



*Subtitle C – Emergency Assistance to Children and Families*  
*Section-by-Section*

**Section 9201. Pandemic Emergency Fund**

This section establishes a Pandemic Emergency Fund within Section 403 of the Social Security Act, deposits \$1 Billion, and provides rules for how funds may be used.

**Paragraph (1).**

This paragraph establishes the fund for the applicable period.

**Paragraph (2).**

This paragraph deposits \$1 billion in the fund.

**Paragraph (4).**

Within the fund, this paragraph reserves \$2 million for HHS administrative expenses and to provide technical assistance to states, tribes, and territories and allocates the remainder of the funding as follows:

- 92.5 percent of funds to be distributed to US states and Washington DC through an allotment formula that is half based on the population of children in the state and half based on prior state expenditures on direct cash assistance and Non-Recurrent Short-Term benefits to low-income families with children.
- 7.5 percent of funds are set-aside for Tribal TANF programs and all 5 US Territories, to be distributed in a manner deemed appropriate by the HHS Secretary.

The paragraph also specifies that to receive the full amount of funding, the states, Washington DC, tribes, and territories must inform HHS whether they intend to use all of their allotted funds. For States and Washington DC, HHS must receive such expenditure commitment within 45 days of enactment. For Tribal TANF programs and US Territories, HHS must receive such expenditure commitment within 90 days of enactment.

**Paragraph (5).**

This paragraph requires the Secretary of HHS to reallocate unspent funds among states, tribes, and territories willing to use them in the same proportions as the original funding was provided.

**Paragraph (6).**

For any US Territory that is not currently operating a Territory TANF program, this section specifies that the HHS Secretary shall distribute the territory's allotted funds to the agency that administers the bulk of local human services programs in the territory.

**Paragraph (7).**

This paragraph specifies that no more than 15 percent of Pandemic Emergency Assistance Fund dollars may be spent on administrative costs, and the remainder may only be spent on Non-Recurrent Short-Term cash and other Non-Recurrent Short-Term benefits, as defined in ACF-196R, published on July 31, 2014. The paragraph also specifies that funds may not supplant other federal, state, or tribal funds, and that funds from the original allocation must be spent by the end of fiscal year 2022. Funds that have been reallocated to other states, tribes and territories must be spend within 12 months of receipt.

**Paragraph (8).**

This paragraph provides that once the allotted funds from the Pandemic Emergency Assistance Fund have been spent, states must submit an expenditure report within 90 days after expenditure, and territories and tribes must submit within 120 days after expenditure, and also gives the Secretary of HHS the authority to collect and adjust expenditure data.

**Paragraph (9).**

This paragraph exempts Pandemic Emergency Funds from the overall cap on funding to U.S. Territories in Section 1108 of the Social Security Act.

**Paragraph (10).**

This paragraph requires the Secretary of Health and Human Services to implement the Pandemic Emergency Assistance Fund as soon as possible.

**Paragraph (11).**

This paragraph defines terms used within the subsection.