

116TH CONGRESS
2D SESSION

H. R. 6862

To provide funding to States, localities, and community-based organizations for emergency aid and services in response to the COVID–19 pandemic.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2020

Ms. JUDY CHU of California (for herself, Mr. DANNY K. DAVIS of Illinois, Ms. SÁNCHEZ, and Mr. GOMEZ) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To provide funding to States, localities, and community-based organizations for emergency aid and services in response to the COVID–19 pandemic.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Social Services Pan-
5 demic Disaster Relief Act”.

6 **SEC. 2. FUNDING TO STATES, LOCALITIES, AND COMMU-**
7 **NITY-BASED ORGANIZATIONS FOR EMER-**
8 **GENCY AID AND SERVICES.**

9 (a) FUNDING FOR STATES.—

1 (1) INCREASE IN FUNDING FOR SOCIAL SERV-
2 ICES BLOCK GRANT PROGRAM.—

3 (A) APPROPRIATION.—Out of any money
4 in the Treasury of the United States not other-
5 wise appropriated, there are appropriated
6 \$9,600,000,000, which shall be available for
7 payments under section 2002 of the Social Se-
8 curity Act.

9 (B) DEADLINE FOR DISTRIBUTION OF
10 FUNDS.—Within 45 days after the date of the
11 enactment of this Act, the Secretary of Health
12 and Human Services shall distribute the funds
13 made available by this paragraph, which shall
14 be made available to States on an emergency
15 basis for immediate obligation and expenditure.

16 (C) SUBMISSION OF REVISED PRE-EX-
17 PENDITURE REPORT.—Within 90 days after a
18 State receives funds made available by this
19 paragraph, the State shall submit to the Sec-
20 retary a revised pre-expenditure report pursu-
21 ant to title XX of the Social Security Act that
22 describes how the State plans to administer the
23 funds.

24 (D) OBLIGATION OF FUNDS BY STATES.—
25 A State to which funds made available by this

paragraph are distributed shall obligate the funds not later than December 31, 2020.

(E) EXPENDITURE OF FUNDS BY STATES.—A grantee to which a State (or a subgrantee to which a grantee) provides funds made available by this paragraph shall expend the funds not later than December 31, 2021.

(2) RULES GOVERNING USE OF ADDITIONAL FUNDS.—A State to which funds made available by paragraph (1)(B) are distributed shall use the funds in accordance with the following:

(A) PURPOSE.—

(i) IN GENERAL.—The State shall use the funds only to support the provision of emergency services to disadvantaged children, families, and households.

(ii) DISADVANTAGED DEFINED.—In this paragraph, the term “disadvantaged” means, with respect to an entity, that the entity—

(I) is an individual, or is located in a community, that is experiencing material hardship;

(II) is a household in which there is a child (as defined in section 12(d)

1 of the Richard B. Russell National
2 School Lunch Act) or a child served
3 under section 11(a)(1) of such Act,
4 who, if not for the closure of the
5 school attended by the child during a
6 public health emergency designation
7 and due to concerns about a COVID–
8 19 outbreak, would receive free or re-
9 duced price school meals pursuant to
10 such Act;

11 (III) is an individual, or is lo-
12 cated in a community, with barriers to
13 employment; or

14 (IV) is located in a community
15 that, as of the date of the enactment
16 of this Act, is not experiencing a 56-
17 day downward trajectory of—

18 (aa) influenza-like illnesses;

19 (bb) COVID-like syndromic
20 cases;

21 (cc) documented COVID–19
22 cases; or

23 (dd) positive test results as
24 a percentage of total COVID–19
25 tests.

1 (B) PASS-THROUGH TO LOCAL ENTI-
2 TIES.—

3 (i) In the case of a State in which a
4 county administers or contributes finan-
5 cially to the non-Federal share of the
6 amounts expended in carrying out a State
7 program funded under title IV of the So-
8 cial Security Act, the State may pass at
9 least 50 percent of all funds so made avail-
10 able through to—

11 (I) the chief elected official of the
12 city or county that administers the
13 program; or

14 (II) local government and com-
15 munity-based organizations.

16 (ii) In the case of any other State and
17 any State to which clause (i) applies that
18 does not pass through funds as described
19 in that clause, the State shall—

20 (I) pass at least 50 percent of
21 the funds through to—

22 (aa)(AA) local governments
23 that will expend or distribute the
24 funds in consultation with com-
25 munity-based organizations with

1 experience serving disadvantaged
2 families or individuals; or

3 (BB) community-based or-
4 ganizations with experience serv-
5 ing disadvantaged families and
6 individuals; and

7 (bb) sub-State areas in pro-
8 portions based on the population
9 of disadvantaged individuals liv-
10 ing in the areas; and

11 (II) report to the Secretary on
12 how the State determined the
13 amounts passed through pursuant to
14 this clause.

15 (C) METHODS.—

16 (i) IN GENERAL.—The State shall use
17 the funds only for—

18 (I) administering emergency serv-
19 ices;

20 (II) providing short-term cash,
21 non-cash, or in-kind emergency dis-
22 aster relief;

23 (III) providing services with dem-
24 onstrated need in accordance with ob-

1 jective criteria that are made available
2 to the public;

3 (IV) operational costs directly re-
4 lated to providing services described
5 in subclauses (I), (II), and (III);

6 (V) local government emergency
7 social service operations; and

8 (VI) providing emergency social
9 services to rural and frontier commu-
10 nities that may not have access to
11 other emergency funding streams.

