

THE HEROES ACT



House Democrats' Updated Version of The Heroes Act *Title-By-Title Summary*

DIVISION A – Coronavirus Recovery Supplemental Appropriations Act, 2021 *Prepared by the Democratic staff of the House Committee on Appropriations*

Title I – Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

Supplemental Nutrition Assistance Program (SNAP) – Provides \$10 billion to support anticipated increases in participation and to cover program cost increases related to flexibilities provided to SNAP by other acts addressing COVID-19.

Special Supplemental Nutrition Program for Women Infants and Children (WIC) – Provides an additional \$400 million to provide access to nutritious foods to low-income pregnant women or mothers with young children who lose their jobs or are laid off due to the COVID-19 emergency.

The Emergency Food Assistance Program (TEFAP) – Includes \$450 million to help local food banks meet increased demand for low-income Americans during the emergency. Including funding provided by the Families First Coronavirus Response Act and the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), TEFAP has received a total of \$1.30 billion.

Nutrition Assistance Programs – Provides \$1.236 billion to Puerto Rico, \$14 million to The Commonwealth of the Northern Mariana Islands, and \$9.1 million to American Samoa for additional nutritional assistance.

Agricultural Quarantine Inspection Program – Provides \$350 million to the Animal and Plant Health Inspection Service to ensure continued inspections of agricultural products in order to keep pests and diseases from entering the U.S.

Rural electric coops – Provides \$2.6 billion for grants to rural electric coops that are Rural Utilities Service electric borrowers to mitigate the effects of the COVID-19 pandemic to support continued or expanded delivery of critical services.

Rental Assistance Program – Provides \$309 million to the Rural Housing Service to assist rural tenants who lost income during the pandemic.

Food and Drug Administration – Provides \$1.5 million for FDA to hold one or more advisory committee meetings on coronavirus vaccine applications.

USDA Office of Inspector General – Provides \$2.5 million to increase monitoring and oversight activities.

Farm and Ranch Stress Assistance Network program – Provides \$20 million to strengthen activities and services that connect farmers and ranchers to stress assistance resources and programs.

Title II – Commerce, Justice, Science, and Related Agencies

International Trade Administration – \$20 million for coronavirus-related expenses, including funding to maintain services for small and medium-sized businesses and to offset a loss in revenue from waived fees.

Minority Business Development Agency (MBDA) – \$25 million for Business Centers and Specialty Centers to assist minority business enterprises to weather the impacts of the coronavirus.

Census Bureau, Current Surveys and Programs – \$10 million for expenses incurred as a result of the coronavirus.

Census Bureau, Periodic Censuses and Programs – \$400 million for expenses due to delays in the 2020 Decennial Census in response to the coronavirus.

United States Patent and Trademark Office – \$95 million for coronavirus-related expenses, specifically to maintain operations and services for patent and trademark applicants and to offset a loss in revenue from fee deferrals.

National Institute for Standards and Technology (NIST) National Network for Manufacturing Innovation (also known as “Manufacturing USA”) – \$20 million to support development and manufacturing of medical countermeasures and biomedical equipment and supplies to address the coronavirus.

NIST Manufacturing Extension Partnership Program: \$50 million to help small and medium-sized manufacturers prevent, prepare for, and respond to coronavirus, including a waiver of the cost share requirement for fiscal year 2021.

National Oceanic and Atmospheric Administration (NOAA) – \$392 million to address coronavirus-related needs, including:

- \$42 million to sustain critical operations at the National Weather Service.
- \$100 million for Saltonstall-Kennedy (SK) grants to support the promotion and development of the domestic seafood industry.
- \$250 million for Fishery Disaster Assistance to provide direct relief to tribal, subsistence, commercial, and charter fishery participants, in response to economic losses precipitated by the coronavirus, including a set aside of \$25 million for tribal fisheries.
- Additionally, provides a waiver from the requirements for matching funds for Coastal Zone Management and National Estuarine Research Reserve grants provided in fiscal years 2020, 2021, and 2022.

Department of Commerce, Office of Inspector General – \$2 million for auditing and oversight of supplemental funds provided to the Commerce Department in the earlier CARES Act and in this Act.

Economic Development Administration (EDA) – Provides a waiver of the requirement for matching funds for EDA grants funded in the fiscal year 2020 annual appropriations Act, as well as for EDA grants funded in the CARES Act.

Federal Prison System – \$620 million to prevent, prepare for, and respond to coronavirus in Federal prisons, including funding for medical testing and services, personal protective equipment, hygiene supplies and services, and sanitation services.

Department of Justice, Office of Inspector General – \$3 million for auditing and oversight of supplemental funds provided to the Justice Department in this Act and in the earlier CARES Act.

Violence Against Women Act (VAWA) Programs – \$375 million, with a waiver of the local match requirement, including:

- \$100 million for grants to combat violence against women;
- \$100 million for sexual assault victims assistance;
- \$50 million for assistance to tribal governments;
- \$40 million for transitional housing assistance grants;
- \$25 million to enhance culturally specific services for victims of domestic violence;
- \$25 million for outreach and services to underserved populations;
- \$20 million for rural domestic violence and child abuse enforcement assistance; and
- \$15 million to support families in the justice system.

Second Chance Act grants – \$250 million for grants to help facilitate the reintegration of ex-prisoners back into society and to prevent recidivism.

Pandemic Justice Response Act Grants – \$600 million, including: (1) \$500 million to prevent, detect, and stop the presence of COVID-19 in correctional institutions, and for pre-trial citation and release grants, (2) \$25 million for Rapid COVID-19 Testing at correctional institutions, and (3) \$75 million for Juvenile Specific Services.

Juvenile Justice Programs - \$100 million, including \$50 million for Part B Formula Grants and \$50 million for programs authorized by the Victims of Child Abuse Act.

National Science Foundation (NSF) – \$2.9 billion, including \$2.6 billion for Research and Related Activities and \$300 million for Education and Human Resources to prevent, prepare for, and respond to coronavirus, including for extensions of existing research grants, cooperative agreements, scholarships, fellowships, and apprenticeships. Also provides \$1 million for a study on the spread of COVID-19 related disinformation.

Legal Services Corporation – \$100 million to address legal needs arising from coronavirus, including civil cases like evictions.

Title III – Defense

Defense Health Program – \$705 million in funding to complete expansion efforts of manufacturing capability to quickly maximize doses of prophylactics and therapeutics needed to protect the Warfighter population from COVID-19, as well as acquiring personal protective equipment for medical personnel and patients in military treatment facilities.

Operation and Maintenance Funding – \$320 million for supplies of personal protective equipment for military services and \$1.4 billion for salaries and other needs of over 55,000 base employees of childcare centers, lodges, food operations, exchanges and other recreational activities that are normally paid by revenue

generating accounts that have been detrimentally impacted by the pandemic.

Title IV – Energy and Water Development, and Related Agencies

Bureau of Reclamation – \$7 million to support activities to prevent, prepare for, and respond to coronavirus, including personal protective equipment.

Department of Energy – \$144.3 million to support activities to prevent, prepare for, and respond to coronavirus, including:

- \$143 million for the Office of Science to address cost impacts due to the coronavirus pandemic on certain construction projects; and
- \$1.3 million for personal protective equipment.

In addition, the bill waives cost-share requirements for grants awarded by the Northern Border Regional Commission, the Delta Regional Authority, and the Denali Commission in response to economic distress directly related to the coronavirus.

Title V – Financial Services and General Government

Treasury Inspectors General – \$35 million for the Treasury Inspector General for oversight of Coronavirus Fiscal Relief Fund payments to state and local governments, and \$2.5 million for the Treasury Inspector General for Tax Administration for oversight of IRS payments.

Assistance to Homeowners – \$21 billion to states, territories, and tribes to address the ongoing needs of homeowners struggling to afford their housing due directly or indirectly to the impacts of the pandemic by providing direct assistance with mortgage payments, property taxes, property insurance, utilities, and other housing related costs.

State Fiscal Relief – \$238 billion in funding to assist state governments with the fiscal impacts from the public health emergency caused by the coronavirus, including \$755 million in CARES Act Coronavirus Relief Fund repayment for the District of Columbia.

Local Fiscal Relief – \$179 billion in funding to assist local governments with the fiscal impacts from the public health emergency caused by the coronavirus.

Tribal Fiscal Relief – \$9.5 billion in funding to assist Tribal governments with the fiscal impacts from the public health emergency caused by the coronavirus.

Fiscal Relief for Territories – \$9.5 billion in funding to assist governments of the Territories with the fiscal impacts from the public health emergency caused by the coronavirus.

Assistance to Multi-State Transportation Agencies – \$100 million for assistance to multi-state entities that are involved in the transportation of passengers or cargo and are suffering revenue losses due to the public health emergency caused by the coronavirus.

Community Development Financial Institutions (CDFI) – \$1 billion for economic support and recovery in distressed communities by providing financial and technical assistance to CDFIs.

Tax Credit Implementation – \$359 million for implementation of additional payments to individuals.

Judiciary – \$25 million for coronavirus impacts such as enhanced cleaning, health screening and IT infrastructure costs in appellate, district, and bankruptcy courts and in probation and pretrial services offices.

Elections – \$3.6 billion for grants to states for contingency planning, preparation, and resilience of elections for Federal office.

Broadband – \$12 billion to close the homework gap by providing funding for Wi-Fi hotspots and connected devices for students and library patrons, \$3 billion for emergency home connectivity, \$200 million for telemedicine grants, and \$24 million for broadband mapping.

General Services Administration Technology Modernization Fund – \$1 billion in funding for technology-related modernization activities to respond to coronavirus.

National Archives and Records Administration – \$92 million to offset user charge losses due to coronavirus, preventing the furlough of hundreds of Federal workers.

Office of Personnel Management Inspector General Office (OPM IG) – \$1 million for the OPM IG to combat healthcare fraud associated with the coronavirus.

Assisting Small Businesses – \$50 billion in grants to small businesses that have suffered financial losses as a result of the coronavirus outbreak.

Postal Service – \$15 billion for revenue forgone due to the coronavirus pandemic, plus language providing additional protections to Postal workers. An additional \$15 million is provided for the Postal Service Inspector General for oversight of this funding.

Pandemic Response Accountability Committee – Clarifies the jurisdiction of the Pandemic Response Accountability Committee.

Title VI – Homeland Security

Federal Emergency Management Agency – \$1.3 billion to prevent, prepare for, and respond to coronavirus, including \$200 million for the Emergency Food and Shelter Program; \$500 million for Assistance to Firefighter Grants (AFG); \$500 million for Staffing for Adequate Fire and Emergency Response (SAFER) grants; and \$100 million for Emergency Management Performance Grants (EMPG).

In addition –

- Prohibits the use of funds provided in the bill from being used for other purposes.
- For AFG and SAFER, waives cost sharing requirements for cash-strapped fire departments and waives certain other program requirements in order to help expedite grant awards.

Office of Inspector General – \$3 million for oversight of the Department of Homeland Security's pandemic response activities.

Title VII – Interior, Environment, and Related Agencies

Fish and Wildlife Service – \$45 million, including \$15 million to address wildlife trafficking, and \$30 million

for caring for captive species listed under the Endangered Species Act in facilities impacted by the coronavirus.

National Park Service – \$20 million for grants as authorized by the 9/11 Memorial Act to prevent, prepare or, and respond to coronavirus.

Bureau of Indian Affairs – \$900 million to meet Tribal government needs necessary to prevent, prepare for, and respond to coronavirus, including:

- \$780 million to continue Tribal government operations and programs and to clean Tribal facilities.
- \$100 million to address overcrowded housing which is prohibiting social isolation.
- \$20 million for sanitation needs to provide for water hydration and hygiene issues to mitigate and respond to coronavirus.

Department of the Interior – \$1 billion for building hospitals and critical infrastructure in the Insular Areas, as well as for general technical assistance in responding to Coronavirus; and \$5 million for the Office of Inspector General to perform oversight, accountability, and evaluation of programs, projects, or activities in the Department of the Interior pandemic response.

Environmental Protection Agency – \$50 million for environmental justice grants, to investigate links between pollution exposure and the transmission and health outcomes of coronavirus in environmental justice communities, which have experienced disproportionate negative health outcomes.

Indian Health Service – \$2.3 billion to address health care needs related to coronavirus for Native Americans, including:

- \$1 billion to account for lost third party revenues as a result of reduced medical care.
- \$64 million to assist Urban Indian Organizations.
- \$10 million to assist with sanitation, hydration and hygiene needs in Indian Country necessary to prevent, prepare for, and respond to coronavirus.
- \$500 million to provide health care, including telehealth services to Native Americans, and to purchase medical supplies and personal protective equipment.
- \$140 million to expand broadband infrastructure and information technology for telehealth and electronic health records system purposes.
- \$20 million to provide health care, housing and isolation units for domestic violence victims and homeless Native Americans.
- \$600 million to modify existing health facilities to provide isolation and quarantine space, equipment, and for maintenance and improvement projects.

National Endowment for the Arts – \$135 million for the National Endowment for the Arts for grants to support the general operations of recipients and language to permit the waiver of matching requirements.

National Endowment for the Humanities – \$135 million for the National Endowment for the Humanities for grants to support the general operations of recipients and language to permit the waiver of matching requirements.

Title VIII – Labor, Health and Human Services, Education, and Related Agencies

Department of Labor – \$3.7 billion to support workforce training and worker protection activities related to coronavirus, including:

- \$2.1 billion to support **worker training**, including \$1.6 billion in Workforce Innovation and Opportunity Act grants to States, \$500 million for the Dislocated Worker National Reserve and \$25 million for migrant and seasonal farmworkers, including emergency supportive services. Ensures any funds under this Act for apprenticeship support Registered Apprenticeships;
- \$500 million for the **Employment Service** to help connect unemployment insurance claimants and other job seekers with employers looking to hire;
- \$925 million in contingency funding to assist **States process unemployment insurance claims**;
- \$15 million for the **federal administration** of unemployment insurance activities;
- \$39 million for **Unemployment Insurance national activities** necessary to support the UI system;
- \$100 million for the **Occupational Safety and Health Administration** for workplace protection and enforcement activities in response to coronavirus, including \$25 million for Susan Harwood training grants that protect and educate workers and \$70 million for compliance safety and health officers and safety standards enforcement;
- \$6.5 million for the **Wage and Hour Division** to support enforcement and outreach activities for paid leave benefits; and
- \$5 million for the **Office of Inspector General** for oversight.

Department of Health and Human Services – \$249 billion to support public health; research, development, manufacturing, procurement, and distribution of vaccines and therapeutics; and other activities related to coronavirus, including:

Health Resources and Services Administration – \$9.2 billion to support expanded health care services for underserved populations, including:

- \$7.6 billion for Health Centers to expand the capacity to provide testing, triage, and care for COVID-19 and other health care services at approximately 1,000 existing health centers across the country;
- \$1 billion for Health Workforce programs, including the National Health Service Corps and Nurse Corps, to support loan repayment for nurses and other health care providers;
- \$500 million for maternal and child health programs to support outreach and provision of newborn screenings, vaccine provision, prenatal care, and other services that have been more difficult to access during the pandemic; and
- \$100 million to Ryan White HIV/AIDS clinics to support extended operational hours, increased staffing hours, additional equipment, and additional home delivered meals and transportation needs of clients, who disproportionately suffer from co-morbidities and underlying immunosuppression that puts them at greater risk for COVID-19 complications.

Centers for Disease Control and Prevention – \$13.7 billion to support federal, state, and local public health agencies to prevent, prepare for, and respond to the coronavirus, including:

- \$2 billion for State, local, Territorial, and Tribal Public Health Departments;
- \$7 billion for a COVID-19 vaccination campaign;
- \$1 billion for an evidence-based public awareness campaign on the importance of vaccinations;
- \$500 million for an enhanced seasonal influenza campaign;
- \$1 billion to strengthen global public health preparedness and response capacity;
- \$200 million for the multi-year effort to modernize public health data surveillance and analytics infrastructure; and
- \$2 billion for grants to State, local, Tribal, or territorial health departments to purchase personal protective equipment for essential workers.

National Institutes of Health – \$4.7 billion to expand COVID-19-related research on the NIH campus and at academic institutions across the country and to support the shutdown and startup costs of biomedical research laboratories nationwide.

Substance Abuse and Mental Health Services Administration – \$8.5 billion to provide increased mental health and substance abuse services and support, including:

- \$3.5 billion for the Substance Abuse and Prevention Treatment Block Grant;
- \$4 billion for the Mental Health Services Block Grant;
- \$600 million for Certified Community Behavioral Health Clinics;
- \$50 million for suicide prevention programs;
- \$100 million for Project AWARE to support school-based mental health for children;
- \$10 million for the National Child Traumatic Stress Network;
- \$240 million for emergency grants to States; and
- Not less than \$150 million of funds provided to SAMHSA must be allocated to tribes, tribal organizations, urban Indian health organizations, or health service providers to tribes across a variety of programs.

Assistant Secretary for Preparedness and Response – \$21.025 billion to respond to coronavirus, including:

- \$20 billion for Biomedical Advanced Research and Development Authority (BARDA) for the research, development, and procurement of vaccines and therapeutics;
- \$500 million for BARDA to support U.S.-based next generation manufacturing facilities;
- \$500 million for BARDA to promote innovation in antibacterial research and development; and
- \$25 million for the Office of Inspector General.

Public Health and Social Services Emergency Fund – \$125 billion to reimburse for health care related expenses or lost revenue attributable to the coronavirus, as well as to support testing and contact tracing to effectively monitor and suppress COVID-19, including:

- \$50 billion in grants for hospital and health care providers to be reimbursed health care related expenses or lost revenue directly attributable to the public health emergency resulting from coronavirus; and
- \$75 billion for testing, contact tracing, and other activities necessary to effectively monitor and suppress COVID-19.

Centers for Medicare & Medicaid Services – Nursing Strike Team – \$500 million for States to establish and implement strike teams to deploy to skilled nursing facilities or nursing facilities within 72 hours of three residents or employees being diagnosed with or suspected of having COVID-19.

Administration for Children and Families – \$65.2 billion to provide supportive and social services for families and children through programs including:

- \$50 billion for Child Care Stabilization Grants;
- \$7 billion for Child Care and Development Block Grants to provide immediate assistance to child care providers;
- \$4.5 billion for the Low-Income Home Energy Assistance Program (LIHEAP);
- \$1.7 billion for Head Start;

- \$1.5 billion to support paying water bills for low income families;
- \$75 million for Child Welfare Services;
- \$100 million for Family Violence Prevention and Services, including \$2 million for the National Domestic Violence Hotline;
- \$100 million for Child Abuse Prevention and Treatment Act (CAPTA) State Grants; and
- \$225 million for Community Based-Child Abuse Prevention Grants.

Administration for Community Living – \$1.175 billion to provide resources for aging and disability services programs, including senior nutrition; home and community-based supportive services; family caregivers; elder justice and adult protective services programs; and assistive technology equipment.

Department of Education – \$225 billion to support the educational needs of States, school districts, and institutions of higher education in response to coronavirus. To help address the current crisis, the bill includes:

- \$208 billion for a **State Fiscal Stabilization Fund**
 - \$175 billion for elementary and secondary schools to support:
 - costs associated with making up instructional time, including teacher, school leader, and classified school employee personnel costs;
 - providing school-based supports for impacted students, families, and staff, including counseling, mental health services, family engagement efforts, and the coordination of physical health services;
 - costs associated with sanitation and cleaning for schools and school transportation;
 - professional development for school-based staff on trauma-informed care to restore the learning environment;
 - purchasing educational technology, including assistive technology, that aids in regular and substantive interactions between students and their classroom instructor;
 - coordination efforts between State educational agencies and public health departments for emergency planning, response, and recovery; and
 - authorized activities under education statutes including ESEA, IDEA, McKinney-Vento Homeless Assistance Act, the Adult Education and Family Literacy Act, and the Perkins Act;
 - \$27 billion for public postsecondary education to support:
 - training and professional development for college and university faculty and staff to use technology and services related to distance education;
 - general expenditures for institutions of higher education for expenses associated with a disruption in services or operations related to coronavirus, including defraying expenses due to lost revenue, reimbursement for expenses already incurred, and payroll; and,
 - emergency financial aid to postsecondary students for housing, food, technology, health care, and child care.
 - \$4 billion for Governors to address educational needs across their States, including to institutions with high burden due to coronavirus.
 - \$2 billion for the outlying areas and Bureau of Indian Education-funded schools and Tribal Colleges and Universities.
- \$5 billion for **Elementary and Secondary School Emergency Facilities Aid** for grants to help

ensure school buildings are set up to protect the health of students and staff, including through improvements to building ventilation systems.

- \$11.9 billion to **Higher Education** to help alleviate burdens associated with the coronavirus for both colleges and students, including:
 - \$3.5 billion for Historically Black Colleges and Universities and other Minority Serving Institutions
 - \$7 billion for private, not-for-profit institutions
 - \$1.4 billion for other institutions of higher education with unmet need related to coronavirus, including institutions of higher education that offers programs exclusively through distance education
- \$32 million to cover the coronavirus related costs of implementing the 2021 **National Assessment of Educational Progress (NAEP)** Reading and Mathematics assessments
- \$7 million for the **Office of Inspector General** for oversight, investigations and audits of funding in this Act

Corporation for National and Community Service – \$350 million to support new and existing AmeriCorps and Senior Corps programs, including funding for continued administrative services and assistance to grantees.

Corporation for Public Broadcasting -- \$175 million to assist public telecommunications entities and maintain programming and services

Institute of Museum and Library Services – \$135 million to support libraries and museums with costs and expenses associated with coronavirus, including operational supports and providing technology and resources for their communities.

Railroad Retirement Board – \$5 million to support the processing of unemployment benefits under the Railroad Unemployment Insurance Act, including \$500,000 for the Office of the Inspector General.

Social Security Administration – \$40.5 million to assist the Department of Treasury with carrying out Economic Impact Payments (EIP), including \$2.5 million for the Office of Inspector General for oversight activities.

Title IX – Legislative Branch

House of Representatives – \$37 million to support expanded House operations such as tele-town halls, video conferencing, remote hearings, and cybersecurity. Funding will also support changes to Member office space, such as providing plastic barriers.

Senate – \$6.345 million for teleworking and IT needs as well as funds to supplement daycare operations.

Office of the Attending Physician (OAP) – \$600,000 for COVID-19-related needs and vaccine purchases.

US Capitol Police – \$12 million for basic safety items, temporary lodging for on-duty officers, and civilian employees to address concerns about the potential of community transmission to family members; and for covering the higher costs to initiate virtual hiring and begin conducting virtual testing and background checks.

Congressional Budget Office – \$1.2 million to support teleworking operations.

Architect of the Capitol – \$150 million for bulk purchasing and distribution of face coverings for Members, and on-site staff, as well as gloves and thermometers. In addition, this funding will support enhanced cleaning of the Capitol Campus.

Library of Congress – \$12 million for unanticipated IT costs associated with Library and CRS staff having to telework during COVID-19.

Government Printing Office – \$7 million for lost revenue due to decreased printing demands and regular orders from Congress and Federal agencies, including U.S. passports.

Government Accountability Office (GAO) – \$88.5 million for GAO to conduct oversight of funding provided to federal departments and agencies for coronavirus response and recovery efforts.

Title X – Military Construction, Veterans Affairs, and Related Agencies

Veterans Benefits Administration, Claims Processing – \$338 million for general operating expenses to address a backlog in disability claims processing, as well as increased operating costs associated with education claims processing.

Medical Community Care, State Veterans Homes – \$100 million in federal relief to provide support for the care of elderly veterans residing in State Homes.

National Cemetery Administration – \$26 million to support the resumption of interments, committal services, and memorial services at Veterans Cemeteries.

VA Board of Veterans Appeals – \$4 million to address costs associated with reducing the large backlog of appeals caused by the interruption of in-person hearings.

Information Technology, Dept of Veterans Affairs – \$45 million to support modernization of the education claims processing system, allowing VA to effectively process GI Bill claims, despite the shift to online college classes, including the delivery of students' payments to schools in a timely manner and avoiding interruption in services.

American Battle Monuments Commission – \$2 million for expenses incurred as a result of the coronavirus.

Arlington National Cemetery – \$2 million for expenses incurred as a result of the coronavirus.

Supply Chain Modernization, Veterans Health Administration – \$100 million to accelerate the implementation of an improved supply chain management system. Such a system will allow VA to acquire needed equipment for coronavirus response and enable VA to manage essential supplies on a national basis to ensure each medical center has needed supplies.

Title XI – State, Foreign Operations, and Related Programs

Consular Assistance – Provides \$500 million for emergency evacuations, strengthening preparedness, and maintaining consular services for American citizens and businesses abroad.

Oversight – Includes \$7.9 million for inspector general's offices to increase monitoring and oversight of coronavirus response activities, of which \$4.4 million is for the Department of State Inspector General and \$3.5 million is for the United States Agency for International Development (USAID) Inspector General.

USAID Operations – \$50 million for USAID Mission staff and dependents, and other emergency preparedness needs in missions around the world and in Washington.

Global Health – \$3.5 billion for The GAVI Alliance for global vaccine production and distribution in lower income countries. \$3.5 billion for the Global Fund to support low to middle income countries to bolster health systems and response to the outbreak. \$1 billion for PEPFAR and \$227 million to support health systems overseas in their fight against coronavirus, including \$150 million for the Emergency Reserve Fund.

Development Assistance – \$250 million to meet economic and stabilization needs including humanitarian response to increase capacity within displacement camps; and to maintain access to basic and higher education for costs related to the consequences of coronavirus.

Assistance to critical partner agencies – Provides \$15 million each to the United States African Development Foundation and Inter-American Foundation to support local, grassroots organizations’ and communities’ response to the pandemic.

Food Assistance – Provides \$750 million to the World Food Programme of the United Nations to address food shortages in the developing world.

Assistance to Children – Provides an additional voluntary contribution to the United Nations Children’s Fund (UNICEF) of \$185 million to support the organization in providing water, sanitation, nutrition, education, health and protection services for children, women, and vulnerable populations.

Reporting on Use of Funds – Requires an update to strategy to respond to the coronavirus outbreak and regular reporting on the use of funding.

Authority to Extend Millennium Challenge Compacts – Extending the length of compacts due to the impact of the coronavirus on operations.

Extension of Authorities to Continue Operations and Support Personnel – Provides authorization for agencies in overseas missions to make payments for employees and their family members on authorized or ordered departure due to COVID-19.

Extension of Education Allowance Authority – Enables agencies in overseas missions to pay education allowances for the expenses of dependents of employees who are in the United States on ordered or authorized departure.

Title XII – Transportation, Housing and Urban Development, and Related Agencies

Department of Transportation (DOT)

DOT Operations – \$20.2 million to support activities to prevent, prepare for, and respond to coronavirus, including to support telework and information technology, purchase personal protective equipment, and conduct Department-wide oversight of coronavirus related funding.

Essential Air Service – \$75 million to preserve scheduled passenger air service for small communities.

FAA, Operations – \$50 million to provide FAA employees with masks or protective face coverings, gloves, and sanitizer and to ensure FAA facilities are cleaned and disinfected.

FAA, Grants-in-Aid for Airports – \$13.5 billion in economic relief to airports. Most of the funds are allocated based on each airport's enplanements and not less than 25 percent of which is for these airports to provide assistance to the restaurants and retailers located at the airport (i.e., concessions). The remaining funds pay for the local share of grants planned for fiscal year 2021 and provide economic relief to small airports.

Amtrak – \$2.4 billion to support Amtrak's ability to operate passenger rail service on Northeast Corridor (NEC), State-supported, and long-distance routes, protect Amtrak workers from furloughs, and prevent service reductions on long-distance routes. This includes \$569 million to assist States and commuter rail providers in making FAST Act required payments to Amtrak for State-supported routes and commuter rail service on the NEC.

