

116TH CONGRESS
2D SESSION

S. 4770

To amend the Social Security Act to provide for a Family Crisis Cash Assistance Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2020

Mr. SCHATZ (for himself and Mr. MERKLEY) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend the Social Security Act to provide for a Family Crisis Cash Assistance Program, and for other purposes.

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 “Family Crisis Cash
5 Assistance Act”.

6 **SEC. 2. FAMILY CRISIS CASH ASSISTANCE PROGRAM.**

7 (a) ESTABLISHMENT.—The Social Security Act (42
8 U.S.C. 301 et seq.) is amended by inserting after title XII
9 the following new title:

1 **“TITLE XIII—FAMILY CRISIS**
 2 **CASH ASSISTANCE PROGRAM**

“TABLE OF CONTENTS OF TITLE

“Sec. 1301. Family Crisis Cash Assistance Program.

“Sec. 1302. Payments to States for family assistance.

“Sec. 1303. Family crisis cash assistance payments.

“Sec. 1304. State plans for family crisis cash assistance.

“Sec. 1305. Requirements.

“Sec. 1306. Failure of State to make cash assistance payments or comply with requirements.

“Sec. 1307. Administration of title.

“Sec. 1308. Definitions.

3 **“SEC. 1301. FAMILY CRISIS CASH ASSISTANCE PROGRAM.**

4 “(a) PURPOSE.—The purpose of this title is to pro-
 5 vide funds to States for making family cash assistance
 6 payments to vulnerable families during major natural dis-
 7 asters or economic downturns.

8 “(b) APPROPRIATIONS.—

9 “(1) IN GENERAL.—There are authorized to be
 10 appropriated for each fiscal year such sums as are
 11 necessary to carry out the purposes of this title. The
 12 sums made available under this subsection shall be
 13 used—

14 “(A) for making payments under this title
 15 to States which have submitted, and had ap-
 16 proved by the Secretary, State plans for family
 17 crisis cash assistance under section 1304;

18 “(B) for making cash assistance payments
 19 on behalf of States to eligible households under
 20 section 1303 pursuant to section 1306;

1 “(C) to provide planning grants under sub-
2 section (c);

3 “(D) to provide technical assistance to
4 States under section 1304(e)(2); and

5 “(E) to pay for State and Federal costs at-
6 tributable to sharing data in accordance with
7 section 1304(c)(2).

8 “(2) STATE ENTITLEMENT.—This subsection
9 constitutes budget authority in advance of appro-
10 priations Acts and represents the obligation of the
11 Secretary to provide for the payment of amounts
12 provided under this title.

13 “(3) LIMITATION ON FUNDING FOR TECHNICAL
14 ASSISTANCE AND ADMINISTRATIVE COSTS.—

15 “(A) IN GENERAL.—The total amount ap-
16 propriated for a fiscal year under this sub-
17 section for purposes of providing technical as-
18 sistance to States under section 1304(e)(2) or
19 paying for the costs of States and Federal
20 agencies attributable to sharing data in accord-
21 ance with section 1304(c)(2) shall not exceed
22 the amount specified under subparagraph (B).

23 “(B) LIMITATION.—The amount specified
24 in this subparagraph is—

1 “(i) for each of fiscal years 2021
2 through 2023, \$14,000,000,000; and

3 “(ii) for each fiscal year after fiscal
4 year 2024, an amount equal to the greater
5 of—

6 “(I) \$4,500,000,000; and

7 “(II) 3 percent of the average
8 annual amount of all payments made
9 to States under section 1302(a) for
10 the 3-fiscal year period preceding such
11 fiscal year.

12 “(c) PLANNING GRANTS.—

13 “(1) INITIAL PLANNING GRANTS.—

14 “(A) IN GENERAL.—The Secretary shall
15 provide each State that submits an application
16 in fiscal year 2021 with a planning grant in the
17 amount determined for the State under sub-
18 paragraph (B) for the purpose of developing a
19 State plan for family crisis cash assistance
20 under section 1304.

21 “(B) GRANT AMOUNT.—The amount deter-
22 mined under this subparagraph with respect to
23 a State is the product of—

24 “(i) \$10,000,000,000; and

25 “(ii) the quotient of—

1 “(I) the number of households in
2 the State with a household income
3 that is less than 200 percent of the
4 Federal poverty line (as defined in
5 section 673(2) of the Omnibus Budget
6 Reconciliation Act of 1981, including
7 any revision required by such section,
8 applicable to a family of the size in-
9 volved); and

10 “(II) the number of such house-
11 holds in all States.

12 “(2) GRANTS TO UPDATE FAMILY CRISIS CASH
13 ASSISTANCE PLANS.—For each fiscal year after fis-
14 cal year 2021, the Secretary may provide any State
15 that wishes to update the family crisis cash assist-
16 ance plan of the State under section 1304 with a
17 grant in an amount that shall not exceed 50 percent
18 of an amount determined for the State in the same
19 manner as the amount determined for the State
20 under paragraph (1)(B).

21 “(3) REPORTING.—Any State that receives a
22 planning grant under this subsection shall, not later
23 than 1 year after the State, submit a report (which
24 may be included in a report submitted under section

1 1305(d)) to the Secretary describing how the State
2 used such grant.

