

109TH CONGRESS
1ST SESSION

H. R. 3672

To provide assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 2005

Mr. MCCRERY (for himself, Mr. JEFFERSON, Mr. BAKER, Mr. JINDAL, and Mr. PICKERING) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Budget, 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 assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families.

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 “TANF Emergency Re-
5 sponse and Recovery Act of 2005”.

1 **SEC. 2. ADVANCE PAYMENT OF TANF BLOCK GRANTS FOR**
2 **THE FIRST QUARTER OF FISCAL YEAR 2006.**

3 (a) IN GENERAL.—Notwithstanding section 405 of
4 the Social Security Act, the Secretary of Health and
5 Human Services shall pay each grant payable under sec-
6 tion 403 of such Act for the first quarter of fiscal year
7 2006, as soon as practicable after the date of the enact-
8 ment of this Act.

9 (b) EXTENSION OF THE TEMPORARY ASSISTANCE
10 FOR NEEDY FAMILIES BLOCK GRANT PROGRAM
11 THROUGH DECEMBER 31, 2005.—

12 (1) IN GENERAL.—Activities authorized by part
13 A of title IV of the Social Security Act, and by sec-
14 tion 1108(b) of such Act, shall continue through De-
15 cember 31, 2005, in the manner authorized for fiscal
16 year 2005, and out of any money in the Treasury
17 of the United States not otherwise appropriated,
18 there are hereby appropriated such sums as may be
19 necessary for such purpose. Grants and payments
20 may be made pursuant to this authority through the
21 first quarter of fiscal year 2006 at the level provided
22 for such activities through the first quarter of fiscal
23 year 2005.

24 (2) CONFORMING AMENDMENTS.—

25 (A) SUPPLEMENTAL GRANTS FOR POPU-
26 LATION INCREASES IN CERTAIN STATES.—Sec-

1 tion 403(a)(3)(H)(ii) of the Social Security Act
2 (42 U.S.C. 603(a)(3)(H)(ii)) is amended by
3 striking “September 30” and inserting “Decem-
4 ber 31”.

5 (B) CONTINGENCY FUND.—Section
6 403(b)(3)(C)(ii) of such Act (42 U.S.C.
7 603(b)(3)(C)(ii)) is amended by striking
8 “2005” and inserting “2006”.

9 (C) MAINTENANCE OF EFFORT.—Section
10 409(a)(7) of such Act (42 U.S.C. 609(a)(7)) is
11 amended—

12 (i) in subparagraph (A), by striking
13 “or 2006” and inserting “2006, or 2007”;
14 and

15 (ii) in subparagraph (B)(ii), by strik-
16 ing “2005” and inserting “2006”.

17 (c) EXTENSION OF THE NATIONAL RANDOM SAMPLE
18 STUDY OF CHILD WELFARE AND CHILD WELFARE WAIV-
19 ER AUTHORITY THROUGH DECEMBER 31, 2005.—Activi-
20 ties authorized by sections 429A and 1130(a) of the Social
21 Security Act shall continue through December 31, 2005,
22 in the manner authorized for fiscal year 2005, and out
23 of any money in the Treasury of the United States not
24 otherwise appropriated, there are hereby appropriated
25 such sums as may be necessary for such purpose. Grants

1 and payments may be made pursuant to this authority
2 through the first quarter of fiscal year 2006 at the level
3 provided for such activities through the first quarter of
4 fiscal year 2005.

5 **SEC. 3. REIMBURSEMENT OF STATES FOR TANF BENEFITS**
6 **PROVIDED TO ASSIST FAMILIES FROM**
7 **OTHER STATES AFFECTED BY HURRICANE**
8 **KATRINA.**

9 (a) ELIGIBILITY FOR PAYMENTS FROM THE CONTIN-
10 GENCY FUND.—Beginning with the date of the enactment
11 of this Act and ending with August 31, 2006, a State shall
12 be considered a needy State for purposes of section 403(b)
13 of the Social Security Act if—

14 (1) cash benefits under the State program
15 funded under part A of title IV of the Social Secu-
16 rity Act have been provided on a short-term, non-
17 recurring basis, to a family which—

18 (A) has resided in another State that in-
19 cludes an area for which a major disaster has
20 been declared under the Robert T. Stafford
21 Disaster Relief and Emergency Assistance Act
22 (42 U.S.C. 5121 et seq.) as a result of Hurri-
23 cane Katrina; and

1 (B) has travelled (not necessarily directly)
2 to the State from such other State as a result
3 of the hurricane; and

4 (2) the State has determined that the family is
5 not receiving cash benefits from any program funded
6 under such part of any other State.