Transit Emergency Relief – \$32 billion, of which \$28.5 billion is for operating assistance grants that, in combination with funds provided in the CARES Act, will support up to 100 percent of transit agencies annual operating expenses, \$2.5 billion is for projects that received funding under the Capital Investment Grants program, and \$1 billion is for rural and paratransit providers.

Saint Lawrence Seaway Development Corporation – \$1.5 million to support the operations, maintenance, and capital infrastructure activities of the Seaway International Bridge.

Maritime Security Program – Section 1204 provides an additional \$500,000 in fiscal year 2021 for each vessel in the Maritime Security Program.

Department of Housing and Urban Development (HUD)

Tenant-Based Rental Assistance – \$4 billion to allow public housing agencies (PHAs) to respond to coronavirus and the ability to keep over 2.2 million families stably housed even when facing a loss of income, including \$1 billion for new, temporary, vouchers for individuals and families who are homeless or at risk of becoming homeless, or fleeing domestic violence. Allows PHAs the flexibility necessary for the safe and effective administration of these funds while maintaining fair housing, nondiscrimination, labor standards, and environmental protections.

Public Housing Operating Fund – \$2 billion for PHAs to carry out coronavirus response for the operation and management of almost 1 million public housing units. Allows PHAs the flexibility necessary for the safe and effective administration of these funds while maintaining fair housing, nondiscrimination, labor standards, and environmental protections.

Native American Programs – \$400 million to help Indian tribes and tribally designated housing entities prevent, respond to, and prepare for coronavirus. This includes up to \$150 million in formula funding through the Native American Housing Block Grants program and not less than \$250 million in imminent threat grants through the Indian Community Development Block Grant program.

Housing for Persons with AIDS – \$65 million to maintain operations, rental assistance, supportive services, and other necessary actions to mitigate the impact of coronavirus on low-income persons with HIV/AIDS.

Community Development Block Grant – \$5 billion for coronavirus response and to mitigate the impacts in our communities to be distributed by formula to current grantees. The legislation continues to waive the public services cap to allow communities to respond to the impacts of the pandemic.

Homeless Assistance Grants – \$5 billion for Emergency Solutions Grants to address the impact of coronavirus among individuals and families who are homeless or at risk of homelessness and to support additional homeless

assistance, prevention, and diversion activities to mitigate the impacts of the pandemic.

Emergency Rental Assistance – \$50 billion to provide emergency assistance to help low-income renters at risk of homelessness avoid eviction due to the economic impact of the coronavirus pandemic.

Project-Based Rental Assistance – \$750 million to ensure the continuation of housing assistance for low-income individuals and families living in project-based rental assistance properties, and to ensure housing providers can take the necessary actions to prevent, prepare for, and respond to the pandemic.

Housing for the Elderly – \$500 million to maintain operations at properties providing affordable housing for low-income seniors and to ensure housing providers can take the necessary actions to prevent, prepare for, and respond to the coronavirus pandemic. To ensure access to supportive services for this vulnerable population, this includes \$300 million for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects.

Housing for Persons with Disabilities – \$45 million to maintain operations at properties providing affordable housing for low-income persons with disabilities, and to ensure housing providers can take the necessary actions to prevent, prepare for, and respond to the coronavirus pandemic.

Office of Fair Housing and Equal Opportunity – \$14 million to address fair housing issues resulting from coronavirus. This includes \$4 million for Fair Housing Organization Initiative grants and \$10 million for Education and Outreach grants to educate the public and the housing industry about fair housing rights and responsibilities during the COVID-19 pandemic.

DOT and HUD Oversight – \$11 million combined for the DOT, HUD, and Amtrak Inspectors General to conduct audits and investigations and ensure transparency and efficiency within the agencies as they prevent, prepare for, and respond to coronavirus.

Housing Counseling Assistance – \$100 million for the Neighborhood Reinvestment Corporation (NeighborWorks) to enable housing counselors to respond to the surge of demand for services, which include foreclosure and eviction mitigation counseling, due to the economic impact of the COVID-19 pandemic.

Title XIII – General Provisions

Technical budgetary provisions.

DIVISION B – Providing Relief to Students, Institutions of Higher Education, Local Educational Agencies, and State Vocational Rehabilitation Agencies *Prepared by the Democratic staff of the House Committee on Education and Labor*

Sec. 100. Short Title.

This section specifies that this division may be cited as the “Pandemic Education Response Act”.

Title I – Higher Education Provisions

Sec. 101. Definitions.

This section provides definitions for terms such as “award year”, “authorizing committees”, “qualifying emergency period”, and the Free Application for Federal Student Aid (termed as “FAFSA”).

Subtitle A – CARES Act Amendments

Sec. 111. Application of Campus-Based Aid Waivers.

This section clarifies that the Secretary of Education (Secretary) will waive the non-federal match requirement for non-profit employers. This section also extends the requirement for the Secretary to waive the non-federal match requirement for institutions and non-profit employers and the authority to reallocate funds from Federal Work-Study to the Federal Supplemental Educational Opportunity Grant (FSEOG) during any award year that includes any portion of a qualifying emergency.

Sec. 112. Supplemental Education Opportunity Grants for Emergency Aid.

This section extends the flexibility for an institution to use FSEOG funds to provide emergency financial aid during a qualifying emergency period.

Sec. 113 Extension of Federal Work-Study During a Qualifying Emergency.

This section extends flexibility to allow institutions of higher education (institutions) to pay federal work-study students even if such students are unable to complete their jobs due to COVID-19 during a qualifying emergency period.

Sec. 114. Service Obligations for Teachers and Other Professionals

This section requires the Secretary to consider full-time service that was interrupted due to a qualifying emergency as meeting the requirements for Perkins loan cancellation.

Sec. 115. Continuing Education at Affected Foreign Institutions.

This section clarifies that a foreign institution is eligible to offer courses via distance education and enter into written agreements with US-based institutions due to a declaration of an emergency in the applicable country or a qualifying emergency in the United States. This section also extends these flexibilities through the latter of the qualifying emergency or June 30, 2022.

Sec. 116. Funding for HBCU Capital Financing; Endowment Challenge Grants.

This section ensures all institutions participating in the Historically Black Colleges and Universities (HBCU) Capital Financing program can access a loan deferment (along with deferment on other applicable fees) by striking the \$62 million mandatory funding cap in the *Coronavirus Aid, Relief, and Economic Security Act* (CARES Act) and making other changes. Additionally, this section allows Endowment Challenge grantees to use endowment fund corpus plus any endowment fund income for any educational purpose or to defray any expenses necessary to the operation of the institution.

Sec. 117. Waiver Authority for Institutional Aid

This section discontinues the Secretary's allowance, provided in the CARES Act, to waive the special allotment rule for HBCUs with direct appropriations from Congress.

Sec. 118. Scope of Modifications to Required and Allowable Uses.

This section allows the Secretary to grant waivers related to the required and allowable uses for the Minority Science and Engineering Improvement Program. This section requires the Secretary to waive or modify the matching requirements for specified grant programs as a result of a qualifying emergency if the grant recipient requests such a waiver or modification and automatically waives the matching requirement for GEAR UP grantees. This section further clarifies that the Secretary cannot use the authority provided under the CARES Act to grant waivers that would allow TRIO and GEAR UP grant funds to be used in a way that deviates from the statutory purpose of the grant program.

Subtitle B – Financial Aid Access

Sec. 121. Emergency Financial Aid Grants Excluded from Need Analysis.

This section specifies that emergency financial aid grants shall not be included as income or assets for the purposes of calculating a student's expected family contribution (EFC) or treated as estimated financial assistance not received under Title IV of the *Higher Education Act of 1965* (HEA). As a result, emergency financial aid provided to a student in response to the COVID-19 emergency will not impact that student's eligibility for federal financial aid.

The term "emergency financial aid grant" includes emergency aid awarded under the Higher Education Emergency Relief Fund of the CARES Act, emergency aid supported with Supplemental Educational Opportunity Grant (SEOG) program funds, and any other emergency aid provided by a Federal agency, state, Indian tribe, institution, or scholarship-granting organization for the purpose of providing relief in response to a qualifying emergency.

Sec. 122. Facilitating Access to Financial Aid for Recently Unemployed Students.

This section specifies that any individual who has applied for, or is receiving, unemployment benefits at the time that such individual submits an application for federal financial aid will be treated as a dislocated worker on the FAFSA, which can qualify a FAFSA applicant for the simplified needs test or an automatic zero EFC. This provision is effective for the duration of the COVID-19 emergency and the following award year. This section requires the Secretary to implement this provision within 30 days of enactment and to make clear on the FAFSA that workers who have been laid-off, or who have applied for or are receiving unemployment benefits, qualify as dislocated workers. This section additionally directs the Secretary to notify FAFSA applicants who have experienced a significant loss in family income as a result of a qualifying emergency that such applicants should contact the financial aid administrator at their institutions to provide updated information.

This section also requires the Secretary to work with the Department of Labor and institutions to provide guidance and conduct outreach to recently unemployed individuals informing them of their potential eligibility for aid, including their treatment as dislocated workers on the FAFSA. Secretary is additionally required to work with institutions to inform applicants for federal student aid of the treatment of applicants as dislocated workers under this section; the availability of other means-tested federal benefit programs; and the ability of aid administrators, where appropriate, to set income at zero for individuals who have applied for or are receiving unemployment benefits. This section further requires the Secretary to inform institutions of their authority to share information from a student's FAFSA (with the student's consent) with organizations that assist students in applying for and receiving Federal, State, local, or tribal assistance.

This section provides guidance regarding the exercise of Professional Judgment similar to guidance released by the Department of Education (ED) on May 8, 2009, including guidance regarding the ability of financial aid administrators to reduce income to zero for students, parents, and spouses who are receiving or have applied for unemployment insurance. Documentation of unemployment will be accepted if it is provided to the institution within 90 days of being issued unless the financial aid administrator is aware of subsequent employment. This section also directs ED to make adjustments to its risk-based model for selecting institutions for program reviews to ensure that institutions are not penalized for the increased use of professional judgment.

Sec. 123. Student Eligibility for Higher Education Emergency Relief Fund and Other Higher Education Funds.

This section prohibits the Secretary from imposing restrictions on the populations of students who may receive funds under section 18004 of the CARES Act, which authorized the Higher Education Emergency Relief Fund, or under the State Fiscal Stabilization Fund authorized under this Act. This section specifies that the Personal Responsibility and *Work Opportunity Reconciliation Act of 1996* does not apply to funds made available under section 18004 of the CARES Act.

Sec. 124. Definition of Distance Education.

This section requires institutions to abide by the consensus definition of distance education included in ED’s final rule on Distance Education and Innovation published on September 2, 2020 to programs that begin on or after December 1, 2020. An institution providing programs online must submit to its accreditor a description of how the institution plans to meet the distance education definition. An institution that bypassed the regular approval process during COVID-19 must start the standard approval process with its accreditor and the Secretary by December 31, 2020 and receive approval by July 1, 2021. An institution with a covered arrangement with a foreign institution must demonstrate to the Secretary that it has started the evaluation process with its accreditor (only in cases where the accreditor has standards already in place). An institution that enters into a covered arrangement with a non-title-IV institution, organization, or with a foreign institution, must report to the Secretary certain information detailed in this Act. This section also requires student disclosures.

Sec. 125. Requirements for Teach-Out Plans and Teach-Out Agreements.

This section contains requirements for teach-out plans and teach-out agreements that will remain in effect until the HEA is reauthorized. This section adds a requirement that an institution submit a record-retention plan when required by its accreditor to submit a teach-out plan. The record-retention plan includes a plan for custody and final disposition of teach-out plan and agreement records; student records, including transcripts and financial aid records; an assurance that in the event of a closure the institution will release all financial holds on any student records; will not require fees to access records for the three year period after closure; refund students any amount of tuition and student fees; and include an estimate for the costs necessary to carry out the requirements of the record-management plan.

Under the requirements in this section, a teach-out institution is: A private non-profit or public institution (to the extent practicable) that has the necessary experience to provide an educational program of acceptable quality; has not been subject to a negative action from its applicable state agency or accreditor; and shows no evidence of significant problems which includes administrative capacity and financial stability that affect the institution’s capacity to meet its obligations to students.

This section requires the closing institution to provide its accrediting agency with a complete list of all students currently enrolled in each program or who have withdrawn in the last 180 days; provide to its accrediting agency records of any agreements regarding acceptance of students and transfer of credits; provide to all enrolled students a record retention plan to all enrolled students; release all financial holds and provide students access to their records at no cost for three years; provide students with information regarding their right to a closed school discharge; provide enrolled students with information about additional tuition and fees at the teach-out institution; and provide enrolled students with accurate information on the number and types of credits the teach-out institution will accept.

Not later than 10 days after submission of the required a teach-out plan or agreement, the institution must notify the Secretary and applicable State authorizing agencies not later than 5 days after approval of such plan or agreement. A closing institution is also prohibited from misrepresenting the nature of teach-out plans, teach-out agreements, and transfer of credit to students.

Subtitle C – Federal Student Loan Relief

Part 1—Temporary Relief for Federal Student Borrowers

Sec. 131. Expanding Loan Relief to all Federal Student Loan Borrowers.

This section amends the CARES Act to define the term “Federal student loan” to include Direct Loans, Department- and commercially-held Federal Family Education Loans (FFEL), Department- and institutionally-held Perkins loans, and Health and Human Services (HHS) student loans under subpart II of part A of Title VII

and part E of Title VIII of the *Public Health Service Act* that are eligible for consolidation with Direct Loans under the HEA.

Sec. 132. Extending the Length of Borrower Relief Due to the Coronavirus Emergency.

This section amends the CARES Act to extend suspension of payments for Federal student loans through September 30, 2021 and adds a 30-day transition period where any missed payments after payment suspension ends do not result in collection fees and are not reported to consumer reporting agencies. This section requires the Secretary to make the borrowers with loans that were excluded from the CARES Act (i.e., commercially-held FFEL, institutionally-held Perkins loans, and HHS student loans) whole as if those loans had been covered by applicable provisions of the CARES Act. Allows borrowers repaying under an income-driven repayment plan to not recertify their income or family size until after December 30, 2021.

Sec. 133. No Interest Accrual.

This section amends the CARES Act to extend no interest accrual on Federal student loans (regardless of repayment status) until September 30, 2021 or until the economy shows initial signs of recovery (as defined in the Act), whichever such extension is longer. For commercially-held FFEL and institutionally-held Perkins loans, this section requires the Secretary to pay the amount of interest due on the unpaid principal to the holder on a monthly basis. The payments cannot affect payment calculations under the special allowance rules in the HEA. The Secretary of HHS must also pay the amount of interest due on the unpaid principal to the holder of the loan on a monthly basis. This section adds a provision that requires the Secretary or, as applicable, the Secretary of HHS to make the borrowers with loans that were excluded from the CARES Act (i.e., commercially-held FFEL, institutionally-held Perkins loans, and HHS student loans) whole as if those loans had been covered by applicable provisions of the CARES Act.

This section clarifies that accrued interest prior to March 13, 2020 cannot be capitalized as a consequence of the implementation of pause payments or the no interest accrual provisions.

Sec. 134. Notice to Borrowers.

This section makes conforming amendments to the CARES Act such as requiring the Secretary of HHS to notify HHS borrowers that the benefits provided to them under the CARES Act, as amended in this Act, will end. This section also requires the Secretary and, as applicable, the Secretary of HHS to notify Perkins loan borrowers and HHS borrowers of available income-driven repayment plans, should such borrowers consolidate their loans.

Sec. 135. Implementation.

This section amends the CARES Act to facilitate implementation of the temporary relief provided to borrowers under this Act. This section requires holders of commercially-held FFEL, institutionally-held Perkins loans, and HHS loans to report information that allows the Secretary and, as applicable, the Secretary of HHS to verify borrower payments that are to be provided or suspended and calculate the amount of interest due to the holder for reimbursement.

Sec. 136. Effective Date.

This section requires that the amendments made under this Part take effect as if enacted as part of the CARES Act.

Part 2—Consolidation Loans and Public Service Loan Forgiveness

Sec. 137. Special Rules Relating to Federal Direct Consolidation Loans.

This section establishes rules for borrowers consolidating loans between the date of enactment and September 30, 2021 or until the economy shows initial signs of recovery (as defined in this Act), whichever length of time is longer. These rules allow borrowers to consolidate without losing prior payments for purposes of Public Service Loan Forgiveness (PSLF) and income-driven repayment plans. To determine the number of monthly

qualifying payments, the Secretary must calculate the weighted factor of each component loan, determine the number of qualifying monthly payments made on each component loan before consolidation, add the number of qualifying monthly payments on each loan, and round to the nearest whole number. When determining the new interest rate, the standard rules for consolidation apply except that the Secretary must not round up the weighted average of the interest rate. The Secretary and the Secretary of HHS must undertake a public awareness campaign to alert borrowers on the benefits of consolidating.

This section also requires the Government Accountability Office to submit a report within six months after the date of enactment of this Act on the implementation of this section.

Sec. 138. Treatment of PSLF.

This section removes the HEA requirement that a borrower must be employed in a public service employer at the time of forgiveness under PSLF. This section also allows a borrower with a full-time job as a health care practitioner working at a public or non-profit hospital or health care facility but prohibited by State law from being employed directly by the hospital or health care facility to be eligible for PSLF.

Subtitle D – Protecting Students

Sec. 141. Notifications and Reporting Relating to Higher Education.

This section requires the Secretary to submit written notification to the authorizing committees each time an HEA provision (including regulation or subregulatory guidance) will be modified or waived due to COVID-19, excluding such modifications or waivers authorized by the CARES Act. This notification must also be published online. Each notification must include certain elements outlined in the Act. The Secretary must also submit quarterly reports through the end of the first fiscal year after the qualifying emergency ends. For flexibilities already granted prior to enactment of this Act, the Secretary must submit a report outlining such flexibilities as required by the Act.

This section also requires institutions that exercise an authority provided under specific sections in the CARES Act to submit to the Secretary of Education a report that describes how the institution used such authority and the number of students affected by the use of such authority. The Secretary is then required to submit a summary of this information to the authorizing committees, along with information as outlined in this Act.

The Secretary must submit a report to the authorizing committees summarizing modifications to any contracts with entities that service federal student loans and amendments to program participation agreements with institutions. The Secretary of Education must also submit randomly selected sample copies of program participation agreements.

This section amends other sections in the CARES Act to add reporting requirements.

Sec. 142. Protecting Students from Predatory Recruitment.

This section authorizes the Secretary to conduct undercover and audit-based operations to encourage the ethical treatment of students and detect fraud and abuse by an institution including substantial misrepresentation of educational programs to students, enforcement of the incentive compensation ban, and admissions and recruitment activity. This section requires the Secretary to develop written guidelines for such activities in accordance with commonly accepted federal practices, impose appropriate sanctions for violations, and report the results of such activities to Congress and make such reports publicly available. This section requires each institution that participates in title IV of the HEA to include a clear statement regarding the incentive compensation ban in all internal recruitment documents and when hiring a new employee or entering into a new contract with a third-party contractor.

Title II – Impact Aid and Migrant Education Coronavirus Relief

Sec. 201. Impact Aid.

This section allows school districts to submit previously collected student enrollment information from the 2019-2020 school year in Impact Aid grant applications for the 2020-2021 school year to the Secretary.

Sec. 202. The Education of Migratory Children.

This section requires the Secretary to use the greater of school year 2018-2019 or school year 2019-2020 migrant student enrollment data to make fiscal year 2021 allocations to States for the Migrant Education Program.

Title III – Career, Technical and Adult Education

Sec. 301. Definitions.

This section defines “coronavirus” and “COVID-19 national emergency.”

Sec. 302. COVID-19 Career and Technical Education Response Flexibility.

This section provides legislative flexibility for programs under the *Perkins Career and Technical Education Act of 2006* (Perkins CTE) in response to COVID-19 such as allowing Perkins CTE entities to pool funds to support the transition from secondary to postsecondary education.

Sec. 303. Adult Education and Literacy Response Activities.

This section provides legislative flexibility for the *Adult Education and Family Literacy Act* to allow for program administration and state leadership funds to be used for online service delivery and requires the Secretary to provide guidance on virtual proctoring of adult education.

Title IV – Disability Employment

Sec. 401. Rehabilitation Act Waivers.

This section authorizes the Secretary to grant waivers due to COVID-19 to allow the replacement of expired or spoiled food at vending facilities under the Randolph-Sheppard program and provide flexibility from service obligations under the personnel development scholarships program.

DIVISION C – Protections for Families and Workers

Prepared by the Democratic staff of the House Committee on Education and Labor

Title I – Amendments to Emergency Family and Medical Leave Expansion Act and Emergency Paid Sick Leave Act

Subtitle A – Emergency Family and Medical Leave Expansion Act Amendments Sec. 101. References.

Sec. 102. Employee Eligibility and Employer Clarification. This section temporarily suspends, until December 31, 2022, the current 1,250-hour eligibility requirement and reduces the tenure eligibility requirement from 12 months to 90 days under non-emergency Family and Medical Leave Act (FMLA). This will ensure rampant unemployment and furloughs do not leave workers unable to qualify for FMLA benefits in the near future. This section also clarifies that public agencies are covered under the Family and Medical Leave Act of 1993, regardless of the number of employees.

Sec. 103. Emergency Leave Extension. This section extends the availability of Emergency Family and

Medical Leave benefits from December 31, 2020 to February 28, 2021.

Sec. 104. Emergency Leave Definitions. This section—

- Provides private sector and public sector employees who have been on the job for at least 30 calendar days with the right take up to 12 weeks of job-protected paid leave under the Family and Medical Leave Act, *regardless of the size of their employers.*
- Employees can take this leave to: (1) self-isolate because they were diagnosed with COVID-19, (2) obtain a medical diagnosis or to care for symptoms of COVID-19, (3) comply with a recommendation or order to self-isolate because physical presence at work would jeopardize the health of the employee, other employees, or a person in the employee's household, (4) care for a family member who is self-isolating, (5) care for a child whose school has closed or child care provider is unavailable due to COVID-19, or (6) care for a family member who is individual with a disability or senior citizen whose place of care or direct care provider is unavailable.

Sec. 105. Regulatory Authorities. This section removes the Secretary of Labor's authority to issue regulations, authorized under Families First Coronavirus Response Act, to exempt employees of businesses with fewer than 50 employees, or to issue regulations to exempt health care providers and emergency responders from the right to paid leave. Any regulations that have been issued under that previous authority shall have no effect.

Sec. 106. Paid Leave. This section ensures that workers are provided with a full 12 weeks of paid emergency FMLA leave and such leave does not count towards an employee's 12 weeks of non-emergency unpaid FMLA leave. This section also clarifies that only the employee can decide to take emergency FMLA leave concurrently with any other paid leave they have available.

Sec. 107. Wage Rate. This section ensures employees will receive a benefit from their employers that will be no less than two-thirds of the employee's usual pay, up to \$200 a day, but no less than the applicable minimum wage in their area.

Sec. 108. Notice. This section requires that employees provide their employers with notice as soon as is practicable.

Sec. 109. Intermittent Leave. This section clarifies that employees can take leave intermittently or on a reduced work schedule, regardless of a previous agreement between an employer and employee.

Sec. 110. Certification. This section states employers may require requests for emergency leave to be supported by basic documentation, but not before five weeks after the employee has started the leave.

Sec. 111. Authority of the Director of the Office of Management and Budget to Exclude Certain Employees. This section eliminates the authority of the Director of the Office of Management and Budget to exclude certain federal employees from paid leave.

Sec. 112. Technical Amendments. This section makes technical amendments.

Sec. 113. Amendments to the Families First Emergency Family and Medical Leave Expansion Act.

- Clarifies that employees who work under a multiemployer collective bargaining agreement and whose employers pay into a multiemployer plan are provided with leave.
- Eliminates provisions that allow employers of health care providers and emergency responders the ability to exclude their employees from emergency FMLA leave.
- Eliminates provisions that restrict employees from exercising a private right of action against

employers, with fewer than 50 employees.

Subtitle B – Emergency Paid Sick Leave Act Amendments

Sec. 121. References.

Sec. 122. Paid Sick Time Requirement. This section—

- Allows eligible employees to use paid sick leave for the uses allowed under the emergency FMLA (see above).
- For each 12-month period, entitles eligible full-time employees to two workweeks (80 hours) of emergency paid sick leave. For each 12-month period, eligible part-time employees are entitled to the hours of emergency paid sick leave that equals the typical number of hours that they work in a typical two-week period.
- Ensures employees receive emergency paid sick leave in addition to any existing employer-provided paid leave.
- Clarifies that employees can take leave intermittently or on a reduced work schedule, regardless of a previous agreement between an employer and employee.
- Allows employers to require requests for paid sick leave to be supported by basic documentation, but not before 7 days after the employee has returned to work.
- Requires employees to provide their employers with notice of need to take leave as soon as is practicable.
- Clarifies that full emergency paid sick leave is available to employees where they begin employment with a new employer.
- Requires employers to restore employees to their positions after returning from paid sick leave.

Sec. 123. Sunset. This section extends the availability of emergency paid sick leave from December 31, 2020 to February 28, 2021.

Sec. 124. Definitions. This section eliminates the large employer exemption and clarifies that nonprofit organizations are covered employers. This section ensures that full-time and part-time employees earn full wage replacement (up to \$511 per day) for all emergency paid sick leave uses.

Sec. 125. Emergency Paid Sick Leave for Employees of the Department of Veterans Affairs and the Transportation Security Administration for Purposes Relating to COVID-19. This section ensures employees of the Department of Veterans Affairs and Transportation Security Administration are eligible for paid sick days.

Sec. 126. Authority of the Director of the Office of Management and Budget to Exclude Certain Federal Employees. This section eliminates the authority of the Director of the Office of Management and Budget to exclude certain federal employees from paid sick leave.

Sec. 127. Regulatory Authorities. This section eliminates the Secretary of Labor’s authority to issue regulations, provided under the Families First Coronavirus Response Act, to exempt certain employers with fewer than 50 employees, health care providers, and emergency responders from the emergency paid sick leave provisions. This section also eliminates the Secretary’s authority to issue regulations to align Divisions C (Emergency Family and Medical Leave Act), E (Emergency Paid Sick Leave Act) and G (Tax Credits for Paid Sick and Paid Family and Medical Leave) of the Family First Coronavirus Response Act. Any such regulations issued by the Department shall have no force and effect.

Title II – “COVID–19 Every Worker Protection Act of 2020”

Sec. 201. Short Title. This division may be cited as the “COVID–19 Every Worker Protection Act of 2020”.

Sec. 202. Emergency Temporary and Permanent Standards.--Requires OSHA to issue an emergency temporary standard (ETS) within 7 days of enactment to protect health care and other workers at occupational risk of exposure to COVID-19. The ETS:

- Requires employers to conduct a hazard assessment and develop and implement a comprehensive infectious disease exposure control plan to protect workers from exposure to the SARS-CoV-2 virus that causes COVID-19.
- Requires employers to implement appropriate controls, provide worker training and report outbreaks to OSHA and public health authorities
- Incorporates, as appropriate, guidance issued by the Centers for Disease Control and Prevention, the National Institute for Occupational Safety and Health, and OSHA which are designed to prevent the transmission of infectious agents in healthcare settings and relevant scientific research on novel pathogens.
- Requires the ETS to be no less protective than the infectious disease precautions for novel pathogens issued by any OSHA state plan.
- Permits OSHA to exercise enforcement discretion in the event of shortages of respirators or other personal protective equipment.
- Requires OSHA state plan states to adopt an ETS within 14 days of enactment.
- Covers public employees in the 24 states where they are not currently covered by OSHA.
- Requires OSHA to issue a permanent infectious disease standard within 24 months of enactment.
- Prohibits employers from retaliating against workers for reporting or publicizing health and safety hazards, or for using their own more protective personal protective equipment if not provided by the employer.

Sec. 203. Reporting, Tracking, Investigation and Surveillance of COVID–19 Infections and Outbreaks.

