local institution a purpose of which is to confine individuals as described in section 202(x)(1)(A)(ii)".

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

(e) **EXEMPTION FROM COMPUTER MATCHING REQUIREMENTS.**—

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

(A) by striking "or" at the end of clause (v) and inserting a semicolon;

(B) by inserting "or" at the end of clause (vi); and

(C) by inserting after clause (vi) the following new clause:

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

(2) **CONFORMING AMENDMENT.**—Section 1611(e)(1)(I)(iii) of the Social Security Act (42 U.S.C. 1382(e)(1)(I)(iii)), as so redesignated by subsection (d)(1)(B) of this section, is amended—

(A) by striking "(I) The provisions" and all that follows through "(II) The Commissioner" and inserting "The Commissioner"; and

(B) by inserting "agency administering a" before "Federal or federally-assisted".

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

(f) **CONTINUED DENIAL OF BENEFITS TO SEX OFFENDERS REMAINING CONFINED TO PUBLIC INSTITUTIONS UPON COMPLETION OF PRISON TERM.**—

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

(A) in clause (i), by striking "or" at the end;

(B) in clause (ii)(IV), by striking the period and inserting ", or"; and

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



“(iii) immediately upon completion of confinement as described in clause (i) pursuant to conviction of a criminal offense an element of which is sexual activity, is confined by court order in an institution at public expense pursuant to a finding that the individual is a sexually dangerous person or a sexual predator or a similar finding.”.

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall apply with respect to benefits for months ending after the date of the enactment of this Act.

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

(a) **IN GENERAL.**—Section 703(i) of the Social Security Act (42 U.S.C. 903(i)) is amended—

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

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

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall take effect as if included in the enactment of section 108 of the Contract with America Advancement Act of 1996 (Public Law 104-121; 110 Stat. 857).

### **TITLE III—CHILD SUPPORT**

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

(a) **INDIVIDUALS SUBJECT TO FEE FOR CHILD SUPPORT ENFORCEMENT SERVICES.**—Section 454(6)(B) of the Social Security Act (42 U.S.C. 654(6)(B)) is amended by striking “individuals not receiving assistance under any State program funded under part A, which” and inserting “an individual, other than an individual receiving assistance under a State program funded under part A or E, or under a State plan approved under title XIX, or who is required by the State to cooperate with the State agency administering the program under this part pursuant to subsection (l) or (m) of section 6 of the Food Stamp Act of 1977, and”.

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

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

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

(1) by striking “which were assigned” and inserting “assigned”; and

(2) by striking “and which were in effect” and all that follows and inserting “and in effect on September 30, 1997 (or such earlier date, on or after August 22, 1996, as the State may choose), shall remain assigned after such date.”.

(b) **STATE OPTION FOR APPLICABILITY.**—

(1) **IN GENERAL.**—Section 457(a) of the Social Security Act (42 U.S.C. 657(a)) is amended by adding at the end the following:

“(6) **STATE OPTION FOR APPLICABILITY.**—Notwithstanding any other provision of this subsection, a State may elect to apply the rules described in clauses (i)(II), (ii)(II), and (v) of paragraph (2)(B) to support arrearages collected on and after October 1, 1998, and, if the State makes such an election, shall apply the provisions of this section, as in effect and applied on the day before the date of enactment of section 302 of the Personal Responsibility and Work Opportunity Act of 1996 (Public Law 104-193, 110 Stat. 2200), other than subsection (b)(1) (as so in effect), to amounts collected before October 1, 1998.”.

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

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

(B) in clause (ii)—

(i) by striking “(ii)” and inserting “(II)”;

and

(ii) by striking the period and inserting “; or”;

and

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

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

(c) **DISTRIBUTION OF COLLECTIONS WITH RESPECT TO FAMILIES RECEIVING ASSISTANCE.**—Section 457(a)(1) of the Social Security Act (42 U.S.C. 657(a)(1)) is amended by adding at the end the following flush language:

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

(d) **FAMILIES UNDER CERTAIN AGREEMENTS.**—Section 457(a)(4) of the Social Security Act (42 U.S.C. 657(a)(4)) is amended to read as follows:

“(4) **FAMILIES UNDER CERTAIN AGREEMENTS.**—In the case of an amount collected for a family in accordance with a cooperative agreement under section 454(33), distribute the amount so collected pursuant to the terms of the agreement.”.

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

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

(1) in clauses (i)(I) and (ii)(I)—

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

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

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

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

(h) **DEFINITIONS.**—

(1) **FEDERAL SHARE.**—Section 457(c)(2) of the Social Security Act (42 U.S.C. 657(c)(2)) is amended by striking “collected” the second place it appears and inserting “distributed”.

(2) **FEDERAL MEDICAL ASSISTANCE PERCENTAGE.**—Section 457(c)(3)(B) of the Social Security Act (42 U.S.C. 657(c)(3)(B)) is amended by striking “as in effect on September 30, 1996” and inserting “as such section was in effect on September 30, 1995”.

(i) **CONFORMING AMENDMENTS.**—

(1) Section 464(a)(2)(A) of the Social Security Act (42 U.S.C. 664(a)(2)(A)) is amended, in the penultimate sentence, by inserting “in accordance with section 457” after “owed”.

(2) Section 466(a)(3)(B) of the Social Security Act (42 U.S.C. 666(a)(3)(B)) is amended by striking “457(b)(4) or (d)(3)” and inserting “457”.

#### **SEC. 303. CIVIL PENALTIES RELATING TO STATE DIRECTORY OF NEW HIRES.**

Section 453A of the Social Security Act (42 U.S.C. 653a) is amended—

(1) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking “shall be less than” and inserting “shall not exceed”; and

(B) in paragraph (1), by striking “\$25” and inserting “\$25 per failure to meet the requirements of this section with respect to a newly hired employee”; and

(2) in subsection (g)(2)(B), by striking “extracts” and all that follows through “Labor” and inserting “information”.

#### **SEC. 304. FEDERAL PARENT LOCATOR SERVICE.**

(a) **IN GENERAL.**—Section 453 of the Social Security Act (42 U.S.C. 653) is amended—

(1) in subsection (a)—

(A) by inserting “(1)” after “(a)”;

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

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

“(A) information on, or facilitating the discovery of, the location of any individual—

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

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

“(iii) to whom such an obligation is owed, including the individual’s social security number (or numbers), most recent address, and the name, address, and employer identification number of the individual’s employer;

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

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

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

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

“(b)(1) Upon request, filed in accordance with subsection (d), of any authorized person, as defined in subsection (c) for the information described in subsection (a)(2), or of any authorized person, as defined in section 463(d)(2) for the information described in section 463(c), the Secretary shall, notwithstanding any other provision of law, provide through the Federal Parent Locator Service such information to such person, if such information—

“(A) is contained in any files or records maintained by the Secretary or by the Department of Health and Human Services; or

“(B) is not contained in such files or records, but can be obtained by the Secretary, under the authority conferred by subsection (e), from any other department, agency, or instrumentality of the United States or of any State,

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

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

“(A) in response to a request from an authorized person (as defined in subsection (c) and section 463(d)(2)), the Secretary shall advise the authorized person that the Secretary has been notified that there is reasonable evidence of domestic violence or child

abuse and that information can only be disclosed to a court or an agent of a court pursuant to subparagraph (B); and

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

“(i) upon receipt of information from the Secretary, the court determines whether disclosure to any other person of that information could be harmful to the parent or the child; and

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

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

(3) in subsection (c)—

(A) in paragraph (1), by striking “or to seek to enforce orders providing child custody or visitation rights”; and

(B) in paragraph (2)—

(i) by inserting “or to serve as the initiating court in an action to seek an order” after “issue an order”; and

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

(b) **USE OF THE FEDERAL PARENT LOCATOR SERVICE.**—Section 463 of the Social Security Act (42 U.S.C. 663) is amended—

(1) in subsection (a)—

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

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

(ii) by striking “such State” and inserting “each State”; and

(B) in paragraph (2), by inserting “or visitation” after “custody”;

(2) in subsection (b)(2), by inserting “or visitation” after “custody”;

(3) in subsection (d)—

(A) in paragraph (1), by inserting “or visitation” after “custody”; and

(B) in subparagraphs (A) and (B) of paragraph (2), by inserting “or visitation” after “custody” each place it appears;

(4) in subsection (f)(2), by inserting “or visitation” after “custody”; and

(5) by striking “noncustodial” each place it appears.

**SEC. 305. ACCESS TO REGISTRY DATA FOR RESEARCH PURPOSES.**

(a) **IN GENERAL.**—Section 453(j)(5) of the Social Security Act (42 U.S.C. 653(j)(5)) is amended by inserting “data in each component of the Federal Parent Locator Service maintained under this section and to” before “information”.

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

(1) in subsection (j)(3)(B), by striking “registries” and inserting “components”; and

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

**SEC. 306. COLLECTION AND USE OF SOCIAL SECURITY NUMBERS FOR USE IN CHILD SUPPORT ENFORCEMENT.**

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

(1) in subparagraph (A)—

(A) by striking “commercial”; and

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

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

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

Section 466(f) of the Social Security Act (42 U.S.C. 666(f)) is amended by striking “to-

gether” and all that follows and inserting “and as in effect on August 22, 1996, including any amendments officially adopted as of such date by the National Conference of Commissioners on Uniform State Laws.”.