12 (ii) ADMINISTERING EMERGENCY
13 SERVICES DEFINED.—In clause (i), the
14 term “administering emergency services”
15 means—

16 (I) providing basic disaster relief,
17 economic, and well-being necessities to
18 ensure communities are able to safely
19 observe shelter-in-place and social
20 distancing orders;

21 (II) providing necessary supplies
22 such as masks, gloves, and soap, to
23 protect the public against infectious
24 disease; and

(III) connecting individuals, children, and families to services or payments for which they may already be eligible.

(D) PROHIBITIONS.—

(i) NO INDIVIDUAL ELIGIBILITY DETERMINATIONS BY GRANTEES OR SUBGRANTEES.—Neither a grantee to which the State provides the funds nor any subgrantee of such a grantee may exercise individual eligibility determinations for the purpose of administering short-term, non-cash, in-kind emergency disaster relief to communities.

(ii) APPLICABILITY OF CERTAIN SOCIAL SERVICES BLOCK GRANT FUNDS USE LIMITATIONS.—The State shall use the funds subject to the limitations in section 2005 of the Social Security Act, except that, for purposes of this clause, section 2005(a)(2) and 2005(a)(8) of such Act shall not apply.

(iii) NO SUPPLANTATION OF CERTAIN STATE FUNDS.—The State may use the

1 funds to supplement, not supplant, State
2 general revenue funds for social services.

3 (iv) BAN ON USE FOR CERTAIN COSTS
4 REIMBURSABLE BY FEMA.—The State may
5 not use the funds for costs that are reim-
6 bursable by the Federal Emergency Man-
7 agement Agency, under a contract for in-
8 surance, or by self-insurance.

9 (b) FUNDING FOR FEDERALLY RECOGNIZED INDIAN
10 TRIBES AND TRIBAL ORGANIZATIONS.—

11 (1) GRANTS.—

12 (A) IN GENERAL.—Within 90 days after
13 the date of the enactment of this Act, the Sec-
14 retary of Health and Human Services shall
15 make grants to federally recognized Indian
16 Tribes and Tribal organizations.

17 (B) AMOUNT OF GRANT.—The amount of
18 the grant for an Indian Tribe or Tribal organi-
19 zation shall bear the same ratio to the amount
20 appropriated by paragraph (3) as the total
21 amount of grants awarded to the Indian Tribe
22 or Tribal organization under the Low-Income
23 Home Energy Assistance Act of 1981 and the
24 Community Service Block Grant for fiscal year
25 2020 bears to the total amount of grants

1 awarded to all Indian Tribes and Tribal organi-
2 zations under such Act and such Grant for the
3 fiscal year.

4 (2) RULES GOVERNING USE OF FUNDS.—An
5 entity to which a grant is made under paragraph (1)
6 shall obligate the funds not later than December 31,
7 2020, and the funds shall be expended by grantees
8 and subgrantees not later than December 31, 2021,
9 and used in accordance with the following:

10 (A) PURPOSE.—

11 (i) IN GENERAL.—The grantee shall
12 use the funds only to support the provision
13 of emergency services to disadvantaged
14 households.

15 (ii) DISADVANTAGED DEFINED.—In
16 clause (i), the term “disadvantaged”
17 means, with respect to an entity, that the
18 entity—

19 (I) is an individual, or is located
20 in a community, that is experiencing
21 material hardship;

22 (II) is a household in which there
23 is a child (as defined in section 12(d)
24 of the Richard B. Russell National
25 School Lunch Act) or a child served

1 under section 11(a)(1) of such Act,
2 who, if not for the closure of the
3 school attended by the child during a
4 public health emergency designation
5 and due to concerns about a COVID–
6 19 outbreak, would receive free or re-
7 duced price school meals pursuant to
8 such Act;

9 (III) is an individual, or is lo-
10 cated in a community, with barriers to
11 employment; or

12 (IV) is located in a community
13 that, as of the date of the enactment
14 of this Act, is not experiencing a 56-
15 day downward trajectory of—

16 (aa) influenza-like illnesses;

17 (bb) COVID-like syndromic
18 cases;

19 (cc) documented COVID–19
20 cases; or

21 (dd) positive test results as
22 a percentage of total COVID–19
23 tests.

24 (B) METHODS.—

1 (i) IN GENERAL.—The grantee shall
2 use the funds only for—

3 (I) administering emergency serv-
4 ices;

5 (II) providing short-term, non-
6 cash, in-kind emergency disaster re-
7 lief; and

8 (III) tribal emergency social serv-
9 ice operations.

10 (ii) ADMINISTERING EMERGENCY
11 SERVICES DEFINED.—In clause (i), the
12 term “administering emergency services”
13 means—

14 (I) providing basic economic and
15 well-being necessities to ensure com-
16 munities are able to safely observe
17 shelter-in-place and social distancing
18 orders;

19 (II) providing necessary supplies
20 such as masks, gloves, and soap, to
21 protect the public against infectious
22 disease; and

23 (III) connecting individuals, chil-
24 dren, and families to services or pay-

1 ments for which they may already be
2 eligible.

3 (C) PROHIBITIONS.—

4 (i) NO INDIVIDUAL ELIGIBILITY DE-
5 TERMINATIONS BY GRANTEES OR SUB-
6 GRANTEES.—Neither the grantee nor any
7 subgrantee may exercise individual eligi-
8 bility determinations for the purpose of ad-
9 ministering short-term, non-cash, in-kind
10 emergency disaster relief to communities.

11 (ii) BAN ON USE FOR CERTAIN COSTS
12 REIMBURSABLE BY FEMA.—The grantee
13 may not use the funds for costs that are
14 reimbursable by the Federal Emergency
15 Management Agency, under a contract for
16 insurance, or by self-insurance.

17 (3) APPROPRIATION.—Out of any money in the
18 Treasury of the United States not otherwise appro-
19 priated, there are appropriated to the Secretary of
20 Health and Human Services \$400,000,000 to carry
21 out this subsection.

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