

104TH CONGRESS
1ST SESSION

H. R. 118

To eliminate certain welfare benefits with respect to fugitive felons and probation and parole violators, and to facilitate sharing of information with police officers.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. BLUTE introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Commerce, Agriculture, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To eliminate certain welfare benefits with respect to fugitive felons and probation and parole violators, and to facilitate sharing of information with police officers.

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 “Fugitive Felon Welfare
5 Elimination Act of 1995”.

1 **SEC. 2. ELIMINATION OF WELFARE BENEFITS WITH RE-**
2 **SPECT TO FUGITIVE FELONS AND PROBA-**
3 **TION AND PAROLE VIOLATORS.**

4 (a) MEDICAID PROGRAM.—

5 (1) INELIGIBILITY FOR MEDICAL ASSIST-
6 ANCE.—Section 1902(a) of the Social Security Act
7 (42 U.S.C. 1396a(a)) is amended—

8 (A) by striking “and” at the end of para-
9 graph (61);

10 (B) by striking the period at the end of
11 paragraph (62) and inserting “; and”; and

12 (C) by inserting after paragraph (62) the
13 following new paragraph:

14 “(63) provided that no medical assistance shall
15 be available under the plan to any individual who—

16 “(A) is fleeing to avoid prosecution, or cus-
17 tody or confinement after conviction, under the
18 laws of the place from which the individual flees
19 for a crime (or attempt to commit a crime)
20 which is a felony (or, if the place from which
21 the individual flees is New Jersey, a high mis-
22 demeanor) under the laws of such place; or

23 “(B) is violating a condition of probation
24 or parole imposed under Federal or State law.”.

25 (2) EXCHANGE OF INFORMATION WITH LAW
26 ENFORCEMENT AGENCIES.—Section 1902(a)(7) of

1 such Act (42 U.S.C. 1396a(a)(7)) is amended by
2 striking the semicolon and inserting the following: “,
3 except that nothing in this paragraph shall be con-
4 strued to prevent the State agency from furnishing
5 a Federal, State, or local law enforcement officer
6 with the current address of a recipient at the offi-
7 cer’s request if the officer notifies the agency that—

8 “(A) the recipient is fleeing to avoid pros-
9 ecution, or custody or confinement after convic-
10 tion, under the laws of the place from which the
11 recipient flees for a crime (or attempt to com-
12 mit a crime) which is a felony (or, if the place
13 from which the recipient flees is New Jersey, a
14 high misdemeanor) under the laws of such
15 place, or is violating a condition of probation or
16 parole imposed under Federal or State law,

17 “(B) the location or apprehension of the
18 recipient is within the officer’s official duties,
19 and

20 “(C) the request is made in the proper ex-
21 ercise of the officer’s official duties;”.

22 (b) AFDC PROGRAM.—

23 (1) INELIGIBILITY FOR AID.—Section 402(a) of
24 the Social Security Act (42 U.S.C. 602(a)) is
25 amended—

1 (A) by striking “and” at the end of para-
2 graph (44);

3 (B) by striking the period at the end of
4 paragraph (45) and inserting “; and”; and

5 (C) by inserting after paragraph (45) the
6 following:

7 “(46) provide that aid shall not be payable
8 under the State plan with respect to any individual
9 who is—

10 “(A) fleeing to avoid prosecution, or cus-
11 tody or confinement after conviction, under the
12 laws of the place from which the individual
13 flees, for a crime, or an attempt to commit a
14 crime, which is a felony under the laws of the
15 place from which the individual flees, or which,
16 in the case of the State of New Jersey, is a
17 high misdemeanor under the laws of such State;
18 or

19 “(B) violating a condition of probation or
20 parole imposed under Federal or State law.”.

21 (2) EXCHANGE OF INFORMATION WITH LAW
22 ENFORCEMENT AGENCIES.—Section 402(a)(9) of
23 such Act (42 U.S.C. 602(a)(9)) is amended by strik-
24 ing “State or local” through “official duties” and in-
25 serting “Federal, State, or local law enforcement of-

1 ficer, upon such officer’s request, with the current
2 address of any recipient if the officer furnishes the
3 agency with such recipient’s name and notifies the
4 agency that such recipient is fleeing to avoid pros-
5 ecution, or custody or confinement after conviction,
6 under the laws of the place from which the recipient
7 flees, for a crime, or an attempt to commit a crime,
8 which is a felony under the laws of the place from
9 which the recipient flees, or which, in the case of the
10 State of New Jersey, is a high misdemeanor under
11 the laws of such State, or is violating a condition of
12 probation or parole imposed under Federal or State
13 law, or has information that is necessary for the of-
14 ficer to conduct the officer’s official duties, that the
15 location or apprehension of such recipient is within
16 the officer’s official duties”.

