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# Social Services Block Grant: Background and Funding

**Karen E. Lynch**
Specialist in Social Policy

January 14, 2015

**Congressional Research Service**
7-5700
www.crs.gov
94-953

**CRS REPORT**
Prepared for Members and
Committees of Congress

# Summary

The Social Services Block Grant (SSBG) is a flexible source of funds that states use to support a wide variety of social services activities. States have broad discretion over the use of these funds. In FY2010, the most recent year for which expenditure data are available, the largest expenditures for services under the SSBG were for child care, foster care, and special services for the disabled.

Since FY2002, annual appropriations laws have funded the SSBG at its authorized level of \$1.700 billion. However, SSBG appropriations for each of FY2013-FY2015 have been subject to sequestration, a spending reduction process by which budgetary resources are canceled to enforce budget policy goals. The FY2015 operating level for the SSBG is roughly \$1.576 billion post-sequester. This is \$124 million (7.3%) less than the SSBG's FY2015 pre-sequester funding level of \$1.700 billion and \$2 million (0.1%) less than the SSBG's FY2014 post-sequester operating level of \$1.578 billion.

In addition to annual appropriations, the SSBG occasionally receives supplemental appropriations to assist states and territories in responding to natural disasters. Most recently, the SSBG received supplemental funding of \$474.5 million (post-sequester) in FY2013 to support states affected by Hurricane Sandy. (These funds were in addition to the \$1.613 billion, post-sequester, appropriated in the FY2013 annual appropriations law.)

Annual appropriations laws since FY2001 have included a provision allowing states to transfer up to 10% of their Temporary Assistance for Needy Families (TANF) block grants to the SSBG.

The SSBG is permanently authorized in Title XX-A of the Social Security Act (SSA). The 111th Congress amended Title XX of the SSA in the health care reform legislation signed into law by President Obama on March 23, 2010, the Patient Protection and Affordable Care Act (ACA; P.L. 111-148). This law inserted a new subtitle on elder justice into Title XX, which was itself re-titled as *Block Grants to States for Social Services and Elder Justice*. The health reform law also amended Title XX by establishing two demonstration projects to address the workforce needs of health care professionals and a new competitive grant program to support the early detection of medical conditions related to environmental health hazards. The purpose of this report is to provide background and funding information about the SSBG; the report does not provide detailed information on other programs authorized within Title XX of the SSA.

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# Introduction

The Social Services Block Grant (SSBG) is permanently authorized by Title XX, Subtitle A, of the Social Security Act as a "capped" entitlement to states. This means that states (and territories) are entitled to their share of funds, as determined by formula, out of an amount that is capped in statute at a specific level (also known as a funding ceiling). Although social services for certain welfare recipients have been authorized under various titles of the Social Security Act since 1956, the SSBG in its current form was created in 1981 (P.L. 97-35). Block grant funds are given to states to achieve a wide range of social policy goals, which include promoting self-sufficiency, preventing child abuse, and supporting community-based care for the elderly and disabled.

The FY2015 appropriations law (P.L. 113-235) appropriated $1.700 billion for the SSBG. However, this amount was reduced to $1.576 billion due to budget sequestration. The FY2015 appropriations law also maintained a provision, included in annual appropriations laws since FY2001, allowing states to transfer up to 10% of their Temporary Assistance for Needy Families (TANF) block grants to the SSBG. In addition to annual appropriations, the SSBG occasionally receives supplemental appropriations to assist states and territories in responding to natural disasters, including in FY2006, FY2008, and FY2013 (for more information, see **Appendix B**).

Health reform legislation enacted into law (P.L. 111-148) in March 2010 amended Title XX of the Social Security Act to include a subtitle on elder justice and to establish several other programs. Although these changes, briefly reviewed later, have technical importance for the statutory citations of the SSBG, they did not substantively amend the provisions within Title XX that govern the SSBG itself and they are not discussed at length in this report. Likewise, this report does not discuss the special SSBG program for enterprise communities and empowerment zones that was authorized in 1993 (P.L. 103-66), but is not currently funded.

At the federal level, the SSBG is administered by the U.S. Department of Health and Human Services (HHS). Legislation amending Title XX is typically reported by the House Ways and Means Committee and the Senate Finance Committee.

# Use of Funds

## Goals

Federal law establishes the five broad goals for the SSBG. Social services funded by states must be linked to one or more of these goals. The five goals are

- achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;
- achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
- preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating, or reuniting families;

- preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; and
- securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions.

## Services

States have broad discretion in spending SSBG funds to support these broad goals. The following are examples of social services, as specified in law, that relate to the SSBG's broad goals:

> child care, protective services for children and adults, services for children and adults in foster care, services related to the management and maintenance of the home, adult day care, transportation, family planning, training and related services, employment services, referral and counseling services, meal preparation delivery, health support services, and services to meet the special needs of children, the aged, the mentally retarded, the blind, the emotionally disturbed, the physically handicapped, and alcoholics and drug addicts.

In 1993, HHS issued a regulation establishing uniform definitions for 28 SSBG service categories. State spending is not limited to these services; instead, these service categories are used as guidelines for reporting purposes. (Spending on an activity that falls outside the scope of services defined in regulation is characterized under "other services" on annual reports.) In addition to supporting social services, SSBG funds may be used for administration, planning, evaluation, and training. (See **Table 3** for a full list of the service categories reported on by states.) States may also transfer up to 10% of their SSBG allotments to block grants for health activities and low-income home energy assistance.

## Prohibited Uses

Although SSBG funds can be used for a broad array of activities, some restrictions are placed on the use of these funds. Funds cannot be used for the following: (1) purchase of land, construction, or major capital improvements; (2) cash payments as a service or for costs of subsistence or room and board (other than costs of subsistence during rehabilitation, temporary emergency shelter provided as a protective service, or in the case of vouchers for certain families as allowed under welfare reform); (3) payment of wages as a social service (except wages of welfare recipients employed in child day care); (4) most medical care (except family planning, rehabilitation services, initial detoxification of certain individuals, or medical care provided as an "integral but subordinate component of a social service"); (5) social services for residents of institutions (including hospitals, nursing homes, and prisons); (6) educational services generally provided by public schools; (7) child care that does not meet applicable state or local standards; (8) services provided by anyone excluded from participation in Medicare or certain other Social Security Act programs; or (9) items or services related to assisted suicide (this provision was added in 1997, under P.L. 105-12).[1] Under extraordinary circumstances, the law does allow HHS to waive two of these prohibitions (use of the SSBG for the purchase of land or capital improvements, or for the provision of medical care).

[1] See Section 2005(a) of the Social Security Act.

# Eligibility

There are no federal eligibility criteria for SSBG participants. Thus, states have total discretion to set their own eligibility criteria. One exception is that welfare reform established an income limit of 200% of poverty for recipients of services funded by TANF allotments that are transferred to the SSBG.

# Transfer of TANF Funds to SSBG

The 1996 welfare reform law replaced Aid to Families with Dependent Children (AFDC) with a block grant to states, called Temporary Assistance for Needy Families (TANF), under Title IV-A of the Social Security Act. The law allowed states to transfer up to 10% of their annual TANF allotments into the SSBG. Under provisions of the Transportation Equity Act of 1998 (P.L. 105-178), the amount that states could transfer into SSBG was reduced to 4.25% of their annual TANF allotments, beginning in FY2001. However, this provision was superseded in FY2001 by the FY2001 Consolidated Appropriations Act, which maintained the 10% transfer authority level.

Likewise, the FY2002 appropriations bill presented to the President maintained the 10% transfer authority for FY2002. Earlier, the House had passed its version of a Labor/HHS/Ed appropriations bill (H.R. 3061) proposing to maintain the 10% transfer authority, while the Senate's amended version proposed a 5.7% transfer level. Ultimately, appropriations acts maintained the transfer authority at 10% in FY2003-FY2012 as well.

There has been some confusion about whether or not the Deficit Reduction Act (DRA, P.L. 109-171) permanently reinstated the 10% transfer authority. This law reauthorized TANF, through the end of FY2010, *in the manner authorized for FY2004*.[2] In that fiscal year, the Social Security Act capped states' authority to transfer TANF funds to the SSBG at 4.25%, but this law was superseded by the FY2004 Consolidated Appropriations Act (P.L. 108-199), which maintained the practice of allowing 10% transfers from TANF to the SSBG. In the wake of the DRA, Congress has continued to ensure that the transfer ceiling stays at 10% by including language to that effect in appropriations legislation.

Over the course of FY1998-FY2013, states annually transferred roughly $1 billion of their TANF funds to the SSBG. In FY2013 alone, 39 states (including the District of Columbia) transferred a combined $1.1 billion to the SSBG, with roughly 30 of those states taking advantage of the higher transfer ceiling by moving more than 4.25% of their TANF funds to the SSBG (see **Table A-1** in **Appendix A** for FY2013 state-by-state data).[3] Funds transferred from TANF to the SSBG can be used only for children and families whose income is less than 200% of the federal poverty guidelines. Under welfare reform law, states also may use SSBG funds for vouchers for families that are not eligible for cash assistance because of time limits under the welfare reform program,

[2] The conference report for the DRA notes that the House version of the bill increased the maximum transfer to SSBG to 10%, while the Senate bill had no provision. The conference report recedes to the Senate with regard to the transfer authority.

[3] FY2013 TANF financial data are available at http://www.acf.hhs.gov/programs/ofa/programs/tanf/data-reports. Calculation is based on FY2013 dollars spent in FY2013; it does not include prior year funds.

or for children who are denied cash assistance because they were born into families already receiving benefits for another child.

