WE REPRESENT ALL OF AMERICA
(Mr. REED asked and was given permission to address the House for 1 minute.)
Mr. REED. Madam Speaker, I came down this morning, after hearing Father Conroy give his opening speech, to address this House and to address this Nation today in these hallowed Halls to send the message that today is not a day to engage in partisan politics.
As a Republican, my hand is open to my fellow Americans, for us to come together, to stand with our Nation as we face this coronavirus crisis across the country.
Madam Speaker, the people of America are who we represent. They are not Democrat and Republican; they are American. Now is the time to lead with smart, targeted decisionmaking proposals that will improve their lives for the better.
God bless.

COMMUNICATION FROM SPECIAL ASSISTANT, THE HONORABLE HENRY CUellar, MEMBER OF CONGRESS
The SPEAKER pro tempore laid before the House the following communication from Ninamarie Andrews, Special Assistant, the Honorable Henry Cuellar, Member of Congress:
HENRY CUELLAR,
HOUSE OF REPRESENTATIVES,
March 9, 2020.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Ninamarie Andrews, have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

After consultation with the Office of House Employment Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,
NINAMARIE ANDREWS,
Special Assistant,
Office of the 28th District of Texas.

COMMUNICATION FROM LEGISLATIVE DIRECTOR/COUNSEL, THE HONORABLE HENRY CUellar, MEMBER OF CONGRESS
The SPEAKER pro tempore laid before the House the following communication from Travis Knight, Legislative Director/Counsel, the Honorable Henry Cuellar, Member of Congress:
HENRY CUELLAR,
HOUSE OF REPRESENTATIVES,
March 10, 2020.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,
TRAVIS KNIGHT,
Legislative Director / Counsel,
Offices of U.S. Congressman Henry Cuellar.

COVID–19 REQUIRES COMPREHENSIVE RESPONSE
(Ms. MUCARSEL-POWELL asked and was given permission to address the House for 1 minute.)
Ms. MUCARSEL-POWELL. Madam Speaker, Miami-Dade County has its first two confirmed cases of COVID–19, and we are all very concerned. Across the country, events are canceled and stores are empty. With anxieties high, we are receiving mixed messages when we need right now is coherent direction.
It is discouraging to see countries like South Korea respond much more effectively than we are. While they screen tens of thousands, we have sick patients and frustrated doctors who cannot access testing.
This is not right. We must make tests available and accessible to everyone. We must strengthen our healthcare system so we have the beds, the masks, the respirators, and the supplies to respond to a surge in cases. We must provide relief to our working families and local businesses struggling to cope with this virus.

Madam Speaker, I believe we have it within us to fulfill these needs, but we all must come together for a comprehensive response to meet this moment. I urge my colleagues to support this legislation.

RECESS
The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.
Accordingly (at 9 o’clock and 16 minutes a.m.), the House stood in recess.

AFTER RECESS
The recess having expired, the House was called to order by the Speaker pro tempore (Mr. Brown of Maryland) at 12 o’clock and 11 minutes a.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE
The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:
OFFICE OF THE CLERK.
HOUSE OF REPRESENTATIVES,
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 13, 2020, at 5:28 p.m., and said to contain a message from the President on declaring a national emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak.

With best wishes, I am,
Sincerely,
CHERYL L. JOHNSON,
Clerk of the House.

DECLARING A NATIONAL EMERGENCY CONCERNING THE NOVEL CORONAVIRUS DISEASE (COVID–19) OUTBREAK—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES
The SPEAKER pro tempore laid before the House the following message from the President of the United States: which was read and, together with the accompanying papers, referred to the Committee on Energy and Commerce and the Committee on Ways and Means, and ordered to be printed:

To the Congress of the United States:
Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare that the outbreak of coronavirus disease (COVID–19) in the United States constitutes a national emergency. This declaration invokes section 1135 of the Social Security Act, 42 U.S.C. 1320b–5, to allow the Secretary of Health and Human Services to exercise the authority under that section to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children’s Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule throughout the duration of the public health emergency declared in response to the COVID–19 outbreak.
I am enclosing a copy of the proclamation I have issued.

DONALD J. TRUMP.

FAMILIES FIRST CORONAVIRUS RESPONSE ACT
Mrs. LOWEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6201) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes, as amended.
The Clerk read the title of the bill.
The text of the bill is as follows:
H.R. 6201
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Families First Coronavirus Response Act”.

SEC. 2. TABLE OF CONTENTS.
The table of contents is as follows:
DIVISION A—SECOND CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020

DIVISION B—NUTRITION WAIVERS

DIVISION C—EMERGENCY FAMILY AND MEDICAL LEAVE ACT

DIVISION D—EMERGENCY UNEMPLOYMENT INSURANCE STABILIZATION AND ACCESS ACT OF 2020

DIVISION E—EMERGENCY PAID SICK LEAVE ACT

DIVISION F—HEALTH PROVISIONS

DIVISION G—TAX CREDITS FOR PAID SICK AND FAMILY AND MEDICAL LEAVE

DIVISION H—BUDGETARY EFFECTS

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—SECOND CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020

The following sums are hereby appropriated, or to remain available in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020, and for other purposes, namely:

TITLE I
DEPARTMENT OF AGRICULTURE

FOOD AND NUTRITION SERVICE

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For an additional amount for the “Special Supplemental Nutrition Program for Women, Infants, and Children”, $250,000,000, to remain available through September 30, 2021: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMMODITY ASSISTANCE PROGRAM

For an additional amount for the “Commodity Assistance Program” for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2008(a) and section 204(a)(7) of the Richard B. Russell National School Lunch Act (7 U.S.C. 1750 et seq.), $400,000,000, to remain available through September 30, 2021: Provided, That such amount is designated by the Secretary of Agriculture may approve waivers of the limits on certifi- cances, applicable under section 3(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(f)), reporting requirements otherwise applicable under section 6(c) of such Act (7 U.S.C. 2012(c)), and other administrative requirements otherwise applicable to State agencies under such Act.

AVAILABILITY OF COMMODITIES—During fiscal year 2020, the Secretary of Agriculture may purchase commodities for emergency food distribution in any of the area of the United States during a public health emergency designation.

TITLES I

DEFINITIONS.—In this section:

(1) The term “eligible child” means a child (as defined in section 12(d) or served under section 11a(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1756(d), 1756(a)(1)) who, if not for the closure of the school attended by the child during a public health emergency designation and due to concerns about a COVID–19 outbreak, would receive free or reduced price school meals under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) at the school.

(2) The term “public health emergency designation” means the declaration of a public health emergency, based on an outbreak of SARS-CoV-2 or another coronavirus with pandemic potential, by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d).

(3) The term “school” has the meaning given in the term in section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1756(d)).

FUNDING.—There are hereby appropriated to the Secretary of Agriculture such sums as may be necessary to carry out this section: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Reserved.

TITLES II

DEPARTMENT OF DEFENSE

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, $52,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID–19 related items and services as described in section 6006(a) of division F of the Families First Coronavirus Response Act (as defined in section 6001 of division F of the Balanced Budget and Emergency Deficit Control Act of 1985).

