

Pandemic TANF Assistance Act

Section by Section Summary

Section 1: Short Title

This act may be cited as the “Pandemic TANF Assistance Act.”

Section 2: Emergency Flexibility for State and Tribal TANF Programs

This section suspends Temporary Assistance for Needy Families (TANF) work requirements and time limits. It also prohibits states from imposing penalties against an individual or family. This provision will make it possible for families to continue to receive TANF assistance even if they are unable to fulfill TANF work requirements due to the COVID-19 pandemic.

Addressing Sanctions and Penalties for Beneficiaries:

This section establishes that no state will terminate or reduce TANF assistance to an individual or family through November 30, 2020 for the following reasons:

- Not meeting TANF work requirements;
- Not completing or complying with a TANF individual responsibility plan assessment; or
- Not establishing paternity or complying with child support orders

If states and tribes are found to inappropriately deny, reduce, or terminate TANF assistance to individuals or families during the applicable period, the U.S. Department of Health and Human Services (HHS) has the authority to reduce the states’ or tribes’ TANF grant in the upcoming fiscal year based on the degree of non-compliance.

Holding States and Tribes Harmless:

This section prohibits HHS from penalizing states or tribes during the applicable period for the following reasons:

- Not achieving and verifying required TANF work participation rates;
- Not complying with paternity establishment and child support state requirements; or
- Extending assistance past the 5-year limit

This section also specifies that those states and tribes that are in corrective compliance agreements with HHS will no longer need to meet benchmarks outlined in those agreements during the applicable period. At the conclusion of the applicable period, HHS will work with states and tribes to renegotiate corrective compliance agreements.

Section 3: Coronavirus Emergency Assistance Grants for Low-Income Families

This section creates a new emergency grant program within Title VI of the Social Security Act that will be available for an applicable period of April 1, 2020 to September 30, 2021.

- This section appropriates \$10,000,000,000 for Coronavirus Emergency Assistance Grants.
- Funding is allocated to states, District of Columbia, and Puerto Rico based on the number of individuals in families below the federal poverty line in the state divided by the number of individuals in families below the federal poverty line in all states (based on the most recent year of data available from the U.S. Census Bureau).
- 3.5% of funds will be set aside for territories (other than Puerto Rico) and tribes.
- \$500,000 will be reserved for HHS to provide technical assistance to states, territories, and tribes.
- Coronavirus Emergency Assistance Grants may be used to:
 - Provide cash and in-kind disaster relief to families to address household basic needs, emergencies, and avoidance of emergencies that may lead to children being removed from their homes.
 - During a federal or state COVID-19 emergency declaration, provide subsidized employment for low-income individuals that is limited to jobs that can be conducted remotely or deemed essential and individuals are provided with proper personal protective equipment.
 - Provide broader array of subsidized jobs once it is safe to reopen the economy.

This section also specifies that Coronavirus Emergency Assistance Grant funds are to be made equally available to all individuals regardless of race, sex, religious creed, national origin, or political affiliation.

Eligibility for Assistance:

Any individual (including those who are single) is eligible:

- whose monthly income at application for assistance is below 200 percent of the federal poverty line; and
- who has been adversely affected by COVID-19 (including due to illness, economic disruption, measures taken to avoid infection, or needing to provide care for another individual).

Accessing Coronavirus Emergency Assistance Grants:

States, territories, and tribes will apply for Coronavirus Emergency Assistance Grant funding by submitting a public letter of intent to HHS describing the amount of funding needed and how it will be used on a quarterly basis.

HHS will distribute initial Coronavirus Emergency Assistance payments to states, territories, and tribes within 30 days after the date of enactment and make subsequent payments no later than the first day of each subsequent quarter.

If HHS determines that a state, tribe, or territory misused Coronavirus Emergency Assistance Grant funds, HHS will remit the amount equal to the determined misused funds. States, territories, and tribes have the opportunity to appeal such action and will continue to be eligible for future payments regardless of previously determined misused funds.

States, territories, and tribes that have received Coronavirus Emergency Assistance Grant funds shall report to HHS on how funds were used by January 1, 2022. HHS will provide a report to Congress by September 30, 2022 summarizing all Coronavirus Emergency Assistance Grants made during the applicable period.