# FY2015 Funding

## Final Appropriations

On December 16, 2014, the President signed into law the Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235). This law appropriated $1.7 billion for the SSBG. However, SSBG funds are subject to sequestration in FY2015 (see text box). The sequester reduced SSBG funding by 7.3% in FY2015, resulting in an estimated operating level of $1.576 billion.[4] The FY2015 appropriations law maintained a provision, included in annual appropriations laws since FY2001, allowing states to transfer up to 10% of their TANF block grants to the SSBG.

## Preliminary Congressional Action

Prior to the enactment of the FY2015 Consolidated and Further Continuing Appropriations Act (P.L. 113-235), temporary funding for the SSBG had been provided by three short-term continuing resolutions (P.L. 113-203, P.L. 113-202, P.L. 113-164).

Before the passage of the first continuing resolution, on June 10, 2014, the Senate Appropriations Subcommittee for the Departments of Labor, HHS, Education, and Related Agencies (L-HHS-ED) approved an FY2015 appropriations bill by voice vote. The bill was not marked up by the full committee. However, on July 23, the Senate Appropriations Committee released a copy of the subcommittee-approved bill and draft subcommittee report. These materials indicate that the subcommittee-approved bill would have funded the SSBG at a pre-sequester level of $1.7 billion (for more information on sequestration, see text box). The House Appropriations Committee did not take action on an FY2015 L-HHS-ED appropriations bill.

## Obama Administration Budget Request

On March 4, 2014, the Obama Administration released its initial FY2015 budget materials, requesting $1.7 billion for the SSBG.

[4] *OMB Report to the Congress on the Joint Committee Reductions for Fiscal Year 2015*, March 10, 2014, p. 7, http://www.whitehouse.gov/sites/default/files/omb/assets/legislative_reports/sequestration_order_report_march2014.pdf

**A Note on Sequestration**

Readers should note that starting in FY2013, SSBG appropriations have been affected by automatic budget reduction procedures (known as "sequestration") authorized by the Budget Control Act of 2011 (BCA, P.L. 112-25) and the Balanced Budget and Emergency Deficit Control Act of 1985 (P.L. 99-177), as amended. The BCA, which was signed into law on August 2, 2011, established a Joint Select Committee on Deficit Reduction, charged with the task of achieving at least $1.2 trillion in deficit reduction.[5] The Joint Committee did not achieve this goal, triggering an automatic budget reduction process consisting of a combination of sequestration and lower discretionary spending limits.[6] For FY2013, the BCA called for sequestration of both mandatory and discretionary spending programs. For FY2014-FY2024, the BCA (as amended) calls for continued sequestration for mandatory programs and lower spending limits for discretionary programs. Annual SSBG appropriations consist of mandatory funding and thus, in the absence of congressional action, are expected to be subject to sequestration through FY2024.

# FY2014 Funding

## Final Appropriations

On January 17, 2014, President Obama signed into law the Consolidated Appropriations Act, 2014 (P.L. 113-76), providing omnibus appropriations for FY2014. This law appropriated $1.7 billion for the SSBG. However, SSBG appropriations were subject to sequestration in FY2014 (see text box). The sequester reduced SSBG funding from the $1.7 billion appropriated by P.L. 113-76, to an operating level of $1.578 billion in FY2014. The FY2014 omnibus maintained a provision, included in annual appropriations laws since FY2001, allowing states to transfer up to 10% of their TANF block grants to the SSBG.

## Funding Gap and Continuing Resolutions

Congress and the President did not enact FY2014 appropriations prior to the start of the fiscal year, October 1, 2013.[7] This resulted in a funding gap and government shutdown that lasted 16 days until a short-term continuing resolution (CR) was signed into law on October 17, 2013. That CR (P.L. 113-46) lasted through January 15, 2014. A second FY2014 CR was enacted on January 15 (P.L. 113-73), and maintained temporary government-wide funding until the FY2014 omnibus was signed by the President on January 17 (P.L. 113-76).

## Preliminary Congressional Action

Prior to the start of the fiscal year, on July 11, 2013, the Senate Appropriations Committee approved an FY2014 L-HHS-ED appropriations bill (S. 1284, S.Rept. 113-71). The Senate Committee-reported bill would have funded the SSBG at the pre-sequester level of $1.7 billion.

[5] For a comprehensive discussion of the BCA, see CRS Report R41965, *The Budget Control Act of 2011*, by Bill Heniff Jr., Elizabeth Rybicki, and Shannon M. Mahan.

[6] The discretionary limits were later modified by the American Taxpayer Relief Act of 2012 (ATRA, P.L. 112-250) and the Bipartisan Budget Act of 2013 (BBA, Division A of P.L. 113-6).

[7] An exception is that on September 30, an automatic continuing resolution was enacted to cover FY2014 pay and allowances for (1) certain members of the Armed Forces, (2) certain Department of Defense (DOD) civilian personnel, and (3) other specified DOD and Department of Homeland Security contractors (P.L. 113-39).

The House Appropriations Committee did not take action on an FY2014 L-HHS-ED appropriations bill.

## Budget Resolution

On December 26, 2013, the President signed into law the Bipartisan Budget Act of 2013 (BBA, Division A of P.L. 113-67). The BBA includes a section titled "Establishing a Congressional Budget" (Title I, Subtitle B), which provided an alternative mechanism for budget enforcement that could serve as a substitute to a traditional congressional budget resolution for FY2014. In January 2014, the House and Senate Budget Committees filed committee spending levels that became enforceable on the House and Senate floor.

Prior to this, both the House and Senate had taken action on their own budget resolutions.

On March 21, 2013, the House agreed to a budget resolution for FY2014 (H.Con.Res. 25) by a vote of 221-207. The committee report (H.Rept. 113-17) accompanying H.Con.Res. 25 included a recommendation that the SSBG be eliminated.[8] In its critique of the SSBG, the committee report noted that states are not required to match federal SSBG allotments or to demonstrate outcomes ("evidence of effectiveness") from their SSBG spending. The report called the SSBG a "duplicative" funding stream, noting that many services supported by the SSBG may also be supported by other federal programs.

On March 23, 2013, the Senate agreed to an FY2014 budget resolution (S.Con.Res. 8) by a vote of 50-49. The committee print (S.Prt. 113-12) accompanying S.Con.Res. 8 did not call for the SSBG to be eliminated, but would have established a deficit neutral reserve fund for legislation related to the SSBG and other programs deemed as providing a "critical safety net."[9]

## Obama Administration Budget Request

On April 10, 2013, the Obama Administration released its FY2014 budget, which requested $1.7 billion for the SSBG.

# FY2013 Funding

## Final Appropriations

Congress and the President did not enact full-year FY2013 appropriations prior to the start of the fiscal year. Instead, following a six-month government-wide continuing resolution (P.L. 112-175), Congress agreed to a full-year appropriations bill in March 2013. President Obama signed into law the Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6) on March 26, 2013. Division F of P.L. 113-6 appropriated $1.700 billion for the SSBG, but this amount was reduced to $1.613 billion by the sequester order issued by the President on March 1, 2013 (see

[8] H.Rept. 113-17, *Concurrent Resolution on the Budget—Fiscal Year 2014*, March 15, 2013, p. 78.

[9] S.Prt. 113-12, *Concurrent Resolution on the Budget, FY2014*, March 2013, p. 146.

text box). The full-year bill maintained a provision, included in annual appropriations laws since FY2001, allowing states to transfer up to 10% of their TANF block grants to the SSBG.

## Disaster Supplemental

On January 29, 2013, the President signed into law the Disaster Relief Appropriations Act, 2013 (P.L. 113-2), in response to Hurricane Sandy. This law reserved roughly $500 million ($474.5 million when accounting for sequestration) for the SSBG.[10] The supplemental included language stipulating that these funds be used to address necessary expenses resulting from Hurricane Sandy, including social, health, and mental health services for individuals; and for repair, renovation, and rebuilding of health care facilities (including mental health facilities), child care facilities, and other social services facilities. The supplemental also included a provision giving states up to three years to expend these funds, one year longer than the SSBG's standard two-year expenditure period.

On March 28, 2013, HHS issued an information memorandum regarding the availability of these supplemental funds.[11] According to this memorandum, five states were allocated supplemental funds based on their relative share of Hurricane Sandy Individual Assistance registrants, as reported by the Federal Emergency Management Agency (FEMA) on of March 18, 2013. These states were Connecticut ($10.6 million), Maryland ($1.2 million), New Jersey ($226.8 million), New York ($235.4 million), and Rhode Island ($0.5 million). HHS subsequently released a number of additional SSBG resources related to Hurricane Sandy, including two rounds of Questions and Answers and additional information on reporting requirements.[12]

Prior to the enactment of P.L. 113-2, the Obama Administration had submitted a request to Congress on December 7, 2012, for disaster relief to support states affected by Hurricane Sandy. As part of this request, the Administration called for Congress to provide $500 million in supplemental funding for the SSBG.[13] On December 28, 2012, the Senate approved this request as part of a disaster supplemental package (introduced as an amendment to H.R. 1), with some special provisions not included in the President's request. However, the House took no action on this bill, as amended by the Senate, prior to the end of the 112th Congress.

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[10] This law did not appropriate the $500 million directly to the SSBG. Rather, the law appropriated $800 million to the HHS Public Health and Social Services Emergency Fund and required that, of this amount, the Secretary of HHS transfer $500 million to the SSBG. For additional information, see CRS Report R42869, *FY2013 Supplemental Funding for Disaster Relief*, coordinated by William L. Painter and Jared T. Brown.

[11] See SSBG Information Memorandum Transmittal Number 01-2013, http://www.acf.hhs.gov/sites/default/files/ocs/ssbg_im_hurricane_sandy_approved_3_27_signed_2_0.pdf.