3 “(d) **ADDITIONAL GRANT FOR COMMUNITY OUT-**
4 **REACH.**—For any calendar quarter in which a State re-
5 ceives a payment under section 1302(a) for cash assist-
6 ance payments that the State is required to make for such
7 quarter under section 1303, such State shall be entitled
8 to an additional payment in an amount equal to 7 percent
9 of such payment under section 1302(a), provided that the
10 State spends not less than 10 percent of such additional
11 payment conducting outreach, which shall include inter-
12 net, television, radio, print, and other media advertisement
13 campaigns in all languages relevant to the targeted eligible
14 population and in manners that are accessible to people
15 with disabilities, to increase awareness of the cash assist-
16 ance program established under this title to populations
17 that the State determines are difficult to reach. A State
18 may conduct such outreach in coordination with commu-
19 nity nonprofit organizations in the State.

20 “(e) **REGULATIONS.**—The Secretary shall issue such
21 regulations as are necessary to carry out this title.

22 **“SEC. 1302. PAYMENTS TO STATES FOR FAMILY ASSIST-**
23 **ANCE.**

24 “(a) **IN GENERAL.**—Subject to subsection (c), for
25 each calendar quarter that a State has in effect a plan

1 approved under section 1304, the Secretary shall pay to
2 the State an amount equal to 100 percent of the amount
3 of the cash assistance payments that the State is required
4 to make for months that occur during such quarter under
5 section 1303.

6 “(b) PAYMENTS FOR TECHNICAL ASSISTANCE AND
7 ADMINISTRATIVE COSTS.—In addition to amounts paid to
8 a State under subsection (a), the Secretary shall make
9 payments to the State (in such amounts as the Secretary
10 determines appropriate) to pay for administrative costs at-
11 tributable to developing and implementing the State plan
12 under this title.

13 “(c) TIMING AND MANNER OF PAYMENTS.—

14 “(1) IN GENERAL.—Prior to the beginning of
15 each calendar quarter, the Secretary shall estimate
16 the amount to which a State will be entitled under
17 this title for such quarter, and shall pay to the
18 State, in such installments as the Secretary may de-
19 termine, the amount so estimated, reduced or in-
20 creased to the extent of any overpayment or under-
21 payment which the Secretary determines was made
22 under this section to the State for any prior quarter
23 and with respect to which adjustment has not al-
24 ready been made under this subsection.

1 “(2) SPECIAL PAYMENT.—If a State becomes
 2 entitled to payments under this title for any month
 3 during a calendar quarter for which the Secretary
 4 estimated that the State would not be so entitled,
 5 the Secretary shall, not later than 14 days after the
 6 State becomes so entitled—

7 “(A) re-estimate the amount to which the
 8 State will be entitled under this title for such
 9 quarter; and

10 “(B) pay the amount so estimated (ad-
 11 justed for overpayments and underpayments as
 12 described in paragraph (1)) to the State.

13 **“SEC. 1303. FAMILY CRISIS CASH ASSISTANCE PAYMENTS.**

14 “(a) IN GENERAL.—Subject to subsections (b), (c),
 15 and (d), for each month that is a family assistance month
 16 with respect to a State with a plan approved under this
 17 title (as determined under subsection (g)(1)), the State
 18 shall make a cash assistance payment to each eligible
 19 household that resides in an emergency assistance area (as
 20 defined in subsection (g)(3)) in the State in an amount
 21 equal to—

22 “(1) in the case of an eligible household that
 23 consists of 1 individual, \$2,000;

24 “(2) in the case of an eligible household that
 25 consists of 2 individuals, \$3,000;

1 “(3) in the case of an eligible household that
2 consists of 3 individuals, \$3,500; and

3 “(4) in the case of an eligible household that
4 consists of 4 or more individuals, \$4,000.

5 “(b) INFLATION INCREASE.—For each fiscal year
6 after fiscal year 2020, each amount specified in subsection
7 (a) and subsection (d)(2) shall be equal to—

8 “(1) the amount that applied under such sub-
9 section (as increased under this subsection, if appli-
10 cable) for the preceding fiscal year; increased by

11 “(2) the percentage increase (if any) in the
12 Consumer Price Index for all-urban consumers pub-
13 lished by the Department of Labor for the 12-month
14 period ending with the month before the first month
15 of the fiscal year involved.

16 “(c) PROPORTIONAL REDUCTION.—A State shall ad-
17 just on a pro rata basis the amounts paid to each eligible
18 household under subsection (a) for a month (as increased
19 under subsection (b) and, if applicable, reduced under sub-
20 section (d)) to the extent that amount determined for the
21 State and month under section 1302(c) is insufficient to
22 make full payments under such subsection to all eligible
23 households in the State.

24 “(d) PHASE-OUT.—

1 “(1) IN GENERAL.—Subject to paragraph (2),
2 the amount payable to an eligible household under
3 subsection (a) for a month (as increased under sub-
4 section (b)) shall be reduced by a percentage equal
5 to the number of percentage points by which the in-
6 come of such household exceeds 200 percent of the
7 Federal poverty line (as defined in section 673(2) of
8 the Omnibus Budget Reconciliation Act of 1981, in-
9 cluding any revision required by such section, appli-
10 cable to a family of the size involved).

11 “(2) MINIMUM PAYMENT AMOUNT.—Subject to
12 subsection (b), the amount payable to an eligible
13 household under subsection (a) for a month shall not
14 be reduced pursuant to this subsection to an amount
15 that is less than \$200.

