The Senate met at 12 noon and was called to order by the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii.

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:
Let us pray.
Almighty God, You are our rock.
Today, inspire our Senators to safely walk on the path of wisdom. Remind them that reverence for You guarantees a great start for their journey. Inspire them to strive to fulfill your purposes. May they daily express their gratitude for Your bountiful blessings as You continue to direct their steps. Trusting You with all their hearts, may they find in You their strength and shield.
Lord, lead them like a Shepherd. Remind them that You have set apart the Godly for Yourself.
We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE
The Presiding Officer led the Pledge of Allegiance, as follows:
I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE
The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).
The senior assistant legislative clerk read the following letter:
U.S. SENATE,
PRESIDENT PRO TEMPORE,
To the Senate:
Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRIAN SCHATZ, a Senator from the State of Hawaii, to perform the duties of the Chair.
PATRICK J. LEAHY,
President pro tempore.

Mr. SCHUMER thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER
The ACTING PRESIDENT pro tempore. The majority leader is recognized.

LEGISLATIVE SESSION

PROVIDING FOR AN EXCEPTION TO A LIMITATION AGAINST APPOINTMENT OF PERSONS AS SECRETARY OF DEFENSE WITHIN SEVEN YEARS OF RELIEF FROM ACTIVE DUTY AS A REGULAR COMMISSIONED OFFICER OF THE ARMED FORCES—MOTION TO PROCEED
Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 1, S. 11.
The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:
Motion to proceed to S. 11, a bill to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

MORNING BUSINESS
Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.
The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMERICAN RESCUE PLAN ACT OF 2021
Mr. SCHUMER. Mr. President, as the Senate prepares to take up the American Rescue Plan today, I want to remind everyone why we are here. This country is in the midst of a once-in-a-century crisis—not once in a decade, not once in every 50 years—one in a century.
It is a crisis that is still very much with us, and it is deadly—deadly—serious. It has claimed more than 515,000 precious lives across every part of the Nation.
For the better part of the calendar year, businesses have had to close their doors and entire industries teetered on the brink of collapse. The economy has lost 10 million jobs since this time last year. Millions of Americans are thousands of dollars behind on the rent and...
on the utilities. Folks are facing eviction. American families have had their water shut off, their heat shut off in the depth of winter, and the power cut during their kids’ first days of virtual kindergarten.

Even as the vaccine is quickly making its way into Americans’ arms now that President Biden has taken the helm, tens of thousands of Americans continue to get sick every week, and we are racing against the clock to defeat the pandemic and to save American lives.

Now, Congress has come together on several occasions to pass emergency relief in this time of extraordinary crisis. In each case, we saw our economy recover, briefly, before worrying trends took hold again, showing the depth of the economic crisis. It is not going to be quick and easy to get out of.

After the CARES bill passed, our economy stabilized before dipping deeply again in the summer. After we passed another emergency bill in December, the January numbers looked positive before once again slipping in recent weeks. Trusted economists—Treasury Secretary Yellen and Federal Chair Powell, both cautious, careful people—warn plans. Our plan, including a clear majority of Republicans here in Washington, and it is confounding. When the bill are Republicans here in Washington, and it is confounding. When the bill are Republicans, Democrats, Independents, Republicans.

Mr. Trump was President, they were willing to vote for a total of over $3 trillion in aid. Now that President Biden is President and the economy is in the same pickle, generally speaking, they don’t want to vote for a nickel. I wonder why. I wonder why.

And I yield to Chairman of my Republican colleagues are going to some pretty ridiculous lengths to showcase their opposition to a bill The Economist has called “one of the most popular bills in decades.” a bill supported by a majority—a majority—of Republican voters, not Republican Senators, but voters.

Yesterday, the Republican Senator from Wisconsin—the same Senator who last summer proudly declared he would oppose even a dime more in COVID relief, the same Senator who spent a Senate hearing on Capitol security reading conspiracy theories into the RECORD and saying that January 6 wasn’t an armed insurrection—decided to make himself the face of the Republican opposition to the bill by voting to force the reading of the Senate amendment to the American Rescue Plan, in full, before we can proceed with the bill.

We all know this will merely delay the inevitable. For smaller measures, the House amended the Senate version of the bill so that it would be passed. Senate clerks to read it, let everybody listen to the floor. Folks are facing eviction. Folks are facing eviction. Folks are facing eviction.

Still, we are delighted that the Senator from Wisconsin wants to give the American people another opportunity to hear what is in the American Rescue Plan. We Democrats want America to hear what is in the plan. And if the Senator from Wisconsin wants the clerks to read it, let everybody listen because it has overwhelming support. We want them to hear about the direct checks that will get, as promised, to help them keep up with the cost of groceries, medicine, and the rent; about funding to expand testing and support the vaccine; about the resources for schools to reopen quickly and as safely as possible; about the money to keep firefighters, teachers, busdrivers, and first responders on the job; about the dollars to provide rental assistance to keep Americans in their homes; about the help for the hardest hit small businesses to hang on until brighter days return.

Of course, when the clerks read the American Rescue Plan, the American people will get another chance to hear about the tax breaks for low-income workers and assistance for American families struggling with childcare—two provisions that make this bill so popular, about the support that is going to lift the country out of the crisis, provide millions of vaccines in people’s arms, and set it on a path to strong recovery, the Senate is going to move forward with the bill.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The clerk will call the roll. The senior assistant legislative clerk proceeded to call the roll.

Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The clerk will call the roll. The senior assistant legislative clerk proceeded to call the roll.

The Acting President, Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. The Acting President pro tempore. Without objection, it is so ordered.

Mr. McConnell. Mr. President, earlier this week, I described the terrible flooding across my home State of Kentucky. Rivers reached historic levels. Whole communities are still underwater.

Yesterday, my staff and I spoke with leaders in some of our hardest hit counties. The Estill County judge executive told me that he personally joined crews to help families escape danger. Small business owners in Lee County, who survived one COVID obstacle after another, now saw their life’s work literally washed away. The situation in Powell County is so dire that at least one city can only be accessed by boat. Road crews, first responders, and the Kentucky National Guard are doing their best to help out, but they can’t get a handle on the full scope of the damage until the water recedes.

Once the assessment is complete, the Governor will formally request an emergency disaster declaration from the Biden administration. As soon as he does, my team and I will do our part to get Federal assistance to these communities as soon as possible.

Mr. McConnell. Mr. President, on a completely different matter, yesterday, our Democratic colleagues had planned to begin ramming through their partisan spending spree, but it seems they have had some difficulty getting to the starting line. After all, Senate Democrats, including committee chairs, are essentially being jammed with text from over in the House. Their own Members have barely begun to read this thing, let alone shape it.

So let’s think back to where we were 1 year ago. Eleven-and-a-half months
The CARES Act sustained us for almost a year of shutdowns. It funded the healthcare fight, saved small businesses, and funded Operation Warp Speed, which helped pave the way for these pioneering vaccines and preorder hundreds of millions of doses for Americans. The law sent so much relief to households that, even as the GDP declined, personal incomes and savings actually went up. Even liberal economists say President Biden has inherited an economy that was already primed for a swift recovery. It was the largest American rescue package ever. Yet it passed the Senate without a dissenting vote because it was built the right way.

That was last March. So what about today?

Instead of heading into a dark tunnel, we are accelerating out of it: incredible racism, a rebounding economy. That is what the Biden administration inherited thanks to what we did last year.

Yet Washington Democrats are trying to exploit the last chapters of this crisis to pass what President Biden’s Chief of Staff calls “the most progressive domestic legislation in a generation,” and they have told Republicans: “Take it or leave it. No openness to negotiation, one-party rewrite of election law. That is what the White House wants to foist on unwilling States’ elections from Washington. It is unprincipled. It is unwarranted. Large portions of it may well be unconstitutional. One of the key principles of American elections is that Federal officeholders cannot personally micromanage the way in which voters can hire and fire us.

Different States and localities settle questions around early voting or absentee voting or voter registration in very different ways. Washington Democrats want every county in America to have to answer all of those questions the way they want. For example, no State would be able to have a simple voter ID requirement unless they neutered it with a massive loophole, but every State would be forced to allow ballot harvesting, where paid political operatives can show up, carrying a stack of ballots with other people’s names on them.

Imagine looking at this national landscape, where we have seen the losing side doubt the legitimacy of two consecutive Presidential elections, and thinking: This is the time for a sweeping, one-party rewrite of election law. Democrats are also coming after Americans’ free speech. The Federal Election Commission, set up after Watergate to be a bipartisan panel by design. The FEC intentionally needs bipartisan, one-party rewrite of election law. That was from the ACLU.

Mr. MCCONNELL. Mr. President, some of our Republican colleagues say that America does not need President Biden’s COVID rescue plan because “the pandemic is nearly over.” Funny. I have never heard them say we shouldn’t spend money to help tornado victims in their States after the tornadoes went by.

Let me say it clearly. We are not out of the woods yet. I wish we were. There are 510,000 Americans—maybe more now—who have died. The United States has 5 percent of the world’s population. We have 20 percent of the COVID infections and deaths. Why? Because of poor leadership during the first year of this pandemic.

We had a President then, who is now gone, who would announce it was a hoax, and it was going to disappear by Easter, downplaying the seriousness of the situation with his fanciful flights about certain chemicals that were going to save us or whether or not we should all be gorging Lysol every morning. It made no sense, and the American people came out of that experience confused and infected with deaths in their families. That was the reality of the first year of the pandemic.

The majority whip.

Mr. DURBIN. Mr. President, some of our Republican colleagues say that America does not need President Biden’s COVID rescue plan because “the pandemic is nearly over.” Funny. I have never heard them say we shouldn’t spend money to help tornado victims in their States after the tornadoes went by.

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There was also another reality, which the Republican leader just alluded to in that, 12 months ago, we passed something called the CARES Act. It was historic—the largest Federal expenditure in the history of the United States of America. Our colleagues here signed that bill? Well, it was Treasury Secretary Mnuchin, whom I didn’t know well but who, apparently, had some skill as a negotiator because he managed to not only speak for President Trump but to negotiate a bipartisan coronavirus rescue plan with Democrats and Republicans. It came to the floor of the Senate, with a vote of 96 to nothing. Every Democrat voted for the COVID rescue plan of the Trump administration a year ago—every Democrat.

The second major bill occurred in December, that of $900 billion, designed to help us through the first 3 months of this year—again, with Treasury Secretary Mnuchin at the table on behalf of the Trump administration. It included every Democrat, and 6 Republicans voted no.

So you see when it came to COVID rescue plans under the Trump administration, the Republicans were happy to ask us to join them, and we did. Oh, some people said we were giving them a political advantage here or there or the other, but those arguments didn’t prevail on the Democratic side. The Nation came first. The pandemic came first. Unemployed people and businesses that were struggling came first, and we voted that way.

Then came a new President: Joe Biden, elected November 3, despite the denial of some. It was a reality. He took this pandemic and faced it square—no excuses about hoaxes or “it is going to go away” or “I have got a favor from that will save everybody’s life.” He faced it squarely. He accepted the responsibility, as President of the United States, to tell the American people the truth.

The first thing he told them was that we cannot, we should not, stop in our efforts to end this pandemic and put America back on its feet. So he made a proposal, a proposal with at least $1600 billion in it, for buying vaccines, administering those vaccines, and distributing them across the United States. I would think that everybody would agree with that as a starting point. It wasn’t the end point.

As for the cash payment promised by the Trump administration and agreed to by most Democrats, he wanted to keep his word on that—$1200 more for families all across America.

He talked about State and local aid. I can tell you that this is more than a theoretical exercise in my State of Illinois. That is a need help. The expenses of COVID–19 and the lost revenue by our shrunken economy have taken their toll in my State and in the cities across the State.

I just got off a Zoom call with a dozen small towns in Illinois. They are all down from my neck of the woods. They are great folks, doing their best, struggling under COVID–19.

They asked me: Are you going to send us any help?

I said: President Biden has made his American rescue proposal. If we can pass it, help is on the way.

Assistance won’t just go to Springfield, our State capital, or to Chicago, which does need help, but to cities across our State and across our Nation. That is included in this bill too. Help for our schools is included in this bill too. The list goes on, and it is an important list because it really highlights the priorities of recovery in the United States.

President Biden and all of us heard the news a day or two ago when the Governors of Texas and Mississippi, in full—this denial of the reality of this pandemic, basically took off all the limitations on businesses and on individuals. No more mask requirements. Let’s open up everything all the way. The President was right. That was not a smart choice. It was not a wise choice. We are up against it, and we have to remain united in our effort to defeat this coronavirus.

So this week, in a day or two, President Biden’s American Rescue Plan will come to the floor. Will we have another bipartisan rollcall, 96 to nothing, 92 to 6? I am afraid not. As of this moment, and I hope it changes, no single Republican Senator has expressed an interest in voting for this bill. Not one. I hope it changes, and it could. Some Senators at the last minute, I think, will realize this is the right way to go. Meanwhile, the Republican leader comes to the floor every day and reads from his blank Democratic wish list, a liberal wish list, Nancy Pelosi’s wish list. This is the American people’s wish list. Eighty percent of the American people support what President Biden is trying to do, and the leading Republicans are going to have to do the same as this. If we don’t inject money into this economy to restore its energy and future, we will pay for it not just for months to come but far beyond.

It is a situation that every parent knows, when they go to the doctor, to the pediatrician, with their little boy or little girl with an earache, and he says: I am going to give you some antibiotics. Now, this is a 5-day prescription for a young boy going to start feeling better on the second day, and by the third day, he is going to be playing as usual. You are going to think, well, he doesn’t need the rest of these antibiotics. Don’t make that decision. He doesn’t need the rest of these antibiotics. He needs to get the rest of the medicine to get well completely, or he may lapse back into it again and get sick all over again.

You stick with it even when your little boy is running rings around you. It is the right thing to do. That is what the doctor said, and that was the right thing to do.

That is the same thing with this. If we accept the Republican argument that this pandemic is really over; if we accept the argument of the Governor of Texas—that was yesterday; we don’t have to worry about it tomorrow; if we take that approach, we could have a disastrous result. We could be back in trouble again in just a few weeks.

I hope we don’t. I hope we come together in the Senate, preferably on a bipartisan basis, and help the President. I think this is our chance. We have no greater responsibility than to put an end to this pandemic, the put the economy on its feet, get the kids back in school, and let grandparents visit those grandkids again. That is part of getting America back where it needs to be.

We need bipartisan support. As Democrats, we provided that support to a Republican President. Now that a Democrat is in the White House, Democratic President, will our Republican Senators do the same? I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

MURPHY. Mr. President, I was on the floor of the Senate, and, this time, there were 92 votes in favor of it, including every Democrat, and 6 Republicans voted no.

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Mr. MURPHY. Mr. President, I was on the floor of the Senate, and, this time, there were 92 votes in favor of it, including every Democrat, and 6 Republicans voted no.
Republicans have said: Well, this is different to step up and meet this moment. House and the Congress, that we need—Republicans haven't understood, when a thing over and over about this bill: It is not at all COVID relief. I have heard the statistics thrown out by my Republican friends. Some of them suggest that only 5 percent of this bill is COVID relief. I am not sure exactly how they come to that calculation, but what I understand them to say is that if you are increasing nutritional benefits to people who can't afford to feed their kids because they have lost their job or they have lost hours because the economy melted down due to a pandemic. This is not all of a sudden, not COVID relief today.

This one is maybe the most bizarre of Republican claims. This bill is expensive, but it is not too expensive. This moment is unique, and we are mandated by our oath of office to meet this moment. Republicans didn't have a problem spending $1.9 trillion to give tax breaks to their wealthy friends. I don't know why they, all of a sudden, have a problem putting money in the pockets of hard-working Americans who are suffering through the worst healthcare crisis this country has seen in a century.

Republicans say this is a partisan bill. Out there in America, guess what—none of that, it is not. Republicans and Democrats support this because it is full of commonsense ideas that make a lot of sense to people, no matter what their political ideology is outside of Washington.

Republicans say this bill isn't COVID relief but a Democratic progressive wish list. No, it is simply an extension of the things that were bipartisan priorities last year. We thought they were good ideas then. We think they are good ideas now, and we repeatedly attack the healthcare crisis or whether it was designed to address the economic crisis.

There were stimuli checks in the CARES Act—well, let's just take a look at what was broadly part of the CARES Act that was supported by every single Republican and what is broadly part of the American Rescue Plan, because my Republican colleagues thought that everything in the CARES Act was COVID relief, whether it was designed to immediately attack the healthcare crisis or whether it was designed to address the economic crisis.

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the welfare of the American people for us to step up to the plate and get this done this week.

I yield the floor.

The PRESIDING OFFICER (Mr. KING). The Republican whip.

Mr. THUNE. Mr. President, less than 2 months ago, at his inauguration, President Biden spoke about his deep commitment to bringing Americans together.

Today, the Senate will consider the first major bill of his Presidency, an intensely partisan piece of legislation. Why is the bill before us today so partisan? It is not because Republicans were unwilling to cooperate with Democrats on COVID legislation. In fact—in fact—Republicans made it very clear that we were willing to work with Democrats.

No, the bill before us today is so heavily partisan because Democrats didn’t want to work with Republicans. Democrats opportunistically use the COVID crisis to advance a whole host of liberal priorities, and they were afraid that allowing Republicans to participate in the process would mean that some of their pet projects would be excluded or that they would have to pare back some of their more profiteering spending.

So Democrats decided to reconcile to ensure that Republicans wouldn’t be able to interfere with their Democratic legislation. And let’s be very clear about the nature of that legislation. Democrats would like to present this as a COVID bill. It is not. Yes, there are a handful of true COVID priorities in this legislation, such as more money for vaccines and coronavirus treatment, something that I think everybody here on both sides of the aisle supports. But the bulk of this bill is either non-COVID-related or ostensibly COVID-related but, actually, either unnecessary or excessive.

On the non-COVID front, there is the $86 billion bailout for multipayer pension plans, the billions for climate change and other environmental policy issues, a new taxpayer-funded leave program for government employees with no requirement that it be used for COVID–19, and I could go on.

The version of the bill that came over from the House contained such non-COVID-related measures as $100 million for an underground rail project in the Speaker’s home State and $1.5 million for a bridge in the Democratic leader’s home State, plus a massive increase in the Federal minimum wage that would cost an estimated 1.4 million jobs, according to the Congressional Budget Office, and potentially—potentially—$350 billion for States not in crisis, and rescuing those States that are not in crisis would not take anywhere close to $350 billion. Democrats are going to spend hundreds of billions of taxpayer dollars on an unnecessary giveaway to States, and on top of that, that giveaway is weighted in the favor of blue States. That is right. The distribution formula is designed to heavily favor Democratic States.

Well, then there is the money for schools. Now, Republicans have been very willing to give schools money to help them reopen, but last year, when Republicans were in the majority—which, by the way, during that time we passed five COVID–19 relief bills, all with bipartisan cooperation and support, at the 60-vote level that we use here in the Senate for most legislation that we take up under regular order—but we put a lot of money into giving schools money to help them reopen. In fact, Republicans voted for $68 billion for K–12 schools.

At this point, the money is sufficient. Schools have spent just $5 billion of the $68 billion that we have already provided. Let me repeat that. So far, schools have spent just $5 billion, or less than 10 percent, of the $68 billion that has already been given to them. Yet the Democrats’ bill would appropriate an additional $129 billion for schools, 95 percent of which would be spent after this year—the year of the crisis, the year of the emergency, the year of the funding. You would think that, if this was a crisis, the funding would be made available to be used this year, but it is not. It is spent in the years 2022 to 2028.

Do Democrats really expect Americans to believe that school dollars that won’t be spent until 2027 or 2028 are urgently needed coronavirus response dollars? This is the pattern with this bill, though.

We just passed a large coronavirus relief bill in December, the fifth coronavirus relief bill that Congress has passed, and a lot of the money from that bill hasn’t been spent yet. In fact, a lot of money from earlier coronavirus bills has not been spent. Yet Democrats are throwing massive additional amounts of money at various recipients with no idea—no clear idea—of whether or not that money will be needed or, in some cases, when we know very well that that money isn’t needed.

Republicans will be introducing amendments to the Democrats’ bill. I am introducing an amendment to undo the Biden administration’s freeze on the Coronavirus Food Assistance Program, which has provided support for farmers and ranchers who have been hit hard by the pandemic.

I hope some of my less extreme Democratic colleagues will join Republicans to advance some of our amendments, such as Senator Graham’s amendment to change the distribution formula for States to the formula used in the bipartisan CARES Act, which passed unanimously here in the Senate, so that both red and blue States would get a fair shot at funding, or amendments to remove those provisions that are in no way related to COVID relief.

Unfortunately, Democratic leaders have made it very clear that they are not willing to even consider Republican ideas. So I don’t have a lot of confidence that Republican amendments, even if adopted, will end up in the final bill.

This is deeply disappointing that pretty much the first thing Democrats did this Congress was to take a bipartisan process—the coronavirus relief—and make it partisan. All five—all five—of the coronavirus bills that Congress has passed to date—last year, when Republicans were in the majority—were bipartisan. This bill could have been bipartisan, too, but Democrats decided that Republicans and the Americans that they represent should not have a voice in this legislation.

Is this what the best of the Biden Presidency is going to look like? I sure hope not, because it is going to be really hard—really hard—to come up with solutions that are durable and that represent the middle—those people whose voices are not heard in the legislation that we will be taking up today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

CONCERNS OVER NATIONS FUNDING UNIVERSITY CAMPUS INSTITUTES IN THE UNITED STATES ACT

Mr. KENNEDY. Mr. President, I want to talk a few minutes about the good people of China, about Confucius Institutes, and the Chinese Communist Party.

I meant what I said when I referred to “the good people of China.” You visited China, Mr. President. The people of China are wonderful people. They are engaging. They are smart. They have a great sense of humor. They have built an extraordinary economy.

I wish I could say the same about their authoritarian government, but I can’t. The Communist Party of China is trying to not only swallow China, it is trying to swallowing the world.

We helped the Communist Party of China be admitted into the World Trade Organization. We were told that if we did, they would embrace free enterprise. We were told that the Communist Party of China would be a valuable participant in a stable world order. None of that has come to be the case.

I want what the Communist Party of China has done to Hong Kong. We know what the Communist Party of China has done to the Uighurs. We know what the Communist Party of China has done to the wonderful, wonderful people of Tibet. But I did want to talk today about the authoritarian government of the Communist Party of China and the Chinese people.
The Communist Party of China, being as aggressive as it is, has for a number of years reached out to our colleges and universities to establish what the Communist Party of China calls “Confucius Institutes.” And this was the point, or the government of the People’s Republic of China to our universities: “We will give you bucket loads of money if you”—our American universities—“will allow us to establish Confucius Institutes where we can explain our culture to the young people of America, where we can have a free exchange of ideas, and where we can help young Americans learn the Chinese language if they would like.”

That sounds great. You know, I will take a few of those. But the Communist Party of China being the Communist Party of China, that is not how our Confucius Institutes have worked out.

These institutes, run by the authoritarian Government of China, will not allow the free exchange of ideas. They will not allow anyone to talk about the Uighurs or the people of Tibet or Hong Kong or what happened at Tiananmen Square. They basically—they’re managed by the Communist Party of China—have used these Confucius Institutes as propaganda arms of their government.

Many of our universities have done the right thing. They have said: No, we stand for the free exchange of ideas, and if you are going to come on our campus and tell our people that there are things they can’t talk about, then, respectfully, you need—you, the Confucius Institutes—leave our campus.

But some of the universities haven’t done the right thing. I am not suggesting that—I am not cynical enough to suggest that it is all about the money, but you can’t ignore the fact that if the Communist Party of China has given our universities, through the years—not hold me to this figure exactly—but about $150 million to set up these Confucius Institutes, universities, you know, they build in money into their budgets, so they are reluctant to see the Confucius Institutes leave—not all of our universities but some of them. I recognize the economic reality.

I have a bill that would say to—we wouldn’t get rid of Confucius Institutes. It will just tell our universities: You have to properly manage them. You can’t allow the Confucius Institutes to stay on your campus if the Confucius Institutes will not allow for the free exchange of ideas.

If kids—I shouldn’t call them kids. If young people in our universities want to talk about Tibet, they get to talk about Tibet. And the bill would say that you have to have, you have to have some control of these Confucius Institutes from the Communist Party of China; otherwise, they are not going to be eligible for Federal funds.

My bill, once again, doesn’t kick anybody off campus. It just says you have to—you, the Communist Party of China, have to do what you originally told us you were going to do.
released, is going to stimulate our economy substantially, in my judgment.

Everyone involved is doing a wonderful job on the vaccines. President Trump’s team did a wonderful job. President Biden is doing a good job. The Governors seem to be doing a great job. People are getting vaccinated. We know that we have a lot of people in America who had the virus and didn’t even know it. We are rapidly approaching the point where, either through vaccination or people who have been infected with the virus and therefore have the antibodies, we are going to have way over the majority of American people protected.

So one point of view is that we don’t need to spend $1.9 trillion, but there was a middle ground here, and I am disappointed that the President took the position that, look, we need to spend $2 trillion right now, even though there is $1 trillion at least in previously appropriated funds that we haven’t spent yet.

Now, a reasonable approach would have been to say: Do we really need to spend $2 trillion? Maybe we ought to spend the other $1 trillion and see if that will suffice. Another reasonable approach would have been to say: Maybe we ought to reprogram some of the $1 trillion that hasn’t been spent. For example, we appropriated $70 billion to our elementary and secondary education institutions when we have given them $70 billion in the past and they have only spent $4 billion? Where is the fire? They have $65 billion or so left. This is real money. There is no money fairy.

I look at the bill—and I mean, I want to help them. I don’t want to see them lose their jobs. Gosh, many of them do need help. But should we really be sending stimulus checks to people who have never missed a paycheck, or do they really need the money if they haven’t been laid off and have not been paid the entire time of the lockdown? Why are we doing this?

Could that money—first of all, one option is not to spend it if there is not a need. We can pay down our debt or at least not increase our debt. Another option would be to spend it on something that we really need.

I come to the conclusion—I am not trying to be mean-spirited, but that is why I say calling this a coronavirus bill, you know, it is like calling Harvey Weinstein a feminist. This isn’t a coronavirus bill, not the way it has been portrayed.

Now, the American people still need help. We still have some folks, primarily in the local industry and in the travel industry, who need our help. They do need help.

We have a lot of folks who have lost their jobs through no fault of their own. They are on unemployment that is about to run out. They need our help, and we ought to help. But the right way to do this is to sit down as a body—Democrats and Republicans—and go through our needs, not our wants, because that is another problem with this bill. It is more “wanty” than needy. Let’s go through our needs, and let’s discuss how much money we should appropriate to those needs in light of the facts that we have already spent $4 trillion and we have a bunch of money left over. And that is not the way this is done.

This is just being rammed down our throats. This is just raw gut politics, which I understand. I have been around it. You have, too, Mr. President. We have both been around the block a few times. But that is not how you allocate scarce resources.

The final point I will make is, I know when we did the Tax Cuts and Jobs Act—”we,” meaning the Republicans—we went through reconciliation. We did. And so a fairminded person might be thinking, well, KENNEDY, you know, how can you criticize your Democratic colleagues for using reconciliation if you didn’t? And if you did, is it fair? Except when we did the Tax Cuts and Jobs Act, we asked our Democratic friends in leadership: Can we sit down and see what we can put together? And we were told: No, we don’t want to reduce taxes.

That is not what happened this time. Things happened very quickly, and that is OK. But 10 of my colleagues went to the White House and visited with President Biden for 2 hours and came back and said: You know, I think he may want to put a bill together. And we were excited. We were going: Yay, that is great. Wonderful.

