

payments (or makes them himself pursuant to an agreement under section 1382e of this title), or to provide medical assistance under its plan approved under subchapter XIX, to individuals who are not eligible therefor, or in amounts or under circumstances in which the State does not make such payments or provide such medical assistance, the Secretary shall reimburse such State for the non-Federal share of such payments or assistance from amounts appropriated to carry out subchapter XVI."

Subsec. (b)(2). Pub. L. 103-296, §108(b)(7)(A), (D), substituted "the Commissioner" for "the Secretary" wherever appearing and "the Commissioner shall" for "he shall" in subpar. (B).

Subsec. (b)(3). Pub. L. 103-296, §108(b)(7)(E), struck out par. (3) which read as follows: "All reports of the Secretary with respect to projects carried out under this subsection shall be incorporated into the Secretary's annual report to the Congress required by section 904 of this title."

1986—Subsec. (b)(3). Pub. L. 99-272 added par. (3).

1984—Subsec. (a)(1)(A). Pub. L. 98-369 struck out "nonprofit" before first reference to "organizations and agencies".

1980—Pub. L. 96-265 redesignated provisions of subsec. (a) and cls. (1) and (2) thereof as subsec. (a)(1) and cls. (A) and (B) thereof, respectively, redesignated provisions of subsecs. (b) and (c) as subsec. (a)(2) and (3), respectively, added subsec. (b), and made conforming amendments to subsec. (a)(2) and (3) as redesignated.

1968—Subsec. (a). Pub. L. 90-248 struck out "nonprofit" before "organizations" in cl. (2).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-170, title IV, §404(b), Dec. 17, 1999, 113 Stat. 1910, provided that: "The amendment made by subsection (a) [amending this section] shall take effect as if included in the enactment of the Social Security Independence and Program Improvements Act of 1994 (Public Law 103-296; 108 Stat. 1464)."

##### EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105-33 effective as if included in the enactment of the Social Security Independence and Program Improvements Act of 1994, Pub. L. 103-296, see section 5528(b) of Pub. L. 105-33, set out as a note under section 903 of this title.

##### EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-296 effective Mar. 31, 1995, see section 110(a) of Pub. L. 103-296, set out as a note under section 401 of this title.

##### EFFECTIVE DATE OF 1986 AMENDMENT

Amendment by Pub. L. 99-272 effective on first day of month following April 1986, see section 12115 of Pub. L. 99-272, set out as a note under section 415 of this title.

##### EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-369, div. B, title III, §2331(c), July 18, 1984, 98 Stat. 1088, provided that: "The amendments made by this section [amending this section and section 1395b-1 of this title] shall become effective on the date of the enactment of this Act [July 18, 1984]."

##### VOCATIONAL REHABILITATION DEMONSTRATION PROJECTS

Pub. L. 101-508, title V, §5120(a)-(e), Nov. 5, 1990, 104 Stat. 1388-280, directed Secretary of Health and Human Services to develop and carry out under this section demonstration projects in each of not fewer than three States, with such demonstration projects to be designed to assess the advantages and disadvantages of permitting disabled beneficiaries to select from among both public and private qualified vocational rehabilitation providers, providers of vocational rehabilitation services directed at enabling such beneficiaries to en-

gage in substantial gainful activities, with each such demonstration project to commence as soon as practicable after Nov. 5, 1990, and to remain in operation until the end of fiscal year 1993, and with a final written report to be submitted to Congress not later than Apr. 1, 1994.