17 (c) FOOD STAMP PROGRAM.—

18 (1) INELIGIBILITY FOR FOOD STAMPS.—Section
19 6 of the Food Stamp Act of 1977 (7 U.S.C. 2015)
20 is amended by adding at the end the following:

21 “(j) No member of a household who is otherwise eligi-
22 ble to participate in the food stamp program shall be eligi-
23 ble to participate in the program as a member of that or
24 any other household while the individual is—

1 “(1) fleeing to avoid prosecution, or custody or
2 confinement after conviction, under the laws of the
3 place from which he flees, for a crime, or an attempt
4 to commit a crime, which is a felony under the laws
5 of the place from which he flees, or which, in the
6 case of the State of New Jersey, is a high mis-
7 demeanor under the laws of such State; or

8 “(2) violating a condition of probation or parole
9 imposed under Federal or State law.”.

10 (2) EXCHANGE OF INFORMATION WITH LAW
11 ENFORCEMENT OFFICERS.—Section 11(e)(8) of such
12 Act (7 U.S.C. 2020(e)(8)) is amended—

13 (A) by striking “and (C)” and inserting

14 “(C)”; and

15 (B) by inserting before the semicolon at
16 the end the following: “, (D) notwithstanding
17 any other provision of law, the address of a
18 member of a household shall be made available,
19 on request, to a Federal, State, or local law en-
20 forcement officer if the officer furnishes the
21 State agency with the name of the member and
22 notifies the agency that (i) the member (I) is
23 fleeing to avoid prosecution, or custody or con-
24 finement after conviction, under the laws of the
25 place from which he flees, for a crime, or an at-

1 tempt to commit a crime, which is a felony
2 under the laws of the place from which he flees,
3 or which, in the case of the State of New Jer-
4 sey, is a high misdemeanor under the laws of
5 such State, or is violating a condition of proba-
6 tion or parole imposed under Federal or State
7 law, or (II) has information that is necessary
8 for the officer to conduct the officer’s official
9 duties, (ii) the location or apprehension of the
10 member is within the official duties of the offi-
11 cer, and (iii) the request is made in the proper
12 exercise of the duties, and”.

13 (d) SSI PROGRAM.—

14 (1) INELIGIBILITY FOR AID.—Section 1611(e)
15 of the Social Security Act (42 U.S.C. 1382(e)) is
16 amended by inserting after paragraph (3) the follow-
17 ing:

18 “(4) A person shall not be an eligible individual
19 or eligible spouse for purposes of this title with re-
20 spect to any month if, throughout the month, the
21 person is—

22 “(A) fleeing to avoid prosecution, or cus-
23 tody or confinement after conviction, under the
24 laws of the place from which the person flees,
25 for a crime, or an attempt to commit a crime,

1 which is a felony under the laws of the place
2 from which the person flees, or which, in the
3 case of the State of New Jersey, is a high mis-
4 demeanor under the laws of such State; or

5 “(B) violating a condition of probation or
6 parole imposed under Federal or State law.”.

7 (2) EXCHANGE OF INFORMATION WITH LAW
8 ENFORCEMENT AGENCIES.—Section 1631(e) of such
9 Act (42 U.S.C. 1383(e)) is amended by inserting
10 after paragraph (3) the following:

11 “(4) Notwithstanding any other provision of law, the
12 Secretary shall furnish any Federal, State, or local law
13 enforcement officer, upon such officer’s request, with the
14 current address of any recipient of benefits under this
15 title, if the officer furnishes the agency with such recipi-
16 ent’s name and notifies the agency that—

17 “(A) such recipient—

18 “(i) is fleeing to avoid prosecution, or cus-
19 tody or confinement after conviction, under the
20 laws of the place from which the person flees,
21 for a crime, or an attempt to commit a crime,
22 which is a felony under the laws of the place
23 from which the person flees, or which, in the
24 case of the State of New Jersey, is a high mis-
25 demeanor under the laws of such State;

1 “(ii) is violating a condition of probation or
2 parole imposed under Federal or State law; or

3 “(iii) has information that is necessary for
4 the officer to conduct the officer’s official du-
5 ties;

6 “(B) the location or apprehension of such recip-
7 ient is within the officer’s official duties; and

8 “(C) the request is made in the proper exercise
9 of those duties.”.