16 “(e) TIMELINESS.—A State that receives a payment
17 under section 1302 for a month shall make the payments
18 described in subsection (a) not less than 14 days after the
19 receipt of such payment.

20 “(f) MANNER OF PAYMENT.—A State may use the
21 following methods to make cash assistance payments to
22 eligible households under this section:

23 “(1) Transferring amounts to an account held
24 by, or established for, an eligible household at—

1 “(A) a community development financial
2 institution (as defined in section 103 of the
3 Community Banking and Financial Institutions
4 Act of 1994 (12 U.S.C. 4701 note));

5 “(B) a minority deposit institution;

6 “(C) a community development credit
7 union; or

8 “(D) another financial institution.

9 “(2) Providing an eligible household with a
10 debit or credit card to access payment amounts.

11 “(3) By making such payments through the
12 benefit transfer system of an existing cash benefit
13 program administered by the State, such as the sup-
14 plemental nutrition assistance program, a retirement
15 benefit program, a welfare program, a disability as-
16 sistance program, a housing assistance program, or
17 an unemployment assistance program.

18 “(4) Any other method determined appropriate
19 by the State and approved by the Secretary.

20 “(g) DEFINITIONS.—In this section:

21 “(1) FAMILY ASSISTANCE MONTH.—The term
22 ‘family assistance month’ means, with respect to a
23 State, a month occurring during any period that—

24 “(A) begins with the most recent month
25 that is a trigger month for the State; and

1 “(B) ends with the earlier of—

2 “(i) the 11th consecutive month fol-
3 lowing such trigger month that is not a
4 trigger month for the State; and

5 “(ii) the first month following such
6 trigger month that is—

7 “(I) if such trigger month is an
8 economic trigger month, an economic
9 recovery month; or

10 “(II) if such trigger month is a
11 natural disaster trigger month, a nat-
12 ural disaster recovery month.

13 “(2) TRIGGER MONTH.—

14 “(A) IN GENERAL.—The term ‘trigger
15 month’ means, with respect to a State, a month
16 in which—

17 “(i) the State’s average unemploy-
18 ment rate for the 6 months preceding the
19 month involved exceeds the lowest monthly
20 unemployment rate for the State for the
21 12 months preceding the month involved
22 by at least 0.5 percentage points;

23 “(ii) the national average unemploy-
24 ment rate for the 3 months preceding the
25 month involved exceeds the lowest national

1 monthly unemployment rate for the 12
 2 months preceding the month involved by at
 3 least 0.5 percentage points;

4 “(iii) the number of applications for
 5 unemployment insurance benefits in the
 6 State for the month involved exceeds by at
 7 least 20 percent the average number of
 8 such applications for the 3 months pre-
 9 ceding the month involved; or

10 “(iv) a major disaster exists in the
 11 State for which assistance is authorized
 12 under section 408 of the Robert T. Staf-
 13 ford Disaster Relief and Emergency Assist-
 14 ance Act for individuals who live in an
 15 area of the State.

16 “(B) ECONOMIC TRIGGER MONTH.—The
 17 term ‘economic trigger month’ means a trigger
 18 month described in clause (i), (ii), or (iii) of
 19 subparagraph (A).

20 “(C) NATURAL DISASTER TRIGGER
 21 MONTH.—The term ‘natural disaster trigger
 22 month’ means a trigger month described in
 23 clause (iv) of subparagraph (A).

24 “(3) EMERGENCY ASSISTANCE AREA.—The
 25 term ‘emergency assistance area’ means, with re-

1 spect to a State and a month that is a family assist-
 2 ance month for the State—

3 “(A) if the month is a family assistance
 4 month on the basis of an economic trigger
 5 month, the entire State; and

6 “(B) if the month is a family assistance
 7 month only on the basis of a natural disaster
 8 trigger month, the area in the State for which
 9 assistance to individuals residing in such area is
 10 authorized under section 408 of the Robert T.
 11 Stafford Disaster Relief and Emergency Assist-
 12 ance Act.

13 “(4) RECOVERY MONTHS.—

14 “(A) ECONOMIC RECOVERY MONTH.—

15 “(i) IN GENERAL.—Subject to clause
 16 (ii), the term ‘economic recovery month’
 17 means, with respect to a State, the first
 18 month following an economic trigger
 19 month in which the State’s average unem-
 20 ployment rate for the 6 months preceding
 21 the month involved does not exceed the
 22 State’s average unemployment rate for the
 23 6 months preceding the month before such
 24 economic trigger month by more than 2
 25 percentage points.

1 “(ii) REQUIREMENT.—A month shall
 2 not be an economic recovery month unless
 3 at least 6 consecutive months preceding
 4 such month were not trigger months.

5 “(B) NATURAL DISASTER RECOVERY
 6 MONTH.—

7 “(i) IN GENERAL.—Subject to clause
 8 (ii), the term ‘natural disaster recovery
 9 month’ means, with respect to a State, the
 10 6th consecutive month following a natural
 11 disaster trigger month that is not a trigger
 12 month.

