

95TH CONGRESS
2D SESSION

H. R. 12973

IN THE SENATE OF THE UNITED STATES

JULY 27 (Legislative day, MAY 17), 1978

Read twice and referred to the Committee on Finance

AN ACT

To amend title XX of the Social Security Act to increase the entitlement ceiling and otherwise provide for an expanded social services program, to promote consultation and cooperative efforts among States, localities, and other local public and private agencies to coordinate services, to extend certain provisions of Public Law 94-401, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That this Act may be cited as the "Social Services Amend-
- 4 ments of 1978".

5 INCREASE IN AMOUNTS ALLOCATED TO STATES

- 6 SEC. 2. (a) Section 2002 (a) (2) (A) of the Social
- 7 Security Act is amended by striking out "\$2,500,000,000"

1 and inserting in lieu thereof "the dollar figure determined
2 under subparagraph (E) for such fiscal year".

3 (b) Section 2002 (a) (2) of such Act is further amended
4 by adding at the end thereof the following new subparagraph:

5 "(E) The dollar figure in effect under subparagraph
6 (A) for any fiscal year beginning on or after October 1,
7 1978, shall be equal to the dollar figure in effect under such
8 subparagraph for the preceding fiscal year, increased—

9 "(i) in the case of any fiscal year to which clause
10 (ii) does not apply, by an amount equal to 16 percent
11 of the dollar figure which would have been in effect
12 under such subparagraph for the fiscal year ending
13 September 30, 1978, if section 3 (a) of Public Law
14 94-401 had not been enacted, or

15 "(ii) in the case of any fiscal year immediately
16 following a fiscal year for which the dollar figure in
17 effect under subparagraph (A) exceeded the dollar
18 figure referred to in clause (i), by an amount equal to
19 75 percent of the amount specified in such clause (62.5
20 percent of such amount in the case of the first such
21 year);

22 except that in no case shall the dollar figure in effect under
23 subparagraph (A) exceed \$3,450,000,000 for any fiscal
24 year."

1 CONSULTATION WITH LOCAL OFFICIALS

2 SEC. 3. (a) Section 2004 of the Social Security Act is
3 amended by inserting "(a)" after "SEC. 2004.", and by
4 adding at the end thereof the following new subsection:

5 "(b) A State's comprehensive services program plan-
6 ning does not meet the requirements of this section unless,
7 prior to the publication of the proposed comprehensive serv-
8 ices program plan in accordance with subsection (a), the
9 State official designated under paragraph (2) of that sub-
10 section gives public notice of his intent to consult with the
11 chief elected officials of the political subdivisions of the State
12 in the development of that plan, and thereafter provides each
13 such official with a reasonable opportunity to present his
14 views prior to the publication of the plan."

15 (b) Paragraph (2) of section 2004 (a) of such Act
16 (as so designated by subsection (a) of this section) is
17 amended—

18 (1) by striking out "and" at the end of subpara-
19 graph (I);

20 (2) by striking out "; and" at the end of subpara-
21 graph (J) and inserting in lieu thereof ", and"; and

22 (3) by adding at the end thereof the following new
23 subparagraph:

24 "(K) a description of the process of consultation
25 that was followed in compliance with subsection (b)

1 of this section; and a summary of the principal views
2 expressed by the chief elected officials of the political
3 subdivisions of the State in the course of that consulta-
4 tion; and”.

5 (c) Section 2007 of such Act is amended—

6 (1) by striking out “, and” at the end of paragraph

7 (1) and inserting in lieu thereof a semicolon;

8 (2) by striking out the period at the end of para-

9 graph (2) and inserting in lieu thereof “; and”; and

10 (3) by adding at the end thereof the following new

11 paragraph:

12 “(3) the term ‘political subdivisions of the State’

13 means those areas of the State that are subject to the

14 jurisdiction of general purpose local governments.”.

15 **MULTIYEAR PLAN**

16 **SEC. 4.** (a) Paragraph (1) of section 2004 (a) of the

17 Social Security Act (as so designated by section 3 (a) of

18 this Act) is amended to read as follows:

19 “(1) the beginning of the fiscal year of either the

20 Federal Government or the State government is estab-

21 lished as the beginning of the State’s services program

22 period; and the end of such fiscal year or the succeeding

23 fiscal year is established as the end of the State’s services

24 program period; and”.

25 (b) Section 2004 (a) of such Act (as so designated) is

1 amended by adding at the end thereof (after and below
2 paragraph (5)) the following sentence:

3 “In any case where a State’s services program period
4 extends for two fiscal years (as permitted under paragraph
5 (1)), such State’s services program planning meets the
6 requirements of this section only if its comprehensive services
7 program plan also provides that additional public comment
8 on such plan will be accepted for a period of at least forty-
9 five days immediately preceding the beginning of the second
10 such fiscal year.”.