Then, the next thing we knew, the White House issued a statement and said: Our idea of unity is to do what we say and don’t ask questions.

Both of us know that is not unity. So all of this could have been avoided. It all could have been avoided. And I think we are going to end up spending money that doesn’t need to be spent right now. I think we are going to end up spending money where we don’t need to spend it.

I am so glad that Senator SCHUMER withdrew his bridge project and that Speaker PELOSI withdrew her Silicon Valley subway. That is just spending porn. But, in any event, I wanted to get that off my chest. We are going to go through a vote-arama, where we all offer amendments. Maybe together we can make this bill better and get rid of some of the spending porn, as I call it, and do the job that the American people sent us here to do.

Thank you.

I don’t see Senator SANDERS. I’m sorry.

With that, I yield to my good friend Senator PETERS.

The PRESIDING OFFICER. The Senator from Michigan.

AMERICAN RESCUE PLAN ACT OF 2021

Mr. PETERS. Mr. President, as we near the 1-year anniversary of the coronavirus pandemic ripping our country, there is no question that millions of people all across our country are still hurting.

While we are making important progress in the fight to combat this virus, this public health and economic crisis continues to take a significant toll on families, workers who are out of a job, educators, students, small businesses, hospitals, and communities all across our country.

We passed targeted, temporary relief in December, but we knew at that time that that was not going to be enough. We knew there was a need for urgent, meaningful relief. We must act quickly to meet the urgency of this moment by swiftly passing the American Rescue Plan.
This is about relief for Michiganders and Americans who are reeling and are trying to make ends meet, funding to help schools safely reopen, sources to speed up vaccine distribution, and support for small businesses fighting to stay afloat.

I continue to hear from Michiganders from all across the State who are struggling to put food on the table, pay their rent, and keep the lights on. These folks are not asking for a handout; they simply want a lifeline to get to the other side of the pandemic.

When we passed $600 relief checks in December, I pledged that we must do more and that we could do that by providing people with an additional $1,400 to fulfill the promise of $2,000 in relief funds. With the American Rescue Plan, the majority of Michiganders and Americans who received these relief checks in December are going to be eligible once again.

This bill would mean a family of four could receive an additional $5,600. That support is vital to make sure that people don’t fall into poverty as a result of this pandemic and that they can get back up on their feet as quickly as possible.

We know that millions of workers across our country, including workers in Michigan, are on the verge of seeing unemployment benefits expire on March 14. We cannot abandon folks who are out of work through no fault of their own because of COVID-19. They have seen this pandemic disrupt their jobs and their incomes. The need for unemployment assistance is widespread, and it is necessary in Michigan.

For example, there were over 460,000 active claims for Michiganders for unemployment assistance in Michigan just in February. That is up from 529,000 in January. And these claims for assistance come from every single county across our State. We need to act now so these individuals remain eligible for unemployment benefits, including self-employed workers, like small business owners, freelance workers, independent contractors, or gig workers. We must ensure families receiving unemployment have enough assistance to get by, which is why I support an additional $400 in weekly benefits. We also need to provide certainty that this assistance will continue to be there for them in the months ahead, not just for the next few days. The American relief plan will do just that by bolstering our State’s unemployment programs with additional Federal support through August 29.

To help families get back to work, we all know that we must also safely re-open our schools. Many parents and educators are struggling to assist children through lessons while juggling other work and caregiving demands during the pandemic. The American Rescue Plan reflects a point of consensus that we want our students to return to school as safely and as quickly as possible. The more we provide certainty that this assistance will continue to be there for them in the months ahead, not just for the next few days. The American relief plan will do just that by bolstering our State’s unemployment programs with additional Federal support through August 29.

In response to the negative impact that COVID–19 has had on education, a stronger and urgent investment in our schools is absolutely critical for achieving safe operations and recovering from gaps in learning. That is why the American Rescue Plan is absolutely essential.

This legislation will provide $170 billion in emergency funding to our schools and to our students, with $130 billion for K–12. The funding will help schools take steps based on science and recommendations from the CDC to ensure that students and educators can safely return to the classroom. This includes repairing ventilation systems, reducing class sizes, implementing social distancing guidelines, purchasing personal protective equipment, and hiring support staff to care for students’ health and their well-being.

Every family and community has been facing a very unique set of challenges, and we need to provide robust funding so parents have what they need to keep children connected with learning opportunities that are both safe and effective.

And while these are important steps, we also know that if we are going to come back from this pandemic, we also need to support the very backbone of our economy, which is our small businesses. While we have passed several rounds of relief for small businesses, too many of our hard-hit small businesses are — from restaurants to boutiques, to family-owned and minority-owned businesses.

The American Rescue Plan has significant small business relief, including $25 billion in grants for restaurants and bars that have lost revenue because of the pandemic; $15 billion for economic injury disaster loan advance grants; $7 million in funding for Paycheck Protection Program loans and expanded eligibility for nonprofits.

Additionally, this package reauthorizes and provides $10 billion in Federal funding — including $1.5 billion specifically for minority-owned small businesses — to the State Small Business Credit Initiative.

I was proud to help establish this program in 2010 while serving in the House of Representatives. This program is a proven success. In Michigan, it has helped small businesses create or retain over 12,000 jobs, and it strengthens State programs that support financing of small businesses, allowing them to both grow and to create more jobs.

I am pleased to again champion this program, and with additional investment, it will again provide crucial support to small businesses in Michigan and all across our country.

And, finally, to completely get this pandemic under control, we must ramp up the distribution of vaccines. That is one of my top priorities as chairman of the Committee on Homeland Security and Government Affairs.

Thanks to the extraordinary work of our scientists, our researchers, and our vaccine makers, especially those in my home State of Michigan, we now have three safe and effective vaccines. But I know that many people have been frustrated and darn right angered by the difficulties they have had in trying to receive vaccines for themselves or for themselves. I am encouraged that President Biden and his administration have been working tirelessly to expand vaccine production and speed up vaccine distribution. But to get those additional vaccines into people’s arms, it will take additional resources.

Through my work on the Senate Homeland Security Committee, I have been leading the charge to ensure that the Federal Emergency Management Agency has the essential staff, supplies, transportation, and other resources necessary to ensure that every vaccine dose is actually reaching an arm in this country.

I have spoken with President Biden both in the Oval Office and at the Pfizer vaccine facility in Portage, MI, about the critical need to expedite the deployment of vaccines and to do everything — do everything in our power to ensure vaccines are free and widely available in every community as quickly and as efficiently as possible.

The American relief plan includes $50 billion to help FEMA support a national vaccine program to efficiently administer vaccines, including underserved communities. It also provides frontline medical professionals personal protective equipment, testing supplies, and workforce needed to slow and to eliminate the spread of COVID–19.

All of these resources are mission critical as FEMA plays a leading role in assisting the Federal Government’s response to COVID–19 by coordinating with ramped-up vaccine production. We are beginning to emerge from a very dark winter, but our work is not done.

We cannot be complacent. We cannot let up. This virus does not take a day off, and neither can we.

We must pass the American Rescue Plan. This package is not only what the American people need, but it is what they want. There is widespread support across the country for this package—from mayors to Governors, to economists across the political spectrum, and the majority of the American people.

We must deliver comprehensive and urgently needed relief so we can do just that by passing the American Rescue Plan. This package will not mark the end of our efforts to crush this virus, but it will provide a massive shot in the arm to help families, to safely open up our schools, and to accelerate the development of more vaccines.
So, with that, I urge all of my colleagues to support the motion to proceed and final passage. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL MINIMUM WAGE

Mr. SANDERS. Mr. President, later today or tomorrow, as part of the American Rescue Plan, which we will be discussing in the next few days, which I happen to believe is the most significant piece of legislation to come to the floor of the Senate in decades in terms of addressing the crises facing working families—as part of that piece of legislation, I will be offering an amendment to raise the Federal minimum wage from $7.25 an hour, which I believe is a starvation wage, to $15 an hour over a 5-year period—5 years.

I believe is a starvation wage, to $15 an hour over a 5-year period—5 years.

If you have been some miscommunication around here, and there are people who are saying it is going from 7.25 to 15 bucks an hour in 1 year. Not true. It goes from 7.25 to 9.50, to 11, to 12.50, to 14, to 15 dollars an hour. So anyone who says we are raising the minimum wage in 1 year, in the midst of a pandemic, to $15 an hour is simply not telling the truth.

This amendment is similar to a bill which I have brought forth, the Raise the Wage Act, which I am proud to say has been cosponsored by some 38 Members of the Senate, and this is also similar to legislation which has already passed the U.S. House of Representatives. And I thank them, and I thank my friends in the Progressive Caucus in the House for doing a great job in pushing this legislation.

I should also add, for my Senate colleagues, that this legislation raising the minimum wage is supported by some 300 national organizations, including the 12 million members of the AFL-CIO and virtually every major union in this country. This is something that unions like the SEIU, one of the largest unions in this country, have been fighting for, for a very long time.

I should also add here that while raising the minimum wage is going to impact every low-wage worker in this country—because African-American and Latino workers often are earning poverty wages—it significantly impacts the lives of the minority communities as well. That is why, among so many other organizations supporting this amendment, it is supported by the Leadership Conference on Civil and Human Rights; it is supported by the National Council of Women; because, again, when we talk about low-wage workers, we are talking about the minority community, we are talking about women; and that is why it is supported by groups like Unidos, the American Association of University Women, Indivisible, Justice for Migrant Women, the National Domestic Workers Alliance, and the National Women's Law Center.

So, once again, this is legislation that will increase wages for 30 million American workers. And if you ask me what the great economic crisis in our country is today, it is not just unemployment; it is not just income and wealth inequality; it is that half of our working families today, and before the pandemic, were living paycheck to paycheck. Their wages were so low that if they had a problem with their car or their kid got sick, suddenly they were in financial crisis.

And in the richest country in the history of the world, half of our people should not be facing economic desperation when their car breaks down. The reason for that is, significantly, that many workers are earning starvation wages—and I underline that, starvation wages—in this country.

I would love to hear anybody get up here and tell me that they could live on seven and a quarter an hour, they couldn't live on 8 bucks an hour, they couldn't live on 9 bucks an hour. You can't. I have been all over this country, and I have talked to workers who are making 10, 11 bucks an hour, with tears streaming down their cheeks, who would love to take their paycheck and try to raise their kids.

So the time is long overdue. The last time this Congress passed an increase in the minimum wage was in the year 2007—2007. It is time to raise the minimum wage. It is time to raise the minimum wage to a living wage of 15 bucks an hour.

Now, later on today or this evening, as part of my support for this enormous, giant piece of legislation—and, as chairman of the Budget Committee, I will be speaking more about why we need to raise the minimum wage, but I want to focus on one part of the minimum wage bill that I have been hearing a little bit about in the last couple of days from some of my colleagues, and that is the provision to raise the tipped wage.

Now, the tipped wage, so everybody understands it, is the Federal minimum wage that applies to waiters and waitresses and other people in the restaurant and the hotel industry, who are making 10, 11 bucks an hour. It goes from 7.25 to 15 bucks an hour. So anyone who says we are going from 7.25 to 15 bucks an hour in 1 year, in the midst of a pandemic, to $15 an hour is simply not telling the truth.

Now, I have heard from some who tell me that raising the tipped wage will impact every low-wage worker in this country—because African-American and Latino workers often are earning poverty wages. That is not true. That is what lobbyists are saying, representing Big Money interests. I know a little bit about it. I am hearing from some that waiters and waitresses, they are doing really well, making a whole lot of money, and they don't need an increase in the minimum wage.

Let's be clear. When you talk about the restaurant and the hotel industry, you are talking about mass discrepancies in the kind of incomes that people receive. I will not deny it for a second. My daughter worked in a fancy restaurant. She did quite well.

So if you are working in a hotel in a fancy restaurant, it is $2.12 an hour. It is a starvation wage. It is not that fancy, and maybe it is $10 for
lunch or $8 for lunch. Twenty percent of that is $1.60, on an $8 meal.

Let us be very clear that, when we talk about waiters and waitresses, some 70 percent of tipped workers in this country are women, who suffer from some 62 percent poverty rate of the rest of the U.S. workforce. In other words, women who are waitressing have a three times higher poverty rate than the rest of the U.S. workforce.

Their tips are not keeping up with their needs. These women waitresses use food stamps at double the rate of other workers in this country.

And, importantly, and increasingly so—amazingly, during this pandemic—waitresses suffer from the highest rates of sexual harassment of workers in any industry because they are forced to tolerate inappropriate customer behavior to feed their families through the tips that they get.

We are hearing stories where people in a restaurant, guys in a restaurant say: ‘Your mask or you’re out. You want a tip; let me see how you look.

And, clearly, this is unacceptable behavior.

I also want to point out that the idea of moving tip workers to the same level over a period—in this case, 7 years—moving it to the same level as the overall minimum wage is not a radical idea. It ain’t a Bernie Sanders idea. It already exists. I don’t know if people know this. It already exists. Seven States, in other States, right now, people who work in the service industry—waiters, waitresses, and others—are getting the same minimum wage as all the workers in those States. And those States are California, Oregon, Washington, Nevada, Montana, Alaska, and Minnesota. Seven States already pay their service industry workers the same wages as they pay other minimum-wage workers.

And I should point out that all of these states experienced a growth in the number of small businesses and restaurants after they abolished the tip minimum wage. So they abolished the tip minimum wage; it did not drive restaurants out of business. In fact, in those States where the tip minimum wage equaled the general minimum wage, we saw a growth in the number of restaurants.

And, furthermore, to respond to another piece of misinformation, waiters and waitresses in these States did not suffer more in tips, not less. So the mythology that is going around here is that they get.

In an industry where more than 6 million workers have lost their jobs—and, obviously, we all know the restaurant and hotel industry have been terribly hard hit by this pandemic, 50 percent more than 60 percent of subminimum wage earners could not get unemployment benefits because the State and Federal Government denied them benefits for not making enough earned income. You all got that?

So we are talking about the need—and I certainly agree with that—to expand and extend unemployment benefits, but you have a whole lot of workers who are earning starvation wages who are not going to be eligible for unemployment.

At the same time, as restaurants reopen, the CDC has declared restaurants as the most dangerous place to work. We all know this. You are coming face-to-face with your customers. And now servers, in the midst of that, are responsible—you are a waiter, you are a waitress, and you are responsible—for telling somebody who walks into your restaurant that they must socially distance themselves or wear a mask. It is not necessarily a comfortable position for a worker dealing with a hostile customer.

I would ask all of us are increasingly aware of sexual harassment in general in this country, that the restaurant industry has some of the highest rates of sexual harassment. In a workplace where 70 percent of the workers are women and where they rely on their customers to determine their wages because of tips, women are often expected to withstand sexual harassment in order to get those tips.

In States where the subminimum wage has been abolished, sexual harassment has been cut substantially because women no longer have to take that. It is not an all-or-nothing proposition.

If you ask me again what the major economic crisis facing this country is, we know unemployment is sky-high, we know income inequality is unacceptable, and so many other factors are out there about the economy, but at the end of the day, the fact that tens of millions of workers in the richest country on Earth are barely making it. They are having a hard time feeding their kids. They are having a hard time paying their rent. Many of them get inadequate 10.25—$15 an hour by 2025; after 2025, adjust the minimum wage each year to keep pace with growth in the median wage—a measure of wages for typical workers.

Phase out the egregious subminimum wage for tipped workers, which has been frozen at a meager $2.13 since 1991; and Sunset unacceptable subminimum wages for workers with disabilities employed in sheltered workshops and for workers under age 20.

Since fast-food workers in New York City first walked off the job in 2012, demanding a $15 minimum wage and the right to form a union, workers across the country have successfully changed the politics surrounding the minimum wage. Yet, 20 states still have not raised their minimum wages beyond the paltry $7.25 federal minimum wage, and many more have only marginally higher minimum wages than the federal floor—despite clearly negative impacts on workers across the country. Those negative impacts also disproportionately affect Black and brown workers, who have historically been segregated into the lowest paying occupations in the U.S., and who are leading the fight for $15 and a living wage.

Congress should heed the demands of workers of color, communities, and their constituents and waste no time in passing the Raise the Wage Act, which sets the federal minimum wage to $15 an hour and eliminating subminimum wages for tipped workers, youth workers, and workers with disabilities is a long overdue, human rights imper- floor. This is what the Democratic platform stands for, and this is what at least 38 cosponsors of the Raise the Wage Act already believe.

So here we are at a pivotal moment. The working class is being decimated. People are struggling to feed their kids. We have to raise wages in this country, and we have to raise the working class.

I will be back later for more on this. I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Vermont.

Mr. SANDERS. Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated February 22, 2021, about tip wages, signed by hundreds of organizations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 22, 2021.

DEAR MEMBERS OF CONGRESS: The undersigned organizations enthusiastically support the Raise the Wage Act of 2021, as introduced in the Senate by Senators Bernie Sanders (VT) and Patty Murray (WA), and in the House by Representative Robert C. “Bobby” Scott (VA).

If enacted, the Raise the Wage Act of 2021 would:

Gradually raise the federal minimum wage to $15 an hour by 2025;

In an industry where more than 6 million workers have lost their jobs, raise the subminimum wage for tipped workers, which has been frozen at a meager $2.13 since 1991; and

Sunset unacceptable subminimum wages for workers with disabilities employed in sheltered workshops and for workers under age 20.

Since fast-food workers in New York City first walked off the job in 2012, demanding a $15 minimum wage and the right to form a union, workers across the country have successfully changed the politics surrounding the minimum wage. Yet, 20 states still have not raised their minimum wages beyond the paltry $7.25 federal minimum wage, and many more have only marginally higher minimum wages than the federal floor—despite clearly negative impacts on workers across the country. Those negative impacts also disproportionately affect Black and brown workers, who have historically been segregated into the lowest paying occupations in the U.S., and who are leading the fight for $15 and a living wage.

Congress should heed the demands of workers of color, communities, and their constituents and waste no time in passing the Raise the Wage Act, which sets the federal minimum wage to $15 an hour and eliminating subminimum wages for tipped workers, youth workers, and workers with disabilities is a long overdue, human rights imper-
cashier, home health aide, or fast-food worker who today struggles to get by on less than $22,000 a year. A majority (90%) of workers whose total family income is below the poverty line would receive a pay increase if the minimum wage were raised to $15 by 2025.

Raising the minimum wage to $15 and eliminating the subminimum wage is particularly significant for workers of color and women workers, who have historically been pushed into the most underpaid jobs through occupational segregation. In many cases, workers need to take multiple part-time jobs, losing the benefits of many full-time positions. The Raise the Wage Act would help narrow both the racial pay gap and the gender pay gap. Of those whose pay would increase, nearly one-quarter (26%) of Latinx workers and women would get a raise, meaning the minimum wage increased to $15. Almost one in four (23%) of those people who would benefit is a Black or Latinx woman. African-American workers and Latinx workers are paid 19-15% less than white workers with the same characteristics, so the Raise the Wage Act would deliver the largest benefits to Black and Latinx workers—$8,030,000 for a single women worker. The Raise the Wage Act will also deliver increased wages to an estimated 1.45 million young people and women, increasing the proportion of male same-sex couples living in poverty by one-third and female same-sex couples by almost one-half.

Raising wages has never been more urgent than during this pandemic. Essential and frontline workers risk their health to make a living in this economy. And those who would benefit from a $15 minimum wage. Members of Congress should do more than pay lip service to front line workers; they should make sure they get higher wages. The median pay is well under $15 an hour for many essential and frontline jobs; examples include substitute teachers, nursing assistants, and home health aides. More than one-third (35%) of those working in residential or nursing care facilities would see their pay increase, in addition to home health aides and care aides. Women in these fields are more likely to earn the median pay is well under $15 an hour for many essential and frontline jobs; examples include substitute teachers, nursing assistants, and home health aides. More than one-third (35%) of those working in residential or nursing care facilities would see their pay increase, in addition to home health aides and care aides. Women in these fields are more likely to earn

Contrary to what opponents of a living wage would argue, our economy can more than afford a $15 minimum wage. Workers earning the current federal minimum wage are paid less per hour in real dollars than their counterparts were paid 50 years ago. Businesses can afford to pay the most underpaid workers in the U.S. today substantially more than what their counterpart was paid half a century ago. The economy has grown dramatically over the past 50 years, and workers are now able to purchase 20% more goods and services from work, with productivity nearly doubling since the late 1960s. If the minimum wage had been raised at the same pace as productivity growth since the late 1960s, it would be over $20 an hour today.

In fact, an immediate increase in the minimum wage would likely boost productivity and generate $107 billion in higher wages for workers and would also benefit communities across the country. As low-wage paid workers spend much of their extra earnings, this injection of wages will help stimulate the economy and spur greater business activity and growth.

It is long past time to pass the Raise the Wage Act of 2021—and we call on all Mem- bers of Congress to finally give nearly 32 million workers the raise they have fought so hard to secure.

A Better Balance; Action Center on Race & the Economy; Asian Pacific Institute on Gender-Based Violence; Asset Funders Network; Autistic Self Advocacy Network; Group; Be A Hero; Bend the Arc Jewish Action; Bet Tzedek Legal Services; Black Girls; Violence; Black Lives Matter; Border Network for Human Rights; Business for the Future; Care Across Generations; Casa de Esperanza; National Latina@ Network for Healthy Families and Communities; Center for American Progress; Center for Disability Rights. Center for Economic and Policy Research; Center for Law and Social Policy (CLASP); Center for LGBTQ Economic Advancement & Research; Center for Popular Democracy; Center for Public Representation; Center for Responsible Organization; Center for Responsible Organiza- tion; Centro de los Derechos del Migrante; Centro de Trabajadores Unidos en Lucha (CTUL); Centro Legal de la Raza; Change Machine; Child Advocacy; Chicago Foundation for Women; Child Care Aware® of America; Children’s Defense Fund; Civic Ventures; Clean Up the River Environment (CURE); Clearinghouse on Women’s Issues; Coalition for Labor Union Women, San Francisco; Coalition of Labor Union Women; Coalition of Human Needs; Coalition to Abolish Slavery & Trafficking; Communications Workers of America (CWA); Community Economic Development; Community Energy; National Employment Lawyers Association; Community Legal Services, Philadelphia; Community Organizing and Family Issues (COFI) POWER–PAC IL; Congregation of Our Lady of Charity of the Good Shepherd, U.S. Province; Connecticut Women’s Education and Legal Fund (CWEALF); CRLA Foundation; DC Dorothy Day Catholic Worker; Demos; Disability Rights DC; DC University Legal Services; Domestic Violence Legal Empowerment and Appeals Project; Economic Opportunity Institute; Economic Policy Institute; Center; Equal Opportunity; Equal Justice Center; Equal Pay Today; Equal Rights Advocates. Equality Labs; Equity Advocates; Etoikas Community of Equality; Etoikas; Democrats Club; Every Texan; Fair Work Center; Family Equality; Farmworker Asso-
SHUMER said 15 times yesterday—that is a liberal wish list is that Senator
Republicans have. Of the $1.9 trillion being
months after we authorized $1.04 tril-
about that in a minute.
ought to work together on COVID re-
and we will have a vote here fairly shortly.
trillion, 92 to 6.
that in more detail.
that went nowhere. Another point for the American peo-
are going to spend $1.9 trillion in a partisan fashion. I think a lot of it is
because they have the power to do it.
Now they have the power of the Fed-
control of the House, control of the White House.
They have abandoned bipartisanship. We had the Presidency and the Senate;
we had the House. We were able to work together. Now they have it all.
They are running us over, literally, legislatively here.
I think we have made reasonable of-
fers. Nobody is willing to compromise. They see this as a moment to do a lot
of things they have been wanting to do for years that have nothing to do with
COVID.

Another problem they have, in my
view—my point of view. I think I speak for most people in our conference on
our agenda. Let me give you some examples of
spend money for the sake of spend-
can see this. They are running us over,
spend $1.9 trillion more. I think it is
past efforts yet, but we are going to
spend the money we appropriated in
and we haven't spent the money we
spending money on things that have nothing to do with
COVID.

The vaccine is getting out by the
day. We are hopeful that we can change
the course of the virus, get people back
to work.

In this bill, they do a lot of things
unrelated to COVID because they can. Why are we opposed to this? Because it
is a lot of money that is being spent on
things unrelated to COVID. We haven't
spent the money we appropriated in
past efforts yet, but we are going to
spend $1.9 trillion more. I think it is
very unfortunate, and I hope the Amer-
ican people understand this is spend-
ing money for the sake of spend-
ning money, not to combat COVID.

Let me give you some examples of
what is in this bill. The minimum wage
were $10.10 an hour. Now it is $15. It
is a liberal wish list. That is why it is
a liberal wish list. If Senator SCHUMER is saying
it is not a liberal wish list, it is a lib-
eral wish. We will be able to prove
that in more detail.

That is the history of bipartisanship.
That bipartisanship has been de-
stroyed. We had 10 Republicans. I
think, go to the White House to offer
around $700 billion that would extend
checks, that would do vaccines, would
do a lot of things that we think we
need to still do, but that went nowhere.

Another point for the American peo-
ple, when it comes to COVID relief.

We are finally beginning to come out of
confidence. How many restaurants
have dropped out. Now is the worst possible
time. I think, go to $15-an-hour mini-
num wage. Just think about your own
communities. How many restaurants
and hotels have had to reduce or close
down because of COVID restrictions?
We are finally beginning to come out of
it a bit. To add a $15-an-hour mandate,
doubled the minimum wage, would be
increasing the cost of doing business
after the government at the State
and local levels shut the businesses down.
So the business has been reduced in terms of revenue because of COVID restrictions, and now the Federal Government is going to mandate a doubling of the minimum wage that the business has to absorb and pass on to consumers. That is out. We can raise the minimum wage in a bipartisan fashion once we get COVID under control.

There was $100 million for a Silicon Valley underground rail project that didn’t pass the smell test. The only reason we were able to get a deal about it. But they saw the COVID package as a chance to put $100 million into a Silicon Valley underground rail project, which shows you their mindset toward this bill.

This bill is not about fighting COVID. It is about a chance, in a partisan fashion, to do things they couldn’t do otherwise. There was $1.5 million from the Harbor Maintenance Trust Fund regarding the Seaway International Bridge in New York. The Silicon Valley underground rail project may make sense. Senator SCHUMER’s bridge project may make sense. We are going to do an infrastructure bill. It seems to me that we would take these infrastructure projects and put them in an infrastructure bill and try to have a COVID bill related to fighting COVID.

But, clearly, they are taking an opportunity, my friends on the other side, of loading this bill up with a liberal wish list—parochial interests—because they can.

I hope the American people will understand what is going on and bring back a balance of power in Washington in 2022 because if you let them have it all, this is a sign of things to come. But we will talk about that later.

There is $20 million in the bill for the preservation and maintenance of Native American languages. That might be something that makes sense, but we are talking about a COVID package. There is $20 million for the preservation of maintenance of Native American languages and $135 million for the National Endowment for the Arts.

I am an appropriator. This isn’t an appropriations bill. It is not a COVID bill. In the committees I am on, we actually vet this stuff to see if it makes sense to put it in the normal appropriations cycle. They take a COVID problem—and it is a real problem still to this day—and they load it up with things unrelated to COVID because they can.

We can’t stop them now. Maybe one day we can stop them and go back to the old way of doing business where we sit down and work together as Democrats and Republicans to spend over $4 trillion to combat COVID. My hope is that we will have some balance in the future that we don’t have today.

So $135 million for the National Endowment for the Humanities—what has that got to do with COVID? There are people really suffering out there. And $135 million for the Endowment for the Arts and $135 million for the Endowment for Humanities, that is still a lot of money where I come from.