13 “(ii) EXCEPTION.—A month shall not
 14 be a natural disaster recovery month with
 15 respect to a State if the Secretary, upon
 16 request from the Governor of the State,
 17 determines, in coordination with the Sec-
 18 retary of Housing and Urban Develop-
 19 ment, the Administrator of the Federal
 20 Emergency Management Administration,
 21 the Secretary of Labor, and the Secretary
 22 of Commerce and based on the progress of
 23 economic recovery of eligible households in
 24 the State, that the State requires more
 25 time to recover. The Secretary shall submit

1 to Congress a written justification of any
2 such determination.

3 “(h) NOTIFICATION OF TRIGGER MONTHS.—

4 “(1) NOTIFICATION OF UNEMPLOYMENT-BASED
5 TRIGGER MONTHS.—The Secretary of Labor shall
6 provide notice to the Secretary of Health and
7 Human Services whenever the Secretary of Labor
8 determines—

9 “(A) that a month is an economic trigger
10 month with respect to a State; or

11 “(B) that a month is an economic recovery
12 month with respect to a State.

13 “(2) NOTIFICATION OF DISASTER-BASED TRIG-
14 GER MONTHS.—The Administrator of the Federal
15 Emergency Management Administration shall pro-
16 vide notice to the Secretary whenever the Adminis-
17 trator determines—

18 “(A) that a month is a natural disaster
19 trigger month with respect to a State, and the
20 areas in the State for which assistance is au-
21 thorized under section 408 of the Robert T.
22 Stafford Disaster Relief and Emergency Assist-
23 ance Act; and

24 “(B) that a month is a natural disaster re-
25 covery month with respect to a State.

1 **“SEC. 1304. STATE PLANS FOR FAMILY CRISIS CASH ASSIST-**
 2 **ANCE.**

3 “(a) IN GENERAL.—A State shall not be eligible for
 4 payments under this title for any month unless the State
 5 has in effect for such month a State family crisis cash
 6 assistance plan that is approved by the Secretary under
 7 this section and is made available to the public by the
 8 State.

9 “(b) APPROVAL OF PLAN.—The Secretary shall not
 10 approve a State family crisis cash assistance plan under
 11 this section unless the plan meets the requirements of sub-
 12 section (c).

13 “(c) PLAN REQUIREMENTS.—

14 “(1) IN GENERAL.—A State family crisis cash
 15 assistance plan shall include the following:

16 “(A) An estimate of the amount of funding
 17 that the State will need over the term of the
 18 plan to make cash assistance payments to eligi-
 19 ble households under this title, including—

20 “(i) an estimate of—

21 “(I) the total number of eligible
 22 households in the State; and

23 “(II) the number of eligible
 24 households in the State that 1-person
 25 households, 2-person households, 3-

1 person households, and more than 3-
2 person households; and

3 “(ii) a projection of how the State ex-
4 pects the estimates described in this sub-
5 paragraph to change over the term of the
6 plan.

7 “(B) Procedures administering cash assist-
8 ance payments to eligible households in accord-
9 ance with the requirements of this title.

10 “(C) Procedures for making cash assist-
11 ance payments available to individuals who are
12 banked, unbanked, experiencing homelessness,
13 or are otherwise economically vulnerable.

14 “(D) Measures to ensure that the plan will
15 not, intentionally or unintentionally, function in
16 a discriminatory manner that impairs the abil-
17 ity of an eligible household to receive cash as-
18 sistance based on the race, color, religion, sex,
19 or national origin of any member of the house-
20 hold.

21 “(E) Contingency plans that the State will
22 rely on to administer cash assistance payments
23 in times of disaster or severe disruption.

24 “(F) Data sharing systems and processes
25 necessary to meet the data sharing require-

1 ments of paragraph (2) (including the data se-
2 curity and privacy requirements under subpara-
3 graph (C) of such paragraph).

4 “(G) Plans for overcoming anticipated
5 shortcomings or challenges (which shall include
6 estimates of the likelihood that each such short-
7 coming or challenge will occur) that the State
8 foresees in administering cash assistance and
9 how the State will use any available technical
10 assistance or administrative funding to over-
11 come such shortcomings or challenges.

12 “(2) DATA SHARING.—

13 “(A) COORDINATION AMONG STATE AGEN-
14 CIES.—A State developing a plan for approval
15 under this section shall establish processes for
16 the State department of revenue (or whichever
17 State agency is responsible for administering
18 the State’s tax code) and the State agencies re-
19 sponsible for administering the Medicaid pro-
20 gram under title XIX, the Children’s Health In-
21 surance Program under title XXI, the supple-
22 mental nutrition assistance program under the
23 Food and Nutrition Act of 2008, any State
24 pension or retirement program, and any other
25 State program that provides means-tested as-

1 sistance to individuals or families to share all
2 program data necessary to enable the State to
3 identify individuals and families in the State
4 who are eligible for a family crisis cash assist-
5 ance payment under section 1303.

6 “(B) FEDERAL DATA.—

7 “(i) IN GENERAL.—Notwithstanding
8 any other provision of law, the head of the
9 agency responsible for administering a
10 Federal public assistance program (as de-
11 fined in clause (ii)) shall make available to
12 any State with a plan approved under this
13 section all program data necessary to en-
14 able the State to identify individuals and
15 families in the State who are eligible for a
16 family crisis cash assistance payment
17 under section 1303.