11 (c) Section 2004 (a) of such Act (as so designated) is
12 further amended—

13 (1) by striking out “services program year” each
14 place it appears and inserting in lieu thereof “services
15 program period”;

16 (2) by striking out “annual” in paragraph (2) (in
17 the matter preceding subparagraph (A)) and in para-
18 graph (4); and

19 (3) by striking out “during that year” in para-
20 graph (2) (in the matter preceding subparagraph (A))
21 and inserting in lieu thereof “during that period”.

22 **EXTENSION OF SPECIAL PROVISIONS RELATING TO CHILD**
23 **DAY CARE SERVICES AND PROVISIONS RELATING TO**
24 **ALCOHOLICS AND DRUG ADDICTS**

25 **SEC. 5.** (a) The amount of the limitation which is
26 imposed by section 2002 (a) (2) (A) and (E) of the Social

1 Security Act as amended by section 2 of this Act, and
 2 which is otherwise applicable to any State for the fiscal
 3 year ending September 30, 1979, shall be reduced to the
 4 extent necessary to assure that the amount of such limita-
 5 tion (for such fiscal year) does not exceed an amount equal
 6 to (1) the maximum dollar amount of the limitation (im-
 7 posed by such section 2002 (a) (2) (A)) which would be
 8 applicable to such State for such fiscal year (without regard
 9 to the amendments made by section 2 of this Act) if
 10 section 3 (a) of Public Law 94-401 had been extended so
 11 as to apply in the case of such fiscal year, plus (2) an
 12 amount equal to the sum of (A) the total amount of
 13 expenditures (i) which are made during such fiscal year
 14 in connection with the provision of any child day care
 15 service, and (ii) with respect to which payment is author-
 16 ized to be made to the State under title XX of such Act for
 17 such fiscal year, and (B) the aggregate of the amounts of
 18 the grants, made by the State during such fiscal year, to
 19 which the provisions of section 3 (c) (1) of Public Law
 20 94-401 are applicable.

21 (b) Section 3 (b) of Public Law 94-401 is amended by
 22 inserting after "the provisions of such subsection" the follow-
 23 ing: ", or which become payable to any State for the fiscal
 24 year ending September 30, 1979, by reason of section 2 of

1 the Social Services Amendments of 1978 (but not in excess
 2 of the amount described in section 5 (a) (2) of such Amend-
 3 ments),".

4 (c) (1) Section 7 (a) (3) of Public Law 93-647 is
 5 amended by striking out "October 1, 1978" and inserting in
 6 lieu thereof "October 1, 1979".

7 (2) (A) Section 3 (c) (1) of Public Law 94-401 is
 8 amended by inserting after "fiscal year specified in subsec-
 9 tion (a)," the following: "or during the fiscal year ending
 10 September 30, 1979 (but not in excess of the amount de-
 11 scribed in section 5 (a) (2) of the Social Services Amend-
 12 ments of 1978),".

13 (B) Section 3 (c) (2) (A) of Public Law 94-401 is
 14 amended—

15 (i) by inserting "(i)" after "the amount, if any,
 16 by which"; and

17 (ii) by inserting after "such fiscal period or year,"
 18 the following: "or (ii) the aggregate of the sums (as
 19 so described) granted by any State during the fiscal
 20 year ending September 30, 1979, exceeds the amount
 21 by which such State's limitation for that fiscal year is
 22 increased pursuant to section 2 of the Social Services
 23 Amendments of 1978 (but not in excess of the amount
 24 described in section 5 (a) (2) of such Amendments),".

1 (3) (A) Section 3(d)(1) of Public Law 94-401 is
 2 amended by inserting before the period at the end thereof
 3 the following: ", and during the fiscal year ending Septem-
 4 ber 30, 1979 (but not in excess of the amount described in
 5 section 5(a)(2) of the Social Services Amendments of
 6 1978).

7 (B) Section 3(d)(2) of Public Law 94-401 is
 8 amended—

9 (i) by striking out "either such fiscal year" in the
 10 matter preceding subparagraph (A) and inserting in
 11 lieu thereof "any such fiscal year"; and

12 (ii) by striking out subparagraph (A) and insert-
 13 ing in lieu thereof the following:

14 " (A) the amount by which the limitation (imposed
 15 by section 2002(a)(2) of such Act) which is appli-
 16 cable to such State for such fiscal year is increased
 17 pursuant to subsection (a) or pursuant to section 2 of
 18 the Social Services Amendments of 1978, over".

19 (4) Section 50B(a)(2)(B) of the Internal Revenue
 20 Code of 1954 (definition of Federal welfare recipient em-
 21 ployment incentive expenses) is amended by striking out
 22 "October 1, 1978" and inserting in lieu thereof "October 1,
 23 1979".

24 (5) Section 5(b) of Public Law 94-401 is amended by
 25 striking out "September 30, 1978" and "October 1, 1978"

1 and inserting in lieu thereof "September 30, 1979" and
 2 "October 1, 1979", respectively.

3 (6) Section 4(c) of Public Law 94-120 is amended by
 4 striking out "only for the period" and all that follows and
 5 inserting in lieu thereof "from and after October 1, 1975."

