

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1755
OFFERED BY MR. COMER OF KENTUCKY**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Timely and Accurate
3 Benefits Act”.

4 **SEC. 2. AVAILABILITY OF INFORMATION AND REQUIRE-**
5 **MENT FOR PROGRAM RECIPIENT ELIGI-**
6 **BILITY DETERMINATION AND PAYMENT**
7 **VERIFICATION INFORMATION PLANS IN**
8 **STATE ADMINISTERED PROGRAMS.**

9 (a) IN GENERAL.—Chapter 65 of title 31, United
10 States Code, is amended by adding at the end the fol-
11 lowing new section:

12 **“§ 6509. Availability of information and requirement**
13 **for program recipient eligibility deter-**
14 **mination and payment verification plans**
15 **in federally funded State administered**
16 **programs**

17 “(a) AVAILABILITY OF INFORMATION.—The Sec-
18 retary shall make the Do Not Pay system under section

1 3354 available to each State or local government that is
2 required to submit a plan under subsection (b) to assist
3 such State or local government in carrying out eligibility
4 determinations and payee verifications in accordance with
5 such plan.

6 “(b) REQUIREMENT FOR STATE PLANS FOR ELIGI-
7 BILITY DETERMINATIONS AND PAYEE VERIFICATION.—

8 “(1) IN GENERAL.—Each State or local govern-
9 ment that has received Federal funds for a covered
10 Federal benefit program shall—

11 “(A) not later than one year after the ef-
12 fective date of this section, or not later than
13 one year after receiving Federal funds for a
14 covered Federal benefit program if at the time
15 of the effective date of this section the State or
16 local government had not received such funds,
17 submit to the Secretary of the Treasury, the
18 Director of the Office of Management and
19 Budget, and any agency responsible for admin-
20 istering the covered Federal benefit program
21 (as determined by the Secretary of Treasury) a
22 plan for conducting eligibility determinations
23 and payee verifications with respect to such cov-
24 ered Federal benefit program;

1 “(B) in the case of a plan submitted by a
2 State that covers a program administered by a
3 local government—

4 “(i) demonstrate that the State has
5 meaningfully consulted with the local gov-
6 ernment in the development of the plan;
7 and

8 “(ii) include an assessment of capacity
9 of the local government implement the re-
10 quirements of the plan; and

11 “(C) update such plan not less than once
12 every three years thereafter.

13 “(2) CONTENTS OF PLAN.—Each plan under
14 paragraph (1)—

15 “(A) shall include—

16 “(i) a description of any policy, proc-
17 ess, system, or data asset determined nec-
18 essary by the State or local government to
19 conduct recipient eligibility determinations
20 and payee verifications prior to the pay-
21 ment or disbursement of Federal funds
22 (including to any subawardee or bene-
23 ficiary) in accordance with any applicable
24 law, regulation, policy, or procedure;

1 “(ii) an identification of any system
2 or data asset under clause (i) that is not
3 available to the State or local government;

4 “(iii) a plan to acquire or gain access
5 to any such system or data asset;

6 “(iv) in the case that the State or
7 local government determines that a legisla-
8 tive, policy, or programmatic change is
9 necessary to effectively administer the cov-
10 ered Federal benefit program, any rec-
11 ommendations or requests regarding such
12 change; and

13 “(v) fraud prevention goals specific to
14 the covered Federal benefit program; and

15 “(vi) with respect to updating the
16 plan under paragraph (1)(C), whether such
17 goals were achieved in implementing the
18 plan;

19 “(B) may include a request to the Sec-
20 retary of the Treasury for access to federally
21 maintained systems and data assets, in addition
22 to any system or data asset identified under
23 paragraph (A); and

24 “(C) shall include policies and processes to
25 ensure the following:

1 “(i) A valid social security number,
2 taxpayer identification number, employer
3 identification number, individual taxpayer
4 identification number, or payee ID number
5 is provided for each payee on the payment
6 voucher, as applicable.

7 “(ii) A payee is verified to not be de-
8 ceased, if the payment would be improper
9 if made to a deceased payee.

10 “(iii) The account number, if any,
11 provided on the payment voucher is held at
12 a financial institution and is open, valid,
13 and is associated with the payee or a valid
14 designee of the payee, as applicable.