**SEC. 308. STATE LAWS PROVIDING EXPEDITED PROCEDURES.**

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

(1) in paragraph (1)—

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

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

(2) in paragraph (2)(A)—

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

(B) in clause (ii)—

(i) by striking “tribunal may” and inserting “court or administrative agency of competent jurisdiction shall”; and

(ii) by striking “filed with the tribunal” and inserting “filed with the State case registry”.

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

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

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

Section 452(g)(2) of the Social Security Act (42 U.S.C. 652(g)(2)) is amended, in the matter following subparagraph (C), by striking “subparagraph (A)” and inserting “subparagraphs (A) and (B)”.

**SEC. 311. MEANS AVAILABLE FOR PROVISION OF TECHNICAL ASSISTANCE AND OPERATION OF FEDERAL PARENT LOCATOR SERVICE.**

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

(b) **OPERATION OF FEDERAL PARENT LOCATOR SERVICE.**—

(1) **MEANS AVAILABLE.**—Section 453(o) of the Social Security Act (42 U.S.C. 653(o)) is amended—

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

(B) by striking “to cover costs incurred by the Secretary” and inserting “which shall be available for use by the Secretary, either directly or through grants, contracts, or interagency agreements.”.

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

**SEC. 312. AUTHORITY TO COLLECT SUPPORT FROM FEDERAL EMPLOYEES.**

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

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

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

(2) in subparagraph (A)—

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

(B) in clause (iii)—

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

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

(C) by inserting after clause (iii), the following:

“(iv) benefits paid or payable under the Railroad Retirement System, but”; and

(3) in subparagraph (B)—

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

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

(C) by adding at the end the following:

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

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

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

Section 453(p) of the Social Security Act (42 U.S.C. 653(p)), is amended by striking “a child and” and inserting “of”.

**SEC. 314. STATE LAW AUTHORIZING SUSPENSION OF LICENSES.**

Section 466(a)(16) of the Social Security Act (42 U.S.C. 666(a)(16)) is amended by inserting “and sporting” after “recreational”.

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

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

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

(a) **COOPERATIVE AGREEMENTS BY INDIAN TRIBES AND STATES FOR CHILD SUPPORT ENFORCEMENT.**—Section 454(33) of the Social Security Act (42 U.S.C. 654(33)) is amended—

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

(2) by striking “guidelines established by such tribe or organization” and inserting “guidelines established or adopted by such tribe or organization”; and

(3) by striking “funding collected” and inserting “collections”; and

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

(b) **CORRECTION OF SUBSECTION DESIGNATION.**—Section 455 of the Social Security Act (42 U.S.C. 655), is amended by redesignating subsection (b), as added by section 375(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193, 110 Stat. 2256), as subsection (f).

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

“(f) The Secretary may make direct payments under this part to an Indian tribe or tribal organization that demonstrates to the satisfaction of the Secretary that it has the capacity to operate a child support enforcement program meeting the objectives of this part, including establishment of paternity, establishment, modification, and enforcement of support orders, and location of absent parents. The Secretary shall promulgate regulations establishing the requirements which must be met by an Indian tribe or tribal organization to be eligible for a grant under this subsection.”.

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

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

(1) in subsection (a), in the matter preceding paragraph (1), by striking “subsection

(e)" and inserting "subsections (e) and (f)"; and

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

"(f) Notwithstanding the preceding provisions of this section, amounts collected by a State as child support for months in any period on behalf of a child for whom a public agency is making foster care maintenance payments under part E—

"(1) shall be retained by the State to the extent necessary to reimburse it for the foster care maintenance payments made with respect to the child during such period (with appropriate reimbursement of the Federal Government to the extent of its participation in the financing);

"(2) shall be paid to the public agency responsible for supervising the placement of the child to the extent that the amounts collected exceed the foster care maintenance payments made with respect to the child during such period but not the amounts required by a court or administrative order to be paid as support on behalf of the child during such period; and the responsible agency may use the payments in the manner it determines will serve the best interests of the child, including setting such payments aside for the child's future needs or making all or a part thereof available to the person responsible for meeting the child's day-to-day needs; and

"(3) shall be retained by the State, if any portion of the amounts collected remains after making the payments required under paragraphs (1) and (2), to the extent that such portion is necessary to reimburse the State (with appropriate reimbursement to the Federal Government to the extent of its participation in the financing) for any past foster care maintenance payments (or payments of assistance under the State program funded under part A) which were made with respect to the child (and with respect to which past collections have not previously been retained);

and any balance shall be paid to the State agency responsible for supervising the placement of the child, for use by such agency in accordance with paragraph (2)."

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

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

(1) by striking "or" before "(III)"; and

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

(b) CONFORMING AMENDMENTS.—Section 454(29) of the Social Security Act (42 U.S.C. 654(29)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by striking "part A of this title or the State program under title XIX" and inserting "part A, the State program under part E, the State program under title XIX, or the food stamp program, as defined under section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h))"; and

(B) by striking clauses (i) and (ii) and all that follows through the semicolon and inserting the following:

"(i) in the case of the State program funded under part A, the State program under part E, or the State program under title XIX shall, at the option of the State, be defined, taking into account the best interests of the child, and applied in each case, by the State agency administering such program; and

"(ii) in the case of the food stamp program, as defined under section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h)), shall be defined and applied in each case under that program in accordance with section 6(j)(2) of

the Food Stamp Act of 1977 (7 U.S.C. 2015(j)(2))";

(2) in subparagraph (D), by striking "or the State program under title XIX" and inserting "the State program under part E, the State program under title XIX, or the food stamp program, as defined under section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h))"; and

(3) in subparagraph (E), by striking "individual," and all that follows through "XIX," and inserting "individual and the State agency administering the State program funded under part A, the State agency administering the State program under part E, the State agency administering the State program under title XIX, or the State agency administering the food stamp program, as defined under section 3(h) of the Food Stamp Act of 1977 (7 U.S.C. 2012(h))."

#### **SEC. 319. DATE OF COLLECTION OF SUPPORT.**

Section 454B(c)(1) of the Social Security Act (42 U.S.C. 654B(c)(1)) is amended by adding at the end the following: "The date of collection for amounts collected and distributed under this part is the date of receipt by the State disbursement unit, except that if current support is withheld by an employer in the month when due and is received by the State disbursement unit in a month other than the month when due, the date of withholding may be deemed to be the date of collection."

#### **SEC. 320. ADMINISTRATIVE ENFORCEMENT IN INTERSTATE CASES.**

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

"(14) HIGH-VOLUME, AUTOMATED ADMINISTRATIVE ENFORCEMENT IN INTERSTATE CASES.—

"(A) IN GENERAL.—Procedures under which—

"(i) the State shall use high-volume automated administrative enforcement, to the same extent as used for intrastate cases, in response to a request made by another State to enforce support orders, and shall promptly report the results of such enforcement procedure to the requesting State;

"(ii) the State may, by electronic or other means, transmit to another State a request for assistance in enforcing support orders through high-volume, automated administrative enforcement, which request—

"(I) shall include such information as will enable the State to which the request is transmitted to compare the information about the cases to the information in the data bases of the State; and

"(II) shall constitute a certification by the requesting State—

"(aa) of the amount of support under an order the payment of which is in arrears; and

"(bb) that the requesting State has complied with all procedural due process requirements applicable to each case;

"(iii) if the State provides assistance to another State pursuant to this paragraph with respect to a case, neither State shall consider the case to be transferred to the caseload of such other State; and

"(iv) the State shall maintain records of—

"(I) the number of such requests for assistance received by the State;

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

"(III) the amount of such collected support.

"(B) HIGH-VOLUME AUTOMATED ADMINISTRATIVE ENFORCEMENT.—In this part, the term 'high-volume automated administrative enforcement' means the use of automatic data processing to search various State data bases, including license records, employment service data, and State new hire registries,

to determine whether information is available regarding a parent who owes a child support obligation."

(b) INCENTIVE PAYMENTS.—Section 458(d) of the Social Security Act (42 U.S.C. 658(d)) is amended by inserting "including amounts collected under section 466(a)(14)," after "another State".