There is $200 million for the Institute of Museum and Library Sciences. I am sure there are needs out there for museums and library sciences, but it should go through the appropriate channels. It is a procedural chance to make a case for it or against it rather than it being crammed into a bill that is being printed while I speak.

We are talking about a $1.9 trillion COVID bill while the first 90 percent unrelated to COVID being printed while I speak. Now, if that is good government, count me out.

Funding for Planned Parenthood. What has that got to do with COVID? PPP loans for labor unions.

Paid leave for Federal employees.

An $86 billion bailout for union pensions. Maybe that is something we want to look at, but in a COVID bill? This is why people are so turned off to Washington because we take a crisis, a problem facing your family and your community, and turn it into a spendfest, a liberal wish list, indeed, come true.

A new taxpayer-funded executive branch employee emergency leave program.

Money for schools. We haven’t spent the money we have allocated for schools yet. We are trying to open schools. The money that has been allocated for schools will be mostly if it—a lot of it has been unspent. In this bill, we have $68 billion for K–12. The money should be given to people opening schools, and only $5 billion of that will be spent this year. Most of the money for K–12 assistance is in 2022 and the years that follow. That is not an emergency COVID package. That is just putting money into the education system in a fashion they like and we don’t have any input over. It really has nothing to do with fighting the COVID crisis, and it is not needed. Of the $129 billion for K–12 in this package, $64.4 billion is to be distributed this year. The $68 billion was in the last round and only $5 billion this year, so most of the money for schools is spent in the out years. Again, that is just an opportunity to be taken by them.

Of the $129 billion. $122 billion for K–12 schools will not be spent until years 2022 through 2028. God, I hope we don’t have to deal with COVID in 2028.

We have COVID bills. We have spent over $4 trillion—appropriated over $4 trillion. A trillion is yet unspent, and we are doing $1.9 trillion where 90 percent of it has nothing to do with COVID. Why are we doing this? Because they can.

They have abandoned the bipartisan model that worked. They have chosen a partisan model. No matter what they tell you, my friends on the other side, this is a liberal wish list. This is very much seizing the moment, taking a crisis, and using it to advance causes completely unrelated to COVID, spending money that hasn’t been vetted, spending money that has nothing to do with COVID because they can.

The only thing I can tell you about spending money—count me in for helping people get back on their feet. I have always been for a direct payment. Count me out for a $1.9 trillion spendfest unrelated to COVID in a partisan fashion.

This is everything President Biden said he wouldn’t do. The inaugural speech rings hollow when it comes to this provision, the $1.9 trillion COVID package. Everything President Biden said he wanted to do for the country, he abandoned. It is not like there are plenty of Republicans that would sit down and work with our Democratic friends to do another round of COVID relief, but it has to be related to COVID, and we want to spend the money we have appropriated in the past first. Maybe that is an odd concept in Washington, but I will make a bet that most Americans find it odd when the Federal Government decides to do a problem when we haven’t spent the money we had already appropriated in the past. We can get that out the door to see what needs to be done in the future.

I think most Americans believe now is not the time to load a bill up with a bunch of stuff unrelated to COVID because we need every dollar to hit the mark. But we will have a chance to talk about that in the coming months, and there will be another election coming before you know it.

The only thing I can leave with the American people here is that they have it all in terms of power. This is what they have chosen to do. They have chosen a partisan path, rejecting the bipartisan path. They have chosen to put most of the money in the bill for things unrelated to COVID simply because they can.

The last election was about what would happen to our country if the Democrats got in charge of everything. Many of us on our side said it would be one of the most liberal agendas in the history of American politics and would come forth pretty quickly. I had no idea it would come forth this quickly. I had no idea they would abandon a bipartisan approach to COVID because it seems to be the one area that we have had success regarding working together.

During the campaign, I said that there would be two areas I thought we could do bipartisan legislation: One was COVID; the other was infrastructure.

Boy, was I wrong about COVID. I am happy that the American people pay some attention to this debate. We are going to have some really good amendments on our side that talk about how we would spend the money differently and why we would choose not to spend some money on this bill because it simply has nothing to do with COVID.

The American people have suffered during the COVID pandemic, but there are better days ahead. I want us to do
as much as we can for vaccinations and helping people get back into school. I am willing to help people who are struggling out there, but you shouldn’t be giving a $1,400 check to people who make $200,000 as a couple. They can have taken the Silicon Valley railway out. They have also taken the bridge out because they had to, not because they wanted to.

We are going to have a lot of amendments to show what we would do with your money, versus what they would do with your money. We are going to have a lot of amendments that would show what we would do with COVID and how to fight COVID versus what they would do with COVID. That is what democracy is all about—working together when you can and showing differences when you must.

There are going to be a lot of differences in this debate, and I think this will not be the last time you hear about this bill. I think this bill is going to resonate for months and years to come in all of the wrong ways. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMERICAN RESCUE PLAN ACT OF 2021—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, in a moment, I will move to proceed to the Senate’s substitute amendment to the American Rescue Plan. This legislation will keep America’s families, businesses, and workers afloat and hasten the day when our country can return to normal and our economy can come roaring back.

The United States is facing a once-in-a-century crisis that has sapped millions of jobs from our economy, left millions of Americans struggling to make ends meet, and stolen more than half a million American lives. The time is now to move forward with big, bold, strong relief for the American people; to send checks as promised to American workers and families; to help re-open schools as quickly and safely as possible; to help the hardest hit small businesses hang on; to help families stay in their homes, care for their children, and put food on the table; to keep firefighters, teachers, and busdrivers on the job; and to crush the virus with testing and vaccines once and for all.

We are not going to repeat the mistakes of the past. We are not going to be timid in the face of a great challenge. We are not going to delay when urgent action is called for. We are not going to quit before the race is won. We are going to sprint through the finish line.

It is time to move forward with this legislation, which will be one of the largest single anti-poverty bills in recent history. It is time to lift this country out of crisis and set it on a path to a strong and swift recovery. It is time to tell the American people that help is on the way.

MOTION TO PROCEED

Mr. SCHUMER. Mr. President, I move to proceed to Calendar No. 10, H.R. 1319.

The PRESIDING OFFICER. The President pro tempore. Mr. SCHUMER. I ask the yeas and nays.

The PRESIDING OFFICER. The President pro tempore. Is there a sufficient second?

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

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The VICE PRESIDENT. On this vote the yeas are 50, the nays are 50.

The Senate being equally divided, the Vice President votes in the affirmative, and the motion to proceed is agreed to.

The motion was agreed to.

AMERICAN RESCUE PLAN ACT OF 2021

The VICE PRESIDENT. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1319) to provide for reconciliation pursuant to title II of S. Con. Res. 5.

The VICE PRESIDENT. The majority leader.
TITLE II—COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

PART I—DEPARTMENT OF EDUCATION

Sec. 2005. Outlying areas.
Sec. 2007. Student aid administration.
Sec. 2010. Institute of Education Sciences.
Sec. 2011. Program administration.
Sec. 2013. Modification of revenue requirements for proprietary institutions of higher education.

PART II—MISCELLANEOUS


Subtitle B—Labor Matters

Sec. 2101. Funding for Department of Labor worker protection activities.

Subtitle C—Human Services and Community Supports

Sec. 2201. Child Care and Development Block Grant Program.
Sec. 2202. Child Care Stabilization.
Sec. 2203. Head Start.
Sec. 2204. Programs for survivors.
Sec. 2206. Corporation for National and Community Service and the National Service Trust.

Subtitle D—Public Health

Sec. 2301. Funding for COVID–19 vaccine activities at the Centers for Disease Control and Prevention.
Sec. 2302. Funding for vaccine confidence activities.
Sec. 2303. Funding for supply chain for COVID–19 vaccines, therapeutics, and medical supplies.
Sec. 2304. Funding for COVID–19 vaccine, therapeutic, and device activities at the Food and Drug Administration.
Sec. 2305. Reduced cost-sharing.

Subtitle E—Testing

Sec. 2401. Funding for COVID–19 testing, contact tracing, and mitigation activities.
Sec. 2402. Funding for SARS–CoV–2 genomic sequencing and surveillance.
Sec. 2403. Funding for global health.
Sec. 2404. Funding for data modernization and forecasting center.

Subtitle F—Public Health Workforce

Sec. 2501. Funding for public health workforce.
Sec. 2502. Funding for Medical Reserve Corps.
Sec. 2503. Funding for Public Health Workforce.
Sec. 2504. Funding for Health Centers and Community Care.
Sec. 2505. Funding for National Health Service Corps.
Sec. 2506. Funding for Nurse Corps.
Sec. 2507. Funding for teaching health centers that operate graduate medical education.
Sec. 2508. Funding for family planning.

Subtitle G—Public Health Investments

Sec. 2601. Funding for block grants for community mental health services.
Sec. 2602. Funding for block grants for prevention and treatment of substance abuse.
Sec. 2603. Funding for mental health and substance use disorder training for health care professionals, paraprofessionals, and public safety officers.
Sec. 2604. Funding for education and awareness campaigns encouraging healthy work conditions and use of mental health and substance use disorder services by health care professionals.
Sec. 2605. Funding for grants for health care providers to promote mental health among their health professional workforce.
Sec. 2606. Funding for community-based funding for local substance use disorder services.
Sec. 2607. Funding for community-based funding for local behavioral health needs.
Sec. 2608. Funding for the National Child Traumatic Stress Network.
Sec. 2609. Funding for Project AWARE.
Sec. 2610. Funding for youth suicide prevention.
Sec. 2611. Funding for behavioral health workforce education and training.
Sec. 2612. Funding for pediatric mental health care access.
Sec. 2613. Funding for expansion grants for certified community behavioral health clinics.

Subtitle I—Exchange Grant Program

Sec. 2801. Establishing a grant program for Exchange modernization.

Subtitle J—Continued Assistance to Rail Workers

Sec. 2901. Additional enhanced benefits under the Railroad Unemployment Insurance Act.
Sec. 2902. Extended unemployment benefits under the Railroad Unemployment Insurance Act.
Sec. 2903. Extension of waiver of the 7-day waiting period for benefits under the Railroad Unemployment Insurance Act.

Subtitle K—Ratepayer Protection

Sec. 2911. Funding for LIHEAP.
Sec. 2912. Funding for water assistance program.

Subtitle L—Exchange Grant Program

Sec. 2701. Funding for block grants for community mental health services.
Sec. 2702. Funding for block grants for prevention and treatment of substance abuse.
Sec. 2703. Funding for mental health and substance use disorder training for health care professionals, paraprofessionals, and public safety officers.
Sec. 2704. Funding for education and awareness campaigns encouraging healthy work conditions and use of mental health and substance use disorder services by health care professionals.
Sec. 2705. Funding for grants for health care providers to promote mental health among their health professional workforce.
Sec. 2706. Funding for community-based funding for local substance use disorder services.
Sec. 2707. Funding for community-based funding for local behavioral health needs.
Sec. 2708. Funding for the National Child Traumatic Stress Network.
Sec. 2709. Funding for Project AWARE.
Sec. 2710. Funding for youth suicide prevention.
Sec. 2711. Funding for behavioral health workforce education and training.
Sec. 2712. Funding for pediatric mental health care access.
Sec. 2713. Funding for expansion grants for certified community behavioral health clinics.

Title II—Committee on Homeland Security and Governmental Affairs

Sec. 3001. Relief for the Small Business (SBA) and State Small Business Credit Initia- tive.
Sec. 3002. Funding for the Small Business Administration.
Sec. 3003. Funding for the Emergency Management Performance Grant Program.
Sec. 3004. Funding for the White House.
Sec. 3005. Funding for the Department of Homeland Security.

Title III—Committee on Homeland Security and Governmental Affairs

Sec. 3201. Emergency rental assistance.
Sec. 3202. Emergency housing vouchers.
Sec. 3203. Emergency assistance for rural housing.
Sec. 3204. Housing counseling.
Sec. 3205. Homelessness assistance and supportive services program.
Sec. 3206. Homeowner Assistance Fund.
Sec. 3207. Relief measures for sections 502 and 504 direct loan borrowers.

Title IV—Committee on Homeland Security and Governmental Affairs

Sec. 4001. Emergency Federal Employee Leave Fund.
Sec. 4002. Funding for the Government Accountability Office.
Sec. 4003. Pandemic Response Accountability Committee funding availability.
Sec. 4004. Funding for the Federal Civilian Workforce.
Sec. 4006. Funding for the Coronavirus Response Fund.
Sec. 4007. Emergency food and shelter program funding.
Sec. 4008. Funding for the Community Food Administrator.
Sec. 4009. Funding for the Community Food Administrator.
Sec. 4010. Funding for the United States Digital Service.
Sec. 4011. Funding for the Technology Modernization Fund.
Sec. 4012. Funding for the Federal Citizen Services Fund.
Sec. 4013. AGF and SAFER program funding.
Sec. 4014. Emergency management performance grant funding.

Title V—Committee on Small Business and Entrepreneurship

Sec. 5001. Modifications to the Small Business Act.
Sec. 5002. Targeted EIDL advance.
Sec. 5003. Support for restaurants.
Sec. 5004. Community navigator pilot program.
Sec. 5005. Shuttered venue operators.
Sec. 5006. Direct appropriations.

Title VI—Committee on Environment and Public Works

Sec. 6001. Economic adjustment assistance.
Sec. 6002. Funding for pollution and dispersion impacts of the COVID-19 pandemic.
Sec. 6003. United States Fish and Wildlife Service.

Title VII—Committee on Commerce, Science, and Transportation

Subtitle A—Transportation and Infrastructure

Sec. 7101. Grants to the National Railroad Passenger Corporation.
Sec. 7102. Relief for airports.
Sec. 7103. Funding for the Highway Trust Fund.
Sec. 7104. Funding for the Highway Trust Fund.
Sub-Title B—Aviation Manufacturing Jobs Protection

Sec. 7201. Definitions.
Sec. 7202. Payroll support program.
Sub-Title C—Airlines

Sec. 7301. Air Transportation Payroll Support Program Extension.

Sub-Title D—Consumer Protection and Commerce Oversight

Sec. 7401. Funding for the Consumer Product Safety Commission.
Sec. 7402. Funding for E-Rate support for emergency educational connections and devices.
Sec. 7401. Funding for Department of Commerce Inspector General.

Sec. 7402. Federal Trade Commission funding for COVID-19 related work.

Sec. 7501. National Institute of Standards and Technology.

Sec. 7502. National Science Foundation.

Sec. 7601. Support for the Corporation for Public Broadcasting.

Sec. 7602. Funding for the Corporation for Public Broadcasting.

TITLE VIII—COMMITTEE ON VETERANS’ AFFAIRS
Sec. 8001. Funding for claims and appeals processing.

Sec. 8002. Funding availability for medical care and health needs.

Sec. 8003. Funding for supply chain modernization.

Sec. 8004. Funding for State homes.

Sec. 8005. Funding for the Department of Veterans Affairs Office of Inspector General.

Sec. 8006. Covid-19 veteran rapid retraining assistance program.

Sec. 8007. Prohibition on copayments and cost sharing for veterans during emergency relating to COVID-19.

Sec. 8008. Emergency Department of Veterans Affairs Employee Leave Fund.

TITLE IX—COMMITTEE ON FINANCE
Subtitle A—Crisis Support for Unemployed Workers
PART 1—EXTENSION OF CARES ACT UNEMPLOYMENT PROVISIONS
Sec. 9001. Extension of Pandemic Unemployment Assistance.

Sec. 9012. Extension of emergency unemployment relief for government entities and nonprofit organizations.

Sec. 9013. Extension of Federal Pandemic Unemployment Compensation.

Sec. 9014. Extension of full Federal funding of the first week of compensable regular unemployment for States with no waiting week.

Sec. 9015. Extension of emergency State staffing flexibility.

Sec. 9016. Extension of pandemic emergency unemployment compensation.

Sec. 9017. Extension of temporary financing of short-time compensation payments in States with programs in law.

Sec. 9018. Extension of temporary financing of short-time compensation agreements for States without programs in law.

PART 2—EXTENSION OF FFCRA UNEMPLOYMENT PROVISIONS
Sec. 9021. Extension of temporary assistance for States with advances.

Sec. 9022. Extension of full Federal funding of extended unemployment compensation.

PART 3—DEPARTMENT OF LABOR FUNDING FOR TIMELY, ACCURATE, AND EQUITABLE PAYMENT
Sec. 9031. Funding for administration.

Sec. 9032. Funding for fraud prevention, equitable access, and timely payment to eligible workers.

Subtitle B—Emergency Assistance to Families Through Home Visiting Programs
Sec. 9101. Emergency assistance to families through home visiting programs.

Subtitle C—Emergency Assistance to Children and Families
Sec. 9201. Pandemic Emergency Assistance.
Sec. 9911. Funding for providers relating to COVID–19.

Sec. 9912. Extension of customs user fees.

TITLE XI—COMMITTEE ON INDIAN RELATIONS

Sec. 10001. Department of State operations.

Sec. 10002. United States Agency for International Development operations.

Sec. 10003. Global response.

Sec. 10004. Humanitarian response.

Sec. 10005. Multilateral assistance.

TITLE XII—COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Subtitle A—Agriculture

SEC. 1001. FOOD SUPPLY CHAIN AND AGRICULTURAL PANDEMIC RESPONSE.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $4,000,000,000, to remain available until expended, to carry out this section.

(b) USES.—Out of the amounts made available under subsection (a), the Secretary may—

(1) increase capacity for vaccine distribution;

(2) purchase food and agricultural commodities;

(3) reimburse for revenue lost during the period of fiscal years 2021 through 2030;

(4) increase telehealth capabilities, including underlying health care information systems;

(5) construct temporary or permanent structures to provide health care services, including vaccine administration or testing; and

(6) support staffing needs for vaccine administration or testing; and

(7) engage in any other efforts to support rural development determined to be critical to address the COVID–19 pandemic, including nutritional assistance to vulnerable individuals, as appropriate.

(c) FUNDING.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2023, to carry out this section, of which not more than 3 percent may be used by the Secretary for administrative purposes.

(d) OVERTIME FEES.—

(1) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,500,000, to remain available until September 30, 2022, for audits, investigations, and other oversight activities of projects and activities carried out with funds made available to the Department of Agriculture related to the COVID–19 pandemic.

(2) PAYMENTS.—The Secretary shall provide a payment in an amount up to 120 percent of the outstanding indebtedness of each socially disadvantaged farmer or rancher as of January 1, 2021, to pay off the loan directly or to the socially disadvantaged farmer or rancher (or a combination of both), on each of which—

(A) direct farm loan made by the Secretary to the socially disadvantaged farmer or rancher; and

(B) a loan guaranteed by the Secretary, the borrower of which is the socially disadvantaged farmer or rancher.

(3) A loan guaranteed by the Secretary means the loan guaranteed by the Secretary to the borrower of which is the socially disadvantaged farmer or rancher.

(4) GRANTS FOR RURAL HEALTH CARE.

(a) GRANTS.—The Secretary of Agriculture (in this section referred to as the ‘‘Secretary’’) shall make available grants by this section to establish emergency pilot program for rural development not later than 150 days after the date of enactment of this Act to provide grants to eligible applicants (as defined in section 3570.63(b) of title 7, Code of Federal Regulations) to be awarded by the Secretary based on rural development needs related to the COVID–19 pandemic.

(b) USES.—An eligible applicant to whom a grant is awarded under this section may use the grant funds for costs, including those incurred prior to the issuance of the grant, as determined by the Secretary, of facilities which primarily serve rural areas (as defined in section 341a(a)(13)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(C)), which are located in a rural area, the mean income of the population to be served by which is less than the greater of the poverty line or the applicable percentage (determined under section 3570.63(b) of title 7, Code of Federal Regulations) of the State nonmetropolitan median household income, and for which the performance of any construction work completed with grant funds shall meet the condition set forth in section 9003(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8503(f), to—

(1) increase capacity for vaccine distribution;

(2) provide medical supplies to increase medical supply distribution;

(3) reimburse for revenue lost during the COVID–19 pandemic, including revenue losses incurred prior to the awarding of the grant; and

(4) increase telehealth capabilities, including underlying health care information systems;

(5) construct temporary or permanent structures to provide health care services, including vaccine administration or testing;

(6) support staffing needs for vaccine administration or testing; and

(7) engage in any other efforts to support rural development determined to be critical to address the COVID–19 pandemic, including nutritional assistance to vulnerable individuals, as appropriate.

(c) FUNDING.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated.
$1,010,000,000, to remain available until expended, to carry out this section.

(b) ASSISTANCE.—The Secretary of Agriculture shall use the amounts made available pursuant to subsection (a)—

(1) to provide outreach, mediation, financial training, capacity building training, cooperative training and support, and other technical assistance on issues concerning food, agriculture, agricultural credit, agricultural extension, rural development, socially disadvantaged farmers, ranchers, or forest landowners, or other members of socially disadvantaged groups;

(2) to provide grants and loans to improve land access for socially disadvantaged farmers, ranchers, or forest landowners, including issues related to heirs' property in a manner as determined by the Secretary;

(3) to support the activities of one or more equity commissions that will address racial equity issues within the Department of Agriculture and its programs, using $5,000,000 of the amount made available pursuant to subsection (a);

(4) to support and supplement agricultural research, education, and extension, as well as scholarships and programs that provide internships and pathways to Federal employment, at—

(a) Colleges or universities eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 3361); and

(b) Tuskegee University;

(5) to provide financial assistance to socially disadvantaged farmers, ranchers, or forest landowners that are former farm loan recipients or investors;

(6) to support and carry out projects to reduce the occurrence and geographic distribution of food deserts, using $25,000,000 to remain available through September 30, 2023;

(7) to provide grants to support and supplement agricultural research, education, and extension, as well as scholarships and programs that provide internships and pathways to Federal employment, at—

(a) Colleges or universities eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 3361); and

(b) Tuskegee University;

(8) to provide administrative expenses associated with carrying out this section and administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), of which—

(1) $15,000,000 shall be for necessary expenses of the Secretary of Agriculture (in this section referred to as the “Secretary”) for management and oversight of the program; and

(2) $1,135,000,000 shall be for the Secretary to make grants to each State agency for each fiscal year 2021 through 2023 as follows:

(A) 75 percent of the amounts available shall be allocated to States based on the share of each State of households that participate in the supplemental nutrition assistance program as reported to the Department of Agriculture for the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of the enactment of this Act) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2011b); and

(B) 25 percent of the amounts available shall be allocated to States based on the increase in the number of households that participate in the supplemental nutrition assistance program as reported to the Department of Agriculture over the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of the enactment of this Act) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2011b).

SEC. 1102. ADDITIONAL ASSISTANCE FOR SNAP ONLINE PURCHASING AND TECHNOLOGY IMPROVEMENTS.

(a) FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $37,000,000, to remain available until September 30, 2022, for activities authorized by section 12 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note).

(b) USE OF FUNDS.—The term “cash-value voucher” has the meaning given the term in section 246.10(e) of title 7, Code of Federal Regulations (as in effect on the date of the enactment of this Act).
that public health emergency, the Secretary may, in carrying out the program, increase the amount of a cash-value voucher under a qualified food package to an amount that is less than or equal to $55.

(c) Application of increased amount of cash-value voucher to state agencies.—

(1) Use of increased amount.—(A) The Secretary may, in carrying out the program, increase the amount of a cash-value voucher under subsection (b) to any State agency that notifies the Secretary that the agency intends to use the increased amount, without further application; and

(B) the applicable period selected by the State agency during which the increased amount shall apply.

(2) Use of increased amount.—A State agency that makes a notification to the Secretary under paragraph (1) shall use the increased amount described in that paragraph—

(A) during the applicable period described in that notification; and

(B) only during a single applicable period.

(d) Sunset.—The authority of the Secretary under subsection (b), and the authority of a State agency to increase the amount of a cash-value voucher under subsection (c), shall terminate on September 30, 2021.

(e) Funding.—In addition to amounts otherwise made available, there is appropriated to the Child Nutrition Act of 1966 (7 U.S.C. 1766(t)) for meals and supplements served to individuals who, at the time of such service, have not attained the age of 25.

(1) Definitions.—In this section:

(B) Emergency Shelter.—The term ‘emergency shelter’ means an emergency shelter that has been declared by the Secretary under section 17(r)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(r)(1)).

(2) Secretary.—The term ‘Secretary’ means the Secretary of Agriculture.

SEC. 1106. PANDEMIC EBT PROGRAM.

Section 1101 of the Families First Coronavirus Response Act (7 U.S.C. 2011 note; Public Law 116-136) is amended—

(1) in subsection (a)—

(A) by striking “During fiscal years 2020 and 2021” and inserting “In any school year in which there is a public health emergency designation”; and

(B) by inserting “or in a covered summer period following a school session” after “in session”; and

(2) in subsection (g), by striking “During fiscal year 2020 and the” and inserting “The”;

(3) in subsection (b)—

(A) by inserting “either” after “at least 1 child enrolled in such a covered child care facility and”; and

(B) by inserting “or a Department of Agriculture funded nutrition assistance program in the Commonwealth of the Northern Mariana Islands, Puerto Rico, or American Samoa” before “shall be eligible to receive assistance.”

(4) by redesignating subsections (i) and (j) as subsections (j) and (k), respectively;

(b) In carrying out the program, the Secretary—

(A) may, in carrying out this section, to remain available until September 30, 2022.

(b) In carrying out the program, the Secretary shall reimburse emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d).

(c) In determining the amount, without further application; and

(d) to carry out this section, to remain available until September 30, 2022.

(subtitle A—Education Matters

PART 1—DEPARTMENT OF EDUCATION

SEC. 2001. ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND.

(a) In General.—In addition to amounts otherwise available through the Education Stabilization Fund, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $125,000,000,000, to remain available through September 30, 2023, to carry out this section.

(b) Grants.—From funds provided under this section, the Secretary may make grants to local educational agencies, including building operations by such agency.
learning to all students, providing guidance for carrying out requirements under the Individuals with Disabilities Education Act and ensuring other educational services can continue to be provided consistently across all federal, state, and local requirements.

(K) Purchasing educational technology (including hardware, software, and connectivity) and providing services to students who are served by the local educational agency that aids in regular and substantive educational interaction between students and their classroom instructors, including low-income students, racial and ethnic minorities, students experiencing homelessness, and children in foster care.

(L) Providing mental health services and supports, including through the implementation of evidence-based full-service community schools.

(M) Planning and implementing activities related to summer learning and supplemental afterschool programs, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, children with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.

(N) Addressing learning loss among students, including low-income students, children with disabilities, English learners, migrant students, racial and ethnic minorities, students experiencing homelessness, and children in foster care, of the local educational agency, including the following:

(i) Administering and using high-quality assessments that are valid and reliable, to accurately assess students' academic progress and assist educators in meeting students' academic needs, through including through differentiating instruction;

(ii) Evidence-based activities to meet the comprehensive needs of students;

(iii) Providing information and assistance to parents and families on how they can effectively support students, including in a distance learning environment; and

(iv) Tracking student attendance and improving student engagement in distance education.

(O) School facility repairs and improvements to enable operation of schools to reduce the spread of contamination and exposure to environmental health hazards, and to support student health needs.

(P) Inspection, testing, maintenance, repair, and upgrading ventilation systems to improve the indoor air quality in school facilities, including mechanical and non-mechanical heating, ventilation, and air conditioning systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.

(Q) Developing, implementing, and updating public health protocols, including, to the greatest extent practicable, policies in line with guidance from the Centers for Disease Control and Prevention for the reopening and maintaining of schools, that effectively maintain the health and safety of students, educators, and other staff.

(R) Other activities that are necessary to maintain the operation of and continuity of services in local educational agencies and continuing to employ existing staff of the local educational agency.

