

108TH CONGRESS
1ST SESSION

H. R. 535

To provide access to welfare tools to help Americans get back to work.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 5, 2003

Mr. ACEVEDO-VILÁ (for himself, Mrs. CHRISTENSEN, Mr. RANGEL, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. BACA, Mr. SERRANO, Mr. GUTIERREZ, Ms. BORDALLO, Ms. SOLIS, Mrs. NAPOLITANO, Mr. BECERRA, and Mr. PASTOR) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 provide access to welfare tools to help Americans get back to work.

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. ELIGIBILITY OF PUERTO RICO, THE UNITED**
4 **STATES VIRGIN ISLANDS, AND GUAM FOR**
5 **THE TANF SUPPLEMENTAL GRANT FOR POP-**
6 **ULATION INCREASES.**

7 (a) IN GENERAL.—Section 403(a)(3)(D)(iii) of the
8 Social Security Act (42 U.S.C. 603(a)(3)(D)(iii)) is

1 amended by striking “and the District of Columbia.” and
 2 inserting “, the District of Columbia, Puerto Rico, the
 3 United States Virgin Islands, and Guam. For fiscal years
 4 beginning after the effective date of this sentence, this
 5 paragraph shall be applied and administered as if the term
 6 ‘State’ included the Commonwealth of Puerto Rico, the
 7 United States Virgin Islands, and Guam for fiscal year
 8 1998 and thereafter.”.

9 (b) GRANT PAYMENT DISREGARDED FOR PURPOSES
 10 OF SECTION 1108 LIMITATION.—Section 1108(a)(2) of
 11 such Act (42 U.S.C. 1308(a)(2)) is amended by inserting
 12 “, or any payment made to the Commonwealth of Puerto
 13 Rico, the United States Virgin Islands, or Guam under
 14 section 403(a)(3)” before the period.

15 (c) EFFECTIVE DATE.—The amendments made by
 16 this section shall take effect on October 1, 2003, and shall
 17 apply to expenditures for fiscal years beginning with fiscal
 18 year 2004.

19 **SEC. 2. ELIGIBILITY OF PUERTO RICO, THE UNITED STATES**
 20 **VIRGIN ISLANDS, AND GUAM FOR THE TANF**
 21 **CONTINGENCY FUND.**

22 (a) IN GENERAL.—Section 403(b)(7) of the Social
 23 Security Act (42 U.S.C. 603(b)(7)) is amended by striking
 24 “and the District of Columbia” and inserting “, the Dis-

1 triet of Columbia, the Commonwealth of Puerto Rico, the
 2 United States Virgin Islands, and Guam.”.

3 (b) GRANT PAYMENT DISREGARDED FOR PURPOSES
 4 OF SECTION 1108 LIMITATION.—Section 1108(a)(2) of
 5 such Act (42 U.S.C. 1308(a)(2)), as amended by section
 6 1(b) of this Act, is amended by inserting “or 403(b)” after
 7 “403(a)(3)” before the period.

8 (c) EFFECTIVE DATE.—The amendments made by
 9 this section shall take effect on October 1, 2003, and shall
 10 apply to expenditures for fiscal years beginning with fiscal
 11 year 2004.

12 **SEC. 3. ELIGIBILITY OF PUERTO RICO, THE UNITED STATES**
 13 **VIRGIN ISLANDS, AND GUAM FOR CHILD**
 14 **CARE ENTITLEMENT FUNDS.**

15 (a) IN GENERAL.—Section 418(d) of the Social Secu-
 16 rity Act (42 U.S.C. 618(d)) is amended by striking “and
 17 the District of Columbia” and inserting “, the District of
 18 Columbia, the Commonwealth of Puerto Rico, the United
 19 States Virgin Islands, and Guam”.