TITLES III

DEPARTMENT OF THE TREASURY

INTERNAL REVENUE SERVICE

TAXPAYERS SERVICES

For an additional amount for “Taxpayer Services”, $15,000,000, to remain available until September 30, 2022, for the purposes of carrying out the Families First Coronavirus Response Act: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLES IV

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For an additional amount for “Indian Health Services”, $64,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID–19 related items and services as described in section 6007 of division F of the Families First Coronavirus Response Act (as defined in section 6001 of division F of the Balanced Budget and Emergency Deficit Control Act of 1985).
TITLE VI—DEPARTMENT OF VETERANS AFFAIRS  
VETERANS HEALTH ADMINISTRATION  
MEDICAL SERVICES  
For an additional amount for “Medical Services”, $30,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 606(b) of division F of the Families First Coronavirus Response Act (or the administration of such products): Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MEDICAL COMMUNITY CARE  
For an additional amount for “Medical Community Care”, $1,000,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 606(b) of division F of the Families First Coronavirus Response Act (or the administration of such products): Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VII—GENERAL PROVISIONS—THIS ACT  
SEC. 1701. Not later than 30 days after the date of enactment of this Act, the head of each executive agency that receives funding in this Act shall provide a report detailing the anticipated uses of all such funding to the Committees on Appropriations of the House of Representatives and the Senate: Provided, That each report shall include estimated personnel and administrative costs, as well as the total amount of funding appropriated, allotted, obligated, and expended, to date: Provided further, That each such report shall be transmitted to the Committees on Appropriations of the House of Representatives and the Senate every 60 days until all funds are expended or expire.

SEC. 1702. States and local governments receiving funds or assistance pursuant to this division shall ensure the respective State Emergency Operations Centers receive regular updates on aggregate case counts data on testing and results from State and local public health departments, as determined by the Director of the Centers for Disease Control and Prevention, and that such data is transmitted to the Centers for Disease Control.

SEC. 1703. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 1704. No part of any appropriation contained in this Act shall be used for, or available for, obligation after the current fiscal year unless expressly so provided herein.

SEC. 1705. Unless otherwise provided for by this Act, each annual amount appropriated or made available by this Act to the communities of Alaskan Native descent is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE II—COVID-19 CHILD NUTRITION RESPONSE ACT  
SEC. 2201. SHORT TITLE.  
This title may be cited as the “COVID-19 Child Nutrition Response Act”.

(a) Nationwide Waiver.  
IN GENERAL.—Notwithstanding any other provision of law, the Secretary may establish a waiver for all States under section 12(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(i)), for purposes of—  
(A) providing meals and meal supplements under a qualified program; and  
(B) carrying out paragraph (A) with appropriate safety measures with respect to COVID-19, as determined by the Secretary.

(b) State Election.—A waiver established under paragraph (1) shall—  
(A) notwithstanding paragraph (2) of section 12(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(i)), apply automatically to any State that elects to be subject to the waiver without further application; and  
(B) not be subject to the requirements under paragraph (3) of such section.

(c) CHILD AND ADULT CARE PROGRAM WAIVER.—Notwithstanding any other provision of law, the Secretary may grant a waiver under section 12(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(i)) to allow non-congregate feeding under a child and adult care food program under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) if such waiver is for the purposes of—  
(1) providing meals and meal supplements under such child and adult care food program; and  
(2) carrying out paragraph (1) with appropriate safety measures with respect to COVID-19, as determined by the Secretary.

(d) MEAL PATTERN WAIVER.—Notwithstanding paragraph (4)(A) of section 12(i) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(i)) the Secretary may grant a waiver under such section that relates to the nutritional content of meals served if the Secretary determines that—  
(1) such waiver is necessary to provide meals and meal supplements under a qualified program; and  
(2) there is a supply chain disruption with respect to foods served under such a qualified program and such disruption is due to COVID-19.

(e) REPORTS.—Each State that receives a waiver under subsection (a), (b), or (c), shall, not later than 1 year after the date such State received such waiver, submit a report to the Secretary that includes the following:  
(1) A summary of the use of such waiver by the State and eligible service providers.  
(2) A description of whether such waiver resulted in improved services to children.

(f) DEFINITIONS.—In this section:  
(1) QUALIFIED PROGRAM.—The term “qualified program” means the following:  
(A) The school breakfast program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).  
(B) The school lunch program under section 13(d) of the Child Nutrition Act of 1966 (42 U.S.C. 1773).  

(g) The summer food service program for children under section 13 of the Richard B.
(a) Waiver Authority.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may grant a request described in paragraph (2) to

(A) waive the requirement under section 17(d)(3)(C)(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(C)(i)); and

(B) satisfy any administrative or bloodwork requirements necessary to determine nutritional risk.

(2) Request.—A request described in this paragraph is a request made to the Secretary by a State agency to waive, on behalf of the local agencies served by such State agency, the requirements described in paragraph (1) during the emergency period (as defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) (beginning on or after the date of the enactment of this section).

(b) Reports.—

(1) LOCAL AGENCY REPORTS.—Each local agency that uses a waiver pursuant to subsection (a) shall, not later than 18 months after the date such local agency uses such waiver, submit a report to the State agency serving such local agency that includes the following:

(A) A summary of the use of such waiver by the local agency.

(B) A description of whether such waiver resulted in improved services to women, infants, and children.

(2) STATE AGENCY REPORTS.—Each State agency that receives a waiver under subsection (a) shall not later than 18 months after the date such State agency received such waiver, submit a report to the Secretary that includes the following:

(A) A summary of the reports received by the State agency under paragraph (1).

(B) A description of whether such waiver resulted in improved services to women, infants, and children.

(c) SUNSET.—The authority under this section shall expire on September 30, 2020.

SEC. 2302. ADDITIONAL SNAP FLEXIBILITIES IN A PUBLIC HEALTH EMERGENCY.

(a) In the case of a public health emergency declaration by the Secretary of Health and Human Services under subsection 319 of the Public Health Service Act based on COVID–19; and

(b) During the period beginning on the date such public health emergency declaration described in subsection (a) is lifted, submit a report to the House and Senate Agriculture Committees with a description of the measures taken to address the food security needs of affected populations during the emergency, any information or data supporting State agency requests, any additional measures that States requested that were not included in recommendations for changes to the Secretary’s authority under the Food and Nutrition Act of 2008 to assist the Secretary and States in preparations for any future health emergencies.

DIVISION C—EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT

SEC. 3101. SHORT TITLE.

This Act may be cited as “Emergency Family and Medical Leave Expansion Act”.

SEC. 3102. AMENDMENTS TO THE FAMILY AND MEDICAL LEAVE ACT OF 1993.

(a) PUBLIC HEALTH EMERGENCY LEAVE.—

(1) IN GENERAL.—The Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) is amended by adding at the end the following:

“(f) During the period beginning on the date the Emergency Family and Medical Leave Expansion Act takes effect, and ending on December 31, 2021, because of a qualifying need related to a public health emergency in accordance with section 110—

(2) PAID LEAVE REQUIREMENT.—Section 1201(e) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(c)) is amended by striking “under subsection (a)” and inserting “under subsection (a) (other than certain periods of leave under subsection (f))”.

(b) REQUIREMENTS.—Title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.) is amended by adding at the end the following:

“SEC. 116. PUBLIC HEALTH EMERGENCY LEAVE.

“(a) DEFINITIONS.—The following shall apply with respect to leave under section 102(a)(1)(F):

“(1) APPLICABILITY OF CERTAIN TERMS.—The definitions in section 101 apply, except as follows:

“(A) ELIGIBLE EMPLOYEE.—In lieu of the definition in sections 101(2)(A) and 101(2)(B)(i), the term eligible employee means an employee who has been employed for at least 30 calendar days by the employer with respect to whom leave is requested under section 102(a)(1)(F).

“(B) EMPLOYER THRESHOLD.—Section 101(4)(A)(i) shall be amended by inserting ‘fewer than 500 employees’ for ‘50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year’.

“(C) PARENT.—In lieu of the definition in section 101(7), the term parent, with respect to an employee, means any of the following: biological, foster, or adoptive parent of the employee.

“(D) A stepparent of the employee.
"(i) A parent-in-law of the employee;

(ii) A partner of a domestic partner of the employee.

(iii) A legal guardian or other person who stood in the place of a parent to an employee when the employee was a child.