##### FINAL REPORT COVERING ALL EXPERIMENTS AND DEMONSTRATION PROJECTS

Pub. L. 96-265, title V, §505(c), June 9, 1980, 94 Stat. 475, as amended by Pub. L. 99-272, title XII, §12101(c), Apr. 7, 1986, 100 Stat. 283; Pub. L. 101-239, title X, §10103(a)(3), Dec. 19, 1989, 103 Stat. 2472; Pub. L. 101-508, title V, §5120(f), Nov. 5, 1990, 104 Stat. 1388-282; Pub. L. 103-296, title I, §108(m)(3), title III, §315(a)(3), Aug. 15, 1994, 108 Stat. 1489, 1531, which directed Commissioner to submit to Congress final report with respect to all experiments and demonstration projects carried out under section 505 of Pub. L. 96-265, which amended this section and section 401 of this title and enacted provisions formerly set out below (other than demonstration projects conducted under section 5120 of the Omnibus Budget Reconciliation of 1990, Pub. L. 101-508, set out above) no later than Oct. 1, 1996, was repealed by Pub. L. 106-170, title III, §301(b)(1)(A), Dec. 17, 1999, 113 Stat. 1902.

##### AUTHORITY FOR DEMONSTRATION PROJECTS; REPORT TO CONGRESS

Pub. L. 96-265, title V, §505(a)(1)-(4), June 9, 1980, 94 Stat. 473, as amended by Pub. L. 99-272, title XII, §12101(a), (b), Apr. 7, 1986, 100 Stat. 282; Pub. L. 101-239, title X, §10103(a)(1), (2), Dec. 19, 1989, 103 Stat. 2472; Pub. L. 103-296, title I, §108(m), title III, §315(a)(1), (2), Aug. 15, 1994, 108 Stat. 1489, 1531, which authorized Commissioner of Social Security to carry out demonstration projects to determine advantages and disadvantages of alternative methods of treating work activity of disabled beneficiaries under the old age, survivors, and disability insurance program and altering limitations and conditions applicable to such disabled beneficiaries, and required report to Congress on or before June 9, 1986, and in each succeeding year through 1995, was repealed by Pub. L. 106-170, title III, §301(b)(1)(A), Dec. 17, 1999, 113 Stat. 1902.

Pub. L. 106-170, title III, §301(b)(2), Dec. 17, 1999, 113 Stat. 1902, provided that: "With respect to any experiment or demonstration project being conducted under section 505(a) of the Social Security Disability Amendments of 1980 [Pub. L. 96-265, formerly set out above] (42 U.S.C. 1310 note) as of the date of the enactment of this Act [Dec. 17, 1999], the authority to conduct such experiment or demonstration project (including the terms and conditions applicable to the experiment or demonstration project) shall be treated as if that authority (and such terms and conditions) had been established under section 234 of the Social Security Act [42 U.S.C. 434], as added by subsection (a)."

#### § 1311. Public assistance payments to legal representatives

For purposes of subchapters I, X, XIV, and XVI, and part A of subchapter IV, payments on behalf of an individual, made to another person who has been judicially appointed, under the law of the State in which such individual resides, as legal representative of such individual for the purpose of receiving and managing such payments (whether or not he is such individual's legal representative for other purposes), shall be regarded as money payments to such individual.

(Aug. 14, 1935, ch. 531, title XI, §1111, as added Pub. L. 85-840, title V, §511(a), Aug. 28, 1958, 72 Stat. 1051; amended Pub. L. 87-543, title I, §141(d), July 25, 1962, 76 Stat. 205; Pub. L. 90-248, title II, §241(c)(3), Jan. 2, 1968, 81 Stat. 917.)

**Editorial Notes**

## AMENDMENTS

1968—Pub. L. 90-248 struck out “IV,” after “I,” and inserted “and part A of subchapter IV,” after “XVI.”  
 1962—Pub. L. 87-543 inserted reference to subchapter XVI.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Pub. L. 85-840, title V, §511(b), Aug. 28, 1958, 72 Stat. 1052, provided that: “The amendment made by subsection (a) [enacting this section] shall be applicable in the case of payments to legal representatives by any State made after June 30, 1958; and to such payments by any State made after December 31, 1955, and prior to July 1, 1958, if certifications for payment to such State have been made by the Secretary of Health, Education, and Welfare [now Health and Human Services] with respect thereto, or such State has presented to the Secretary a claim (and such other data as the Secretary may require) with respect thereto, prior to July 1, 1959.”

