

COMMITTEE PRINT

Budget Reconciliation Legislative Recommendations Relating to Emergency Assistance to Children and Families

1 Subtitle C—Emergency Assistance 2 to Children and Families

3 SEC. 9201. PANDEMIC EMERGENCY FUND.

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

6 “(c) PANDEMIC EMERGENCY FUND.—

7 “(1) ESTABLISHMENT.—There is established in
8 the Treasury of the United States a fund which
9 shall be known as the ‘Pandemic Emergency Fund’
10 (in this section referred to as the ‘Fund’) for the du-
11 ration of the applicable period.

12 “(2) DEPOSITS INTO FUND.—Out of any money
13 in the Treasury of the United States not otherwise
14 appropriated, there are appropriated for payment to
15 the Fund \$1,000,000,000, to remain available until
16 expended.

17 “(3) RESERVATION OF FUNDS FOR TECHNICAL
18 ASSISTANCE.—Of the amount specified in paragraph
19 (2), the Secretary shall reserve \$2,000,000 for ad-
20 ministrative expenses and the provision of technical

1 assistance to States and Indian tribes with respect
2 to the use of funds provided under this subsection.

3 “(4) ALLOTMENTS.—

4 “(A) 50 STATES AND THE DISTRICT OF
5 COLUMBIA.—

6 “(i) TOTAL AMOUNT TO BE ALLOT-
7 TED.—The Secretary shall allot a total of
8 92.5 percent of the amount specified in
9 paragraph (2) that is not reserved under
10 paragraph (3) among the States that are
11 not a territory and that are operating a
12 program funded under this part, in accord-
13 ance with clause (ii) of this subparagraph.

14 “(ii) ALLOTMENT FORMULA.—The
15 Secretary shall allot to each such State the
16 sum of the following percentages of the
17 total amount described in clause (i):

18 “(I) 50 percent, multiplied by—

19 “(aa) the population of chil-
20 dren in the State, determined on
21 the basis of the most recent pop-
22 ulation estimates as determined
23 by the Bureau of the Census; di-
24 vided by

1 “(bb) the total population of
2 children in the States that are
3 not territories, as so determined;
4 plus
5 “(II) 50 percent, multiplied by—
6 “(aa) the total amount ex-
7 pended by the State for basic as-
8 sistance, non-recurrent short
9 term benefits, and emergency as-
10 sistance in fiscal year 2019, as
11 reported by the State under sec-
12 tion 411; divided by
13 “(bb) the total amount ex-
14 pended by the States that are not
15 territories for basic assistance,
16 non-recurrent short term bene-
17 fits, and emergency assistance in
18 fiscal year 2019, as so reported
19 by the States.

20 “(B) TERRITORIES AND INDIAN TRIBES.—
21 The Secretary shall allot among the territories
22 and Indian tribes otherwise eligible for a grant
23 under this part such portions of 7.5 percent of
24 the amount specified in paragraph (2) that are
25 not reserved under paragraph (3) as the Sec-

1 retary deems appropriate based on the needs of
2 the territory or tribe involved.

3 “(C) EXPENDITURE COMMITMENT RE-
4 QUIREMENT.—To receive the full amount of
5 funding payable under this subsection, a State
6 or Indian tribe shall inform the Secretary as to
7 whether it intends to use all of its allotment
8 under this paragraph and provide that informa-
9 tion—

10 “(i) in the case of a State that is not
11 a territory, within 45 days after the date
12 of the enactment of this subsection; or

13 “(ii) in the case of a territory or an
14 Indian tribe, within 90 days after such
15 date of enactment.

16 “(5) GRANTS.—

17 “(A) IN GENERAL.—The Secretary shall
18 provide funds to each State and Indian tribe to
19 which an amount is allotted under paragraph
20 (4), from the amount so allotted.

21 “(B) TREATMENT OF UNUSED FUNDS.—

22 “(i) REALLOTMENT.—The Secretary
23 shall reallocate in accordance with paragraph
24 (4) all funds provided to any State or In-
25 dian tribe under this subsection that are

1 unused, among the other States and In-
2 dian tribes eligible for funds under this
3 subsection. For purposes of paragraph (4),
4 the Secretary shall treat the funds as if in-
5 cluded in the amount specified in para-
6 graph (2).