10 (e) HOUSING PROGRAMS.—

11 (1) ELIGIBILITY FOR ASSISTANCE.—The United
12 States Housing Act of 1937 (42 U.S.C. 1437 et
13 seq.) is amended—

14 (A) in section 6(l)—

15 (i) in paragraph (5), by striking
16 “and” at the end;

17 (ii) in paragraph (6), by striking the
18 period at the end and inserting “; and”;

19 and

20 (iii) by inserting after paragraph (6)
21 the following new paragraph:

22 “(7) provide that it shall be cause for imme-
23 diate termination of the tenancy of a public housing
24 tenant if such tenant—

1 “(A) is fleeing to avoid prosecution, or cus-
2 tody or confinement after conviction, under the
3 laws of the place from which the tenant flees,
4 for a crime, or an attempt to commit a crime,
5 which is a felony under the laws of the place
6 from which the tenant flees, or which, in the
7 case of New Jersey, is a high misdemeanor
8 under the laws of such State; or

9 “(B) is violating a condition of probation
10 or parole imposed under Federal or State law.”;
11 and

12 (B) in section 8(d)(1)(B)—

13 (i) in clause (iii), by striking “and” at
14 the end;

15 (ii) in clause (iv), by striking the pe-
16 riod at the end and inserting “; and”; and

17 (iii) by adding after clause (iv) the
18 following new clause:

19 “(v) it shall be cause for immediate
20 termination of the tenancy of a tenant if
21 such tenant—

22 “(I) is fleeing to avoid prosecu-
23 tion, or custody or confinement after
24 conviction, under the laws of the place
25 from which the tenant flees, for a

1 crime, or an attempt to commit a
2 crime, which is a felony under the
3 laws of the place from which the ten-
4 ant flees, or which, in the case of New
5 Jersey, is a high misdemeanor under
6 the laws of such State; or

7 “(II) is violating a condition of
8 probation or parole imposed under
9 Federal or State law;”.

10 (2) PROVISION OF INFORMATION TO LAW EN-
11 FORCEMENT AGENCIES.—Title I of the United
12 States Housing Act of 1937 (42 U.S.C. 1437 et
13 seq.) is amended by adding at the end the following
14 new section:

15 **“SEC. 26. PROVISION OF INFORMATION TO LAW ENFORCE-**
16 **MENT AND OTHER AGENCIES.**

17 “(a) EXCHANGE OF INFORMATION WITH LAW EN-
18 FORCEMENT AGENCIES.—Notwithstanding any other pro-
19 vision of law, each public housing agency that enters into
20 a contract for assistance under section 6 or 8 of this Act
21 with the Secretary shall furnish to any Federal, State, or
22 local law enforcement agency, upon request, the current
23 address of any recipient of assistance under this Act if
24 the law enforcement agency—

1 “(1) furnishes the public housing agency with
2 such recipient’s name; and

3 “(2) notifies such agency that—

4 “(A) such recipient—

5 “(i) is fleeing to avoid prosecution, or
6 custody or confinement after conviction,
7 under the laws of the place from which the
8 recipient flees, for a crime, or an attempt
9 to commit a crime, which is a felony under
10 the laws of the place from which the recipi-
11 ent flees, or which, in the case of New Jer-
12 sey, is a high misdemeanor under the laws
13 of such State;

14 “(ii) is violating a condition of proba-
15 tion or parole imposed under Federal or
16 State law; or

17 “(iii) has information that is nec-
18 essary for the officer to conduct the offi-
19 cer’s official duties;

20 “(B) the location or apprehension of such
21 recipient is within the official duties of the
22 agency; and

23 “(C) the request is made in the proper ex-
24 ercise of such duties.”.

1 **SEC. 3. NOTICE TO IMMIGRATION AND NATURALIZATION**
2 **SERVICE OF ILLEGAL ALIENS.**

3 (a) **MEDICAID PROGRAM.**—Section 1902(a) of the
4 Social Security Act (42 U.S.C. 1396a(a)), as amended by
5 section 1(a)(1), is amended—

6 (1) by striking “and” at the end of paragraph
7 (62);

8 (2) by striking the period at the end of para-
9 graph (63) and inserting “; and”; and

10 (3) by inserting after paragraph (63) the fol-
11 lowing new paragraph:

12 “(64) provide that the State agency shall, at
13 least 4 times annually and upon request of the Im-
14 migration and Naturalization Service, furnish the
15 Immigration and Naturalization Service with the
16 name and address of, and other identifying informa-
17 tion on, any individual whom the agency knows is
18 unlawfully in the United States.”.

19 (b) **AFDC PROGRAM.**—Section 402(a)(9) of the So-
20 cial Security Act (42 U.S.C. 602(a)(9)) is amended—

21 (1) by redesignating clauses (A), (B), (C), (D),
22 and (E) as clauses (i), (ii), (iii), (iv), and (v), respec-
23 tively;

24 (2) in clause (v) (as so redesignated), by strik-
25 ing “(D)” and inserting “(iv)”;

26 (3) by adding “and” at the end; and

1 (4) by adding after and below the end the
2 following:

3 “(B) provide that, the State agency shall, at
4 least 4 times annually and upon request of the Im-
5 migration and Naturalization Service, furnish the
6 Immigration and Naturalization Service with the
7 name and address of, and other identifying informa-
8 tion on, any individual whom the agency knows is
9 unlawfully in the United States;”.