(2) ADDITIONAL DEFINITIONS.—In addition to the definitions in paragraph (1), the following definitions shall apply with respect to leave under section 102(a)(1)(F):

(A) QUALIFYING NEED RELATED TO A PUBLIC HEALTH EMERGENCY.—The term ‘qualifying need related to a public health emergency’, with respect to leave, means the employee has a need for leave of one of the following kinds:

(i) To care for an immediate family member

(ii) To make arrangements for the care of a child

(iii) To assist a family member who is a next of kin.

(B) RELATIONSHIP TO PAID LEAVE.—

(1) UNPAID LEAVE FOR INITIAL 14 DAYS.—

(A) IN GENERAL.—The first 14 days for which an employee takes leave under section 102(a)(1)(F) may consist of unpaid leave.

(B) EMPLOYER ELECTRONIC LEAVES.—An employer may maintain an electronic leave bank that an employee may use to take leave before the employee is otherwise scheduled to take leave under section 102(a)(1)(F) in accordance with section 102(a)(1)(B).

(C) EMPLOYER REQUIREMENT.—An employer may not require an employee to substitute any leave as described in subparagraph (B) for leave under section 102(a)(1)(F).

(2) PAID LEAVE FOR SUBSEQUENT DAYS.—

(A) IN GENERAL.—An employer shall provide paid leave for each day of leave under section 102(a)(1)(F) that an employee takes leave after taking leave under such section for 14 days.

(B) CALCULATION.—Paid leave under subparagraph (A) for an employee shall be calculated based on—

(i) The number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)).

(ii) The number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)).

(C) VARYING SCHEDULE HOURS CALCULATION.—In the case of an employee whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee took leave of any type.

(i) Subject to clause (ii), a number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee took such leave, including hours for which the employee took leave of any type.

(ii) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

(D) NOTICE.—In any case where the necessity for leave under section 102(a)(1)(F) for the purpose described in subsection (a)(2)(A)(iii) is for the purpose of an employer shall provide the employer with notice of leave as is practicable.

(E) RESTORATION TO POSITION.—

(1) IN GENERAL.—Section 104(a)(1) shall not apply with respect to an employee of an employer who employs fewer than 25 employees if the conditions described in paragraph (2) are met.

(2) CONDITIONS.—The conditions described in this paragraph are the following:

(A) The employee takes leave under section 102(a)(1)(F).

(B) The position held by the employee when the leave commenced does not exist in the business in which the employee was employed.

(ii) The employee returned to work or was reasonably expected to return to their work or place of work when the leave was to commence.

(C) The employer makes reasonable efforts to restore the employee to a position equivalent to the position the employee held when the leave commenced, with equivalent employment benefits, pay, and other terms and conditions of employment.

(3) REGULATORY AUTHORITY.—The Secretary of Labor shall have the authority to issue regulations with respect to any issue that arises under this section.

(A) A parent-in-law of the employee.

(B) A partner of a domestic partner of the employee.

(C) A legal guardian or other person who stood in the place of a parent to an employee when the employee was a child.

(2) ADDITIONAL DEFINITIONS.—In addition to the definitions in paragraph (1), the following definitions shall apply with respect to leave under section 102(a)(1)(F):

(A) QUALIFYING NEED RELATED TO A PUBLIC HEALTH EMERGENCY.—The term ‘qualifying need related to a public health emergency’, with respect to leave, means the employee has a need for leave of one of the following kinds:

(i) To care for an immediate family member

(ii) To make arrangements for the care of a child

(iii) To assist a family member who is a next of kin.

(B) RELATIONSHIP TO PAID LEAVE.—

(1) UNPAID LEAVE FOR INITIAL 14 DAYS.—

(A) IN GENERAL.—The first 14 days for which an employee takes leave under section 102(a)(1)(F) may consist of unpaid leave.

(B) EMPLOYER ELECTRONIC LEAVES.—An employer may maintain an electronic leave bank that an employee may use to take leave before the employee is otherwise scheduled to take leave under section 102(a)(1)(F) in accordance with section 102(a)(1)(B).

(C) EMPLOYER REQUIREMENT.—An employer may not require an employee to substitute any leave as described in subparagraph (B) for leave under section 102(a)(1)(F).

(2) PAID LEAVE FOR SUBSEQUENT DAYS.—

(A) IN GENERAL.—An employer shall provide paid leave for each day of leave under section 102(a)(1)(F) that an employee takes leave after taking leave under such section for 14 days.

(B) CALCULATION.—Paid leave under subparagraph (A) for an employee shall be calculated based on—

(i) The number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)).

(ii) The number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)).

(C) VARYING SCHEDULE HOURS CALCULATION.—In the case of an employee whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken leave under section 102(a)(1)(F), the employer shall use the following in place of such number:

(i) Subject to clause (ii), a number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee took such leave, including hours for which the employee took leave of any type.

(ii) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

(D) NOTICE.—In any case where the necessity for leave under section 102(a)(1)(F) for the purpose described in subsection (a)(2)(A)(iii) is for the purpose of an employer shall provide the employer with notice of leave as is practicable.

(E) RESTORATION TO POSITION.—

(1) IN GENERAL.—Section 104(a)(1) shall not apply with respect to an employee of an employer who employs fewer than 25 employees if the conditions described in paragraph (2) are met.

(2) CONDITIONS.—The conditions described in this paragraph are the following:

(A) The employee takes leave under section 102(a)(1)(F).

(B) The position held by the employee when the leave commenced does not exist in the business in which the employee was employed.

(ii) The employee returned to work or was reasonably expected to return to their work or place of work when the leave was to commence.

(C) The employer makes reasonable efforts to restore the employee to a position equivalent to the position the employee held when the leave commenced, with equivalent employment benefits, pay, and other terms and conditions of employment.

(3) REGULATORY AUTHORITY.—The Secretary of Labor shall have the authority to issue regulations with respect to any issue that arises under this section.
“(B) The amount of an emergency administration grant with respect to a State shall, as determined by the Secretary of Labor, be equal to the amount obtained by multiplying $1,000,000 by the same ratio as would apply under subsection (a)(2)(B) for purposes of determining such State’s share of any excess amount (as described in subsection (a)(1)(C)) that includes—

(i) only with respect to a State in which the number of unemployment compensation claims has increased by at least 10 percent over the same quarter in the previous calendar year, the remainder shall be transferred to the account of such State under paragraph (2); and

(ii) with respect to a State that meets the requirements of paragraph (2); and

“(i) if the school or place of care has been closed, or

(ii) the employee works, on average, over a 2-week period.

“(5) Not later than 1 year after the date of enactment of the Emergency Unemployment Compensation Act of 1970, and

the term ‘week’ has the meaning given such term under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970.

(d) REGULATIONS.—The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this section.

DIVISION E—EMERGENCY PAID SICK LEAVE ACT

SEC. 5101. SHORT TITLE.

This Act may be cited as the ‘Emergency Paid Sick Leave Act’.

SEC. 5102. PAID SICK TIME REQUIREMENT.

(a) IN GENERAL.—An employer shall provide to each employee employed by the employer paid sick time for any of the following uses:

(1) To self-isolate because the employee is diagnosed with coronavirus;

(2) To obtain a medical diagnosis or care if such employee is experiencing the symptoms of coronavirus;

(3) To comply with a recommendation or order by a public official with jurisdiction or a health care provider on the basis that the physical presence of the employee would jeopardize the health of others because of—

(A) the exposure of the employee to coronavirus; or

(B) exhibition of symptoms of coronavirus by the employee.

(4) To care for or assist a family member of the employee—

(A) who is self-isolating because such family member has been diagnosed with coronavirus; or

(B) experiencing symptoms of coronavirus and needs to obtain medical diagnosis or care.