6 EMERGENCY SHELTER
 7 SEC. 6. Section 2002(a)(11) of the Social Security
 8 Act is amended—

9 (1) by striking out "and" at the end of subpara-
 10 graph (C);

11 (2) by striking out the period at the end of sub-
 12 paragraph (D) and inserting in lieu thereof "; and";
 13 and

14 (3) by adding at the end thereof the following
 15 new subparagraph:

16 " (E) any expenditure for the provision of emer-
 17 gency shelter, for not in excess of thirty days in any
 18 six-month period, provided as a protective service to an
 19 adult in danger of physical or mental injury, neglect,
 20 maltreatment, or exploitation."

21 SOCIAL SERVICES FUNDING FOR TERRITORIAL
 22 JURISDICTIONS

23 SEC. 7. (a) Section 2002(a)(2) of the Social Secu-
 24 rity Act is amended by striking out subparagraphs (C)

1 and (D) and inserting in lieu thereof the following new
2 subparagraph:

3 “(C) (i) From the amounts made available under
4 section 2001 for any fiscal year beginning with the fiscal
5 year 1979, the Secretary shall allocate to the jurisdictions of
6 Puerto Rico, Guam, the Northern Mariana Islands, and the
7 Virgin Islands for purposes of payments under sections
8 3 (a) (4) and (5), 403 (a) (3), 1003 (a) (3) and (4),
9 1403 (a) (3) and (4), and 1603 (a) (4) and (5) with
10 respect to services, in addition to any amounts available
11 under section 1108, the applicable dollar amounts specified
12 in or determined under clause (ii).

13 “(ii) The dollar amounts to be allocated to the juris-
14 dictions of Puerto Rico, Guam, the Northern Mariana Islands,
15 and the Virgin Islands under clause (i) —

16 “(I) in the case of the fiscal year 1979, shall be
17 \$15,000,000, \$500,000, \$100,000, and \$500,000,
18 respectively;

19 “(II) in the case of the fiscal year 1980 or any
20 subsequent fiscal year, shall be amounts each of which
21 bears the same ratio to the corresponding dollar amount
22 specified in subdivision (I) of this clause as the dollar
23 amount in effect under subparagraph (A) for that

1 fiscal year (as specified in subparagraph (D)) bears to
2 \$2,900,000,000.”

3 (b) (1) The last sentence of section 2001 of such Act
4 is amended by inserting before the period at the end thereof
5 the following: “(and to territorial jurisdiction as described
6 in subsection (a) (2) (C) thereof)”.

7 (2) Subparagraph (E) of section 2002 (a) (2) of such
8 Act (as added by section 2 (b) of this Act) is redesignated
9 as subparagraph (D); and such subparagraph as so re-
10 designated is further amended by striking out “except that
11 in no case” in the matter following clause (ii) and inserting
12 in lieu thereof “except that the dollar figure determined
13 under the preceding provisions of this subparagraph for any
14 fiscal year shall be reduced by the sum of the amounts to be
15 allocated to the territorial jurisdictions for that fiscal year
16 under subparagraph (C), and in no case”.

17 (B) The first sentence of section 2002 (a) (2) (A) of
18 such Act (as amended by section 2 (a) of this Act) is
19 amended by striking out “(E)” and inserting in lieu
20 thereof “(D)”.

21 TECHNICAL AND CONFORMING AMENDMENTS

22 SEC. 8. (a) Section 2002 (a) (3) (B) of the Social
23 Security Act is amended—

1 (1) by striking out "annual"; and
 2 (2) by striking out "2004 (2) (B) and (C)" and
 3 inserting in lieu thereof "2004 (a) (2) (B) and (C)".
 4 (b) Section 2003 (b) of such Act is amended by strik-
 5 ing out "services program year" each place it appears and
 6 inserting in lieu thereof "services program period".
 7 (c) The last sentence of section 2003 (d) (1) of such
 8 Act is amended by striking out "2004 (1)" and "services
 9 program year" and inserting in lieu thereof "2004 (a) (1)"
 10 and "services program period", respectively.
 11 (d) Section 2003 (e) (1) of such Act is amended by
 12 striking out "subsection (g)" and inserting in lieu thereof
 13 "subsection (d)".
 14 (e) Section 2005 of such Act is amended by striking
 15 out "services program year" and inserting in lieu thereof
 16 "services program period".
 17 (f) Section 1108 (a) of such Act is amended by strik-
 18 ing out "2002 (a) (2) (D)" in the matter preceding para-
 19 graph (1) and inserting in lieu thereof "2002 (a) (2) (C)".
 20 EFFECTIVE DATE .
 21 SEC. 9. This Act and the amendments made by
 22 this Act shall be effective with respect to fiscal years be-
 23 ginning after September 30, 1978; except that the amend-

1 ments made by section 3 shall be effective, in the case of
 2 any State that has published a proposed comprehensive
 3 services plan for the fiscal year 1979, only with respect to
 4 its next succeeding comprehensive services plan.

Passed the House of Representatives July 25, 1978.

Attest: EDMUND L. HENSHAW, JR.,

Clerk.

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