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

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

"(15) PROCEDURES TO ENSURE THAT PERSONS OWING OVERDUE SUPPORT WORK OR HAVE A PLAN FOR PAYMENT OF SUCH SUPPORT.—Procedures under which the State has the authority, in any case in which an individual owes overdue support with respect to a child receiving assistance under a State program funded under part A, to issue an order or to request that a court or an administrative process established pursuant to State law issue an order that requires the individual to—

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

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

#### **SEC. 322. ADDITIONAL TECHNICAL STATE PLAN AMENDMENTS.**

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

(1) in paragraph (8)—

(A) in the matter preceding subparagraph (A)—

(i) by striking "noncustodial"; and

(ii) by inserting "for the purpose of establishing parentage, establishing, setting the amount of, modifying, or enforcing child support obligations, or making or enforcing a child custody or visitation determination, as defined in section 463(d)(1)" after "provide that";

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

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

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

"and shall, subject to the privacy safeguards required under paragraph (26), disclose only the information described in sections 453 and 463 to the authorized persons specified in such sections for the purposes specified in such sections";

(2) in paragraph (17)—

(A) by striking "in the case of a State which has" and inserting "provide that the State will have"; and

(B) by inserting "and" after "section 453,"; and

(3) in paragraph (26)—

(A) in the matter preceding subparagraph (A), by striking "will";

(B) in subparagraph (A)—

(i) by inserting "modify," after "establish", the second place it appears; and

(ii) by inserting "or to make or enforce a child custody determination" after "support";

(C) in subparagraph (B)—

(i) by inserting "or the child" after "1 party";

(ii) by inserting "or the child" after "former party"; and

(iii) by striking "and" at the end;

(D) in subparagraph (C)—

(i) by inserting "or the child" after "1 party";

(ii) by striking "another party" and inserting "another person";

(iii) by inserting "to that person" after "release of the information"; and

(iv) by striking "former party" and inserting "party or the child"; and

(E) by adding at the end the following:

"(D) in cases in which the prohibitions under subparagraphs (B) and (C) apply, the requirement to notify the Secretary, for purposes of section 453(b)(2), that the State has reasonable evidence of domestic violence or child abuse against a party or the child and that the disclosure of such information could be harmful to the party or the child; and

"(E) procedures providing that when the Secretary discloses information about a parent or child to a State court or an agent of a State court described in section 453(c)(2) or 463(d)(2)(B), and advises that court or agent that the Secretary has been notified that there is reasonable evidence of domestic violence or child abuse pursuant to section 453(b)(2), the court shall determine whether disclosure to any other person of information received from the Secretary could be harmful to the parent or child and, if the court determines that disclosure to any other person could be harmful, the court and its agents shall not make any such disclosure";

#### **SEC. 323. FEDERAL CASE REGISTRY OF CHILD SUPPORT ORDERS.**

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

(1) in paragraph (1), by inserting "and order" after "with respect to each case"; and

(2) in paragraph (2)—

(A) in the heading, by inserting "AND ORDER" after "CASE";

(B) by inserting "or an order" after "with respect to a case" and

(C) by inserting "or order" after "and the State or States which have the case".

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

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

(1) in paragraph (4), by striking "a court may" and all that follows and inserting "a court having jurisdiction over the parties shall issue a child support order, which must be recognized."; and

(2) in paragraph (5), by inserting "under subsection (d)" after "jurisdiction".

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

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

(1) in clause (i)—

(A) by inserting "or system described in clause (iii)" after "each State"; and

(B) by inserting "or system" after "the State"; and

(2) by adding at the end the following:

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

(b) **TEMPORARY LIMITATION ON PAYMENTS.**—Section 344(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (42 U.S.C. 655 note) is amended—

(1) in subparagraph (B)—

(A) by inserting "or a system described in subparagraph (C)" after "to a State"; and

(B) by inserting "or system" after "for the State"; and

(2) in subparagraph (C), by striking "Act," and all that follows and inserting "Act, and

among systems that have been approved by the Secretary to receive enhanced funding pursuant to the Family Support Act of 1988 (Public Law 100-485; 102 Stat. 2343) for the purpose of developing a system that meets the requirements of sections 454(16) (as in effect on and after September 30, 1995) and 454A, including systems that have received funding for such purpose pursuant to a waiver under section 1115(a), which shall take into account—

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

"(ii) the level of automation needed to meet the automated data processing requirements of such part.".

#### **SEC. 326. ADDITIONAL TECHNICAL AMENDMENTS.**

(a) **ELIMINATION OF SURPLUSAGE.**—Section 466(c)(1)(F) of the Social Security Act (42 U.S.C. 666(c)(1)(F)) is amended by striking "of section 466".

(b) **CORRECTION OF AMBIGUOUS AMENDMENT.**—Section 344(a)(1)(F) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2234) is amended by inserting "the first place such term appears" before "and all that follows".

(c) **CORRECTION OF ERRONEOUSLY DRAFTED PROVISION.**—Section 215 of the Department of Health and Human Services Appropriations Act, 1997, (as contained in section 101(e) of the Omnibus Consolidated Appropriations Act, 1997) is amended to read as follows:

"SEC. 215. Sections 452(j) and 453(o) of the Social Security Act (42 U.S.C. 652(j) and 653(o)), as amended by section 345 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2237) are each amended by striking 'section 457(a)' and inserting 'a plan approved under this part'. Amounts available under such sections 452(j) and 453(o) shall be calculated as though the amendments made by this section were effective October 1, 1995."

(d) **ELIMINATION OF SURPLUSAGE.**—Section 456(a)(2)(B) of the Social Security Act (42 U.S.C. 656(a)(2)(B)) is amended by striking "and" and inserting a period.

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

#### **SEC. 327. EFFECTIVE DATE.**

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

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

### **TITLE IV—RESTRICTING WELFARE AND PUBLIC BENEFITS FOR ALIENS**

#### **Subtitle A—Eligibility for Federal Benefits**

#### **SEC. 401. ALIEN ELIGIBILITY FOR FEDERAL BENEFITS: LIMITED APPLICATION TO MEDICARE AND BENEFITS UNDER THE RAILROAD RETIREMENT ACT.**

(a) **LIMITED APPLICATION TO MEDICARE.**—Section 401(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(b)) is amended by adding at the end the following:

"(3) Subsection (a) shall not apply to any benefit payable under title XVIII of the Social Security Act (relating to the medicare

program) to an alien who is lawfully present in the United States as determined by the Attorney General and, with respect to benefits payable under part A of such title, who was authorized to be employed with respect to any wages attributable to employment which are counted for purposes of eligibility for such benefits."

(b) **LIMITED APPLICATION TO BENEFITS UNDER THE RAILROAD RETIREMENT ACT.**—Section 401(b) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(b)) (as amended by subsection (a)) is amended by inserting at the end the following:

"(4) Subsection (a) shall not apply to any benefit payable under the Railroad Retirement Act of 1974 or the Railroad Unemployment Insurance Act to an alien who is lawfully present in the United States as determined by the Attorney General or to an alien residing outside the United States."

#### **SEC. 402. EXCEPTIONS TO BENEFIT LIMITATIONS: CORRECTIONS TO REFERENCE CONCERNING ALIENS WHOSE DEPORTATION IS WITHHELD.**

Sections 402(a)(2)(A)(iii), 402(b)(2)(A)(iii), 403(b)(1)(C), 412(b)(1)(C), and 431(b)(5) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(A)(iii), 1612(b)(2)(A)(iii), 1613(b)(1)(C), 1622(b)(1)(C), and 1641(b)(5)) are each amended by striking "section 243(h) of such Act" each place it appears and inserting "section 243(h) of such Act (as in effect immediately before the effective date of section 307 of division C of Public Law 104-208) or section 241(b)(3) of such Act (as amended by section 305(a) of division C of Public Law 104-208)".

#### **SEC. 403. VETERANS EXCEPTION: APPLICATION OF MINIMUM ACTIVE DUTY SERVICE REQUIREMENT; EXTENSION TO UNREMARKED SURVIVING SPOUSE; EXPANDED DEFINITION OF VETERAN.**

(a) **APPLICATION OF MINIMUM ACTIVE DUTY SERVICE REQUIREMENT.**—Sections 402(a)(2)(C)(i), 402(b)(2)(C)(i), 403(b)(2)(A), and 412(b)(3)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(i), 1612(b)(2)(C)(i), 1613(b)(2)(A), and 1622(b)(3)(A)) are each amended by inserting "and who fulfills the minimum active-duty service requirements of section 5303A(d) of title 38, United States Code" after "alienage".

(b) **EXCEPTION APPLICABLE TO UNREMARKED SURVIVING SPOUSE.**—Section 402(a)(2)(C)(iii), 402(b)(2)(C)(iii), 403(b)(2)(C), and 412(b)(3)(C) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(iii), 1612(b)(2)(C)(iii), 1613(b)(2)(C), and 1622(b)(3)(C)) are each amended by inserting before the period "or the unmarried surviving spouse of an individual described in clause (i) or (ii) who is deceased if the marriage fulfills the requirements of section 1304 of title 38, United States Code".

(c) **EXPANDED DEFINITION OF VETERAN.**—Sections 402(a)(2)(C)(i), 402(b)(2)(C)(i), 403(b)(2)(A), and 412(b)(3)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1612(a)(2)(C)(i), 1612(b)(2)(C)(i), 1613(b)(2)(A), and 1622(b)(3)(A)) are each amended by inserting ", 1101, or 1301, or as described in section 107" after "section 101".

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

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

(1) by striking "section 501 of the Refugee" and insert "section 501(a) of the Refugee"; and

(2) by striking "section 501(e)(2)" and inserting "section 501(e)".