[12] These resources are available on the HHS website at http://www.acf.hhs.gov/programs/ocs/resource-library/search?area[2129]=2129#?keyword[0]=sandy&area[2129]=2129&ajax=1.

[13] Office of Management and Budget, Hurricane Sandy Funding Needs, Washington, DC, December 7, 2012, p. 15, http://www.whitehouse.gov/sites/default/files/supplemental__december_7_2012_hurricane_sandy_funding_needs.pdf.pdf.

## Preliminary Congressional Action

On July 18, 2012, the House Appropriations L-HHS-ED Subcommittee approved a bill that would have provided $1.7 billion (pre-sequester) for the SSBG in FY2013.[14] The full committee did not take action on this bill.

On June 14, 2012, the Senate Appropriations Committee reported a bill to provide full-year FY2013 L-HHS-ED appropriations (S. 3295, S.Rept. 112-176). This bill also called for funding the SSBG funding at $1.7 billion (pre-sequester) in FY2013. In the report accompanying the bill, the Senate Appropriations Committee called the SSBG a "critical source of funding for services that protect children from neglect and abuse, including providing foster and respite care, as well as related services for children and families, persons with disabilities, and older adults." The report went on to state, "The Committee recognizes the importance of this program, especially in providing mental health and counseling services to underserved populations, and recommends continued usage and flexibility of these funds for such purposes."

## House Budget Resolution and Reconciliation

On March 29, 2012, the House agreed to a budget resolution for FY2013 (H.Con.Res. 112), which was later deemed enforceable in the House by H.Res. 614, as amended by H.Res. 643. The committee report (H.Rept. 112-421) accompanying the House budget resolution for FY2013 included a recommendation that the SSBG be eliminated.[15] In its critique of the SSBG, the committee report noted that states are not required to match federal SSBG allotments or to demonstrate outcomes ("evidence of effectiveness") from their SSBG spending. The report called the SSBG a "duplicative" funding stream, noting that many services supported by the SSBG may also be supported by other federal programs.

The House budget resolution for FY2013 also included a reconciliation directive requiring certain House authorizing committees to submit deficit reduction recommendations to the House Budget Committee no later than April 27, 2012.[16] On April 18, 2012, the House Ways and Means Committee marked up legislation to comply with the reconciliation directive. The legislation included a proposal, which was agreed to by the committee (22-14), to repeal the SSBG.[17] The legislation was transmitted to the House Budget Committee for inclusion in a larger reconciliation bill.[18] On May 9, 2012, the House Budget Committee reported out the Sequester Replacement Reconciliation Act of 2012 (H.R. 5652, H.Rept. 112-470), which is the reconciliation package that includes the proposal to repeal the SSBG. This bill was passed by the House (218-199) the

[14] Press releases and a draft of the bill released by the subcommittee prior to markup can be found on the House Appropriations Committee website: http://appropriations.house.gov/subcommittees/subcommittee/?IssueID=34777.

[15] H.Rept. 112-421, *Concurrent Resolution on the Budget, FY2013*, March 23, 2012, pp. 89-90.

[16] See Section 201 of H.Con.Res. 112.

[17] For the text of this legislation, visit http://waysandmeans.house.gov/UploadedFiles/041812_3.pdf. Note that the legislation would repeal Title XX-A, Sections 2001-2007, but would not repeal Title XX-B (the subtitle on Elder Justice enacted in health reform legislation) or Sections 2008-2009 of Title XX-A (enacted by health reform legislation to create demonstration projects related to the health care workforce and a competitive grant program for the early detection of medical conditions related to environmental health hazards). For a record of the vote, see http://waysandmeans.house.gov/UploadedFiles/Social_Services_Block_Grant_Roll_Call.pdf.

[18] See reconciliation submissions by committee online at http://budget.house.gov/BudgetAnalysis/Reconciliation.htm.

following day. (For additional information, see related discussion in the section on the "Proposal to Repeal the SSBG".)

### Senate Budget Resolution

The Senate has not agreed to a budget resolution for FY2013. However, on March 20, 2012, Senate Budget Committee Chairman Kent Conrad filed in the *Congressional Record* aggregate spending levels, aggregate revenue levels, and committee spending levels enforceable in the Senate, which have been referred to as a "deeming resolution."[19]

### Obama Administration Budget Request

The Obama Administration released the FY2013 budget on February 13, 2012. The budget requested that funding for the SSBG be maintained at $1.7 billion for FY2013, the same amount it has received annually since FY2002.

## Additional Appropriations History

**Table 1** shows SSBG funding levels from 1985 on, including the high of $2.8 billion, which was provided annually from FY1991-FY1995. Although $2.8 billion was the originally authorized entitlement ceiling for FY1996, Congress reduced funding to $2.38 billion in that year. Welfare reform legislation (P.L. 104-193) subsequently set the annual SSBG entitlement ceiling at $2.38 billion in each of fiscal years 1997 through 2002. Under the welfare reform law, the ceiling was scheduled to return to a permanent level of $2.8 billion in FY2003.

After welfare reform was enacted, Congress passed an appropriations measure for FY1997 (P.L. 104-208) that contained $2.5 billion for the SSBG, exceeding the ceiling established in the welfare reform law. For FY1998, President Clinton requested that the amount authorized by welfare reform ($2.38 billion) be appropriated. However, Congress approved an FY1998 appropriations bill (P.L. 105-78) containing $2.299 billion for the SSBG. The Senate Appropriations Committee explained the reduction by stating that funding is provided for social services through other federal programs (S.Rept. 105-58). The House Appropriations Committee expressed concern that HHS lacks information on the effectiveness of SSBG-funded activities (H.Rept. 105-205).

In 1998, the Transportation Equity Act (TEA, P.L. 105-178) permanently reduced the SSBG entitlement ceiling to $1.7 billion, beginning in FY2001. However, the entitlement ceiling has not always reflected the actual appropriation. For example, the $1.725 billion appropriation level for FY2001 (H.R. 4577) exceeded the $1.7 billion ceiling by $25 million. In addition, a TEA provision limited the authority for states to transfer TANF funds to the SSBG beginning in FY2001 (reducing the transfer cap from 10%, as established in welfare reform, to 4.25%). However, each annual appropriation from FY2001 onward has included override to reinstate the higher cap, effectively enabling states to transfer up to 10% of their TANF funds to the SSBG.

[19] For more information on deeming resolutions, see CRS Report RL31443, *The "Deeming Resolution": A Budget Enforcement Tool*, by Megan S. Lynch.

In addition to annual appropriations, the SSBG occasionally receives supplemental appropriations, including in FY2006, FY2008, and FY2013. See **Appendix B** for additional information on these recent supplemental appropriations.

**Table 1** shows SSBG entitlement ceilings and appropriations from FY1985-FY2015. Also shown for FY1997-FY2013 are the amounts transferred from TANF to SSBG.

**Table 1. SSBG Funding, FY1985-FY2015**

(Dollars in billions)

| Fiscal Year | Ceiling | Appropriation | Fiscal Year | Ceiling | Appropriation | Transfer from TANF |
|---|---|---|---|---|---|---|
| **1985** | 2.7 | 2.725[a] | **1997** | 2.380 | 2.5 | 0.36 |
| **1986** | 2.7 | 2.584[b] | **1998** | 2.380 | 2.299 | 1.12 |
| **1987** | 2.7 | 2.7 | **1999** | 2.380 | 1.909 | 1.32 |
| **1988** | 2.750[c] | 2.7 | **2000** | 2.380 | 1.775 | 1.10 |
| **1989** | 2.7 | 2.7 | **2001** | 1.700 | 1.725 | 0.93 |
| **1990** | 2.8 | 2.762[d] | **2002** | 1.700 | 1.700 | 1.03 |
| **1991** | 2.8 | 2.8 | **2003** | 1.700 | 1.700 | 0.93 |
| **1992** | 2.8 | 2.8 | **2004** | 1.700 | 1.700 | 0.77 |
| **1993** | 2.8 | 2.8 | **2005** | 1.700 | 1.700 | 0.92 |
| **1994** | 2.8 | 2.8 | **2006** | 1.700 | 1.700+0.550[e] | 0.97 |
| **1995** | 2.8 | 2.8 | **2007** | 1.700 | 1.700 | 1.17 |
| **1996** | 2.381 | 2.381 | **2008** | 1.700 | 1.700+0.600[f] | 1.18 |
| | | | **2009** | 1.700 | 1.700 | 1.21 |
| | | | **2010** | 1.700 | 1.700 | 1.22 |
| | | | **2011** | 1.700 | 1.700 | 1.14 |
| | | | **2012** | 1.700 | 1.700 | 1.13 |
| | | | **2013** | 1.700 | 1.613+0.475[g] | 1.13 |
| | | | **2014** | 1.700 | 1.578[h] | data not yet available |
| | | | **2015** | 1.700 | 1.576[i] | |

**Source:** Table prepared by the Congressional Research Service (CRS) based on budget documents and HHS data. In this table, TANF transfer figures reflect data from combined year TANF spending reports; amounts may not necessarily match transfer amounts shown in annual SSBG reports.

a. Amount includes $25 million earmarked for training of daycare providers, licensing officials, and parents, including training in the prevention of child abuse in child care settings (P.L. 98-473).

b. The entitlement ceiling for FY1986 was $2.7 billion. However, the Gramm-Rudman-Hollings legislation sequestration of funds for that period reduced the funding by $116 million.

c. The 1987 Budget Reconciliation Act (P.L. 100-203) included a $50 million increase in the Title XX entitlement ceiling for FY1988; however, these additional funds were not appropriated.

