

112TH CONGRESS
1ST SESSION

H. R. 3659

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2011

Mr. PAULSEN (for himself, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. SCHOCK, and Mrs. BLACK) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Welfare Integrity and
5 Data Improvement Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Extension of program.
- Sec. 4. Data standardization.

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

Sec. 6. Technical corrections.

1 **SEC. 3. EXTENSION OF PROGRAM.**

2 (a) FAMILY ASSISTANCE GRANTS.—Section
3 403(a)(1) of the Social Security Act (42 U.S.C. 603(a)(1))
4 is amended—

5 (1) in subparagraph (A), by striking “ each of
6 fiscal years 1996” and all that follows through
7 “2003” and inserting “fiscal year 2012”;

8 (2) in subparagraph (B)—

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

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

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

17 (b) HEALTHY MARRIAGE PROMOTION AND RESPON-
18 SIBLE FATHERHOOD GRANTS.—Section 403(a)(2)(D) of
19 such Act (42 U.S.C. 603(a)(2)(D)) is amended by striking
20 “2011” and inserting “2012”.

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

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

4 (2) in subparagraph (B)(ii)—

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

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

9 (d) TRIBAL GRANTS.—Section 412(a) of such Act
10 (42 U.S.C. 612(a)) is amended in each of paragraphs
11 (1)(A) and (2)(A) by striking “each of fiscal years 1997”
12 and all that follows through “2003” and inserting “fiscal
13 year 2012”.

14 (e) STUDIES AND DEMONSTRATIONS.—Section
15 413(h)(1) of such Act (42 U.S.C. 613(h)(1)) is amended
16 by striking “each of fiscal years 1997 through 2002” and
17 inserting “fiscal year 2012”.

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

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

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

5 (i) PREVENTION OF DUPLICATE APPROPRIATIONS
6 FOR FISCAL YEAR 2012.—Expenditures made pursuant
7 to the Short-Term TANF Extension Act (Public Law
8 112–35) or section 403(b) of the Social Security Act for
9 fiscal year 2012 shall be charged to the applicable appro-
10 priation or authorization provided by the amendments
11 made by this section for such fiscal year.

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

15 **SEC. 4. DATA STANDARDIZATION.**

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

19 “(d) DATA STANDARDIZATION.—

20 “(1) STANDARD DATA ELEMENTS.—

21 “(A) DESIGNATION.—The Secretary, in
22 consultation with an interagency work group
23 which shall be established by the Office of Man-
24 agement and Budget, and considering State
25 and tribal perspectives, shall, by rule, designate

1 standard data elements for any category of in-
2 formation required to be reported under this
3 part.

4 “(B) REQUIREMENTS.—In designating the
5 standard data elements, the Secretary shall, to
6 the extent practicable—

7 “(i) ensure that the data elements are
8 nonproprietary and interoperable;

9 “(ii) incorporate interoperable stand-
10 ards developed and maintained by an inter-
11 national voluntary consensus standards
12 body, as defined by the Office of Manage-
13 ment and Budget, such as the Inter-
14 national Organization for Standardization;

15 “(iii) incorporate interoperable stand-
16 ards developed and maintained by inter-
17 governmental partnerships, such as the
18 National Information Exchange Model;
19 and

20 “(iv) incorporate interoperable stand-
21 ards developed and maintained by Federal
22 entities with authority over contracting
23 and financial assistance, such as the Fed-
24 eral Acquisition Regulatory Council.

25 “(2) DATA REPORTING STANDARDS.—

1 “(A) DESIGNATION.—The Secretary, in
2 consultation with an interagency work group es-
3 tablished by the Office of Management and
4 Budget, and considering State and tribal per-
5 spectives, shall, by rule, designate standards to
6 govern the data reporting required under this
7 part.

8 “(B) REQUIREMENTS.—In designating the
9 data reporting standards, the Secretary shall, to
10 the extent practicable, incorporate existing non-
11 proprietary standards, such as the eXtensible
12 Business Reporting Language. Such standards
13 shall, to the extent practicable—

14 “(i) incorporate a widely-accepted,
15 nonproprietary, searchable, computer-read-
16 able format;

17 “(ii) be consistent with and implement
18 applicable accounting principles; and

19 “(iii) be capable of being continually
20 upgraded as necessary.”.