(B) with respect to whom a public official with jurisdiction or a health care provider makes a determination that the presence of the family member in the community would jeopardize the health of other individuals in the community because of—

(i) the exposure of such family member to the coronavirus; or

(ii) exhibition of symptoms of coronavirus by such family member.

(C) with respect to whom the employer, if the school or place of care has been closed, or the child care provider of such child is unavailable due to coronavirus.

(b) DURATION OF PAID SICK TIME.

(1) IN GENERAL.—An employee shall be entitled to paid sick time for an amount of hours determined under paragraph (2).

(2) AMOUNT OF HOURS.—The amount of hours of paid sick time to which an employee is entitled shall be as follows:

(A) For full-time employees, 80 hours.

(B) For part-time employees, a number of hours equal to the number of hours that such employee works, on average, over a 2-week period.

(c) CARRYOVER.—Paid sick time under this section shall not carry over from 1 year to the next.

(d) EMPLOYER’S TERMINATION OF PAID SICK TIME.—Paid sick time provided to an employee under this Act shall cease beginning on the date of the employer’s last scheduled workshift immediately following the termination of the need for paid sick time under subsection (a).

(e) EMPLOYERS WITH EXISTING POLICIES.—With respect to an employer that provides paid leave on the day before the date of enactment of this Act:

(1) The paid sick time under this Act shall be made available to employees of the employer in addition to such paid leave; and

(2) The term ‘week’ has the meaning given such term under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970; and

(3) the term ‘week’ has the meaning given such term under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970.

(f) REGULATIONS.—The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this section.
(a) IN GENERAL.—Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees are customarily posted, a notice, to be prepared or approved by the Secretary of Labor shall make publicly available a model of a notice that meets the requirements of subsection (a).

(b) NOTICE.—An employee may first use the paid sick time under subsection (a) for the purposes described in such subsection, regardless of how long the employee has been employed by an employer.

SEC. 5103. NOTICE.

It shall be unlawful for any employer to discharge, discipline, or in any other manner discriminate against any employee who—

(1) takes leave in accordance with this Act; and

(2) has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act (including a proceeding that seeks enforcement of this Act), or has testified or is about to testify in any such proceeding.

SEC. 5104. PROHIBITED ACTS.

Any employer who violates section 2 shall—

(1) be considered to have failed to pay minimum wages in violation of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206); and

(2) be subject to the penalties described in sections 16 and 17 of such Act (29 U.S.C. 216; 217) with violation.

(b) UNLAWFUL TERMINATION.—An employer who willfully violates section 4 shall—

(1) be considered to be in violation of section 15(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 215(a)(3)); and

(2) be subject to the penalties described in sections 16 and 17 of such Act (29 U.S.C. 216; 217) with violation.

SEC. 5105. ENFORCEMENT.

(a) FAIR LABOR STANDARDS ACT.—An employer who violates this Act shall be subject to the penalties described in sections 16(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(a)(3)).

(b) EMPLOYER.—Employees who work under a multiemployer collective bargaining agreement into which their employers make contributions as provided in subsection (a) may secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement for the uses specified in section 2(a).

(b) EMPLOYER.—Employees who work under a multiemployer collective bargaining agreement into which their employers make contributions as provided in subsection (a) may secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement for the uses specified in section 2(a).

(b) EMPLOYER.—Employees who work under a multiemployer collective bargaining agreement into which their employers make contributions as provided in subsection (a) may secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement for the uses specified in section 2(a).
(11) a grandparent or grandchild of the employee.

(7) FLSA TERMS.—The terms ‘‘employ’’ and ‘‘State’’ have the meanings given such terms in provisions of the Fair Labor Standards Act of 1938 (29 U.S.C. 201).

(8) FMLA TERMS.—The terms ‘‘health care provider’’ and ‘‘next of kin’’ have the meanings given in section 1519 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611).

(9) PAID SICK TIME.—(A) IN GENERAL.—The term ‘‘paid sick time’’ means an increment of compensated leave that—
   (i) is provided by an employer for use during an absence from employment for a reason described in any paragraph of section 2(a); and
   (ii) is calculated based on the employee’s required compensation under subparagraph (B) and the number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)).

(B) REQUIRED COMPENSATION.—
   (I) IN GENERAL.—The employee’s required compensation under this subparagraph (B) shall be not less than the greater of the following:
      (i) The employee’s regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e))).

   (II) The minimum wage rate in effect determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)).

   (III) The minimum wage rate in effect for such employee in the applicable State or locality, whichever is greater, in which the employee is employed.

   (II) SPECIAL RULE FOR CARE OF FAMILY MEMBERS.—With respect to any paid sick time provided for any use described in paragraph (a)(4) or (a)(5), the employee’s required compensation under this subparagraph (B) shall be two-thirds of the amount described in clause (B)(i).

(C) VARYING SCHEDULE HOURS CALCULATION.—In the case of a part-time employee described in section 2(b)(2)(B) whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had a single work week under section 2(a), the employer shall use the following in place of such number:

   (i) Subject to clause (ii), a number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes the paid sick time, including hours for which the employee took leave of any type.

   (ii) If the employee did not work over such period, the reasonable expectation of the employee of the number of hours that the employee would normally be scheduled to work.

(D) ENFORCEMENT.—The provisions of this paragraph (a) shall be applied by the Secretary of Health and Human Services, Secretary of Labor, and Secretary of the Treasury to group health plans and health insurance issuers offering group or individual health insurance coverage (including a grandfathered health plan (as defined in section 1331(e) of the Patient Protection and Affordable Care Act)) that shall provide coverage, and shall not impose any cost sharing (including deductibles, copayments, and coinsurance) requirements or prior authorization or other medical management requirements, for the following items and services furnished during any portion of the emergency period defined in paragraph (1)(B) of section 9003 of the Patient Protection and Affordable Care Act (42 U.S.C. 1320b–5(g)), beginning on or after the date of the enactment of this Act:

   (1) In vitro diagnostic products (as defined in section 3(c)(3)(B) of the Clinical Laboratory Improvement Amendments of 1988 (42 U.S.C. 263a(c)(3)(B))) that have been approved, cleared, or authorized by the Food and Drug Administration (21 U.S.C. 360c-1(a)(1))

   (2) Hospital observation services.

   (3) Items and services furnished to an individual during health care provider office visits, urgent care center visits, and emergency room visits that result in an order for or admission to an inpatient hospital or other medical care facility.

   (4) Items and services furnished to an individual received as a result of a maternal newborn health care service, when furnished during any portion of the emergency period (as defined in section 1135(g)(1)(B)) beginning on or after the date of enactment of this subsection; and the provisions of, including amendments made by, this section through program instructions or otherwise.

   (5) In vitro diagnostic products (as defined in section 3(c)(3)(B) of the Clinical Laboratory Improvement Amendments of 1988 (42 U.S.C. 263a(c)(3)(B))) that have been approved, cleared, or authorized by the Food and Drug Administration (21 U.S.C. 360c-1(a)(1))

   (6) Hospital observation services.

   (7) Items and services furnished to an individual during health care provider office visits, urgent care center visits, and emergency room visits that result in an order for or admission to an inpatient hospital or other medical care facility.

   (8) Items and services furnished to an individual during health care provider office visits, urgent care center visits, and emergency room visits that result in an order for or admission to an inpatient hospital or other medical care facility.

   (9) In vitro diagnostic products (as defined in section 3(c)(3)(B) of the Clinical Laboratory Improvement Amendments of 1988 (42 U.S.C. 263a(c)(3)(B))) that have been approved, cleared, or authorized by the Food and Drug Administration (21 U.S.C. 360c-1(a)(1))

   (10) Items and services furnished to an individual during health care provider office visits, urgent care center visits, and emergency room visits that result in an order for or admission to an inpatient hospital or other medical care facility.