**SEC. 405. NOTIFICATION CONCERNING ALIENS NOT LAWFULLY PRESENT: CORRECTION OF TERMINOLOGY.**

Section 1631(e)(9) of the Social Security Act (42 U.S.C. 1383(e)(9)) and section 27 of the United States Housing Act of 1937, as added by section 404 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, are each amended by striking "unlawfully in the United States" each place it appears and inserting "not lawfully present in the United States".

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

Sections 401(c)(2)(A) and 411(c)(2)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1611(c)(2)(A) and 1621(c)(2)(A)) are each amended by inserting before the semicolon at the end ", or to a citizen of a freely associated state, if section 141 of the applicable compact of free association approved in Public Law 99-239 or 99-658 (or a successor provision) is in effect".

**SEC. 407. CONGRESSIONAL STATEMENT REGARDING BENEFITS FOR HMONG AND OTHER HIGHLAND LAO VETERANS.**

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

(1) Hmong and other Highland Lao tribal peoples were recruited, armed, trained, and funded for military operations by the United States Department of Defense, Central Intelligence Agency, Department of State, and Agency for International Development to further United States national security interests during the Vietnam conflict.

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

(3) Thousands of Hmong and other Highland Lao veterans who fought in special guerrilla units on behalf of the United States during the Vietnam conflict, along with their families, have been lawfully admitted to the United States in recent years.

(4) The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), the new national welfare reform law, restricts certain welfare benefits for noncitizens of the United States and the exceptions for noncitizen veterans of the Armed Forces of the United States do not extend to Hmong veterans of the Vietnam conflict era, making Hmong veterans and their families receiving certain welfare benefits subject to restrictions despite their military service on behalf of the United States.

(b) CONGRESSIONAL STATEMENT.—It is the sense of the Congress that Hmong and other Highland Lao veterans who fought on behalf of the Armed Forces of the United States during the Vietnam conflict and have lawfully been admitted to the United States for permanent residence should be considered veterans for purposes of continuing certain welfare benefits consistent with the exceptions provided other noncitizen veterans under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

**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.**

(a) DETERMINATION OF STATUS BY AGENCY PROVIDING BENEFITS.—Section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641) is amended in subsections (c)(1)(A) and (c)(2)(A) by striking "Attorney General, which opin-

ion is not subject to review by any court)" each place it appears and inserting "agency providing such benefits)".

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

"After consultation with the Secretaries of Health and Human Services, Agriculture, and Housing and Urban Development, the Commissioner of Social Security, and with the heads of such Federal agencies administering benefits as the Attorney General considers appropriate, the Attorney General shall issue guidance (in the Attorney General's sole and unreviewable discretion) for purposes of this subsection and section 421(f), concerning the meaning of the terms 'battery' and 'extreme cruelty', and the standards and methods to be used for determining whether a substantial connection exists between battery or cruelty suffered and an individual's need for benefits under a specific Federal, State, or local program."

(c) INCLUSION OF ALIEN CHILD OF BATTERED PARENT AS QUALIFIED ALIEN.—Section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)) is amended—

(1) at the end of paragraph (1)(B)(iv) by striking "or";

(2) at the end of paragraph (2)(B) by striking the period and inserting "; or"; and

(3) by inserting after paragraph (2)(B) and before the last sentence of such subsection the following new paragraph:

"(3) an alien child who—  
"(A) resides in the same household as a parent who has been battered or subjected to extreme cruelty in the United States by that parent's spouse or by a member of the spouse's family residing in the same household as the parent and the spouse consented or acquiesced to such battery or cruelty, but only if (in the opinion of the agency providing such benefits) there is a substantial connection between such battery or cruelty and the need for the benefits to be provided; and  
"(B) who meets the requirement of subparagraph (B) of paragraph (1)."

(d) INCLUSION OF ALIEN CHILD OF BATTERED PARENT UNDER SPECIAL RULE FOR ATTRIBUTION OF INCOME.—Section 421(f)(1)(A) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1631(f)(1)(A)) is amended—

(1) at the end of clause (i) by striking "or"; and

(2) by striking "and the battery or cruelty described in clause (i) or (ii)" and inserting "or (iii) the alien is a child whose parent (who resides in the same household as the alien child) has been battered or subjected to extreme cruelty in the United States by that parent's spouse, or by a member of the spouse's family residing in the same household as the parent and the spouse consented to, or acquiesced in, such battery or cruelty, and the battery or cruelty described in clause (i), (ii), or (iii)".

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

(a) REGULATIONS AND GUIDANCE.—Section 432(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1642(a)) is amended—

(1) by inserting at the end of paragraph (1) the following: "Not later than 90 days after the date of the enactment of the Welfare Reform Technical Corrections Act of 1997, the Attorney General of the United States, after consultation with the Secretary of Health and Human Services, shall issue interim verification guidance."; and

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

"(3) Not later than 90 days after the date of the enactment of the Welfare Reform Technical Corrections Act of 1997, the Attorney General shall promulgate regulations which set forth the procedures by which a State or local government can verify whether an alien applying for a State or local public benefit is a qualified alien, a nonimmigrant under the Immigration and Nationality Act, or an alien paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act for less than 1 year, for purposes of determining whether the alien is ineligible for benefits under section 411 of this Act."

(b) DISCLOSURE OF INFORMATION FOR VERIFICATION.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208) is amended by adding after paragraph (4) the following new paragraph:

"(5) The Attorney General is authorized to disclose information, to Federal, State, and local public and private agencies providing benefits, to be used solely in making determinations of eligibility for benefits pursuant to section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

**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.**

(a) DISCLOSURE OF QUARTERS OF COVERAGE INFORMATION.—Section 435 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1645) is amended by adding at the end the following: "Notwithstanding section 6103 of the Internal Revenue Code of 1986, the Commissioner of Social Security is authorized to disclose quarters of coverage information concerning an alien and an alien's spouse or parents to a government agency for the purposes of this title."

(b) CORRECTION TO ASSURE THAT CREDITING APPLIES TO ALL QUARTERS EARNED BY PARENTS BEFORE CHILD IS 18.—Section 435(l) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1645(l)) is amended by striking "while the alien was under age 18," and inserting "before the date on which the alien attains age 18,".

**SEC. 414. STATUTORY CONSTRUCTION: BENEFIT ELIGIBILITY LIMITATIONS APPLICABLE ONLY WITH RESPECT TO ALIENS PRESENT IN THE UNITED STATES.**

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

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

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

"(b) BENEFIT ELIGIBILITY LIMITATIONS APPLICABLE ONLY WITH RESPECT TO ALIENS PRESENT IN THE UNITED STATES.—Notwithstanding any other provision of this title, the limitations on eligibility for benefits under this title shall not apply to eligibility for benefits of aliens who are not residing, or present, in the United States with respect to—

"(1) wages, pensions, annuities, and other earned payments to which an alien is entitled resulting from employment by, or on behalf of, a Federal, State, or local government agency which was not prohibited during the period of such employment or service under section 274A or other applicable provision of the Immigration and Nationality Act; or

"(2) benefits under laws administered by the Secretary of Veterans Affairs."

**Subtitle C—Miscellaneous Clerical and Technical Amendments; Effective Date**

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

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

“(f) STATE REQUIRED TO PROVIDE CERTAIN INFORMATION.—Each State to which a grant is made under section 403 shall, at least 4 times annually and upon request of the Immigration and Naturalization Service, furnish the Immigration and Naturalization Service with the name and address of, and other identifying information on, any individual who the State knows is not lawfully present in the United States.”.

(b) MISCELLANEOUS CLERICAL AND TECHNICAL CORRECTIONS.—

(1) Section 411(c)(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1621(c)(3)) is amended by striking “4001(c)” and inserting “401(c)”.

(2) Section 422(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1632(a)) is amended by striking “benefits (as defined in section 412(c)),” and inserting “benefits.”.

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

(4) The subtitle heading for subtitle D of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 is amended to read as follows:

**“Subtitle D—General Provisions”.**

(5) The subtitle heading for subtitle F of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 is amended to read as follows:

**“Subtitle F—Earned Income Credit Denied to Unauthorized Employees”.**

(6) Section 431(c)(2)(B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)(2)(B)) is amended by striking “clause (ii) of subparagraph (A)” and inserting “subparagraph (B) of paragraph (1)”.

(7) Section 431(c)(1)(B) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)(1)(B)) is amended—

(A) in clause (iii) by striking “, or” and inserting “(as in effect prior to April 1, 1997),”; and

(B) by adding after clause (iv) the following new clause:

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

**SEC. 422. EFFECTIVE DATE.**

Except as otherwise provided, the amendments made by this title shall be effective as if included in the enactment of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

**TITLE V—CHILD PROTECTION**

**SEC. 501. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO CHILD PROTECTION.**

(a) METHODS PERMITTED FOR CONDUCT OF STUDY OF CHILD WELFARE.—Section 429A(a) of the Social Security Act (42 U.S.C. 628b(a)) is amended by inserting “(directly, or by grant, contract, or interagency agreement)” after “conduct”.