**§ 1312. Medical care guides and reports for public assistance and medical assistance**

In order to assist the States to extend the scope and content, and improve the quality, of medical care and medical services for which payments are made to or on behalf of needy and low-income individuals under this chapter and in order to promote better public understanding about medical care and medical assistance for needy and low-income individuals, the Secretary shall develop and revise from time to time guides or recommended standards as to the level, content, and quality of medical care and medical services for the use of the States in evaluating and improving their public assistance medical care programs and their programs of medical assistance; shall secure periodic reports from the States on items included in, and the quantity of, medical care and medical services for which expenditures under such programs are made; and shall from time to time publish data secured from these reports and other information necessary to carry out the purposes of this section.

(Aug. 14, 1935, ch. 531, title XI, §1112, as added Pub. L. 86-778, title VII, §705, Sept. 13, 1960, 74 Stat. 995; amended Pub. L. 89-97, title IV, §408(c), July 30, 1965, 79 Stat. 422.)

**Editorial Notes**

## AMENDMENTS

1965—Pub. L. 89-97 struck out “for the aged” after “medical assistance”.

**§ 1313. Assistance for United States citizens returned from foreign countries****(a) Authorization; reimbursement; utilization of facilities of public or private agencies and organizations**

(1) The Secretary is authorized to provide temporary assistance to citizens of the United States and to dependents of citizens of the United States, if they (A) are identified by the Department of State as having returned, or been brought, from a foreign country to the United States because of the destitution of the citizen

of the United States or the illness of such citizen or any of his dependents or because of war, threat of war, invasion, or similar crisis, and (B) are without available resources.

(2) Except in such cases or classes of cases as are set forth in regulations of the Secretary, provision shall be made for reimbursement to the United States by the recipients of the temporary assistance to cover the cost thereof.

(3) The Secretary may provide assistance under paragraph (1) directly or through utilization of the services and facilities of appropriate public or private agencies and organizations, in accordance with agreements providing for payment, in advance or by way of reimbursement, as may be determined by the Secretary, of the cost thereof. Such cost shall be determined by such statistical, sampling, or other method as may be provided in the agreement.

**(b) Plans and arrangements for assistance; consultations**

The Secretary is authorized to develop plans and make arrangements for provision of temporary assistance within the United States to individuals specified in subsection (a)(1). Such plans shall be developed and such arrangements shall be made after consultation with the Secretary of State, the Attorney General, and the Secretary of Defense. To the extent feasible, assistance provided under subsection (a) shall be provided in accordance with the plans developed pursuant to this subsection, as modified from time to time by the Secretary.

**(c) “Temporary assistance” defined**

For purposes of this section, the term “temporary assistance” means money payments, medical care, temporary billeting, transportation, and other goods and services necessary for the health or welfare of individuals (including guidance, counseling, and other welfare services) furnished to them within the United States upon their arrival in the United States and for such period after their arrival, not exceeding ninety days, as may be provided in regulations of the Secretary; except that assistance under this section may be furnished beyond such ninety-day period in the case of any citizen or dependent upon a finding by the Secretary that the circumstances involved necessitate or justify the furnishing of assistance beyond such period in that particular case.

**(d) Maximum total amount of temporary assistance**

The total amount of temporary assistance provided under this section shall not exceed \$1,000,000 during any fiscal year beginning after September 30, 2009, except that, in the case of fiscal years 2021 and 2022, the total amount of such assistance provided during each such fiscal year shall not exceed \$10,000,000.

**(e) Authority of Secretary to accept gifts**

(1) The Secretary may accept on behalf of the United States gifts, in cash or in kind, for use in carrying out the program established under this section. Gifts in the form of cash shall be credited to the appropriation account from which this program is funded, in addition to amounts otherwise appropriated, and shall remain available until expended.