20 (b) AMOUNT OF PAYMENT.—

21 (1) GENERAL ENTITLEMENT.—Section
 22 418(a)(1) of such Act (42 U.S.C. 618(a)(1)) is
 23 amended by striking “the greater of—” and all that
 24 follows and inserting the following:

“(A) in the case of the Commonwealth of Puerto Rico, the United States Virgin Islands, and Guam, 60 percent of the amount required to be paid to the State for fiscal year 2001 under the Child Care and Development Block Grant Act of 1990; or

“(B) in the case of any other State, the greater of—

“(i) the total amount required to be paid to the State under section 403 for fiscal year 1994 or 1995 (whichever is greater) with respect to expenditures for child care under subsections (g) and (i) of section 402 (as in effect before October 1, 1995); or

“(ii) the average of the total amounts required to be paid to the State for fiscal years 1992 through 1994 under the subsections referred to in clause (i).”;

(2) ALLOTMENT OF REMAINDER.—Section 418(a)(2)(B) of such Act (42 U.S.C. 618(a)(2)(B)) is amended to read as follows:

“(B) ALLOTMENTS TO STATES.—Of the total amount available for payments to States

1 under this paragraph, as determined under sub-
2 paragraph (A) of this paragraph—

3 “(i) an amount equal to 65 percent of
4 the amount required to be paid to each of
5 the Commonwealth of Puerto Rico, the
6 United States Virgin Islands, and Guam
7 for fiscal year 2001 under the Child Care
8 and Development Block Grant Act of
9 1990, shall be allotted to the Common-
10 wealth of Puerto Rico, the United States
11 Virgin Islands, and Guam, respectively;
12 and

13 “(ii) the remainder shall be allotted
14 among the other States based on the for-
15 mula used for determining the amount of
16 Federal payments to each State under sec-
17 tion 403(n) of this Act (as in effect before
18 October 1, 1995).”.

19 (c) GRANT PAYMENT DISREGARDED FOR PURPOSES
20 OF SECTION 1108 LIMITATION.—Section 1108(a)(2) of
21 such Act (42 U.S.C. 1308(a)(2)), as amended by sections
22 1(b) and 2(b) of this Act, is amended by striking “or
23 403(b)” and inserting “, 403(b), or 418”.

24 (d) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect on October 1, 2003, and shall

1 apply to expenditures for fiscal years beginning with fiscal
2 year 2004.

3 **SEC. 4. FOSTER CARE PAYMENTS TO PUERTO RICO, THE**
4 **UNITED STATES VIRGIN ISLANDS, AND GUAM**
5 **DISREGARDED FOR PURPOSES OF THE LIM-**
6 **ITATION OF PAYMENTS TO TERRITORIES.**

7 (a) IN GENERAL.—Section 1108(a)(2) of the Social
8 Security Act (42 U.S.C. 1308(a)(2)), as amended by sec-
9 tions 1(b), 2(b), and 3(c) of this Act, is amended by insert-
10 ing “, or any payment made to the Commonwealth of
11 Puerto Rico, the United States Virgin Islands, or Guam
12 under part E of title IV with respect to foster care” before
13 the period.

14 (b) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on October 1, 2003, and shall
16 apply to expenditures for fiscal years beginning with fiscal
17 year 2004.

18 **SEC. 5. EXEMPT MEDICAID TRANSITIONAL MEDICAL AS-**
19 **SISTANCE IN PUERTO RICO, THE VIRGIN IS-**
20 **LANDS, AND GUAM FROM THE CURRENT**
21 **MEDICAID CAP ON SPENDING.**

22 (a) IN GENERAL.—Section 1108 of the Social Secu-
23 rity Act (42 U.S.C. 1308) is amended—

24 (1) in subsection (f), by striking “subsection
25 (g)” and inserting “subsections (g) and (h)”; and

1 (2) by adding at the end the following new sub-
2 section:

3 “(h) SPECIAL RULE FOR TRANSITIONAL MEDICAL
4 ASSISTANCE IN PUERTO RICO, THE VIRGIN ISLANDS, AND
5 GUAM.—Expenditures for transitional medical assistance
6 under section 1925 in Puerto Rico, the Virgin Islands, and
7 Guam shall not be subject to the payment limitations of
8 subsection (f).”.

9 (b) PERMITTING APPLICATION OF SECTION 1925 IN
10 PUERTO RICO, THE VIRGIN ISLANDS, AND GUAM.—Sec-
11 tion 1925(c)(2) of such Act (42 U.S.C. 1396r–6(c)(2)) is
12 amended by inserting before the period at the end the fol-
13 lowing: “, except that such provisions may apply in Puerto
14 Rico, the Virgin Islands, and Guam if elected by the Gov-
15 ernment of the respective commonwealth or territory”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on October 1, 2003, and shall
18 apply to expenditures for fiscal years beginning with fiscal
19 year 2004.

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