10 (c) FOOD STAMP PROGRAM.—Section 11(e) of the
11 Food Stamp Act of 1977 (7 U.S.C. 2020(e)), as amended
12 by section 1(c)(2), is amended—

13 (1) paragraph (8) by inserting before the semi-
14 colon at the end the following:

15 “(E) such safeguards shall not prevent compliance
16 with paragraph (26)”;

17 (2) in paragraph (24) by striking “and” at the
18 end;

19 (3) in paragraph (25) by striking the period
20 and inserting “; and”; and

21 (4) by adding at the end the following:

22 “(26) that the State agency shall furnish, at
23 least 4 times annually and upon request of the Im-
24 migration and Naturalization Service, the Immigra-
25 tion and Naturalization Service with the name and

1 address of, and other identifying information on, any
2 individual whom the agency knows is unlawfully in
3 the United States.”.

4 (d) SSI PROGRAM.—Section 1631(e) of the Social
5 Security Act (42 U.S.C. 1383(e)), as amended by section
6 1(d)(2) of this Act, is amended by inserting after para-
7 graph (4) the following:

8 “(5) Notwithstanding any other provision of
9 law, the Secretary shall, at least 4 times annually
10 and upon request of the Immigration and Natu-
11 ralization Service, furnish the Immigration and Nat-
12 uralization Service with the name and address of,
13 and other identifying information on, any individual
14 whom the Secretary knows is unlawfully in the
15 United States, and shall ensure that each agreement
16 entered into under section 1616(a) with a State pro-
17 vides that the State shall, at least 4 times annually
18 and upon request of the Immigration and Natu-
19 ralization Service, furnish the Immigration and Nat-
20 uralization Service with the name and address of,
21 and other identifying information on, any individual
22 whom the State knows is unlawfully in the United
23 States.”.

24 (e) HOUSING PROGRAMS.—Section 26 of the United
25 States Housing Act of 1937, as added by section 1(e)(2)

1 of this Act, is amended by adding at the end the following
2 new subsection:

3 “(b) NOTICE TO IMMIGRATION AND NATURALIZA-
4 TION SERVICE OF ILLEGAL ALIENS.—Notwithstanding
5 any other provision of law, the Secretary shall, at least
6 4 times annually and upon request of the Immigration and
7 Naturalization Service, furnish the Immigration and Nat-
8 uralization Service with the name and address of, and
9 other identifying information on, any individual whom the
10 Secretary knows is unlawfully in the United States, and
11 shall ensure that each contract for assistance entered into
12 under section 6 or 8 of this Act with a public housing
13 agency provides that the public housing agency shall, at
14 least 4 times annually and upon request of the Immigra-
15 tion and Naturalization Service, furnish the Immigration
16 and Naturalization Service with the name and address of,
17 and other identifying information on, any individual whom
18 the public housing agency knows is unlawfully in the
19 United States.”.

20 **SEC. 4. TERMINATION OF AFDC BENEFITS FOR DEPENDENT**
21 **CHILDREN WHO ARE ABSENT FROM THE**
22 **HOME FOR A SIGNIFICANT PERIOD.**

23 Section 402(a) of the Social Security Act (42 U.S.C.
24 602(a)), as amended by section 1(b)(1) of this Act, is
25 amended—

1 (1) by striking “and” at the end of paragraph
2 (45);

3 (2) by striking the period at the end of para-
4 graph (46) and inserting “; and”; and

5 (3) by inserting after paragraph (46) the fol-
6 lowing:

7 “(47)(A) provide that aid shall not be payable
8 under the State plan to a family with respect to any
9 dependent child who has been, or is expected by the
10 caretaker relative in the family to be, absent from
11 the home for a period of 45 consecutive days or, at
12 the option of the State, such period of not less than
13 30 and not more than 90 consecutive days as the
14 State may provide for in the State plan;

15 “(B) at the option of the State, provide that the
16 State may establish such good cause exceptions to
17 subparagraph (A) as the State considers appropriate
18 if such exceptions are provided for in the State plan;
19 and

20 “(C) provide that a caretaker relative shall not
21 be eligible for aid under the State plan if the care-
22 taker relative fails to notify the State agency of an
23 absence of a dependent child from the home for the
24 period specified in or provided for under subpara-
25 graph (A), by the end of the 5-day period that be-

1 gins with the date that it becomes clear to the care-
2 taker relative that the dependent child will be absent
3 for such period so specified or provided for.”.

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