

AMENDMENT TO RULES COMMITTEE PRINT 113-3
OFFERED BY MS. LEE OF CALIFORNIA

At the end of the print, add the following:

1 **SEC. ____ . RESTORATION OF TANF EMERGENCY CONTIN-**
2 **GENCY FUND.**

3 (a) IN GENERAL.—Section 403 of the Social Security
4 Act (42 U.S.C. 603) is amended by adding at the end the
5 following:

6 “(c) EMERGENCY FUND.—

7 “(1) ESTABLISHMENT.—There is established in
8 the Treasury of the United States a fund which
9 shall be known as the ‘Emergency Contingency
10 Fund for State Temporary Assistance for Needy
11 Families Programs’ (in this subsection referred to as
12 the ‘Emergency Fund’).

13 “(2) DEPOSITS INTO FUND.—

14 “(A) IN GENERAL.—Out of any money in
15 the Treasury of the United States not otherwise
16 appropriated, there are appropriated for fiscal
17 year 2013, \$10,000,000,000 for payment to the
18 Emergency Fund.

19 “(B) AVAILABILITY AND USE OF FUNDS.—

20 The amounts appropriated to the Emergency

1 Fund under subparagraph (A) shall remain
2 available through fiscal year 2014 and shall be
3 used to make grants to States in each of fiscal
4 years 2013 and 2014 in accordance with the re-
5 quirements of paragraph (3).

6 “(C) LIMITATION.—In no case may the
7 Secretary make a grant from the Emergency
8 Fund for a fiscal year after fiscal year 2014.

9 “(3) GRANTS.—

10 “(A) GRANT RELATED TO CASELOAD IN-
11 CREASES.—

12 “(i) IN GENERAL.—For each calendar
13 quarter in fiscal year 2013 or 2014, the
14 Secretary shall make a grant from the
15 Emergency Fund to each State that—

16 “(I) requests a grant under this
17 subparagraph for the quarter; and

18 “(II) meets the requirement of
19 clause (ii) for the quarter.

20 “(ii) CASELOAD INCREASE REQUIRE-
21 MENT.—A State meets the requirement of
22 this clause for a quarter if the average
23 monthly assistance caseload of the State
24 for the quarter exceeds the average month-
25 ly assistance caseload of the State for the

1 corresponding quarter in the emergency
2 fund base year of the State.

3 “(iii) AMOUNT OF GRANT.—Subject to
4 paragraph (5), the amount of the grant to
5 be made to a State under this subpara-
6 graph for a quarter shall be an amount
7 equal to 80 percent of the amount (if any)
8 by which the total expenditures of the
9 State for basic assistance (as defined by
10 the Secretary) in the quarter, whether
11 under the State program funded under this
12 part or as qualified State expenditures, ex-
13 ceeds the total expenditures of the State
14 for such assistance for the corresponding
15 quarter in the emergency fund base year of
16 the State.

17 “(B) GRANT RELATED TO INCREASED EX-
18 PENDITURES FOR NON-RECURRENT SHORT
19 TERM BENEFITS.—

20 “(i) IN GENERAL.—For each calendar
21 quarter in fiscal year 2013 or 2014, the
22 Secretary shall make a grant from the
23 Emergency Fund to each State that—

24 “(I) requests a grant under this
25 subparagraph for the quarter; and

1 “(II) meets the requirement of
2 clause (ii) for the quarter.

3 “(ii) NON-RECURRENT SHORT TERM
4 EXPENDITURE REQUIREMENT.—A State
5 meets the requirement of this clause for a
6 quarter if the total expenditures of the
7 State for non-recurrent short term benefits
8 in the quarter, whether under the State
9 program funded under this part or as
10 qualified State expenditures, exceeds the
11 total expenditures of the State for non-re-
12 current short term benefits in the cor-
13 responding quarter in the emergency fund
14 base year of the State.

15 “(iii) AMOUNT OF GRANT.—Subject to
16 paragraph (5), the amount of the grant to
17 be made to a State under this subpara-
18 graph for a quarter shall be an amount
19 equal to 80 percent of the excess described
20 in clause (ii).

21 “(C) GRANT RELATED TO INCREASED EX-
22 PENDITURES FOR SUBSIDIZED EMPLOYMENT.—

23 “(i) IN GENERAL.—For each calendar
24 quarter in fiscal year 2013 or 2014, the

1 Secretary shall make a grant from the
2 Emergency Fund to each State that—

3 “(I) requests a grant under this
4 subparagraph for the quarter; and

5 “(II) meets the requirement of
6 clause (ii) for the quarter.

