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113TH CONGRESS
1ST SESSION

H. R. 2729

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

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 2013

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

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A BILL

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

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 ''Housing Assistance Eligibility Verification Act of 2013''.

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

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

"(12) INFORMATION COMPARISONS FOR USDA HOUSING ASSISTANCE PROGRAMS.—

"(A) FURNISHING OF INFORMATION BY SECRETARY OF AGRICULTURE.—Subject to the provisions of this paragraph, the Secretary of Agriculture shall furnish to the Secretary, on such periodic basis as determined by the Secretary of Agriculture in consultation with the Secretary, information in the custody of the Secretary of Agriculture for comparison with information in the National Directory of New Hires, in order to obtain information in such Directory with respect to individuals (including tenants) who are applying for or participating in any housing program under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.), including the single family and multifamily housing programs.

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

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

"(C) DUTIES OF THE SECRETARY.—

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

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

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

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

"(i) for the purposes specified in subparagraph (B); and

"(ii) after removal of personal identifiers, to conduct analyses of the employment and income reporting of individuals described in subparagraph (B).

"(E) DISCLOSURE OF INFORMATION BY SECRETARY OF AGRICULTURE.—

"(i) PURPOSE OF DISCLOSURE.—The Secretary of Agriculture may make a disclosure under this subparagraph only for the purpose of verifying the employment and income of individuals described in subparagraph (A).

"(ii) DISCLOSURES PERMITTED.—Subject to clause (iii), the Secretary of Agriculture may disclose information resulting from a data match pursuant to this paragraph only to the owner of a property, the Inspector General of the Department of Agriculture, and the Attorney General in connection with the enforcement of em-

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

"(iii) CONDITIONS ON DISCLOSURE.—Disclosures under this paragraph shall be—

"(I) made in accordance with data security and control policies established by the Secretary of Agriculture and approved by the Secretary;

"(II) subject to audit in a manner satisfactory to the Secretary; and

"(III) subject to the sanctions under subsection (l)(2).

"(iv) ADDITIONAL DISCLOSURES.—

"(I) DETERMINATION BY SECRETARIES.—The Secretary of Agriculture and the Secretary shall determine whether to permit disclosure of information under this paragraph to persons or entities described in sub-

clause (II), based on an evaluation made by the Secretary of Agriculture (in consultation with and approved by the Secretary), of the costs and benefits of disclosures made under clause (ii) and the adequacy of measures used to safeguard the security and confidentiality of information so disclosed.

"(II) PERMITTED PERSONS OR ENTITIES.—If the Secretary of Agriculture and the Secretary determine pursuant to subclause (I) that disclosures to additional persons or entities shall be permitted, information under this paragraph may be disclosed by the Secretary of Agriculture to a private owner of a property and a management agent, in connection with the administration of a program described in subparagraph (A), subject to the conditions in clause (iii) and such additional conditions as agreed to by the Secretaries.

"(v) RESTRICTIONS ON REDISCLOSURE.—A person or entity to which information is disclosed under this subparagraph may use or disclose such information only as needed for verifying the employment and income of individuals described in subparagraph (A), subject to the conditions in clause (iii) and such additional conditions as agreed to by the Secretaries.

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

"(G) CONSENT.—The Secretary of Agriculture shall not seek, use, or disclose information under this paragraph relating to an individual without the prior written consent of such individual (or of a person legally authorized to consent on behalf of such individual).".

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

(1) in clause (viii), by striking the ''and'' at the end;

(2) in clause (ix), by striking the period at the end and inserting '', and''; and

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

''(x) any housing program under title V of the Housing Act of 1949 (42 U.S.C. 1471 et seq.).''.

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