Requires the CDC, in conjunction with the National Institute for Occupational Safety and Health, to collect and, as appropriate, investigate reports of work-related transmission of COVID-19 to health care and other workers, and make recommendations on needed actions or guidance based on those reports and investigations.

Title III – COVID-19 Protections under the Longshore and Harbor Workers’ Compensation Act

Sec. 301. Compensation Pursuant to the Longshore and Harbor Workers’ Compensation Act (LHWCA).—Establishes a presumption that COVID-19 is work related and authorizes eligibility for benefits under the LHWCA to those maritime employees who were employed between January 27, 2020 and January 27, 2022 who are diagnosed with COVID-19, or who were ordered not to return to work by the employer or by a public health agency because of exposure or risk of exposure in the workplace to one or more individuals diagnosed with COVID- 19.

An employer or carrier is entitled to reimbursement for the costs of compensation paid for COVID-19 claims from the Special Fund established under the LHWCA Section 44, provided such employer is in compliance with requirements and guidance related to the prevention of exposure to the novel coronavirus that causes COVID-19 issued by the Occupational Safety and Health Administration, Centers for Disease Control, the U.S. Coast Guard, or state or local health authority related. Insurance premiums and experience ratings cannot be adjusted based upon compensation paid by the carrier, if the carrier is reimbursed for the costs of

claim from the Special Fund for purposes of this Title. Claims for reimbursement shall be submitted to the Department of Labor pursuant to regulations established under the War Hazards Compensation Act.

Funds are appropriated to the Special Fund. DOL shall report to Congress on claims paid, claims denied and claims pending, and expenditures from the Special Fund related to COVID-19 claims under this Title.

Title IV – Workers’ Compensation Benefits for Federal and Postal Employees Diagnosed with COVID-19

Sec. 401. Presumption of Eligibility for Workers’ Compensation Benefits for Federal Employees Diagnosed with COVID–19.--Provides a presumption of eligibility for benefits under the Federal Employees’ Compensation Act for a federal or postal employee who is diagnosed with COVID–19 between January 27, 2020 and January 3, 2022 (including disability compensation, medical services, and survivor benefits) and who carried out duties requiring contact with patients, members of the public, or co-workers, or whose duties include a risk of exposure to the coronavirus. Such presumption does not accrue to any employee who is teleworking on a full-time basis prior to such diagnosis.

Title V – COVID-19 Workforce Development Response Activities

Section 501. Definitions. Defines coronavirus, COVID-19 national emergency, “Secretary” as the Secretary of Labor, and apprenticeship programs as Registered Apprenticeship programs.

Section 502. Job Corps Response to the COVID–19 National Emergency. Provides additional programmatic flexibilities, including for eligibility and enrollment, advanced career training programs, counseling, job placement and assessments, transition support for Job Corps participants, and additional flexibilities for serving students remotely or in-person.

Section 503. Migrant and Seasonal Farmworkers Program Response. Authorizes expansion of eligibility to individuals not exceeding 150 percent of the poverty line.

Section 504. YouthBuild Activities Responding to the COVID-19 National Emergency. Expands eligibility for individuals who turned 25 during the COVID-19 national emergency and expands enrollment length beyond 2 years for individuals participating in the program during the COVID-19 national emergency.

Section 505. Apprenticeship Support During the COVID-19 National Emergency. Requires the Secretary to identify and disseminate strategies and tools to support virtual and online learning and training within 30 days of bill enactment.

DIVISION D – Human Services and Community Supports

Prepared by the Democratic staff of the House Committee on Education and Labor

Title I – Stronger Child Abuse Prevention and Treatment Act

Subtitle A – General Program

Sec. 101. Repeal of Findings

Repeals Section 2 (Congressional Findings) of the “Child Abuse and Prevention Treatment Act” (CAPTA).

Sec. 102. Repeal of Advisory Board on Child Abuse and Neglect

Repeals Section 102 (Advisory Board on Child Abuse and Neglect) of CAPTA.

Sec. 103. National Clearinghouse for Information Relating to Child Abuse

Amends Section 103 of CAPTA to require the Secretary of Health and Human Services (HHS) to develop and issue regulations establishing uniform national standards for tracking and reporting of child fatalities and near-fatalities resulting from child abuse and neglect.

Sec. 104. Research and Assistance Activities

Amends Section 104 of CAPTA to streamline allowed topics for research and technical assistance conducted by the Secretary of HHS to focus on issues that have been understudied and are relevant to current challenges faced by the child welfare workforce. This section also repeals demonstration grants, which will be funded through grants in Section 105.

Sec. 105. Grants to States, Indian Tribes or Tribal Organizations, and Public or Private Agencies and Organizations

Amends Section 105 of CAPTA to focus discretionary grants on topics related to the provision of effective treatment and prevention services. Also requires that projects funded under this section submit to the Secretary of HHS an evaluation of effectiveness, and further requires that the Secretary of HHS only award continuing grants to projects that demonstrate effectiveness.

Sec. 106. Grants to States for Child Abuse or Neglect Prevention and Treatment Programs

Amends Section 106 of CAPTA to ensure that states develop a thorough plan to treat and prevent child abuse and neglect in consultation with families and professionals involved in child welfare systems that provides for effective services and fosters an educated child welfare workforce.

Sec. 107. Miscellaneous Requirements

Amends section 108 of CAPTA to require that the state task force established under Section 107 of current CAPTA law examine and make recommendations for how to detect and prevent systemic child sexual abuse. The state shall make the task force's recommendations public and shall report to the Secretary of HHS the status of adopting such recommendations within six months of receiving the task force report.

Sec. 108. Reports

Amends Section 110 of CAPTA to repeal studies that have been previously completed and requires the Secretary of HHS to carry out four new studies, including one focused on scalability of treatments that reduce the trauma resulting from child abuse and neglect, one focused on child abuse and neglect in Indian Tribal communities, one focused on the relation between state mandatory reporting laws and referrals and investigations of child abuse and neglect, and one focused on state laws regarding the minimum marriage age and their impact on child safety.

Sec. 109. Authorization of Appropriations

Amends Section 112 of CAPTA to set the authorization level for Title I at \$270 million for fiscal year 2021 and such sums as may be necessary for fiscal years 2022 through 2026. Also places a cap of \$100 million on discretionary activities and requires states to spend no more than two percent of appropriations exceeding fiscal year 2019 appropriations on administrative expenses.

Sec. 110. Monitoring and Oversight

Amends Section 114 of CAPTA to require that the Secretary of HHS provide written guidance and technical assistance to help states meet the requirements related to infants born with and identified as being affected by substance use or withdrawal symptoms resulting from prenatal exposure or Fetal Alcohol Spectrum Disorder and submit to Congress a report detailing such guidance and technical assistance activities.

Sec. 111. Electronic Interstate Data Exchange System

Requires the Secretary of HHS to establish an electronic data system that allows states to share information from their child abuse and neglect registries with other states for purposes of child safety. The Secretary of HHS must convene a working group to provide recommendations on best practices for data sharing and due process and must conduct a pilot of the data exchange system.

Sec. 112. Technical and Conforming Amendments

Makes technical and conforming amendments to CAPTA.

Subtitle B – Community-Based Grants for the Prevention of Child Abuse and Neglect

Sec. 121. Purpose and Authority

Amends Section 201 of CAPTA to update the purposes of Title II and adds the development of a statewide strategy to address unmet need and scale community-based family strengthening services as an allowable purpose of Title II grants.

Sec. 122. Eligibility

Amends Section 202 of CAPTA to ensure Governors consider all entities requesting to be designated as lead entities and to require an assurance that when issuing regulations to improve community-based family strengthening services, states avoid duplication, minimize compliance costs, and maximize local flexibility, when appropriate.

Sec. 123. Amount of Grant

Amends Section 203 of CAPTA to increase the reservation for Indian tribes and tribal organizations and migrant programs to five percent for fiscal years when appropriations for this title exceed fiscal year 2019 appropriations for this title by at least \$2 million. Limits the lead entity from spending more than 10 percent of appropriations exceeding fiscal year 2019 levels on administrative expenses.

Sec. 124. Application

Amends Section 204 of CAPTA to require states to describe how they will address unmet need in underserved areas; the criteria they will use to identify communities in which to provide services and to select and fund local programs; and how the performance of the lead entity will be measured.

Sec. 125. Local Program Requirements

Amends Section 205 of CAPTA to add a purpose statement and requires that lead agency funding be used for community-based family-strengthening services designed to prevent child abuse and neglect, which may include a variety of direct services as well as referrals to additional services.

Sec. 126. Performance Measures

Amends section 206 of CAPTA to require that states report to the Secretary of HHS the number of programs funded and the number of families served as well as whether services provided are evidence-based or evidence-informed and a description of any barriers and challenges to implementing evidence-based or evidence-informed services.

Sec. 127. National Network for Community-Based Family Resource Programs

Amends Section 207 of CAPTA to limit funds for technical assistance to no more than 5 percent of appropriations for this title.

Sec. 128. Definitions

Amends Section 208 of CAPTA to replace the term “community-based and prevention-focused programs and activities to prevent child abuse and neglect” with “community-based family strengthening services.”

Sec. 129. Rule of Construction

Creates a special rule so that no grandparents, kinship care providers, foster parents, or adoptive parents can be prohibited from receiving or participating in services funded under this title.

Sec. 130. Authorization of Appropriations

Amends section 209 of CAPTA to set the authorization level for Title II at \$270 million for fiscal year 2021 and such sums as may be necessary for fiscal years 2022 through 2026. Also allows states to provide in-kind contributions towards the amount of any state match exceeding the state match provided in fiscal year 2019.

Sec. 131. Study and Report

Requires the Secretary of HHS to carry out and report to Congress the findings of a study examining how many families and children are served annually relative to appropriations levels over the three years following the enactment of the reauthorization and program effectiveness.

Subtitle C – Adoption Opportunities

Sec. 141. Purpose

Repeals subsection 201(a) (Findings) of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 and amends section 201(b) to include sexual and gender minority youth in the list of children who would benefit from adoption and includes post-legal adoption services in the purpose of this title.

Sec. 142. Report and Guidance on Unregulated Custody Transfers

Requires the Secretary of HHS to draft a report examining unregulated custody transfers in the United States and to issue guidance and technical assistance to states based on the recommendations that arise from such report.

Sec. 143. Information and Services

Amends section 203 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 to enhance the quality of adoption services.

Sec. 144. Study and Report on Successful Adoptions

Amends section 204 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 to repeal studies that have been previously completed and requires that the Secretary of HHS complete a new study examining factors that affect adoption outcomes.

Sec. 145. Authorization of Appropriations

Amends section 205 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 to extend the authorization from fiscal year 2021 through fiscal year 2026.

Subtitle D – Amendments to Other Laws

Sec. 151. Technical and conforming amendments to other laws

Makes technical and conforming amendments to CAPTA references in the Head Start Act and in the Victims of Crime Act of 1984.

Title II – Child Nutrition and the Special Supplemental Nutrition Program for Women, Infants, and Children

Sec. 201. Emergency Costs for Child Nutrition Programs During COVID-19 Pandemic

Requires the Secretary of Agriculture to reimburse school meal and child and adult care food (CACFP)

programs for emergency costs incurred during school year 2019-2020 at an amount equal to 55 percent of the amount the school food authority or CACFP program was reimbursed for meals and supplements that same month the year prior.

Sec. 202. Fresh Produce for Kids in Need

Provides the Department of Agriculture with the authority to waive program requirements in the Fresh Fruit and Vegetable Program during the COVID-19 pandemic. This authority allows parents to pick up program snacks without their child present and receive multiple days of program snacks at once.

Sec. 203. WIC Benefit Flexibility During COVID-19 Act

Allows the Secretary of Agriculture to temporarily boost the value of the WIC Cash Value Voucher (CVV) up to \$35 per month for women and children for a four-month period.

Sec. 204. COVID-19 WIC Safety and Modernization Act

Requires the Department of Agriculture to establish a task force on streamlining food delivery and remote food purchasing in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC).

Sec. 205. Serving Youth in the Child and Adult Care Food Program at Emergency Shelters

Temporarily expands the age of eligibility for the Child and Adult Care Food Program at emergency homeless shelters from 18 to 25 years.

Sec. 206. Calculation of Payments and Reimbursements for Certain Child Nutrition Programs

Requires the Secretary of Agriculture to hold harmless commodity payments, special assistance payments, and state administrative expenses for the 2019-2020 school year.

Sec. 207. Reporting on Waiver Authority

Requires the Secretary of Agriculture to publicize on their website any waiver request by State agencies, approval or denial of the request, and guidance related to the waiver, and to date all such documents. The Secretary is also required to publicize waiver requests, decisions, and guidance received or issued prior to the enactment of this section within 30 days.

Title III – Related Programs

Sec. 301. Community Services Block Grant Enhancement Act of 2020

Ensures that all funding appropriated for the Community Services Block Grant (CSBG) in the Coronavirus Aid, Relief, and Economic Security (CARES) Act can be provided to states; increases the federal poverty level limit for those served by CSBG in fiscal year 2021; and ensures that all emergency supplemental funds are made available to state and local agencies in a timely manner.

Sec 302. Flexibility for the Runaway and Homeless Youth Program

Provides the Secretary of Health and Human Services the authority to provide Runaway and Homeless Youth grantees certain flexibilities during the COVID-19 pandemic. Such flexibilities include waiving the limit on the amount of time for which youth can receive shelter or services, the maximum capacity in shelters or facilities that house youth when grantees assure that waiving such capacity limits does not compromise the health and safety of youth or staff or the ability to implement applicable Centers for Disease Control and Prevention guidance, and the 90 percent limitation on the Federal cost share.

Sec. 303. Extension of Certain Nutrition Flexibilities for Older Americans Act Programs Nutrition Services

Makes it easier for states receiving federal funds under the Older Americans Act (OAA) to deliver nutrition

services to older adults practicing social distancing during the public health emergency. This section also provides the Assistant Secretary on Aging with the authority to waive federal nutrition standards for organizations that serve older adults with fiscal year 2021 funds.

Sec. 304. Use of LIHEAP Supplemental Appropriations

Provides additional energy assistance funding for low-income families through the Low Income Home Energy Assistance Program (LIHEAP) and reduces barriers to LIHEAP participation during the COVID-19 emergency.

Sec. 305. Corporation for National and Community Service COVID-19 Response Activities

Provides a technical correction to the CARES Act to provide for the stipend available to AmeriCorps volunteers whose service was interrupted by the COVID-19 national emergency, provides legislative flexibility for funding matching requirements and Senior Corps, and requires CNCS to conduct a study on the feasibility of increasing the capacity of national services programs to respond to the economic and social impacts of COVID-19.

Sec. 306. Matching Funds Waiver for Formula Grants and Subgrants Under the Family Violence Prevention and Services Act

Waives the non-federal contributions requirements and the related reporting requirement for all Family Violence Prevention and Services Act (FVPSA) grant funds used during public health emergency.

DIVISION E – Small Business Provisions

Prepared by the Democratic staff of the House Committee on Small Business

Section 1: Short title of the Division

1. The “PPP and EIDL Enhancement Act of 2020”

Section 3: Table of Contents

1. Table of contents of the Act.

Section 3: Definitions

1. Clarifies the definitions of Administration and Administrator

Section 4: Effective Date

1. Makes the provisions applicable as of the date of enactment

Title I – Funding for the Paycheck Protection Program

Section 101: Funding for the PPP

1. Creates three distinct set-asides for targeted relief for the smallest businesses, struggling non-profits, and second loans to the hardest hit businesses:
 - a. At least 10% of remaining and future funding for loans to businesses with 10 or fewer employees, sole proprietors and the self-employed, and for loans less than \$250,000 to businesses located in LMI areas.
 - b. Up to 30% of remaining and future funding for non-profit organizations of all sizes and types, including housing cooperatives to be allowed to take first-time PPP loans, with strict limits on lobbying activity and a prohibition on using PPP proceeds to pay lobbyists.
 - c. Up to 50% of remaining and future funding for the secondary PPP loan program that provides second loans to small businesses with less than 200 employees and a 25% reduction in revenue year-over-year due to the pandemic.
2. Creates a set aside of 25%, up to \$15 billion, of remaining funding for distribution by community lenders, specifically CDFIs, CDCs, MDIs, and microloan intermediaries.

- a. This is independent of the small business set aside – all lenders will have to abide by the small business set aside, including these.
3. Mandates returned funding is also required to go toward the small business set aside.

Section 103: Direct Appropriations

1. \$8 billion for carrying out section 407, which provides payment and interest relief to all physical loan and pre-COVID EIDL borrowers.
2. \$1 billion for carrying out section 501, which creates an SBIC seed fund.
3. \$1 billion for carrying out sections 603 and 607, which increase guarantees on 7a loans and reduce fees on 7a and 504 loans.
4. \$57 million for carrying out section 605, to fund additional microloan technical assistance and loan making.
5. \$15 billion for carrying out section 618, which creates a Small business local relief program.
6. \$10 billion for carrying out section 619, which creates the SBA grant program for independent live venue operators.

Title II – Modifications to the Paycheck Protection Program

Section 201: Extension of covered periods

1. Allows for section 1106 of the CARES Act forgiveness covered period to align with use of the loan by borrowers
 - a. Clarifies that the covered period is defined by a period, selected by the borrower, between 8 and 24 weeks so that the forgiveness calculation that uses the term “covered period” aligns properly. Currently it is a hard 24 weeks and requires administrative guidance to calculate properly.
 - b. Clarifies that a borrower can apply for forgiveness as soon as the covered period is over, their loan has been spent, and they have the documents to substantiate they can comply with the requirements of the program.

Section 202: P4 loans (second PPP loans)

1. Creates a Prioritized PPP loan product to give second PPP loans of up to \$2 million to certain small entities.
2. Targeted to businesses with less than 200 employees that have suffered demonstrably quarterly revenue losses of at least 25 percent. Also creates an application processing priority for very small businesses.
3. Excludes publicly traded entities from being eligible for the secondary loans.
4. Places limits on businesses with more than 1 physical location.

Section 203: Streamlined forgiveness of small-dollar loans

1. Creates a 3-tier system, based on loan size, to allow for simplified forgiveness for loans under \$150,000.
 - a. Under \$50,000 borrower only need to certify to the Administration they have met the requirements of the program for forgiveness AND must keep documentation available to substantiate in the event the Administration audits the loan.
 - b. From \$50,000 to \$150,000 borrowers must submit the certification to their lender via a simplified forgiveness application AND must keep documentation available to substantiate in the event the Administration audits the loan.
 - c. Loans over \$150,000 are governed by the current documentation submission process.
2. Provides for the voluntary submission of demographic data, even if they borrower uses a streamlined forgiveness process.

Section 204: Eligibility of certain organizations under PPP

1. Restricts the compensation of registered lobbyists as permissible uses of PPP loans

2. Clarifies the definition of housing cooperatives as eligible entities for PPP loans
3. Expands the definition of nonprofits to include all nonprofits no matter their size or type of nonprofit, with a revenue reduction requirement for nonprofits larger than 500 employees.
 - i. 501(c)(3) with under 500 employees remain under current rules
 - ii. 501(c)(3) with over 500 employees must meet a revenue test, similar to that of the secondary loan program
 - iii. Other 501(c) entities under 500 employees must meet the lobbying restrictions
 - iv. Other 501(c) entities over 500 employees must meet the lobbying restrictions and the revenue test
4. Expands PPP loans to destination marketing organizations (DMOs), small, local news broadcast entities; and certain quasi-public venues eligible
5. Makes critical access hospitals, regardless of bankruptcy status, eligible for a PPP loan.

Section 205: Limits the aggregate loan amount to \$10 million for businesses with more than one location

6. Prevents eligible recipients with more than one location from receiving more than \$10 million in total PPP loans across all those locations.

Section 206: Expands list of allowable uses of proceeds and forgiveness

1. Allows PPE, supplier costs, and costs related to property damage from public disturbances to be eligible costs
2. Allows PPE expenses, supplier costs, and property damage costs from public disturbances to be forgiven and harmonizes 1102 and 1106 for expenses that are eligible for forgiveness.

Section 207: Streamlined documentation for sole proprietors and the self-employed

1. Allows more flexibility for the Administration to accept documentation beyond those enumerated in the CARES Act to determine eligibility for sole proprietors and the self-employed.

Section 208: Prohibition on publicly traded businesses and foreign entities

1. Excludes publicly traded entities from being eligible for PPP loans.
2. Excludes businesses that are 51 percent or more foreign owned, controlled, and managed from receiving a PPP loan.

Section 209: Seasonal Employer flexibility period

3. Expands the seasonal period to any 12-weeks between February and December 2019, expanding beyond just the “spring” 2019 season (Feb-April) or “early summer” (March – June) in the law.

Section 210: Makes EIDL loans that got refinanced into PPP nonrecourse

1. Ensures applicants cannot be held liable if they didn’t understand they had recourse against them at the time they took the PPP and EIDL loans after a refinancing.

Section 211: Credit elsewhere clarification

1. Clarifies that prior to enactment the current “no credit elsewhere test” remains in place; going forward for loans greater than \$350,000 will apply the 7(a) credit elsewhere test.

Section 212: Prohibits duplicative payroll amounts

1. Technical correction to clarify payroll amounts

Section 213: Ensuring PPP loan requirements extend for the life of the loan

1. Clarifies that (1) fee waivers; (2) credit elsewhere waiver; (3) personal guarantee waiver; and (4) deferral eligibility continues past the covered period and attaches for the life of the PPP loan

Section 214: Preserving simple interest on loans

1. Clarifies that interest on PPP loans can only be calculated on a simple basis, not compounding.

Section 215: Timely payment of reimbursements to lenders by SBA

1. Clarifies that payment is due 5 days after the loan is “reported” disbursed.
2. Also clarifies that agent fees shall be paid by lenders only when they have a contractual relationship with the agent.

Section 216: Eligibility for small businesses to receive both PPP and EIDL for different purposes

1. Technical correction to clarify the ability of a small business to be eligible for both PPP and EIDL loans, even beyond the enactment of the CARES Act.

Section 217: Reapplication and Modification of PPP loans

1. Provides that if a borrower returned or cancelled a loan, or did not take the full amount they were offered, this provision would allow them to either
 - a. In the case of a returned or cancelled loan, reapply for a new loan.
 - b. In the case of a reduced loan, modification to increase the loan amount.

Section 218: Treatment of Certain Criminal Convictions

1. Alleviates burdens to borrowers deemed ineligible due to prior criminal history.

Title III – Tax Provisions**Section 301: Coordination between PPP and ERTC**

1. Permits qualified wages to be taken into consideration for purposes of the ERTC if a PPP loan is not forgiven.

Title IV – Economic Injury Disaster Loan Program Reform**Section 401: Sense of Congress**

1. Sense of Congress that businesses remain harmed by the ongoing pandemic and may not be able to make payments and therefore, encourages the SBA Administrator to reduce the interest rate on EIDL loans, offer deferments up to 4 years on payments of interest and principal, and use discretion to provide relief to the hardest hit small businesses that received or will receive direct loans from the SBA under the EIDL program.

Section 402: Explanations of fully or partially declined loan or grant

1. Requires the Administrator to publish a description of the rules pertaining to a loan made under this section so that they are clear and easy to understand and immediately provide a loan applicant such description upon receiving a loan.
2. Mandates the Administrator provide all applicants of a loan or advance that was fully or partially denied a complete written application of the reason for the denial, establish a dedicated phone and email correspondence system to respond to inquiries, and sets forth a procedure for obtaining necessary information before deeming an application denied due to incomplete information.
3. Creates a submission process for applicants to submit additional information through a loan officer rather than the appeals process.

Section 403: Modifications to emergency EIDL grants

1. Creates an opt-out, rather than an opt-in for the EIDL grants to ensure that a business does not have to submit two applications. Gives the business the ability to decline the grant.

Section 404: Data Transparency

1. Requires weekly reports to be published on the SBA's website that contains:
 - a. The number of applications received, processed, approved, and rejected
 - b. The number and dollar amount of the approved loans
 - c. The ID number or other indicator showing the order in which applications were received and processed
 - d. Data pertaining to voluntarily disclosed demographic, geographic, annual revenue size, employee size, business structure, and industry information.
 - e. Agricultural loans made
 - f. Average economic injury suffered for both approved and rejected loans.
2. Mandates a report within 30 days to Congress describing the steps the SBA took to verify applicant existence on January 31, 2020.
3. Sense of Congress expressing the need for SBA's compliance with the oversight duties of the Committees on Small Business and Appropriations of both the House and Senate to report on relief programs and approaching lapse of funding in such program.

Section 405: SBA Lifeline Grant Program

1. Creates a lifeline grant program for small businesses with 50 or fewer employees and that have suffered an economic loss of at least 30%.
 - a. Businesses applying for an EIDL loan can request such grant from the SBA
 - b. Firms can receive the lesser of: 1) working capital needed for 180 days under the current EIDL calculations or \$50,000.
 - c. Loan proceeds can be used in the same way as a Covid EIDL loan, to repay PPP or EIDL loans, and investments required to implement business continuity strategies during the pandemic.
 - d. Grants will be approved first for applicants located in low-income communities, veteran-owned businesses, or businesses controlled by an economically disadvantaged individual or a socially disadvantaged individual.
2. Authorizes \$40 Billion to provide such grants with \$20 Billion set aside for use by businesses located in low-income communities, veteran-owned businesses, entities controlled by an economically disadvantaged individual or a socially disadvantaged individual, and entities affected by the Canadian border closure.

Section 406: Modifications to the EIDL

1. For new borrowers:
 - a. Prevents the SBA from imposing loan caps that are less than the program's statutory \$2 million loan size.
 - b. Alleviates burdens to borrowers deemed ineligible due to prior criminal history.
2. For existing borrowers:
 - a. Allows current EIDL borrowers to modify their loan to seek additional funds up to the \$2 million maximum loan size.

Section 407: Principal & Interest relief for existing and new disaster loans

1. Creates a principal and interest payment program for existing and new physical disaster loans, and EIDL loans made prior to Feb. 15, 2020.

Section 408: Training

1. Requires the Administrator shall develop and implement a plan to train any staff responsible for implementing or administering the loan program established under section 7(b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) on specific responsibilities with respect to such program.

- a. Such plan shall be submitted to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate.

Section 409: Outreach Plan

1. Requires the Administrator to submit to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate an outreach plan to clearly communicate program and policy changes to all offices of the Administration, small business development centers, women's business centers, chapters of the Service Corps of Retired Executives, Veteran Business Outreach Centers, Minority Business Development Agency, Members of Congress, congressional committees, small business concerns, and the public.

Section 410: Report on Best Practices

1. Within 60 days, SBA must submit a report to Congress on best practices to administer the EIDL program.

Section 411: Extension of Administrative funds availability

1. Amends section 1107 to extend the use of appropriated funds through December 31, 2021.

Title V – Micro-SBIC and Equity Investment Enhancement

Section 501: Micro-SBIC program

1. Establishes new Micro-SBIC license requiring less than 1/6 of private capital compared to conventional SBICs (a significant barrier to entry), offers priority in licensing for women and minority investors, and incentives for investments in underserved small businesses.
2. Establishes \$5 billion Micro-SBIC Seed Investment Program for Micro-SBICs who decline leverage and opt to make equity-only investments, half of which must be made in underserved small businesses.
3. Authorizes \$1 Billion

Title VI – Miscellaneous

Section 601: Repeal of language regarding EIDL advances and PPP forgiveness

1. Repeals section 1106(e)(6) of the CARES Act which erroneously removed the amount of an EIDL advance from the PPP forgiveness calculation.

Section 602: Clarifying and extending of P&I relief (CARES sec. 1112)

1. Extends the P&I relief to either 6, 12, or 18 months depending on certain loan criteria.
 - a. Extends loan payment relief for an additional 6 months for regular 7(a) and 504 loans made prior to the pandemic.
 - b. Extends loan payment relief an additional 12 months for Microloan and Community Advantage loans.
 - c. Extends loan payment relief for an additional 6 months for hard-hit borrowers with other 7(a) and 504 loans in sectors that experienced a 5-15% employment loss from February-June 2020: manufacturing, real estate, retail trade, professional and business services, health care and social assistance, transportation and warehousing, administrative and waste services, information, other services, and mining.
 - d. Extends loan payment relief an additional 12 months to the hardest-hit borrowers with other 7(a) and 504 loans in sectors that experienced at least a 15% employment loss from February-June 2020: Educational services; arts, entertainment, and recreation; and accommodation and food services.