d. The FY1990 appropriation included a supplemental appropriation of $100 million (P.L. 101-198). The Gramm-Rudman-Hollings legislation sequestration of funds for FY1990 reduced funding by $37.8 million to $2.762 billion.

e. The FY2006 Labor-HHS-Education Appropriations Act maintained regular SSBG funding at $1.7 billion. The FY2006 Defense Appropriations Act (P.L. 109-148) provided an additional $550 million in SSBG funding, for necessary expenses related to the consequences of hurricanes in 2005.

f. The Consolidated Appropriations Act, 2008 (P.L. 110-161) maintained regular SSBG funding at $1.7 billion. However, the first FY2009 CR (P.L. 110-329) included, as Division B, the Disaster Relief and Recovery Supplemental Appropriations Act of 2008, which provided $600 million in supplemental SSBG funds. These funds were appropriated on the last day of FY2008, but not allotted to states until FY2009.

g. The Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6) appropriated $1.700 billion for the SSBG, but this amount was reduced to $1.613 billion due to sequestration. In response to Hurricane Sandy, the Disaster Relief Appropriations Act, 2013 (P.L. 113-2), reserved roughly $500 million ($474.5 million post-sequester) for the SSBG.

h. The Consolidated Appropriations Act, 2014 (P.L. 113-76) appropriated $1.7 billion for the SSBG, but this amount was reduced to $1.578 billion due to sequestration.

i. The Consolidated and Further Continuing Appropriations Act, 2015 (P.L. 113-235) appropriated $1.7 billion for the SSBG, but this amount was reduced to $1.576 billion due to sequestration.

# Allocation of Funds

SSBG funds are allocated to states according to the relative size of each state's population. Grants to Puerto Rico, Guam, the Virgin Islands, and Northern Mariana Islands are based on their share of Title XX funds in FY1981, while grants to American Samoa are based on the relative size of their population compared to the population of the Northern Mariana Islands. No match is required for federal SSBG funds, and federal law does not specify a sub-state allocation formula. In other words, states have complete discretion for the distribution of SSBG funds within their borders. **Table 2** displays FY2013 and FY2014 SSBG allotments by state. (Supplemental funds provided in FY2013 are not shown here; see **Table B-1** instead.)

**Table 2. FY2013 and FY2014 SSBG Allotments to States and Territories**

(Amounts in dollars)

| State / Territory | FY2013 | FY2014 |
|---|---:|---:|
| Alabama | 24,727,756 | 24,180,567 |
| Alaska | 3,721,041 | 3,638,700 |
| Arizona | 33,376,323 | 32,637,753 |
| Arkansas | 15,126,704 | 14,791,972 |
| California | 194,063,475 | 189,769,130 |
| Colorado | 26,344,729 | 25,761,758 |
| Connecticut | 18,435,913 | 18,027,953 |
| Delaware | 4,670,545 | 4,567,193 |
| District of Columbia | 3,181,862 | 3,111,452 |
| Florida | 98,121,125 | 95,949,846 |
| Georgia | 50,535,344 | 49,417,070 |
| Hawaii | 7,078,452 | 6,921,816 |
| Idaho | 8,160,576 | 7,979,994 |
| Illinois | 66,259,646 | 64,793,415 |

| State / Territory | FY2013 | FY2014 |
|---|---|---|
| Indiana | 33,553,525 | 32,811,034 |
| Iowa | 15,766,839 | 15,417,942 |
| Kansas | 14,783,077 | 14,455,948 |
| Kentucky | 22,496,402 | 21,998,589 |
| Louisiana | 23,554,352 | 23,033,128 |
| Maine | 6,838,411 | 6,687,087 |
| Maryland | 30,007,977 | 29,343,943 |
| Massachusetts | 33,917,094 | 33,166,558 |
| Michigan | 50,849,295 | 49,724,074 |
| Minnesota | 27,518,962 | 26,910,007 |
| Mississippi | 15,335,396 | 14,996,046 |
| Missouri | 30,947,090 | 30,262,276 |
| Montana | 5,139,404 | 5,025,676 |
| Nebraska | 9,487,163 | 9,277,226 |
| Nevada | 14,021,505 | 13,711,229 |
| New Hampshire | 6,786,955 | 6,636,769 |
| New Jersey | 45,417,276 | 44,412,258 |
| New Mexico | 10,720,698 | 10,483,465 |
| New York | 100,220,009 | 98,002,285 |
| North Carolina | 49,717,688 | 48,617,507 |
| North Dakota | 3,521,345 | 3,443,423 |
| Ohio | 59,441,222 | 58,125,873 |
| Oklahoma | 19,521,249 | 19,089,272 |
| Oregon | 19,934,951 | 19,493,819 |
| Pennsylvania | 65,609,002 | 64,157,170 |
| Rhode Island | 5,412,814 | 5,293,036 |
| South Carolina | 24,091,843 | 23,558,725 |
| South Dakota | 4,242,932 | 4,149,042 |
| Tennessee | 32,968,795 | 32,239,243 |
| Texas | 132,190,636 | 129,265,447 |
| Utah | 14,504,966 | 14,183,992 |
| Vermont | 3,225,291 | 3,153,920 |
| Virginia | 41,686,797 | 40,764,329 |
| Washington | 35,165,658 | 34,387,493 |
| West Virginia | 9,552,670 | 9,341,283 |
| Wisconsin | 29,408,042 | 28,757,285 |
| Wyoming | 2,925,262 | 2,860,530 |

| State / Territory | FY2013 | FY2014 |
| --- | --- | --- |
| American Samoa | 57,320 | 56,052 |
| Guam | 278,155 | 272,000 |
| Northern Mariana Islands | 55,631 | 54,400 |
| Puerto Rico | 8,344,655 | 8,160,000 |
| Virgin Islands | 278,155 | 272,000 |
| **Total** | **1,613,300,000** | **1,577,600,000** |

**Source:** Table prepared by the Congressional Research Service (CRS) based on data from HHS, available online at https://www.acf.hhs.gov/sites/default/files/olab/sec3k_ssbg_2015cj.pdf#page=15.

**Notes:** Figures are based on the annual SSBG appropriations for FY2013 (P.L. 113-6) and FY2014 (P.L. 113-76), as reduced by sequestration. In FY2013, the Disaster Relief Appropriations Act, 2013 (P.L. 113-2) reserved roughly $500 million ($474.5 million post-sequester) for the SSBG. Allocations based on this supplemental appropriation are not shown here.

# State Reporting Requirements

Each year, states are required to submit an intended use plan, often called a "pre-expenditure report," as a prerequisite to receive SSBG funds. The pre-expenditure report must be submitted 30 days prior to the start of the fiscal year.[20] States must also submit a revised report if their planned uses for SSBG funds change during the course of the year. In pre-expenditure reports, states outline their plans for SSBG funds, including the types of services to be supported, and the categories and characteristics of individuals to be served (e.g., children, adults 59 and younger, adults 60 and older, and the disabled).

States are also required to report annually on their actual SSBG expenditures in each of the 29 service categories. For this report, submitted within six months after the end of the reporting period, states use a standard post-expenditure reporting form.[21] HHS published regulations (November 15, 1993) to implement this requirement and to provide states with a uniform set of service category definitions.

States are not required to submit pre-expenditure reports using a standard format like the one required for post-expenditure reporting (e.g., states may simply submit a narrative or chart of their proposed activities and the individuals to be served). However, HHS issued a new Information Memorandum in December 2008, asking states to voluntarily include additional documentation as part of their pre-expenditure reports.[22] Specifically, HHS requested that states submit a copy of the form used for post-expenditure reports, completed with *estimated* (rather than actual) expenditures and recipient data. The reason for this request was to allow for a more accurate analysis of the extent to which states are spending their SSBG funds "in a manner consistent" with their intended use plans. HHS issued a second Information Memorandum on this

[20] This refers to September 1, provided the state operates on a federal fiscal year; alternately, this means June 1 if the state operates on a July-June fiscal year.

[21] See OMB Form No. 0970-0234.

[22] Information Memorandum Transmittal No. 01-2009, *Linking the Social Services Block Grant (SSBG) Pre- and Post-Expenditure Reports*, HHS, Dec. 31, 2008, http://www.acf.hhs.gov/programs/ocs/resource/transmittal-no-01-2009-linking-the-social-services-block-grant-ssbg-pre-and.

topic in June 2010, again encouraging states to submit pre-expenditure estimates using the same reporting form that is required for post-expenditure reports.[23]

Most recently, in February 2012, HHS issued an Information Memorandum about a new performance measure that will compare spending plans with actual spending.[24] To support implementation of the performance measure, HHS requested that states submit pre- and post-expenditure reports in Excel using standard reporting forms. HHS also requested that states choosing not to use the standard pre-expenditure reporting form (since the standard form is not technically required) provide a crosswalk to SSBG service categories. In addition, HHS requested that states differentiate in their pre-expenditure reports between estimated spending from the state's SSBG allocation and estimated state spending from projected TANF transfers, because the performance measure will apply only to those funds provided as part of a state's SSBG allocation.

# Recent Expenditures

**Table 3** shows national SSBG expenditures from FY2010, the most recent year for which SSBG data are available. Expenditures are separated into those made from the annual SSBG allocation and those made from funds transferred from the TANF block grant, and are displayed by service category. In FY2010, the largest expenditures for services under the SSBG were for child care (13%), foster care services for children (13%), and special services for the disabled (12%).