(b) REDESIGNATION OF PARAGRAPH.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(1) by striking “and” at the end of paragraph (17);

(2) by striking the period at the end of paragraph (18) (as added by section 1808(a) of the Small Business Job Protection Act of 1996 (Public Law 104-188; 110 Stat. 1903)) and inserting “; and”; and

(3) by redesignating paragraph (18) (as added by section 505(3) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2278)) as paragraph (19).

**SEC. 502. ADDITIONAL TECHNICAL AMENDMENTS RELATING TO CHILD PROTECTION.**

(a) PART B AMENDMENTS.—

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

(A) in section 422(b)—

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

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

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

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

(C) by transferring section 429A (as added by section 503 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193; 110 Stat. 2277)) to the end of subpart 1.

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

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

**SEC. 503. EFFECTIVE DATE.**

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

**TITLE VI—CHILD CARE**

**SEC. 601. CONFORMING AND TECHNICAL AMENDMENTS RELATING TO CHILD CARE.**

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

(1) in paragraph (1)—

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

(B) in subparagraph (A)—

(i) by striking “the sum of”;

(ii) by striking “amounts expended” and inserting “expenditures”; and

(iii) by striking “section—” and all that follows and inserting “subsections (g) and (i) of section 402 (as in effect before October 1, 1995); or”;

(C) in subparagraph (B)—

(i) by striking “sections” and inserting “subsections”; and

(ii) by striking the semicolon at the end and inserting a period; and

(D) in the matter following subparagraph (B), by striking “whichever is greater.”; and

(2) in paragraph (2)—

(A) by striking subparagraph (B) and inserting the following:

“(B) ALLOTMENTS TO STATES.—The total amount available for payments to States under this paragraph, as determined under

subparagraph (A), shall be allotted among the States based on the formula used for determining the amount of Federal payments to each State under section 403(n) (as in effect before October 1, 1995).”;

(B) by striking subparagraph (C) and inserting the following:

“(C) FEDERAL MATCHING OF STATE EXPENDITURES EXCEEDING HISTORICAL EXPENDITURES.—The Secretary shall pay to each eligible State for a fiscal year an amount equal to the lesser of the State's allotment under subparagraph (B) or the Federal medical assistance percentage for the State for the fiscal year (as defined in section 1905(b), as such section was in effect on September 30, 1995) of so much of the State's expenditures for child care in that fiscal year as exceed the total amount of expenditures by the State (including expenditures from amounts made available from Federal funds) in fiscal year 1994 or 1995 (whichever is greater) for the programs described in paragraph (1)(A).”; and

(C) in subparagraph (D)(i)—

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

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

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

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

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

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

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

(1) in section 658E(c)(2)(E)(ii), by striking “tribal organization” and inserting “tribal organizations”;

(2) in section 658K(a)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) by striking clause (iv) and inserting the following:

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

(II) in clause (v)—

(aa) in the matter preceding subclause (I), by striking “including the amount obtained from (and separately identified)—” and inserting “including—”; and

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

“(II) cash or other assistance under—

“(aa) the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); and

“(bb) a State program for which State spending is counted toward the maintenance of effort requirement under section 409(a)(7) of the Social Security Act (42 U.S.C. 609(a)(7));”;

(III) in clause (x), by striking “week” and inserting “month”; and

(ii) by striking subparagraph (D) and inserting the following:

“(D) USE OF SAMPLES.—

“(i) AUTHORITY.—A State may comply with the requirement to collect the information described in subparagraph (B) through the use of disaggregated case record information



on a sample of families selected through the use of scientifically acceptable sampling methods approved by the Secretary.

"(ii) **SAMPLING AND OTHER METHODS.**—The Secretary shall provide the States with such case sampling plans and data collection procedures as the Secretary deems necessary to produce statistically valid samples of the information described in subparagraph (B). The Secretary may develop and implement procedures for verifying the quality of data submitted by the States."; and

(B) in paragraph (2)—

(i) in the heading, by striking "BIENNIAL" and inserting "ANNUAL"; and

(ii) by striking "6" and inserting "12";

(3) in section 658L, by striking "1997" and inserting "1998";

(4) in section 658O(c)(6)(C), by striking "(A)" and inserting "(B)"; and

(5) in section 658P(13), by striking "or" and inserting "and".

#### SEC. 603. REPEALS.

(a) **CHILD DEVELOPMENT ASSOCIATE SCHOLARSHIP ASSISTANCE ACT OF 1985.**—Title VI of the Human Services Reauthorization Act of 1986 (42 U.S.C. 10901-10905) is repealed.

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

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

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

(2) in section 10963(b)(2), by striking subparagraph (G); and

(3) in section 10974(a)(6), by striking subparagraph (G).

(d) **NATIVE HAWAIIAN FAMILY-BASED EDUCATION CENTERS.**—Section 9205 of the Native Hawaiian Education Act (20 U.S.C. 7905) is repealed.

#### SEC. 604. EFFECTIVE DATES.

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

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

### 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.

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

(b) **PAYMENT TO STATE OFFICIAL TREATED AS SATISFACTION OF PLAN'S OBLIGATION.**—Section 609(a) of such Act (29 U.S.C. 1169(a)) is amended by adding at the end the following new paragraph:

"(9) **PAYMENT TO STATE OFFICIAL TREATED AS SATISFACTION OF PLAN'S OBLIGATION TO MAKE PAYMENT TO ALTERNATE RECIPIENT.**—Payment of benefits by a group health plan to an official of a State or a political subdivision thereof who is named in a qualified medical child support order in lieu of the al-

ternate recipient, pursuant to paragraph (3)(A), shall be treated, for purposes of this title, as payment of benefits to the alternate recipient."

(c) **EFFECTIVE DATE.**—The amendments made by this section shall be apply with respect to medical child support orders issued on or after the date of the enactment of this Act.

#### SEC. 702. AMENDMENT RELATING TO SECTION 381 OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

(a) **CLARIFICATION OF EFFECT OF ADMINISTRATIVE NOTICES.**—Section 609(a)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1169(a)(2)(B)) is amended by adding at the end the following new sentence: "For purposes of this subparagraph, an administrative notice which is issued pursuant to an administrative process referred to in subclause (II) of the preceding sentence and which has the effect of an order described in clause (i) or (ii) of the preceding sentence shall be treated as such an order."

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

#### SEC. 703. AMENDMENTS RELATING TO SECTION 382 OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996.

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

(1) in subparagraph (C), by striking ", and" and inserting a period; and

(2) by striking subparagraph (D).

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to medical child support orders issued on or after the date of the enactment of this Act.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. SHAW] and the gentleman from Michigan [Mr. LEVIN] each will control 20 minutes.

The Chair recognizes the gentleman from Florida [Mr. SHAW].

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased today to rise in support of H.R. 1048, the Welfare Reform Technical Corrections Act of 1997. Last year Congress passed and the President signed a new welfare law that substantially reformed the Nation's welfare policy, including Federal programs providing cash welfare, child care, child support and disability payments and welfare for noncitizens. That comprehensive legislation also included a provision requiring the Secretary of Health and Human Services and the Commissioner of Social Security to submit to Congress a detailed proposal for making technical corrections and conforming amendments to this law. The goal was to produce legislation that would facilitate the implementation of the new national welfare reform policy in the simplest, most sensible way. Thus we have the bill before us today.

My motion also includes a minor change since the Committee on Ways and Means acted. This change is necessary to address the concerns of ap-

propriations and budget committees with section 214 of the bill regarding payments to the prisoners.

I understand that the minority is fully advised of this amendment and has no objection to that.

There is little in this bill that is flashy or that rises above the truly technical. In fact, most changes would either correct or clarify the law by changing cross-references or correcting grammatical or format errors. Nonetheless, this is an important legislative product for several reasons:

First, it is the result of cooperation between the administration, the Congress and the States. Most provisions of this bill stem from requests made by the administration and the States who are charged with swiftly and efficiently implementing the new welfare programs in accordance with new Federal law.

Second, this bill is thoroughly bipartisan. One of the basic ground rules used in crafting this bill is that if any side, House Republicans, House Democrats, Senate Republicans, Senate Democrats or the Clinton administration, objected to a provision, it would not be included in this bill. As a result, both the subcommittee and the full committee voted in favor of this legislation unanimously. I suspect that we will have a similar vote here on the floor today.

Finally, this effort shows that all sides want to make welfare reform work. Either side could have derailed the process at any time along the way, and this so-far-friendly process could still be halted in the Senate. But for today the interests of making the new law work have won out over partisanship and grandstanding.

Mr. Speaker, let me say a word about what is not in this bill, and it is not in this bill by design. This bill is not a vehicle to reopen the debate over fundamental welfare reform changes. These issues are settled, and all parties crafting this legislation accepted that fact at least for the moment. This legislation makes many changes that will allow welfare reform to work better, which is everybody's goal. While the changes made here are quite minor, this bill represents Congress at its best, fostering cooperation with the States, working in a bipartisan fashion and producing changes that make Government more efficient in its services to the people that we all serve.