7 “(ii) SUBSIDIZED EMPLOYMENT EX-
8 PENDITURE REQUIREMENT.—A State
9 meets the requirement of this clause for a
10 quarter if the total expenditures of the
11 State for subsidized employment in the
12 quarter, whether under the State program
13 funded under this part or as qualified
14 State expenditures, exceeds the total such
15 expenditures of the State in the cor-
16 responding quarter in the emergency fund
17 base year of the State.

18 “(iii) AMOUNT OF GRANT.—Subject to
19 paragraph (5), the amount of the grant to
20 be made to a State under this subpara-
21 graph for a quarter shall be an amount
22 equal to 80 percent of the excess described
23 in clause (ii).

24 “(4) AUTHORITY TO MAKE NECESSARY ADJUST-
25 MENTS TO DATA AND COLLECT NEEDED DATA.—In

1 determining the size of the caseload of a State and
2 the expenditures of a State for basic assistance, non-
3 recurrent short term benefits, and subsidized em-
4 ployment, during any period for which the State re-
5 quests funds under this subsection, and during the
6 emergency fund base year of the State, the Sec-
7 retary may make appropriate adjustments to the
8 data, on a State-by-State basis, to ensure that the
9 data are comparable with respect to the groups of
10 families served and the types of aid provided. The
11 Secretary may develop a mechanism for collecting
12 expenditure data, including procedures which allow
13 States to make reasonable estimates, and may set
14 deadlines for making revisions to the data.

15 “(5) LIMITATION.—The total amount payable
16 to a single State under subsection (b) and this sub-
17 section for fiscal years 2013 and 2014 combined
18 shall not exceed 50 percent of the annual State fam-
19 ily assistance grant.

20 “(6) LIMITATIONS ON USE OF FUNDS.—A State
21 to which an amount is paid under this subsection
22 may use the amount only as authorized by section
23 404.

24 “(7) TIMING OF IMPLEMENTATION.—The Sec-
25 retary shall implement this subsection as quickly as

1 reasonably possible, pursuant to appropriate guid-
2 ance to States.

3 “(8) APPLICATION TO INDIAN TRIBES.—This
4 subsection shall apply to an Indian tribe with an ap-
5 proved tribal family assistance plan under section
6 412 in the same manner as this subsection applies
7 to a State.

8 “(9) DEFINITIONS.—In this subsection:

9 “(A) AVERAGE MONTHLY ASSISTANCE
10 CASELOAD DEFINED.—The term ‘average
11 monthly assistance caseload’ means, with re-
12 spect to a State and a quarter, the number of
13 families receiving assistance during the quarter
14 under the State program funded under this
15 part or as qualified State expenditures, subject
16 to adjustment under paragraph (4).

17 “(B) EMERGENCY FUND BASE YEAR.—

18 “(i) IN GENERAL.—The term ‘emer-
19 gency fund base year’ means, with respect
20 to a State and a category described in
21 clause (ii), whichever of fiscal year 2009 or
22 2010 is the fiscal year in which the
23 amount described by the category with re-
24 spect to the State is the lesser.

1 “(ii) CATEGORIES DESCRIBED.—The
2 categories described in this clause are the
3 following:

4 “(I) The average monthly assist-
5 ance caseload of the State.

6 “(II) The total expenditures of
7 the State for non-recurrent short term
8 benefits, whether under the State pro-
9 gram funded under this part or as
10 qualified State expenditures.

11 “(III) The total expenditures of
12 the State for subsidized employment,
13 whether under the State program
14 funded under this part or as qualified
15 State expenditures.

16 “(C) QUALIFIED STATE EXPENDITURES.—
17 The term ‘qualified State expenditures’ has the
18 meaning given the term in section 409(a)(7).”.

19 (b) MODIFICATION OF CASELOAD REDUCTION CRED-
20 IT.—Section 407(b)(3)(A)(i) of such Act (42 U.S.C.
21 607(b)(3)(A)(i)) is amended by inserting “(or if the imme-
22 diately preceding fiscal year is fiscal year 2012 or 2013,
23 then, at State option, during the emergency fund base
24 year of the State with respect to the average monthly as-
25 sistance caseload of the State (within the meaning of sec-

1 tion 403(c)(9)), except that, if a State elects such option
2 for fiscal year 2012, the emergency fund base year of the
3 State with respect to such caseload shall be fiscal year
4 2009))” before “under the State”.

5 (c) DISREGARD FROM LIMITATION ON TOTAL PAY-
6 MENTS TO TERRITORIES.—Section 1108(a)(2) of such Act
7 (42 U.S.C. 1308(a)(2)) is amended by inserting
8 “403(c)(3),” after “403(a)(5),”.