   (11) A parent of a domestic partner of the employee.

   (E) CLAIMS MODIFIER.—The Secretary of Health and Human Services shall provide for an appropriate modifier (or other identifier) to include on claims to identify, for purposes of subparagraph (DD) of section 1333(a)(3), for which payment may be made under a specified outpatient payment provision described in paragraph (2) of such subsection, the provision of, including amendments made by, this section through program instructions or otherwise.

   (F) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall enter into arrangements with the Secretary of Labor and Secretary of the Treasury to facilitate implementation of the definition of ‘‘parent’’ under this section through program instructions or otherwise.
SECTION 6003. COVERAGE OF TESTING FOR COVID–19 AT NO COST SHARING UNDER THE MEDICARE ADVANTAGE PROGRAM.

(a) In general.—Section 1852(a)(1)(B) of the Social Security Act (42 U.S.C. 1396w–22(a)(1)(B)) is amended—
(1) by redesignating subclause (IV) as subclause (VI); and
(2) by inserting after subclause (III) the following new subclause:
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cost sharing under chapter 55 of title 10, United States Code, for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or services described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1396d–5(g)) beginning on or after the date of the enactment of this Act.

(b) VETERANS.—The Secretary of Veterans Affairs may not require any copayment or other cost sharing under chapter 17 of title 38, United States Code, for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1396d–5(g)) beginning on or after the date of the enactment of this Act.

(c) FEDERAL CIVILIANS.—No copayment or other cost sharing may be required for any individual occupying a position in the civil service (as that term is defined in section 2101(1) of title 5, United States Code) enrolled in a health benefits plan, including any plan under chapter 89 of title 5, United States Code, or for any other individual currently enrolled in any plan under chapter 89 of title 5 for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1396d–5(g)) beginning on or after the date of the enactment of this Act.

SEC. 6007. COVERAGE OF TESTING FOR COVID–19 AT NO COST SHARING FOR INDIANS RECEIVING PURCHASED/REFERRED CARE.

The Secretary of Health and Human Services shall cover, without the imposition of any cost sharing requirements, the cost of providing any COVID–19 related items and services as described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1396d–5(g)) beginning on or after the date of the enactment of this Act to Indians (as defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603(b))) who receive health care through the Indian Health Service, including through an Urban Indian Organization, regardless of whether such items or services have been authorized under the purchased/REFERRED care system funded by the Indian Health Service or is covered as a health service of the Indian Health Service.

SEC. 6008. TEMPORARY INCREASE OF MEDICAID PERCENTAGE FOR TERRITORIES.

Section 11008(g) of the Social Security Act (42 U.S.C. 1396g) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking “for each of fiscal years 2020 through 2021, $126,000,000 and inserting for fiscal year 2020, $128,712,500; and”; and

(iii) by adding at the end the following new clause:

‘‘(iii) for fiscal year 2021, $127,937,500;’’;

(B) in subparagraph (C)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking “for each of fiscal years 2020 through 2021, $126,000,000 and inserting for fiscal year 2020, $128,712,500; and”; and

(iii) by adding at the end the following new clause:

‘‘(iii) for fiscal year 2021, $127,937,500;’’;

(C) in subparagraph (D) of such section, by striking “and” at the end;

(ii) in clause (ii), by striking “for each of fiscal years 2020 through 2021, $60,000,000; and” inserting “for fiscal year 2020, $61,100,000; and”; and

(iii) by adding at the end the following new clause:

‘‘(iii) for fiscal year 2021, $62,325,000;’’;

and

(D) in subparagraph (E)—

(i) in clause (i), by striking “and” at the end;
of 1986) paid by an employer which are re-
quired to be paid by reason of the Emergency
Paid Sick Leave Act.
(d) SPECIAL RULES.—
(1) ON DOUBLE BENEFIT.—For pur-
poses of chapter 1 of such Code, the gross in-
come of the employer, for the taxable year
which includes the last day of any calendar
quarter, in which such a credit is al-
lowed under this section, shall be increased
by the amount of such credit. No credit shall
be allowed under this section with respect to
wages paid to an employer (other than himself or hersel-
(2) ELECTION NOT TO HAVE SECTION APPLY.—
This subsection shall apply with respect to
any employer for any calendar quarter if
such employer elects (at such time and in
such manner as the Secretary of the Treas-
ury (or the Secretary's delegate) may pre-
scribe) not to have this section apply.
(c) CERTAIN TERMS.—Any term used in this
section which is also used in chapter 21 of
such Code shall have the same meaning as
when used in such chapter.
(d) STATE AND LOCAL GOVERNMENTS.—This
credit shall not apply to the Government of the United States which is a State or political subdivision thereof, or any agency or instrumentality of any of the fore-
going.
(e) REGULATIONS.—The Secretary of the
Treasury (or the Secretary’s delegate) shall
prescribe such regulations or other guidance as
may be necessary to carry out the pur-
poses of this section through the use of successor compa-
nies or other means,
(2) regulations or other guidance to pre-
vent the avoidance of the purposes of the limita-
tions and aggregation rules under this
section through the use of successor compa-
nies or other means,
(3) regulations or other guidance providing
for waiver of penalties for failure to deposit
amounts in anticipation of the allowance of
the credit allowed under this section, and
(4) regulations or other guidance for recap-
turing the benefit of credits determined
under this section in cases where there is a
subsequent adjustment to the credit deter-
ded under subsection (a).
(2) REGULATIONS.—This section shall apply only to
wages paid with respect to
the period beginning on a date selected by
the Secretary of the Treasury (or the Sec-
retary’s delegate) in the case of a pay period
beginning on the date of the enact-
ment of this Act, and ending on December 31,
2020.
(g) TRANSFERS TO FEDERAL OLD-AGE
AND SURVIVORS INSURANCE TRUST FUND.—There
are hereby appropriated to the Federal Old-
Age and Survivors Insurance Trust Fund and
the Federal Disability Insurance Trust Fund
established under section 201 of the Social
Security Act (42 U.S.C. 401) amounts equal to
the reduction in revenues to the Treasury by reason of the credit (without regard to this
subsection). Amounts appropriated by the
preceding sentence shall be transferred from
the general fund at such times and in such
manner as to replicate to the extent possible
the transfers which would have occurred to
such Trust Fund had this section not been
enacted.
SEC. 7002. CREDIT FOR SICK LEAVE FOR CERT-
AIN SELF-EMPLOYED INDIVIDUALS.
(a) CREDIT AGAINST SELF-EMPLOYMENT
TAX.—In the case of an eligible self-em-
ployed individual, there shall be allowed a
credit against the tax imposed by subtitle A
of the Internal Revenue Code of 1986 for each
taxable year an amount equal to 100 percent
(4) TREATMENT OF PAYMENTS.—For
purposes of section 1323 of title 31, United States
Code, the payments under this section shall
be treated in the same manner as a refund
due from a credit provision referred to in
subsection (b)(2) of such section.
(c) REGULATIONS.—The Secretary of the
Treasury (or the Secretary’s delegate) shall
prescribe such regulations or other guidance as
may be necessary to carry out the pur-
poses of this section, including—
(1) regulations or other guidance to pre-
vent the avoidance of the purposes of
this section, and
(2) regulations or other guidance to mini-
mize compliance and record-keeping burdens
under this section.
SEC. 7003. PAYROLL CREDIT FOR REQUIRED
PAID FAMILY LEAVE.
(a) IN GENERAL.—In the case of an
employer, there shall be allowed as a credit
against the tax imposed by section 5111(a) of
the Internal Revenue Code of 1986 for each
calendar quarter an amount equal to 100 per-
cent of the qualified family leave wages paid
by such employer with respect to such cal-
endar quarter.
(b) LIMITATIONS AND REFUNDABILITY.—
(1) WAGES TAKEN INTO ACCOUNT.—The
amount of qualified family leave wages taken
into account (a) with respect to any individual shall not exceed—
(A) $200 for any day (or portion thereof) for
which the individual is paid qualified family
leave wages, $200, and
(B) in the aggregate with respect to all cal-
endar quarters, $10,000.
(c) CREDIT LIMITED TO CERTAIN EMPLOYMENT
TAXES.—The credit allowed by subsection (a)
with respect to any calendar quarter shall not
exceed the tax imposed by section 5111(a)
of the Internal Revenue Code of 1986 for such
quarter (reduced by any credits allowed under
subsections (e) and (f) of section 3111 of such

Section 7004. Credit for Family Leave for Certain Self-Employed Individuals.