I urge all Members to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. LEVIN. Mr. Speaker, I yield myself such time as I may consume.

Today we are considering the Welfare Reform Technical Corrections Act of 1997. This legislation will correct technical problems that impact implementation of the Personal Responsibility and Work Opportunity Reconciliation Act.

Last year's bill carried out significant changes in the structure of our

Nation's welfare system. As we all know, it is inevitable when we pass comprehensive legislation that we must go back and correct technical errors. The basis of this bill began with a list of recommended corrections submitted by the administration early in the year. From the outset, the process of formulating this bill was always open. States, municipalities and advocacy groups contributed extensively to the process to ensure that this bill clears up any ambiguities due to drafting errors or oversight.

By agreement among Republicans and Democrats on the committee, as mentioned by the distinguished chairman of the subcommittee, this bill only addresses strictly technical problems which have been identified since the bill's passage. Each of the measures in this bill is technical in nature and does not change the substance of the new law. If a proposed change was considered substantive or controversial by either Republicans or Democrats, it was not included in this legislation.

For example, the bill clarifies that Social Security benefits are denied to prison inmates and prohibits them from receiving Old Age Disability Insurance benefits. The bill also clarifies the sharing of the 35-hour work requirement and the provision for child care in cases of two-parent families who must work a combined 35 hours plus 20 hours, or 55 hours, per week to be counted toward meeting the work requirement.

Another example, the bill also extends until February 22, 1998, the deadline for the Social Security Administration to determine the eligibility of children for certain benefits and gives States an additional 3 months to submit their biennial welfare plans.

The noncontroversial nature of these corrections is reflected in the committee vote. The Welfare Reform Technical Corrections Act passed the Committee on Ways and Means unanimously, 33 to zero. All Members, those who voted for the Personal Responsibility and Work Opportunity Act and those who did not, supported this technical corrections legislation.

There are still substantive issues regarding the Personal Responsibility and Work Opportunity Reconciliation Act which very much need bipartisan attention. I would cite as examples disability benefits for elderly legal immigrants and certain food stamp benefits. Negotiations on these matters are taking place within the context of budget discussions. This bill was not the intended vehicle for these outstanding concerns.

This bill represents the culmination of a long process. I would like to thank the gentleman from Florida [Mr. SHAW], chairman of the Subcommittee on Human Resources, for the manner in which this bill was handled from beginning to end.

The staff also did an exemplary job in working together to keep the bill technical in nature, and the staff on both

sides of the aisle is here with us this afternoon.

Finally, the administration should be commended for the stellar job done in assembling the technical corrections that form the basis of this bill, specifically the Department of Health and Human Services and the Social Security Administration.

Throughout this process, we have put aside our differences and focused on crafting a truly technical bill. In this spirit, as was true in the Committee on Ways and Means by unanimous vote, I urge my colleagues on both sides of the aisle to support this necessary technical correction legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. SHAW. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. DELAY].

Mr. DELAY. Mr. Speaker, I rise in support of this important legislation and I commend the gentleman from Texas [Mr. ARCHER] and the gentleman from Florida [Mr. SHAW] for bringing it to the floor.

Last year, when the Congress passed comprehensive welfare reform, the United States took a giant step in the right direction. By providing incentives for able-bodied Americans to leave welfare and move to private sector employment, we have given these Americans a chance to realize the American dream. But, Mr. Speaker, the administration has not received the message.

The hallmark of our welfare reform law is flexibility. Give the States the ability to design their own systems to give people a hand up, not just a hand-out, and the States will be more successful than the Federal Government has been in bringing and making welfare work for the American people. This has proven to be the case in State after State, places like Wisconsin and Michigan.

My home State of Texas wants to have that chance to help its people in ways unique to Texas. Texas has petitioned the Federal Government to approve its innovative welfare reform proposal. This proposal includes commonsense ideas such as one-stop benefits centers so that people who are on welfare do not have to waste time traveling from one center to another to collect benefits. This is a commonsense proposal and would save the American taxpayers millions of dollars while giving the welfare recipients more time to look for a job.

Unfortunately, the administration has refused to give Texas the flexibility it needs to implement this program. Texas has met every requirement asked of it by the Federal Government since last July when it first started the approval process. Still, the administration has not granted full approval. Without that approval, Texas cannot implement its program of getting people off of welfare and putting them to work.

So, Mr. Speaker, I urge the administration to stop stonewalling and give

Texas a chance to move ahead with real welfare reform. What is good for the rest of the country should be good for the great State of Texas.

Mr. LEVIN. Mr. Speaker, I yield myself 30 seconds.

Let me just say in response to the gentleman from Texas [Mr. DELAY] that this matter is really not within the purview of this technical corrections bill. The administration is considering this matter and is taking time to make sure that it arrives at an appropriate answer.

Mr. Speaker, I yield 2½ minutes to the distinguished gentlewoman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY of Connecticut. Mr. Speaker, I thank the gentleman from Florida [Mr. SHAW] and the gentleman from Michigan [Mr. LEVIN] for their hard work. I know that there are some who might say there is more interesting work than technical corrections but nothing is more important across this country to people who really do not know exactly what is said in the statute and, therefore, have to interpret it and live by it. So I really thank these gentlemen for the hard work that they have done so that people could understand exactly what is expected of them and they can carry out their duties as they should.

I also as a ranking Democrat on the Subcommittee on Social Security am pleased to rise in support of this bill that has been so well crafted. The legislation includes several technical and miscellaneous changes related to Social Security. These changes clarify certain effective dates, extend demonstration project authority and improve the law which denies Social Security benefits to prisoners.

Mr. Speaker, some years ago we passed legislation denying Social Security benefits to incarcerated criminals. However, for some reason it has been difficult to get local jails and other institutions to notify the Federal Government they have custody of such inmates. As a result, the law's implementation has been somewhat spotty.

This legislation would provide a financial incentive for such reporting. I am hopeful that such an incentive will be effective in stopping benefits payments in a timely fashion.

□ 1430

Another provision of this bill would facilitate the implementation of voluntary tax withholding of Social Security benefits. The technical correction would remove an impediment to an already enacted law permitting this withholding. The law should have been effective in January of this year but the Social Security Act prohibits assignment of Social Security benefits.

Today's technical correction will eliminate the inconsistency between those two laws and allow the voluntary withholding to go forward. Many people have contacted many Members of the Congress urging swift enactment of this technical correction, and this will clarify exactly what can happen.

I expect we will find many beneficiaries who are anxious to utilize this option. I urge my colleagues to vote for this bill. I really thank the gentleman from Florida [Mr. SHAW] and the gentleman from Michigan [Mr. LEVIN] for the time and effort they have given to bringing this to the floor, and I am very glad to associate myself with it.

Mr. LEVIN. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. MEEHAN].

Mr. MEEHAN. Mr. Speaker, I thank my colleague, the gentleman from Michigan [Mr. LEVIN], for yielding me the time and I rise today in support of H.R. 1048, the Welfare Reform Technical Corrections Act.

Incorporated in this bipartisan legislation is a provision that statutorily denies Social Security benefits to a group of individuals who have been convicted of serious sex crimes. This provision is based on H.R. 237, a bill that I drafted in response to an expose by investigative reporter Joe Bergantino of WBZ in Boston.

Mr. Chairman, in 1994 Congress amended the Social Security Act to close a host of loopholes which enabled prisoners and other dangerous individuals to receive Social Security benefits while incarcerated. Congress' intent was clear: Social Security benefits were denied on the grounds that these dangerous individuals sentenced to cost-free living in government institutions should not receive additional benefits.

This was not a punitive action, Mr. Speaker, but a simple recognition that in an era of limited resources, prisoners and other dangerous individuals should not be able to double dip.

By and large, the law succeeded. However, it had one glaring loophole. In at least 7 States, including the Commonwealth of Massachusetts, there have been a number of sexual offenders who have been committed civilly to various institutions, usually upon completion of a criminal sentence. These individuals are currently eligible for Social Security benefits because they do not technically fit into a specific classification under the 1994 law.

In Massachusetts, at Bridgewater Treatment Center, for example, there are about 20 men there, hardened sexual offenders, who receive more than \$10,000 a month in benefits.

It is an outrage that some of the most dangerous criminals in society continue to receive payments at a cost to hard-working Americans. Today, by passing this bill, we can close a huge loophole that has been long overdue and send a message to prisoners still collecting Social Security benefits. The message is: Your benefits are denied.

I want to thank my colleagues on the Committee on Ways and Means, particularly the gentleman from Massachusetts, Mr. RICHARD NEAL, and the gentlewoman from Connecticut, Mrs. BARBARA KENNELLY, for their work on this legislation, and I strongly urge support of H.R. 1048.

Mr. LEVIN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SHAW. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my colleague from Michigan for his tremendous work and cooperation. This could have developed into a circus, knowing of some of the controversies within welfare reform, but the Members all chose to be very professional and see this go through and go through in a very smooth way.

I would also like to thank the staff of the administration as well as the minority and the majority here in the House. To craft a technical corrections bill of this size is quite a job, and quite a laborious job to come through the legislation and find things that need adjustment, fine-tuning and correction, and take care of that. For that I am very appreciative to all of our staffs for having done so.