18 “(ii) FEDERAL PUBLIC ASSISTANCE
19 PROGRAM.—The term ‘Federal public as-
20 sistance program’ means any retirement,
21 welfare, health, disability, public or as-
22 sisted housing, postsecondary education,
23 food assistance, unemployment benefit,
24 earned income tax credit, or any other
25 similar benefit for which payments, tax

1 credits, or assistance are provided to an in-
2 dividual, household, or family eligibility
3 unit by an agency of the United States.

4 “(C) USE OF INFORMATION; PRIVACY PRO-
5 TECTIONS.—Each State with a plan approved
6 under this section—

7 “(i) shall only use data provided to
8 the State under this section for the pur-
9 pose of identifying individuals and families
10 who are eligible for a family crisis cash as-
11 sistance payment under section 1303; and

12 “(ii) shall comply with all data secu-
13 rity and privacy provisions applicable to
14 data provided to the State under this sub-
15 section.

16 “(D) COSTS OF DATA SHARING.—The Sec-
17 retary shall pay for costs of State and Federal
18 agencies that are attributable to sharing data in
19 accordance with this paragraph from the
20 amount reserved for such purpose under section
21 1301(a)(5)(B).

22 “(d) TERM OF PLAN.—

23 “(1) IN GENERAL.—A State plan for family cri-
24 sis cash assistance under this section shall be in ef-

1 fect for the 5-year period beginning with the date
2 that the Secretary approves such plan.

3 “(2) RENEWAL.—A State shall apply for a re-
4 newal of a plan for family crisis cash assistance
5 under this section, with all necessary updates to en-
6 sure that the plan meets the requirements of this
7 section, 12 months before such plan would otherwise
8 terminate.

9 “(3) REVISION OF PLAN FOR FAILURE TO MEET
10 THRESHOLDS.—Notwithstanding paragraph (2), if a
11 State is required to submit a proposed plan to im-
12 prove the timeliness of assistance and eliminate dis-
13 parities in the provision of assistance under clause
14 (ii)(III) of section 1305(d)(1)(A), the State shall
15 apply to renew the plan for family crisis cash assist-
16 ance under this section (with the necessary updates
17 to improve such timeliness and eliminate such dis-
18 parities) not later than 90 days after the date on
19 which the State submits the report under section (if
20 earlier than the date on which the State would oth-
21 erwise be required to renew such plan under this
22 subsection).

23 “(e) GUIDANCE AND TECHNICAL ASSISTANCE.—

24 “(1) GUIDANCE.—Not later than 6 months
25 after the date of enactment of this title, the Sec-

1 retary shall issue detailed guidance to States de-
2 scribing the requirements for State plans under this
3 title, and how to submit and obtain approval of such
4 a plan.

5 “(2) TECHNICAL ASSISTANCE.—The Secretary
6 shall offer technical assistance to States to support
7 the development, enactment, implementation, and
8 updating of State plans under this section to ensure
9 that the plans meet all requirements of such section,
10 including by—

11 “(A) ensuring that the State’s plan recog-
12 nizes and seeks to reduce discrimination and
13 disparities based on the race and ethnicity, pri-
14 mary language, sexual orientation, disability
15 status, gender identity, housing status, and so-
16 cioeconomic status of its residents;

17 “(B) consulting with relevant, local organi-
18 zations that specialize in ensuring the equitable
19 delivery and distribution of social services and
20 support with regard to the race and ethnicity,
21 primary language, sexual orientation, disability
22 status, gender identity, housing status, and so-
23 cioeconomic status of the recipients to ensure
24 that the plan will achieve equitable distribution
25 and delivery outcomes;

1 “(C) conducting analyses of the implemen-
2 tation of past natural disaster and economic
3 crisis recovery programs in that State, includ-
4 ing any past delivery of family crisis cash as-
5 sistance payments under this title, to identify
6 and proactively prevent intentional or uninten-
7 tional discriminatory outcomes;

8 “(D) reviewing the State’s proposed family
9 crisis cash assistance delivery mechanisms to
10 proactively identify ways that those mechanisms
11 may yield intentional or unintentional discrimi-
12 natory outcomes and developing solutions to
13 prevent such outcomes;

14 “(E) ensuring that the State’s delivery
15 methods for family crisis cash assistance pay-
16 ments are secure and convenient for all eligible
17 recipients on an equitable basis and including
18 families who do not have access to financial
19 services or technology;

20 “(F) providing information, including on
21 existing best practices, to State authorities to
22 ensure that they meet all other requirements of
23 this section; and

24 “(G) ensuring that the State plans have
25 relevant, up-to-date outreach materials that are

1 cross-cultural, language-accessible, and dis-
2 ability-accessible to all families and children.

3 **“SEC. 1305. REQUIREMENTS.**

4 “(a) USE OF FUNDS.—A State receiving a payment
5 under this title shall only use such payment—

6 “(1) to provide cash assistance to eligible
7 households in the manner described in section 1303;
8 and

9 “(2) in the case of funds received under section
10 1302(b), to pay for administrative costs of devel-
11 oping and implementing the State plan under section
12 1303.