(a) Credit Against Self-Employment Tax.—For any taxable year in which an eligible self-employed individual, there shall be allowed as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 any refundable amount with respect to the individual.

(b) Eligible Self-Employed Individual.—For purposes of this section, an "eligible self-employed individual" means an individual who—

(1) regularly carries on a trade or business within the meaning of section 162 of such Code, and

(2) would be entitled to receive paid leave during the taxable year pursuant to the Emergency Family and Medical Leave Expansion Act if the individual were an employee of an employer (other than himself or herself) that pursuant to section 201 of the Social Security Act, any refund due from such section to the Federal Disability Insurance Trust Fund and the Federal Old-Age and Survivors Insurance Trust Fund had been in effect in such possession.

The preceding sentence shall not apply unless such individual would have been entitled to receive paid leave as described in subsection (b), multiplied by—

(i) the lesser of—

(A) the average daily self-employment income of the individual for the taxable year, or

(B) $200.

(ii) the average daily self-employment income for the individual for the taxable year, or

(iii) $200.

(c) Qualifying Family Leave.—For purposes of this section, the term "qualifying family leave" means such leave which, during the taxable year, is treated as paid by reason of the Emergency Family and Medical Leave Expansion Act if the individual had been an employee of an employer that is treated as paid by reason of such Act.

(d) Special Rules.—

(1) Denial of Double Benefit.—For purposes of this section, the term "qualified family leave wages" means wages (as defined in section 3121(a) of the Code) paid by an employer in respect of such leave which are treated as paid by reason of the Emergency Family and Medical Leave Expansion Act (including the amendments made by such Act).

(2) Election Not to Have Section Apply.—This section shall not apply with respect to any eligible self-employed individual who—

(A) is unable to perform services in the trade or business referred to in section 1324 of title 31, United States Code, any refund due from the credit provision referred to in section 1324 of such Code for a reason with respect to which such individual would be entitled to receive paid leave as described in subsection (b), multiplied by—

(i) the lesser of—

(A) the average daily self-employment income of the individual for the taxable year, or

(B) $200.

(ii) the average daily self-employment income for the individual for the taxable year, or

(iii) $200.

(3) Transfers to Federal Old-Age and Survivors Insurance Trust Fund.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) amounts equal to the reduction in revenues to the Treasury that shall be treated as income subject to the provisions of such chapter.

The preceding sentence shall not apply unless such individual would have been entitled to receive paid leave as described in subsection (b), multiplied by—

(i) the lesser of—

(A) the average daily self-employment income of the individual for the taxable year, or

(B) $200.

(ii) the average daily self-employment income for the individual for the taxable year, or

(iii) $200.

The preceding sentence shall not apply unless such individual would have been entitled to receive paid leave as described in subsection (b), multiplied by—

(i) the lesser of—

(A) the average daily self-employment income of the individual for the taxable year, or

(B) $200.

(ii) the average daily self-employment income for the individual for the taxable year, or

(iii) $200.

(5) References to Emergency Family and Medical Leave Expansion Act.—Any reference in this section to the Emergency Family and Medical Leave Expansion Act shall not be considered a reference to any provisions of section 1324 of the Internal Revenue Code of 1986.
Mr. Speaker, I rise in strong support of this legislation to ensure that the coronavirus pandemic does not spread beyond our control. Mr. Speaker, I reserve the balance of my time.

Mrs. LOWEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. NEAL), the chair of the Committee on Ways and Means.

Mr. NEAL. Mr. Speaker, I thank the gentlewoman from New York (Mrs. LOWEY) for her thoughtful remarks. I urge my colleagues to ensure they get the money they need to respond to the virus. Unfortunately, the $8.3 billion supplemental enacted last week to meet the needs of the American people includes extraneous material on H.R. 6201, the second coronavirus relief bill.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. LOWEY) and the gentlewoman from Texas (Ms. GRANGER) each will control 20 minutes.

Mr. Speaker, we must help ensure the health and safety of our Nation’s job creators, I will continue working with the administration and prepare them for any future local or national recessions.

First, we are ensuring that the coronavirus testing is provided free of charge. It is imperative that anyone who needs to be tested for coronavirus is able to afford that testing. If individuals worry that they can’t afford the cost of the test, they will forgo it and risk endangering themselves and their community.

To provide Americans with the necessary confidence they need to seek testing, we have included a provision that ensures free coronavirus testing in Medicare, Medicaid, and CHIP, as well as for people enrolled in private insurance, the uninsured, Tribal communities receiving care outside of Indian health facilities, and our military families.

Second, we are making a historic emergency commitment to paid leave for the American family members affected by coronavirus. One of our top priorities was to get Americans affected by coronavirus emergency paid leave so that they can pay their bills. After intense negotiation with Treasury, we have agreed that this is an emergency.

We will require employers to provide the leave and reimburse them for the future, via tax credits. Affected self-employed workers would be eligible for refundable tax credits.

In the long run, we need a comprehensive paid leave program like the one in the FAMILY Act. If we had that now, we would be in a far better place with options available to us as workers confront these challenges.

Finally, we are implementing measures to stabilize the unemployment insurance system and make sure that workers can acquire earned benefits. These provisions will immediately help States deal with spikes in unemployment and prepare them for any future local or national recessions.

These provisions give States necessary flexibility and unemployment insurance to coronavirus-affected individuals without delays caused by waiting periods and work search requirements. These provisions give States necessary flexibility and unemployment insurance to coronavirus-affected individuals without delays caused by waiting periods and work search requirements.

I want to acknowledge, in closing, the desire of the American people to ensure that this legislation had the benefit of extensive bipartisan negotiations and thoughtful consideration. My
The impacts of this virus are cascading across society. People's health is at risk. And for many their economic reality has changed overnight. People need to get tested. Quarantined workers are wondering how they will pay their bills. Healthcare workers are putting their own lives at risk. And children are missing their school lunches. They need help. They need help now. The coronavirus knows no border. It knows no political party. And Mr. Speaker, our response shouldn't either.

Ms. JOHNSON of Texas. Mr. Speaker, today, I rise in support of the Families First Coronavirus Response Act, which will provide the crucial support for our workforce and economy amid the current public health emergency associated with COVID-19. It is our duty to care for all members of our society, and this stimulus package will do so. We will ensure that hourly workers and families have access to emergency paid sick leave, food security, and—most importantly—free testing for coronavirus as we face an unprecedented health crisis.

For families' economic security, we have secured paid emergency leave, with two weeks of paid sick leave and up to three months of paid family and medical leave. We have also secured enhanced Unemployment Insurance, short-term extensions of benefits that will extend protections to furloughed workers. For families’ food security, we have strengthened nutrition security initiatives, including SNAP, student meals, seniors' nutrition, and food banks. For the twenty-two million families who rely on free or reduced-price school meals for their food security, we must ensure that they have food to eat.