SEC. 2003. HIGHER EDUCATION EMERGENCY RELIEF FUND.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $39,364,570,000, to remain available through September 30, 2023, for making allocations to institutions of higher education in accordance with the same terms and conditions of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (division M of Public Law 116–260), except that—

(1) subsection (a)(3) of such section 314 shall be applied by substituting “91 percent” for “89 percent”;

(2) subsection (a)(2) of such section 314 shall be applied—

(A) in the matter preceding subparagraph (A), by substituting “under the heading ‘Higher Education’ in the Department of Education Appropriations Act, 2020” for “in the Further Consolidated Appropriations Act, 2020 (Public Law 116–94)”;

(B) in subparagraph (B), by substituting “under the heading ‘Higher Education’ in the Department of Education Appropriations Act, 2020” for “in the Further Consolidated Appropriations Act, 2020 (Public Law 116–94)”; and

(3) an institution that receives an allocation apportioned in accordance with clause (iii) of subsection (a)(2)(A) of such section 314 that has a total endowment size of less than $1,000,000,000 (including an institution that does not have an endowment) shall be treated by the Secretary as having a total endowment size of $1,000,000,000 for the purposes of such clause (iii);

(4) subsection (a)(4) of such section 314 shall be applied by substituting “1 percent” for “0.3 percent”;

(5) except as provided in paragraphs (7) and (9) of subsection (d) of such section 314, an institution shall use a portion of funds received under this section to—

(A) implement evidence-based practices to monitor and suppress coronavirus in accordance with public health guidelines; and

(B) conduct direct outreach to financial aid applicants about the opportunity to receive a financial aid adjustment due to the recent unemployment of a family member or independent student, or other circumstances, described in section 479A of the Higher Education Act of 1965 (20 U.S.C. 1089ttc).

(F) The following shall not apply to funds provided for under this section—

(1) subsection (b) of such section 314;

(2) paragraph (2) of subsection (c) of such section 314;

(3) paragraphs (1), (2), (4), (5), and (6) of subsection (d) of such section 314;
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(D) subsections (e) and (f) of such section 314; and
(E) section 316 of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 and other Public Law 116–260; and
(7) an institution that receives an allocation under this section apportioned in accordance with subparagraphs (A) through (D) of subsection (a) of such section 314, and use not less than 50 percent of such allocation to provide emergency financial aid grants to students in accordance with subsection (d) of such section 314.

SEC. 2004. MAINTENANCE OF EFFORT AND MAINTENANCE OF EQUITY.

(a) STATA MAINTENANCE OF EFFORT.—

(1) IN GENERAL.—Each State shall maintain support for: (A) each local educational agency in each fiscal year 2022 and 2023 at least at the proportion of the State's support for each educational agency in the highest year in which the determination is being made.

(2) EXCEPTION.—Subparagraph (A) shall not apply to any local educational agency in fiscal year 2022 or 2023 that meets at least 1 of the following criteria in such fiscal year:

(A) the term "local educational agency" means a local educational agency that is among the group of local educational agencies in the State that—

(i) the total reduction in full-time equivalent staff in any high-poverty school by an amount that exceeds—

(i) the number of children enrolled in all schools served by the local educational agency in such fiscal year (if any); divided by

(ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year in such fiscal year compared to the total amount of such funds provided to all local educational agencies in the State in the previous fiscal year; divided by

(B) the aggregate number of children enrolled in all schools served by all local educational agencies in the State in the fiscal year for which the determination is being made.

(5) STATE.—The term "State" means each of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(b) MAINTENANCE OF EQUITY.—

(1) HIGH-NEED LOCAL EDUCATIONAL AGENCIES.—The term "high-need local educational agency" means a local educational agency that—

(A) in rank order, have the highest percentages of economically disadvantaged students in the State, in the most recent satisfactory data available from the Department of Education (or, for local educational agencies for which no such data are available, such other data as the Secretary of Education determines are satisfactory); and

(B) collectively serve not less than 20 percent of the State's total enrollment of students served by all local educational agencies in the State.

(2) HIGH-NEED LOCAL EDUCATIONAL AGENCIES.—(A) The term "high-need local educational agency" means a local educational agency that is among the group of local educational agencies in the State that—

(b) STATE MAINTENANCE OF EQUITY.—

(1) HIGH-NEED LOCAL EDUCATIONAL AGENCIES.—The term "high-need local educational agency" means a local educational agency that—

(A) in rank order, have the highest percentages of economically disadvantaged students served by the local educational agency in the State, in the most recent satisfactory data available from the Department of Education (or, for local educational agencies for which no such data are available, such other data as the Secretary of Education determines are satisfactory); and

(B) collectively serve not less than 50 percent of the State's total enrollment of students served by all local educational agencies in the State.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—

(1) IN GENERAL.—As a condition of receiving funds under section 301, a local educational agency shall not, in fiscal year 2022 or 2023—

(A) reduce per-pupil funding (from combined State and local funding) for any high-poverty school served by such local educational agency by an amount that exceeds—

(i) the total reduction in local educational agency funding (from combined State and local funding) for all schools served by the local educational agency in such fiscal year (if any); and

(ii) the number of children enrolled in all schools served by the local educational agency in such fiscal year, or

(B) reduce the full-time equivalent staff in any high-poverty school by an amount that exceeds—

(i) the total reduction in full-time equivalent staff as determined by the Secretary and applied such measure consistently to all schools in the State.

(2) OVERALL PER-PUPIL REDUCTION IN STATE FUNDING.—The term "overall per-pupil reduction in State funding" means the overall per-pupil reduction in State funding (as calculated on a per-pupil basis) provided to each school in the State.
(2) Sixty percent shall be for direct grants, and relevant administrative expenses, that support organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

SEC. 2012. NATIONAL ENDOWMENT FOR THE HUMANITIES.

In addition to amounts otherwise available, there is appropriated to the National Endowment for the Humanities, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $35,000,000, to remain available until expended, under the National Endowment for the Arts and the Humanities Councils Act of 2001 (42 U.S.C. 1470d(c)).

(1) Forty percent shall be for grants, and relevant administrative expenses, that support humanities councils that support humanities organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

(2) Sixty percent shall be for direct grants, and relevant administrative expenses, that support humanities organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

SEC. 2023. INSTITUTE OF MUSEUM AND LIBRARY SERVICES.

In addition to amounts otherwise available, there is appropriated to the Institute of Museum and Library Services, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available until expended, for the Office of Inspector General, for salaries and expenses necessary for oversight, investigations, and audits of programs, grants, and projects funded under this paragraph and subsection (d) as ‘‘Federal education assistance funds’’.

(a) In General.—Section 487(a)(24) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(24)) is amended by striking ‘‘funds provided under the ‘Federal education assistance funds’’’.

(b) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENTS.—Section 487(d) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)) is amended—

(1) in the subsection heading, by striking ‘‘Non-title IV’’ and inserting ‘‘Non-Federal’’; and

(2) in paragraph (1)(C), by striking ‘‘funds for a program under this title’’ and inserting ‘‘Federal education assistance funds’’.

SEC. 2021. NATIONAL ENDOWMENT FOR THE ARTS.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000, to remain available through September 30, 2023, for the Institute of Education Sciences to carry out research related to addressing learning loss caused by the coronavirus among the student subgroups described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 1001(b)(2)(B)(xi)), and students experiencing homelessness and children and youth in foster care, and to disseminate such findings to State educational agencies and local educational agencies and other appropriate entities.

SEC. 2011. PROGRAM ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available through September 30, 2023, for Program Administration within the Department of Education to prevent, prepare for, and respond to, and recover from the coronavirus, and for salaries and expenses necessary for oversight, investigations, and audits of programs, grants, and projects funded under this paragraph carried out by the Office of Inspector General.

SEC. 2013. MODIFICATION OF REVENUE REQUIREMENTS FOR PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION.

(a) In General.—Section 487(a)(24) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(24)) is amended by striking ‘‘funds provided under the ‘Federal education assistance funds’’’.

(b) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENTS.—Section 487(d) of the Higher Education Act of 1965 (20 U.S.C. 1094(d)) is amended—

(1) in the subsection heading, by striking ‘‘Non-title IV’’ and inserting ‘‘Non-Federal’’; and

(2) in paragraph (1)(C), by striking ‘‘funds for a program under this title’’ and inserting ‘‘Federal education assistance funds’’.

SEC. 2201. CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDING.

(a) CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDING.—In addition to amounts otherwise available, there is appropriated to carry out this section and under the authority of section 658G of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858Gc(3)), $2,500,000, to be available through September 30, 2021, to provide a Child Care and Development Block Grant to the State of Hawaii for programs that support organizations’ programming and general operating expenses to cover up to 100 percent of the costs of the programs which the grants support, to prevent, prepare for, respond to, and recover from the coronavirus.

(b) ALLOCATION OF AMOUNTS.—Amounts appropriated under subsection (a) shall be allocated as follows:

(1) Not less than $100,000,000 shall be for the Occupational Safety and Health Administration, of which $10,000,000 shall be for Susan Harwood training grants and not less than $5,000,000 shall be for enforcement activities related to COVID–19 at high risk workplaces including poultry processing facilities, agricultural workplaces and correctional facilities.
(d) STATE RESERVATIONS AND SUBGRANTS.—

(1) RESERVATION.—A lead agency for a State that receives a child care stabilization grant pursuant to subsection (c) shall reserve funds in an amount not less than 10 percent of the funds awarded to administer subgrants, to provide technical assistance and support for applying for and accessing the subgrant opportunity, publicize the availability of the subgrants, carry out activities to increase the supply of child care, and provide technical assistance to help child care providers implement policies as described in this subsection. [DFW1]

(2) SUBGRANTS TO QUALIFIED CHILD CARE PROVIDERS.—

(A) IN GENERAL.—The lead agency shall use the remaining of the grant funds awarded pursuant to subsection (c) to make subgrants to qualified child care providers described in subparagraph (B), regardless of whether the provider’s previous receipt of other Federal assistance, to support the stability of the child care sector during and after the COVID–19 public health emergency.

(B) QUALIFIED CHILD CARE PROVIDER.—To be qualified to receive a subgrant under this paragraph, a provider shall be an eligible child care provider that is family child care and on the date of submission of an application for the subgrant, was either—

(i) open and available to provide child care services to infants and toddlers; or

(ii) closed due to public health, financial hardship, or other reasons relating to the COVID–19 public health emergency.

(C) SUBGRANT AMOUNT.—The amount of the subgrant shall be calculated based on the provider’s previous receipt of other Federal assistance, to support the stability of the child care sector during and after the COVID–19 public health emergency.

(D) APPLICATION.—The lead agency shall make available on the lead agency’s website an application for qualified child care providers that includes certifications that, for the duration of the subgrant—

(i) open and available to provide child care services to infants and toddlers; or

(ii) closed due to public health, financial hardship, or other reasons relating to the COVID–19 public health emergency.

(E) USES OF FUNDS.—

(1) IN GENERAL.—A qualified child care provider that receives funds through such a subgrant may use the funds for at least one of the following:

(A) Personnel costs, including payroll and salaries or similar compensation for an employee, self-employed provider, independent contractor, employee benefits, premium pay, or costs for employee recruitment and retention.

(B) Rent (including rent under a lease agreement) or payment on any mortgage obligation, utilities, facility maintenance or improvements, or insurance.

(C) Personal protective equipment, cleaning and sanitization supplies and services, or training and professional development related to health and safety practices.

(D) Purchases of or updates to equipment and supplies to respond to the COVID–19 public health emergency.

(E) Goods and services necessary to maintain or reopen child care services.

(F) Mental health supports for children and employees.

(2) REIMBURSEMENT.—The qualified child care provider may use the subgrant funds to reimburse the provider for sums obligated or expended before the date of enactment of this Act in accordance with subsection (d)(2) of this subclause as described in paragraph (1) to respond to the COVID–19 public health emergency.

(3) SUPPLEMENT NOT SUPPLANT.—Amounts made available under this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide child care services for children covered under this section.

SEC. 2203. HEAD START.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $1,000,000,000, to remain available through September 30, 2022, to carry out the Head Start Act, including for Federal administrative expenses. After reserving funds for Federal administrative expenses, the Secretary shall allocate all remaining amounts as described in the following:

SEC. 2204. PROGRAMS FOR SURVIVORS.

(a) IN GENERAL.—Section 303 of the Family Violence Prevention and Services Act (42 U.S.C. 10403) is amended by adding at the end the following:

"(d) ADDITIONAL FUNDING.—For the purposes of carrying out this title, in addition to amounts otherwise made available for such purposes, there are appropriated, out of any amounts in the Treasury not otherwise appropriated, for fiscal year 2021, to remain available until expended, for Federal administrative expenses, $180,000,000, to carry out sections 301 through 312.

(e) ADMINISTRATIVE COSTS.—In addition to amounts otherwise made available, there is appropriated to the Secretary, out of any amounts in the Treasury not otherwise appropriated, $2,500,000 for fiscal year 2021, to remain available until expended, for administrative costs of carrying out sections (c) and (d).

Sec. 2205. CHILD ABUSE PREVENTION AND TREATMENT.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, to the following:

"(B) the matching requirement in section 306(a) and obligated in a timely manner shall be reduced by the amount by which the amount made available under section 306(a) or 313(b) for fiscal year 2021, to remain available until expended, for the Federal administrative costs of carrying out sections (c) and (d)."
(1) $250,000,000 for carrying out the program authorized under section 201 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116), which shall be allocated without regard to subsection (b) of such section.

(b) ALLOCATION OF AMOUNTS.—Amounts provided by subsection (a) shall be allocated as follows:

(1) AMERICORPS STATE AND NATIONAL.—$20,000,000 shall be used—

(A) to increase the living allowances of participants in national service programs; and

(B) to make funding adjustments to existing (as of the date of enactment of this Act) awards and award new and additional awards to entities supported by programs described in paragraphs (1)(B), (2)(B), (3)(B), (4)(B), and (5)(B) of subsection (a) and subsections (b)(1)(B) and (c)(1)(B) of section 122 of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(1)(B)(vi)), by—

(i) prioritizing entities serving communities most impacted by COVID-19 and utilizing culturally competent and multilingual strategies in the provision of services; and

(ii) taking into account the diversity of communities and participants served by such entities, including racial, ethnic, socio-economic, linguistic, or geographic diversity.

(2) STATE COMMISSIONS.—$20,000,000 shall be used to make adjustments to existing (as of the date of enactment of this Act) awards and award new and additional awards to State Commissions on National and Community Service, under section 126(a) of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(1)(B)(vi)), by—

(A) BASE FORMULA.—The term ''base formula'' means the allocation formula that applied to the Public Health Emergency Preparedness cooperative agreement awards under section 319C-1 of the Public Health Service Act (42 U.S.C. 247d-3a).

(B) ALTERNATIVE ALLOCATION.—The term ‘‘alternative allocation’’ means an allocation to each State, territory, or locality calculated as the percentage derived from the allocation received by each State, territory, or locality of the aggregate amount of fiscal year 2020 Public Health Emergency Preparedness cooperative agreement awards under section 319C-1 of the Public Health Service Act (42 U.S.C. 247d-3a).

(C) SUPPLEMENTAL FUNDING.—

(1) IN GENERAL.—Not later than 21 days after the date of enactment of this Act, the Secretary shall use amounts described in subsection (a) to provide supplemental funding to a State, territory, or locality that received less of the amounts that were appropriated under title III of division M of Public Law 116–93 for vaccination grants to be issued by any money in the Treasury not otherwise appropriated, $360,000,000, to remain available until expended, for necessary expenses with respect to vaccines licensed under section 351 of the Public Health Service Act, as amended by Public Law 116–93.

(2) SUPPLEMENTAL FUNDING.—

(A) IN GENERAL.—Not later than 21 days after the date of enactment of this Act, the Secretary shall use amounts described in subsection (a) to provide supplemental funding to a State, territory, or locality that received less of the amounts that were appropriated under title III of division M of Public Law 116–93 for vaccination grants to be issued by any money in the Treasury not otherwise appropriated, $360,000,000, to remain available until expended, for necessary expenses with respect to vaccines licensed under section 351 of the Public Health Service Act, as amended by Public Law 116–93.

(B) ALTERNATIVE ALLOCATION.—The term ‘‘alternative allocation’’ means an allocation to each State, territory, or locality of the aggregate amount of fiscal year 2020 Public Health Emergency Preparedness cooperative agreement awards under section 319C-1 of the Public Health Service Act (42 U.S.C. 247d-3a).

SEC. 2206. CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND THE NATIONAL SERVICE TRUST.

(a) CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, to the Corporation for National and Community Service, under section 126(a) of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(1)(B)) (as of the date of enactment of this Act) awards to State Commissions on National and Community Service, under section 126(a) of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(1)(B)) (as of the date of enactment of this Act) awards to State Commissions on National and Community Service, under section 126(a) of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(1)(B)) (as of the date of enactment of this Act), $20,000,000 shall be used for expenses authorizing (as of the date of enactment of this Act) $20,000,000 shall be used for expenses authorizing (as of the date of enactment of this Act) $20,000,000 shall be used for expenses authorizing (as of the date of enactment of this Act) $20,000,000 shall be used for expenses authorizing (as of the date of enactment of this Act) $20,000,000 shall be used for expenses authorizing (as of the date of enactmen...
(1) SARS-CoV-2 or any viral variant mutating therefrom with pandemic potential; and
(2) COVID-19 or any disease with potential for creating widespread morbidity and mortality.

SEC. 2304. FUNDING FOR COVID-19 VACCINE, THERAPEUTIC, AND DEVICE ACTIVITIES; FOOD AND DRUG ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, to be used for the evaluation of the continued safety, efficacy, and effectiveness, including with respect to emerging COVID-19 variants, of vaccines, therapeutics, and diagnostics approved, cleared, licensed, or authorized for the treatment, prevention, or diagnosis of COVID-19; facilitation of advanced continuous manufacturing activities related to production of vaccines and related materials; facility and conduct of inspections related to the manufacturing of vaccines, therapeutics, and devices delayed or cancelled for reasons related to COVID-19; review of devices authorized for use for the treatment, prevention, or diagnosis of COVID-19; and oversight of the supply of vaccines, therapeutics, and devices approved, cleared, licensed, or authorized for use for the treatment, prevention, or diagnosis of COVID-19 by the Food and Drug Administration.

SEC. 2305. REDUCED COST-SHARING.

(a) In General.—Section 1402 of the Patient Protection and Affordable Care Act is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

"(f) Special Rule For Individuals Who Receive Unemployment Compensation During 2021.—For purposes of this section, in the case of an individual who has received, or has been approved to receive, unemployment compensation for any week beginning during 2021, for the plan year in which such week begins—"

"(1) such individual shall be treated as meeting the requirements of subsection (b)(2), and"

"(2) for purposes of subsections (c) and (d), there shall not be taken into account any household income of the individual in excess of 133 percent of the poverty line for a family of the size involved."

(b) Effective Date.—The amendment made by this section shall apply to plan years beginning after December 31, 2020.

Subtitle E—Public Health Workforce

SEC. 2401. FUNDING FOR COVID-19 TESTING, CONTACT TRACING, AND MITIGATION ACTIVITIES.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services in this subtitle referred to as the “Secretary” for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $7,600,000,000, to remain available until expended, for activities to be conducted through the Director of the Centers for Disease Control and Prevention to support public health workforce support for analytics and technology, and workforce support for analytics and informatics infrastructure and data collection systems.

(b) Use of Funds.—From amounts appropriated by subsection (a), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

(1) conduct, expand, and improve activities to sequence genomes, identify mutations, and survey the circulation and transmission of viruses and other organisms, including strains of SARS-CoV-2;

(2) enter into agreements to support costs necessary to conduct activities related to subparagraph (a).

SEC. 2402. FUNDING FOR SARS-CoV-2 GENOMIC SEQUENCING AND SURVEILLANCE.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021 out of any money in the Treasury not otherwise appropriated, $1,750,000,000, to remain available until expended, to strengthen and expand activities and workforce related to genomic sequencing, analytics, and disease surveillance.

(b) Use of Funds.—From amounts appropriated by subsection (a), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

(1) conduct, expand, and improve activities to sequence genomes, identify mutations, and survey the circulation and transmission of viruses and other organisms, including strains of SARS-CoV-2;

(2) enter into agreements to support costs necessary to conduct activities related to subparagraph (a).

(3) support the development, manufacture, procurement, distribution, and administration of activities for those weeks meeting the requirements of subsection 2021, for the plan year in which such week be-

(4) support the development, manufacture, procurement, and distribution of supplies necessary for administering tests, such as personal protective equipment; and

(5) academic and research laboratories, or other laboratories that could be used for processing of COVID-19 testing;

(i) community-based testing sites and community-based organizations; and

(ii) mobile health units, particularly in medically underserved areas; and

(B) with respect to quarantine and isolation of contacts.

(5) enhance information technology, data modernization, and reporting, including improvements necessary to support reporting of data related to public health capabilities;

(6) award grants to, or enter into coopera-
tive agreements or contracts with, State, local, and territorial departments to establish, expand, and sustain a public health workforce; and

(7) to cover administrative and program support costs necessary to conduct activities related to subparagraph (a).

SEC. 2403. FUNDING FOR DATA MODERNIZATION AND FORECASTING CENTER.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, for activities to be conducted through the Director of the Centers for Disease Control and Prevention to support public health data surveillance and analytics infrastructure modernization initiatives at the Centers for Disease Control and Prevention, to recruit, train, and expand efforts to modernize the United States disease warning system to forecast and track hotspots for COVID-19, its variants, and emerging bio- threats to public health, and workforce support for analytics and informatics infrastructure and data collection systems.

SEC. 2501. FUNDING FOR PUBLIC HEALTH WORKFORCE.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services in this subtitle referred to as the “Secretary” for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $7,600,000,000, to remain available until expended, for activities related to establishing, expanding, and sustaining a public health workforce, including by making awards to State, local, and terri-
torial public health departments.

(b) Use of Funds.—From amounts appropriated by subsection (a), the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall—

(1) implement a national, evidence-based system to forecast and track hotspots for COVID-19, its variants, and emerging bio- threats to public health, and workforce support for analytics and informatics infrastructure and data collection systems.

(2) Personal protective equipment, data management and other technology, or other necessary supplies.

(3) Administrative costs and activities necessary for awardees to implement activities funded under this section.

(4) Subawards from recipients of awards under paragraph (a) to local health departments for any purpose.
In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $800,000,000, to remain available until expended, for carrying out subpart I of part B of title XIX of the Public Health Service Act (42 U.S.C. 254l–1), and (ii) there is appropriated, $80,000,000, to remain available until expended, for making grants and contracts under section 398A, Subtitle G—Public Health Investments

SEC. 2601. FUNDING FOR COMMUNITY HEALTH SERVICE CORPS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this subsection referred to as the "Secretary") for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended, for necessary expenses for awarding grants and cooperative agreements under section 330 of the Public Health Service Act (42 U.S.C. 254b) to Federally qualified health centers, as described in section 186l(aa)(4)(B) of the Social Security Act (42 U.S.C. 200l(aa)(4)(B)) and for awarding grants to Pala Ola Lokahi and to qualified entities under sections 4 and 6 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11703, 11705). Of the total amount appropriated, $20,000,000 shall be for awards to Pala Ola Lokahi and to qualified entities under sections 4 and 6 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11703, 11705).

(b) USE OF FUNDS.—Amounts made available to an awardee pursuant to subsection (a) shall be used—

(1) to plan, prepare for, promote, distribute, administer, and track COVID–19 vaccines, and to carry out other vaccine-related activities;

(2) to detect, diagnose, trace, and monitor COVID–19 infections and related activities necessary to mitigate the spread of COVID–19, including activities related to, and equipment or supplies purchased for, testing, contact tracing, isolation, mitigation, and treatment of COVID–19;

(3) to purchase equipment and supplies to conduct mobile testing or vaccinations for COVID–19, to purchase and maintain mobile vehicles and equipment to conduct such testing or vaccinations, and to hire and train laboratory personnel and other staff to conduct such mobile testing or vaccinations, particularly in medically underserved areas;

(4) to establish, expand, and sustain the health care workforce to prevent, prepare for, and respond to COVID–19, and to carry out other health workforce-related activities;

(5) to modify, enhance, and expand health care services and infrastructure; and

(6) to conduct community outreach and education activities related to COVID–19.

(c) PAST EXPENDITURES.—An awardee may use amounts awarded pursuant to subsection (a) to cover the costs of the awardee carrying out any of the activities described in subsection (b) during the period beginning on the date of the declaration of a public health emergency by the Secretary under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID–19 and ending on the date of such award.

SEC. 2602. FUNDING FOR NATIONAL HEALTH SERVICE CORPS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $800,000,000, to remain available until expended, for carrying out sections 339A, 339B, 339C, and 339D of the Public Health Service Act (42 U.S.C. 254l–1, 254l–1b, 254l–1c, and 254l–1d) with respect to the health workforce.

(b) USE OF FUNDS.—(1) IN GENERAL.—Of the amount made available pursuant to subsection (a), $100,000,000 shall be made available for providing primary care services through grants to States under section 338(a) of the Public Health Service Act (42 U.S.C. 254l–1(a)).

(2) CONDITIONS.—With respect to grants described in paragraph (1) using funds made available under such paragraph—

(A) Section 338(b) of the Public Health Service Act (42 U.S.C. 254l–1(b)) shall not apply.

(B) Notwithstanding section 338(d)(2) of the Public Health Service Act (42 U.S.C. 254l–1d(2)), not more than 10 percent of an award to a State from such amounts, may be used by the State for costs of administering the State loan repayment program.

SEC. 2603. FUNDING FOR NATIONAL HEALTH SERVICE CORPS.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,500,000,000, to remain available until expended, for carrying out subpart I of part B of title XIX of the Public Health Service Act (42 U.S.C. 254l–1, et seq.), and for awarding grants and contracts under section 1001 of the Public Health Service Act (42 U.S.C. 256h), to be used for the purpose of establishing new accredited or expanded primary care residency programs.

SEC. 2604. FUNDING FOR GRANTS TO OPERATE GRADUATE MEDICAL EDUCATION.

(a) IN GENERAL.—In addition to amounts otherwise available, and notwithstanding the capped amount referenced in sections 340H(b)(2) and 340H(d)(2) of the Public Health Service Act (42 U.S.C. 256h) and 340H(d)(2) and (d)(2), there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $360,000,000, to remain available until September 30, 2023, for the program of payments to teaching health centers that operate graduate medical education under section 340H of the Public Health Service Act (42 U.S.C. 256h) and for teaching health center development grants authorized under section 79A of the Public Health Service Act (42 U.S.C. 256k–1).

(b) USE OF FUNDS.—Amounts made available pursuant to subsection (a) shall be used for the following activities:

(1) For making awards to establish new approved graduate medical residency training programs pursuant to section 340H(a)(1)(C) of the Public Health Service Act (42 U.S.C. 256h(a)(1)(C)).

(2) To provide an increase to the per resident amount described in section 340H(a)(2) of the Public Health Service Act (42 U.S.C. 256h(a)(2)) of $80,000,000, to remain available until expended, for the purpose described in subsection (b).

(c) USE OF FUNDING.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall, taking into consideration the needs of rural areas and medically underserved communities, use amounts appropriated by subsection (a) to award grants or contracts to health professions schools, academic health centers, teaching health centers, and community-based organizations, for the purpose of establishing new accredited or expanded primary care residency programs.

SEC. 2605. FUNDING FOR FAMILY PLANNING.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for necessary expenses for making grants and contracts under section 1041 of the Public Health Service Act (42 U.S.C. 256h), to be used for the purpose described in subsection (b).