2. Clarifies that for new 7a, 504, or microloans, the 12 months of P&I relief does not start until the loans is fully disbursed.
3. Gives discretion to the Administrator to revise extensions
 - a. If the SBA projects that appropriations provided for the debt relief program are insufficient to fund the extensions provided for in the previous sections, the Administrator may develop a plan to proportionally reduce the number of months provided in each extension provided for in the previous sections.
 - b. The Administrator must present the plan to Congress and the data that informs the decisions.
4. Clarifies eligibility and increases program integrity
 - a. Clarifies that SBA payments should be made on any loan approved before the applicable deadline and that debt relief payments should be made only once the loan is fully disbursed, and without regard to the date on which the loan is fully disbursed.
 - b. Mandates that new loans must have a maturity of at least 48 months to qualify for the benefit.
 - c. Any business or applicant may only receive the new loan benefit once.
 - d. The SBA shall write rules to guard against abuse or excessive and unintended program use by lenders or borrowers, as determined by the Administrator
5. Increases reporting and outreach by mandating SBA place program information on its website, conduct outreach to all borrowers, report monthly to Congress on program spending, and use funds to educate lenders, borrowers, SBA district offices, and resources partners about the program.

Section 603: 7(a) recovery loan modifications

1. Increase loan guarantees on 7a.

Section 604: Flexibility in deferral of payments on 7(a) loans

1. Creates parity between bank-held and secondary market-owned 7a loans to seek up to a 1-year deferral.
2. Requires SBA to buy back loans if investors refuse to provide the extend deferral.

Section 605: Microloan recovery assistance

1. Enhances the microloan program to increase access to micro capital and technical assistance under the program for businesses impacted by the COVID-19 pandemic.

Section 606: 504 program enhancements

1. Permanently increases manufacturing debentures to \$6.5 million.
2. Creates reciprocity for refinancing between 504 and 7a programs

Section 607: 7(a) and 504 program fee waivers

1. Waives lender and borrower fees for both the 7(a) and 504 programs.

Section 608: 8(a) extension

1. Requires Administrator to allow businesses in the 8(a) program to seek an enrollment extension of 1 year.
2. Requires rules to be drafted to carry out this section within 15 days.

Section 609: Report on Minority, Women, and Rural Lending

1. Requires SBA to issue a report within 90 days examining the state of minority, women, rural business lending through SBA's access to capital programs, as well as providing Congress with recommendations to improving access for these groups.

Section 610: Comprehensive guidance issuance deadlines

1. Within 7 days, the SBA shall set up a process for accepting forgiveness applications
 - a. There is still no way for lenders and borrowers to submit.

2. Within 7 days, the SBA shall issue a comprehensive compilation of rules and guidance related to the administration of the PPP.
3. Before a P4 loan can be made, SBA and Treasury must issue complete program guidance.
 - a. This would push the Agency to put out fuller guidance before allowing P4 loans to go forward.

Section 611: Regular data reporting

1. Codifies that the two datasets provided by SBA on Monday, July 6, to Congress and the public, shall be updated on a monthly basis, which includes forgiveness data.

Section 612: Conflicts of Interest prohibition for CARES Act programs

- Inserts the PPP, SBA P&I relief, and EIDL Advance programs into the section 4019 conflicts of interest prohibition.
- Prevents the President, Vice President, Heads of Executive Branch agencies, and Members of Congress from receiving small business assistance under the CARES Act.

Section 613: Inclusion of SCORE and VBOCs in CARES Act outreach efforts and emergency funding

1. Provides \$10 million each to the SCORE and VBOC programs for COVID-19 related entrepreneurial support.
2. Funds are drawn from the \$240 million originally provided to the SBDC program.

Section 614: Clarification of use of CARES Act funds for SBDCs

1. Clarifies that SBDC CARES Act funding is supplemental funding, instead of a separate funding pot because SBA is treating CARES Act funding as separate and distinct from the funds provided through regular annual appropriations. As a result, SBDCs are forced into a situation where they must essentially keep two sets of books - CARES Act and Core.

Section 615: Funding for the SBA Office of the Inspector General

1. Amends section 1107 to allow the SBA OIG to remove the FY 2024 deadline on their \$25 million supplemental appropriation and allow it to be used “until expended.”

Section 616: Extension of Waiver of matching Funds for the Women’s Business Center program

1. Extends the CARES Act waiver from 3-months after enactment to the end of the calendar year to account for the ongoing pandemic that was not contemplated when the Act was enacted.

Section 617: GAO access to SBA information and databases

1. Allows GAO to gain access to SBA data to conduct oversight and reviews.

Section 618: Small Business Local Relief Program

1. Establishes a state and local grant program in the Department of Treasury and administered through the SBA.
2. Provides \$15 Billion in funding to states and local governments to provide grants to small businesses through a network of community-based partners.
3. Funding shall be used for purposes of a small business emergency fund and providing support to organizations that provide technical assistance to small firms.
4. Relief is targeted to small businesses with 20 or fewer employees or businesses with 50 or fewer if they are located in low-income neighborhoods.

Section 619: Grants for Independent Live Venue Operators (H.R. 7806, Save our Stages Act or the SOS Act)

1. Authorizes \$10 Billion for the SBA to make grants to eligible live venue operators, producers, promoters, or talent representatives to address the economic effects of the COVID-19 pandemic on certain live venues.
2. The SBA may make an initial grant of up to \$12 million dollars to an eligible operator, promoter, producer, or talent representative; and a supplemental grant that is equal to 50% of the initial grant.
3. Such grants shall be used for specified expenses such as payroll costs, rent, utilities, and personal protective equipment.

DIVISION F – Revenue Provisions

Prepared by the Democratic staff of the House Committee on Ways and Means

Sec. 100. Short title; table of contents.

Titles this division the “COVID-19 Tax Relief Act of 2020.”

Title I – Economic Stimulus

Subtitle A – Additional Recovery Rebates To Individuals

Sec. 101. Additional recovery rebates to individuals.

Provides a \$1,200 refundable tax credit (\$2,400 for joint filers) for each family member that shall be paid out in advance payments, similar to the Economic Impact Payments in the CARES Act, with certain modifications. First, unlike under the CARES Act, all dependents are eligible for the \$500 dependent amount. This allows households with dependents who are full-time students below age 24 and adult dependents to also receive the \$500 amount. Second, this section allows Economic Impact Payments to be made to an individual who provides a Taxpayer Identification Number, rather than a Social Security Number. Third, these payments are exempt from reduction or offset with respect to past-due child support. Finally, payments of the credit are protected from any form of transfer, assignment, execution, levy, attachment, garnishment, legal process, bankruptcy or insolvency law, and any other means of capture prohibited for payments made under Title II of the Social Security Act

Treasury shall issue this credit as an advance payment based on the information on 2018 or 2019 tax returns. Treasury shall issue advance payments for Social Security Old-Age, Survivors, and Disability Insurance beneficiaries, Supplemental Security Income recipients, Railroad Retirement Board beneficiaries, and Veterans Administration beneficiaries who did not file returns for 2018 or 2019 based on information provided by the Social Security Administration, the Railroad Retirement Board, and the Veterans Administration. Treasury shall conduct outreach to non-filers to inform them of how to file for their advance payment.

Taxpayers receiving an advance payment that exceeds their maximum eligible credit based on 2020 information will not be required to repay any amount of the payment to the Treasury. If the credit based on 2020 information exceeds the amount of the advance payment, taxpayers can claim the difference on their 2020 tax returns.

Additionally, Treasury is instructed to make payments to the territories that relate to the cost of providing the credits for each territory.

Subtitle B – Earned Income Tax Credit

Sec. 111. Strengthening the earned income tax credit for individuals with no qualifying children for 2020.

Expands the eligibility and the amount of the earned income tax credit for taxpayers with no qualifying children (the “childless EITC”) for 2020. In particular, the minimum age to claim the childless EITC is reduced from 25 to 19 (except for full-time students) and the upper age limit for the childless EITC is increased from age 65 to age 66. This section also increases childless EITC amount by increasing the credit percentage and phaseout percentage from 7.65 to 15.3 percent, increasing the earned income amount to \$9,720, increasing the phaseout

amount to \$11,490. Under these parameters, the maximum credit amount in 2020 increases from \$538 to \$1,487.

Sec. 112. Taxpayer eligible for childless earned income credit in case of qualifying children who fail to meet certain identification requirements.

Repeals the prohibition on EITC-eligible taxpayers with qualifying children from taking the childless EITC if he or she cannot claim the EITC with respect to qualifying children due to failure to meet child identification requirements (including a valid SSN for qualifying children). Accordingly, individuals who do not claim the EITC with respect to qualifying children due to failure to meet identification requirements would now be able claim the childless EITC.

Sec. 113. Credit allowed in case of certain separated spouses.

Allows a married but separated individual to be treated as not married for purposes of the EITC if a joint return is not filed. Thus, the EITC may be claimed by the individual on a separate return. This rule only applies if the taxpayer lives with a qualifying child for more than one-half of the taxable year and either does not have the same principal place of abode as his or her spouse for the last six months of the year, or has a separation decree, instrument, or agreement and doesn't live with his or her spouse by the end of the taxable year. This change aligns the EITC eligibility requirements with present-day family law practice.

Sec. 114. Elimination of disqualified investment income test.

Eliminates the disqualified investment income test so that individuals are able to claim the EITC without regard to the amount of certain investment income.

Sec. 115. Application of earned income tax credit in possessions of the United States.

Instructs Treasury to make payments to the territories that relate to the cost of each territory's EITC. The possessions must provide Treasury with annual reports on the estimate of costs and a statement of costs with respect to the preceding year.

Sec. 116. Temporary special rule for determining earned income for purposes of earned income tax credit.

Allows taxpayers in 2020, for purposes of computing the EITC, to substitute their 2019 earned income for their 2020 earned income if their 2020 earned income is less than their 2019 earned income.

Subtitle C – Child Tax Credit

Sec. 121. Child tax credit improvements for 2020.

Makes the child tax credit ("CTC") fully refundable for 2020, ensuring that the lowest income taxpayers and those that are out of work are able to fully benefit from the provision. The provision requires the Secretary to make best efforts to provide the enhanced credit in the form of an advanced payment.

Sec. 122. Application of child tax credit in territories.

Instructs Treasury to make payments to each "mirror code" territory for the cost of the territories' CTC. This amount is determined by Treasury based on information provided by the territorial governments. Puerto Rico, which does not have a mirror code, will receive the refundable CTC by having its residents file for the CTC with the IRS. For American Samoa, which also does not have a mirror code, Treasury is instructed to make payments in an amount estimated by Treasury as being equal to the aggregate benefits that would have been provided if American Samoa had a mirror code in place.

Subtitle D – Dependent Care Assistance

Sec. 131. Refundability and enhancement of child and dependent care tax credit for 2020.

Makes the child and dependent care tax credit ("CDCTC") fully refundable for 2020 and increases the maximum credit rate to 50 percent. Amends the phaseout threshold to begin at \$120,000 instead of \$15,000.

Doubles the amount of child and dependent care expenses that are eligible for the credit to \$6,000 for one qualifying individual and \$12,000 for two or more qualifying individuals.

Sec. 132. Increase in exclusion for employer-provided dependent care assistance for 2020.

Increases the exclusion for employer-provided dependent care assistance from \$5,000 to \$10,500 (from \$2,500 to \$5,250 in the case of a separate return filed by a married individual) for 2020.

Subtitle E – Credits For Paid Sick And Family Leave

Sec. 141. Extension of credits.

Extends the refundable payroll tax credits for paid sick and family leave, enacted in the Families First Coronavirus Response Act, through the end of February 2021. This provision is effective as if included in FFCRA.

Sec. 142. Repeal of reduced rate of credit for certain leave.

Coordinates changes made to the requirement to provide paid sick time to allow employers to claim up to \$511 per day, rather than \$200 per day for leave for caregivers of individuals subject to a coronavirus related stay at home order and parents providing for children affected by a coronavirus related school closure. This provision applies to days on or after the date of enactment of this Act.

Sec. 143. Increase in limitations on credits for paid family leave.

Coordinates changes made to the requirement to provide emergency paid family and medical leave to allow employers to claim up to \$12,000 in refundable payroll tax credits, rather than \$10,000. Allows individuals to claim the credit for a maximum of 60 days (corresponding to the \$12,000 amount) rather than 50 days. This provision is effective as if included in FFCRA.

Sec. 144. Election to use prior year net earnings from self-employment in determining average daily self-employment income.

Allows individuals to elect to use their average daily self-employment income from 2019 rather than 2020 to compute the credit. This provision is effective as if included in FFCRA.

Sec. 145. Federal, state, and local governments allowed tax credits for paid sick and paid family and medical leave.

Removes the exclusion disallowing the paid sick and family leave credits enacted in the Families First Coronavirus Response Act for Federal, state, and local governments. It makes conforming changes to the definition of qualified wages to align the credit with the intent that the credit cover the leave required by the respective mandates. This provision is effective as if included in FFCRA.

Sec. 146. Certain technical improvements.

Makes technical changes coordinating the definitions of qualified wages within the paid sick leave, paid family and medical leave, and the exclusion of such leave from employer OASDI tax. This provision is effective as if included in FFCRA.

Sec. 147. Credits not allowed for certain large employers.

Provides that, notwithstanding other changes in this Act requiring that employers with 500 or more employees provide required paid sick leave and paid family and medical leave, these employers are not eligible for payroll tax credits for these wages. This restriction does not apply to federal, state, and local governments. This provision applies to wages paid after the date of enactment.

Subtitle F – Deduction of State And Local Taxes

Sec. 151. Elimination for 2020 of limitation on deduction of state and local taxes.

Eliminates the limitation on the deduction for state and local taxes for the 2020 taxable year.

Title II – Provisions To Prevent Business Interruption

Sec. 201. Improvements to employee rehiring and retention credit.

Increases the applicable percentage of qualified wages reimbursed through the employee retention and rehiring credit from 50% to 80%.

Modifies the gross receipts requirement to allow a partial credit, phased in for a decline in gross receipts between 10% and 50% compared to the same calendar quarter of the previous year.

Increases the limit on wages taken into account per employee from \$10,000 for the year to \$15,000 per quarter (limited to \$45,000 for the calendar year).

Replaces the 100-employee delineation for determining the relevant qualified wage base with a definition of large employer. A large employer is an employer with greater than 1,500 full time employees and gross receipts of greater than \$41,500,000 in 2019.

Allows state and local governments and certain federal instrumentalities to claim the credit in the event they are paying wages to employees while their operations are fully or partially shut down.

Clarifies that group health plan expenses can be considered qualified wages even when no other wages are paid to the employee, consistent with recent revisions to IRS guidance on this issue. This provision also clarifies that wages paid by an employer for lost tips will not trigger the wage limitation in section 2301(c)(3)(B) of the CARES Acts.

Ensures that wages paid for with government grants do not qualify for the credit.

All provisions apply retroactively to the effective date included in section 2301 of the CARES Act.

Sec. 202. Certain loan forgiveness and other business financial assistance under CARES Act not includable in gross income.

Excludes certain loan forgiveness by the Small Business Administration, emergency EIDL grants, RESTAURANTS Act grants and proceeds, and certain loan payments from the gross income of the ultimate recipient.

Sec. 203. Clarification of treatment of expenses paid or incurred with proceeds from certain grants and loans.

Clarifies that expenses paid or incurred with proceeds from Payment Protection Program loans that are forgiven pursuant to section 1106(b) of the CARES Act and certain loan forgiveness by Small Business Administration, emergency EIDL grants, RESTAURANTS Act grants and proceeds, and certain loan payments that are not included in gross income under section 333 of this Act do not result in a denial of any deduction or basis of any asset for federal tax purposes. This provision also clarifies the order in which section 1106(i) of the CARES Act and relevant provisions of the Internal Revenue Code apply.

Title III – Net Operating Losses

Sec. 301. Limitation on excess businesses losses of non-corporate taxpayers restored and made permanent.

Amends changes made by the CARES Act to section 461(l) of the Code, which provides that an excess business loss of a taxpayer (other than a corporation) is not allowed for a taxable year. Excess business losses are treated as net operating losses in the next succeeding taxable year. An excess business loss exists if taxpayer's total deductions from all trades or businesses exceed all income from such trades or businesses, plus \$250,000 (\$500,000 for joint filers). The CARES Act suspended this provision for taxable years beginning in 2018, 2019 and 2020. Under current law (as amended by CARES), this provision applies for taxable years beginning on or after January 1, 2021, and beginning before December 31, 2025. This section amends current law to apply the provision to taxable years beginning on or after January 1, 2018, as was the case before CARES passed. In

addition, this section makes the provision permanent, and repeals section 461(j) of the Code as a deadwood provision. This provision is made effective retroactive to the date of enactment of the CARES Act.

Sec. 302. Certain taxpayers allowed carryback of net operating losses arising in 2019 and 2020.

Amends the CARES Act changes to section 172 of the Code. Under current law (as amended by CARES), taxpayers with a loss in 2018, 2019 or 2020 may apply those losses to the preceding five taxable years. This section amends the provisions of CARES that provide for net operating loss carrybacks by limiting carrybacks to taxable years beginning on or after January 1, 2018. In addition, this provision prohibits taxpayers with excessive executive compensation or excessive stock buybacks and dividends from carrying back losses. This provision is made effective retroactive to the date of enactment of the CARES Act.

DIVISION G – Retirement Provisions

Prepared by the Democratic staff of the House Committee on Ways and Means

Sec. 100. Short title. The short title of the legislation is the Emergency Pension Plan Relief Act of 2020 (“EPPRA”).

Title I – Relief for Multiemployer Pension Plans

Sec. 101. Special Partition Relief. About 10 million Americans participate in multiemployer pension plans and about 1.3 million of them are in plans that are quickly running out of money. Many of these troubled multiemployer plans cover workers who are on the front lines of the COVID-19 public health crisis, such as trucking, food processing, grocery store workers, and others. Even before the pandemic, workers, businesses, and retirees faced a crisis and were in dire need of our help. With work drying up around the country and the market downturn, the economic catastrophe resulting from COVID-19 has exacerbated the multiemployer pension crisis and threatened the hard-earned pensions of even more workers and retirees. This threatens to bankrupt the Pension Benefit Guaranty Corporation (“PBGC”), impose damaging liabilities on thousands of businesses, and devastate communities across the country.

Under current law, PBGC has limited authority to partition certain troubled multiemployer pension plans. In a partition, PBGC takes on the financial responsibility of some of the benefits of an eligible plan, so that the plan can stay solvent. EPPRA creates a special partition program that would expand PBGC’s existing authority, increase the number of eligible plans, and simplify the application process—allowing more troubled plans to obtain much-needed relief.

Just like the bipartisan Butch Lewis Act (H.R. 397), eligible plans would include: plans in critical and declining status, plans with significant underfunding with more retirees than active workers, plans that have suspended benefits, and certain plans that have already become insolvent. In contrast, EPPRA allows plans to become eligible for the special partition program through 2024. Because the COVID-19 crisis has already caused significant investment losses to pension plan assets and decreased the number of hours worked, plan funding may deteriorate over time. Consequently, plans may need to access the special partition relief program in coming years.

PBGC is required to issue regulations within 120 days of enactment of this legislation and may prioritize the processing of applications of plans most in need. A qualifying plan may apply to PBGC and, upon approval, would receive financial assistance. Under the special partition program, a plan would receive enough financial assistance to keep it solvent and well-funded for thirty years—with no cuts to the earned benefits of participants and beneficiaries. Plans that previously cut benefits would have to restore them to the retirees who earned them. In exchange for the financial assistance, each plan would have to comply with certain conditions, and would be required to file regular comprehensive reports to PBGC and to the Congressional committees of jurisdiction.

This legislation also includes important accountability and transparency provisions. PBGC would be required to annually report to Congress. The Government Accountability Office (“GAO”) would be required to regularly evaluate PBGC’s implementation and administration of the special partition relief program. PBGC’s Inspector General would receive funding to audit the special partition relief program to prevent against waste, fraud, and abuse. PBGC would be required to establish and regularly update a user-friendly website so that plan administrators, employers, participants, beneficiaries, interested stakeholders, and the public can track the implementation and administration of the special partition relief program. Because PBGC currently receives no appropriations, the legislation includes additional funding to cover the costs of the program.

By stabilizing these pensions, the special partition relief program would protect retirees who worked for decades to earn their benefits. It would also help businesses avoid crushing liabilities and support communities around the country.

Sec. 102. Repeal of Benefit Suspensions for Multiemployer Plans in Critical and Declining Status. Upon date of enactment, no plan would be permitted to apply, or be approved, for a suspension of benefits under the Multiemployer Pension Reform Act (“MPRA”). This restores the promise of a secure retirement for millions of workers currently in danger. Going forward, no participant or beneficiary in a multiemployer pension plan would suffer a cut to their earned benefits under MPRA.

Sec. 103. Temporary Delay of Designation of Multiemployer Plans as in Endangered, Critical, or Critical and Declining Status. Under the legislation, a plan could retain its funding zone status as of a plan year beginning in 2019 for plan years that begin in 2020 or 2021. A plan in endangered or critical status would not have to update its plan or schedules until the plan year beginning March 1, 2021. This would provide a plan with flexibility and ease an administrative burden given the economic and financial turmoil resulting from the COVID-19 public health crisis.

Sec. 104. Temporary Extension of the Funding Improvement and Rehabilitation Periods for Multiemployer Pension Plans in Critical and Endangered Status for 2020 or 2021. Under the bill, a plan in endangered or critical status for a plan year beginning in 2020 or 2021 could extend its rehabilitation period by five years. This would give a plan additional time to improve its contribution rates, limit benefit accruals, and maintain plan funding—all on its own terms. This provision is effective for plan years beginning after December 31, 2019.

Sec. 105. Adjustments to Funding Standard Account Rules. Funding shortfalls as a result of investment losses are generally required to be made up over a period of 15 years. Following the financial crisis of 2008, multiemployer plans were allowed to amortize investment losses from 2008 or 2009 over a period of 30 years. Now, the market downturn resulting from the COVID-19 pandemic is already damaging the funding of multiemployer pension plans. Under the legislation, for investment losses in plan years beginning in 2019 and 2020, a plan could use a 30-year amortization base to spread out losses over time. Pension plans, participants, and plan sponsors need more stability and a longer period over which to pay for long-term liabilities that can stretch out for decades. This would help a plan weather this economic and financial storm. This provision is effective for plan years ending on or after February 29, 2020.

Sec. 106. PBGC Guarantee for Participants in Multiemployer Plans. PBGC provides a maximum guaranteed benefit of \$12,870 to a participant in a multiemployer plan, if that participant had 30 years of service. The guarantee is 100% of the first \$11 of the monthly benefit rate, plus 75% of the next \$33 of the monthly benefit rate, multiplied by the participant's years of credited service. This legislation would double the guarantee to 100% of the first \$15 in monthly benefits per year of service and 75% of the next \$70 in monthly benefits per year of service, and indexes it thereafter. This would help participants and beneficiaries receive more of the benefits they earned through their hard work and service. All plans receiving financial assistance

beginning December 16, 2014, would see the improved guarantee take effect. A plan that becomes insolvent in the future would be subject to the increased guarantee in the calendar year in which it becomes insolvent.

Title II – Relief for Single Employer Pension Plans

Sec. 201. Extended Amortization for Single Employer Plans. In light of an ongoing pattern of interest rate and market volatility due to the COVID-19 public health crisis, the current law requirement to amortize funding shortfalls over seven years is no longer appropriate. Pension plans, participants, and plan sponsors need more stability and a longer period over which to pay for long-term liabilities that can stretch out for more than 50 years. Accordingly, under the bill, the following rules would apply to all single employer pension plans, effective for plan years beginning after December 31, 2019:

- All shortfall amortization bases for all plan years beginning before January 1, 2020 (and all shortfall amortization installments determined with respect to such bases) would be reduced to zero.
- All shortfalls would be amortized over 15 years, rather than seven years.

Sec. 202. Extension of Pension Funding Stabilization Percentages for Single Employer Plans. In 2012, 2014, and 2015, Congress provided for pension interest rate smoothing in order to address concerns that historically low interest rates were creating inflated pension funding obligations, diverting corporate assets away from jobs and business recovery. Under interest rate smoothing, the interest rates used to value pension liabilities must be within 10% of 25-year interest rate averages. The smoothed interest rates would begin phasing out in 2021, with the 10% corridor around the 25-year interest rate averages increasing five percentage points each year until interest rates need only be within 30% of the 25-year averages. Because of this phase-out, smoothing would soon cease to have much effect. In order to preserve the stabilizing effects of smoothing:

- The 10% interest rate corridor would be reduced to 5%, effective in 2020.
- The phase-out of the 5% corridor would be delayed until 2026, at which point the corridor would, as under current law, increase by 5 percentage points each year until it attains 30% in 2030, where it would stay.
- A 5% floor would be put on the 25-year interest rate averages. This floor would establish stability and predictability on a longer-term basis, so that interest rate variations do not create excessive volatility. In addition, this floor would protect funding rules from the extremes of interest rate movements.
- This provision is effective for plan years beginning after December 31, 2019.

Title III – Other Retirement Related Provisions

Sec. 301. Waiver of Required Minimum Distributions for 2019. Under current law, generally at the age of 72, individuals must take a required minimum distribution (“RMD”) from their defined contribution plans and IRAs. The CARES Act waived RMDs for 2020, allowing individuals to keep funds in their retirement plans. This provision expands this relief further by providing that 2019 RMDs would be waived for defined contribution plans and IRAs.

Sec. 302. Waiver of 60-Day Rule in case of Rollover of Otherwise Required Minimum Distributions in 2019 and 2020. This provision further expands the 2020 RMD relief in the CARES Act by providing that:

- The RMDs made for 2019 would be permitted to be rolled back to a plan or IRA without regard to the 60-day requirement if the rollover is made by November 30, 2020.
- RMDs made for 2020 would be permitted to be rolled back to a plan or IRA without regard to the 60-day requirement if the rollover is made by November 30, 2020.

Sec. 303. Exclusion of Benefits Provided to Volunteer Firefighters and Emergency Medical Responders Made Permanent. Almost 70 percent of firefighters and emergency medical services (“EMS”) personnel are volunteers, 71 percent of fire departments are exclusively staffed by volunteers, and 91 percent of all US fire department use volunteer firefighters and EMTs to some degree. Therefore, at the end of last year, the SECURE

Act reinstated for one year the exclusions for qualified State or local tax benefits and qualified reimbursement payments provided to members of qualified volunteer emergency response organizations and increases the exclusion for qualified reimbursement payments to \$50 for each month during which a volunteer performs services. This would allow volunteer fire and EMS personnel for 2020 to receive nominal recruitment and retention incentives without those incentives being considered as taxable income.

The COVID-19 pandemic places an enormous amount of strain on these volunteer personnel as they are exposing themselves to COVID-19 and are responding to a much higher than normal call volume. Therefore, the provision would make permanent these amendments to Code Section 139B.

Sec. 304. Application of Special Rules to Money Purchase Pension Plans. The CARES Act provided for early distribution and loan relief for retirement plans during the coronavirus relief period. While this relief was intended to apply to all qualified retirement plans, there were questions as to whether it would apply to money purchase pension plans (“MPPP”). MPPPs are a type of defined-contribution retirement plan offered by some employers. This provision would clarify that MPPPs would benefit from the legislation.

