

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO THE COMMITTEE PRINT RELATING TO
EMERGENCY ASSISTANCE TO CHILDREN AND
FAMILIES**

OFFERED BY MR. NEAL OF MASSACHUSETTS

In lieu of the proposed recommendations, insert the following:

1 **Subtitle C—Emergency Assistance**
2 **to Children and Families**

3 **SEC. 9201. PANDEMIC EMERGENCY ASSISTANCE 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 ASSISTANCE 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 Assist-
10 ance Fund’ (in this section referred to as the
11 ‘Fund’) for the duration 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.

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

7 “(4) ALLOTMENTS.—

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

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

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

22 “(I) 50 percent, multiplied by—

23 “(aa) the population of chil-
24 dren in the State, determined on
25 the basis of the most recent pop-

1 ulation estimates as determined
2 by the Bureau of the Census; di-
3 vided by

4 “ (bb) the total population of
5 children in the States that are
6 not territories, as so determined;
7 plus

8 “(II) 50 percent, multiplied by—

9 “ (aa) the total amount ex-
10 pended by the State for basic as-
11 sistance, non-recurrent short
12 term benefits, and emergency as-
13 sistance in fiscal year 2019, as
14 reported by the State under sec-
15 tion 411; divided by

16 “ (bb) the total amount ex-
17 pended by the States that are not
18 territories for basic assistance,
19 non-recurrent short term bene-
20 fits, and emergency assistance in
21 fiscal year 2019, as so reported
22 by the States.

23 “(B) TERRITORIES AND INDIAN TRIBES.—

24 The Secretary shall allot among the territories
25 and Indian tribes otherwise eligible for a grant

1 under this part such portions of 7.5 percent of
2 the amount specified in paragraph (2) that are
3 not reserved under paragraph (3) as the Sec-
4 retary deems appropriate based on the needs of
5 the territory or tribe involved.

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

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

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

19 “(5) GRANTS.—

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

24 “(B) TREATMENT OF UNUSED FUNDS.—

1 “(i) REALLOTMENT.—The Secretary
2 shall reallocate in accordance with paragraph
3 (4) all funds provided to any State or In-
4 dian tribe under this subsection that are
5 unused, among the other States and In-
6 dian tribes eligible for funds under this
7 subsection. For purposes of paragraph (4),
8 the Secretary shall treat the funds as if in-
9 cluded in the amount specified in para-
10 graph (2).

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

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

22 “(7) USE OF FUNDS.—

23 “(A) IN GENERAL.—A State or Indian
24 tribe to which funds are provided under this
25 subsection may use the funds only for non-re-

1 current short term benefits, whether in the
2 form of cash or in other forms.

3 “(B) LIMITATION ON USE FOR ADMINIS-
4 TRATIVE EXPENSES.—A State to which funds
5 are provided under this subsection shall not ex-
6 pend more than 15 percent of the funds for ad-
7 ministrative purposes.

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

13 “(D) EXPENDITURE DEADLINE.—

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

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

24 “(8) EXPENDITURE REPORTS.—

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

7 “(i) if the entity is a State that is not
8 a territory, within 90 days after expendi-
9 ture; or

10 “(ii) if the entity is a territory or is
11 operating a tribal program funded under
12 this part, within 120 days after expendi-
13 ture.

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

19 “(i) develop a mechanism for col-
20 lecting the expenditure data;

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

1 “(iii) set deadlines for making revi-
2 sions to the data.

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

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

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

10 “(A) APPLICABLE PERIOD.—The term ‘ap-
11 plicable period’ means the period that begins
12 with April 1, 2021, and ends with September
13 30, 2022.

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

19 “(C) STATE.—The term ‘State’ means the
20 50 States of the United States, the District of
21 Columbia, and the territories.

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

1 Samoa, and the Commonwealth of the Northern
2 Mariana Islands.”.