Subtitle H—Mental Health and Substance Use Disorder

SEC. 2701. FUNDING FOR BLOCK GRANTS FOR COMMUNITY MENTAL HEALTH SERVICES.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,500,000,000, to remain available until expended, for carrying out subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 254l–2 et seq.), subpart III of part B of title XIX of the Public Health Service Act (42 U.S.C. 290aa–4 et seq.), section 505(c) of such Act (42 U.S.C. 290aa–4(c)) with respect to mental health. Notwithstanding section 1852 of the Public Health Service Act (42 U.S.C. 290bb–21), any amount awarded to a State out of amounts appropriated by this section shall be expended by the State by August 30, 2025.

SEC. 2702. FUNDING FOR BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE ABUSE.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $300,000,000, to remain available until expended, for carrying out subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 254l–2 et seq.), subpart III of part B of title XIX of the Public Health Service Act (42 U.S.C. 290aa–41 et seq.), section 515(d) of such Act (42 U.S.C. 290bb–21(d)), Notwithstanding section 1852 of the Public Health Service Act (42 U.S.C. 254l–2), any amount awarded to a State out of amounts appropriated by this section shall be expended by the State by September 30, 2025.

SEC. 2703. FUNDING FOR MENTAL HEALTH AND SUBSTANCE USE DISORDER TRAINING FOR HEALTH CARE PROFESSIONALS, PARAPROFESSIONALS, AND OTHER WORKFORCE.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for funding under sections 3001 and 3002 of the Public Health Service Act (42 U.S.C. 294a–1 and 294a–2) with respect to mental health. Notwithstanding section 1852 of the Public Health Service Act (42 U.S.C. 290bb–21), and section 1891 of the Social Security Act (42 U.S.C. 1395x(aa)(4)(B)) with respect to substance abuse, and section 515(d) of such Act (42 U.S.C. 290bb–21(d)), Notwithstanding section 1852 of the Public Health Service Act (42 U.S.C. 254l–2), any amount awarded to a State out of amounts appropriated by this section shall be expended by the State by September 30, 2025.
SEC. 2707. FUNDING FOR COMMUNITY-BASED FUNDING FOR LOCAL BEHAVIORAL HEALTH CARE PROVIDERS TO PROMOTE MENTAL HEALTH AMONG THEIR HEALTH PROFESSIONAL WORKFORCE. 

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for the purpose described in subsection (b). 

(b) USE OF FUNDS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the medical professional community, shall use amounts appropriated by subsection (a) to carry out a national evidence-based education and awareness campaign directed at health care professionals and first responders (such as emergency medical service providers), and employers of such professionals and first responders. Such campaign shall—

(1) encourage primary prevention of mental health conditions and substance use disorders and secondary and tertiary prevention by encouraging health care professionals to seek support and treatment for their own mental health and substance use concerns; and

(2) help such professionals to identify risk factors in themselves and others and respond to such risks.

SEC. 2708. FUNDING FOR THE NATIONAL CHILD TRAUMATIC STRESS NETWORK. 

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for the purpose described in subsection (b). 

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until expended, for carrying out the purpose described in subsection (b). 

(b) USE OF FUNDS.—The Secretary, acting through the Administrator for Mental Health and Substance Use, shall award grants to State, local, Tribal, and territorial governments, Tribal organizations, nonprofit community-based entities, and primary care and behavioral health organizations to address the behavioral health needs worsened by the COVID–19 public health emergency. 

SEC. 2709. FUNDING FOR PROJECT AWARE. 

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended for carrying out section 756 of the Public Health Service Act (42 U.S.C. 294e–1). 

SEC. 2710. FUNDING FOR YOUTH SUICIDE PREVENTION. 

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until expended, for carrying out section 330M of the Public Health Service Act (42 U.S.C. 294a–19). 

SEC. 2711. FUNDING FOR BEHAVIORAL HEALTH WORKFORCE EDUCATION AND TRAINING. 

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for carrying out section 756 of the Public Health Service Act (42 U.S.C. 294e–1). 

SEC. 2712. FUNDING FOR PEDIATRIC MENTAL HEALTH CARE PROVIDERS TO PROMOTE MENTAL HEALTH AMONG THEIR HEALTH PROFESSIONAL WORKFORCE. 

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $80,000,000, to remain available until expended, for carrying out section 22(a) of the Protecting Access to Medicare Act of 2014 (42 U.S.C. 1395b–1). 

Subtitle I—Exchange Grant Program 

SEC. 2801. ESTABLISHING A GRANT PROGRAM FOR EXCHANGE MODERNIZATION. 

(a) IN GENERAL.—There is appropriated under subsection (b), the Secretary of Health and Human Services (in this subtitle referred to as the “Secretary”) shall award grants to each American Health Exchange established under section 1311(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(b)) (other than an Exchange established by the Secretary under section 1321(c) of such Act (42 U.S.C. 18041(c))) that submits to the Secretary an application at such time and in such form, and containing such information, as specified by the Secretary, for purposes of enabling such Exchange to modernize or update any system, program, or technology used by such Exchange to ensure such Exchange is compliant with all applicable requirements. 

(b) FUNDING.—In addition to amounts otherwise available, there is appropriated, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until September 30, 2022, for carrying out this section. 

Subtitle J—Continued Assistance to Rail Workers 

SEC. 2901. ADDITION OF ENHANCED BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT. 

(a) IN GENERAL.—Section 2(a)(5)(A) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(a)(5)(A)) is amended—

(1) in the first sentence—

(2) by striking “March 14, 2021” and inserting “August 29, 2021”;

(b) by striking “or July 1, 2020” and inserting “July 1, 2020, or July 1, 2021”;

and

(2) by adding at the end the following: “For recovery periods ending on or before March 14, 2021, but on or before August 29, 2021, the recovery benefit payable under this subparagraph shall be in the amount of $600.”.

(c) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under paragraph (B) of section 2(a)(5) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(a)(5)) shall be available to cover the cost of recovery benefits provided under such section 2(a)(5) by reason of the amendments made by this section (including subsection (b)), to cover the cost of such benefits provided under such section 2(a)(5) as in effect on the day before the date of enactment of this Act.

SEC. 2902. EXTENDED BENEFITS FOR THE RAILROAD UNEMPLOYMENT INSURANCE ACT. 

(a) IN GENERAL.—Section 2(a)(5)(A) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(c)(2)(D)) is amended—
SEC. 2921. FUNDING FOR LINEHAZ.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $4,500,000,000, to remain available through September 30, 2022, for additional funding to provide payments under section 2602(b) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621(b)), except that—

(1) $2,250,000,000 of such amounts shall be allocated as though the total appropriation for such payments for fiscal year 2021 was less than $1,975,000,000; and

(2) section 2607(b)(2)(B) of such Act (42 U.S.C. 8626(b)(2)(B)) shall not apply to funds appropriated under this section for fiscal year 2021.

SEC. 2921. FUNDING FOR WATER ASSISTANCE PROGRAM.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this section referred to as the “Secretary”) for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $10,000,000, to remain available through September 30, 2025, for the Secretary, acting through the Administrator of the Administrator for Community Living, to establish, directly or through grants or contracts, a National Technical Assistance Center on Grandfamilies and Kinship Families.

(b) ACTIVITIES OF THE CENTER.—The Center shall—

(1) engage experts to stimulate the development of new and identify existing evidence-based, evidence-informed, and exemplary practices or programs related to health promotion (including mental health and substance use disorder treatment), education, nutrition, housing, financial needs, legal issues, disability services, grandparent caregiving, and other community-based organizations, and other organizations that directly work with grandfamilies and kinship families; and

(2) facilitate learning across States, territories, Indian Tribes, Tribal organizations, and other community-based organizations, and other community-based organizations, that serve grandfamilies and kinship families in which the primary caregiver is an adult age 55 or older, or the child has one or more disabilities.

SEC. 2922. NATIONAL TECHNICAL ASSISTANCE CENTER ON GRANDFAMILIES AND KINSHIP FAMILIES.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $145,000,000, to remain available through September 30, 2025, for the Secretary, acting through the Administrator of the Administrator for Community Living, to establish, directly or through grants or contracts, a National Technical Assistance Center on Grandfamilies and Kinship Families.

(b) AMOUNTS AVAILABLE.—Amounts made available by subsection (a) shall be available as follows—

(1) $500,000,000 shall be available to carry out part D of title III of such Act;

(2) $25,000,000 shall be available to carry out title VI of such Act, including part C of such title;

(3) $460,000,000 shall be available to carry out part B of title III of such Act, including for—

(A) support services of the types made available for fiscal year 2020;

(B) efforts related to COVID–19 vaccination outreach, including education, communication, transportation, and other activities to facilitate vaccination of older individuals; and

(C) prevention and mitigation activities related to COVID–19 focused on addressing extended social isolation among older individuals, including activities for in-person and/or remote technologies or other strategies aimed at alleviating negative health effects of social isolation due to long-term stay-at-home recommendations for older individuals for the duration of the COVID–19 public health emergency.

(4) $4,500,000 shall be available to carry out part E of title III of such Act;

(5) $145,000,000 shall be available to carry out part E of such Act;

(6) $10,000,000 shall be available to carry out the long-term care ombudsman program under title VII of such Act.

SEC. 2923. EXTENSION OF WAIVER OF THE 7-DAY WAITING PERIOD FOR BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) IN GENERAL.—Section 212(a) of the CARES Act (15 U.S.C. 9030(a)) is amended by striking “March 14, 2021” and inserting “June 30, 2021”.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under either the first or second sentence of clause (v) of section 2(b)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under section 2(b)(2)(D) of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under section 2(b)(2)(D) as in effect on the day before the date of enactment of this Act.

SEC. 2903. EXTENSION OF WAIVER OF THE 7-DAY WAITING PERIOD FOR BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) IN GENERAL.—Section 212(a) of the CARES Act (15 U.S.C. 9030(a)) is amended by striking “March 14, 2021” and inserting “June 30, 2021”.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under section 212(c) of the CARES Act (15 U.S.C. 9030(c)) shall be available to cover the cost of additional benefits payable due to such Act by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under section 2(b)(2)(D) as in effect on the day before the date of enactment of this Act.

SEC. 2904. RAILROAD RETIREMENT BOARD AND OFFICE OF THE INSPECTOR GENERAL FUNDING.

In addition to amounts otherwise made available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—

(1) $27,975,000, to remain available until expended, for the Railroad Retirement Board, to prevent, prepare for, and respond to coronavirus, of which—

(A) $6,800,000 shall be for additional hiring and overtime bonuses as needed to administer the Railroad Unemployment Insurance Act; and

(B) $21,175,000 shall be to supplement, not supplant, existing resources devoted to operations and management for the Information Technology Investment Initiatives of the Railroad Retirement Board; and

(2) $500,000, to remain available until expended, for the Inspector General Office of the Inspector General for audit, investigatory, and review activities.

Subtitle K—Ratepayer Protection

SEC. 2911. FUNDING FOR LINEHAZ.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $5,000,000,000, to remain available through September 30, 2022, for additional funding to provide payments under section 2602(b) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621(b)), except that—

(1) $2,250,000,000 of such amounts shall be allocated as though the total appropriation for such payments for fiscal year 2021 was less than $1,975,000,000; and

(2) section 2607(b)(2)(B) of such Act (42 U.S.C. 8626(b)(2)(B)) shall not apply to funds appropriated under this section for fiscal year 2021.
TITLE III—COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Subtitle A—Defense Production Act of 1950

SEC. 3010. COVID-19 EMERGENCY MEDICAL SUPPLIES ENHANCEMENT.

(a) EXPANDING ENHANCED USE OF THE DEFENSE PRODUCTION ACT OF 1950.—In addition to funds otherwise available, there is appropriated to the Secretary of Defense, for any fiscal year for which appropriations are made under this title for military construction, $10,000,000,000, notwithstanding section 304(e) of the Defense Production Act of 1950 (50 U.S.C. 450j–2(e)), to remain available until September 30, 2023, out of any money in the Treasury not otherwise appropriated,

(b) MACHINISMS AND OTHER ACTIVITIES.—The Secretary shall reserve—

(1) TESTING, PPE, VACCINES, AND OTHER MATERIALS.—Except as provided in subsection (a), amounts appropriated in subsection (a) shall be used for the purchase, production (including the construction, repair, and retrofitting of government-owned or private facilities as necessary), or distribution of medical supplies and equipment (including durable medical equipment) related to combating the COVID–19 pandemic, including—

(A) in vitro diagnostic products for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID-19, and the agents and other materials necessary for producing, conducting, or administering such products; 

(B) face masks and personal protective equipment, including face shields, nitrile gloves, N-95 filtering facepiece respirators, and any other masks or equipment (including durable medical equipment) needed to respond to the COVID-19 pandemic, and the materials, machinery, additional manufacturing lines or facilities, or other technology necessary to produce such products; 

(C) drugs, devices, and biological products that are approved, cleared, licensed, or authorized for use in treating or preventing COVID–19 and symptoms related to COVID–19, and any materials, manufacturing machinery, additional manufacturing or fill-finish lines or facilities, technology, or equipment (including durable medical equipment) necessary to produce or use such drugs, biological products, or devices (including syringes, vials, or other supplies or equipment related to delivery, distribution, or administration).

(b) RESPONSES TO PUBLIC HEALTH EMERGENCIES.—After September 30, 2022, amounts appropriated in subsection (a) may be expended for any activity authorized by paragraph (1), or any other activity necessary to meet critical public health needs of the United States, with respect to any pathogen that the President has determined has the potential for creating a public health emergency.

Subtitle B—Housing Provisions

SEC. 3021. EMERGENCY RENTAL ASSISTANCE.

(a) ALLOCATIONS TO STATES AND UNITS OF LOCAL GOVERNMENT.—

(1) ALLOCATION FOR STATES AND UNITS OF LOCAL GOVERNMENT.—

(A) IN GENERAL.—The amount appropriated under paragraph (1) of subsection (a) that remains after the application of paragraph (2) shall be allocated to eligible grantees described in subparagraphs (A) and (B) of subsection (f)(1)(A) in the same manner as the amount appropriated under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is allocated to States and units of local government for emergency rental assistance purposes.

(B) IN GENERAL.—The Secretary shall allocate funds reserved under subsection (a)(2)(D) to eligible grantees with a high need for assistance under this section, with the number of very low-income renter households paying more than 50 percent of their income for rent and living in standard or overcrowded conditions, rental market costs, and change in employment since February 2020 used as the factors for allocating funds.

(c) PAYMENT SCHEDULE.—

(1) IN GENERAL.—The Secretary shall pay all eligible grantees at least 40 percent of each such eligible grantee’s total allocation provided under subsection (b) within 60 days of enactment of this Act.

(2) SUBSEQUENT PAYMENTS.—The Secretary shall pay to eligible grantees additional amounts in tranches up to the full amount of each such eligible grantee’s total allocation provided under subsection (b).

(d) USE OF FUNDS.—An eligible grantee shall only use the funds provided from payments made under this section as follows:

(1) AGENCY OF FINANCIAL ASSISTANCE.—Subject to clause (1) of this subparagraph, funds received by an eligible grantee from payments made under this section shall be used to provide financial assistance to eligible households, not to exceed 18 months, including the payment of—

(I) rent; 

(II) rental arrears; 

(III) utilities and home energy costs; 

(IV) utilities and home energy costs arrears; and 

(V) other expenses related to housing, as defined by the Secretary.

(2) LIMITATION.—The aggregate amount of financial assistance an eligible household may receive under this section, when combined with any funds received under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), shall not exceed 12 months.

(B) HOUSING STABILITY SERVICES.—Not more than 10 percent of funds received by an eligible grantee from payments made under this section shall be used for stabilization and eviction prevention activities, as defined by the Secretary, intended to help keep households stably housed.

(C) ADMINISTRATIVE COSTS.—Not more than 10 percent of the total amount paid to an eligible grantee under this section may be used for administrative costs attributable to providing financial assistance, housing stability services, and other activities described in clause (1), including for case management and other services intended to help keep households stably housed.

(D) RENTAL HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use any funds from payments made under this section that are not obligated on October 1, 2022, for purposes in addition to those specified in this paragraph, provided that—

(i) such other purposes are affordable rental housing and eviction prevention purposes, as defined by the Secretary, serving very low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437f)); and 

(ii) prior to obligating any funds for such purposes, the eligible grantee has obligated 

subsection (a)(1) of section 3201 of the American Rescue Plan Act of 2021."; 

(3) HIGH-NEED GRANTEES.—The Secretary shall allocate funds reserved under subsection (a)(2)(D) to eligible grantees with a high need for assistance under this section, with the number of very low-income renter households paying more than 50 percent of their income for rent and living in standard or overcrowded conditions, rental market costs, and change in employment since February 2020 used as the factors for allocating funds.

SUBTITLE C—RESIDENTIAL VAULT PROVISIONS

SEC. 3031. OTHER AFFORDABLE RENTAL HOUSING AND EVICTION PREVENTION ACTIVITIES.

(a) ALLOCATIONS TO STATES AND UNITS OF LOCAL GOVERNMENT.—

(1) IN GENERAL.—The Secretary shall allocate—

(A) $305,000,000 for making payments under section 3201 of the American Rescue Plan Act of 2021 (Public Law 116–260), for purposes in addition to those specified in section 3(b)(10) of the United States Housing Act of 1937 (42 U.S.C. 1437f–6); and 

(B) $3,000,000 for administrative expenses of the Inspector General relating to oversight of funds provided in this section; and 

(2) RESERVATION OF FUNDS.—Of the amount appropriated in subsection (a) that remains after the application of paragraph (2) of such section to be the amount deemed to apply for purposes of applying clause (i) of section 501(b)(1)(A) of such statute; 

(i) by substituting "$152,000,000" for "$200,000,000" each place such term appears; 

(iv) in subclause (I) of such section 501(b)(1)(A)(v), by substituting "local government elects to receive funds from the Secretary under section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021"; and 

(v) in subclause (II) of such section 501(b)(1)(A)(v), by substituting "local government elects to receive funds from the Secretary under section 501 of title V of division N of the Consolidated Appropriations Act, 2021"; 

(B) HIGHER NEED GRANTEES.—The Secretary shall make payments in the amounts of the allocations determined under this subparagraph to eligible grantees described in subparagraphs (A) and (B) of subsection (f)(1)(A) of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) that remain after the application of this subparagraph, funds received by an eligible grantee under section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), shall not exceed 18 months.

(C) ADMINISTRATIVE COSTS.—Not more than 10 percent of the total amount paid to an eligible grantee under this section may be used for administrative costs attributable to providing financial assistance, housing stability services, and other activities described in clause (1), including for case management and other services intended to help keep households stably housed.

(D) RENTAL HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use any funds from payments made under this section that are not obligated on October 1, 2022, for purposes in addition to those specified in this paragraph, provided that—

(i) such other purposes are affordable rental housing and eviction prevention purposes, as defined by the Secretary, serving very low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437f)); and 

(ii) prior to obligating any funds for such purposes, the eligible grantee has obligated 

subsection (a)(1) of section 3201 of the American Rescue Plan Act of 2021."
not less than 75 percent of the total funds allocated to such eligible grantee in accordance with this section.

(2) DISTRIBUTION OF ASSISTANCE.—Amounts appropriated under subsection (a)(1) of this section shall be subject to the same terms and conditions that apply under paragraph (4) of section 501(c)(2) of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under subsection (a)(1) of such section 501.

(c) REALLOCATION OF FUNDS.—

(1) IN GENERAL.—Beginning March 31, 2022, the Secretary shall reallocate funds allocated to eligible grantees in accordance with subsection (b) but not yet paid in accordance with subsection (c)(2) according to a procedure established by the Secretary.

(2) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of funds allocated to such eligible grantee under subsection (b) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(3) PAYMENT OF REALLOCATED FUNDS BY THE SECRETARY.—The Secretary shall pay each eligible grantee the amount of reallocated funds described in paragraph (2) of this subsection the amount allocated to such eligible grantee in accordance with the procedures set forth in the Secretary in accordance with paragraph (1) of this subsection.

(d) USE OF REALLOCATED FUNDS.—Eligible grantees may use any funds received in accordance with this subsection only for purposes specified in paragraph (1) of subsection (d).

(e) DEFINITIONS.—In this section:

(1) ELIGIBLE GRANTEE.—The term ‘‘eligible grantee’’ means any of the following:

(A) The 50 States of the United States and the District of Columbia.

(B) A unit of local government (as defined in paragraph (5)).

(2) ELIGIBLE HOUSEHOLD.—The term ‘‘eligible household’’ means any family or group of 1 or more individuals who are obligated to pay rent on a residential dwelling and with respect to which the eligible grantee involved determined that—

(A) 1 or more individuals within the household has—

(i) qualified for unemployment benefits or (ii) had a reduction in income due to a low-income family, incurred significant costs, or experienced other financial hardship during or due, directly or indirectly, to the coronavirus pandemic.

(B) 1 or more individuals within the household can demonstrate a risk of experiencing homelessness or housing instability; and

(C) is a family composed of a low-income family (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437f(b))).

(f) INSPECTOR GENERAL.—The term ‘‘Inspector General’’ means the Inspector General of the Department of the Treasury.

(g) STAFF.—The term ‘‘Inspector General’’ means the Secretary of the Treasury.

(h) LOCAL GOVERNMENT.—The term ‘‘local government’’ has the meaning given such term in section 561 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(i) AVAILABLE.—Funds provided to an eligible grantee under this section shall remain available through September 30, 2025.

Sec. 3202. EMERGENCY HOUSING VOUCHERS.

(a) APPROPRIATION.—In addition to amounts otherwise appropriated, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the ‘‘Secretary’’) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $5,000,000,000, to remain available until September 30, 2030, for—

(1) incremental emergency vouchers under subsection (b);

(2) renewals of the vouchers under subsection (b);

(3) fees for the costs of administering vouchers under subsection (b) and other eligible expenses defined by notice to prevent, and respond to coronavirus to facilitate the leasing of the emergency vouchers, such as security deposit assistance and other costs related to retention and support of participating owners; and

(4) adjustments in the calendar year 2021 section 8 section 8 funding allocation, including mainstream vouchers, for public housing agencies that experience a significant increase in costs related to extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

(b) EMERGENCY VOUCHERS.—

(1) IN GENERAL.—The Secretary shall provide emergency rental assistance vouchers under section 8(c)(6) of the United States Housing Act of 1937 (42 U.S.C. 1437p). The term ‘‘emergency voucher’’ means an emergency voucher issued under such section 8(c)(6).

(2) QUALIFYING INDIVIDUALS OR FAMILIES DEFINED.—For the purposes of this section, qualifying individuals or families are those who are—

(A) homeless (as such term is defined in section 103(a) of the McKinney-Vento Homelessness Assistance Act (42 U.S.C. 11302(a));

(B) at risk of homelessness (as such term is defined in section 401(1) of the McKinney-Vento Homelessness Assistance Act (42 U.S.C. 11361(a)));

(C) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking, as defined by the Secretary; or

(D) receiving homeless, as determined by the Secretary, and for whom providing rental assistance will prevent the family’s homelessness or have high risk of housing instability.

(3) ALLOCATION.—The Secretary shall notify public housing agencies of the number of emergency vouchers provided under this section, that non may be issued not later than 60 days after the date of the enactment of this Act, in accordance with a formula that includes public housing agency capacity and other geographic diversity, including with respect to rural areas, among public housing agencies administering the Housing Choice Voucher program.

(b) EXTENSION OF AVAILABILITY UNDER PROGRAM FOR EXISTING FUNDING.—Paragraph (1) of section 501(c) of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under subsection (a)(1) of such section 501.

(c) WAIVERS AND ALTERNATIVE REQUIREMENTS.—The Secretary may waive or specify alternative requirements for any provision of the United States Housing Act of 1937 (42 U.S.C. 1337 et seq.) or regulation applicable to such statute other than requirements relating to fair housing, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of amounts made available in this section.

(d) TERMINATION OF VOUCHERS UPON TURN-OVER.—After September 30, 2022, a public housing agency may not reissue any vouchers made available under this section when assistance for the family assisted ends.

Sec. 3203. EMERGENCY ASSISTANCE FOR RURAL HOUSING.

In addition to amounts otherwise available, there is appropriated to the Department of Agriculture for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2022, to provide grants to eligible households as authorized by section 521(a)(2) of the Housing Act of 1949 or agreements entered into in lieu of debt forgiveness or payments for eligible households as authorized by section 522(c)(5)(D) of the Housing Act of 1949, for temporary adjustment of income losses for recipients of housing assistance made available under section 515, 516, or 516 of the Housing Act of 1949 who have experienced income loss but are not currently receiving Federal rental assistance.

Sec. 3204. HOUSING COUNSELING.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Neighborhood Reinvestment Corporation (in this section referred to as the ‘‘Corporation’’) for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2025, for grants to housing counseling intermediaries approved by the Department of Housing and Urban Development, State housing finance agencies, and NeighborWorks organizations for providing housing counseling services, as authorized under section 502 of the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107) and consistent with the discretion set forth in section 521(a)(5) of such Act (42 U.S.C. 15170(k)) to design and administer grant programs. Of the grant funds made available under this subsection, not less than 40 percent shall be provided to counseling organizations that—

(1) target housing counseling services to minority and low-income populations facing housing instability; or

(2) provide housing counseling services in neighborhoods having high concentrations of minority and low-income populations.
would prevent the family’s homelessness or would serve those with the greatest risk of housing instability; or
(5) veterans and families that include a veteran, where such veteran meets one of the preceding criteria.

(c) TERMS AND CONDITIONS.—
(1) PREFERENCE.—The cost limits in section 212(e) (42 U.S.C. 12742(e)), the commitment requirements in section 218(g) (42 U.S.C. 12748(g)), the matching requirements in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 12730), and the funds made available in this section for carrying out activities authorized in this section, a grantee may use up to fifteen percent of its allocation for administrative and planning costs.

(2) OPERATING EXPENSES.—Notwithstanding sections 212(a) and (g) of the Act (42 U.S.C. 12742(a) and (g)), the funds made available in this section for carrying out activities authorized in this section, a grantee may use up to fifteen percent of its allocation for administrative and planning costs.

(3) ALLOCATION.—As provided in paragraphs (2) and (3), the Secretary shall allocate amounts made available under this section pursuant to section 217(c) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 12730(c)).

(4) CONTRACTING.—A grantee, when contracting with service providers engaged directly in capacity building and technical assistance activities or projects consistent with this section, may enter into contracts in amounts that are not less than sixty percent of the total contract amount.

(5) OTHER COSTS.—Up to $50,000,000 of the amounts made available under this section shall be used, without regard to any prior awards to existing technical assistance providers to provide an immediate increase in capacity building and technical assistance programs or projects consistent with this section.

(6) ENSURE.—The term “grant funds” means any credit transaction—
(A) that is secured by a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is a 1- to 4-unit dwelling, or
(B) that is secured by a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is an equity participates in a 1- to 4-unit dwelling.

(7) STATE.—The term “State” means the Secretary; or
(A) mortgage payment assistance; or
(B) financial assistance to allow a home- owner to reinstate a mortgage or to pay other housing related costs related to a person experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing, which include

(A) mortgage payment assistance;

(B) financial assistance to allow a home- owner to reinstate a mortgage or to pay other housing related costs related to a person experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing, which include

(D) facilitating interest rate reductions;
(E) payment assistance for—

(i) utilities, including electric, gas, home energy, and water;
(ii) internet service, including broadband Internet access, as defined in section 8.1(b) of title 47, Code of Federal Regulations (or any successor regulation);

(iii) homeowner’s insurance, flood insurance, and mortgage insurance; and

(iv) homeowner’s association, condominium association fees, or common charges.