For families' health security, we have increased federal funds for Medicaid to support our local, state, tribal and territorial governments and health systems, so they have the resources necessary to combat the coronavirus. As representatives of Americans from all corners of our country, we have a responsibility to protect the health and well-being of our communities in times of crisis. I urge my colleagues to support the Families First Coronavirus Response Act.

Mr. BISHOP of Georgia. Mr. Speaker, I strongly support this bill. As Chairman of the Agriculture, Rural Development, and FDA Subcommittee of Appropriations, I want to acknowledge the tremendous cooperation between the Appropriations and authorizing committees in producing this bill so quickly.

It takes a truly multi-jurisdictional approach to address the urgent needs, many families have, as we face this public health emergency. [The fight against this scourge will be tough and we must be prepared.]

Last week we provided $61 million to FDA for the development and review of medical countermeasures, devices, therapies, and vaccines to combat the coronavirus. Today, we work to protect our families. Cancellation of conferences, sporting events and other gatherings is having a major impact on the hospitality, transportation, and related industries, resulting in layoffs that will likely cause families to turn to WIC and food banks for help.

Schools are closing, leaving children without free and reduced-price meals.
But I am pleased this bill would allow households with eligible children to receive emergency SNAP assistance to put food on the table.

Three programs get additional funds in this bill:

First, we provide $500 million for WIC to provide nutritious foods for low-income pregnant women or mothers with young children who lose their jobs or are laid off due to the coronavirus emergency.

Second, we provide $400 million for The Emergency Food Assistance Program—TEFAP—to help local food banks meet increased demand during the emergency.

Third, we provide $100 million for Nutrition Assistance for the U.S. Territories. Puerto Rico, American Samoa, and the Northern Mariana Islands rely on Congress to block grant their SNAP funds in an emergency and these funds will support their pandemic response.

Thanks to the Chairs and staffs of the Appropriations and authorizing committees who worked around the clock over the last 72 hours on this bill. It will bring relief, consolation, and hopefully food security to our constituents.

Mr. SCOTT of Virginia. Mr. Speaker, the spread of COVID–19 will present increasingly severe challenges for students, workers, and families across the country. And so the country is counting on this Congress to deliver a bold, immediate, and targeted response.

The Families First Coronavirus Response Act—which is the result of careful bipartisan negotiations—is an important step toward providing the American people the support they need to confront this national emergency.

This bill ensures that all Americans can access cost-free COVID–19 testing. It provides states and schools the flexibility they need to ensure that students do not go hungry during school closures. It also provides child and adult care providers additional support to make sure people are getting the nutrition they need.

It provides women, infants, and children with the flexibility to access WIC food benefits and infant formula without the need to make un-safe visits to clinics.

It provides workers 14 days of emergency paid sick leave, so they are not forced to choose between their paycheck and their health.

And it also provides enhanced unemployment compensation and paid family and medical leave so that workers can take time off to care for themselves and their loved ones without losing their jobs.

By passing this legislation, we protect the health and financial security of millions of students, workers, and families.

But we must recognize that this package alone is not sufficient. In the coming weeks, we must be willing to take further action to address the consequences of this epidemic.

For example, I am particularly concerned that this bill does not include important safety protections for our front-line health care workers, who will be called upon to perform heroic work work ahead. I will continue to work with my colleagues to pass necessary legislation to protect their safety.

Additionally, at the last minute, provisions were inserted into the bill that regrettably denied some workers paid leave benefits. But millions of workers will have access to paid leave that is not available to them today.

So, I urge all Members to support the Families First Coronavirus Response Act.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong support of the Families First Coronavirus Response Act which is designed to put families first, protect and stabilize our economy, and provide Americans with assurance that this House has their needs and interests at the top of our priority concerns.

I support this measure—they—during this period of uncertainty—it helps provide critical paid sick and family leave for workers affected by this public health crisis.

Approximately 80 million workers aged 16 and older are affected, which means they typically lack paid sick and family leave.

Around 75 percent of workers live paycheck to paycheck. These benefits will help cover employees who are sick, quarantined, or caring for loved ones who must remain at home.

If a worker is furloughed, laid off, or exhausted their paid leave, it provides enhanced unemployment benefits and flexibility in eligibility requirements to help. The bill provides free testing to determine who is affected.

It provides substantial dollars to nutrition for low-income individuals—including pregnant women, mothers with young children, food banks, students receiving free and reduced lunch whose schools have closed, and seniors.

It safeguards Medicare benefits and payments, protects frontline health care workers, and directs special attention to the hardest hit communities.

I am pleased to support this bill because it is an important step by our country’s leaders to say to the American people that we’ve got your back. We are not done. This House will take further action when needed to help our residents weather this crisis.

Mr. WALDEN. Mr. Speaker, I rise today in support of the bill. The American people are rightly concerned about coronavirus, and as a Congress, we have a responsibility to help them deal with this crisis. Many Americans—sick or not—will need to stay home from work. Many will need access to testing and care. Our state and local health care providers and first responders are on the front lines of this fight. We’re all in this together. That’s how I’m thinking about it as a citizen—for my family—and as United States Congressman working for you, for Oregon, and for our nation.

Last week, we approved over $8 billion to get more tests out into our communities, reimburse local entities for the work they are doing, and to find a vaccine and treatments. We need to do more, and that’s what we will do today.

By working together, our efforts will leave our country better prepared to address this crisis. But I must note that more could have been done.

First, we all know hospitals across the nation are preparing to treat a surge of patients and health care providers are already running low on crucial respirator masks. We need to make more of these masks available to protect our health workers who are on the front lines of this pandemic. By making common-sense changes to the PREP Act, we could boost the availability and supply of critically needed respirators. This is a missed opportunity for industry who could help to get these crucial pieces of protective equipment out to communities who need them most.

Second, our front-line needs reinforcements. We currently have provider shortages; to win this next stage of the fight we must maintain sufficient hospital staffing. Dr. Burgess and Representative ESHOO have a bipartisan bill that would improve the “Ready Reserve” of the United States Public Health Service Commissioned Corps. The “Ready Reserve’s” purpose is to fulfill the need for additional personnel on short notice for public health and emergency response. We must improve the surge capacity of our health care workforce. Why this was left out is maddening; it makes no sense.

Of course, we all know there will be more work to do in the coming weeks. We must get ready. We need to turn our attention to our medical product supply chain—both for this pandemic and future ones.

For me, this is not a new concern, prior to the coronavirus outbreak, I’ve raised concern about our country’s overreliance on foreign pharmaceutical manufacturing. If a country monopolizes the production of a drug and wishes to retaliate against the U.S., they could substantially increase drug prices or reduce supply in an attempt to cause shortages, limiting access to critical medications. This could put American lives at risk in a time of crisis.

Finally, I still believe the Medicaid policies in the bill could have been designed more effectively and better-targeted to the immediate challenge presented by COVID–19. With that said, states and localities are on the front lines and this enhanced funding will help states immediately address public health needs as well as handle an expected surge in new patients. Even with these concerns, I do rise in support of the bill because we need to make sure people can get tested, help those who have to stay home from work and their families, and ensure our health professionals have the support they need from the federal government.

I urge my colleagues to support this bill. To the American people, our country is strong. Our economy is resilient. Do not panic but be smart and vigilant and we can overcome this challenge.

Ms. LEE of California. Mr. Speaker, I rise in strong support of the Families First Coronavirus Response Act.

I want to thank our Speaker for her remarkable and steady leadership, our entire leadership team, the committee chairs, and our Appropriations Chair, Nita Lowey who helped to craft this package.

We must boldly fight this pandemic with all the science-based tools and resources we have. And we must put families first. The bill before us does exactly that by:

Providing free coronavirus testing for everyone who needs it; Establishing an emergency paid leave program; Enhancing state unemployment benefits; Strengthening food assistance programs for seniors and school kids; Funding the States Public Health Services; and Supporting critical legislation to help address the needs of families across this nation facing the impact of this pandemic.