13 “(b) LIMITATIONS.—A State receiving a payment
14 under this title shall not—

15 “(1) require any member of an eligible house-
16 hold, as a condition of receiving a cash assistance
17 payment under section 1303, to—

18 “(A) engage in work activities; or

19 “(B) cooperate with the requirements of
20 any child support program;

21 “(2) impose any restrictions on how long an eli-
22 gible household may receive cash assistance pay-
23 ments under section 1303;

24 “(3) implement any policies or practices that
25 have the effect of making an eligible household less

1 likely to receive a cash assistance payment under
 2 section 1303 on the basis of any member of the
 3 household's race, sex, religion, national origin, immi-
 4 gration status, criminal justice status or history,
 5 housing status, or political affiliation;

6 “(4) apply any asset or resource test for deter-
 7 mining a household's eligibility for a cash assistance
 8 payment under section 1303; or

9 “(5) consider whether a household, or any
 10 member of a household, is receiving assistance
 11 (whether cash or in-kind) under another Federal or
 12 State program in determining the household's eligi-
 13 bility for a cash assistance payment under section
 14 1303.

15 “(c) TREATMENT OF CASH ASSISTANCE PAYMENTS
 16 AS EMERGENCY DISASTER RELIEF; PROTECTION FROM
 17 ASSIGNMENT OR GARNISHMENT.—

18 “(1) IN GENERAL.—With respect to a cash as-
 19 sistance payment made to an eligible household
 20 under section 1303—

21 “(A) such payment shall be treated as
 22 short-term, non-cash, in-kind emergency dis-
 23 aster relief for purposes of all laws and pro-
 24 grams (including public assistance and tax

1 laws) of a State and any unit of local govern-
 2 ment within the State; and

3 “(B) the right of any person to such a
 4 cash payment shall not be transferable or as-
 5 signable, at law or in equity, and no such pay-
 6 ment shall be subject to execution, levy, attach-
 7 ment, garnishment, or other legal process, or
 8 the operation of any bankruptcy or insolvency
 9 law.

10 “(2) ENCODING OF PAYMENTS.—In the case of
 11 a cash payment under section 1303 that is paid elec-
 12 tronically by direct deposit, a State shall issue the
 13 payment using a unique identifier that is reasonably
 14 sufficient to identify the payment as such a cash
 15 payment.

16 “(d) REPORTS.—

17 “(1) STATE REPORTS.—

18 “(A) IN GENERAL.—Each State shall—

19 “(i) not later than 90 days after the
 20 end of any trigger month (as defined in
 21 section 1302(g)) for the State, submit to
 22 the Secretary a report on how the State
 23 used the payments received by the State
 24 under this title during such period that in-
 25 cludes—

1 “(I) an analysis of all eligible
2 households in the State as of the start
3 of the family assistance period,
4 disaggregated by race and ethnicity,
5 disability status, housing status, and
6 income level as a percentage of the
7 Federal poverty line;

8 “(II) an analysis of all house-
9 holds that received cash assistance
10 under this title during the family as-
11 sistance period, disaggregated in the
12 manner described in subclause (I);
13 and

14 “(III) an analysis of the timing
15 of when eligible households that re-
16 ceived cash assistance received the as-
17 sistance relative to the start of the as-
18 sistance period, disaggregated in the
19 manner described in subclause (I);
20 and

21 “(ii) not later than 1 year after the
22 end of any family assistance period for the
23 State, submit to the Secretary a report on
24 how the State used the payments received

1 by the State under this title during such
2 period that includes—

3 “(I) the analyses described in
4 subclauses (I) through (III) of clause
5 (i);

6 “(II) an analysis of the reasons
7 for any disparities in eligible house-
8 holds versus recipients and in the
9 timeframes in which recipients re-
10 ceived cash assistance, including dis-
11 parities among categories of eligible
12 households described in clause (i)(I);

13 “(III) if the analysis described in
14 subclause (II) reveals that less than
15 90 percent of eligible households re-
16 ceived cash assistance under this title
17 or disparities of more than 14 days,
18 on average, in the timeframes in
19 which recipients belonging to different
20 categories of eligible households de-
21 scribed in clause (i)(I) received cash
22 assistance, a proposed plan on how
23 the State will improve the rate of eli-
24 gible households receiving payments
25 and eliminate any such disparities in

1 potential future deliveries of the fam-
2 ily crisis cash assistance program;

3 “(IV) a description of how the
4 State used any funds the State re-
5 ceived under this title for technical as-
6 sistance or administrative costs; and

7 “(V) at the option of the State,
8 any recommendations to the Secretary
9 and Congress on how changes to the
10 program’s implementation, including
11 technical assistance, planning require-
12 ments, administrative support, and
13 other factors may achieve more equi-
14 table outcomes.

15 “(B) FAMILY ASSISTANCE PERIOD.—For
16 purposes of subparagraph (A), the term ‘family
17 assistance period’ means, with respect to a
18 State, a period of consecutive months during
19 which the State is entitled to a payment under
20 section 1302.

21 “(2) REPORT TO CONGRESS.—Not later than
22 September 30, 2022, the Secretary shall submit a
23 report to Congress on the use of payments made
24 under this paragraph based on the reports submitted
25 under paragraph (1).

1 “(3) VALIDATION OF STATE REPORTS.—The
2 Secretary may—

3 “(A) develop a process for validating State
4 reports submitted under paragraph (1) using
5 Federal data available to the Secretary; and

6 “(B) request that a State address any in-
7 consistencies identified by the Secretary.