Sec. 305. Grants to Assist Low-Income Women and Survivors of Domestic Violence in Obtaining Qualified Domestic Relations Orders. Certain states under stay-at-home orders have seen domestic violence rates rise as much as 30 percent since the beginning of the COVID-19 pandemic. This provision directs the Secretary of Labor, acting through the Director of the Women’s Bureau in conjunction with the Assistant Secretary of the Employee Benefits Security Administration, to award grants of at least \$250,000 to established community-based organizations on a competitive basis to assist low-income women and survivors of domestic violence in obtaining qualified domestic relations orders to ensure that these women actually obtain the benefits to which they are entitled through those orders.

Sec. 306. Modification of Special Rules for Minimum Funding Standards for Community Newspaper Plans. Community newspapers are generally family-owned, non-publicly traded, independent newspapers. The recently enacted SECURE Act provided pension funding relief for a number of community newspaper plan sponsors by increasing the interest rate to calculate those funding obligations to 8%. Additionally, the SECURE Act provided for a longer amortization period of 30 years from 7 years. These two changes enable struggling community newspapers to stretch out their required pension plan contributions over a longer time period. The legislation would expand the SECURE Act relief to additional community newspapers.

Sec. 307. Minimum Rate of Interest for Certain Determinations Related to Life Insurance Contracts. In order to qualify as life insurance contracts for tax purposes, permanent life insurance policies must meet several requirements under Internal Revenue Code section 7702. These requirements include two interest rate assumptions for determining the premiums that can be used to fund the contracts. The interest rate assumptions were set by statute at 4 percent and 6 percent when the requirements were put in place in 1984. At the time, the average long-term Treasury rate was around 12 percent. The recent public health and economic crisis has prompted the Federal Reserve to reduce already persistently low interest rates to around 0 percent, and the daily long-term Treasury rate has hovered at 1 percent. Without adjusting the section 7702 interest rates to reflect economic realities, consumer access to financial security via permanent life insurance policies—which represent approximately 60 percent of the individual life insurance market—could decrease significantly. This legislation updates section 7702 to reflect the interest rate environment that has been exacerbated by the current crisis, and ensures that the rates will continue to appropriately reflect economic conditions, by tying the rates to either a floating rate prescribed in the National Association of Insurance Commissioners’ Standard Valuation Law or a floating rate based on the average applicable Federal mid-term rates over a 60-month period.

The Giving Retirement Options for Workers (GROW) Act changes the multiemployer pension system by authorizing what is referred to as a “composite plan.” This new plan is composed of features of a traditional defined benefit plan and of a 401(k)-style defined contribution plan.

A composite plan may be a stand-alone plan or a part of an existing multiemployer plan as long as such plan is not in critical status or anticipated to be in critical status in the next five years. An eligible existing plan (referred to as a “legacy plan”) that establishes a composite plan must satisfy certain requirements for funding the composite plan. Whether it is a stand-alone plan or part of an existing multiemployer plan, a composite plan must be professionally managed and must maintain a projected funding ratio of 120 percent on a 15-year going forward basis. If the amount of plan assets is not enough to pay 120 percent of participants’ promised benefits, the plan would have to take remedial action by adopting what is referred to as a “realignment program.” The realignment program consists of several tiers of options to be undertaken by the plan to enable it to achieve a 120 percent funding ratio. The first options include increasing contribution rates (negotiated by the bargaining parties), reducing future accrual rates, and reducing adjustable benefits for non-retirees. If necessary, the last option is reducing retiree benefits. Consequently, a participant’s benefit may increase or decrease depending on the funding level of the composite plan. Ensuring that a composite plan maintains a 120 percent funding target is viewed as beneficial and could help mitigate against the kind of volatility in the financial markets that has occurred during the COVID-19 public health crisis.

There are requirements to provide annual notices to composite plan participants. Composite plans do not pay PBGC premiums and are not covered by the PBGC guarantee. If a composite plan were to become insolvent, it could not obtain financial assistance from PBGC, and its participants and beneficiaries would not be covered by the PBGC guarantee. Those employers who contribute to a composite plan negotiate a fixed contribution rate and do not have withdrawal liability, which is a payment or series of payments by an employer that no longer participates in a multiemployer plan. A legacy plan that establishes a composite plan, however, must continue to pay PBGC premiums and comply with existing funding rules, among other requirements. Participants and beneficiaries in a legacy plan continue to be covered by PBGC and their benefits would be covered by the PBGC guarantee.

The composite plan option is intended to establish a hybrid model of providing lifetime income to multiemployer pension participants, while also improving the ability of plans to retain existing employers and potentially attract new ones.

DIVISION I – Continued Assistance to Unemployed Workers *Prepared by the Democratic staff of the House Committee on Ways and Means*

Title I – Extensions of CARES Act Unemployment Benefits for Workers

Section 101. This section would restore the \$600 per week Federal Pandemic Unemployment Compensation (FPUC) supplement to all state and federal unemployment benefits starting the week of September 6 and ending January 31, 2021. For individuals receiving state unemployment benefits as of January 31, it provides a transition rule (sometimes called a “soft cutoff”) to prevent the supplement from abruptly ending before March 31.

The section would also require federal programs and state and local programs which receive any federal funding to disregard FPUC payments when calculating income for the purposes of determining eligibility for benefits or assistance, and to exclude it from resource limits for 9 months following the month of receipt.

Section 102. This section would extend Pandemic Unemployment Assistance, which provides federal

unemployment benefits for self-employed and gig workers and for other workers not eligible for state unemployment benefits who are affected directly by the pandemic, through January 31, 2021.

Section 103. This section would extend Pandemic Emergency Unemployment Compensation, which provides 13 additional weeks of federal unemployment benefits for workers who exhaust their state unemployment benefits before they are able to safely return to work, through January 31, 2021.

Section 104. This section would extend temporary full federal financing of Short-Time Compensation (STC) programs established in state law. STC programs (or “work sharing”) allow individual employers to make agreements with states in which employees stay on payroll with full benefits and reduced hours and receive unemployment benefits for the reduced hours, rather than being laid off.

Section 105. This section extends temporary 50 percent federal financing of Short-Time Compensation benefits, which are established temporarily in state policy and will not continue beyond the period of federal subsidy, through January 31, 2021.

Section 106. This section extends temporary full federal financing of benefits during the usual one-week waiting period for unemployment benefits if the state has temporarily waived it, through January 31, 2021.

Title II – Additional Weeks of Benefit Eligibility

Section 201. This section creates a new federal program, Pandemic Emergency Unemployment Extension Compensation, which would provide up to 13 additional weeks of federally-financed unemployment benefits to any individual who exhausts state or federal unemployment benefits before January 31, 2021, with all benefit and administrative costs paid by the federal government. No benefits would be paid after January 31, 2021, or in an case where the individual was entitled to other unemployment benefits or could safely return to work.

Title III – Clarifications and Improvements to Pandemic Unemployment Assistance

Section 301. This section clarifies access to Pandemic Unemployment Assistance (PUA) for workers unable to work because care is not available for a child or disabled adult for whom they are the primary caregiver. The clarification ensures workers are eligible for PUA in situations where care is not available because of partial closing/reduced slots (including schools on hybrid schedules), because the pandemic has increased the cost to an unaffordable level or made it not open during the caregiver’s work hours, or because sending the family member to the school or care facility creates an unacceptable risk for the child or the household.

Section 302. This section ensures in situations where workers received Pandemic Unemployment Assistance overpayments through no fault of their own and are unable to repay them without severe hardship (when repayment would violate “equity and good conscience”), states waive the overpayments. This provision would apply to those past and future overpayments.

Section 303. This section would clarify that individuals could be eligible for Pandemic Unemployment Assistance even if the business is not fully closed, so long as pandemic-forced changes are preventing the individual worker from earning income. State interpretations of the CARES Act on this point currently vary.

Section 304. This section ensures that individuals who are still otherwise eligible for Pandemic Unemployment Assistance do not have their benefits terminated because of inadvertent or state system failure errors in past required weekly benefit recertifications, so long as the state made good faith efforts to implement the program.

Title IV – Extension of Relief to States and Employers

Section 401. This section extends of the provision in the Families First Coronavirus Response Act which provided temporary full federal financing of extended unemployment benefits for high-unemployment states which normally require a 50 percent state contribution, through June 30, 2021.

Section 402. This section ensures that the earliest date on which states would begin accumulating interest on federal loans they have taken in order to pay state unemployment benefits would be July 1, 2021. In some states, the interest-free loans allow them to maintain sufficient trust fund balances to avoid triggering additional automatic employer tax increases.

Section 403. This section extends a provision in the Families First Coronavirus Response Act which provided an unprecedented federal payment to cover half of the cost of unemployment benefits for “reimbursable employers” (generally state/local governments and non-profit organizations) through June 30, 2021. Reimbursable employers do not pay state unemployment taxes, and normally are required to reimburse states for 100 percent of the cost of unemployment benefits paid to workers they lay off or furlough.

Title V – Corrective Action for Processing Backlogs

Section 501. This section would require all states to report weekly on unemployment benefit applications which have not been processed to the Department of Labor (DOL). DOL would be required to report to the public and Congress on the backlogs, and also develop, support, and enforce corrective action plans for states with unacceptable numbers of workers waiting to receive benefits.

Title VI – Additional Benefits for Mixed Earners

Section 601. This section would provide a federally-funded \$125 per week additional benefit to individuals who have at least \$5,000 a year in self-employment income but were disqualified from receiving Pandemic Unemployment Assistance because they were eligible for regular state unemployment benefits. For individuals who are currently receiving the state minimum benefit, the additional payment would provide a similar total unemployment benefit to the minimum benefit amount for Pandemic Unemployment Assistance, which is what workers eligible for PUA are currently receiving in all states. This provision would be effective for future unemployment benefit payments after a state made an agreement with the Department of Labor.

Title VII – Technical Corrections

Section 701. This section would ensure that states that enact a Short-Time Compensation program could receive full federal financing for the temporary programs dating back to the date that financing was first available after the enactment of the CARES Act.

Section 702. This section would override a Department of Labor interpretation of the CARES Act which denied Pandemic Unemployment Assistance benefits to workers in the Commonwealth of the Northern Mariana Islands with “Commonwealth Only Transitional Worker,” or CW-1 status.

Section 703. For clarity, this section corrects a reference in the CARES Act which was supposed to be “part 625” and instead appeared as “section 625.”

DIVISION J – Emergency Assistance, Elder Justice, and Child and Family Support *Prepared by the Democratic staff of the House Committee on Ways and Means*

Title I – Emergency Assistance

Section 101. This section increases the overall authorization level for the Social Services Block Grant (SSBG) to \$11.325 billion for 2020, ensures that it is available through the end of FY FY 2021, and directly appropriates \$9.6 billion to SSBG for the sole purpose of providing emergency aid and services to disadvantaged children, families, and households. It requires the Department of Health and Human Services to distribute the funds to all 50 states, the District of Columbia, and all U.S. Territories within 45 days, and requires states and territories to obligate the funds within 120 days of receiving them and spend them no later than December 31, 2021.

States would be required to pass through at least 50 percent of the funds to county and local governments which administer federally-funded social services, or, if social services are administered at the state level, to local governments working in partnership with community-based organizations, or directly to community-based organizations with experience serving disadvantaged individuals or families. States are required to ensure that the pass-through funds are distributed to sub-state areas based on the area's share of disadvantaged individuals.

The funds may be used to provide basic economic and well-being necessities, provide necessary supplies to protect against infection, help connect individuals and families to payments and services for which they are eligible, provide short-term disaster relief, and pay operational costs directly related to providing the services and maintaining local social service operations to assist needy families.

This section also prohibits imposition of burdensome individual eligibility determinations for emergency assistance and waives section 2005(a)(2) of the Social Security Act to allow emergency payments to ensure that families or individuals do not lose their housing.

It also prohibits states from using any of the funds to supplant existing state spending or to pay for services which would be reimbursed by the Federal Emergency Management Agency.

The section also provides \$400 million to Indian Tribes and Tribal organizations to fund emergency aid and services for disadvantaged individuals and families. Funds would be distributed based on LIHEAP and CSBG shares and could not be used for services that would be reimbursed by the Federal Emergency Management Agency. Funds must be obligated by September 30, 2021 and spent by September 30, 2022.

Section 102. Emergency Assistance to Families Through Home Visiting Programs. This section temporarily allows home visiting programs funded under the Maternal, Infant, and Early Childhood Home Visiting program (MIECHV) to

- Conduct virtual home visits, including by telephone, when needed to comply with public health directives
 - Help families acquire needed technology to participate in virtual home visits
 - Train home visitors in conducting virtual home visits
- Train home visitors to assist families with emergency preparedness and response
- Provide emergency supplies to families, such as diapers, formula, non-perishable food, water, soap, and hand sanitizer.
- Provide prepaid grocery cards to families to help meet emergency needs.

The section also provides an additional \$100 million in FY 2020 funding for home visiting and allows HHS to extend contracts and delay reporting deadlines as is reasonable during the COVID-19 pandemic.

The flexibilities end January 31, 2021.

Title II – Reauthorization of Funding for Programs to Prevent, Investigate, and Prosecute Elder Abuse, Neglect, and Exploitation

Section 201. This section would authorize to be appropriated \$5 million for FY 2021 for grants to establish and

operate stationary and mobile elder abuse, neglect, and exploitation forensic centers and to develop forensic expertise pertaining to elder abuse, neglect, and exploitation, which are authorized under Section 2031 of the Social Security Act (SSA).

Section 202. This section would authorize to be appropriated \$14 million for FY 2021 to fund Section 2041 of the SSA, which requires the HHS Secretary, in coordination with the Secretary of Labor, to award grants to conduct programs that offer training and certification to direct care employees of long-term care (LTC) facilities, with the goal of providing incentives for individuals to train for, seek out, and retain these positions. Section 2041 also authorizes the HHS Secretary to provide grants to LTC facilities to offset costs for certified electronic health records technology designed to improve patient safety and reduce adverse events and complications. It also requires the Secretary to adopt standards and procedures for the exchange and acceptance of clinical data by LTC facilities.

Section 203. Section 2042 of the SSA requires the HHS Secretary to provide funding to state and local Adult Protective Services (APS) offices that investigate reports of elder abuse, neglect, and exploitation; work with the Department of Justice to collect and disseminate data; develop and disseminate best practices and training on APS; conduct research related to the provision of APS; and provide technical assistance to states and other entities that provide or fund APS. To carry out these functions, this provision would authorize to be appropriated \$3 million for FY 2021.

This section would also require the HHS Secretary to establish two grant programs. The first would award grants to enhance state and local APS services. For FY 2021, this provision would authorize to be appropriated \$100 million for purposes of these grants. The second grant program would award funds to states to conduct APS demonstration programs. States may use grant funds for a range of activities, such as detecting or preventing elder abuse, focusing on financial exploitation, and guardianship and conservatorship proceedings. For FY 2021, this provision would authorize to be appropriated \$20 million for APS demonstration grants.

Section 204. This section would authorize to be appropriated \$8 million for FY 2021 to award grants to eligible entities with relevant expertise and experience in abuse and neglect in LTC facilities or LTC ombudsman programs and responsibilities. Grants may be used to increase the capacity of state LTC ombudsman programs to respond to and resolve abuse and neglect complaints as well as to conduct and support pilot programs with state or local LTC ombudsman offices. These grants are described in Section 2043 of the Social Security Act.

This section would also authorize to be appropriated \$10 million for FY 2021 for programs which Section 2043 requires the Secretary of HHS to establish to provide and improve ombudsman training for national organizations and state LTC ombudsman programs, with a focus on elder abuse, neglect, and exploitation.

Section 205. Section 6703(b) of the Patient Protection and Affordable Care Act requires the Secretary of HHS to establish the National Training Institute for Surveyors, which would train surveyors who investigate allegations of abuse, neglect, and misappropriation of property in programs and LTC facilities that receive payments under Medicare or Medicaid. This section would authorize to be appropriated \$10 million for FY 2021 for this purpose. Section 6703(b) also requires the Secretary to provide grants to state survey agencies to design and implement complaint investigation systems, and this section would authorize to be appropriated \$4 million in FY 2021 for that purpose.

Section 206. This section directly appropriates an additional \$25 million from the increased FY 2020 Social Services Block Grant to states and territories for the sole purpose of funding Adult Protective Services programs, with funds to remain available to states through the end of FY 2021. It provides \$650,000 for similar grants to Indian Tribes and Tribal organizations.

Under this section, the Department of Health and Human Services would be required to distribute the funds to all 50 states, the District of Columbia, and all five U.S. Territories within 45 days, using SSBG's population formula. States and territories would be required to submit a revised pre-expenditure report for SSBG to describe how funds will be used. States and territories would be required to obligate the funds within 120 days

of receipt and expend funds by December 31, 2021. Funds must supplement, not supplant, state general revenue funds for adult protective services.

Section 207. This section would require the Secretary to submit a report to Congress on the programs, coordinating bodies, registries, and activities under the Elder Justice Act no later than 2 years after the enactment of this Act. The report would assess the extent to which such programs have improved access to and quality of resources for aging Americans and their caregivers to ultimately prevent, detect, and treat abuse, neglect, and exploitation. The section provides \$1 million in funding to HHS to complete the report.

Title III – Fairness for Seniors and People with Disabilities During COVID-19

Section 301. This section protects seniors, surviving spouses, children, and people with severe disabilities from being required to repay extra Social Security or Supplemental Security Income (SSI) benefits they received due to the Social Security Administration’s (SSA’s) suspension of certain work during COVID-19 pandemic; requires SSA to notify beneficiaries who were repaying overpayments prior to the pandemic of the opportunity to temporarily reduce or suspend repayment; and protects individuals from retroactive loss of Medicare and Medicaid eligibility when SSA resumes work that had been suspended due to the pandemic.

Title IV – Supporting Foster Youth and Families through the Pandemic

Section 401. This section provides for the short title.

Section 402. This section defines terms used throughout the section.

Section 403. This section provides an additional \$350 million for the John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee), and \$50 million for the John H. Chafee Educational and Training Vouchers Program for Youths Aging out of Foster Care (Chafee ETV) without additional appropriations action, and waives the state match requirement for these additional funds. It also increases the maximum Chafee ETV award amount from \$5,000 up to \$12,000 per youth per year for training and postsecondary education for eligible foster youth, exempts National Youth in Transition Database (NYTD) penalty assessments from these additional funds, and raises the maximum age through 26 for Chafee-eligible former foster youth. It also reserves funding for technical assistance, evaluation, and monitoring of state child welfare programs, including \$500,000 to help them set up youth driving programs.

It temporarily provides necessary programmatic flexibilities for older youth in foster care:

- Suspends certain training and postsecondary education requirements,
- Clarifies that under these provisions the Chafee ETV vouchers may be used to maintain training and postsecondary education costs, as well as to support programs to allow foster youth to drive, and
- Lifts the 30 percent spending cap on housing costs

Section 404. This section provides older foster youth who would normally “age out” with the assurance that they may continue to receive foster care supports and services during the pandemic, or, if they left, return. It permits states to use pandemic Chafee funds to offset the cost of meeting this requirement for youth for whom federal foster care matching is not available.

Section 405. This section temporarily waives the match for Family First Prevention Services provided using FY 2020 state dollars.

Section 406. This section provides an additional \$85 million in emergency FY 2020 funding for the MaryLee Allen Promoting Safe and Stable Families program, which would be available through the end of FY 2021, waives state matching requirements for the emergency funds, and specifies that FY 2022 funding would be provided at the non-emergency level.

Section 407. This section reserves \$10 million from the \$85 million in the preceding section for the federal

Court Improvement Program, waives the state matching requirement for the emergency funds, and specifies that FY 2022 funding would be provided at the non-emergency level.

Section 408. This section temporarily waives the required state match and the requirement that the specific model be in the federal Prevention Services Clearinghouse for kinship navigator programs funded with FY 2020 funds. The section maintains availability of federal funds for evaluation.

Section 409. This section makes a technical correction to Title IV-E treatment of the 6.2% Federal Medical Assistance Percentage (FMAP) rate increase from the Families First Coronavirus Response Act such that it applies to the baseline based on annual average FMAP rate in the state for FY2020 and FY2021, to ensure access to Funding Certainty Grants.

Section 410. This section makes a technical correction to apply the 6.2% FMAP rate increase to the District of Columbia's foster care program in the same way it applies to states.

Title V – Pandemic State Flexibilities

Section 501. This section provides emergency flexibility for state Temporary Assistance to Needy Families (TANF) programs in order to protect beneficiaries and allow compliance with social distancing, shelter-in-place, and other public health guidance. This section suspends the federal work participation rate requirements and the federal time limit for the federal Temporary Assistance for Needy Families (TANF) Program from the start of the pandemic until January 31, 2021, and creates penalties for any state or Tribal TANF program that fails to “stop the clock” on federal time limits for families, and/or that sanctions families for failure to work or participate in “work participation” activities.

Section 502. This section provides states with the option to suspend penalties for non-custodial parents for inability to pay child support during the COVID-19 pandemic, since some courts have suspended non-emergency proceedings, including those related to modifying child support orders. It also suspends federal requirements to penalize custodial parents (via TANF) and non-custodial parents (via Child Support Enforcement) for failure to comply with paternity establishment rules, since paternity establishment requires in-person action which may not be possible during the pandemic. In some states, using this flexibility may require a change in state law.

The section does not change that the state's duty to make all reasonable efforts to deliver child support funds to custodial parents, but does suspend financial penalties and generally holds states financially harmless for failure to meet strict targets and state plan and operational requirements during the pandemic. The flexibility means states can continue to receive federal child support incentive payments even if they fall below the 90 percent paternity establishment threshold.

The section also allows the Secretary of HHS to, wherever possible, provide tribal child support programs with the same flexibilities as those afforded to state programs.

The flexibility would be available from the start of the pandemic through January 31, 2021.

DIVISION K – Health Provisions

Prepared by the Democratic staff of the House Committees on Energy and Commerce, Ways and Means, and Education and Labor

Title I – Medicaid

Section 101. COVID-19-related temporary increase of Medicaid FMAP. Increases Federal Medical Assistance Percentage (FMAP) payments to state Medicaid programs by a total of 14 percentage points starting October 1, 2020 through September 30, 2021.

Section 102. Additional support for Medicaid home and community-based services during the COVID-19 emergency period. Increases the federal payments to state Medicaid programs by an additional 10 percentage points starting October 1, 2020 through September 30, 2021 to support activities that strengthen their home- and community-based services (HCBS) benefit.

Section 103. Coverage at no cost sharing of COVID-19 vaccine and treatment. Eliminates cost sharing for Medicaid beneficiaries for COVID-19 treatment and vaccines during the COVID-19 public health emergency.

Section 104. Optional coverage at no cost sharing of COVID-19 treatment and vaccines under Medicaid for uninsured individuals. Ensures that uninsured individuals whom states opt to cover through the new Medicaid eligibility pathway will be able to receive treatment for COVID-19 without cost sharing during the COVID-19 public health emergency.

Section 105. Medicaid coverage for citizens of Freely Associated States. Restores Medicaid eligibility to individuals who are residents of the freely associated states.

Section 106. Temporary increase in Medicaid DSH allotments. Temporarily increases Medicaid disproportionate share hospital (DSH) allotments by 2.5 percent.

Section 107. Allowance for medical assistance under Medicaid for inmates during 30-day period preceding release. Provides Medicaid eligibility to incarcerated individuals 30 days prior to their release.

Section 108. Medicaid coverage of certain medical transportation. Codifies the regulatory requirement that state Medicaid programs cover non-emergency medical transportation (NEMT).

Title II – Medicare

Section 201. Hold Medicare beneficiaries harmless for specified COVID-19 treatment services furnished under Part A or Part B of the Medicare program. Establishes zero cost-sharing (out-of-pocket costs) for COVID-19 treatment under Medicare Parts A and B during the COVID-19 public health emergency.

Section 202. Ensure communications accessibility for residents of skilled nursing facilities during the COVID-19 emergency period. Ensures skilled nursing facilities provide a means for residents to conduct “televisitation” with loved ones during periods when in-person visits are not possible as a result of the COVID-19 public health emergency.

Section 203. Medicare hospital inpatient prospective payment system outlier payments for COVID-19 patients during certain emergency period. Provides an outlier payment for inpatient claims for any amount over the traditional Medicare payment to cover excess costs hospitals incur for more expensive COVID-19 patients until January 31, 2021.

Section 204. Coverage of treatments for COVID-19 at no cost sharing under the Medicare Advantage program. Establishes zero cost-sharing (out-of-pocket costs) for COVID-19 treatment under Medicare Advantage during the COVID-19 public health emergency.

Section 205. Requiring coverage under Medicare PDPs and MA-PD plans, without the imposition of cost sharing or utilization management requirements, of drugs intended to treat COVID-19 during certain emergencies. Requires coverage under Medicare Prescription Drug Plans (PDPs) and Medicare

Advantage (MA)-PDPs without cost sharing or Utilization Management Requirements for drugs intended to treat COVID-19 during the COVID-19 public health emergency.

Section 206. Medicare special enrollment period for individuals residing in COVID-19 emergency areas. Creates a new special enrollment period for Medicare Parts A- and B-eligible individuals during the COVID-19 public health emergency.

Section 207. COVID-19 skilled nursing facility payment incentive program. Provides incentives for nursing facilities to create COVID-19-specific facilities and includes safety and quality protections for patients.

Section 208. Funding for State strike teams for resident and employee safety in skilled nursing facilities and nursing facilities. Directs the Department of Health and Human Services (HHS) to allocate money to the states to create strike teams to help facilities manage outbreaks when they occur.

Section 209. Providing for infection control support to skilled nursing facilities through contracts with quality improvement organizations. Requires the Secretary of HHS to provide additional assistance to nursing homes struggling with infection control through Medicare's Quality Improvement Organizations (QIOs).

Section 210. Requiring long term care facilities to report certain information relating to COVID-19 cases and deaths. Requires HHS to collect data on COVID-19 in nursing homes and to publicly report demographic data on COVID-19 cases in nursing homes on *Nursing Home Compare*.

Section 211. Floor on the Medicare area wage index for hospitals in all-urban States. Requires the Centers for Medicare & Medicaid Services (CMS) to re-establish a rural floor for the Medicare hospital area wage index for hospitals in all-urban states.

Section 212. Relief for small rural hospitals from inaccurate instructions provided by certain Medicare administrative contractors. Provides relief to certain rural Sole Community and Medicare-dependent Hospitals that owe payments to Medicare due to administrative errors made in volume-based payment adjustments.

Section 213. Deeming certain hospitals to be located in an urban area for purposes of payment for inpatient hospital services under the Medicare program. Reclassifies the locations of hospitals located in certain areas for the purposes of adjusting Medicare payments.

Section 214. Effective date of Medicare coverage of COVID-19 vaccines without any cost-sharing. Ensures that the COVID-19 vaccine will be provided to Medicare beneficiaries without any cost-sharing even if the vaccine is authorized under emergency use.

Title III – Private Insurance

Section 301. Special enrollment period through exchanges. Provides for a two-month open enrollment period to allow individuals who are uninsured, for whatever reason, to enroll in coverage. Currently, Americans can only enroll in an Affordable Care Act (ACA) plan through Healthcare.gov during open enrollment period, or because of a qualifying life event if they were previously insured.

Section 302. Expedited Meeting of ACIP for COVID-19 Vaccines. Requires the Advisory Committee on

Immunization Practices (ACIP) to meet and provide a recommendation no later than 15 days after a COVID-19 vaccine is listed under the Public Health Service Act.

Section 303. Coverage of COVID-19 related treatment at no cost sharing. Requires coverage of items and services related to the treatment of COVID-19 in group and individual market health plans and waives cost sharing requirements for consumers during the COVID-19 public health emergency.

Section 304. Requiring prescription drug refill notifications during emergencies.

Requires group and individual market health plans to notify consumers if their plan permits advance prescription drug refills during an emergency period.

Section 305. Improvement of certain notifications provided to qualified beneficiaries by group health plans in the case of qualifying events. Improves the information provided to workers who lose their employer-sponsored coverage so that they are aware of all affordable coverage options, including coverage available under the ACA.