Lastly, I want to thank the Governor, State Officials, our Mayor, Local Officials, Port of Oakland, our workers, Federal Partners, and the front-line workers who have to say that public health protocols were put in place to ensure the health and safety of everyone including the West Oakland community.
Health officials took steps to protect children of the state. Everyone can be tested so that we know the Houston area.

Current, the 20 people he had been in contact with are in self-quarantine. If the case is confirmed by the CDC, this could be the first community-spread case in the Houston area.

Community-spread occurring is the reason why we need tests in enough supply that everyone can be tested so that we know the state of COVID–19 in each community.

While the Houston area has other cases that are linked to travel outside of the state, this is the first case not linked to travel outside of the state.

The Montgomery County, Texas Public Health officials took steps to protect children by closing schools two days before spring break to do a deep clean, and they are expecting to resume classes after the break.

The person is being treated at an undisclosed hospital and is reported to be under observation and doing well.

COVID–19 is more contagious than the flu. The contagious score is 1.5 and COVID–19 is 2.3.

Although symptoms are compared to the flu, COVID–19 is not the flu.

Because there is no immunity, vaccine, or widely agreed upon treatment there are only a few options for protecting the public and limiting its spread.

This is a time in our nation that historians will write about and anthropologists will study, but for us—living today—we are in a fight against a foe that we have never faced before, but we must defeat.

The army before us are our medical researchers, doctors, nurses, first responders, and sanitation workers, but they cannot defeat this enemy alone.

Each of us, not just in the United States but around the world must join the fight by paying attention to facts and not spread rumors.

The weapons for slowing the spread of COVID–19 are simple and they work: Washing hands; Sanitizing surfaces; Social Distance; Isolation; and Quarantine.

These tools for controlling the spread of infectious diseases are as old as civilization and are still used today because they work.

Some of the first records of the use of cleaning, washing, and isolation of the sick and those thought to be ill is found in the Bible in the Book of Leviticus Chapter 13.

It provides detailed instructions to the community about leprosy, a dreaded contagious disease.

To defeat COVID–19, we must practice hand washing, social distance, isolation, and quarantine.

Hand washing sounds simple but it involves much more attention and time to do it right—and remove germs.

To get accurate instructions on what is needed to know, visit https://coronavirus.gov, where information can be found on cleaning and personal care.

Social distance means limiting physical contact and having at least six feet separating persons while in public spaces.

Social distance practices can include not shaking hands, or touching surfaces where the virus can be picked up.

Social distance can also involve limiting the number of people who may be in an enclosed space.

Isolation for at least 14 days is for persons who may have been in contact with a person who tests positive for COVID–19.

Quarantine is for persons who are suspected of having COVID–19 or tested positive for having COVID–19.

Given the fluid nature of the events unfolding each person should be informed and ready to support efforts to prevent or slow the spread of the illness.

The National Institutes of Health, the CDC, university researchers, and private companies are working on a vaccine, which will take a year to produce in enough quantities to inoculate people from becoming infected with COVID–19.

In the meantime, we must do all that we can to protect the elderly; those with serious pre-existing health conditions, and our health care workers from contracting COVID–19.

I believe that we must do more to prepare the public for what may be localized, house-to-house, or individual quarantines to address the spread of COVID–19.

We must vastly increase the number of tests and make sure that everyone presenting with mild cold or flu like symptoms is tested to accurately gauge the spread of COVID–19 in communities.

I was joined by public health officials, local unions, and advocates to raise awareness regarding the virus and the impact it might have for travel to the United States from China and to combat early signs of discrimination targeting Asian businesses in the United States.

On February 24, 2020, I held a second press conference on the International Health Regulations Emergency Committee of the World Health Organization declaration of a "public health emergency from the outbreak of the Coronavirus."

At that time, I formally requested the President of the United States by letter to immediately suspend any health-related cuts that impact efforts to contain and treat the coronavirus, including the $3.3 billion in cuts to the National Institutes of Health (NIH) and the discretionary budget cuts for the Centers for Disease Control and Prevention (CDC) of nearly 19 percent at $678 million, severely threatening the CDC’s ability to respond to this and other epidemics in the future.

Additionally, I requested the President to suspend cuts in both the Medicare and Medicaid programs.

On February 26, 2020, I sent a letter to the Chair and Ranking Member of the Committee on Homeland Security seeking a meeting with Acting Secretary of Homeland Security Chad Wolf to gain insight into the Preparedness of the Agency to address a possible pandemic.

On February 28, 2020, I spoke on the Floor of the House and announced plans to form a Congressional Coronavirus Task Force.

I thank Congressmen BRIAN FITZPATRICK and Dr. RAUL RUIZ for joining me as co-chairs of this Congressional Coronavirus Task Force.

Today, March 13, 2020, the House of Representatives is offering additional tools to help the American public during this crisis, the second relief package in less than a week.

I want to impress upon the American people that if they have not been paying attention to the issue of the virus, they need to stop and learn all that they can.

First, do not panic—get informed with facts by visiting https://coronavirus.gov, this website is maintained by the Centers for Disease Control and Prevention (https://cdc.gov).

They must prepare for what is coming—if it has not officially arrived in their community—do not assume that it will not make its presence known.
The earlier bill provided $8.3 billion in funding in emergency supplemental appropriations, which included:

- More than $3 billion for research and development of vaccines, therapeutics, and diagnostics;
- $2.2 billion in public health funding for prevention, preparedness, and response, $950 million of which is to support state and local health agencies;
- Nearly $1 billion for procurement of pharmaceuticals and medical supplies, to support hospital preparedness and Community Health Centers, and to improve medical surge capacity;
- $435 million to support health systems overseas to prevent, prepare, and respond to the coronavirus;
- $300 million to respond to humanitarian needs; and
- $61 million to facilitate the development and review of medical countermeasures, devices, therapies, and vaccines, and to help mitigate potential supply chain interruptions; and

- Allows for an estimated $7 billion in low-interest loans to affected small businesses.

On Thursday, March 12, the Centers for Disease Control and Prevention (CDC) reported the coronavirus outbreak has now infected more than 1,000 people in nearly 40 U.S. states—and the country’s top authority on infectious diseases reports that things will only get worse.

The World Health Organization reports a 3.4 percent mortality rate for COVID-19.

The challenge with this new coronavirus is that it is highly contagious, and of those infected, 15–20 percent contract pneumonia.

And 5 percent of these cases may develop Acute Respiratory Distress Syndrome (ARDS), which is a rapidly progressive disease occurring in critically ill patients.

The main complication in ARDS is that fluid leaks into the lungs making breathing difficult or impossible.

This virus is a serious public health threat, but this does not mean that we should have a public health panic.

There are knowledgeable and trained virologists, public health experts, and physicians who need the funding provided by this bill.

I ask that my colleagues join me in voting in support of H.R. 6201.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. LOWRY) that the House suspend the rules and pass the bill, H.R. 6201, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. GRANGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 363, nays 40, answered “present” 1, not voting 26, as follows:

Answered “PRESENT”—1

Amash

NOT VOTING—26

[Names of Representatives who did not vote]

Mr. RICHMOND changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Speaker, the House has now spoken in a clear voice and approved this bipartisan bill. If there are any developments that would require Members to return before our scheduled return date of March 23, 24 hours’ notice will be provided.

I want to thank all Members for their patience as leaders on both sides worked hard to negotiate the coronavirus response legislation the House has now adopted. Much remains to be done, but we have done good work last week on behalf of the American people and good work this week on behalf of the American people.

RANKING A MEMBER OF A CERTAIN COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Ms. CHENEEY. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.