8 **“SEC. 1306. FAILURE OF STATE TO MAKE CASH ASSISTANCE**
9 **PAYMENTS OR COMPLY WITH REQUIRE-**
10 **MENTS.**

11 “(a) IN GENERAL.—The Secretary shall make cash
12 assistance payments to eligible households in a State
13 under section 1303 on behalf of the State if—

14 “(1) the State does not have a plan approved
15 under this title;

16 “(2) the State fails to make cash assistance
17 payments under section 1303 within the timeframe
18 under subsection (e) of such section; or

19 “(3) the Secretary determines that the State is
20 otherwise not satisfying the requirements of this
21 title.

22 “(b) RECOUPMENT OF PAYMENTS FROM NON-
23 COMPLIANT STATES.—

24 “(1) IN GENERAL.—If the Secretary determines
25 under subsection (a) that a State is late in making

1 cash assistance payments or is otherwise not satis-
 2 fying the requirements of this title—

3 “(A) the Secretary shall recover the
 4 amount of any unexpended payment made to
 5 the State under this title; and

6 “(B) such State shall not be eligible for
 7 another payment under this section until the
 8 State provides the Secretary with such assur-
 9 ances that the State will satisfy the require-
 10 ments of this title as the Secretary shall re-
 11 quire.

12 “(2) OPTION TO FOREGO RECOVERY OF FUND-
 13 ING FOR ADMINISTRATION OF STATE PLAN.—The
 14 Secretary may elect not to recover amounts paid to
 15 a State under this title for State costs attributable
 16 to the administration of the State family crisis cash
 17 assistance plan.

18 **“SEC. 1307. ADMINISTRATION OF TITLE.**

19 “(a) TIMING OF IMPLEMENTATION.—The Secretary
 20 shall implement this title not later than 30 days after the
 21 date of enactment of this title, pursuant to appropriate
 22 guidance to States.

23 “(b) DATA.—

24 “(1) UNEMPLOYMENT DATA.—Subject to para-
 25 graph (2), for purposes of determining unemploy-

ment rates for a State and a month under this title,
the Secretary shall use seasonally adjusted data
from the Local Area Unemployment Statistics from
the Bureau of Labor Statistics.

“(2) APPLICATION TO CERTAIN TERRI-
TORIES.—

“(A) IN GENERAL.—For purposes of deter-
mining unemployment rates for a month for the
Virgin Islands, Guam, the Northern Mariana
Islands, or American Samoa, the Secretary
shall use data from the unemployment measure
developed under subparagraph (B).

“(B) DEVELOPMENT OF TERRITORIAL
MEASURE.—The Secretary of Labor, in coordi-
nation with the Secretary of Health and
Human Services and the chief executives of the
territories identified in subparagraph (A), shall
develop a reliable unemployment measure for
such territories.

“(3) AUTHORITY TO MAKE NECESSARY ADJUST-
MENTS TO DATA AND COLLECT NEEDED DATA.—In
determining the amounts payable by a State for a
month for cash assistance payments to eligible
households under section 1303, the Secretary may
make appropriate adjustments to the data collected

1 from a State, on a State-by-State basis, to ensure
 2 that the data are comparable across States. The
 3 Secretary may develop a mechanism for collecting
 4 expenditure data, including procedures which allow
 5 States to make reasonable estimates, and may set
 6 deadlines for making revisions to the data.

7 “(c) RESEARCH AND EVALUATION.—

8 “(1) IN GENERAL.—Not later than 2 years
 9 after the Secretary makes the first payment under
 10 this title, and periodically thereafter, the Secretary
 11 shall submit to Congress a report that—

12 “(A) explores the use of economic and
 13 emergency, disaster, or crisis indicators other
 14 than the unemployment rates described in sec-
 15 tion 1303(g)(2) as triggers for making States
 16 eligible for payments under this title, including
 17 how different indicators would affect the dis-
 18 tribution of funds by State, by demographic
 19 group, by economic status, the total spending
 20 levels under this title, and how using different
 21 indicators would affect the outcomes of house-
 22 holds eligible to receive cash assistance pay-
 23 ments under section 1303;

24 “(B) evaluates the impact of payments to
 25 States under this title on economic, health,

1 housing, education, labor, and any other out-
 2 comes of recipients of cash assistance payments
 3 under section 1303 as the Secretary deems rel-
 4 evant; and

5 “(C) evaluates the impact of technical as-
 6 sistance provided by the Secretary and pay-
 7 ments to States to cover administrative costs on
 8 the States’ ability to deliver cash assistance in
 9 accordance with this title.

10 “(2) INCLUSION IN EVALUATION PLAN.—The
 11 findings of any evaluation conducted by the Sec-
 12 retary under this section shall be included in the
 13 next evaluation plan for the Department of Health
 14 and Human Services issued by the Secretary pursu-
 15 ant to section 312(b) of title 5, United States Code.

16 **“SEC. 1308. DEFINITIONS.**

17 “In this title:

18 “(1) ELIGIBLE HOUSEHOLD.—The term ‘eligi-
 19 ble household’ means a household with an income
 20 that is less than 300 percent of the Federal poverty
 21 line (as defined in section 673(2) of the Omnibus
 22 Budget Reconciliation Act of 1981, including any re-
 23 vision required by such section, applicable to a fam-
 24 ily of the size involved).

25 “(2) HOUSEHOLD.—

1 “(A) IN GENERAL.—The term ‘household’
2 means any of the following:

3 “(i) An individual who lives alone or
4 who, while living with others, customarily
5 does not pool income, assistance, assets, or
6 other resources for day-to-day costs of liv-
7 ing, provided that such individual is not a
8 nonresident alien.