I also appreciate the cooperation we received from the Committee on Education and the Workforce, from the gentleman from Pennsylvania [Mr. GOODLING], and the gentleman from Arizona [Mr. STUMP], of the Committee on Veterans' Affairs, in cooperating in their jurisdiction within this bill.

Mr. Speaker, I include for the RECORD at this time a letter from the gentleman from Pennsylvania and the gentleman from Arizona as well.

COMMITTEE ON EDUCATION  
AND THE WORKFORCE,  
Washington, DC, April 25, 1997.

Hon. NEWT GINGRICH,  
Speaker, U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: I am writing regarding H.R. 1048, the Welfare Reform Technical Corrections Act of 1997 and have no objection to this bill being scheduled for consideration. The bill was introduced by Rep. Clay Shaw and was referred additionally to the Committee on Education and the Workforce. The Committee on Ways and Means ordered the bill favorably reported on April 23, 1997. While the bill includes amendments that affect programs within the jurisdiction of this Committee, specifically the Mandatory Work Requirements of Title I and the Child Care Provisions of Title VI, I do not intend to call a full Committee meeting to consider this bill; however, the Committee does hold an interest in preserving its jurisdiction with respect to issues raised in the bill and its jurisdictional prerogatives in future legislation should the provisions of this bill be considered in a conference with the Senate.

Additionally, I would indicate that I am currently working with Chairman Archer to include a technical amendment to the Employment Retirement Income Security Act (ERISA), during Floor consideration; this amendment is solely within the jurisdiction of the Committee on Education and the Workforce.

I thank you for your attention to this matter and look forward to swift passage of H.R. 1048.

Sincerely,

BILL GOODLING,  
Chairman.

COMMITTEE ON VETERANS' AFFAIRS,  
U.S. HOUSE OF REPRESENTATIVES,  
Washington, DC, April 28, 1997.

Hon. BILL ARCHER,  
Chairman, Committee on Ways and Means,  
Washington, DC.

DEAR BILL: Thanks for working with me and the Department of Veterans Affairs to straighten out the few problems which had arisen with the payment of veterans benefits and the operation of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA). I understand that the Welfare Reform Technical Corrections Act of 1997 addresses all of our concerns about the possible interruption of payment of veterans benefits as a result of technical defects in the Act. We very much appreciate your staff's willingness to get these issues worked out.

Sincerely,

BOB STUMP,  
Chairman.

Mr. GOODLING. Mr. Speaker, I am pleased to support H.R. 1048, the Welfare Reform Technical Corrections Act of 1997. This legislation makes a number of technical and clarifying amendments to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996—the welfare reform law—that Congress passed and President Clinton signed last year.

I want to emphasize that these amendments are technical and clarifying in nature and do not change or undercut the important reforms of welfare that we made last year.

A number of the provisions in H.R. 1048 fall within the jurisdiction of the Committee on Education and the Workforce. Our committee has worked very closely with the Ways and Means Committee in putting this bill together, and I want to thank Chairman Archer and Chairman Shaw and their staffs for working with us in this process and accommodating our concerns along the way.

I want to particularly highlight provisions that fall within the jurisdiction of the Committee on Education and the Workforce regarding mandatory work requirements in section 105, child care provisions in title VI, and ERISA amendments relating to medical child support orders in title VII.

In the area of mandatory work requirements, H.R. 1048 makes the following technical and clarifying changes:

First, it allows States to count 2-parent families in which one parent is disabled as a 1-parent family for purposes of calculating the State work participation rate.

Second, it clarifies that States may exclude persons covered by a tribal work program from their calculation of work participation rates.

Third, it allows States flexibility in counting the ours of work by each parent in 2-parent families.

Fourth, it amends the conditions under which States may count up to 12 weeks of job search as meeting work participation requirements to better reflect the type of economic conditions that were intended by that provision of the welfare reform law.

Fifth, it addresses the work participation rate requirements for caretaker relatives for children under age 6 and makes those requirements consistent with those for parents.

Sixth, it clarifies language regarding the qualifying number of hours for teenage head of households.

In the area of child care, H.R. 1048 makes a number of drafting clarifications to the funding allocation language of the welfare reform

law. In addition, H.R. 1048 repeals the authorization for four narrowly targeted child care programs which we had intended to repeal as part of the welfare reform law, and as part of the consolidation of child care programs in that law. Because of the rules of the Senate, the provisions to repeal these programs were dropped from last year's welfare reform law, but are now included in this bill.

Finally, title VII of H.R. 1048 contains four changes to the Employee Retirement Income Security Act [ERISA], each of which relate to medical child support orders.

Section 701(a) allows the name and mailing address of an official of a State or political subdivision to be substituted for the mailing address of an "alternate recipient" who is the custodial parent of a child covered under an ERISA group health plan. Section 701(b) allows an ERISA group health plan to make payment of benefits to an official of a State or political subdivision who is named in a qualified medical child support order. Together, these two provisions will facilitate the payment of benefits to the appropriate party and maintain confidentiality of information, particularly in the case of child abuse.

Section 702 clarifies that an administrative notice which is issued in an administrative process in connection with a qualified medical child support order shall have the same effect as the order itself. This will facilitate the payment of benefits to the appropriate party on a timely basis and without having to seek a new court order.

Section 703 deletes a requirement that a qualified medical child support order must contain the name of every plan to which the order applies. This will facilitate the time application of such an order when coverage changes from plan to plan.

Mr. Speaker, I believe that these are all good changes which help clarify the welfare reform law and will help the States implement that very important law. I urge my colleagues to join in support of this legislation.

Mr. DOOLEY of California. Mr. Speaker, as the House debates H.R. 1048, I rise today to express my continuing concern regarding the negative impact of the welfare reform bill on the Hmong veterans who served along with our soldiers during the Vietnam war. I am pleased that the bill before us today recognizes the importance of this issue. However, the sense of Congress language does not go far enough to address the real need facing the Hmong community. I believe that every possible effort must be made to restore the benefits that were promised to these veterans.

I agree that reform of the welfare system was necessary as a means to facilitate the transition from welfare to work and to encourage greater self-sufficiency for able-bodied adults. However, the legislation enacted last year will adversely affect the Hmong people of Laos who deserve special consideration because they cooperated and sacrificed for our Government and its Armed Forces during the Vietnam war.

Because of a provision in the welfare reform law, legal residents, with a few exceptions, are ineligible to receive SSI. As a result, many of the elderly and disabled Hmong veterans and their dependents will be discontinued from the SSI program by August 22, 1997.

During the Vietnam war, many of the Hmong people worked for our intelligence and Special Forces groups. It is wrong to abandon

these men and women who served as valuable allies to us during the Southeast Asian conflict.

Though not classified as veterans by our Government, the Hmong of Laos were engaged in covert operations directed by the Central Intelligence Agency. Since many served in non-uniformed units, it remains uncertain if "veteran" status can be proved. These Special Forces teams aided our efforts tremendously during the Southeast Asian conflict, but, at great cost and personal loss to themselves. Many of the Hmong lost their lives. They suffered innumerable casualties, and lost their homeland to Communist forces. After the war, the Hmong were forced to live in refugee camps, many in substandard conditions, and were later brought to our country as political refugees.

The process of assimilation to the United States has been especially difficult for the Hmong. One major setback for many, is that their command of the English language is insufficient to successfully complete the naturalization process. This is partly because, up until the 1950's, the Hmong did not have a written language, which has made learning to speak, read, and write the English language extremely difficult. Further, the English-learning process has been stymied by the high rate of illiteracy among the Hmong in their own native language. Educational opportunities in their homeland, for the majority of the Hmong who were brought to the United States as political refugees, were seriously undermined as a result of the war-ravaged years in Laos.

Aside from limited educational and work opportunities in the United States, the Hmong must overcome many other obstacles during their assimilation and adjustment process. First, many Hmong who survived the war are afflicted with physically-disabling conditions and mental disabilities such as post-traumatic stress syndrome. Second, they must adjust to a set of very different cultural practices and norms. Finally, the Hmong are subject to discrimination and prejudice in their new environment.

Mr. Speaker, today we are taking a first step toward restoring benefits to this deserving group. It is imperative that we follow through on the statement in the bill today and ensure further legislative action is taken. I am committed to working with the committee to develop a workable solution to this problem. The Hmong, who sacrificed much to fight by our Nation's side during the Vietnam war, should not be forgotten.

WAXAO XIONG

HMONG, AGE 70

Waxao served as a U.S. recruited soldier in the Luangprabang area of Laos beginning in 1964. Because of his leadership in the war, he was a special target of the communists in Laos. He ran for his life, narrowly escaping capture, but leaving behind his wife, mother and father in Laos. In 1987 he received a special reward for his exemplary military service in partnership with the United States.

Now he says he wants very much to be a citizen of the United States, especially because he was a leader in fighting against the communists for the U.S. "I want to work to help this country, but I don't speak English. I went to adult school for one year. Now I am studying in English and citizenship classes in my apartment complex, but learning is so slow. I do not know how I can pass the test."