**Table 3. Total SSBG Expenditures by Service Category, FY2010**

| | SSBG Expenditures Made From: | | | |
|---|---|---|---|---|
| Service Category | SSBG Allocation ($) | Funds Transferred from TANF ($) | Total SSBG Expenditures ($) | Percent of Total |
| Adoption Services | 21,107,553 | 9,598,089 | 30,705,642 | 1% |
| Case Management | 129,647,136 | 73,961,188 | 203,608,325 | 7% |
| Congregate Meals | 4,596,350 | 34,088 | 4,630,437 | 0% |
| Counseling Services | 23,955,844 | 2,407,855 | 26,363,699 | 0% |
| Day Care—Adults | 24,633,593 | 11,425 | 24,645,017 | 0% |
| Day Care—Children | 94,455,146 | 276,262,234 | 370,717,380 | 13% |
| Education and Training Services | 7,480,460 | 3,007,383 | 10,487,842 | 0% |
| Employment Services | 11,925,900 | 225,976 | 12,151,876 | 0% |
| Family Planning Services | 9,844,355 | 21,534,883 | 31,379,238 | 1% |
| Foster Care Services—Adults | 34,744,191 | 8,649,489 | 43,393,679 | 2% |

[23] Information Memorandum Transmittal No. 01-2010, *Pre- and Post-Expenditure Reporting for the SSBG Program*, HHS, June 7, 2010, http://www.acf.hhs.gov/programs/ocs/resource/transmittal-no-01-2010-pre-and-post-expenditure-reporting-for-the-ssbg.

[24] Information Memorandum Transmittal No. 01-2012, *Implementation of a New Performance Measure*, HHS, February 23, 2012, http://www.acf.hhs.gov/programs/ocs/resource/implementation-of-a-new-performance-measure.

| Service Category | SSBG Expenditures Made From: SSBG Allocation ($) | Funds Transferred from TANF ($) | Total SSBG Expenditures ($) | Percent of Total |
|---|---|---|---|---|
| Foster Care Services—Children | 127,266,211 | 249,264,621 | 376,530,833 | 13% |
| Health-Related Services | 15,047,911 | 1,923,376 | 16,971,287 | 1% |
| Home-Based Services | 163,113,592 | 20,324,157 | 183,437,748 | 7% |
| Home-Delivered Meals | 27,002,216 | 417,132 | 27,419,349 | 1% |
| Housing Services | 10,681,443 | 4,451,626 | 15,133,068 | 1% |
| Independent/Transitional Living | 6,231,216 | 946,726 | 7,177,942 | 0% |
| Information and Referral | 11,686,333 | 4,057,794 | 15,744,127 | 1% |
| Legal Services | 14,373,743 | 648,506 | 15,022,249 | 1% |
| Pregnancy and Parenting | 7,160,933 | 1,722,254 | 8,883,187 | 0% |
| Prevention and Intervention | 41,438,703 | 137,455,219 | 178,893,922 | 6% |
| Protective Services—Adults | 173,851,999 | 6,519,649 | 180,371,648 | 6% |
| Protective Services—Children | 119,248,981 | 170,597,531 | 289,846,512 | 10% |
| Recreation Services | 753,207 | 60,555 | 813,762 | 0% |
| Residential Treatment | 52,516,577 | 44,928,959 | 97,445,536 | 3% |
| Special Services—Disabled | 277,105,892 | 67,440,958 | 344,546,851 | 12% |
| Special Services—Youth at Risk | 37,460,489 | 3,482,626 | 40,943,115 | 1% |
| Substance Abuse Services | 4,973,542 | 1,016,727 | 5,990,270 | 0% |
| Transportation | 14,547,075 | 2,179,976 | 16,727,051 | 1% |
| Other Services | 105,237,050 | 54,493,370 | 159,730,420 | 6% |
| Administrative Costs | 74,487,958 | 17,995,453 | 92,483,411 | 3% |
| **Total SSBG Expenditures** | **1,646,575,600** | **1,185,619,823** | **2,832,195,424** | **100%** |

**Source:** Table prepared by CRS based on data included in the Social Services Block Grant Program Annual Report 2010 (note that TANF transfer data from this source may differ from data in TANF financial reports). Full report available at http://www.acf.hhs.gov/programs/ocs/resource/ssbg-2010-annual-report.

**Note:** Totals may not sum due to rounding.

# Recent Legislative Action

Other than appropriations legislation, no bills in the 109th Congress or 110th Congress that proposed changes to the SSBG were enacted into law. Notably, however, several bills from the 109th Congress included proposals that, if enacted, would have increased funding for the SSBG (see S. 6, S. 667, and H.R. 751 from the 109th Congress). Subsequently, several bills (S. 795, H.R. 2006, S. 1796, H.R. 3590) were introduced in the 111th Congress that sought to amend Title XX of the Social Security Act (SSA)—the authorizing statute for the SSBG—to establish new programs to address the prevention, detection, and treatment of elder abuse or elder justice. Ultimately, the health care reform legislation passed by Congress in March 2010 included three provisions amending Title XX of the SSA (addressed briefly below), including one on elder justice. Meanwhile, in the 112th Congress, the House agreed to a proposal to repeal the SSBG, but this bill was not taken up in the Senate. During the 113th Congress, there were further proposals to repeal the SSBG, including in House Budget Resolutions and as part of the House Budget Committee's discussion draft on *Expanding Opportunity in America*[25], but none have received the attention H.R. 5652 received in the 112th Congress and, as such, are not discussed here.

## Proposal to Repeal the SSBG in the 112th Congress

On May 10, 2012, the House passed the Sequester Replacement Reconciliation Act of 2012 (H.R. 5652 in the 112th Congress) by a recorded vote of 218-199. This bill included a provision (§621) that, if enacted, would have repealed the SSBG, effective October 1, 2012. However, the Senate did not take up this measure prior to the end of the 112th Congress.

The Sequester Replacement Reconciliation Act of 2012 was a budget reconciliation bill. Budget reconciliation is an optional process that may be used by Congress to bring existing spending, revenue, and debt-limit laws into compliance with fiscal priorities established in the annual budget resolution.[26] The FY2013 House budget resolution included a reconciliation directive in Section 201. To comply with this directive, on April 18, 2012, the House Ways and Means Committee marked up legislation to meet its deficit reduction targets. This legislation included a provision to repeal the SSBG that was agreed to by the committee by a vote of 22-14.[27] The House Budget Committee compiled this legislation, along with submissions from other House committees, into the Sequester Replacement Reconciliation Act of 2012 and reported the bill out of committee (H.Rept. 112-470) on May 9, 2012.[28]

The report accompanying the Sequester Replacement Reconciliation Act of 2012 (H.Rept. 112-470) included text explaining the decision to repeal the SSBG.[29] The report called the SSBG a

[25] A copy of the discussion draft, which was released on July 24, 2014, is available at http://budget.house.gov/uploadedfiles/expanding_opportunity_in_america.pdf.

[26] For more information about budget reconciliation, see CRS Report R41186, *Reconciliation Directives: Components and Enforcement*, by Megan S. Lynch.

[27] For the text of this legislation, visit http://waysandmeans.house.gov/UploadedFiles/041812_3.pdf. Note that the legislation would repeal Title XX-A, Sections 2001-2007, but would not repeal Title XX-B (the subtitle on Elder Justice enacted in health reform legislation) or Sections 2008-2009 of Title XX-A (enacted by health reform legislation to create demonstration projects related to the health care workforce and a competitive grant program for the early detection of medical conditions related to environmental health hazards).

[28] See reconciliation submissions by committee online at http://budget.house.gov/BudgetAnalysis/Reconciliation.htm.

[29] See text beginning on p. 505 of H.Rept. 112-470.

duplicative funding stream lacking in focus and accountability. The report also criticized the SSBG for not requiring states to match federal SSBG allotments. Committee reports accompanying House budget resolutions for FY2012 and FY2013 included similar critiques of the SSBG and, in each year, recommended that the program be eliminated.[30] Similar arguments had previously been made by the George W. Bush Administration in proposing, as part of annual budget requests, to reduce and eventually eliminate funding for the SSBG.[31]

The committee report accompanying H.R. 5652 also included a summary of dissenting views, which focused largely on how the elimination of the SSBG might affect the vulnerable individuals served by these funds.[32] Similar concerns were raised by other critics of the proposal to eliminate the SSBG, such as the National Conference of State Legislatures (NCSL).[33] The NCSL argued that the flexible nature of the SSBG allows states to address the needs of vulnerable populations and respond to local concerns, arguing that eliminating the SSBG might shift costs of such services directly to states.[34]

## How Did Health Reform Affect the SSBG?

On March 23, 2010, President Obama signed into law a comprehensive health care reform bill, the Patient Protection and Affordable Care Act (ACA; P.L. 111-148). This law included three provisions that amended the SSBG's authorizing legislation, Title XX of the SSA. These provisions, discussed briefly below, created new programs related to elder justice, the health care workforce, and environmental health hazards. Notably, these changes were primarily of technical importance with respect to the SSBG. That is, they affected statutory citations for the SSBG, but they did not substantively amend the provisions within Title XX that govern the SSBG itself.

### New Subtitle on Elder Justice

The health reform law re-titled Title XX as *Block Grants to States for Social Services and Elder Justice* (formerly, Title XX was entitled *Block Grants to States for Social Services*). The law also divided Title XX into two subtitles: Subtitle A retained provisions related to the SSBG, while Subtitle B comprised a series of new provisions related to elder justice.[35] The elder justice provisions established (1) an Elder Justice Coordinating Council; (2) an Advisory Board on Elder

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[30] For FY2013, see H.Rept. 112-421, *Concurrent Resolution on the Budget, FY2013*, March 23, 2012, pp. 89-90. For FY2012, see H.Rept. 112-58, *Concurrent Resolution on the Budget, FY2012*, April 11, 2011, p. 97.