(F) reimbursement of funds expended by a State, local government, or designated entity under subsection (f) during the period beginning on January 21, 2020, and ending on the date that the first funds are disbursed by the eligible entity under the Homeowner Assistance Fund, for the purpose of providing housing stability, mortgage assistance, (or any other provision of this section, of the amounts appropriated under subsection (a), the Secretary shall reserve $30,000,000 to be disbursed to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, based on each such territory’s share of the combined total population of all such territories, as determined by the Secretary. For any such reallocation of funds, the Secretary shall adhere to the requirements of subsection (d), except for paragraphs (1), (4), and (5) of this subsection.

(4) TERRITORY SET-ASIDE.—Notwithstanding any other provision of this section, of the amounts appropriated under this section, the Secretary shall reallocate any funds that were not requested by such State among the States that have requested funds by the 45th day after the date of enactment of this Act. For any such reallocation of funds, the Secretary shall adhere to the requirements of subsection (d), except for paragraphs (1), (4), and (5) of this subsection.

(2) REALLOCATION.—If a State does not require allocated funds by the 45th day after the date of enactment of this Act, such State shall not be eligible for a payment from the Secretary pursuant to this section, and the Secretary shall reallocate any funds that were not requested by such State among the States that have requested funds by the 45th day after the date of enactment of this Act. For any such reallocation of funds, the Secretary shall reallocate funds set aside under paragraph (3) to eligible entities that are eligible for payments under clauses (i) and (ii) of section 501(b)(2)(A) of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260) for the purposes described in subsection (c).

(5) ADMINISTRATIVE EXPENSES.—The Secretary may use not more than 3 percent of the amounts appropriated under this section for administrative purposes.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until September 30, 2023, for the Fair Housing Initiatives Program under section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a) to enable fair housing organizations that provide fair housing assistance, to adjust on a pro rata basis the Secretary’s record of using payments from the Fund to serve homeowners at disproportionate rates of mortgage default, foreclosure, eviction, or displacement, including homeowners having incomes equal to or less than 100 percent of the area median income for their household size or equal to or less than 100 percent of the median income for the United States, as determined by the Secretary of Housing and Urban Development.

(b) ADMINISTRATIVE EXPENSES.—The Secretary may use not more than 3 percent of the amounts appropriated under this section for administrative purposes.

Subtitle C—Small Business (SSBCI)

SEC. 3301. STATE SMALL BUSINESS CREDIT INITIATIVE.

(a) STATE SMALL BUSINESS CREDIT INITIATIVE.

(1) IN GENERAL.—The Secretary shall make payments, beginning no later than 45 days after enactment of this Act, from amounts appropriated under this Act, to small businesses that request to receive payment from the Secretary, and the Secretary shall use such payments in compliance with this section.

(b) ADMINISTRATIVE EXPENSES.—The Secretary may use not more than 3 percent of the amounts appropriated under this section for administrative purposes.
shall determine the 2021 allocation by allo-
cating $500,000,000 among the Tribal govern-
ments in the proportion the Secretary deter-
mines appropriate, including with consider-
ation of the employment data regarding each such Tribal government.

(ii) NOTICE OF INTENT; TIMING OF ALLOCA-
TION.—With respect to allocations to States that are Tribal governments, the Secretary may—

(I) require Tribal governments that indi-
vividually or jointly wish to participate in the Program to submit a Notice of Intent with the Secretary not later than 30 days after the date of enactment of subsection (d); and

(II) subparagraph (A) may reallocate Federal funds to participating Tribal governments not later than 60 days after the date of enactment of subsection (d).

(3) EMPLOYMENT DATA.—If the Secretary determines that employment data with re-
spect to a State is unavailable from the Bu-
reau of Labor Statistics of the Department of Labor, the Secretary shall consider other economic and employment data that is otherwise available for purposes of deter-
mining the employment data of such State.

(III) by striking paragraph (3); and

(i) in subsection (c)—

(1) in paragraph (1)(A)(i), by inserting be-
fore the period the following: ‘‘that have de-
levered loans or investments to eligible busi-
dnesses’’; and

(2) in paragraph (2)(A), by striking ‘‘the
’’ and inserting ‘‘the Secretary’’.

(II) by amending paragraph (4) to read as
follows:

‘‘(A) IN GENERAL.—In addition to amounts
appropriated to carry out the Program, the Secretary shall—

(i) allocate $1,500,000,000 to States from
funds allocated under this section and, by
controlled by socially and economically dis-
advantaged individuals, as determined by
the Secretary, in each State, and not subject to the allocation formula described under subsection (b); and

(ii) allocate such amounts to States based on
the number of minority depository institu-
tions that are Tribal governments, the Secretary may not approve a State to be a par-
ticipating State unless the Secretary has
provided the Program and Appendix with a plan detailing how minority depository institutions and community development financial institu-
tions will be encouraged to participate in State programs.’’.

(3) by adding at the end after the last full
period the following:

‘‘(A) I N GENERAL.—In addition to amounts
appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

(i) allocate $1,500,000,000 to States from
funds allocated under this section and, by
controlled by socially and economically dis-
advantaged individuals, as determined by
the Secretary, in each State, and not subject to the allocation formula described under subsection (b); and

(ii) allocate such amounts to States based on
the number of minority depository institu-
tions that are Tribal governments, the Secretary may not approve a State to be a par-
ticipating State unless the Secretary has
provided the Program and Appendix with a plan detailing how minority depository institutions and community development financial institu-
tions will be encouraged to participate in State programs.’’.

(4) by adding at the end the following:

‘‘(A) IN GENERAL.—In addition to amounts
appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

(i) allocate $1,500,000,000 to States from
funds allocated under this section and, by
controlled by socially and economically dis-
advantaged individuals, as determined by
the Secretary, in each State, and not subject to the allocation formula described under subsection (b); and

(ii) allocate such amounts to States based on
the number of minority depository institu-
tions that are Tribal governments, the Secretary may not approve a State to be a par-
ticipating State unless the Secretary has
provided the Program and Appendix with a plan detailing how minority depository institutions and community development financial institu-
tions will be encouraged to participate in State programs.’’.

(B) in section 3009, by striking ‘‘date of en-
actment of subsection (d).’’;

(II) by amending paragraph (4) to read as
follows:

‘‘(A) IN GENERAL.—In addition to amounts
appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

(i) allocate $1,500,000,000 to States from
funds allocated under this section and, by
controlled by socially and economically dis-
advantaged individuals, as determined by
the Secretary, in each State, and not subject to the allocation formula described under subsection (b); and

(ii) allocate such amounts to States based on
the number of minority depository institu-
tions that are Tribal governments, the Secretary may not approve a State to be a par-
ticipating State unless the Secretary has
provided the Program and Appendix with a plan detailing how minority depository institutions and community development financial institu-
tions will be encouraged to participate in State programs.’’.

(B) in section 3009, by striking ‘‘date of en-
actment of subsection (d).’’;

(II) by amending paragraph (4) to read as
follows:

‘‘(A) IN GENERAL.—In addition to amounts
appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

(i) allocate $1,500,000,000 to States from
funds allocated under this section and, by
controlled by socially and economically dis-
advantaged individuals, as determined by
the Secretary, in each State, and not subject to the allocation formula described under subsection (b); and

(ii) allocate such amounts to States based on
the number of minority depository institu-
tions that are Tribal governments, the Secretary may not approve a State to be a par-
ticipating State unless the Secretary has
provided the Program and Appendix with a plan detailing how minority depository institutions and community development financial institu-
tions will be encouraged to participate in State programs.’’.

(B) in section 3009, by striking ‘‘date of en-
actment of subsection (d).’’;

(II) by amending paragraph (4) to read as
follows:

‘‘(A) IN GENERAL.—In addition to amounts
appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

(i) allocate $1,500,000,000 to States from
funds allocated under this section and, by
controlled by socially and economically dis-
advantaged individuals, as determined by
the Secretary, in each State, and not subject to the allocation formula described under subsection (b); and

(ii) allocate such amounts to States based on
the number of minority depository institu-
tions that are Tribal governments, the Secretary may not approve a State to be a par-
ticipating State unless the Secretary has
provided the Program and Appendix with a plan detailing how minority depository institutions and community development financial institu-
tions will be encouraged to participate in State programs.’’.

(B) in section 3009, by striking ‘‘date of en-
actment of subsection (d).’’;

(II) by amending paragraph (4) to read as
follows:

‘‘(A) IN GENERAL.—In addition to amounts
appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

(i) allocate $1,500,000,000 to States from
funds allocated under this section and, by
controlled by socially and economically dis-
advantaged individuals, as determined by
the Secretary, in each State, and not subject to the allocation formula described under subsection (b); and

(ii) allocate such amounts to States based on
the number of minority depository institu-
tions that are Tribal governments, the Secretary may not approve a State to be a par-
ticipating State unless the Secretary has
provided the Program and Appendix with a plan detailing how minority depository institutions and community development financial institu-
tions will be encouraged to participate in State programs.’’. 
“(E) a Tribal government, or a group of Tribal governments that jointly apply for an allocation.”.

(b) DEFINITIONS.—Section 3002 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701) is amended by adding at the end the following:

“(15) BUSINESS ENTERPRISE OWNED AND CONTROLLED BY SOCIAL AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term ‘business enterprise owned and controlled by socially and economically disadvantaged individuals’ means an individual who is a socially and economically disadvantaged individual, and is an individual identified (including parenthetically) in the list published most recently as of the date of enactment of this paragraph pursuant to section 104 of the Small Business Act (15 U.S.C. 637) and the regulations thereunder.

“(16) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ‘community development financial institution’ has the meaning given that term under section 7(b)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 637).''.

“(17) MINORITY DEPOSITORY INSTITUTION.—The term ‘minority depository institution’ has the meaning given that term under section 303 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

“(18) SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUAL.—The term ‘socially and economically disadvantaged individual’ means an individual who is a socially disadvantaged individual or an economically disadvantaged individual, as such terms are defined, respectively, under section 8 of the Small Business Act (12 U.S.C. 637) and the regulations thereunder.

“(19) TRIBAL GOVERNMENT.—The term ‘Tribal government’ means the recognized governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of this paragraph pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).”.

(i) RULE OF APPLICATION.—The amendments made by this section shall apply with respect to grants appropriated under this section and funds appropriated on and after the date of enactment of this section.

Subtitle D—Public Transportation

SEC. 3401. FEDERAL TRANSIT ADMINISTRATION GRANTS.

(a) FEDERAL TRANSIT ADMINISTRATION APPROPRIATION.—

(I) IN GENERAL.—In addition to amounts otherwise available, there are appropriated for fiscal year 2021, out of any funds in the Treasury not otherwise appropriated, $30,461,355,534, to remain available until September 30, 2021, for the following:

(A) be for grants to eligible recipients under sections 5307, 5309, 5310, and 5311 of title 49, United States Code, to prevent, prepare for, and respond to coronavirus that is equal to or greater than 10 percent of the combined 2018 rural operating costs of the recipients and subrecipients in that State; and

(B) not be subject to any prior restriction on the total amount of funds available for implementation or execution of programs authorized under sections 5307, 5310, and 5311 of such title.

(2) AVAILABILITY OF FUNDS FOR OPERATING EXPENSES.—

(A) IN GENERAL.—Notwithstanding subsection (a)(1) or (b) of section 5307 and section 5310(b)(2)(A) of title 49, United States Code, funds provided under this section, other than subsection (b)(4), shall be available for the operating expenses of transit agencies to prevent, prepare for, and respond to the coronavirus public health emergency, including, beginning on January 20, 2020—

(i) reimbursement for payroll of public transportation (including payroll and expenses of private providers of public transportation);

(ii) operating costs to maintain service due to lost revenue due as a result of the coronavirus public health emergency, including the purchase of personal protective equipment; and

(iii) paying the administrative leave of operators or contractor personnel due to reductions in service.

(B) USE OF FUNDS.—Funds described in subparagraph (a) shall be—

(i) available for immediate obligation, notwithstanding the requirement for such expenses to be included in a transportation improvement program, long-range transportation plan, or statewide transportation improvement program under sections 5303 and 5304 of title 49, United States Code;

(ii) directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation), unless the recipient certifies to the Administrator of the Federal Transit Administration that the recipient has not furloughed any employees;

(iii) used to provide a Federal share of the costs to any grant made under this section of 100 percent.

(b) ALLOCATION OF FUNDS.—

(1) URBANIZED AREA FORMULA GRANTS.—

(A) IN GENERAL.—Of the amounts made available under subsection (a), $230,086,580 shall be for grants to recipients and subrecipients under section 5307 of title 49, United States Code, and shall be allocated as if such funds were provided under section 5307 of such title.

(B) ALLOCATION.—Amounts made available under subparagraph (A) shall be apportioned to urbanized areas based on data contained in the National Transit Database such that—

(i) each urbanized area shall receive an apportionment equal to 25 percent of the urbanized area’s 2018 operating costs; and

(ii) for funds remaining after the apportionment described in clause (i), such funds shall be apportioned such that—

(I) each urbanized area that did not receive an apportionment under clause (i) shall receive an amount equal to 25 percent of the urbanized area’s 2018 operating costs; and

(II) each urbanized area under clause (i), when combined with amounts made available, prior to clause (i) to that urbanized area for similar activities to prevent, prepare for, and respond to coronavirus that is equal to or greater than 130 percent of the urbanized area’s 2018 operating costs; and

(iii) for funds remaining after the apportionment described in clause (i), in the case of a mutual institution, a Pell Grant, a Title I, a Hispanic-Serving Institution, a Historically Black College or University, or a Tribal college or university, such apportionments shall be—

(B) CAPITAL INVESTMENTS.—

(A) IN GENERAL.—Of the amounts made available under subsection (a)—

(I) $1,250,000,000 shall be for grants administered under subsections (d) and (e) of section 5309 of title 49, United States Code; and

(ii) $175,000,000 shall be for grants administered under subsection (b) of section 5309 of title 49, United States Code.

(B) FUNDING DISTRIBUTION.—The Administrator of the Federal Transit Administration shall—

(i) distribute funds proportionally based on the non-capital investment grant share of the amount allocated.

(ii) ALLOCATION.—Of the amounts made available in subparagraph (A)(i), $1,250,000,000 shall be provided proportionally to projects that received an allocation only prior to fiscal year 2019, except that projects open for revenue service are not eligible to receive a grant under this subparagraph.

(iii) ELIGIBLE RECIPIENTS.—The funds made available in subparagraph (A)(i) shall be for grants administered under paragraphs (6) and (7) of section 5309 of title 49, United States Code, for fiscal year 2020.

(C) USE OF FUNDS.—Funds described in subparagraph (A) shall be—

(i) used to reimburse the acquisition of property and equipment; and

(ii) for funds remaining after the apportionment described in clause (i), shall be used to prevent, prepare for, and respond to the coronavirus that is equal to or greater than 132 percent of the combined 2018 rural operating costs of the recipients and subrecipients in that State that shall receive an amount equal to 10 percent of such State’s 2018 rural operating costs; and

(D) FUNDING DISTRIBUTION.—The Administrator of the Federal Transit Administration shall—

(i) distribute funds proportionally based on the non-capital investment grant share of the amount allocated.

(ii) ALLOCATION.—Of the amounts made available in subparagraph (A)(i), $317,214,013 shall be for grants to recipients or subrecipients eligible under section 5311 of title 49, United States Code, and shall be apportioned such that if the funds were provided under section 5311 of such title, and shall be apportioned in accordance with such section, except as described in paragraph (3).
of title 49, United States Code, or an applicant in the project development phase described in paragraph (2) of such subsection.

(iv) Amount.—Amounts distributed under clauses (i) through (iii) of subparagraph (A) shall be provided notwithstanding the limitation of any calculation of the maximum amount of Federal financial assistance for the project (as defined in section 5309(h)(7) of title 49, United States Code).

(g) Section 5311(f) Services.

(A) In General.—Of the amounts made available under section (a) and in addition to the amounts made available under subparagraph (A) shall be available for grants to recipients for bus operators that partner with recipients or subrecipients of funds under section 5311(f) of title 49, United States Code.

(B) Allocation Ratio.—Notwithstanding paragraph (3), the Administrator of the Federal Transit Administration shall allocate amounts under subparagraph (A) in the same ratio as funds were provided under section 5311(f) of title 49, United States Code, for fiscal year 2020.

(C) Exception.—If a State or territory does not have bus providers eligible under section 5311(f) of title 49, United States Code, funds under this paragraph may be used by such State or territory for any expenses eligible under section 5311 of title 49, United States Code.

(3) PLANNING.—

(A) In General.—Of the amounts made available under subsection (a), $25,000,000 shall be for grants to recipients for bus operators that partner with recipients or subrecipients of funds under section 5311(f) of title 49, United States Code, for the planning of public transportation associated with the restoration of service as the coronavirus public health emergency concludes and shall be available in accordance with such section.

(B) Availability of Funds for Route Planning.—Amounts made available under subparagraph (A) shall be available for route planning designed to—

(i) increase ridership and reduce travel times, while maintaining or expanding the total level of vehicle revenue miles of service provided in the planning period; or

(ii) make service adjustments to increase the quality or frequency of service provided to low-income riders and disadvantaged neighborhoods or communities.

(C) Limitation.—Amounts made available under paragraph (2) shall not be used for route planning related to transitioning public transportation service provided as of the date of receipt of funds to a transportation network operator or other third-party contract provider, unless the existing provider of public transportation service is a third-party contract provider.

(7) Recipients and Subrecipients Requiring Additional Assistance.

(A) In General.—Of the amounts made available under subsection (a), $2,207,561,294 shall be available for grants to recipients for bus operators that partner with recipients or subrecipients of funds under section 5307 or 5311 of title 49, United States Code, unless the recipient provides to the Administrator—

(i) estimates of financial need;

(ii) data on reductions in farebox or other sources of local revenue for sustained operations;

(iii) a spending plan for such funds; and

(iv) demonstration of expenditure of greater amounts for the purposes set forth in subparagraph (B) for the recipient from funds made available for similar activities in fiscal year 2020.

(B) Deadlines.—The Administrator of the Federal Transit Administration shall—

(I) not later than 180 days after the date of enactment of this Act, issue a Notice of Funding Opportunity for assistance under this paragraph to the eligible recipient;

(ii) not later than 120 days after the application deadline established in the Notice of Funding Opportunity under clause (I), make awards under this paragraph to selected applicants.

(C) Evaluation.—

(i) In General.—Applications for assistance under this paragraph shall be evaluated by the Administrator of the Federal Transit Administration based on the level of financial need demonstrated by an eligible recipient or subrecipient for the prevention or mitigation of future financial need to maintain service as a percentage of the 2018 operating costs that has not been replaced by the funds made available to such recipient or subrecipient under paragraphs (1) through (5) of this subsection when combined with the amounts allocated to such eligible recipient or subrecipient from funds previously made available for the operating expenses of transit agencies related to the response to the COVID–19 public health emergency.

(ii) Recipients of Funds Available Under this Paragraph.—Amounts made available under this paragraph shall only be available for operating expenses.

(D) State Applicants.—A State may apply for assistance under this paragraph on behalf of an eligible recipient or subrecipient or a group of eligible recipients or subrecipients.

(E) Un obligated Funds.—If amounts made available under this paragraph remain unobligated on September 30, 2023, such amounts shall be available for any purpose eligible under sections 5307 or 5311 of title 49, United States Code.

(TITLE IV)—COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SEC. 4001. FUNDING FOR THE GOVERNMENT ACCOUNTABILITY OFFICE.

(a) Establishment; Appropriation.—There is established in the Treasury the Elder Fraud Prevention Fund and remain available through September 30, 2025, for necessary expenses of the Government Accountability Office.

(b) Purpose.—Amounts in the Fund shall be available for reimbursement to an agency for the use of paid leave under this section by any employee of the agency who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19;

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID–19; or

(3) is caring for an individual who is subject to such an order or has been so advised;

(c) Authorization of Appropriations.—There is appropriated to the Government Accountability Office the maximum amount that may be appropriated under subsection (b).

(d) Claimant.—The Government Accountability Office shall—

(I) establish a rebuttable presumption that an employee who has been subject to a COVID–19 quarantine or isolation order is unable to work because of the order;

(ii) establish a rebuttable presumption that an employee who has been advised by a health care provider to self-quarantine is unable to work because of the advice;

(iii) determine that an employee who is caring for an individual who is subject to such an order or has been so advised is unable to work because of the order;

(iv) establish a rebuttable presumption that an employee who has been subject to a COVID–19 quarantine or isolation order is unable to work because of the order; and

(v) determine that an employee who has been advised by a health care provider to self-quarantine is unable to work because of the advice.

(e) Notice of Order or Advisement.—In any case where an employee (including any employee who is temporarily out of the United States) is subject to a quarantine or isolation order or is advised by a health care provider to self-quarantine, the employee’s employer shall—

(I) provide notice to the employee of the order or advisement in writing;

(ii) permit the employee to work remotely if the employee so requests and if the employee is capable of doing so; and

(iii) provide other leave, if any, to the employee.

(f)(1) Amount.—Amounts made available under this subsection shall be—

(A) if made available under paragraph (2) of such subsection, $100,000,000

(B) if made available under paragraph (3), $100,000,000

(C) if made available under paragraph (4), $100,000,000

(D) if made available under paragraph (5), $2,207,561,294

(g) Administrator.—The Administrator of the Department of Homeland Security shall—

(I) determine whether an employee is entitled to leave under this section;

(ii) determine the amount of leave to which an employee is entitled under this section; and

(iii) make awards under this section to eligible employees.

(h)(1) Precedence.—The amounts made available under this section shall be made available—

(I) in accordance with the amendment made by division A of the Coronavirus Aid, Relief, and Economic Security Act;

(ii) for the purposes set forth in this section;

(III) in accordance with such section.

(iii) in accordance with such section.
SEC. 4003. PANDEMIC RESPONSE ACCOUNTABILITY COMMITTEE FUNDING AVAILABILITY.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $40,000,000, to remain available until September 30, 2025, for the Pandemic Response Accountability Committee, for oversight of the Coronavirus response and of funds provided in this Act or any other Act pertaining to the Coronavirus pandemic.

SEC. 4004. FUNDING FOR THE WHITE HOUSE.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $82,800,000, to remain available until September 30, 2021, for necessary expenses for the White House, to prevent, prepare for, and respond to coronavirus.

SEC. 4005. FEDERAL EMERGENCY MANAGEMENT AGENCY APPROPRIATION.

In addition to amounts otherwise available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until September 30, 2021, to carry out the purposes of the Disaster Relief Fund for costs associated with major disaster declarations.

SEC. 4006. FUNERAL ASSISTANCE.

(a) In General.—For the emergency declaration issued by the President on March 13, 2020, pursuant to section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)), and for any subsequent major disaster declaration that supersedes such an emergency declaration, the President shall provide financial assistance to an individual or household to meet disaster-related funeral expenses under section 408(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)(1)), for which the Federal cost share shall be 100 percent.

(b) Use of Funds.—Funds appropriated under section 4006 may be used to carry out subsection (a) of this section.

SEC. 4007. EMERGENCY FOOD AND SHELTER PROGRAM FUNDING.

In addition to amounts otherwise made available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $400,000,000, to remain available until September 30, 2025, for the emergency food and shelter program.

SEC. 4008. HUMANITARIAN RELIEF.

In addition to amounts otherwise made available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $110,000,000, to remain available until September 30, 2025, for the emergency food and shelter program for the purpose of providing humanitarian relief to families and individuals encountered by the Department of Homeland Security.

SEC. 4009. CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $650,000,000, to remain available until September 30, 2025, for the Cybersecurity and Infrastructure Security Agency for cybersecurity risk mitigation.

SEC. 4010. APPROPRIATION FOR THE UNITED STATES DIGITAL SERVICE.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $200,000,000, to remain available until September 30, 2024, for the United States Digital Service.

SEC. 4011. APPROPRIATION FOR THE TECHNOLOGY MODERNIZATION FUND.

In addition to amounts otherwise appropriated, there is appropriated to the General Services Administration for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $150,000,000, to remain available until September 30, 2024, to carry out the purposes of the Technology Modernization Fund.

SEC. 4012. APPROPRIATION FOR THE FEDERAL CITIZEN SERVICES FUND.

In addition to amounts otherwise available, there is appropriated to the General Services Administration for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2024, to carry out the purposes of the Federal Citizen Services Fund.

SEC. 4013. AFG AND SAFER PROGRAM FUNDING.

In addition to amounts otherwise made available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $300,000,000, to remain available until September 30, 2025, of which $100,000,000 shall be for assistance to firefighters and $200,000,000 shall be for staffing for adequate fire and emergency response grants.

SEC. 4014. EMERGENCY MANAGEMENT PERFORMANCE GRANT FUNDING.

In addition to amounts otherwise made available, there is appropriated to the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2025, for emergency management performance grants.

TITLE V—COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

SEC. 5001. MODIFICATIONS TO PAYCHECK PROTECTION PROGRAM.

(a) Eligibility of Certain Nonprofit Entities for Covered Loans under the Paycheck Protection Program.—

(1) In general.—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)), as amended—

(A) in subparagraph (A)—

(i) in subclause (III), by striking ''and'' at the end and inserting '; and''; and

(ii) by adding at the end the following:

"(iv) the additional covered nonprofit entity does not receive more than 15 percent of its receipts from lobbying activities;"

(b) Eligibility of Internet Publishing Organizations for Covered Loans under the Paycheck Protection Program.—

(1) In general.—Section 7(a)(36)(D) of the Small Business Act (15 U.S.C. 636(a)(36)(D)), as amended by subsection (a), is further amended—

(A) in clause (iii), by adding at the end the following:

"(iv) the business concern or organization employs not more than 500 employees;"

(B) by adding the following:

"(V) any business concern or other organization that was not eligible to receive a covered loan the day before the date of enactment of this subclause, is assigned a North American Industry Classification System code of 519130, certifies in good faith as an Internet-only news publisher or Internet-only periodical publisher, and is engaged in the collection and distribution of local or regional and national news and information shall be eligible to receive a covered loan for the continued provision of news, information, content, or emergency information if—"

(aa) the business concern or organization employs less than 500 employees; and

(bb) the business concern, or organization makes a good faith certification that proceeds of the loan will be used to support expenses at the component of the business concern or organization that supports local or regional news."; and

(C) in clause (iv), by adding the following:

"(V) any business concern or other organization that was not eligible to receive a covered loan the day before the date of enactment of this subclause, is assigned a North American Industry Classification System code of 519130, certifies in good faith as an Internet-only news publisher or Internet-only periodical publisher, and is engaged in the collection and distribution of local or regional and national news and information shall be eligible to receive a covered loan for the continued provision of news, information, content, or emergency information if—"

(aa) the business concern or organization employs less than 500 employees; and

(bb) the business concern, or organization makes a good faith certification that proceeds of the loan will be used to support expenses at the component of the business concern or organization that supports local or regional news."; and
Internet-only news publisher or Internet-only periodical publisher, and is engaged in the collection and distribution of local or regional and national news and information, if the business concern or organization—

"(aa) employs not more than 500 employees, or the size standard established by the Administrator for that North American Industry Classification System code of 519130;"

(C) by striking "clause (iii)(II), (iv)(V), and (vi)" and inserting "clause (ii)(II), (III), or (IV) of clause (iii), clause (iv) or (V) of clause (vi), clause (v), or clause (vi)"; and

(D) in clause (viii)—

(1) by striking "business concern made eligible by clause (ii)(II), clause (iv)(V) of this subparagraph and inserting "business concern made eligible by clause (ii)(II), or clause (ii)(III), or clause (ii)(V), or clause (iii), clause (iv) or (V) of clause (iv), clause (vi), clause (vii), or clause (ix)"; and

(2) by striking "or" at the end of item (aa); and

(B) by striking the period at the end of item (bb) and inserting "; or"; and

(C) by adding at the end the following new item:

"(cc) premiums taken into account in determining the credit allowed under section 6432 of the Internal Revenue Code of 1986."
SEC. 5004. COMMUNITY NAVIGATOR PILOT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATION.—The term ‘‘administration’’ means the Small Business Administration.