Section 306. Earlier coverage of testing for COVID-19. Makes the requirement for free coverage of COVID-19 testing retroactive to the beginning of the COVID-19 public health emergency.

Section 307. Clarifying scope of coverage requirements for items and services relating to COVID-19.

Requires group and individual market health plans to provide coverage of items and services related to COVID-19 testing at no cost-sharing regardless of the circumstances that resulted in the furnishing of the tests, items and services.

Section 308. Guidance on billing for provider visits associated with COVID-19. Requires the Departments of HHS, Treasury and Labor to issue guidance on billing for provider visits associated with COVID-19 testing and prohibits providers from collecting cost-sharing for items and services related to COVID-19 testing.

Section 309. Improvements to the transparency of the pricing of diagnostic testing for COVID-19.

Requires HHS to conduct a survey of providers' cash price for COVID-19 tests and related items and services, and to publish a public report on its findings.

Section 310. Grants for Exchange outreach, enrollment and assistance. Provides grants to states to conduct consumer outreach and enrollment educational activities for the ACA Marketplaces and funds these activities at \$100 million per year for three years. It requires these activities be culturally and linguistically appropriate to the needs of the populations being served. Additionally, provides funding for the ACA Navigator program at \$100 million per year for three years.

Section 311. Application of Premium Tax Credits in Case of Individuals Receiving Unemployment Compensation During the COVID-19 Public Health Emergency. Provides targeted premium tax credits to support people who have lost a job during the public health emergency. For 2020 and 2021, individuals receiving unemployment compensation would be able to access ACA premium tax credits regardless of income and, for individuals with higher incomes, tax credits will be determined as if their income was 133 percent of the poverty level. Other rules of eligibility for premium tax credits apply including those for individuals who are otherwise eligible for other coverage (e.g., Medicaid, or Medicare).

Section 312. Increasing Accessibility and Affordability to Qualified Health Plans for Individuals Receiving Federal Unemployment Compensation During the COVID-19 Emergency Period. Establishes a special election period and limited retroactive coverage for people who are eligible for unemployment compensation to enroll in health insurance in the ACA Marketplaces. In addition, this policy requires model

notices to be used for outreach to individuals receiving unemployment insurance and eligible for additional financial assistance provided in Section 311.

Section 313. Temporary Modification of Limitations on Reconciliation of Tax Credits for Coverage under a Qualified Health Plan with Advance Payments of Such Credit. Addresses the economic uncertainty and income variability for individuals receiving tax credits for purchasing health insurance in the ACA Marketplaces. For tax years 2020 and 2021, this policy modifies the true-up (reconciliation) protections to limit payment recapture for those with incomes below 600 percent of the poverty level.

Section 314. Requirements for COBRA notices relating to the availability of health insurance coverage and assistance. Provides additional notifications to unemployed workers regarding the special enrollment period for unemployment recipients, premium tax credits, and reconciliation protections. Requires the Secretary of Labor to develop a model notice and outreach plan.

Title IV – Other Health Provisions

Section 401. Coverage of COVID-19 related treatment at no cost sharing in TRICARE. Establishes zero cost sharing (out-of-pocket costs) for COVID-19 treatment under TRICARE.

Section 402. Coverage of COVID-19 related treatment at no cost sharing for Veterans. Establishes zero cost sharing (out-of-pocket costs) for COVID-19 treatment under the Department of Veterans Affairs health plans.

Section 403. Coverage of COVID-19 related treatment at no cost sharing for Federal Civilians. Establishes zero cost sharing (out-of-pocket costs) for COVID-19 treatment under the Federal Employee Health Benefit Program.

Title V – Public Health

Subtitle A—Supply Chain Improvements

Section 511. Medical Supplies Response Coordinator. Requires the President to appoint a Medical Supplies Response Coordinator. A Medical Supplies Response Coordinator would serve as the point of contact for the health care system, supply chain officials, and states on medical supplies, including personal protective equipment (PPE), medical devices, drugs, and vaccines. The appointee is required to have health care training and an understanding of medical supply chain logistics.

Section 512. Information to be included in list of devices determined to be in shortage. Clarifies that the medical device identifier or national product code shall be included with any required shortage reporting, which will help facilitate identification of acceptable alternatives.

Section 513. Extended shelf life dates for essential devices. Provides authority to the Food and Drug Administration (FDA) to require manufacturers to provide the agency with information pertinent to an extension of medical device shelf life dates in cases of shortages or material slowdowns during public health emergencies.

Section 514. Authority to destroy counterfeit devices. Extends FDA's administrative destruction authority to medical devices. This would allow FDA to destroy certain imported medical devices, such as counterfeit tests or masks, in instances where FDA believes such medical devices are adulterated, misbranded, or

unapproved and may pose a threat to the public health as they currently do for drugs.

Section 515. Reporting requirement for drug manufacturers. Requires drug manufacturers to report foreign drug manufacturing sites and to report quarterly on the volume of drugs manufactured.

Section 516. Recommendations to encourage domestic manufacturing of critical drugs. Requires National Academies of Science, Engineering, and Medicine (NASEM) to conduct a symposium of experts to discuss recommendations to encourage domestic manufacturing of critical drugs and devices of greatest priority to providing health care.

Section 517. Failure to notify of a permanent discontinuance or an interruption. Provides FDA with an enforcement mechanism to require timely notifications related to a permanent discontinuance or interruption in the manufacturing of certain drugs and the reasons for such discontinuance or interruption, as required under current law.

Section 518. Failure to develop risk management plan. Provides FDA with an enforcement mechanism to require drug manufacturers to develop a risk management plan, as required under current law.

Section 519. National Centers of Excellence in Continuous Pharmaceutical Manufacturing. Directs FDA to designate National Centers of Excellence in Continuous Pharmaceutical Manufacturing (NCEs). NCEs will work with FDA and industry to craft a national framework for the implementation of continuous manufacturing of drugs, including supporting additional research and development of this technology, workforce development, standardization, and collaborating with manufacturers to support adoption of continuous manufacturing of drugs.

Subtitle B—Strategic National Stockpile Improvements

Section 531. Equipment maintenance. Requires the Secretary of HHS to ensure that contents of the Strategic National Stockpile (SNS) are in good working order and, as necessary, conduct maintenance on contents of the stockpile.

Section 532. Supply chain flexibility manufacturing pilot. Improves the SNS domestic product availability by enhancing medical supply chain elasticity, improving the domestic production of PPE, and partnering with industry to refresh and replenish existing stocks of medical supplies.

Section 533. Reimbursable transfers from Strategic National Stockpile. Improves the SNS financial security by allowing the SNS to sell products to other Federal departments or agencies within six months of product expiration.

Section 534. Strategic National Stockpile action reporting. Requires the SNS to report to Congress about every request made to the SNS during the COVID-19 public health emergency and details regarding the outcomes of every request.

Section 535. Improved, transparent processes for the Strategic National Stockpile. Requires the SNS to develop improved, transparent processes for SNS requests and identify clear plans for future communication between the SNS and States.

Section 536. GAO study on the feasibility and benefits of a Strategic National Stockpile user fee agreement. Requires the Government Accountability Office (GAO) to conduct a study to investigate the public sector procurement process for single source materials from the SNS.

Subtitle C—Testing and Testing Infrastructure Improvements

Section 541. COVID–19 testing strategy. Requires the Secretary of HHS to update the COVID-19 strategic testing plan required under the Paycheck Protection Program and Health Care Enhancement Act no later than 30 days after the enactment of this Act. The updated plan shall identify the types and levels of testing necessary to monitor and contribute to the control of COVID-19 and inform any reduction in social distancing. In addition, the updated strategic testing plan must include specific plans and benchmarks with clear timelines, regarding how to ensure sufficient availability and allocation of all testing materials and supplies, sufficient laboratory and personnel capacity, and specific guidelines to ensure adequate testing in vulnerable populations and populations at increased risk related to COVID-19, including older individuals, and rural and other underserved areas. This plan must also involve testing capacity in non-health care settings in order to help expand testing availability and make testing more accessible, as well as how to implement the testing strategy in a manner that will help to reduce disparities with respect to COVID-19.

Section 542. Centralized testing information website. Requires the Secretary of HHS to establish and maintain a public, searchable website that lists all in vitro diagnostic and serological tests used in the United States to analyze critical specimens for detection of COVID-19 or antibodies for the virus. The website will also list relevant information about the tests, including the sensitivity and specificity of the test and the numbers of tests available.

Section 543. Manufacturer reporting of test distribution. Requires in vitro diagnostic test manufacturers to notify the Secretary of HHS with information regarding distribution of tests, including quantity distributed.

Section 544. State testing report. Requires States authorizing the development of in vitro COVID-19 tests to provide the Secretary of HHS with a weekly report identifying all authorized laboratories and providing relevant information about the laboratories, including their testing capacity, listing of all authorized tests, and providing relevant information about such tests.

Section 545. State listing of testing sites. Requires States receiving funding through this Act to establish a public, searchable webpage identifying and providing contact information for COVID-19 testing sites within the State.

Section 546. Reporting of COVID–19 testing results. Requires every laboratory that performs or analyzes COVID-19 tests to submit daily reports to the Secretary of HHS. This information would then be required to be made available to the public in a searchable, electronic format.

Section 547. GAO report on diagnostic tests. Requires a GAO report on the response of laboratories, diagnostic test manufacturers, state, local, Tribal, and territorial governments, and relevant federal agencies, related to the COVID-19 epidemic with respect to the development, regulatory evaluation, and deployment of diagnostic tests.

Section 548. Public health data system transformation. Requires HHS to expand, enhance, and improve public health data systems used by the Centers for Disease Control and Prevention (CDC). This includes: grants to State, local, Tribal, or territorial public health departments for the modernization of public health data systems in order to assist public health departments in assessing current data infrastructure capabilities and gaps; to improve secure public health data collection, transmission, exchange, maintenance, and analysis; to enhance the interoperability of public health data systems; to support and train related personnel; to support earlier disease and health condition detection; and to develop and disseminate related information and improved electronic case reporting.

Section 549. Pilot program to improve laboratory infrastructure. Authorizes grants to

states and localities to improve, renovate, or modernize clinical laboratory infrastructure in order to help increase COVID-19 testing capacities.

Section 550. Core public health infrastructure for State, local, and Tribal, and territorial health departments. Authorizes \$6 billion for public health departments to expand workforce, improve laboratory systems, health information systems, disease surveillance, and contact tracing capacity to account for the unprecedented spread of COVID-19.

Section 551. Core public health infrastructure and activities for CDC. Authorizes \$1 billion for CDC to expand and improve their core public health infrastructure and activities in order to address unmet and emerging public health needs.

Subtitle D—COVID-19 National Testing and Contact Tracing (CONTACT) Initiative

Section 561. National system for COVID-19 testing, contact tracing, surveillance, containment and mitigation. Requires CDC to coordinate with State, local, Tribal, and territorial health departments to establish and implement a national evidence-based system for testing, contact tracing, surveillance, containment and mitigation of COVID-19, including offering guidance on voluntary isolation and quarantine of positive COVID-19 cases.

Section 562. Grants. Requires CDC to award grants to State, local, Tribal, and territorial health departments to carry out evidence-based systems for testing, contact tracing, surveillance, containment and mitigation of COVID-19. CDC shall provide a minimum level of funding for all State, local, Tribal, and territorial health departments, and prioritize additional funding for areas with high number of cases of COVID-19, areas with a surge in cases of COVID-19, and those proposing to serve high numbers of low-income and uninsured populations, including underserved populations. Funding shall be used to leverage or modernize existing systems, identify specific strategies for testing in medically underserved populations, establish culturally competent and multilingual strategies for contact tracing, hire and compensate a locally-sourced workforce, and support individuals who have been infected with or exposed to COVID-19.

Section 563. Guidance, technical assistance, information, and communication. Requires CDC and other relevant agencies to issue guidance, provide technical assistance and information, and establish clear communication pathways for State, local, Tribal, and territorial health departments for the establishment and maintenance of their testing, contact tracing, surveillance, containment, and mitigation systems.

Section 564. Research and development. Requires CDC, in collaboration with the National Institutes of Health (NIH), the Agency for Healthcare Research and Quality (AHRQ), FDA, and CMS to support research and development on efficient and effective testing, contact tracing, and surveillance strategies.

Section 565. Awareness campaigns. Provides grants for a multilingual and culturally appropriate national, science-based COVID-19 campaign, to include information related to availability of testing and promote the importance of contact tracing. Grants can be issued to public or private entities, including faith-based organizations.

Section 566. Grants to State and Tribal workforce agencies. Authorizes grants to support the recruitment, placement, and training of individuals in COVID-19 contact tracing and related positions, with a focus on recruiting from impacted local communities and building a culturally competent workforce. This section also provides for transitional assistance and support post-employment.

Section 567. Application of the Service Contract Act to contracts and grants. Requires that contract tracers and related positions funded under this subtitle are paid by the contractor or grantee not less than the prevailing

wage and fringe rates required under the Service Contract Act for the locality in which the work is performed.

Section 568. Authorization of Appropriations. Authorizes \$75 billion for these efforts.

Subtitle E—Demographic Data and Supply Reporting Related to COVID–19

Section 571. COVID-19 reporting portal. Requires the Secretary of HHS, within 15 days, to establish and maintain an online portal for health entities to track and transmit data regarding their inventory and capacity related to COVID-19. This portal will enable hospitals and long-term care facilities to report their inventory related to PPE, medical supplies (like available ventilators and beds), and facility capacity (like number of needed doctors, nurses, and lab personnel). Facilities should be required to report these figures on a biweekly basis.

Section 572. Regular CDC reporting on demographic data. Requires the Secretary of HHS, no later than 14 days following enactment, to update and make publicly available the report to Congress required by the Paycheck Protection and Health Care Enhancement Act on the collection of data on race, ethnicity, age, sex, and gender of individuals diagnosed with COVID-19. The updated report must include how the Secretary will provide technical assistance to State, local, and territorial health departments to improve collection and reporting of demographic data, and requirements for the report to be updated every 30 days and to identify any barriers for such health departments in collecting such data.

Section 573. Federal modernization for health inequities data. Authorizes funding to AHRQ, CDC, CMS, FDA, the Office of the National Coordinator for Health Information Technology, and NIH to modernize their data collection methods and infrastructure in order to increase data collection related health inequities.

Section 574. Modernization of State and local health inequities data. Authorizes grants to state, local, and territorial health departments in order to support the modernization of data collection methods and infrastructure in order to increase data collection related health inequities.

Section 575. Tribal funding to research health inequities, including COVID-19. Requires the Indian Health Service (IHS), in coordination with CDC and NIH, to conduct research and field studies to improve understanding of tribal health inequities.

Section 576. CDC field studies pertaining to specific health inequities. Requires CDC to establish field studies to better understand health inequities that are not currently tracked by the Secretary of HHS.

Section 577. Additional reporting to Congress on the race and ethnicity rates of COVID-19 testing, hospitalization, and mortalities. Requires the Secretary of HHS to expand on the report to Congress as required by the Paycheck Protection Program and Health Care Enhancement Act describing the testing, positive diagnoses, hospitalization, intensive care admissions, mortality rates, associated with COVID–19, disaggregated by race, ethnicity, age, sex, and gender. The Secretary of HHS must also now propose evidence-based response strategies to reduce disparities related to COVID-19 and a final report in 2024.

Subtitle F— Miscellaneous

Sec. 581. Technical corrections to amendments made by the CARES Act. Makes technical corrections to the CARES Act.

Title VI – Public Health Assistance

Subtitle A—Assistance to Providers and Health System

Section 611. Health Care Provider Relief Fund. Establishes the Health Care Provider Relief Fund for the purposes of reimbursing eligible health care providers for expenses related to preventing, preparing for, and responding to COVID-19, as well as lost revenues that have resulted from the COVID-19 pandemic, as determined. Section 611 requires eligible health care providers to submit an application to demonstrate and attest to eligible expenses and lost revenue for which they seek reimbursement, and prohibits providers from utilizing reimbursements for executive compensation or engaging in balance billing as a condition of receipt of funds. \$50 billion is authorized to carry out this section.

Section 612. Public Health Workforce Loan Repayment Program. Establishes a loan repayment program to enhance recruitment and retention of state, local, tribal, and territorial public health department workforce.

Section 613. Expanding capacity for health outcomes. Authorizes grants to expand the use of technology-enabled collaborative learning and capacity building models to respond to COVID-19. To be eligible for funding under this section, health entities must have experience providing services to rural, frontier, health professional shortage areas, medically underserved populations, or Indian Tribes.

Section 614. Additional funding for Medical Reserve Corps. Authorizes additional funding for the Medical Reserve Corps (MRC), which is a national network of local volunteer units who engage their local communities to strengthen public health, reduce vulnerability, build resilience, and improve preparedness, response, and recovery capabilities.

Section 615. Grants for schools of medicine in diverse and underserved areas. Authorizes grants to schools of medicine in rural, underserved, or Minority-Serving Institutions. Grants can be used to build new schools of medicine and expand, enhance, modernize, support existing schools of medicine. Funding priority is given to rural, underserved, or Minority-Serving Institutions, including Historically Black Colleges and Universities, Hispanic-Serving Institutions, Tribal Colleges and Universities, and Asian American and Pacific Islander Serving Institutions.

Section 616. GAO study on public health workforce. Requires the GAO to conduct a study to investigate gaps, challenges, and recommended steps for improvement associated with the Federal, State, local, Tribal, and territorial public health workforce.

Section 617. Longitudinal study on the impact of COVID-19 on recovered patients. Directs NIH to carry out a study on the short- and long-term impact of COVID-19 on infected and recovered individuals.

Section 618. Research on the mental health impact of COVID–19. Directs the NIH’s National Institute of Mental Health to support research on the mental health consequences of COVID-19, including the impact on health care providers.

Section 619. Emergency mental health and substance use training and technical assistance center. Establishes a technical assistance center at the Substance Abuse and Mental Health Services Administration (SAMHSA) that will support public or nonprofit entities and public health professionals seeking to establish or expand access to mental health and substance use services associated with the COVID-19 public health emergency.

Section 620. Importance of the blood plasma supply. Updates the blood donation public awareness campaign authorized by the CARES Act to include blood plasma.

Subtitle B— Assistance for Individuals and Families

Section 631. Reimbursement for additional health services relating to coronavirus. Authorizes COVID-19 treatment to be reimbursed for uninsured individuals.

Section 632. Centers for Disease Control and Prevention COVID–19 response line. Requires CDC to maintain a toll-free telephone number to address public health questions related to COVID-19.

Section 633. Grants to address substance use during COVID-19. Authorizes SAMHSA to award grants to support local, tribal, and state substance use efforts that need further assistance as a result of COVID-19.

Section 634. Grants to support increased behavioral health needs due to COVID-19. Authorizes SAMHSA to award grants to States, tribes, and community-based entities to enable such entities to increase capacity and support or enhance behavioral health services.

Subtitle C —Assistance to Tribes

Section 641. Improving State, local, and Tribal public health security. Extends eligibility for the CDC’s Public Health Emergency Preparedness (PHEP) program to Tribes.

Section 642. Provision of items to Indian programs and facilities. Guarantees IHS and other Tribal health organizations direct access to the Strategic National Stockpile, just like all 50 other states.

Section 643. Health Care Access for Urban Native Veterans. Authorizes the IHS, Department of Veterans Affairs (VA), and the Department of Defense (DOD) to enter into arrangements for the sharing of medical facilities and services with urban Native American organizations. The VA and DOD shall also reimburse an urban Native American organization where services are provided to beneficiaries eligible for services from either department.

Section 644. Tribal School Federal Insurance Parity. Clarifies that schools that receive grants under the Tribally Controlled Schools Act of 1988 can participate in the Federal Employee Health Benefits (FEHB) program and the Federal Employees Group Life Insurance (FEGLI) program.

Section 645. PRC for Native Veterans. Requires the Veterans Health Administration (VHA) to reimburse IHS and Tribally-run health facilities for Purchased/Referred Care (PRC) used for treating Native American veterans.

Subtitle D – Public Health Assistance to Essential Workers

Section 651. Containment and Mitigation for Essential Workers Program. Establishes a program to provide grant funding to purchase or procure personal protective equipment and other workplace safety measures for use in containing and mitigating COVID-19 transmission among essential workers.

Title VII – Vaccine Development, Distribution, Administration, and Awareness

Section 701. Definitions. Defines the term “ancillary medical supplies” and specifies that in this title, “Secretary” refers to the Secretary of Health and Human Services.

Section 702. Vaccine and therapeutic development and procurement. Authorizes \$20 billion for the Secretary to award contracts, grants, cooperative agreements, and enter into other transactions, as appropriate, to procure vaccines, vaccine candidates, therapeutics, and ancillary medical supplies to prevent the spread of COVID-19, and to expand and enhance manufacturing capacity. It also requires a report on the vaccine supply necessary to stop the spread of COVID-19, the manufacturing capacity to produce vaccines, and ancillary medical supplies, activities conducted to enhance such capacity, and plans for continued support of vaccine manufacturing, distribution, and administration.

Section 703. Vaccine distribution and administration. Authorizes \$7 billion for CDC to conduct activities to enhance, expand, and improve nationwide COVID-19 vaccine distribution and administration, including activities related to delivery of ancillary medical supplies. Section 30703 also requires CDC to award grants to State, local, Tribal, and territorial public health departments for enhancement of COVID-19 vaccine distribution and administration capabilities, including distribution of vaccines and ancillary medical supplies, workforce enhancements, information technology and data enhancements, and facilities enhancements. Finally, this section requires the Secretary to submit annual reports to Congress detailing activities carried out and grants and cooperative agreements awarded under this section.

Section 704. Stopping the spread of COVID-19 and other infectious diseases through evidence-based vaccine awareness. Authorizes \$200 million for the purpose of awarding competitive grants or contracts to one or more public or private entities to carry out an evidence-based campaign for increasing rates of vaccination, particularly in communities with low rates of vaccination by increasing knowledge of the safety and effectiveness of vaccines approved or authorized by FDA, combatting misinformation about vaccines, and disseminating scientific and evidence-based vaccine-related information. This section also authorizes \$750 million for grants for purposes of identifying communities at high risk of outbreaks related to vaccine-preventable diseases, piloting innovative approaches to improve vaccination rates, reducing barriers to accessing vaccines, partner with community organizations and schools to develop and deliver evidence-based interventions, and conduct research related to strategies for improving awareness of scientific and evidence-based vaccine-related information. Additionally, this section authorizes \$50 million for activities to collect, monitor, and analyze vaccination coverage data. Finally, this section allows Community Health Center supplemental grants to be used for improving access to recommended vaccinations and requires the National Vaccine Advisory Committee to update its 2015 report on the State of Vaccine Confidence in the United States.

DIVISION L – Veterans and Servicemembers Provisions

Prepared by the Democratic staff of the House Committee on Veterans' Affairs

Section 80001. Increase in aid and attendance for disabled veterans during the COVID-19 public health emergency. Increases by 25% the amount being paid to disabled veterans to assist with daily activities including purchase of personal protective equipment for veterans and their caregivers or home health aides.

Section 80002. No copays for COVID-19 preventative services at VA medical facilities. Eliminates the payment of copays or cost-sharing for preventative treatment or services for COVID-19, including the administration of a vaccine. Coverage of COVID-19 related treatment at no cost sharing for Veterans. Establishes zero cost-sharing (out-of-pocket costs) for COVID-19 treatment under the Department of Veterans Affairs health plans.

Section 80003. Streamlining payment of emergency care claims to community providers during the COVID-19 public health emergency. Grants prior authorization for any emergency care sought by veterans at non-VA hospitals, including COVID-19-related diagnosis and

treatment, and ambulance transportation.

Section 80004. Streamlining provision of HUD-VASH vouchers to homeless veterans during the COVID-19 pandemic. Allows public housing agencies administering HUD-VASH rental assistance vouchers to process applications electronically and waive in-person inspection requirements to rapidly house veterans during the COVID-19 public health emergency.

Section 80005. Suspension of VA debt collection activities during the COVID-19 public health emergency. Prohibits the Secretary from taking enforcement actions to collect payments for benefit debts, establishing new benefit debts, sending notices regarding benefit debts to individuals or consumer reporting agencies, allowing interest to accrue on benefit debts, or applying administrative fees on benefit debts. Suspension of debt collection applies for 60 days past the end of the COVID-19 public health emergency.

Section 80006. Extending deadlines for veterans to file claims and appeals for VA benefits. Extends the deadline for veterans to file claims and appeals for VA benefits, including disability compensation, during the COVID-19 public health emergency and 90 days after the emergency has ended.

Section 80007. VA health care for veterans without health insurance. Authorizes veterans without a disability but determined to have a financial hardship to qualify for enrollment in VA's health care system, and be exempt from payment of hospital and medical care copays.

Section 80008. Vet Center mental health care and services for National Guard and Reserve members responding to the COVID-19 public health emergency. Permits any National Guard or Reserve member to receive mental health care at Vet Centers if deployed for more than 14 days in support of the COVID-19 public health emergency.

DIVISION M – Consumer Protection and Telecommunications Provisions

Prepared by the Democratic staff of the House Committee on Energy and Commerce

Title I – Covid-19 Price Gouging Prevention

Sec. 101. Short Title. Stipulates that the short title of this section is the “COVID-19 Price Gouging Prevention Act”.

Sec. 102. Prevention of Price Gouging. Prohibits the sale of consumer goods and services at unconscionably excessive prices. Goods and services include personal protective equipment, drugs, hand sanitizers, and healthcare services, among others. It also authorizes the Federal Trade Commission and State attorneys general to enforce the law and impose civil penalties on price gougers. No state laws would be preempted by the title.

Title II – E-Rate Support for Wi-Fi Hotspots, Other Equipment, and Connected Devices

Sec. 201. E-Rate Support for Wi-Fi Hotspots, Other Equipment, and Connected Devices During Emergency Periods Related to COVID-19. Authorizes a temporary disbursement to be administered through the Federal Communications Commission's (FCC) E-rate Program for schools and libraries to provide internet service in a technologically neutral way to students and teachers, prioritizing those without internet access at home. It allows authorized funding to be used for internet service and providing connected devices, like laptops and tablets, Wi-Fi hotspots, modems, and routers, to students and teachers to help keep them in the digital classroom during the COVID-19 pandemic. Five percent of the emergency funds authorized are set aside to help serve schools and libraries that serve people living on tribal lands.

Title III – Emergency Benefit for Broadband Service

Sec. 301. Benefit for Broadband Service During Emergency Periods Relating to COVID-19.

Entitles households in which a member has been laid off or furloughed, among other households that will be eligible, to get a \$50 benefit, or a \$75 benefit on tribal lands, to put toward the monthly price of internet service during the COVID-19 public health emergency. Internet service providers would be required to provide eligible households service at a price reduced by an amount up to the emergency benefit, and those providers can seek a reimbursement from the FCC for such amount.

Sec. 302. Enhanced Lifeline Benefits During Emergency Periods. Requires that Lifeline providers make unlimited minutes and unlimited data available to those that rely on the Lifeline program to stay connected to phone or internet service and provides additional support to offset the increase of services, with a minimum subsidy increase to not less than \$25 per month.

Sec. 303. Grants to States to Strengthen National Lifeline Eligibility Verifier. Authorizes funding to help states participate in the National Lifeline Eligibility Verifier.

Title IV – Continued Connectivity

Section 401. Continued Connectivity During Emergency Periods Relating to COVID-19. Prohibits broadband and telephone providers from terminating service due to a customer's inability to pay their bill because of financial hardships caused by the COVID-19 pandemic or imposing late fees incurred because of hardships caused by the COVID-19 pandemic. It also prohibits broadband providers from employing data caps or charging customers from going over data caps and requires them to open Wi-Fi hotspots to the public at no cost during the COVID-19 public health emergency.

Title V – Don't Break Up the T-Band

Section 501. Repeal of Requirement to Reallocate and Auction T-Band Spectrum. Allows public safety organizations to continue using a portion of the airwaves critical for their radios, specifically, the T-Band.