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

1 **SEC. 5. SPENDING POLICIES FOR ASSISTANCE UNDER**
2 **STATE TANF PROGRAMS.**

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

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

8 “(A) IN GENERAL.—A State to which a
9 grant is made under section 403 shall maintain
10 policies and practices as necessary to prevent
11 assistance provided under the State program
12 funded under this part from being used in any
13 electronic benefit transfer transaction in—

14 “(i) any liquor store;

15 “(ii) any casino, gambling casino, or
16 gaming establishment; or

17 “(iii) any retail establishment which
18 provides adult-oriented entertainment in
19 which performers disrobe or perform in an
20 unclothed state for entertainment.

21 “(B) DEFINITIONS.—For purposes of sub-
22 paragraph (A)—

23 “(i) LIQUOR STORE.—The term ‘liq-
24 uor store’ means any retail establishment
25 which sells exclusively or primarily intoxi-
26 cating liquor. Such term does not include

1 a grocery store which sells both intoxi-
2 eating liquor and groceries including staple
3 foods (within the meaning of section 3(r)
4 of the Food and Nutrition Act of 2008 (7
5 U.S.C. 2012(r))).

6 “(ii) CASINO, GAMBLING CASINO, OR
7 GAMING ESTABLISHMENT.—The terms ‘ca-
8 sino’, ‘gambling casino’, and ‘gaming es-
9 tablishment’ do not include a grocery store
10 which sells groceries including such staple
11 foods and which also offers, or is located
12 within the same building or complex as, ca-
13 sino, gambling, or gaming activities.

14 “(iii) ELECTRONIC BENEFIT TRANS-
15 FER TRANSACTION.—The term ‘electronic
16 benefit transfer transaction’ means the use
17 of a credit or debit card service, automated
18 teller machine, point-of-sale terminal, or
19 access to an online system for the with-
20 drawal of funds or the processing of a pay-
21 ment for merchandise or a service.”.

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

1 “(16) PENALTY FOR FAILURE TO ENFORCE
2 SPENDING POLICIES.—

3 “(A) IN GENERAL.—If, within 2 years
4 after the date of the enactment of this para-
5 graph, any State has not reported to the Sec-
6 retary on such State’s implementation of the
7 policies and practices required by section
8 408(a)(12), or the Secretary determines, based
9 on the information provided in State reports,
10 that any State has not implemented and main-
11 tained such policies and practices, the Secretary
12 shall reduce, by an amount equal to 5 percent
13 of the State family assistance grant, the grant
14 payable to such State under section 403(a)(1)
15 for—

16 “(i) the fiscal year immediately suc-
17 ceeding the year in which such 2-year pe-
18 riod ends; and

19 “(ii) each succeeding fiscal year in
20 which the State does not demonstrate that
21 such State has implemented and main-
22 tained such policies and practices.

23 “(B) REDUCTION OF APPLICABLE PEN-
24 ALTY.—The Secretary may reduce the amount
25 of the reduction required under subparagraph

1 (A) based on the degree of noncompliance of
2 the State.

3 “(C) STATE NOT RESPONSIBLE FOR INDI-
4 VIDUAL VIOLATIONS.—Fraudulent activity by
5 any individual in an attempt to circumvent the
6 policies and practices required by section
7 408(a)(12) shall not trigger a State penalty
8 under subparagraph (A).”.

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

12 **SEC. 6. TECHNICAL CORRECTIONS.**

13 (a) Section 404(d)(1)(A) of the Social Security Act
14 (42 U.S.C. 604(d)(1)(A)) is amended by striking “subtitle
15 1 of Title” and inserting “Subtitle 1 of title”.

16 (b) Sections 407(c)(2)(A)(i) and 409(a)(3)(C) of
17 such Act (42 U.S.C. 607(c)(2)(A)(i) and 609(a)(3)(C))
18 are each amended by striking “403(b)(6)” and inserting
19 “403(b)(5)”.

20 (c) Section 409(a)(2)(A) of such Act (42 U.S.C.
21 609(a)(2)(A)) is amended by moving clauses (i) and (ii)
22 2 ems to the right.

23 (d) Section 409(c)(2) of such Act (42 U.S.C.
24 609(c)(2)) is amended by inserting a comma after “appro-
25 priate”.

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

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