7 (b) LIMITATION ON FUNDING.—Subject to section
8 403(b)(3)(C)(i) of the Social Security Act, the total
9 amount paid under section 403(b)(3)(A) of such Act to
10 a State which is a needy State for purposes of section
11 403(b) of such Act by reason of subsection (a) of this sec-
12 tion shall not exceed the total amount of cash benefits pro-
13 vided as described in subsection (a)(1) of this section, to
14 the extent that the condition of subsection (a)(2) of this
15 section has been met with respect to the families involved.

16 (c) NO STATE MATCH REQUIRED.—Section
17 403(b)(6) of the Social Security Act shall not apply with
18 respect to a payment made to a State by reason of this
19 section.

20 **SEC. 4. AVAILABILITY OF ADDITIONAL TANF FUNDS FOR**
21 **HURRICANE-DAMAGED STATES.**

22 (a) CERTAIN STATES MADE ELIGIBLE FOR LOANS.—
23 Beginning with the date of the enactment of this Act and
24 ending with the end of fiscal year 2006:

1 (1) The States of Louisiana, Mississippi, and
2 Alabama shall be considered loan-eligible States for
3 purposes of section 406 of the Social Security Act.

4 (2) Notwithstanding section 406(d) of the So-
5 cial Security Act, the cumulative dollar amount of
6 all loans made to such a State under such section
7 by reason of this section shall not exceed 20 percent
8 of the State family assistance grant payable to the
9 State under section 403 of such Act for fiscal year
10 2006.

11 (b) FORGIVENESS OF LOANS.—Notwithstanding sec-
12 tion 406 of the Social Security Act, a penalty may not
13 be imposed against any of the States of Louisiana, Mis-
14 sissippi, or Alabama for failure to—

15 (1) repay a loan made to the State under such
16 section on or after the date of the enactment of this
17 Act and before October 1, 2007; or

18 (2) make any interest payment on such a loan.

19 **SEC. 5. AVAILABILITY OF UNSPENT TANF FUNDS TO PRO-**
20 **VIDE BENEFITS AND SERVICES TO SUPPORT**
21 **NEEDY FAMILIES AFFECTED BY HURRICANE**
22 **KATRINA.**

23 A State or tribe may use a grant made to the State
24 or tribe under part A of title IV of the Social Security
25 Act for any fiscal year to provide, without fiscal year limi-

1 tation, any benefit or service that may be provided under
2 the State or tribal program funded under such part to
3 support needy families affected by Hurricane Katrina.

4 **SEC. 6. WORK REQUIREMENTS AND TIME LIMITS UNDER**
5 **TANF PROGRAM NOT TRIGGERED BY RE-**
6 **CEIPT OF TEMPORARY TANF BENEFITS BY**
7 **FAMILIES AFFECTED BY HURRICANE**
8 **KATRINA.**

9 Benefits provided on a short-term, nonrecurring basis
10 under a State program funded under part A of title IV
11 of the Social Security Act, during the period that begins
12 with the date of the enactment of this Act and ends with
13 the end of fiscal year 2006, to meet a subsistence need
14 of a family resulting from Hurricane Katrina shall not be
15 considered assistance for purposes of sections 407 and
16 408(a)(7) of the Social Security Act.

17 **SEC. 7. WAIVER OF TANF PENALTIES IN HURRICANE-DAM-**
18 **AGED STATES.**

19 The Secretary of Health and Human Services shall
20 not impose a penalty on any of the States of Louisiana,
21 Mississippi, or Alabama under any of paragraphs (2)
22 through (6), or (8) through (14) of section 409(a) of the
23 Social Security Act with respect to a failure to comply with
24 a provision of part A of title IV of such Act during the
25 period that begins with the date of the enactment of this

1 Act and ends with the end of fiscal year 2006, if the Sec-
2 retary determines that the failure resulted from Hurricane
3 Katrina or reasonable conduct of the State in addressing
4 needs of victims of Hurricane Katrina.

5 **SEC. 8. EMERGENCY DESIGNATION.**

6 Each amount provided in this Act is designated as
7 an emergency requirement pursuant to section 402 of H.
8 Con. Res. 95 (109th Congress).

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