Title VI – COVID-19 Compassion and Martha Wright Prison Phone Justice

Sec. 601. Findings. Includes findings regarding the need to connect families and incarcerated family members, particularly during the COVID-19 pandemic.

Sec. 602. Requirement for Confinement Facility Communications Services, During the Covid-19 Pandemic and Other Times. Sets a mandatory, immediate, interim cap on all rates charged in connection with voice calls and video calls made to or from prisons or jails —both for calls within a state and calls between states — of .04 cents per-minute for debit calls and .05 cents per-minute for collect calls. It also gives the FCC the authority to set rates in connection with voice calls and video calls in prisons and jails both for calls within a state and calls between states. Finally, it requires the FCC to adopt rules to replace the mandatory interim caps within 18 months of passage and to review those rates every two years. Prohibits prisons or jails from charging site commissions.

Sec. 603. Authority. Preempts any state law that permits a higher rate for voice or video calling but allows state laws mandating a lower rate to persist.

DIVISION N – Agriculture Provisions
Prepared by the Democratic staff of the House Committee on Agriculture

Title I – Livestock and Poultry

SEC. 101. ESTABLISHMENT OF TRUST FOR BENEFIT OF UNPAID CASH SELLERS OF LIVESTOCK. – The bill establishes a livestock dealer trust fund to ensure that livestock producers making cash transactions are paid for their animals.

SEC. 102. EMERGENCY ASSISTANCE FOR MARKET-READY LIVESTOCK AND POULTRY LOSSES. – The bill provides payments for livestock and poultry that are depopulated due to processing plant shut-downs and back-ups because of the health emergency. Payments may not exceed the average market value of the market ready livestock or poultry on the date of depopulation. Packer-owned animals are not eligible for coverage.

SEC. 103. ANIMAL DISEASE PREVENTION AND MANAGEMENT RESPONSE. – The bill provides \$300 million to support improved animal health surveillance and laboratory capacity in this public health emergency.

SEC. 104. GRANTS FOR IMPROVEMENTS TO MEAT AND POULTRY FACILITIES TO ALLOW FOR INTERSTATE SHIPMENT. – The bill establishes a program to make facility upgrade and planning grants to existing meat and poultry processors to help them move to Federal Inspection and be able to sell their products across state lines. The bill will also require USDA to work with all States and report on ways to improve the existing Cooperative Interstate Shipment program.

SEC. 105. PAYMENTS TO CONTRACT PRODUCERS. – The bill provides \$1.25 billion to assist contract growers of poultry and livestock growers who face revenue losses due to reduced placements related to COVID-19.

SEC. 106. REPORTS RELATED TO MEAT AND POULTRY PROCESSING. – The bill requires a report on the availability and structure of U.S. meat and poultry processing, including ways to develop innovative processing partnerships that would increase resiliency and flexibility of processing capacity. The bill also requires a report on the availability of financing for new and existing meat and poultry processing and provides \$16m for grants for feasibility and marketing studies for new and existing meat and poultry processors

Title II – Dairy

SEC. 201. DAIRY DIRECT DONATION PROGRAM. –The bill provides \$500 million to pay for milk to be processed into dairy products and donated to non-profit entities (food banks, feeding programs, etc.). Under the framework of the program, the dairy processor and non-profit develop a plan for donation and distribution, that plan is reviewed by USDA, and USDA pays for the milk associated with the donated products at the current appropriate Class value. The bill allows USDA to adjust the existing Milk Donation Program payments to match the level of payment provided by this new, emergency program.

SEC. 202. SUPPLEMENTAL DAIRY MARGIN COVERAGE PAYMENTS. – The bill provides necessary cash flow assistance to small- and mid-sized dairies that have grown over the last seven years by establishing supplemental margin coverage based on the difference between 2019 actual production and Dairy Margin Coverage production history.

SEC. 203. RECOURSE LOAN PROGRAM FOR COMMERCIAL PROCESSORS OF DAIRY

PRODUCTS. – The bill provides \$500 million for USDA to carry out a recourse loan program to make purchases of dairy products from dairy processors, packagers, and merchandizers.

SEC. 204. DAIRY MARGIN COVERAGE PREMIUM DISCOUNT FOR A 3-YEAR SIGNUP. – The bill supports DMC as an effective risk management tool, reducing the cost of DMC premiums for operations that commit to participating in the program for 2021-2023 by providing a payment worth 15% of annual premium costs.

Title III – Specialty Crops And Other Commodities

SEC. 301. SUPPORT FOR SPECIALTY CROP SECTOR. – The bill provides \$500 million in additional funding to support specialty crop farmers and address COVID-19 specialty crop supply chain issues at the state level via the farm bill’s Specialty Crop Block Grant Program.

SEC. 302. SUPPORT FOR LOCAL AGRICULTURAL MARKETS – The bill provides \$350 million in additional funding to support local farmers, farmers markets, and value-added production for farmers and outlets who are impacted by COVID-19 market disruptions through the farm bill’s LAMP program. The bill temporarily waives matching requirements for these additional funds.

SEC. 303. SUPPORT FOR FARMING OPPORTUNITIES TRAINING AND OUTREACH. – The bill provides \$50 million to the farm bill’s FOTO grants to support groups providing beginning and socially disadvantaged farmers and ranchers with financial, operational, and marketing advice in this difficult market. The bill temporarily waives matching requirements for these additional funds.

SEC. 304. SUPPORT FOR FARM STRESS PROGRAMS. – The bill provides \$84 million to be distributed as block grants to state departments of agriculture for use to support existing farm stress programs.

SEC. 305. SUPPORT FOR PROCESSED COMMODITIES. – The bill provides direct support for biofuels plants and cotton textile mills that are impacted by the COVID-19 pandemic.

Title IV – Commodity Credit Corporation (CCC)

SEC. 401. EMERGENCY ASSISTANCE. – The bill amends the CCC Charter Act to add authority for the Secretary to deal with removal and disposal of livestock and poultry due to supply chain interruption during a public health emergency.

SEC. 402. CONGRESSIONAL NOTIFICATION AND REPORT. – The bill amends the CCC Charter Act to require Congressional notification before disbursement of CCC funding. It clarifies the CCC reporting requirements to Congress.

Title V – Conservation

SEC. 501. EMERGENCY SOIL HEALTH AND INCOME PROTECTION PILOT PROGRAM. – The bill expands the Conservation Reserve Program Soil Health Incentive Pilot Program, giving producers facing uncertain planting and market conditions an option for a 3-year contract and the ability to receive an up-front, lump sum payment.

Title VI – Nutrition

SEC. 602. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM – The bill increases both the SNAP benefit level by 15% and the minimum benefit from \$16 to \$30 per month for small households until September 30, 2021 and provides \$300 million through FY2022 to defray administrative costs. Additionally, it lifts mandatory work requirements for SNAP for one year, excludes the Pandemic Unemployment Compensation as countable income for SNAP benefit calculation, increases waiver reporting requirements for USDA, and prevents students from losing SNAP eligibility due to work study or job loss during the pandemic.

SEC. 603. SNAP HOT FOOD PURCHASES. - The bill directs USDA to allow households to use SNAP to purchase hot foods at currently authorized SNAP retailers during this public health emergency.

SEC. 604. SNAP NUTRITION EDUCATION FLEXIBILITY. - The bill provides flexibility for SNAP Nutrition Education in certain situations to assist with the distribution of non-congregate school meals

SEC. 605. FLEXIBILITIES FOR SENIOR FARMERS’ MARKET NUTRITION PROGRAM – Permits easing of current in-person rules to more safely and efficiently serve seniors during the public health emergency.

SEC. 606. FLEXIBILITIES FOR THE FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS. - The bill provides flexibilities for the Food Distribution Program on Indian Reservations, including waiving the non-Federal share requirement for FDPIR funds provided under the CARES Act. The bill also allows SNAP households on Indian reservations who are unable to access SNAP retailers due to the COVID-19 outbreak to receive FDPIR.

Title VII – Rural Development

SEC. 701. ASSISTANCE FOR RURAL UTILITIES SERVICE BORROWERS. – Provides assistance via competitive grants to Rural Electrification Act electric and telecom borrowers who are dealing with impacts of the COVID-19 pandemic on their operations, including covering the cost of forgiving ratepayer debt, to ensure they may continue to provide critical services to rural communities.

DIVISION O – COVID-19 HERO ACT

Prepared by the Democratic staff of the House Committee on Financial Services

Title I – Providing Medical Equipment For First Responders And Essential Workers

Sec. 101. COVID–19 Emergency Medical Supplies Enhancement.

- This section would expand the use and oversight of Defense Production Act (DPA) authorities to: increase the production and supply of critical medical supplies and equipment, such as diagnostic tests, treatments, and personal protection equipment; focus efforts on supply chain mobilization; decrease the disruption of critical deliveries to state and local governments; and require assessments for both immediate and longer term needs and plans to meet those needs, as well as requiring longer-term planning to ensure that the United States is better prepared for future pandemics.

Title II – Protecting Renters And Homeowners From Evictions And Foreclosures

Sec. 201. Emergency rental assistance.

- This section would authorize \$50 billion for an Emergency Rental Assistance program that would allocate funding to states, territories, counties, and cities to help renters pay their rent and utility bills during the COVID-19 pandemic, and help rental property owners of all sizes continue to cover their costs.

Sec. 202. Homeowner Assistance Fund.

- This section authorizes \$21 billion to states, territories, and tribes to address the ongoing needs of homeowners struggling to afford their housing due directly or indirectly to the impacts of the COVID-19 pandemic by providing direct assistance for mortgage payments, property taxes, property insurance, utilities, and other housing related costs.

Sec. 203. Protecting renters and homeowners from evictions and foreclosures.

- This section extends and expands the eviction moratorium and foreclosure moratorium in the CARES Act to include all renters and homeowners, improves the forbearance provided under the CARES Act, and specifies the loan modifications and loss mitigation that should be available to homeowners following a moratorium to prevent any homeowner from facing a lump sum payment that they cannot afford.

Sec. 204. Promoting access to credit for homebuyers.

- This section prevents the Enterprises and FHA from imposing additional restrictions or costs on borrowers who have inquired about, requested, or received forbearance during the pandemic.

Sec. 205. Liquidity for mortgage servicers and residential rental property owners.

- This section would require the Federal Reserve facility established by Section 4003 of the CARES Act to be implemented for the benefit of mortgage servicers and residential rental property owners, contingent on compliance with certain reporting requirements and protections for borrowers and renters.

Sec. 206. Supplemental funding for supportive housing for the elderly and persons with disabilities.

- This section would authorize \$500 million in funding for the HUD Section 202 Supportive Housing for the Elderly program to ensure sufficient staffing, services, and other resources for 3,500 senior and disabled resident communities during the COVID-19 pandemic.

Sec. 207. Fair Housing.

- This section authorizes \$14 million to ensure individuals are protected from housing-related hate crimes and increasing forms of housing discrimination from Coronavirus-motivated bias through adequate and accessible housing discrimination complaint intake, investigations, and public education of housing rights.

Title III – Protecting People Experiencing Homelessness

Sec. 301. Homeless assistance funding.

- This section would authorize \$5 billion for the Emergency Solutions Grants program to enable state and local governments to finance housing and health related services for the hundreds of thousands of people currently experiencing homelessness. This section would also renew funding for grantees awarded Continuum of Care funding in 2019.

Title IV – Suspending Negative Credit Reporting And Strengthening Consumer Protections

Sec. 401. Reporting of information during major disasters.

- This section would suspend negative consumer credit reporting during the COVID-19 pandemic and other declared major disasters plus 120 days. Credit score furnishers would be prohibited from implementing new credit scoring models that would lower existing consumer credit scores during the COVID-19 pandemic or during other major disaster periods. This section also permanently bans the reporting of medical debt arising out of COVID-19 treatments.

Sec. 402. Restrictions on collections of consumer debt during a national disaster or emergency.

- This legislation provides a temporary moratorium on consumer debt collection during this COVID-19 crisis, and for 120 days thereafter, except for mortgage loans covered by Sections 4022 and 4023 of the CARES Act.

Sec. 403. Repayment period and forbearance for consumers.

- This section ensures reasonable forbearance and repayment options for consumers when payments resume following the moratorium provided by Section 402, including simply maintaining the same payment schedule by extending the maturity by the same period of time that payments were suspended under Section 402.

Sec. 404. Credit facility.

- This section provides creditors access to a Federal Reserve facility to receive a low-interest, long-term loan where payments would be deferred until a borrower resumes making payments to the creditor pursuant to the debt collection moratorium and forbearance provided in this title.

Title V – Protecting Student Borrowers

Sec. 501. Payments for private education loan borrowers as a result of the COVID–19 national emergency.

- This section extends existing CARES Act student loan payment and consumer protections, such as debt collection prohibitions, to private student loan borrowers. This section also requires the Treasury Department to make monthly payments for economically distressed private student loan borrowers until February 1, 2021, with an aggregate cap of \$10,000 in relief.

Sec. 502. Additional Protections for Private Student Loan Borrowers.

- As Treasury will be making payments on behalf of economically distressed private borrowers under Section 501, this section requires private student loan servicing companies that receive funds to offer income driven repayment plans, and payments or forbearance under this title in a manner that will not impact applicable State statutes of limitation. Furthermore, this section instructs Treasury to apply any unused portion of the up to \$10,000 forgiveness amount to any remaining outstanding private loan balance when borrower payments resume.

Title VI – Standing Up For Small Businesses, Minority-Owned Businesses, And Non-Profits

Sec. 601. Restrictions on collections of small business and nonprofit debt during a national disaster or emergency.

- This legislation provides a temporary moratorium on small business and nonprofit debt collection during this COVID-19 crisis, and for 120 days thereafter, except for mortgage loans covered by Sections 4022 and 4023 of the CARES Act.

Sec. 602. Repayment period and forbearance for small businesses and non-profit organizations.

- This section ensures reasonable forbearance and repayment options for small businesses and non-profit organizations when payments resume following the debt collection moratorium provided by Section 110601.

Sec. 603. Credit facility.

- This section provides creditors access to a Federal Reserve facility to receive a low-interest, long-term loan where payments would be deferred until a borrower resumes making payments to the creditor pursuant to the debt collection moratorium and forbearance provided under sections 110601 and 110602.

Sec. 604. Main Street Lending Program requirements.

- This section mandates that the Federal Reserve’s Main Street Lending Program (MSLP), which was established utilizing CARES Act funds and is backstopped by the Treasury Department, include non-profit organizations and public universities as eligible borrowers, and stipulates that the Federal Reserve immediately offer a low-cost loan option tailored to the unique needs of non-profit organizations with deferred payments without interest accruing. This section excludes certain 501(c)4 organizations that make campaign contributions to be eligible for a MSLP loan. Furthermore, this section requires the Fed to extend loan maturities from the current 5 years to no less than 7 years, and prohibits lenders from requiring any collateral beyond what the Fed requires for collateral under the program.

Sec. 605. Options for small businesses and non-profits under the Main Street Lending Program.

- This section mandates that the Federal Reserve, through the Main Street Lending Program, shall provide at least one low-cost loan option that small businesses, small non-profits, and small public universities are eligible for that does not have a minimum loan size, overriding the current \$250,000 minimum loan size to participate in the program. This option would also allow for deferred payments without interest accruing.

Sec. 606. SAFE Banking.

- This section would allow cannabis-related legitimate businesses, that in many states have remained open during the COVID-19 pandemic as essential services, along with their service providers, to access banking services and products, as well as insurance. This section also requires reports to Congress on access to financial services and barriers to marketplace entry for potential and existing minority-owned cannabis-related legitimate businesses.

Sec. 607. Support for Restaurants.

- This section would establish a \$120 billion program administered by the Treasury Department to provide restaurants and similar places of businesses (e.g. food trucks, bars, etc.) with a grant for the difference between the business’s 2019 revenues and estimated 2020 revenues for each quarter. These funds would go to payroll and other eligible expenses, and would need to be used by June 30, 2021. Unused funds or funds received that exceeded the eligible grant amount would be converted to a 10 year loan with a 1 percent interest rate. The business could also request additional funds to provide 10 paid sick days for their employees, which must be used solely for that purpose.

Sec. 608. Codification of the Minority Business Development Administration.

- This section would permanently codify the Minority Business Development Administration (MBDA) as an independent federal agency.

Sec. 609. Emergency Grants to Minority Business Enterprises.

- This section would authorize \$3 billion in grants directly to minority business enterprises through the Minority Business Development Administration.

Title VII – Empowering Community Financial Institutions

Sec. 701. Short Title.

- This section notes the title may be cited as “Promoting and Advancing Communities of Color through Inclusive Lending Act”

Sec. 702. Findings; Sense of Congress.

- This section provides a series of findings and Sense of Congress relating to the importance of minority depository institutions (MDIs), community development financial institutions (CDFIs), and the need to further support their work in serving low-income and minority communities.

Sec. 703. Purpose.

- This section notes the purpose of the title is to support community financial institutions in serving low to moderate-income (LMI) and minority communities, and responding to the significant loss of Black-owned businesses and unemployment during the pandemic.

Sec. 704. Considerations; Requirements for Creditors.

- This section provides a list of considerations for the Treasury Secretary in carrying out this title, along with a reaffirmation that fair lending requirements apply to creditors.

Sec. 705. Neighborhood Capital Investment Program

- This section requires the Treasury Department to use \$13 billion from funds made available to the Department under Section 4027 of the CARES Act to establish the Neighborhood Capital Investment Program. The program provides, long-term direct capital investments to MDIs and CDFIs, with priority given to “minority lending institutions” (MDIs and CDFIs that are either minority-owned or predominantly serve minority communities).
- There would also be a Equity Equivalent Investment Option (EEIO) for banking organizations to jointly provide capital investments to MDIs and CDFIs, with 20% of the investment provided by the bank and 80% provided by the Treasury.
- Financial institutions that receive capital investments would not be allowed to offer loans to customers with interest rates above 36% annual percentage rate (APR), as defined by the Military Lending Act, and be subject to executive compensation, share buyback, and dividend repayment restrictions,

Sec. 706. Emergency Support for CDFIs and Communities

- This section authorizes an emergency appropriation of \$2 billion to the Community Development Financial Institutions (CDFI) Fund, of which: \$400 million would support expanded lending and investments in LMI minority communities; \$160 million would provide technical assistance and related support to CDFIs, with minority lending institutions getting priority; and \$800 million would be set aside for grants and other awards for minority lending institutions.

Sec. 707. Ensuring diversity in community banking

- This section would strengthen MDIs and newly designated “impact banks” that predominantly serve low-income communities through partnerships, investments, Federal deposits, and increased engagement with government agencies,

Sec. 708. Establishment of Financial Agent Partnership Program

- This section would codify and enhance a Treasury Department program that encourages partnership and mentorship opportunities for community financial institutions and MDIs with larger banks.

Sec. 709. Strengthening Minority Lending Institutions

- This section would establish a permanent set aside of 40 percent of CDFI Fund appropriations reserved for award, guarantee, and grant programs for minority lending institutions, and requires reporting on such activities. The section also establishes a new Office of Minority Community Development Financial Institutions to administer these funds led by a new Deputy Director of Minority Community Development Financial Institutions.

Sec. 710. CDFI Bond Guarantee Reform

- This section would reduce the minimum issuance amount under the CDFI Bond Guarantee Program from \$100 million to \$50 million to support community development projects in low-income urban and rural communities.

Sec. 711. Reports

- This section would require monthly reporting of transactions made under this title.

Sec. 712. Inspector General Oversight

- The Department of the Treasury's Inspector General would oversee the implementation of this title, and provide no less than two reports a year on its oversight work.

Sec. 713. Study and Report with Respect to Impact of Programs on Low- and Moderate-Income and Minority Communities

- This section would require Treasury to conduct a study on the impact of the programs under this title 18 months after enactment.

Title VIII – Providing Assistance For State, Territory, Tribal, And Local Governments

Sec. 801. Emergency relief for State, territorial, Tribal, and local governments.

- This section expands the Federal Reserve's assistance to local governments by allowing U.S. territories, as well as a greater number of cities and counties, to be eligible issuers in the Federal Reserve's municipal liquidity facility, extending the maturity date for bonds purchased by the facility, and effectively eliminating the penalty rates currently applied to the facility.

Sec. 802. Community development block grants.

- This section would authorize \$5 billion in Community Development Block Grant funding to provide states and local governments with additional flexible resources to mitigate and address the health and economic impacts of COVID-19.

Title IX – Support For A Robust Global Response To The COVID–19 Pandemic

SEC. 901. United States Policies.

- This section would:
 - Instruct the United States Executive Director at each international financial institution to use their voice and vote (1) to suspend all debt service payments to the institution by developing countries and relax fiscal targets for governments operating a program supported by the institution in response to the pandemic; (2) to oppose decreases in health care spending; and (3) to require that approval of all Special Drawing Rights allocation transfers include transparency protocols to ensure the allocations are used for the public good and in response to the global pandemic.
 - Establish that it is the policy of the United States: to support the issuance by the International Monetary Fund (IMF) of a special allocation of not less than 2,000,000,000,000 Special Drawing Rights to provide governments access to additional resources to finance their responses to the global COVID-19 pandemic; and to contribute a portion of its current, and any additional future, stock of Special Drawing Rights to the Poverty Reduction and Growth Facility to help developing countries respond to the health and economic impacts of the COVID-19 pandemic; and,

- Direct the Secretary of the Treasury to commence immediate efforts to reach an agreement with the Group of Twenty nations to extend through the end of 2021 the current moratorium on debt service payments to official bilateral creditors by the world’s poorest countries, among other provisions.

Title X – Providing Oversight And Protecting Taxpayers

Sec. 1001. Mandatory Reports to Congress.

- This section would amend the CARES Act by requiring the Treasury Secretary to provide the same reports to Congress for its programs that the Federal Reserve submits for Federal Reserve programs under Section 13(3)(C) of the Federal Reserve Act and to submit to Congress and the Special Inspector General for Pandemic Recovery monthly summaries of Treasury’s CARES Act and related activities.

Sec. 1002. Discretionary reports to Congress.

- This section would amend the CARES Act by authorizing the Congressional Oversight Commission to share additional information with the Financial Services Committee beyond the existing specifications listed under “Regular Reports” (Section 4020(b)(2)).

Sec. 1003. Definition of appropriate congressional committees.

- This section would amend the CARES Act by adding the Financial Services Committee to the list of appropriate congressional committees that receive reports from (1) the Pandemic Response Accountability Committee and (2) the GAO.

Sec. 1004. Additional reporting on funding for diverse-owned businesses.

- This section would require the Pandemic Response Accountability Committee to submit to Congress, quarterly reports that include an analysis of federal funds provided during the pandemic used to support communities of color, including minority-owned businesses and minority depository institutions.

Sec. 1005. Reporting by inspectors general.

- This section would (1) require inspectors general at certain federal agencies to include in their semiannual reports information about their respective agencies' COVID-related rulemaking, supervisory, and oversight activities and (2) in addition to reporting such information in their semiannual report, Inspectors General must also provide such information to the Special Inspector General for Pandemic Recovery, the Pandemic Response Accountability Committee, and the Congressional Oversight Commission.

DIVISION P – ACCESS Act

Prepared by the Democratic staff of the Committee on House Administration

Section 101: Short Title. The “American Coronavirus/COVID-19 Election Safety and Security Act” or the “ACCESS Act”.

Section 102. Requirements for Federal Election Contingency Plans In Response To Natural Disasters And Emergencies.

- Within 90 days of enactment, requires states and jurisdictions to establish and make publicly available contingency plans that enable voting in federal elections during a state of emergency, public health emergency or national emergency and to update such plans at least every 5 years.
- Requires contingency plans to include initiatives to provide equipment and resources necessary to

protect the health and safety of poll workers and voters and to recruit poll workers from resilient and unaffected populations.

- Permits the Attorney General to bring a civil action in an appropriate United States District Court as may be necessary to carry out the requirements of this section and permits a private right of action.

Section 103. Early Voting and Voting by Mail.

- Requires at least 15 consecutive days of early voting for federal elections. Goes into effect in the November 2020 election and for each succeeding federal election.
 - Requires the early voting period to be no less than 10 hours each day, to have uniform hours for each day, and to allow for voting prior to 9:00am and after 5:00pm.
 - Requires polling places with early voting periods to be located within walking distance of a stop on a public transportation route and to be available in rural areas of states.
 - Directs the Election Assistance Commission to issue election administration standards for early voting that include standards for nondiscriminatory geographic placement of polling places and that permit deviation (provided there is adequate public notice) in the case of unforeseen circumstances.
 - Requires states to begin processing and scanning ballots cast during the early voting period at least 14 days prior to election day.
- Ensures that every voter can access no-excuse absentee vote-by-mail. Goes into effect in the November 2020 election and for each succeeding federal election.
 - Prohibits states from imposing additional conditions or requirements for eligibility to vote by absentee ballot upon individuals who are already eligible voters.
 - Prohibits states from requiring any form of identification to obtain an absentee ballot, although requiring a signed affirmation of identity is permitted.
 - Prohibits states from requiring notarization or witness signatures to obtain or cast an absentee ballot.
 - Ensures that voters can opt-in to voting permanently by absentee ballot by mail in their absentee voting applications.
 - Requires states that conduct signature verification of voters submitting an absentee ballot to provide due process protections that must include a notice and an opportunity to cure a discrepancy in signatures or a missing signature. Provides voters with a 10-day period to cure which begins on the date the voter is notified.
 - Requires states to submit a report to Congress containing information on invalidated ballots no later than 120 days after each federal election cycle.
 - Ensures that every voter can submit an online request for an absentee ballot.
 - Requires states to deliver an absentee ballot and related voting materials to voters prior to election day if the request for such materials is received at least a week before election day.
- Provides standards for absentee ballots cast by mail.
 - Ensures that absentee ballots and related voting materials are accessible to voters with disabilities.
 - Requires that submitted absentee ballots be accepted and processed if postmarked, signed or otherwise indicated by the United States Postal Service to have been mailed on or before election day and if received within ten days after election day—while allowing states to have laws with receipt deadlines that are greater than 10 days.
 - Permits voters to return absentee ballots by mail, by casting it at a polling place on election day,

by submitting it at a designated ballot drop-off location, or by designating another person to return the ballot to the post office, a ballot drop-off location, a tribally designated building or an election office.

- Requires states to begin processing and scanning ballots cast by mail at least 14 days prior to election day.
- Requires states to establish an absentee ballot tracking program.
- Ensures that notwithstanding the precinct or polling place at which a provisional ballot is cast within the state, the appropriate election official shall count each vote on such ballot for each election in which the individual who cast such ballot is eligible to vote.
- Provides voters with a private right of action for violations of requirements under Subtitle C of Title III under the Help America Vote Act of 2002.

Section 104. Permitting Use of Sworn Written Statement To Meet Identification Requirements For Voting.

- Provides that if a state has a voter identification requirement to cast a ballot in-person or by mail, an individual may make a sworn written statement attesting to their identity to fulfill the identification requirement. Does not affect the Help America Vote Act's requirements for certain first-time voters who submitted their voter registration by mail.

Section 105. Voting Materials Postage.

- Ensures that voter registration application forms, absentee ballot application forms, and absentee ballots in federal elections are mailed to voters expeditiously with prepaid postage.

Section 106. Requiring Transmission of Blank Absentee Ballots Under UOCAVA To Certain Voters.

- Amends the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to require states to transmit blank absentee ballots electronically to certain qualified individuals and prohibits electronic return of such marked ballots.
 - Defines qualified individuals as voters who have requested an absentee ballot but have not received it at least 2 days before election day, voters who reside in an area where an emergency has been declared within 5 days of election day and have not already requested an absentee ballot, voters who will be absent on election day due to professional or volunteer service in response to an emergency or disaster, voters who are hospitalized or expect to be on election day, or voters who have a disability and reside in a state that does not offer secure remote ballot marking.
- Requires blank absentee ballots transmitted to qualified voters to comply with the language requirements under section 203 of the Voting Rights Act of 1965 and the disability requirements under section 508 of the Rehabilitation Act of 1973.
- Requires qualified individuals to provide the state with an attestation in electronic form that they are qualified, that they have not and will not cast another ballot and that they acknowledge the consequences of stating a material misstatement of fact.
- Requires electronic blank absentee ballots transmitted to qualified individuals to have prepaid return postage.