7 “(ii) PROVISION.—The Secretary shall
8 provide funds to each such other State or
9 Indian tribe in an amount equal to the
10 amount so reallocated.

11 “(6) RECIPIENT OF FUNDS PROVIDED FOR TER-
12 RITORIES.—In the case of a territory not operating
13 a program funded under this part, the Secretary
14 shall provide the funds required to be provided to
15 the territory under this subsection, to the agency
16 that administers the bulk of local human services
17 programs in the territory.

18 “(7) USE OF FUNDS.—

19 “(A) IN GENERAL.—A State or Indian
20 tribe to which funds are provided under this
21 subsection may use the funds only for non-re-
22 current short term benefits, whether in the
23 form of cash or in other forms.

24 “(B) LIMITATION ON USE FOR ADMINIS-
25 TRATIVE EXPENSES.—A State to which funds

1 are provided under this subsection shall not ex-
2 pend more than 15 percent of the funds for ad-
3 ministrative purposes.

4 “(C) NONSUPPLANTATION.—Funds pro-
5 vided under this subsection shall be used to
6 supplement and not supplant other Federal,
7 State, or tribal funds for services and activities
8 that promote the purposes of this part.

9 “(D) EXPENDITURE DEADLINE.—

10 “(i) IN GENERAL.—Except as pro-
11 vided in clause (ii), a State or Indian tribe
12 to which funds are provided under this
13 subsection shall expend the funds not later
14 than the end of fiscal year 2022.

15 “(ii) EXCEPTION FOR REALLOTTED
16 FUNDS.—A State or Indian tribe to which
17 funds are provided under paragraph (5)(B)
18 shall expend the funds within 12 months
19 after receipt.

20 “(8) EXPENDITURE REPORTS.—

21 “(A) IN GENERAL.—On expending all
22 funds provided to a State or Indian tribe under
23 this subsection, the entity shall submit to the
24 Secretary a written report that describes how

1 the funds were expended, which report shall be
2 so submitted—

3 “(i) if the entity is a State that is not
4 a territory, within 90 days after expendi-
5 ture; or

6 “(ii) if the entity is a territory or is
7 operating a tribal program funded under
8 this part, within 120 days after expendi-
9 ture.

10 “(B) AUTHORITY TO COLLECT AND AD-
11 JUST EXPENDITURE DATA.—For the purpose of
12 determining whether a State has expended the
13 funds provided to the State under this sub-
14 section, the Secretary may—

15 “(i) develop a mechanism for col-
16 lecting the expenditure data;

17 “(ii) make appropriate adjustments to
18 the data, on a State-by-State basis, to en-
19 sure that the data are comparable with re-
20 spect to the groups of families served and
21 the types of aid provided; and

22 “(iii) set deadlines for making revi-
23 sions to the data.

1 “(9) SUSPENSION OF TERRITORY SPENDING
2 CAP.—Section 1108 shall not apply with respect to
3 any funds provided under this subsection.

4 “(10) IMPLEMENTATION.—The Secretary shall
5 implement this subsection as soon as is practicable,
6 pursuant to appropriate guidance to States.

7 “(11) DEFINITIONS.—In this subsection:

8 “(A) APPLICABLE PERIOD.—The term ‘ap-
9 plicable period’ means the period that begins
10 with April 1, 2021, and ends with September
11 30, 2022.

12 “(B) NON-RECURRENT SHORT TERM BEN-
13 EFITS.—The term ‘non-recurrent short term
14 benefits’ has the meaning given the term in
15 OMB approved Form ACF-196R, published on
16 July 31, 2014.

17 “(C) STATE.—The term ‘State’ means the
18 50 States of the United States, the District of
19 Columbia, and the territories.

20 “(D) TERRITORY.—The term ‘territory’
21 means the Commonwealth of Puerto Rico, the
22 United States Virgin Islands, Guam, American
23 Samoa, and the Commonwealth of the Northern
24 Mariana Islands.”.