[31] See discussion of these proposals in budget justifications of the HHS Administration for Children and Families, available online at http://www.acf.hhs.gov/programs/olab/budget. The FY2007 and FY2008 President's Budgets proposed to reduce funding for the SSBG, but not permanently eliminate the program. The initial FY2009 President's Budget proposed to decrease funding for the SSBG by $500 million in FY2009, but to permanently eliminate the program beginning in FY2010. Subsequent amendments to the President's Budget reduced the FY2009 request to $0.

[32] H.Rept. 112-470, pp. 539-540.

[33] Letter from The Honorable Tom Hansen (South Dakota Senate) and The Honorable Barbara W. Ballard (Kansas House of Representatives), Chairs of the NCSL Human Services and Welfare Committee, to The Honorable David Camp and the Honorable Sander Levin, chair and ranking Member (respectively) of the House Committee on Ways and Means, April 16, 2012, http://www.ncsl.org/issues-research/human-services/ncsl-letter-opposing-permanent-elimination-of-ssbg.aspx. See also Indivar Dutta-Gupta, LaDonna Pavetti, and Ife Finch, *Eliminating Social Services Block Grant Would Weaken Services for Vulnerable Children, Adults, and Disabled*, Center on Budget and Policy Priorities, May 3, 2012, http://www.cbpp.org/cms/index.cfm?fa=view&id=3765#_ftnref11.

[34] Ibid.

[35] See Sections 6701-6703 of the Patient Protection and Affordable Care Act (ACA, P.L. 111-148).

Abuse, Neglect, and Exploitation; (3) a new grant program for stationary and mobile forensic centers to develop forensic expertise pertaining to elder abuse, neglect, and exploitation; and (4) several new grant programs (and other activities) to promote elder justice.[36]

## New Programs Authorized within the SSBG Subtitle of Title XX

The health care reform law (P.L. 111-148) also included provisions establishing two new sections within Subtitle A of Title XX. The first created two demonstration projects related to the health care workforce. The second called for HHS to establish a competitive grant program for the early detection of medical conditions related to environmental health hazards. The health reform law established these new programs within the SSBG subtitle of Title XX and subjected their funding to the same prohibited uses as SSBG funds (though the new law made two exceptions[37] to this rule). However, these new programs do not substantively alter the SSBG itself. The funding for these programs was provided separately in the health reform law (through mandatory pre-appropriations) and is not subject to the SSBG allocation formula.

[36] A full description of these provisions is beyond the scope of this report, which is focused on the SSBG. For a summary of the provisions in P.L. 111-148 related to elder justice, see CRS Report R41278, *Public Health, Workforce, Quality, and Related Provisions in ACA: Summary and Timeline*, coordinated by C. Stephen Redhead and Elayne J. Heisler.

[37] Section 10323(b) of ACA (P.L. 111-148) specifies that the general prohibition against using SSBG funds for the provision of medical care shall not be construed as to prohibit recipients of a grant for the early detection of medical conditions related to environmental health hazards from conducting screening for environmental health conditions. In addition, Section 5507 of ACA exempts both health care workforce demonstrations projects from the prohibition against using SSBG funds for the provision of an education service that the state makes generally available to its residents without cost and without regard to their income.

# Appendix A. TANF Transfers to SSBG in FY2013

**Table A-1. TANF Transfers to the SSBG in FY2013**

| State | Total Federal TANF Funds[a] ($) | TANF Funds Transferred to SSBG[b] ($) | Percent of TANF Funds Transferred to SSBG | SSBG Allocation ($) | Total SSBG Funds With TANF Transfer ($) |
|---|---|---|---|---|---|
| Alabama | 93,315,207 | 5,000,000 | 5.36% | 24,727,756 | 29,727,756 |
| Alaska | 45,260,334 | 4,981,673 | 11.01% | 3,721,041 | 8,702,714 |
| Arizona | 200,141,310 | 20,014,131 | 10.00% | 33,376,323 | 53,390,454 |
| Arkansas | 56,732,858 | 0 | 0.00% | 15,126,704 | 15,126,704 |
| California | 3,659,376,553 | 364,445,461 | 9.96% | 194,063,475 | 558,508,936 |
| Colorado | 136,056,690 | 1,093,643 | 0.80% | 26,344,729 | 27,438,372 |
| Connecticut | 266,788,107 | 26,678,810 | 10.00% | 18,435,913 | 45,114,723 |
| Delaware | 32,290,981 | 0 | 0.00% | 4,670,545 | 4,670,545 |
| District of Columbia | 92,609,815 | 3,935,917 | 4.25% | 3,181,862 | 7,117,779 |
| Florida | 562,340,120 | 55,604,763 | 9.89% | 98,121,125 | 153,725,888 |
| Georgia | 330,741,739 | 0 | 0.00% | 50,535,344 | 50,535,344 |
| Hawaii | 98,904,788 | 7,417,500 | 7.50% | 7,078,452 | 14,495,952 |
| Idaho | 30,412,562 | 1,292,534 | 4.25% | 8,160,576 | 9,453,110 |
| Illinois | 585,056,960 | 1,200,000 | 0.21% | 66,259,646 | 67,459,646 |
| Indiana | 206,799,109 | 0 | 0.00% | 33,553,525 | 33,553,525 |
| Iowa | 131,030,394 | 12,962,008 | 9.89% | 15,766,839 | 28,728,847 |
| Kansas | 101,931,061 | 10,193,106 | 10.00% | 14,783,077 | 24,976,183 |
| Kentucky | 181,287,669 | 0 | 0.00% | 22,496,402 | 22,496,402 |
| Louisiana | 163,971,985 | 16,397,198 | 10.00% | 23,554,352 | 39,951,550 |
| Maine | 78,120,889 | 7,812,089 | 10.00% | 6,838,411 | 14,650,500 |
| Maryland | 229,098,032 | 22,909,803 | 10.00% | 30,007,977 | 52,917,780 |
| Massachusetts | 459,371,116 | 45,937,112 | 10.00% | 33,917,094 | 79,854,206 |
| Michigan | 775,352,858 | 77,535,285 | 10.00% | 50,849,295 | 128,384,580 |
| Minnesota | 263,434,070 | 4,790,000 | 1.82% | 27,518,962 | 32,308,962 |
| Mississippi | 86,767,578 | 8,676,758 | 10.00% | 15,335,396 | 24,012,154 |
| Missouri | 217,051,740 | 21,701,176 | 10.00% | 30,947,090 | 52,648,266 |
| Montana | 38,039,116 | 2,354,101 | 6.19% | 5,139,404 | 7,493,505 |
| Nebraska | 57,513,601 | 0 | 0.00% | 9,487,163 | 9,487,163 |
| Nevada | 43,907,519 | 0 | 0.00% | 14,021,505 | 14,021,505 |
| New Hampshire | 38,521,261 | 936,937 | 2.43% | 6,786,955 | 7,723,892 |
| New Jersey | 404,034,823 | 21,172,500 | 5.24% | 45,417,276 | 66,589,776 |

| State | Total Federal TANF Funds[a] ($) | TANF Funds Transferred to SSBG[b] ($) | Percent of TANF Funds Transferred to SSBG | SSBG Allocation ($) | Total SSBG Funds With TANF Transfer ($) |
|---|---|---|---|---|---|
| New Mexico | 110,578,100 | 0 | 0.00% | 10,720,698 | 10,720,698 |
| New York | 2,442,930,602 | 191,552,283 | 7.84% | 100,220,009 | 291,772,292 |
| North Carolina | 301,435,018 | 10,075,595 | 3.34% | 49,717,688 | 59,793,283 |
| North Dakota | 26,399,809 | 0 | 0.00% | 3,521,345 | 3,521,345 |
| Ohio | 727,968,260 | 38,533,876 | 5.29% | 59,441,222 | 97,975,098 |
| Oklahoma | 145,281,442 | 14,528,144 | 10.00% | 19,521,249 | 34,049,393 |
| Oregon | 166,798,629 | 0 | 0.00% | 19,934,951 | 19,934,951 |
| Pennsylvania | 719,499,305 | 30,977,000 | 4.31% | 65,609,002 | 96,586,002 |
| Rhode Island | 95,021,587 | 9,337,823 | 9.83% | 5,412,814 | 14,750,637 |
| South Carolina | 99,967,824 | 0 | 0.00% | 24,091,843 | 24,091,843 |
| South Dakota | 21,279,651 | 2,127,965 | 10.00% | 4,242,932 | 6,370,897 |
| Tennessee | 191,523,797 | 0 | 0.00% | 32,968,795 | 32,968,795 |
| Texas | 486,256,752 | 33,565,875 | 6.90% | 132,190,636 | 165,756,511 |
| Utah | 75,609,475 | 7,560,947 | 10.00% | 14,504,966 | 22,065,913 |
| Vermont | 47,353,181 | 4,735,318 | 10.00% | 3,225,291 | 7,960,609 |
| Virginia | 158,285,172 | 13,825,500 | 8.73% | 41,686,797 | 55,512,297 |
| Washington | 380,544,968 | 4,675,000 | 1.23% | 35,165,658 | 39,840,658 |
| West Virginia | 110,176,310 | 11,017,631 | 10.00% | 9,552,670 | 20,570,301 |
| Wisconsin | 313,896,002 | 15,433,200 | 4.92% | 29,408,042 | 44,841,242 |
| Wyoming | 18,500,530 | 1,850,053 | 10.00% | 2,925,262 | 4,775,315 |
| **Total** | **16,305,567,259** | **1,134,838,715** | **—** | **1,604,286,084** | **2,739,124,799** |

**Source:** Table prepared by the Congressional Research Service (CRS) based on FY2013 data reported by HHS. In this table, TANF financial data reflect FY2013 one-year (not combined) spending, whereas SSBG figures represent FY2013 allocations. FY2013 TANF financial data are available online at http://www.acf.hhs.gov/programs/ofa/resource/tanf-financial-data-fy-2013.

a. Amounts in this column reflect FY2013 state financial assistance grants and supplemental grants to states, but do not include contingency funds or tribal grants (see Table E2a of FY2013 TANF financial data).

b. The amount in this column is the total amount of FY2013 TANF funding transferred to the SSBG in FY2013; it does not include any adjustments made for previous years (see Table A6 of FY2013 TANF financial data). Funds transferred back to the TANF program that were not obligated and liquidated within the program deadlines are reported as negative amounts.