LOR VANG

HMONG, AGE 74

Lor was once a well respected mayor of his village in Laos. Although Lor and his family had little formal education, he nevertheless owned and worked their own land. During the Vietnam War four of his six children and his parents were killed. Following the war he lived for 13 years in two refugee camps in Thailand and arrived in the United States in 1989 at age 66.

Now, through tears, he grieves his losses and wonders how American friends can assist him now. In Laos he was able to support his family, but arriving in the U.S. with no skills and no knowledge of English made him totally dependent on others. "The U.S. has been very good. But I had little education in Laos, and it is hard to learn English here. Because I can't pass the citizenship test, I am thinking about killing myself."

PAO DOUA VANG

HMONG, AGE 79

Pao Doua Vang served as a soldier allied with the United States in Laos during the Vietnam War from 1960-1975. His two sons served in the military as well, including one son who was only 13 when he was killed in battle. Pao was shot in the head by Communist soldiers and lost most of his hearing due to this injury. He also has a metal plate in his head from a bomb blast (although he does not remember the blast). He arrived in the United States in 1983 with his wife and daughters to live with his sister-in-law.

Due to the death of his mother and father when he was very young, Pao never had an opportunity to go to school. Through tears Pao says, "I have lost hope in my old country. Now America is my country and hope. My children are citizens. I want to be a citizen too—but I have failed the English part of the test. If I am not a citizen, I have no future. Please help. My family is doing all they can, but they have their own problems and not very much money. Please don't let welfare reform happen to me."

Mr. STENHOLM. Mr. Speaker, I rise in support of this bill. The welfare reform legislation enacted last year was a major step in the right direction of improving the welfare system, but all of us who supported this bill knew that it wasn't perfect and that we needed to continue to strengthen this bill. I want to commend Chairman Shaw for his sincere commitment to doing the hard work necessary to make sure welfare reform legislation works the way that we intended.

One of the key features of the welfare reform bill was the principle that States should be allowed to try innovative approaches to improve the welfare system. In that vein, I would like to take this opportunity to encourage the administration to approve the waiver allowing Texas to proceed with soliciting bids for the Texas Integrated Enrollment System.

The Texas Integrated Enrollment System would allow private vendors to compete with public agencies for a contract to develop and operate an integrated enrollment system. The Texas Legislature determined that a private contractor, working in partnership with a public agency, might be able to make the transition to a integrated process more efficiently than the current structure and achieve savings that could be used to assist needy individuals more directly.

I don't know if that assumption is correct. Some of my colleagues have raised valid concerns about the impact that privatization would have on the welfare system. I have some reservations myself about whether privatizing the

welfare eligibility system makes sense. But we are not debating whether or not privatization is a good idea. All we are debating—or at least all we should be debating—is whether Texas should be allowed to explore the options of allowing private contractors to administer a part of the welfare system. It is not possible for anyone to know what impact privatization will have until the bids are submitted. I would say to those who oppose privatization as well as those who support privatization: Let's wait and see what proposals are made for privatization before we jump to a conclusion either way.

Injecting some competition into this process will produce a welfare system that is better for welfare recipients and taxpayers. I would hope that those who oppose privatization will put their energy into improving the current system instead of trying to prevent any competition.

Approving the Texas waiver request does not necessarily mean that Texas will privatize any part of the welfare system. The Federal Government still must approve any contract with a private company before any privatization can become final. We should wait until we see the proposals from private companies before we decide whether or not privatization makes sense. We can't honestly debate the merits of privatization until we know the facts about what privatization will mean.

If the bids by private contractors don't adequately address the concerns that have been raised about the impact that privatization will have on individuals applying for assistance and on the current employees, or if the public sector can demonstrate that they can administer welfare programs more efficiently and effectively than any of the private contractors, I will be the first to argue that we shouldn't go forward with privatization.

I regret that this issue has become so politicized. I would urge all parties involved to cool our rhetoric and try to work together to find a way to allow Texas to explore this option while providing safeguards against the concerns we all share. I know Governor Bush and Commissioner McKinney are committed to finding a constructive solution, and believe that the administration is willing to work with them as well. I hope that they will continue their dialog to find a solution that will allow Texas to move forward with this proposal.

Mr. VENTO. Mr. Speaker, I rise today in support of the move to make technical corrections to the welfare reform law, H.R. 1048. Although I was hopeful that the measure would include provisions to exempt Hmong veterans from benefit restrictions, I am pleased that the sense of Congress was included in the amendments offered. This sense of Congress would recognize the service of thousands of Hmong and other Highland Lao veterans who fought in special guerrilla units on behalf of the United States during the Vietnam war. I would also state that Congress should approve legislation for the purpose of continuing certain welfare benefits for these Hmong and Highland Lao veterans and their families based on their service to the United States.

I believe that we must go further than this sense of Congress language to recognize the service of the Lao Hmong, however, this is an important step in the process of honoring the sacrifice of the Hmong patriots. The Hmong stood by the United States at a crucial time in our history; now we have an opportunity to repay that loyalty. Many of those who survived and made it to the United States are sepa-

rated from other family members and are having a difficult time adjusting to life here.

I worked to include language in this bill that would make the treatment of Hmong veterans commensurate with that of other aliens who served in United States regular military forces. While this provision was not included, I am encouraged that this sense of Congress has bipartisan support and expresses a shared intent to amend this matter and am hopeful that this issue will be resolved in the near future to avert the August 1997 deadline. The loss of benefits to these legal immigrants that can't pass an English language test is unfair and works a special hardship on the Hmong, refugees and asylees nationally.

Mr. RADANOVICH. Mr. Speaker, I am pleased that the House of Representatives approved the passage of H.R. 1048, the Welfare Technical Corrections Act of 1997, which I supported. The bill makes a number of technical corrections to the 104th Congress' historic welfare reform bill.

I want to draw particular attention to section 407 of the bill. This section provides for:

...the sense of the Congress that Hmong and other Highland Lao veterans who fought on behalf of the Armed Forces of the United States during the Vietnam conflict and have lawfully been admitted to the United States for permanent residence should be considered veterans for purposes of continuing certain welfare benefits consistent with the exceptions provided other noncitizen veterans under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

The Hmong share a unique historic link with the United States and our objectives in the Vietnam war. It is because of their valiant service that these people deserve our concentrated attention. I want to thank Human Resources Subcommittee Chairman SHAW, Congressman KLECZKA, Congressman RAMSTAD, and the remaining members of the Ways and Means Committee for including this important language in the bill. I am pleased that my communication with the committee has in some measure contributed to raising awareness about the Hmong and their unique situation.

#### GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include therein extraneous material on H.R. 1048.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SHAW. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida [Mr. SHAW] that the House suspend the rules and pass the bill, H.R. 1048, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ADVISING MEMBERSHIP OF ISRAELI PRIME MINISTER NETANYAHU ADDRESS ON HOUSE CABLE TV

(Mr. GILMAN asked and was given permission to address the House for 1 minute.)

Mr. GILMAN. Mr. Speaker, permit me to take this opportunity to inform my colleagues of arrangements I have made for them to be able to view a major speech of Israeli Prime Minister Netanyahu on House cable channel 25.

Recently the Israeli Prime Minister addressed the membership of Voices United for Israel, an organization dedicated to a secure Israel, comprised of more than 200 Christian and Jewish organizations representing 40 million people across our Nation. Based on the attendance of that event, it is obvious that support for a strong United States-Israeli relationship can be found throughout our Nation.

Accordingly, I have arranged for the Prime Minister's remarks to be broadcast on our House cable channeling, channel 25, this Wednesday, April 30, and Thursday, May 1, at both 10 a.m. and 2 p.m. on both days, and have sent out a "Dear Colleague" letter to each Member of the House advising them of this event.

Mr. Speaker, I hope our Members and their staff will take the opportunity to view this important speech. It was well received and I highly recommend it.

#### EXPIRING CONSERVATION RESERVE PROGRAM CONTRACTS

Mr. SMITH of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1342) to provide for a 1-year enrollment in the conservation reserve of land covered by expiring conservation reserve program contracts, as amended.

The Clerk read as follows:

H.R. 1342

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. ONE-YEAR ENROLLMENT OF LAND COVERED BY EXPIRING CONSERVATION RESERVE PROGRAM CONTRACTS.

(a) ELIGIBLE FARM LANDS.—This section applies with respect to a farm containing land covered by a conservation reserve program contract expiring during fiscal year 1997 if—

(1) the farm had a crop acreage base for wheat, oats, or barley at the time the conservation reserve program contract was executed;

(2) the farm is located in an area in which fall-seeded crops are regularly planted, as determined by the Secretary of Agriculture;

(3) the owner of the farm (or the operator with the consent of the owner) submitted, during the enrollment period that ended on March 28, 1997, an eligible bid to enroll all or part of the land covered by the expiring contract in the conservation reserve established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.); and

(4) the land designated in the bid satisfies the eligibility criteria in effect for enrollment of land in the conservation reserve.