- Prohibits states from refusing to accept and process an absentee ballot from a qualified individual based on notarization or witness signature, paper type, or envelope type requirements.

Section 107. Voter Registration.

- Amends the National Voter Registration Act of 1993 to ensure that voters can register online to vote, can submit an EAC-prescribed mail voter registration application online, and can update their voter registration information online.
 - Requires states to establish technological security measures to protect information provided through online voter registration services.
 - Ensures that online voter registration services are available to individuals with disabilities.
 - Ensures that online voter registration services are also available through the use of an automated telephone-based system.
- Amends the Help America Vote Act of 2002 to ensure that all eligible individuals can register to vote on the same day that they vote. Goes into effect in the November 2020 election and for each succeeding federal election.
- Amends the National Voter Registration Act of 1993 to prohibit states from requiring voter registration applicants to provide more than the last 4 digits of their social security numbers. Goes into effect in the November 2020 election and for each succeeding federal election.

Section 108. Accommodations for Voters Residing in Indian Lands.

- Permits an Indian Tribe to designate buildings as ballot pickup and collection locations and to designate one building per precinct located within Indian lands at no cost to the Indian Tribe.
- Requires states or political subdivisions to collect ballots from designated locations and to provide Indian Tribes with accurate precinct maps for all precincts located within Indian lands at least 60 days before an election.
- Requires states or political subdivisions to provide absentee ballots for federal elections to each individual who is registered to vote and who resides on Indian lands without requiring a residential address or a mail-in or absentee ballot request.
- Ensures that voters living on Indian lands may use the address of a designated building for ballot pickup and collection as their residential and mailing address if such building is in the same precinct of the voter, and if the building is not in the same precinct, may use the address of another tribally designated building within Indian lands.
- Requires that states or political subdivisions covered under section 203 of the Voting Rights Act of 1965 provide all applicable language accessibility requirements.
- Permits the Attorney General to bring a civil action in an appropriate United States District Court as may be necessary to carry out the requirements of this section and permits a private right of action.
- Goes into effect in the November 2020 election and for each succeeding federal election.

Section 109. Payments by Election Assistance Commission to States to Assist with Costs of Compliance.

- Requires the Election Assistance Commission to make payments to eligible states for the costs of complying with the bill.
- Requires states to pass through funds to local jurisdictions or Tribal Governments.
- Prohibits funding for costs attributable to the electronic return of marked ballots.
- Requires states to submit reports to the Election Assistance Commission no later than 6 months after the end of each fiscal year on the activities conducted with the funds provided.
- Requires the Election Assistance Commission to submit a report on such payments each fiscal year to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

Section 110. Grants to States for Conducting Risk-Limiting Audits of Results of Elections.

- Permits the Election Assistance Commission to make grants to eligible states to conduct risk-limiting audits with respect to federal general elections.
- Authorizes the appropriation of \$20 million for fiscal year 2021 for risk-limiting audit grants.
- Authorizes a GAO analysis no later than 6 months after the first grants are awarded on the extent to which risk-limiting audits improve the administration and security of elections.

Section 111. Additional Appropriations for the Election Assistance Commission.

- Authorizes the additional appropriation of \$3 million to the Election Assistance Commission for fiscal year 2021 in order for the Commission to provide additional assistance and resources to states to improve election administration.

Section 112: Definition.

- Clarifies that the definition of election for Federal office in Titles I to III in the Help America Vote Act apply to primaries, special, runoff and general elections.

DIVISION Q – Transportation & Infrastructure

Prepared by the Democratic staff of the House Committee on Transportation and Infrastructure

Title I – Payroll Support Program Extension Act

Title I extends the successful Payroll Support Program, which was created in the CARES Act, to prevent layoffs of airline industry workers. This Title authorizes grants totaling \$25 billion to passenger airlines, \$3 billion to airline contractors, and \$300 million to cargo airlines, to be used for the sole purpose of paying workers and keeping them employed. Additionally, the Title extends the CARES Act's strong conditions on these grants, including a prohibition on any involuntary furloughs of workers through March 31, 2021. It also requires contractors that laid off workers in the spring to make good-faith efforts to rehire them.

Finally, Title I requires the Department of Transportation, in coordination with heads of other Federal departments and agencies, to develop a national aviation preparedness plan for communicable disease outbreaks, as the Government Accountability Office recommended in 2015, to ensure that Federal, State, and local governments, airports, airlines, and other aviation industry and labor stakeholders are better prepared for a future public health crisis.

Title II – Federal Management Emergency Agency

Sec. 201. Cost Share. Adjusts the Federal share of FEMA assistance for COVID-19-related emergencies and major disasters to 100 percent. Adjusts the floor for Federal share of FEMA assistance from 75 percent to not less than 90 percent for any emergencies and major disasters declared pursuant to the Stafford Act in 2020.

Sec. 202. Clarification of Assistance. Provides assistance for activities, costs, and purchases of States, local, tribal, or territorial governments, including activities eligible under the Stafford Act but not limited to: backfill costs for first responders, increased operating costs for essential government services, costs of providing public guidance and information, costs for establishing virtual services and operating remote test sites, training provided in anticipation of, or response to, the COVID-19 pandemic, personal protective equipment for first responders, public health, public schools and public transportation, and medical supplies, non-congregate sheltering, food preparation and delivery to impacted communities, as well as limited funeral benefits.

Sec. 203. Hazard Mitigation Approval. Allows assistance absent a determination by the President or FEMA Administrator for States, tribes, and territories that have included requests for the Hazard Mitigation Grant Program as part of their COVID-19 major disaster requests.

Title III – Other Matters

Sec. 301. Requirements for Owners and Operators of Equipment or Facilities Used by Passenger or Freight Transportation Employers. Establishes requirements for the provision of personal protective equipment for certain passenger and freight transportation employees. Ensures that stations, facilities, and equipment are cleaned and disinfected in accordance with Centers for Disease Control and Prevention guidance. Establishes standards for the use of face masks and protective coverings by passengers and certain employees. Creates reporting requirements in the event that a passenger or freight transportation employer is unable to procure the required personal protective equipment.

Sec. 302. Property Disposition for Affordable Housing. Allows a grantee to transfer property no longer needed to a local government authority, non-profit, or other third party for the purpose of transit-oriented development and releases the Federal interest in that asset. Requires that at least 40 percent of the housing units in such a project be offered as affordable housing.

Sec. 303. Treatment of Payments from the Railroad Unemployment Insurance Account. Eliminates the sequester that indiscriminately reduces railroad unemployment and sickness benefits provided under the Railroad Unemployment Insurance Act.

Sec. 304. Clarification of Oversight and Implementation of Relief for Workers Affected by Coronavirus Act. Provides a technical correction to exclude the Railroad Retirement Board (RRB) from the Department of Labor Inspector General (IG) oversight authority, as the RRB has its own IG office that conducts oversight.

Sec. 305. Extension of Waiver of the 7-Day Waiting Period for Benefits Under the Railroad Unemployment Insurance Act. The CARES Act waived the waiting period for unemployment and sickness

benefits under the Railroad Unemployment Insurance Act. This provision extends that waiver from December 31, 2020, to January 31, 2021.

Sec. 306. Extended Unemployment Benefits Under the Railroad Unemployment Insurance Act.

Provides 13-weeks of additional extended unemployment benefits for workers qualifying for benefit year 2020 under the Railroad Unemployment Insurance Act. These weeks of additional extended unemployment benefits end January 31, 2021. The \$1,200 recovery benefit is payable during these additional weeks.

Sec. 307. Additional Enhanced Benefits Under the Railroad Unemployment Insurance Act. Extends to January 31, 2021, the \$1,200/registration period enhanced recovery benefit for workers eligible under the Railroad Unemployment Insurance Act (RUIA). The benefit is also available during weeks of normal benefits under the RUIA for registration periods occurring after January 31, 2021, but not later than March 31, 2021.

Sec. 308. Office of Disaster Recovery. Grants the Economic Development Administration (EDA) disaster hiring authority, which it currently does not have.

Sec. 309. Graduation Requirements for the United States Merchant Marine Academy and State Maritime Academies. Authorizes the Secretary of Transportation to waive maritime license examination requirements through December 31, 2021, to allow cadets to graduate from the U.S. Merchant Marine Academy and State maritime academies.

Sec. 310. Regulation of Anchorage and Movement of Vessels During National Emergency. Expands the Coast Guard’s authority under 46 USC 70051 (formerly part of the Magnuson Act under 50 USC 191) to go beyond strict war/national security type incidents to also include public health emergencies.

DIVISION R – Accountability and Government Operations

Prepared by the Democratic staff of the House Committee on Oversight and Reform

Title I – Accountability

Sec. 101. Congressional Notification of Change in Status of Inspector General.

This section would require the President to notify Congress 30 days prior to placing an Inspector General in paid or unpaid non-duty status (administrative leave).

Sec. 102. Presidential Explanation of Failure to Nominate an Inspector General.

This section would require the President to inform Congress of the reasons for not filling a vacancy in an Inspector General position if that position is vacant for more than 210 days.

Sec. 103. Inspector General Independence.

This section would allow an Inspector General to be removed only for specified causes including permanent incapacity; inefficiency; neglect of duty; malfeasance; conviction of a felony or conduct involving moral turpitude; knowing violation of a law, rule, or regulation; gross mismanagement; gross waste of funds; or abuse of authority.

Sec. 104. USPS Inspector General Oversight Responsibilities.

This section would require the Postal Service Inspector General to conduct audits and investigations of activities carried out with funds provided by this Act.

Title II – Census Matters

Sec. 201. Modification of 2020 Census Deadlines and Tabulation of Population.

This section would delay the publication of apportionment and state redistricting data by 120 days. The delay is necessary due to the postponement of major census operations caused by the coronavirus. The section also extends the non-response follow-up operation to October 31, 2020.

Sec. 202. Reporting Requirement for 2020 Census.

This section would require monthly reporting by the Census Bureau to the House Committee on Oversight and Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Appropriations Committees of the House and Senate of detailed operational information about the 2020 Census.

Sec. 203. Limitation on Tabulation of Certain Data.

This section would prohibit the compiling or production of any data products in connection with the 2020 Census based on data that is not collected during the 2020 Census, except for data products that are required by 13 U.S.C. 141(b) and (c), use the same methodology as a tabulation produced by the Census Bureau prior to January 1, 2019, or use a methodology finalized and made public prior to January 1, 2018.

Title III – Federal Workforce

Sec. 301. COVID-19 Teleworking Requirements for Federal Employees.

This section would require agency leaders to allow telework for all eligible federal employees during the coronavirus pandemic. The provisions would require agencies to expand telework by creating incentives to increase its use and disincentives to reducing it.

Sec. 302. Retirement for Certain Employees

This section would allow federal first responders to stay in their current retirement plans if they are unable to meet the physical requirements of their position due to exposure to the coronavirus and are moved to other jobs in the civil service as a result.

Title IV – Federal Contracting Provisions

Sec. 401. Mandatory Telework.

This section would mandate that agencies allow contractor personnel to telework during the coronavirus health emergency if their work can be conducted remotely and to provide periodic reports to Congress.

Sec. 402. Guidance on the Implementation of Section 3610 of the CARES Act.

This section would require OMB to issue governmentwide guidance to implement Section 3610 of the CARES Act, which allows agencies to reimburse contractors to keep their employees and subcontractors in a ready state.

Sec. 403. Past Performance Ratings.

This section would ensure that contractors are not penalized by adverse performance ratings due to contract disruptions caused by the coronavirus crisis.

Sec. 404. Accelerated Payments.

This section would require contracting officers to pay prime contractors within 15 days of the submission of an invoice.

Title V – District of Columbia

Sec. 501. Special Borrowing Authority by the District of Columbia.

This section would authorize the District of Columbia to participate in the Municipal Liquidity Facility (MLF)

established by the Federal Reserve to support lending to states, cities, and counties in response to the coronavirus, as well as in any future such facilities. Under the rules of the MLF, the District is expressly eligible to participate, but the District Home Rule Act does not authorize the District to so.

Title VI – Other Matters

Sec. 601. Estimates of Aggregate Economic Growth Across Income Groups

This section would require the Bureau of Economic Analysis to include in its quarterly and annual reports on Gross Domestic Product an estimate of the impact on each decile of income and the highest 1% of income.

Sec. 602. Waiver of Matching Funds Requirement for the Drug Free Community Support Program.

This section would allow the Administrator of the Office of National Drug Control Policy to modify or waive the matching requirements for Drug Free Community grants for the duration of the coronavirus emergency.

Sec. 603. U.S. Postal Service Borrowing Authority

This section would repeal certain restrictions on the \$10 billion in borrowing authority provided to the U.S. Postal Service in the CARES Act.

DIVISION S – Foreign Affairs Provisions

Prepared by the Democratic staff of the House Committee on Foreign Affairs

Subtitle A

SEC. 191501. Mitigating Challenges for Federal Voters Overseas Impacted By COVID-19. This section would encourage the State Department, in consultation with the Defense Department, to mitigate any COVID-19 related impacts on overseas voters seeking to return their mail-in ballots ahead of the 2020 federal election.

SEC. 191502. Report on Efforts of the Coronavirus Repatriation Task Force. This section would require an after-action report by the State Department on their efforts to repatriate Americans back to the United States during the COVID-19 crisis.

Subtitle B

Global Health Security Act of 2020. Requires the President to establish a U.S. Global Health Security Coordinator, a position previously located at the National Security Council, which the Administration eliminated in 2018. It also establishes an interagency review council to ensure global health security is prioritized within the Executive Branch.

Subtitle C

Securing America From Epidemics Act. This would authorize the US to participate in the Coalition for Epidemic Preparedness Innovations (CEPI), a consortium which has led on developing vaccines for high priority epidemic threats, including Ebola and COVID-19.

DIVISION T – Judiciary Matters

Prepared by the Democratic staff of the House Committee on the Judiciary

Title I – Immigration Matters

Sec. 101. Extension of Filing and Other Deadlines. This section creates protections for certain noncitizens in

the United States, as well as certain immigrant visa applicants, affected by processing delays and travel restrictions related to the COVID-19 public health emergency. Certain noncitizens who were lawfully present in the United States when HHS declared a public health emergency are protected from negative immigration consequences due to the inability to meet filing deadlines or leave the country. Temporary immigration status or work authorization that is set to expire during the emergency is automatically extended for a temporary period. Expiration dates of issued immigrant visas are extended for the duration of the emergency. Immigrant visa numbers that go unused at the end of the fiscal year are rolled over for use in subsequent fiscal years. And voluntary departure deadlines are extended for the duration of the emergency.

Sec. 102. Temporary Accommodations for Naturalization Oath Ceremonies Due to Public Health Emergency. This section requires the Secretary of Homeland Security to establish procedures for remotely administering naturalization oath ceremonies during the COVID-19 emergency. Individuals who have been approved for naturalization may opt to participate in a remote swearing-in ceremony given the current suspension of in-person public ceremonies. The Department of Homeland Security (DHS) must provide written notice to eligible individuals and, to the greatest extent practicable, ensure that remote oath ceremonies are held expeditiously. The Secretary must also submit a report to Congress 180 days after the end of the public health emergency providing statistics on the use of remote oath ceremonies.

Sec. 103. Temporary Protections for Essential Critical Infrastructure Workers. This section provides temporary protections to undocumented workers in the United States engaged in essential critical infrastructure work, as defined by DHS-issued guidance, during the COVID-19 emergency. Such workers are deemed to be in a period of deferred action and to be authorized for employment, and employers are shielded from certain immigration-related violations for employing such workers.

Sec. 104. Supplementing the COVID response workforce. This section would temporarily ease certain immigration-related restrictions to allow immigrant physicians and other critical healthcare workers to better assist in the fight against COVID-19. This section would:

- Allow immigrant physicians who have lived and worked lawfully in the United States for years, and who have been approved for immigrant visas but are stuck in visa backlogs, to immediately apply for green cards if they will engage in COVID-19 work.
- Require DHS and the Department of State to expedite the processing of nonimmigrant petitions and visa applications for medical professionals and researchers who will engage in COVID-19 work.
- Provide flexibility to hospitals, medical facilities, and other employers of healthcare workers to quickly transfer employees to administer direct patient care or telemedicine in COVID-19 hot spots, engage in research and development of COVID-19 vaccines and cures, and provide other services as needed to address the emergency.
- Permanently authorize the “Conrad 30” Waiver Program, which allows States to sponsor immigrant physicians to work in medically underserved areas in exchange for a waiver of the physicians’ 2-year foreign residence requirement. The base number of annual Conrad waivers available to each State is increased from 30 to 35, with a demand-based sliding scale to determine the number of available waivers in future years.
- Provide independent temporary work authorization documents to nonimmigrant physicians and other healthcare workers, giving them maximum mobility and flexibility to engage in COVID-19 work during the present emergency.
- Provide special immigrant status for certain nonimmigrant COVID-19 workers and ensure that the spouses and children of such workers are not subject to removal if the worker dies.

Section 105. ICE Detention. This section requires DHS to review the immigration files of all individuals in the custody of Immigration and Customs Enforcement (ICE) to assess the need for continued detention. Individuals who are not subject to mandatory detention shall be prioritized for release, either on recognizance or

into an alternative to detention program, unless the individual is a threat to public safety or national security. DHS shall also ensure that all individuals who continue to be detained by ICE:

- Have access to free telephonic and video communications, including unmonitored telephone calls with attorneys.
- May receive legal correspondence by fax or email.
- Are provided sufficient soap, hand sanitizer and other hygiene products.
- Have access to virtual “know your rights” and legal orientation programming conducted by approved nonprofit organizations.

Section 106. Condition on Furlough. This section prevents USCIS from furloughing employees if the agency has sufficient funds to pay such employees.

Section 107. Limitation on Use of Funds by Other Agencies. This section restricts funds collected from fees for immigration benefits from being transferred to other Federal agencies for other purposes.

Section 108. Chief Financial Officer. This section requires that the USCIS Chief Financial Officer report to the Director of USCIS. Prior to implementing substantive agency changes, the Director must also consult with the Chief Financial Officer on the financial impacts of such changes.

Section 109. Independent Verification and Validation Review. This section requires the USCIS Director to submit to Congress the results and recommendations of an independent verification and validation review of each model used by USCIS when adjusting fees.

Section 110. Reporting Requirement. This section requires regular reporting by USCIS on the agency’s fiscal health, including annual operating plans, fee receipts, agency expenses, use of fee revenues, carryover or reserve funding, productivity assessments, processing times, and backlogs. Such reports must be validated and reviewed by the USCIS Chief Financial Officer, and subsets of the report must be made available to the public. USCIS must also electronically publish a revenue earnings report in a searchable format, which must be updated monthly. The U.S. Comptroller General is required to conduct an independent review of USCIS financial reporting, as well as the circumstances that led to the USCIS fiscal situation for fiscal years 2017 through 2020.

Title II – Prisons and Jails

Sec. 201. Short Title. This section sets for the short title for this Title as the “Pandemic Justice Response Act”.

Sec. 202. Emergency Community Supervision Act- During a declared national emergency relating to a communicable disease, mandates the release into community supervision of non-violent federal prisoners who are within 12 months of release and pretrial detainees and prisoners who are non-violent and particularly vulnerable (juveniles, older prisoners and detainees, and prisoners and detainees with certain medical conditions or who are pregnant). Decisions on releasing prisoners would take into account the offense of their conviction. Modifies probation and supervised release policies to avoid unnecessary in-person contact with probation officers and to reduce the numbers of those supervised and those imprisoned for violations. Mandates the release of non-violent pretrial defendants on their own recognizance.

Sec. 203. Court Authority to Reduce Sentences and Temporary Release Authority for Non-Violent Offenders- During the COVID-19 emergency, expands court authority to order compassionate release for federal prisoners and to reduce sentences, and removes administrative barriers that slow the ability of prisoners to seek compassionate release. Authorizes courts to temporarily release persons who have been sentenced (taking into account their offense of conviction), but have not yet been transported to a Bureau of Prisons

facility, to protect them from COVID-19.

Sec. 204. Exemption for Prisoners from Exhausting Administrative Remedies- Exempts individuals from having to exhaust administrative remedies before bringing their concerns to a judge about conditions of incarceration that present a significant risk of harm during the COVID-19 emergency.

Sec. 205. Increasing Availability of Home Detention for Non-Violent Elderly Offenders- Increases the availability of home detention for non-violent elderly prisoners by ensuring that participants in the elderly prisoner home confinement pilot program get credit for good conduct time earned and lowers the eligibility for participation during the COVID-19 emergency period.

Sec. 206. Effective Assistance of Counsel in the Digital Era Act- Directs the Attorney General to put in place an electronic communication system to be used by persons in federal custody that ensures confidential communication between those in custody and their attorneys.

Sec. 207. COVID-19 Correctional Facility Emergency Response Act- Provides \$600 million in funding to address the COVID-19 crisis in state and local prisons and jails, including \$500 million to states and local governments that operate correctional facilities to provide testing and treatment of COVID-19 for incarcerated individuals by creating two grant programs—one focused on the release of low-risk individuals, taking into account their offense of conviction, who are currently incarcerated and another aimed at reducing COVID-19 exposure for those individuals who are arrested; \$75 million in funding to a new grant program to encourage states and localities to adopt practices that promote juvenile safety and rehabilitation without unnecessarily exposing youth to incarceration during this crisis; and \$25 million for a grant program for state and local governments that operate correctional facilities for rapid testing of inmates who are leaving correctional custody.

Sec. 208. Moratorium on Fees and Fines- Authorizes the establishment of a grant program that distributes funds directly to state and local courts, with the condition that they impose a moratorium on the imposition and collection of court-imposed fees and fines during the COVID-19 crisis.

Sec. 209. Definition- Defines the “emergency covered period” consistent with the CARES Act.

Sec. 210. Severability- Includes a severability clause for this title.

Title III – Victims of Crime Act Amendments

Sec. 301. Short Title. This title may be cited as the “Victims of Crime Act Fix Act of 2020.”

Sec. 302. Victims of Crime Act Fix of 2020. Directs funding from deferred prosecution agreements and non-prosecution agreements to support victims of crime and waives state matching requirement during the COVID-19 pandemic.

Sec. 303. Waiver of Matching Requirement. Waives state matching requirement during the COVID-19 pandemic.

Title IV – The Jabara-Heyer NO HATE Act

The “No HATE Act”: This Act would provide grant funding incentives to state and local law enforcement agencies for the collection of hate crimes data and reporting it to the Department of Justice, which would report the data to Congress.

Sec. 401. Short Title. This section contains the short title, the “Jabara-Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2019, or “Jabara-Heyer NO HATE Act”.

Sec. 402. Findings. This section makes a number of findings related to the recent rise of violent hate crimes and problems concerning inaccurate and incomplete hate crimes data.

Sec. 403. Definitions. This section defines several terms, including “priority agency” relevant to funding under this provision.

Sec. 404. Reporting of Hate Crimes. This section authorizes the Attorney General to give grants to States and local governments to assist in implementing the National Incident-Based Reporting System (NIBRS) and to train employees to identify and classify hate crimes in NIBRS.

Sec. 405. Grants for State-Run Hate Crime Hotlines. This section authorizes the Attorney General to give grants to States to create hate crime hotlines.

Sec. 406. Information Collection by States and Units of Local Government. This section authorizes the Attorney General to give grants to local law enforcement agencies to conduct law enforcement activities or crime reduction programs to prevent, address, or otherwise respond to hate crimes, particularly related to reporting hate crimes.

Sec. 407. Requirements of the Attorney General. This section requires the Attorney General to collect and analyze information submitted by States and local governments for the purposes of developing policies related to the provision of accurate data.

Sec. 408. Alternative Sentencing. For individuals convicted under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, Section 8 allows a condition of supervised release where the defendant takes educational classes or performs community service directly related to the community harmed by the defendant’s offense.

Title V – Bankruptcy Protections

Sec. 501. Bankruptcy Protections.

Section 501(a)—Bankruptcy Protections for Federal Coronavirus Relief Payments. This subsection protects federal relief payments from being taken in bankruptcy proceedings

Section 501(b)—Protection Against Discriminatory Treatment of Homeowners in Bankruptcy. This subsection ensures that homeowners in bankruptcy proceedings can participate in the mortgage forbearance program created by the CARES Act and other COVID-19 mortgage assistance.

Section 501(c)—Increasing the Homestead Exemption. This subsection increases the amount of home equity protected in the bankruptcy process to \$100,000. States are free to provide more generous protections.

Section 501(d)—Effect of Missed Mortgage Payments on Discharge. This subsection makes it easier for homeowners to exit bankruptcy so they can resume normal economic activity and continue paying off their mortgages.

Section 501(e)—Expanded Eligibility for Chapter 13. This subsection opens Chapter 13 to more homeowners

and small businesses by raising the limits for debt to qualify for a bankruptcy through Chapter 13.

Section 501(f)—Extended Cure Period for Homeowners Harmed by COVID-19 Pandemic. Under current law, individuals who file for bankruptcy under chapter 13 have 3-5 years to repay their debts under a restrictive, court-supervised repayment plan. This subsection would allow homeowners who have fallen behind on loan payments due to the Covid-19 pandemic up to seven years to catch up on those arrearages. In order to allow the affected homeowners to resume normal economic activity as soon as possible, these catch up payments would not extend the 3-5 year repayment plan period.

DIVISION U – Other Matters

Prepared by the Democratic staff of the House Committees on Appropriations, Energy and Commerce, Natural Resources

Title I – Presumption of Service Connection for Coronavirus Disease 2019

Section 101. VA Benefits for National Guard. Ensures the eligibility of veterans’ survivor benefits to National Guard members that respond to the coronavirus emergency and later die from COVID-19.

Title II – Coronavirus Relief Fund Amendments

Section 201. Congressional Intent Relating to Tribal Governments Eligible for Coronavirus Relief Fund Payments. Clarifies that only federally recognized Tribal governments are eligible for payments from the tribal allocation of the Coronavirus Relief Fund.

Section 202. Redistribution of Amounts Recovered or Recouped from Payments for Tribal Governments; Reporting Requirements. Establishes procedures to recoup and/or repay Coronavirus Relief Funds distributed pursuant to the CARES Act to Tribal governments.

Section 203. Use of Relief Funds. Expands the use of funds to cover lost, delayed, or decreased revenue stemming from the COVID-19 public health emergency.

Title III – Energy and Environment Provisions

Section 301. Home Energy and Water Service Continuity. Requires states and utilities receiving federal emergency funds to adopt or maintain in force policies to prevent shutoffs and ensure safety and continuity of home energy and water services to residential customers during the COVID-19 public health emergency.

Section 302. Grants for Environmental Justice Communities Disproportionally Affected by COVID-19. Authorizes the Environmental Protection Agency’s (EPA) environmental justice grants and provides up to \$50 million in additional FY 2021 funds for the sole purpose of investigating or addressing the disproportionate impacts of COVID-19 in environmental communities.

Title IV – Miscellaneous Matters

Section 401. Technical Corrections and Clarification. Makes technical corrections to clarify a section of the CARES Act.

Section 402. Trade of Injurious Species and Species That Pose A Risk To Human Health. This section

amends the Lacey Act of 1900 to allow for species that transmit pathogens that pose risks to human health to be listed as “injurious,” which would prohibit the import and transport of those species, and to allow for emergency listings in the case of threats to human health. It also prohibits transportation of injurious species across state lines to limit spread of disease.

Section 403. Rescinds \$146 billion in unused funding provided by section 4027 of the CARES Act/from the Department of the Treasury’s Exchange Stabilization Fund.