9 “(ii) Any group of individuals (includ-
10 ing family members) who live together and
11 customarily pool income, assistance, assets,
12 or other resources for day-to-day costs of
13 living, provided that at least 1 of such in-
14 dividuals is not a nonresident alien.

15 “(B) FAMILY MEMBER.—

16 “(i) IN GENERAL.—For purposes of
17 subparagraph (A), the term ‘family mem-
18 ber’ means, with respect to an individual,
19 any of the following:

20 “(I) A spouse or domestic part-
21 ner of the individual, or a child,
22 grandchild, parent, or grandparent of
23 a spouse or domestic partner of the
24 individual.

1 “(II) A parent or grandparent of
2 the individual, or a spouse or domestic
3 partner of a parent or grandparent of
4 the individual.

5 “(III) A child or grandchild of
6 the individual or a spouse or domestic
7 partner of a child or grandchild of the
8 individual.

9 “(IV) A sibling of the individual.

10 “(V) Any individual related to
11 the individual involved by blood or af-
12 finity whose close association with the
13 individual involved is the equivalent of
14 a family relationship.

15 “(ii) PARENT.—For purposes of
16 clause (i), the term ‘parent’ means, with
17 respect to an individual any of the fol-
18 lowing:

19 “(I) A biological, adoptive, step,
20 foster parent or former foster parent
21 of the individual.

22 “(II) The legal guardian or
23 former legal guardian of the family
24 member.

1 “(III) An individual who stands,
2 or formerly stood, in loco parentis to
3 the individual involved.

4 “(iii) CHILD.—For purposes of clause
5 (i), the term ‘child’ means, with respect to
6 an individual, any of the following:

7 “(I) A biological, adopted, step,
8 foster, or former foster child of the in-
9 dividual.

10 “(II) The legal ward, or former
11 legal ward, of the individual.

12 “(III) An individual with respect
13 to whom the individual involved
14 stands in loco parentis, or formerly
15 stood in loco parentis.

16 “(C) RULE OF APPLICATION.—For pur-
17 poses of this title, the following persons shall
18 not be considered to be residents of institutions
19 and shall be considered to be individual house-
20 holds:

21 “(i) Residents of federally subsidized
22 housing for the elderly, disabled or blind
23 recipients of benefits under title I, II, X,
24 XIV, or XVI.

1 “(ii) Individuals described in para-
2 graphs (2) through (7) of section 5(j) of
3 the Food and Nutrition Act of 2008, who
4 are residents in a public or private non-
5 profit group living arrangement that serves
6 no more than 16 residents and is certified
7 by the appropriate State agency or agen-
8 cies under regulations issued under section
9 1616(e) or under standards determined by
10 the Secretary to be comparable to stand-
11 ards implemented by appropriate State
12 agencies under that section.

13 “(iii) Temporary residents of public or
14 private nonprofit shelters for individuals
15 experiencing intimate partner violence or
16 child abuse.

17 “(iv) Individuals who do not reside in
18 permanent dwellings or have no fixed mail-
19 ing addresses who are otherwise eligible for
20 benefits (including individuals who are
21 residents or former residents of public or
22 private nonprofit shelters for individuals
23 experiencing homelessness).

24 “(v) Narcotics addicts or alcoholics,
25 together with their children, who live under

1 the supervision of a private nonprofit insti-
2 tution, or a publicly operated community
3 mental health center, for the purpose of
4 regular participation in a drug or alcoholic
5 treatment program.

6 “(3) SECRETARY.—The term ‘Secretary’ means
7 the Secretary of Health and Human Services.

8 “(4) STATE.—The term ‘State’ means each of
9 the 50 States, the District of Columbia, Puerto Rico,
10 Guam, the Virgin Islands, the Northern Mariana Is-
11 lands, and American Samoa.”.

12 (b) EXEMPTION OF THE FAMILY CRISIS CASH AS-
13 SISTANCE PROGRAM FROM SEQUESTRATION.—

14 (1) IN GENERAL.—Section 255(h) of the Bal-
15 anced Budget and Emergency Deficit Control Act of
16 1985 (2 U.S.C. 905(h)) is amended by inserting
17 after “Contingency Fund (75–1522–0–1–609).” the
18 following:

19 “Family Crisis Cash Assistance Program under
20 title XIII of the Social Security Act.”.

21 (2) APPLICABILITY.—The amendment made by
22 this subsection shall apply to any sequestration
23 order issued under the Balanced Budget and Emer-
24 gency Deficit Control Act of 1985 (2 U.S.C. 900 et
25 seq.) on or after the date of enactment of this Act.

1 **SEC. 3. DISREGARD OF FAMILY CRISIS CASH ASSISTANCE**
2 **FOR PURPOSES OF OTHER FEDERAL PRO-**
3 **GRAMS.**

4 The amount of any cash assistance payment made to
5 a household under a State program funded by a payment
6 under title XIII of the Social Security Act, as added by
7 section 2(a), shall not be taken into account as income
8 or resources for purposes of determining the eligibility of
9 such household or any member of such household for bene-
10 fits or assistance, or the amount or extent of such benefits
11 or assistance, under any Federal program or under any
12 State or local program financed in whole or in part with
13 Federal funds.

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