# Appendix B. Recent Supplemental Appropriations

This appendix presents background and spending information on supplemental appropriations to the SSBG in FY2013, FY2008, and FY2006.

## FY2013 Supplemental: Hurricane Sandy

On January 29, 2013, the President signed into law the Disaster Relief Appropriations Act, 2013 (P.L. 113-2), in response to Hurricane Sandy. This law reserved roughly $500 million ($474.5 million when accounting for sequestration) for the SSBG.[38] The supplemental stipulated that these funds were to be used to address necessary expenses resulting from Hurricane Sandy, including social, health, and mental health services for individuals; and for repair, renovation, and rebuilding of health care facilities (including mental health facilities), child care facilities, and other social services facilities. The supplemental also included a provision giving states up to three years to expend these funds, one year longer than the SSBG's standard two-year expenditure period.

On March 28, 2013, HHS issued an information memorandum regarding the availability of these supplemental funds.[39] According to this memorandum, five states were allocated supplemental funds based on their relative share of Hurricane Sandy Individual Assistance registrants, as reported by the Federal Emergency Management Agency (FEMA) on March 18, 2013. These states were Connecticut ($10.6 million), Maryland ($1.2 million), New Jersey ($226.8 million), New York ($235.4 million), and Rhode Island ($0.5 million). HHS subsequently released a number of additional SSBG resources related to Hurricane Sandy, including two rounds of Questions and Answers and additional information on reporting requirements.[40]

**Table B-1. State Allocations from the FY2013 Supplemental**

(Allocations in dollars)

| State | Allocation | Percent of Total |
|---|---|---|
| Connecticut | $10,569,192 | 2.23% |
| Maryland | 1,185,675 | 0.25% |
| New Jersey | 226,794,105 | 47.80% |
| New York | 235,434,600 | 49.62% |
| Rhode Island | 516,428 | 0.11% |
| **Total** | **474,500,000** | **100.00%** |

[38] This law did not appropriate the $500 million directly to the SSBG. Rather, the law appropriated $800 million to the HHS Public Health and Social Services Emergency Fund and required that, of this amount, the Secretary of HHS transfer $500 million to the SSBG. For additional information, see CRS Report R42869, *FY2013 Supplemental Funding for Disaster Relief*, coordinated by William L. Painter and Jared T. Brown.

[39] See SSBG Information Memorandum Transmittal Number 01-2013, http://www.acf.hhs.gov/sites/default/files/ocs/ssbg_im_hurricane_sandy_approved_3_27_signed_2_0.pdf.

[40] These resources are available on the HHS website at http://www.acf.hhs.gov/programs/ocs/resource-library/search?area[2129]=2129#?keyword[0]=sandy&area[2129]=2129&ajax=1.

**Source:** Table prepared by the Congressional Research Service (CRS) based on data available in SSBG Information Memorandum Transmittal No. 01-2013, March 28, 2013.

## FY2008 Supplemental: Major Disasters of 2008 (and Hurricanes Katrina and Rita)

The first FY2009 CR (P.L. 110-329) included, as Division B, the Disaster Relief and Recovery Supplemental Appropriations Act of 2008. This law provided $600 million in supplemental funds for the SSBG in FY2008. These funds were appropriated on the last day of FY2008 and were not allotted to states by HHS until FY2009. The supplemental funds were appropriated for necessary expenses resulting from "major disasters" (as declared by the President and defined in Title IV of the Stafford Act) occurring during 2008, including hurricanes, floods, and other natural disasters. The appropriation also made these funds available for necessary expenses resulting from Hurricanes Katrina and Rita.

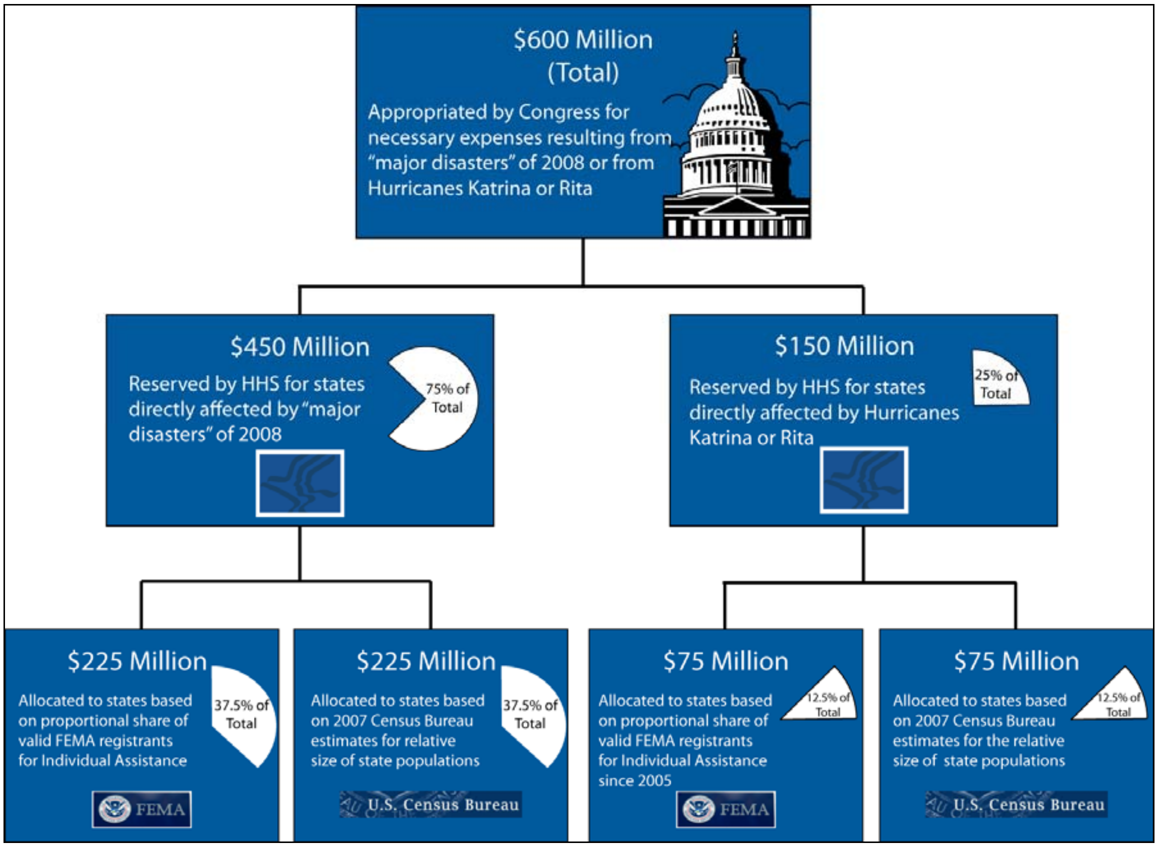
The appropriations language specified that in addition to other uses permitted by Title XX of the Social Security Act, states could use their supplemental SSBG funds to provide social and health services (including mental health services) for individuals, as well as to support the repair, renovation, or construction of health care facilities, mental health facilities, child care centers, and other social services facilities affected by related disasters.

### Allocation of Funds

The appropriations language explicitly required HHS to distribute funding to eligible states based on "demonstrated need in accordance with objective criteria that are made available to the public." HHS outlined their criteria in Information Memorandum Transmittal No. 02-2009, *FY2008 SSBG Supplemental Appropriation of Disaster Assistance Funds Awarded in FY2009*, which was issued by the Department on January 6, 2009.[41] **Figure B-1** illustrates how the criteria selected by HHS were used to allocate funds to states.

[41] See the Information Memorandum online at http://www.acf.hhs.gov/programs/ocs/resource/fiscal-year-fy-2008-ssbg-supplemental-appropriation-of-disaster.

**Figure B-1. HHS Allocation Methodology for the FY2008 SSBG Supplemental Funding**




**Source:** Figure prepared by the Congressional Research Service based on data from HHS.

As specified in the Information Memorandum, HHS identified criteria to determine which disasters qualified for supplemental SSBG funds. First, HHS specified that qualifying major disasters were those that occurred between January 1, 2008, and the date of enactment of the supplemental appropriation (September 30, 2008); in addition, Hurricanes Katrina and Rita were considered to qualify automatically based on appropriations language. Second, HHS restricted qualifying disasters to those which triggered authorizations for Federal Emergency Management Agency (FEMA) Individual Assistance. The FEMA Individual Assistance program provides money or direct assistance to individuals, families, and businesses in an affected area whose property has been damaged or destroyed and whose losses are not covered by insurance. HHS chose Individual Assistance data to serve as a proxy for "demonstrated need," noting that these data represent individual households that have declared a loss associated with the disaster and who have registered for assistance.

Twenty states (including the Commonwealth of Puerto Rico) were directly affected by qualifying disasters in 2008, as determined by the HHS criteria. Based on these same criteria, four states were deemed to be eligible for supplemental funds as a result of the lasting effects of Hurricanes Katrina and Rita (all but one of these states had also been affected by disasters in 2008). In total, 21 states (including Puerto Rico) were eligible to receive some share of the $600 million in supplemental funds under the HHS methodology.