15 “(iv) The financial status, household
16 income, enhanced gross income, earnings
17 data, or employment status of a payee, as
18 applicable to the eligibility requirements of
19 the program, is verified, which may include
20 using accurate and complete earning data
21 to make such verification.

22 “(3) RELATIONSHIP TO EXISTING STATE PLAN
23 REQUIREMENTS.—In the case that a State or local
24 government is required to submit another plan in
25 the same manner as is required under this sub-

1 section, and that other plan satisfies the require-
2 ments of this subsection, the plan required under
3 this subsection may be submitted as a supplement or
4 amendment to such other plan.

5 “(c) DEFINITIONS.—In this section:

6 “(1) ACCURATE AND COMPLETE EARNINGS
7 DATA.—The term ‘accurate and complete earnings
8 data’ means—

9 “(A) services incorporating automated,
10 real-time data matching and analytics to
11 proactively identify and verify potential in-
12 stances of unreported or underreported en-
13 hanced gross income, inconsistent income re-
14 porting, or other indicators of potential ineligi-
15 bility or improper payments; and

16 “(B) the ability to identify and consolidate
17 overlapping data to avoid double-counting of fi-
18 nancial records.

19 “(2) COVERED FEDERAL BENEFIT PROGRAM.—
20 The term ‘covered Federal benefit program’
21 means—

22 “(A) any program administered by the
23 Federal Government; or

24 “(B) any program administered by a State
25 or local government under which the State or

1 local government makes disbursements on be-
2 half of the Federal Government, by providing
3 assistance in the form of payments, grants,
4 loans, or loan guarantees to entities or individ-
5 uals using Federal funds.

6 “(3) ENHANCED GROSS INCOME.—The term
7 ‘enhanced gross income’ means—

8 “(A) wages, salaries, tips included and not
9 included on pay stubs, and other compensation
10 from all forms of employment, including tradi-
11 tional W-2 employment not provided by exist-
12 ing data sources, contract work, self-employ-
13 ment, and participation in the gig economy;

14 “(B) unemployment compensation;

15 “(C) Social Security benefits, including re-
16 tirement, disability, and survivor benefits;

17 “(D) Supplemental Security Income (SSI)
18 payments;

19 “(E) interest and dividends;

20 “(F) short-term and long-term rental in-
21 come;

22 “(G) royalties;

23 “(H) child support and alimony payments
24 received;

1 “(I) cash assistance from government pro-
2 grams;

3 “(J) regular or recurring gifts or contribu-
4 tions from individuals or organizations;

5 “(K) distributions from trusts or estates;

6 “(L) any other source of income, whether
7 taxable or non-taxable, that is available to the
8 individual or household to meet their needs, as
9 determined by the Secretary; and

10 “(M) other income identified and verified
11 through consumer-permissioned direct access to
12 deposit account transaction data.”.

13 (b) IMPLEMENTATION ASSESSMENT AGENCY RE-
14 PORTS.—Not later than two years after the date of the
15 enactment of this Act, each agency of the Federal Govern-
16 ment that administers a covered Federal benefit program
17 (as that term is defined in subsection (c) of section 6509
18 of title 31, United States Code (as added by subsection
19 (a)) shall submit to the Committee on Homeland Security
20 and Governmental Affairs of the Senate and the Com-
21 mittee on Oversight and Government Reform of the House
22 of Representatives, the Committees on Appropriations of
23 the House of Representatives and the Senate, the Director
24 of the Office of Management and Budget, the Secretary
25 of the Treasury, the Comptroller General, and the relevant

1 Inspector General of the agency, as applicable, a report
2 that—

3 (1) assesses the implementation of each plan
4 submitted under section 6509 of title 31, United
5 States Code, with respect to the covered Federal
6 benefit program; and

7 (2) includes and evaluates any legislative, pol-
8 icy, or programmatic recommendation or request
9 made in any such plan.

10 (c) CLERICAL AMENDMENT.—The table of contents
11 for chapter 65 of title 31, United States Code, is amended
12 by inserting after the item relating to section 6508 the
13 following:

“6509. Availability of information and requirement for program recipient eligi-
bility determination and payment verification plans in federally
funded State administered programs.”.

Amend the title so as to read: “A bill to amend title
31, United States Code, to make certain payment
verification information available to States, require States
to report a plan to enhance the accuracy and complete-
ness of payee eligibility determination data for federally
funded programs, and for other purposes.”.

