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

Subtitle C—Emergency Assistance to Children and Families

SEC. 9201. PANDEMIC EMERGENCY FUND.

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

“(c) PANDEMIC EMERGENCY FUND.—

“(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund which shall be known as the ‘Pandemic Emergency Fund’ (in this section referred to as the ‘Fund’) for the duration of the applicable period.

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

“(3) RESERVATION OF FUNDS FOR TECHNICAL ASSISTANCE.—Of the amount specified in paragraph (2), the Secretary shall reserve $2,000,000 for administrative expenses and the provision of technical
assistance to States and Indian tribes with respect to the use of funds provided under this subsection.

“(4) ALLOTMENTS.—

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

“(i) TOTAL AMOUNT TO BE ALLOTTED.—The Secretary shall allot a total of 92.5 percent of the amount specified in paragraph (2) that is not reserved under paragraph (3) among the States that are not a territory and that are operating a program funded under this part, in accordance with clause (ii) of this subparagraph.

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

“(I) 50 percent, multiplied by—

“(aa) the population of children in the State, determined on the basis of the most recent population estimates as determined by the Bureau of the Census; divid-
“(bb) the total population of children in the States that are not territories, as so determined; plus

“(II) 50 percent, multiplied by—

“(aa) the total amount expended by the State for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as reported by the State under section 411; divided by

“(bb) the total amount expended by the States that are not territories for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as so reported by the States.

“(B) TERRITORIES AND INDIAN TRIBES.— The Secretary shall allot among the territories and Indian tribes otherwise eligible for a grant under this part such portions of 7.5 percent of the amount specified in paragraph (2) that are not reserved under paragraph (3) as the Sec-
retary deems appropriate based on the needs of
the territory or tribe involved.

“(C) Expenditure commitment requirement.—To receive the full amount of
funding payable under this subsection, a State
or Indian tribe shall inform the Secretary as to
whether it intends to use all of its allotment
under this paragraph and provide that informa-
tion—

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

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

“(5) Grants.—

“(A) In general.—The Secretary shall
provide funds to each State and Indian tribe to
which an amount is allotted under paragraph
(4), from the amount so allotted.

“(B) Treatment of unused funds.—

“(i) Reallocation.—The Secretary
shall reallocate in accordance with paragraph
(4) all funds provided to any State or In-
dian tribe under this subsection that are
unused, among the other States and Indian tribes eligible for funds under this subsection. For purposes of paragraph (4), the Secretary shall treat the funds as if included in the amount specified in paragraph (2).

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

“(6) Recipient of funds provided for territories.—In the case of a territory not operating a program funded under this part, the Secretary shall provide the funds required to be provided to the territory under this subsection, to the agency that administers the bulk of local human services programs in the territory.

“(7) Use of funds.—

“(A) In general.—A State or Indian tribe to which funds are provided under this subsection may use the funds only for non-recurrent short term benefits, whether in the form of cash or in other forms.

“(B) Limitation on use for administrative expenses.—A State to which funds
are provided under this subsection shall not expend more than 15 percent of the funds for administrative purposes.

“(C) NONSUPPLANTATION.—Funds provided under this subsection shall be used to supplement and not supplant other Federal, State, or tribal funds for services and activities that promote the purposes of this part.

“(D) EXPENDITURE DEADLINE.—

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

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

“(8) EXPENDITURE REPORTS.—

“(A) IN GENERAL.—On expending all funds provided to a State or Indian tribe under this subsection, the entity shall submit to the Secretary a written report that describes how
the funds were expended, which report shall be so submitted—

“(i) if the entity is a State that is not a territory, within 90 days after expenditure; or

“(ii) if the entity is a territory or is operating a tribal program funded under this part, within 120 days after expenditure.

“(B) AUTHORITY TO COLLECT AND ADJUST EXPENDITURE DATA.—For the purpose of determining whether a State has expended the funds provided to the State under this subsection, the Secretary may—

“(i) develop a mechanism for collecting the expenditure data;

“(ii) make appropriate adjustments to the data, on a State-by-State basis, to ensure that the data are comparable with respect to the groups of families served and the types of aid provided; and

“(iii) set deadlines for making revisions to the data.
“(9) SUSPENSION OF TERRITORY SPENDING CAP.—Section 1108 shall not apply with respect to any funds provided under this subsection.

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

“(11) DEFINITIONS.—In this subsection:

“(A) APPLICABLE PERIOD.—The term ‘applicable period’ means the period that begins with April 1, 2021, and ends with September 30, 2022.

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

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

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