(2) ADMINISTRATOR.—The term ‘‘administrator’’ means the Administrator of the Small Business Administration.

(3) COMMUNITY NAVIGATOR SERVICES.—The term ‘‘community navigator services’’ means the outreach, education, and technical assistance provided by community navigators that target eligible businesses to increase awareness of, and participation in, programs of the Small Business Administration.

(4) COMMUNITY NAVIGATOR.—The term ‘‘community navigator’’ means a community navigator as defined in section 7(a)(4)(A) of the Small Business Act (15 U.S.C. 637(a)(4)(A)), or other private nonprofit organization engaged in the delivery of community navigator services.

(b) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(1) IN GENERAL.—Except as provided in subsection (b), and paragraph (3), the Administrator shall prioritize the eligibility of any application for grant funding submitted to the Administrator under this section.

(2) PRIORITY.—In accepting applications for grants under this subsection, the Administrator shall prioritize the ability of each applicant to use their existing business identifiers over requiring other forms of registration or identification that may not be common to their industry and imposing additional burdens on applicants.

(c) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(d) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(e) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(f) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(g) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(h) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(i) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(j) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(k) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(l) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(m) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(n) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(o) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(p) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(q) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(r) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(s) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(t) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(u) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(v) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(w) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(x) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(y) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(z) COMMUNITY NAVIGATOR PILOT PROGRAM.—The term ‘‘community navigator pilot program’’ means an entity that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.
resource partners, community navigators, potential lenders, and other persons that the Administrator determines appropriate for current or prospective owners of eligible businesses.

(3) OUTREACH.—The Administrator shall—
(A) conduct outreach and education, in the 10 most commonly spoken languages in the United States, to eligible persons or entities;
(B) improve the website of the Administrator to describe such community navigator services and other Federal programs to assist eligible businesses;
(C) implement an education campaign by advertising targeted to current or prospective owners of eligible businesses.

(4) APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until September 30, 2022, for carrying out this subsection.

(d) SUNSET.—The authority of the Administrator to make grants under this section shall terminate on December 31, 2025.

SEC. 6001. ECONOMIC ADJUSTMENT ASSISTANCE.

(a) ECONOMIC DEVELOPMENT ADMINISTRATION APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,250,000,000, to remain available until expended, to carry out section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), of which $500,000 shall be used to provide technical assistance to help applicants access the System for Award Management (or any successor thereto) or to assist applicants with an alternative grant application system.

(b) REDUCTION OF SHUTTERED VENUES ASSISTANCE.—Section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), is amended—

(1) in subsection (a)(1)(A)(v)—
(2) in subsection (a)(2), the Administrator shall—
(3) OUTREACH.—The Administrator shall—
(A) conduct outreach and education, in the 10 most commonly spoken languages in the United States, to current or prospective owners of eligible businesses, (B) improve the website of the Administrator to describe such community navigator services and other Federal programs to assist eligible businesses; (C) implement an education campaign by advertising targeted to current or prospective owners of eligible businesses.

(b) APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Inspector General of the Small Business Administration for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $25,000,000, to remain available until expended, for necessary expenses of the Office of Inspector General.

TITLE VI—COMMITTEE ON ENVIRONMENT AND ENERGY

SEC. 6002. FUNDING FOR POLLUTION AND DISPARATE IMPACTS OF THE COVID–19 PANDEMIC.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Environmental Protection Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended, to address health outcome disparities from pollution and the COVID–19 pandemic, of which—

(1) $50,000,000, shall be for grants, contracts, and other agency activities that identify and address disproportionate environmental and public health harms and risks in minority populations or low-income populations under—
(A) section 103(b) of the Clean Air Act (42 U.S.C. 7403(b));
(B) section 1442 of the Safe Drinking Water Act (42 U.S.C. 300j–1);
(C) section 104(k)(7) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(7)) (the "CERCLA Act"); and

SEC. 6003. DIRECT APPROPRIATIONS.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended, to address health outcome disparities from pollution and the COVID–19 pandemic, of which—

(1) $50,000,000, shall be for grants, contracts, and other agency activities that identify and address disproportionate environmental and public health harms and risks in minority populations or low-income populations under—
(A) section 103(b) of the Clean Air Act (42 U.S.C. 7403(b));
(B) section 1442 of the Safe Drinking Water Act (42 U.S.C. 300j–1);
(C) section 104(k)(7) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(7))(the "CERCLA Act"); and

(2) $50,000,000 shall be for grants and activities that—
(A) are authorized under section 103 of the Clean Air Act (42 U.S.C. 7403) and grants and activities authorized under section 105 of such Act (42 U.S.C. 7405);

(b) ADMINISTRATION OF FUNDS.—

(1) Of the funds made available pursuant to subsection (a)(1), the Administrator shall—

(2) Of the funds made available pursuant to subsection (a)(2), the Administrator shall—
there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $729,611,840, to remain available until September 30, 2024, for grants as authorized by section 213(b) of the FAST Act (Public Law 114–94) to prevent, prepare for, and respond to coronavirus.

(c) SERVICE RESURRECTION AND EMPLOYEE RECALLS.—Not less than $165,926,000 of the aggregate amounts made available under subsections (a) and (b) shall be for use by the National Railroad Passenger Corporation to—

(1) restore, not later than 90 days after the date of enactment of this Act, the frequency of rail service suspended during the period beginning on March 1, 2020, and ending on September 30, 2020, to the extent practicable and to the extent permissible under applicable and security.

(2) recall and manage employees furloughed on or after December 27, 2019, or October 1, 2020, as a result of efforts to prevent, prepare for, and respond to coronavirus.

(d) USE OF FUNDS IN LIEU OF CAPITAL PAYMENTS.—Not less than $100,885,000 of the aggregate amounts made available under subsections (a) and (b) shall be for use by the National Railroad Passenger Corporation to—

(1) shall be for use by the National Railroad Passenger Corporation to offset amounts required to be paid by States for covered passenger transportation providers that are subject to the cost allocation policy under section 49056(c) of title 49, United States Code; and

(2) notwithstanding sections 24319(g) and 24905(c)(1)(A)(i) of title 49, United States Code, such amounts do not constitute cross-subsidization of commuter rail passenger transportation providers that are subject to the cost allocation policy under section 49056(c) of title 49, United States Code; and

(e) USE OF FUNDS FOR STATE PAYMENTS FOR STATE-SUPPORTED ROUTES.—Not more than $18,200,000 shall be made available for payment to States and commuter rail sections (a) and (b)—

(1) to pay required reserves, costs, and fees related to such debt, including for loans from the Department of Transportation and loans that would otherwise have been paid from the National Railroad Passenger Corporation revenues.

(2) for debt service requirements of debt incurred by the National Railroad Passenger Corporation under financing arrangements entered into prior to the date of enactment of this Act.

(3) to pay required reserves, costs, and fees related to such debt, including for loans from the Department of Transportation and from the National Railroad Passenger Corporation revenues.

(f) PREPAYMENT.—Not more than $2,000,000 of the aggregate amounts made available under subsections (a) and (b) shall be for activities authorized under section 47101(c) of the FAST Act (Public Law 114–94).

SEC. 710. RELIEF FOR AIRPORTS.

(a) IN GENERAL.—

(1) IN GENERAL.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any funds in the Treasury not otherwise appropriated, $5,000,000,000, to remain available until September 30, 2022, to assist airports, as such terms are defined in section 47102 of title 49, United States Code, to be made available to prevent, prepare for, and respond to coronavirus.

(2) REQUIREMENTS AND LIMITATIONS.—Amounts made available under this section—

(A) may not be used for any purpose not directly related to the airport; and

(B) may not be provided to any airport that was not operating on November 1, 2019, to the extent that such airport has the ability to continue to operate such service at such frequency; and

(2) FUNDING SHARE.—The share of funding provided under paragraph (1) with respect to a covered State-supported route shall be distributed as follows:

(A) IN GENERAL.—Not more than $6,892,000,000 shall be made available for primary airports, as such term is defined in section 47102 of title 49, United States Code, and certain cargo airports, for costs related to operations, personnel, cleaning, sanitization, and mitigation of the spread of pathogens at the airport, and debt service payments.

(B) DISTRIBUTION.—Amounts made available under this paragraph—

(i) shall not be subject to the reduced apportionments under section 47114(f) of title 49, United States Code;

(ii) shall first be apportioned as set forth in sections 47114(c)(1)(A), 47114(c)(1)(C), 47114(c)(1)(C)(i), 47114(c)(2)(A), 47114(c)(2)(B), and 47114(c)(2)(E) of title 49, United States Code; and

(iii) shall not be subject to a maximum apportionment limit set forth in section 47114(c)(2)(A), 47114(c)(2)(B), 47114(c)(2)(C), 47114(c)(2)(C)(i), 47114(c)(2)(D), 47114(c)(2)(E), and 47114(c)(2)(F) of title 49, United States Code; and

(3) AIRPORT CONCESSIONS.—

(A) IN GENERAL.—Not more than $608,000,000 allocated under subsection (a)(1) shall be available to pay a Federal share of 100 percent of the costs for any grant awarded in fiscal year 2021, or in fiscal year 2020 with respect to such grants, to sponsors of State-supported routes, to prevent, prepare for, and respond to coronavirus.

(B) WAIVER OF RETENTION REQUIREMENT.—Any amount remaining after distribution under subparagraph (B) shall be used to distribute to the sponsor of each primary airport, as such term is defined in section 47102 of title 49, United States Code, based on each such primary airport’s passenger enplanements compared to the total passenger enplanements of all such primary airports in calendar year 2019.

(C) REMAINING AMOUNTS.—Any amount remaining under this paragraph shall be distributed as described in paragraph (1)(C).

(4) AIRPORT CONCESSIONS.—

(A) IN GENERAL.—Not more than $608,000,000 allocated under subsection (a)(1) shall be available to pay a Federal share of 100 percent of the costs for any grant awarded in fiscal year 2021, or in fiscal year 2020 with respect to such grants, to sponsors of State-supported routes, to prevent, prepare for, and respond to coronavirus.

(B) REMAINING AMOUNTS.—Any amount remaining under this paragraph shall be distributed as described in paragraph (1)(C).

(C) NONPRIMARY AIRPORTS.—

(A) IN GENERAL.—Not more than $50,000,000 shall be made available for grants to nonprimary airports (as such term is defined in section 47114(c)(1)(B) of title 49, United States Code) for costs related to operations, personnel, cleaning, sanitization, and mitigation of the spread of pathogens at the airport, and debt service payments.

(B) WAIVER OF RETENTION REQUIREMENT.—The Secretary shall waive the workforce retention requirement if the Secretary determines that—

(i) the airport is experiencing economic hardship as a direct result of the requirement; or

(ii) the requirement reduces aviation safety or security.

(C) EXCEPTION.—The workforce retention requirement shall not apply to nonhub airports, or to nonprimary airports receiving funds under this section.

(D) NONCOMPLIANCE.—Any financial assistance provided under this section to an airport that fails to meet the workforce retention requirement described in subparagraph (A), and does not otherwise qualify for
a waiver or exception under this paragraph, shall be subject to clawback by the Secretary.

(d) EXCEPTIONS.—In this section:

(1) Eligible large airport concession.—The term ‘‘eligible large airport concession’’ means a concession (as defined in section 23.3 of title 49, Code of Federal Regulations), that is in-terminal and used by an employee of the Administration during the period beginning on the date of enactment of this section and ending on September 30, 2021, out of any money in the Treasury not otherwise appropriated, $13,000,000, which shall be deposited into the Fund and remain available through September 30, 2022.

(b) Purpose.—Amounts in the Fund shall be available to the Administrator for the purpose of paying leave under this section by any employee of the Administration who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19;

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID–19;

(3) is caring for an individual who is subject to such an order or has been so advised;

(4) is experiencing symptoms of COVID–19 and seeking a medical diagnosis;

(5) is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, if the school of such son or daughter requires or makes optional a virtual learning instruction model or requires or makes optional a hybrid of in-person and virtual learning instruction models, and seeking a medical diagnosis that such son or daughter is unavailable, due to COVID–19 precautions;

(6) is experiencing any other substantially similar condition;

(7) is caring for a family member with a mental or physical disability or who is 55 years of age or older and incapable of self-care, without regard to whether another individual other than the employee is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable due to COVID–19; or

(8) is obtaining immunization related to COVID–19 or is recovering from any injury, disability, illness, or condition related to such immunization.

(c) Limitations.—

(1) Purposes and Availability.—Paid leave under this section may only be provided to and used by an employee of the Administration during the period beginning on the date of enactment of this section and ending on September 30, 2021.

(2) Total Hours; Amount.—Paid leave under this section—

(A) shall be provided to an employee of the Administration in an amount not to exceed 600 hours of paid leave for each full-time employee;

(B) shall be at the same hourly rate as other leave payments;

(C) may not be provided to an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period the employee is otherwise entitled to or that would reduce the proportional equivalent of 600 hours to the extent amounts in the Fund remain available for reimbursement;

(D) shall be paid at the same hourly rate as other leave payments.

(3) Relationship to Other Leave.—Paid leave under this section—

(B) shall not be in addition to any other leave paid to an employee of the Administration; and

(C) may not be provided to an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

(4) Calculation of Retirement Benefit.—Any paid leave provided to an employee of the Administration under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

(d) Definitions.—In this section:

(1) Eligible Employee Group.—The term ‘‘eligible employee group’’ means the portion of an employer’s United States workforce that—

(A) does not exceed 25 percent of the employer’s total United States workforce as of April 1, 2020; and

(B) contains only employees with a total compensation level of $200,000 or less per year; and

(C) is engaged in aviation manufacturing activities and services, or maintenance, repair, and overhaul activities and services.

(2) Eligible Large Airport Concession.—The term ‘‘eligible large airport concession’’ means a concession (as defined in section 23.3 of title 49, Code of Federal Regulations), that is in-terminal and has maximum gross receipts, averaged over the previous three fiscal years, of more than $56,420,000.

(3) Eligible Small Airport Concession.—The term ‘‘eligible small airport concession’’ means a concession (as defined in section 23.3 of title 49, Code of Federal Regulations), that is in-terminal and has maximum gross receipts, averaged over the previous three fiscal years, of less than $56,420,000; or

(B) is a joint venture (as defined in section 23.3 of title 49, Code of Federal Regulations).

SEC. 7103. EMERGENCY FAA Employee Leave Fund.

(a) Establishment; Appropriation.—There is established in the Federal Aviation Administration the Emergency FAA Employee Leave Fund in this section referred to as the ‘‘Fund’’, to be administered by the Administrator of the Federal Aviation Administration, for the purposes set forth in subsection (b).

(b) Purpose.—Amounts in the Fund shall be available to the Administrator for the purpose of paying leave under this section by any employee of the Administration who is unable to work because the employee—

(1) is a Federal, State, or local airport authority that—

(A) operates an airport for which there is a concession (as defined in section 23.3 of title 49, Code of Federal Regulations), that is in-terminal and has maximum gross receipts, averaged over the previous three fiscal years, of more than $56,420,000.

(B) is a joint venture (as defined in section 23.3 of title 49, Code of Federal Regulations).

(2) is obtaining immunization related to COVID–19 or is recovering from any injury, disability, illness, or condition related to COVID–19;

(3) is caring for a family member with a mental or physical disability or who is 55 years of age or older and incapable of self-care, without regard to whether another individual other than the employee is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable due to COVID–19 precautions;

(4) is experiencing any other substantially similar condition;

(5) is caring for a family member with a mental or physical disability or who is 55 years of age or older and incapable of self-care, without regard to whether another individual other than the employee is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable due to COVID–19; or

(6) is obtaining immunization related to COVID–19 or is recovering from any injury, disability, illness, or condition related to such immunization.

(c) Limitations.—

(1) Purposes and Availability.—Paid leave under this section may only be provided to and used by an employee of the Administration during the period beginning on the date of enactment of this section and ending on September 30, 2021.

(2) Total Hours; Amount.—Paid leave under this section—

(A) shall be provided to an employee of the Administration in an amount not to exceed 600 hours of paid leave for each full-time employee, and in the case of a part-time employee, employee on an uncommon tour of duty, or employee with a seasonal work schedule, in an amount not to exceed the proportional equivalent of 600 hours to the extent amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be provided to an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

(3) Relationship to Other Leave.—Paid leave under this section—

(A) is in addition to any other leave provided to an employee of the Administration; and

(B) may not be used by an employee of the Administration concurrently with any other paid leave.

(4) Calculation of Retirement Benefit.—Any paid leave provided to an employee of the Administration under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

Subtitle B—Aviation Manufacturing Jobs and Protection

SEC. 7201. Definitions.

In this subtitle:

(1) Eligible Employee Group.—The term ‘‘eligible employee group’’ means the portion of an employer’s United States workforce that—

(A) does not exceed 25 percent of the employer’s total United States workforce as of April 1, 2020; and

(B) contains only employees with a total compensation level of $200,000 or less per year; and

(C) is engaged in aviation manufacturing activities and services, or maintenance, repair, and overhaul activities and services.

(2) Aviation Manufacturing Company.—The term ‘‘aviation manufacturing company’’ means a corporation, firm, or other business entity that—

(A) that—

(i) actively manufactures an aircraft, aircraft engine, propeller, or a component, part, or systems of an aircraft or aircraft engine under a Federal Aviation Administration production approval;

(ii) holds a certificate issued under part 145 of title 14, Code of Federal Regulations, for maintenance, repair, and overhaul of aircraft, aircraft engines, components, or propulsion systems; or

(iii) operates a process certified to SAE AS9100 related to the design, development, or provision of an aviation product or service, including a part, component, or assembly;

(B) which—

(i) is established, created, or organized in the United States or under the laws of the United States; and

(ii) has significant operations in, and a majority of its employees engaged in aviation manufacturing activities and services, or maintenance, repair, and overhaul activities and services based in the United States;

(C) which has involuntarily furloughed or laid off at least 10 percent of its workforce in the United States and revenues, compared to the third quarter of 2019, decreased by at least a 15 percent decline in 2020 revenues as compared to 2019;
D. that, as supported by sworn financial statements or other appropriate data, has identified the eligible employee group and the amount of total compensation level for the eligible employee group;

E. that agrees to provide private contributions and maintain the total compensation level for the eligible employee group for the duration of the agreement entered into under this subtitle;

F. that agrees to provide immediate notice and justification to the Secretary of involuntary furloughs or layoffs exceeding 10 percent of its workforce that is not included in an eligible employee group for the duration of an agreement and receipt of public contributions under this subtitle;

G. that has not conducted involuntary furloughs or reduced pay rates or benefits for the eligible employee group, subject to the employer's right to discipline or terminate an employee in accordance with employer policy, between the date of application and the date on which such a corporation, firm, or other business entity enters into an agreement with the Secretary under this subtitle; and

H. that—

(1) in the case of a corporation, firm, or other business entity including any parent company or subsidiary of such a corporation, firm, or other business entity, that holds any type of operating certificate or authority under issued section 4401 of title 49, United States Code, with respect to a transportation company covered under part 121, Code of Federal Regulations, certificated with a passenger seating capacity of 50 or more, agrees to refrain from conducting involuntary layoffs or furloughs, or reducing pay rates and benefits, for the eligible employee group, subject to the employer’s right to discipline or terminate an employee in accordance with employer policy from the date of agreement until September 30, 2021, or the duration of the agreement and receipt of public contributions under this subtitle, whichever period ends later; or

(ii) in the case of a corporation, firm, or other business entity not specified under subparagraph (i), agrees to refrain from conducting involuntary layoffs or furloughs, or reducing pay rates and benefits, for the eligible employee group, subject to the employer’s right to discipline or terminate an employee in accordance with employer policy for the duration of the agreement and receipt of public contributions under this subtitle.

(3) EMPLOYER.—The term “employer” has the meaning given that term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 201).

(4) EMPLOYER.—The term “employer” means an aviation manufacturing company that fits the definition (as defined in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 201)).

(5) PRIVATE CONTRIBUTION.—The term “private contribution” means the contribution funded by the employer under this subtitle to maintain 50 percent of the eligible employee group’s total compensation level, and combined with the public contribution, is sufficient to maintain the total compensation level for the eligible employee group as of April 1, 2020.

(6) PUBLIC CONTRIBUTION.—The term “public contribution” means the contribution funded by the Federal Government under this subtitle to provide 50 percent of the eligible employee group’s total compensation level, and combined with the private contribution, is sufficient to maintain the total compensation level for those in the eligible employee group as of April 1, 2020.

(7) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(8) TOTAL COMPENSATION LEVEL.—The term “total compensation level” means the level of total base compensation and benefits being provided to an eligible employee group by the employer under this subtitle, and includes weekly pay, and excluding any Federal, State, or local payroll taxes paid, as of April 1, 2020.

SEC. 7202. PAYROLL SUPPORT PROGRAM.

(a) In General.—The Secretary shall establish a payroll support program and enter into agreements with employers who meet the eligibility criteria specified in subsection (b) and are not ineligible under subsection (c), to provide public contributions to supplement compensation of an eligible employee group. There is appropriated for fiscal year 2020 in the Treasury not otherwise appropriated, $3,000,000,000, to remain available until September 30, 2023, for the Secretary to carry out the payroll support program authorized under this section, by the sentence for which 1 percent of the funds may be used for implementation costs and administrative expenses.

(b) ELIGIBILITY.—The Secretary shall enter into an agreement and provide public contributions, for a term no longer than 6 months, with any employer that agrees to use the funds received under an agreement exclusively for the continuation of employee wages, salaries, and benefits, to maintain the total compensation level for the eligible employee group as of April 1, 2020, for the duration of the agreement, and to facilitate the retention, rehire, or recall of employees of the employer whose compensation may not be used for back pay of returning rehired or recalled employees.

(c) INELIGIBILITY.—The Secretary may not enter into any agreement under this section with an employer who was a credit union under section 2301 of the CARES Act (26 U.S.C. 4803), as of the date the agreement entered into, who received financial assistance under section 4121 of the CARES Act (15 U.S.C. 9001), or who is currently expending financial assistance under the paycheck protection program established under section 7(a)(6) of the Small Business Act (15 U.S.C. 636(a)(6)), as of the date the employer submits an application under the payroll support program established under subsection (a).

(d) REDUCTIONS.—To address any shortfall in assistance that would otherwise be provided under this subtitle, the Secretary shall reduce, for the fiscal year of the financial assistance provided under this subtitle.

(e) AGREEMENT DEADLINE.—No agreement may be entered into by the Secretary under this title after the last day of the 6-month period that begins on the effective date of the first agreement entered into under such program.

Subtitle C—Airlines

SEC. 7301. AIR TRANSPORTATION PAYROLL SUPPORT PROGRAM EXTENSION.

(a) DEFINITIONS.—In section 40102(a) of title 49, United States Code, shall apply with respect to terms used in this section, except that—

(1) the term “catering functions” means preparation, assembly, or both, of food, beverages, provisions and related supplies for delivery, and the delivery of such items, directly to aircraft or to a location on or near airport property for subsequent delivery to aircraft;

(2) the term “contractor” means—

(A) any person that performs, under contract with a passenger air carrier conducting operations under part 121 of title 14, Code of Federal Regulations—

(i) catering functions; or

(ii) functions on the property of an airport that are directly related to the air transport of passengers, property, or mail, including the loading and unloading of property on aircraft, assistance to passengers under part 382 of title 14, Code of Federal Regulations, ticketing, and check-in functions, ground-handling of aircraft, or aircraft cleaning and sanitization functions and waste removal; or

(B) a subcontractor that performs such functions;

(3) the term “employee” means an individual, other than a corporate officer, who is employed by an air carrier or a contractor;

(4) the term “eligible air carrier” means an air carrier that—

(A) received financial assistance pursuant section 4002 of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260);

(B) provides air transportation as of March 31, 2021;

(C) has not conducted involuntary furloughs or reduced pay rates or benefits between March 31, 2021, and the date on which the air carrier makes a certification to the Secretary pursuant to subparagraph (D); and

(D) certifies to the Secretary that such air carrier will—

(i) refrain from conducting involuntary furloughs or reducing pay rates or benefits until September 30, 2021, or the date on which assistance provided under this section is exhausted, whichever is later;

(ii) refrain from purchasing an equity security of the air carrier or the parent company of the air carrier that is listed on a national securities exchange through September 30, 2022;

(iii) refrain from paying dividends, or making other capital distributions, with respect to common stock (or equivalent interest) of the air carrier through September 30, 2022;

(iv) during the 2-year period beginning April 1, 2021, and ending April 1, 2023, refrain from paying—

(1) any officer or employee of the air carrier whose total compensation exceeded $25,000 in calendar year 2019 (other than an employee whose compensation is determined through an existing collective bargaining agreement entered into prior to the date of enactment of this Act)—

(2) total compensation that exceeds, during any 12 consecutive months of any such 2-year period, the total compensation received by the employee or employee from the air carrier in calendar year 2019;

(bb) severance pay or other benefits upon termination of employment with the air carrier which exceeds twice the maximum total compensation received by the officer or employee from the air carrier in calendar year 2019; and

(II) any officer or employee of the air carrier whose total compensation exceeded $3,000,000 in calendar year 2019 during any 12 consecutive months of such period total compensation in excess of the sum of—

(aa) $3,000,000; and

(bb) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the air carrier in calendar year 2019.

(5) the term “eligible contractor” means a contractor that—

(A) received financial assistance pursuant section 4002 of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260);

(B) performs one or more of the functions described under paragraph (2) as of March 31, 2021;

(C) has not conducted involuntary furloughs or reduced pay rates or benefits between March 31, 2021, and the date on which the contractor makes a certification to the Secretary pursuant to subparagraph (D); and
(D) certifies to the Secretary that such contractor will—
(i) refrain from conducting involuntary furloughs or reducing pay rates or benefits until September 30, 2022, or the date on which assistance provided under this section is exhausted, whichever is later;
(ii) refrain from purchasing an equity security of the contractor or the parent company of the contractor that is listed on a national securities exchange through September 30, 2022;
(iii) refrain from paying dividends, or making other capital distributions, with respect to common stock (or equivalent interest) of the contractor through September 30, 2022;
(iv) during the 2-year period beginning April 1, 2021, and ending April 1, 2023, refrain from paying any officer or employee of the contractor whose total compensation exceeded $1,000,000,000 in calendar year 2019 (other than an employee whose compensation is determined through an existing collective bargaining agreement entered into prior to the date of enactment of this Act)—
(aa) total compensation that exceeds, during any 12 consecutive months of such period, the total compensation received by the officer or employee from the contractor in calendar year 2019; and
(bb) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the contractor in calendar year 2019.
(2) APPORTIONMENTS.—
(A) eligible air carriers, in an aggregate amount equal to the total amount such contractor is appropriated under paragraphs (1)(B) and (2) of section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) to a qualifying air carrier;
(B) eligible contractors, in an aggregate amount determined by the Secretary under section 408 of the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-93) to—
(i) provide financial assistance to eligible air carriers and符合条件的 contractor to submit requests for financial assistance under this section.
(c) ELIGIBLE CONTRACTORS.—The Secretary shall make initial payments to air carriers and eligible contractors for purposes of providing financial assistance approved by the Secretary.
(d) TAXPAYER PROTECTION.—The Secretary shall require periodic funds issued by recipients of financial assistance under this section in the same form and amount, and under the same terms and conditions, as determined by the Secretary.
(4) ADMINISTRATIVE EXPENSES.—Of the amounts made available under paragraph (1)(A), $10,000,000 shall be made available to the Secretary for costs and administrative expenses associated with providing financial assistance under this section.
(5) FUNDING.—In addition to amounts otherwise appropriated, there is appropriated to the Consumer Product Safety Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000,000, to remain available until expended, to carry out this section.