As shown in **Figure B-1**, the HHS methodology called for three-fourths of the supplemental funds ($450 million) to be reserved for the states that were directly affected by major disasters occurring in 2008. One-fourth of the supplemental ($150 million) was then dedicated to the states facing ongoing needs as a result of Hurricanes Katrina and Rita. From there, funds in each category were allocated to states using two equally weighted sets of data: (1) the proportional share of FEMA registrants for Individual Assistance (that is, individuals from affected communities who validly registered with FEMA after the natural disaster), and (2) the relative size of state populations according to 2007 data from the Census Bureau's American Community Survey. **Table B-2** displays the amount allocated to each state.

## Expenditure of Funds

Typically, SSBG funds are subject to a two-year expenditure period—meaning that funds must be spent by the end of the fiscal year subsequent to the fiscal year in which they were allotted to states.[42] The funds from this supplemental were allotted to states in FY2009, giving states until the last day of FY2010 (September 30, 2010) to spend them. However, most states had not spent all of their supplemental funds by the end of FY2010. Recognizing this, Congress passed a bill (S. 3774), which the President signed into law (P.L. 111-285) on November 24, 2010, extending the expenditure deadline for these funds by one fiscal year (to September 30, 2011).[43]

According to expenditure data from HHS, states spent more than $522 million (or 87%) of the $600 million in supplemental funds prior to the extended expenditure deadline. As shown in **Table B-2**, six states (Alabama, Indiana, Kentucky, Louisiana, Maine, and Mississippi) spent all of the supplemental funds they were allotted, while two states (Oklahoma and West Virginia) spent none. The remaining states (plus Puerto Rico) spent some portion of their funds, ranging from 3.5% of Arkansas's allotment to 99.8% of Texas's.

**Table B-2. State Allocations and Spending from the FY2008 SSBG Supplemental**

(As of October 27, 2013)

| State | Allocation ($) | Percent Spent |
|---|---|---|
| Alabama | 13,092,588 | 100.0% |
| Arkansas | 7,386,653 | 3.5% |
| Colorado | 8,931,072 | 26.4% |
| Florida | 35,384,592 | 43.3% |
| Georgia | 18,111,127 | 22.6% |
| Illinois | 30,502,439 | 87.6% |
| Indiana | 18,139,459 | 100.0% |
| Iowa | 11,157,944 | 100.0% |
| Kentucky | 7,732,381 | 100.0% |
| Louisiana | 129,737,880 | 100.0% |

[42] Section 2002(c) of the Social Security Act.

[43] Terms and conditions of SSBG grant awards typically give states an additional 90 days (in this case, until December 30, 2011) to liquidate funds that had already been obligated at the end of the fiscal year.

| State | Allocation ($) | Percent Spent |
|---|---|---|
| Maine | 2,425,722 | 100.0% |
| Mississippi | 28,136,577 | 100.0% |
| Missouri | 12,188,291 | 99.6% |
| Nebraska | 3,570,592 | 57.1% |
| Nevada | 4,640,930 | 68.3% |
| Oklahoma | 6,540,619 | 0.0% |
| Puerto Rico | 12,427,602 | 71.3% |
| Tennessee | 11,689,137 | 64.2% |
| Texas | 218,852,848 | 99.8% |
| West Virginia | 3,386,574 | 0.0% |
| Wisconsin | 15,964,973 | 67.7% |
| **Total** | **600,000,000** | **87.0%** |

**Source:** Table prepared by the Congressional Research Service (CRS) based on data from HHS.

## FY2006 Supplemental: Gulf Coast Hurricanes of 2005

The FY2006 Defense Appropriations Act (P.L. 109-148) included supplemental SSBG funding in the amount of $550 million. These funds were for expenses related to the consequences of the Gulf Coast hurricanes of 2005. The Defense Appropriations Act expanded the potential services for which the additional $550 million could be used to include "health services (including mental health services) and for repair, renovation and construction of health facilities."

### Allocation of Funds

Factors used to allocate these supplemental funds included the number of FEMA registrants from hurricanes Katrina, Rita, and Wilma, as well as the percent of individuals in poverty in each state. HHS distributed funds to all states that took in evacuees, not just the states that were directly affected, noting in a February 8, 2006, press release that the Bush Administration had promised no state would be unfairly disadvantaged for providing services to those affected by the storms.[44] Although all states received a portion, Louisiana ($221 million), Mississippi ($128 million), Texas ($88 million), Florida ($54 million), and Alabama ($28 million) received the bulk of funding from the supplemental (94%).

### Expenditure of Funds

On May 25, 2007, an FY2007 supplemental appropriations act was signed into law (P.L. 110-28), extending the availability of the supplemental SSBG funds for expenditure through the end of FY2009. In practical terms, this provision gave states until September 30, 2009, to spend all of their supplemental funds.[45] According to HHS, states failed to spend approximately $28.7 million

[44] See http://archive.hhs.gov/news/press/2006pres/20060208a.html.

[45] The Terms and Conditions of SSBG grant agreements give states 90 days after the end of the grant period to finalize (continued...)

(or 5%) of the $550 million in supplemental funds prior to the expenditure deadline. This means that about 95% of the supplemental funds were spent prior to the close of FY2009 (see **Table B-3** for state-by-state data). Unspent funds were to revert to the U.S. Treasury.

The 2009 SSBG annual report (most recent available) indicates that states spent supplemental funds on 28 of the 29 SSBG service categories defined in federal regulation, including education and training, counseling services, and health-related services.[46] The report shows that most of the supplemental funds were spent in the "other services" category, including expenditures for certain construction and renovation costs, as well as costs for certain health and mental health services.

**Table B-3. State Spending from the FY2006 SSBG Supplemental**

(As reported on April 1, 2010)

| State | Allocation ($) | Percent Spent |
|---|---|---|
| Alabama | 27,852,254 | 99.94% |
| Alaska | 37,554 | 0.00% |
| Arizona | 487,931 | 62.55% |
| Arkansas | 3,603,505 | 22.84% |
| California | 3,051,021 | 36.22% |
| Colorado | 545,168 | 79.30% |
| Connecticut | 113,858 | 100.00% |
| Delaware | 39,178 | 100.00% |
| District of Columbia | 328,256 | 100.00% |
| Florida | 53,808,916 | 69.44% |
| Georgia | 6,325,537 | 80.31% |
| Hawaii | 34,153 | 0.00% |
| Idaho | 35,224 | 63.68% |
| Illinois | 1,351,677 | 99.78% |
| Indiana | 381,125 | 39.22% |
| Iowa | 126,200 | 65.16% |
| Kansas | 191,975 | 100.00% |
| Kentucky | 525,110 | 100.00% |
| Louisiana | 220,901,534 | 99.92% |
| Maine | 67,995 | 100.00% |
| Maryland | 380,188 | 99.50% |
| Massachusetts | 331,948 | 14.32% |

(...continued)

spending for funds they had obligated as of September 30, 2009.

[46] U.S. Department of Health and Human Services, Administration for Children and Families, Office of Community Services, *Social Services Block Grant Program Annual Report 2009*, Chapter 5, http://archive.acf.hhs.gov/programs/ocs/ssbg/reports/2009/index.html.

| State | Allocation ($) | Percent Spent |
|---|---|---|
| Michigan | 734,927 | 81.65% |
| Minnesota | 153,936 | 44.04% |
| Mississippi | 128,398,427 | 100.00% |
| Missouri | 797,091 | 100.00% |
| Montana | 41,786 | 0.00% |
| Nebraska | 114,925 | 100.00% |
| Nevada | 273,291 | 20.27% |
| New Hampshire | 23,717 | 0.00% |
| New Jersey | 259,599 | 100.00% |
| New Mexico | 265,277 | 0.00% |
| New York | 1,182,346 | 0.00% |
| North Carolina | 1,310,272 | 55.87% |
| North Dakota | 13,009 | 100.00% |
| Ohio | 556,283 | 10.66% |
| Oklahoma | 932,353 | 0.00% |
| Oregon | 177,170 | 100.00% |
| Pennsylvania | 402,568 | 89.71% |
| Rhode Island | 69,382 | 100.00% |
| South Carolina | 696,901 | 66.30% |
| South Dakota | 21,624 | 100.00% |
| Tennessee | 3,470,718 | 100.00% |
| Texas | 87,951,690 | 100.00% |
| Utah | 92,669 | 99.98% |
| Vermont | 23,272 | 0.00% |
| Virginia | 808,855 | 0.00% |
| Washington | 326,206 | 100.00% |
| West Virginia | 132,912 | 76.50% |
| Wisconsin | 227,555 | 96.00% |
| Wyoming | 20,932 | 0.00% |
| **Total** | **550,000,000** | **94.78%** |

**Source:** Table prepared by the Congressional Research Service (CRS) based on data from HHS.

**Notes:** These funds were appropriated in the FY2006 Defense Appropriations Act (P.L. 109-148). A supplemental appropriations act for FY2007 (P.L. 110-28) extended the expenditure deadline for these funds, giving states until the end of FY2009 (September 30, 2009) to spend their allotments. Under the Terms and Conditions of their grant agreements, states had 90 days after the end of the grant period to finalize spending for funds that were obligated as of September 30, 2009. The numbers above (reported on April 1, 2010) should reflect final expenditures from the FY2006 supplemental. By law, unspent funds revert to the U.S. Treasury.

## Author Contact Information

Karen E. Lynch
Specialist in Social Policy
klynch@crs.loc.gov, 7-6899