Subtitle D—Consumer Protection and Commerce Oversight

SEC. 7401. FUNDING FOR CONSUMER PRODUCT SAFETY FUND TO PROTECT CONSUMERs FROM POTENTIALLY DANGEROUS PRODUCTS RELATED TO THE COVID–19 EMERGENCY PERIOD.

(a) APPROPRIATION.—In addition to amounts otherwise appropriated, there is appropriated to the Consumer Product Safety Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000,000, to remain available until September 30, 2026, for the purposes described in subsection (b).

(b) SUPPORT AMOUNT.—The funds made available in subsection (a) shall only be used for purposes of the Consumer Product Safety Commission to—
(1) carry out the requirements in title XX of division FF of the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-93) to—
(2) in the case of a library, patrons of the library at locations that include locations other than the library; and
(3) in the case of a school, students and staff of the school at locations that include locations other than the library.

(c) DEFINITIONS.—In this section:
(1) ADVANCED TELECOMMUNICATIONS AND INFORMATION SERVICES.—The term "advanced telecommunications and information services" means the services described in clause (ii) of such paragraph.
(2) ADMINISTRATIVE EXPENSES.—The term "administrative expenses" means expenses associated with providing financial assistance under the same terms and conditions, as determined by the Secretary.
(3) SUPPORT.—The term "support" means the support provided under the covered regulations shall be provided for a fiscal year from the Consumer Product Safety Commission.
(4) RELATIONSHIP TO UNIFORM SERVICE CONTRIBUTIONS.—Support provided under the covered regulations shall be provided for a fiscal year from the Consumer Product Safety Commission.
(5) FUNDING.—In addition to amounts otherwise appropriated, there is appropriated to the Consumer Product Safety Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—
(A) $7,171,000,000, to remain available until September 30, 2030, for—
(i) the provision of support under the covered regulations; and
(ii) the Commission to adopt, and the Commission and the Universal Service Administrative Company to administer, the covered regulations;

(d) T AXPAYER PROTECTION .—The Secretary shall provide financial assistance to an eligible air carrier or eligible contractor under this section in the same form and under the same terms and conditions as determined by the Secretary.

(e) SUPPORT AMOUNT.—The term "support" means—
(1) the term "violative consumer products" means consumer products that are subject to a safety standard under the Consumer Product Safety Commission and the Consumer Product Safety Commission and the Consumer Product Safety Commission.
(2) the term "exclusive financial assistance" means financial assistance that the Secretary shall provide financial assistance to eligible air carriers and eligible contractors.
(3) the term "eligible air carriers" means those air carriers whose total compensation exceeded $1,000,000,000 in calendar year 2019 (other than an employee whose compensation is determined through an existing collective bargaining agreement entered into prior to the date of enactment of this Act);
(4) the term "eligible contractors" means consumer products, as defined by section 3(a)(b) of the Consumer Product Safety Act (15 U.S.C. 2055(a)), whose risks have been significantly affected by COVID–19 or whose sales have materially increased during the COVID–19 pandemic.

SEC. 7402. FUNDING FOR E-RATE SUPPORT FOR EMERGENCY EDUCATIONAL CONNEcTIONS.

(a) REGULATIONS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Commission shall promulgate regulations providing for the provision, from amounts made available from the Emergency Connectivity Fund, of support for emergency educational connectivity services for eligible schools and libraries during the 2-year period beginning April 1, 2021, to be known as the "Emergency Connectivity Fund".

(b) SUPPORT AMOUNT.—In providing support under the covered regulations, the Commission shall reimburse the costs associated with the eligible equipment, advanced telecommunications and information services, or eligible equipment and advanced telecommunications and information services, except that any reimbursement of a school or library for the costs associated with any equipment or service shall not exceed an amount that the Commission determines, with respect to request by the school or library, for the reimbursement, is reasonable.

(c) DEFINITIONS.—In this section:—
(1) ADVANCED TELECOMMUNICATIONS AND INFORMATION SERVICES.—The term "advanced telecommunications and information services" means—
(2) IN GENERAL.—The term "Commission" means the Federal Communications Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—
(3) ELIGIBLE SCHOOLs AND LIBRARYs.—The term "eligibles" means—
(4) FUNDING.—In addition to amounts otherwise appropriated, there is appropriated to the Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—

(d) ADMINISTRATIVE EXPENSES.—Of the amounts made available under paragraph (1)(A), $1,000,000, to remain available until expended, for expenses associated with providing financial assistance under the same terms and conditions, as determined by the Secretary under section 408 of the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-93).

(e) DEADLINE FOR IMMEDIATE PAYROLL ASSISTANCE.—Notwithstanding any other Act enformed by the Commission.
telecommunications and information services’ means advanced telecommunications and information services, as such term is used in section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)).

(2) COMMISSION.—The term ‘‘Commission’’ means the Federal Communications Commission.

(3) CONNECTED DEVICE.—The term ‘‘connected device’’ means a laptop computer, tablet computer, or similar end-user device that is capable of connecting to advanced telecommunications and information services.

(4) COVERED REGULATIONS.—The term ‘‘covered regulations’’ means the regulations promulgated under subsection (a).

(5) COVID–19 EMERGENCY PERIOD.—The term ‘‘COVID–19 emergency period’’ means a period that—

(A) begins on the date of a determination by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act (42 U.S.C. 242d) that a public health emergency exists as a result of COVID–19; and

(B) ends on the June 30 that first occurs after the date that is 1 year after the date on which such determination (including any renewal thereof) terminates.

(6) ELIGIBLE EQUIPMENT.—The term ‘‘eligible equipment’’ means the following:

(A) Wi-Fi hotspots.

(B) Modems.

(C) Routers.

(D) Devices that combine a modem and router.

(E) Connected devices.

(7) ELIGIBLE SCHOOL OR LIBRARY.—The term ‘‘eligible school or library’’ means an elementary school, secondary school, or library (including a Tribal elementary school, Tribal secondary school, or Tribal library) eligible for support under paragraphs (1)(B) and (2) of section 544 of the Communications Act of 1934 (47 U.S.C. 254(h)).

(8) EMERGENCY CONNECTIVITY FUND.—The term ‘‘Emergency Connectivity Fund’’ means the fund established under subsection (c)(1).

(9) LIBRARY.—The term ‘‘library’’ includes a library consortium.

10. Wi-Fi.—The term ‘‘Wi-Fi’’ means a wireless networking protocol based on Institute of Electrical and Electronics Engineers standards (including any successor standard).

11. Wi-Fi hotspot.—The term ‘‘Wi-Fi hotspot’’ means a device that is capable of—

(A) receiving advanced telecommunications and information services; and

(B) sharing services with a connected device through the use of Wi-Fi.

SEC. 7403. FUNDING FOR DEPARTMENT OF COMMERCE INSPECTOR GENERAL

In addition to amounts otherwise available, there is appropriated to the Office of the Inspector General of the Department of Commerce for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $3,000,000, to remain available until September 30, 2022, for oversight of activities supported with funds appropriated to the Department of Commerce to prevent, prepare for, and respond to COVID–19.

SEC. 7404. FEDERAL TRADE COMMISSION FUNDING FOR COVID–19 RELATED WORK

(a) Authorization.—In addition to amounts otherwise available, there is appropriated to the Federal Trade Commission for fiscal year 2021, $30,400,000, to remain available until September 30, 2026, for the purposes described in subsection (b).

(b) Purposes.—From the amount appropriated under subsection (a), the Federal Trade Commission shall use such amounts for—

(1) $4,400,000 to process and monitor consumer complaints received into the Consumer Sentinel Network, including increased complaints received regarding unfair or deceptive acts or practices related to COVID–19;

(2) $2,000,000 for consumer-related education, including in connection with unfair or deceptive acts or practices related to COVID–19; and

(3) $25,000,000 to fund full-time employees of the Federal Trade Commission to address unfair or deceptive acts or practices, including those related to COVID–19.

Subtitle F—Commission on Veterans Affairs

SEC. 7601. SUPPORT FOR THE CORPORATION FOR PUBLIC BROADCASTING

In addition to amounts otherwise made available, there is appropriated to the Corporation for Public Broadcasting for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $175,000,000, to remain available until September 30, 2022, to fund existing public radio and television stations that provide educational programming and services to the public, and preserve small and rural stations threatened by declines in non-Federal revenues.

TITLE VIII—COMMITTEE ON VETERANS AFFAIRS

SEC. 8001. FUNDING FOR CLAIMS AND APPEALS PROCESSING

In addition to amounts otherwise made available, there is appropriated to the Department of Veterans Affairs for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until expended, for audits, investigations, and other oversight of projects and activities carried out with funds made available to the Department of Veterans Affairs.

SEC. 8005. FUNDING FOR THE DEPARTMENT OF VETERANS AFFAIRS OFFICE OF INSPECTOR GENERAL

In addition to amounts otherwise made available, there is appropriated to the Office of Inspector General of the Department of Veterans Affairs for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for audits, investigations, and other oversight of projects and activities carried out with funds made available to the Department of Veterans Affairs.

SEC. 8006. COVID–19 VETERAN RAPID RETRAINING ASSISTANCE PROGRAM

(a) In General.—The Secretary of Veterans Affairs shall carry out a program under which the Secretary shall provide up to 12 months of retraining assistance to an eligible veteran for the pursuit of a covered program of education. Such retraining assistance shall be in addition to any other entitlement to educational assistance or benefits for which a veteran is, or has been, eligible.

(b) Eligible Veterans.—

(1) In General.—In this section, the term ‘‘eligible veteran’’ means a veteran who—

(A) is a veteran as of the date of enactment of this Act who is a veteran of the covered public health emergency; and

(B) is not in receipt of compensation for a service-connected disability that is totally disabling by reason of unemployability; and

(F) will not be in receipt of unemployment compensation (as defined in section 85(b) of the Internal Revenue Code of 1986), including any cash benefit received pursuant to sub-title A of title II of division A of the CARES Act (Public Law 116–136), as of the first day of the veteran’s participation in the covered public health emergency.

(2) Treatment of veterans who transfer entitlement.—For purposes of paragraph (1), a veteran who has transferred all of his veteran’s entitlement to educational assistance under section 3319 of title 38, United States Code, year 2021, out of any money in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until September 30, 2022, for the supply chain modernization initiative described in section 398, and 730(h) of title 38, United States Code.

SEC. 8004. FUNDING FOR STATE HOMES

In addition to amounts otherwise made available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, for allocation under sections 8131 through 8137 of title 38, United States Code:

(1) $250,000,000, to remain available until September 30, 2022, for a one-time only obligation and expenditure to existing State extended care facilities for veterans in proportion to each State’s share of the total resident capacity in such facilities as of the date of enactment of this Act where such capacity includes only veterans on whose behalf the Department pays a per diem payment pursuant to section 1741 or 1745 of title 38, United States Code.

SEC. 8003. FUNDING FOR THE DEPARTMENT OF VETERANS AFFAIRS OFFICE OF INPECTOR GENERAL

In addition to amounts otherwise made available, there is appropriated to the Office of Inspector General of the Department of Veterans Affairs for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for audits, investigations, and other oversight of projects and activities carried out with funds made available to the Department of Veterans Affairs.
States Code, shall be considered to be a veteran who is not eligible to receive educational assistance under chapter 33 of this title.

(3) FAILURE TO COMPLETE.—A veteran who receives retraining assistance under this section to pursue a program of education and who fails to complete the program of education shall not be eligible to receive additional assistance under this section.

(c) COVERED PROGRAMS OF EDUCATION.—

(1) PURPOSE.—For purposes of this section, a covered program of education is a program of education (as such term is defined in section 331(b) of title 38, United States Code) for training, pursued on a full-time or part-time basis—

(A) that—

(i) is approved under chapter 36 of such title;

(ii) does not lead to a bachelors or graduate degree; and

(iii) is designed to provide training for a high-demand occupation, as determined under the meaning given such terms in section 3452(b) of title 38, United States Code;

(B) that is a high technology program of education offered by a qualified provider under section 3452(b) of title 38, United States Code; or

(C) that is a program of education for training, pursued on a full-time or part-time basis—

(i) is approved under chapter 36 of such title;

(ii) does not lead to a bachelors or graduate degree; and

(iii) is designed to provide training for a high-demand occupation, as determined under the meaning given such terms in section 3452(b) of title 38, United States Code.

(2) ACCREDITED PROGRAMS.—In the case of an accredited program of education, the program of education shall not be considered a covered program of education under this section if the program has received a show cause order from the accreditor of the program during the five-year period preceding the date of the enactment of this Act.

(d) DETERMINATION OF HIGH-Demand OCCUPATIONS.—In carrying out this section, the Secretary shall use the list of high-demand occupations compiled by the Commissioner of Labor Statistics.

(e) FULL-TIME DEFINED.—For purposes of this subsection, the term ‘full-time’ has the meaning given such term under section 3398 of title 38, United States Code.

(f) AMOUNT OF ASSISTANCE.—

(1) RETRAINING ASSISTANCE.—The Secretary of Veterans Affairs shall provide to an eligible veteran pursuing a covered program of education under the retraining assistance program a pro-rated amount under paragraph (3)(A)(ii) of such section; or

(2) PAYMENT DUE UPON EMPLOYMENT.—

(A) IN GENERAL.—In the case of a veteran referred to in subparagraph (A) who finds employment in a field related to the program of education during the 180-day period beginning on the date on which the veteran withdraws from the program of education—

(I) the Secretary shall not make a payment to the educational institution under paragraph (1)(C); and

(II) the educational institution may not seek payment from the veteran for any amount that would have been payable under paragraph (1)(B) had the veteran completed the program of education.

(B) PAYMENT DUE ON EMPLOYMENT.—

(I) VETERANS WHO FIND EMPLOYMENT.—In the case of a veteran referred to in subparagraph (A) who finds employment in a field related to the program of education during the 180-day period beginning on the date on which the veteran withdraws from the program of education—

(I) the Secretary shall not make a payment to the educational institution under paragraph (1)(C); and

(II) the educational institution may not seek payment from the veteran for any amount that would have been payable under paragraph (1)(C) had the veteran completed the program of education.

(C) VETERANS WHO DO NOT FIND EMPLOYMENT.—In the case of a veteran referred to in subparagraph (A) who fails to find employment in a field related to the program of education during the 180-day period after the date on which the veteran withdrew from the program of education—

(I) the Secretary shall not make a payment to the educational institution under paragraph (1)(C); and

(II) the educational institution may not seek payment from the veteran for any amount that would have been payable under paragraph (1)(B) had the veteran completed the program of education.

(d) AMOUNT OF ASSISTANCE.—

(1) RETRAINING ASSISTANCE.—

(A) IN GENERAL.—The Secretary shall provide to an eligible veteran pursuing a covered program of education under the retraining assistance program an amount equal to—

(I) 25 percent of the total amount payable under paragraph (3)(A)(ii) of such section; or

(II) the amount specified under subsection (c)(1)(B) of section 3313 of title 38, United States Code;

(B) IN THE CASE OF A COVERED PROGRAM OF EDUCATION PURSUED ON MORE THAN A HALF-TIME BASIS, THE AMOUNT SPECIFIED UNDER SUBSECTION (C)(1)(B) OF SUCH SECTION; OR

(C) IN THE CASE OF A COVERED PROGRAM OF EDUCATION PURSUED SOLELY THROUGH DISTANCE LEARNING ON MORE THAN A HALF-TIME BASIS, THE AMOUNT SPECIFIED UNDER SUBSECTION (C)(1)(B)(III) OF SUCH SECTION;

(D) in the case of a covered program of education pursued on less than a half-time basis, a covered program of education pursued solely through distance learning on more than a half-time basis, the amount specified under subsection (c)(3)(A)(ii) of such section; or

(E) in the case of a covered program of education pursued on a half-time basis, an amount equal to—

(I) the pro-rated amount specified under subsection (c)(1)(B)(III) of such section; or

(II) the pro-rated amount that would have been payable under paragraph (1)(B) had the veteran completed the program of education;

(f) TERMINATION.—No retraining assistance may be paid under this section after the date that is 24 months after the date of the enactment of this Act.

(g) FUNDING.—In addition to amounts otherwise available, there is appropriated $1,000,000,000, to remain available until expended, to carry out this section, except for health care furnished pursuant to section 1703(c)(2)(C)(iii) of title 38, United States Code.

(h) FUNDING.—In addition to amounts otherwise available, there is appropriated $1,000,000,000, to remain available until expended, to carry out this section, except for health care furnished pursuant to section 1703(c)(2)(C)(iii) of title 38, United States Code.

(i) FUNDING.—In addition to amounts otherwise available, there is appropriated to the Secretary of Veterans Affairs—

(a) ESTABLISHMENT; APPROPRIATION.—There is established in the Treasury the Emergency Department of Veterans Affairs Employee Leave Fund (in this section referred to as the ‘‘Fund’’), to be administered by the Secretary of Veterans Affairs, for the purposes set forth in subsection (b).

(b) PURPOSE.—Amounts in the Fund shall be available for payment to the Department of Veterans Affairs for the use of paid leave by any covered employee who is unable to work because the employee—

(i) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19;

(ii) is caring for an individual who is subject to such an order or has been so advised; or

(iii) is experiencing any other substantially similar condition;

(iv) is caring for a family member with a mental or physical disability or who is 55 to 64 years of age or older and does not require self-care, without regard to whether another individual other than the employee is available to care for such family member, if the person for whom such family member is required to be cared for is unable to provide care because of the person’s own serious physical or mental disability or illness, or condition related to such disability or illness;

(v) is obtaining immunization related to COVID–19.

(c) IN GENERAL.—The Secretary shall use the Fund to make payments to eligible employees who are unable to work because of the employee—

(i) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19;

(ii) is caring for an individual who is subject to such an order or has been so advised; or

(iii) is experiencing any other substantially similar condition;

(iv) is caring for a family member with a mental or physical disability or who is 55 to 64 years of age or older and does not require self-care, without regard to whether another individual other than the employee is available to care for such family member, if the person for whom such family member is required to be cared for is unable to provide care because of the person’s own serious physical or mental disability or illness, or condition related to such disability or illness;

(v) is obtaining immunization related to COVID–19.

(d) CONDITIONS.—The Secretary shall use the Fund to make payments to eligible employees who are unable to work because of the employee—

(i) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19;

(ii) is caring for an individual who is subject to such an order or has been so advised; or

(iii) is experiencing any other substantially similar condition;

(iv) is caring for a family member with a mental or physical disability or who is 55 to 64 years of age or older and does not require self-care, without regard to whether another individual other than the employee is available to care for such family member, if the person for whom such family member is required to be cared for is unable to provide care because of the person’s own serious physical or mental disability or illness, or condition related to such disability or illness;
(c) LIMITATIONS.—
(1) PERIOD OF AVAILABILITY.—Paid leave under this section may only be provided to and used by a covered employee during the period beginning on the date of enactment of this Act and ending on September 30, 2021.
(2) TOTAL HOURS; AMOUNT.—Paid leave under this section—
(A) shall be provided to a covered employee in an amount not to exceed 600 hours of paid leave for each full-time employee, and in the case of a part-time employee, employee on an understanding of duty, or employee with a seasonal work schedule, in an amount not to exceed the proportional equivalent of 600 hours to the extent amounts in the Fund remain after March 14, 2021.
(B) shall be paid at the same hourly rate as other leave payments; and
(C) may not be provided to a covered employee if the leave would result in payments greater than $2,800 in aggregate for any bi-weekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.
(3) RELATIONSHIP TO OTHER LEAVE.—Paid leave under this section—
(A) is in addition to any other leave provided to an employee; and
(B) may not be used by a covered employee concurrently with any other leave.
(4) CALCULATION OF RETIREMENT BENEFIT.—Any leave paid to a covered employee under this section shall reduce the total service used to calculate any Federal civil service retirement benefit.
(5) COVERED EMPLOYER DEFINED.—In this section, the term ‘covered employer’ means an employee of the Department of Veterans Affairs or an employee of the public sector who is covered under chapter 74 of title 38, United States Code.

TITLE IX—COMMITTEE ON FINANCE
Subtitle A—Crisis Support for Unemployed Workers

PART 1—EXTENSION OF CARES ACT UNEMPLOYMENT PROVISIONS

SEC. 9011. EXTENSION OF PANDEMIC UNEMPLOYMENT ASSISTANCE.

(a) In general.—Section 2102(c) of the CARES Act (15 U.S.C. 9021(c)) is amended—
(1) in paragraph (1)—
(A) by striking ‘‘paragraphs (2) and (3)’’ and inserting ‘‘paragraph (2)’’; and
(B) by adding at the end the following:
‘‘(4) CALCULATION OF RETIREMENT BENEFIT.—Any leave paid to a covered employee under this section shall reduce the total service used to calculate any Federal civil service retirement benefit.’’.

(b) In general.—Section 2102(c)(1) of the CARES Act (15 U.S.C. 9021(c)(1)) is amended—
(1) in the first sentence, by inserting ‘‘paragraph (2)’’ after ‘‘as determined by the Secretary of Labor’’; and
(2) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(c) Limitations.—

(1) INCREASE IN NUMBER OF WEEKS.—Section 2102(c)(2) of such Act (15 U.S.C. 9021(c)(2)) is amended by striking ‘‘March 14, 2021’’ and inserting ‘‘August 29, 2021’’.

(2) INCREASE IN REIMBURSEMENT RATE.—Section 2102(c)(3)(A) of such Act (15 U.S.C. 9021(c)(3)(A)) is amended by adding at the end the following:
‘‘(11) For weeks of unemployment ending after March 14, 2021 and ending on or before August 29, 2021, $400.’’.

SEC. 9014. EXTENSION OF FULL FEDERAL UNEMPLOYMENT COMPENSATION FOR STATES WITH NO WAITING WEEK.

(a) In general.—Section 2105(e)(2) of the CARES Act (15 U.S.C. 9025(e)(2)) is amended by striking ‘‘March 14, 2021’’ and inserting ‘‘August 29, 2021’’.

(b) Full Reimbursement.—Paragraph (3) of section 2105(e) of the CARES Act (15 U.S.C. 9025(e)) is repealed and such section shall be applied to weeks of unemployment to which an agreement under section 2106 of such Act (15 U.S.C. 9025) applies as if such section had not been enacted. In implementing the preceding sentence, a State may, if necessary, reenter an agreement under section 2106 of such Act, and retroactively pay for the first week of regular compensation without a waiting week consistent with State law (including a waiver of State law) and receive full reimbursement for weeks of unemployment that ended December 31, 2020.

SEC. 9015. EXTENSION OF EMERGENCY STATE STAFFING FLEXIBILITY.

If a State modifies its unemployment compensation program to be subject to the succeeding sentence, with respect to personnel standards on a merit basis on an emergency temporary basis as needed to respond to the needs of State law and to reemploy employees within 100 days of such modifications shall be disregarded for the purposes of applying section 303 of the Social Security Act and section 3304 of the Internal Revenue Code of 1986 to such State law. Such modifications shall only apply through August 29, 2021, and shall be limited to engaging of temporary staff, rehiring of retirees or other temporary actions to quickly process applications and claims.

SEC. 9016. EXTENSION OF PANDEMIC UNEMPLOYMENT COMPENSATION.

(a) In general.—Section 2107(g) of the CARES Act (15 U.S.C. 9025(g)) is amended to read as follows:
‘‘(g) APPLICABILITY.—An agreement entered into under this section shall apply to weeks of unemployment—
‘‘(1) beginning after the date on which such agreement is entered into; and
‘‘(2) ending on or before August 29, 2021.’’.

(b) INCREASE IN NUMBER OF WEEKS.—Section 2107(b)(2) of such Act (15 U.S.C. 9025(b)(2)) is amended by striking ‘‘24’’ and inserting ‘‘84’’.

(c) COORDINATION OF PANDEMIC UNEMPLOYMENT COMPENSATION WITH EXTENDED COMPENSATION.—Section 2107(a)(5)(B) of such Act (15 U.S.C. 9025(a)(5)(B)) is amended by inserting ‘‘or for the week that includes the date of enactment of the American Rescue Plan Act of 2021 (without regard to the amendments made by subsections (a) and (b) of section 9016 of such Act)’’ after ‘‘2020’’.

(d) SPECIAL RULE FOR EXTENDED COMPENSATION.—Section 2107(a)(8) of such Act (15 U.S.C. 9025(a)(8)) is amended by striking ‘‘April 12, 2021’’ and inserting ‘‘August 29, 2021’’.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the CARES Act (Public Law 116–136), except that no amount shall be payable by virtue of such amendments with respect to any week of unemployment ending on or before March 14, 2021.

SEC. 9017. EXTENSION OF FEDERAL FUNDING OF SHORT-TIME COMPENSATION PAYMENTS IN STATES WITH PROGRAMS IN LAW.

(a) In general.—Section 2109(d)(2) of the CARES Act (15 U.S.C. 9027(d)(2)) is amended by striking ‘‘March 14, 2021’’ and inserting ‘‘August 29, 2021’’.

SEC. 9018. EXTENSION OF TEMPORARY FINANCING OF SHORT-TIME COMPENSATION AGREEMENTS FOR STATES WITHOUT PROGRAMS IN LAW.

(a) In general.—Section 2109(d)(2) of the CARES Act (15 U.S.C. 9027(d)(2)) is amended by striking ‘‘March 14, 2021’’ and inserting ‘‘August 29, 2021’’.

SEC. 9022. EXTENSION OF FULL FEDERAL FUNDING OF EXTENDED UNEMPLOYMENT COMPENSATION.

(a) In general.—Section 4105 of the Families First Coronavirus Response Act (26 U.S.C. 9003 note) is amended by striking ‘‘March 14, 2021’’ each place it appears and inserting ‘‘August 29, 2021’’.

PART 2—EXTENSION OF FFCRA UNEMPLOYMENT PROVISIONS

SEC. 9021. EXTENSION OF TEMPORARY ASSISTANCE FOR STATES WITH ADVANCES.

(a) In general.—Section 3102 of the Social Security Act (42 U.S.C. 1320a(b)(1)) is amended by striking ‘‘March 14, 2021’’ and inserting ‘‘August 29, 2021’’.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply as if included in the enactment of the Families First Coronavirus Response Act (Public Law 116–192).

PART 3—DEPARTMENT OF LABOR FUNDING FOR TIMELY, ACCURATE, AND EQUITABLE PAYMENT

SEC. 9031. FUNDING FOR ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Employment and Training Administration of the Department of Labor for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $8,000,000, to remain available until expended, for necessary expenses to carry out Federal activities relating to the...
administration of unemployment compensation programs.

SEC. 902. QUALIFIED FRAUD PREVENTION, EQUITABLE ACCESS, AND TIMELY PAYMENT TO ELIGIBLE WORKERS.

Subtitle A of title II of division A of the CARES Act (Public Law 116-136) is amended by adding at the end the following:

"SEC. 211A. QUALIFIED FRAUD PREVENTION, EQUITABLE ACCESS, AND TIMELY PAYMENT TO ELIGIBLE WORKERS.

"(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Treasury for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,000,000,000, to remain available until expended, to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits with respect to unemployment compensation programs, including programs extended under subtitle A of title IX of the American Rescue Plan Act of 2021.

"(b) Use of Funds.—Amounts made available under subsection (a) may be used—

"(1) for Federal administrative costs related to the purposes described in subsection (a);

"(2) for systemic infrastructure investments and development related to such purposes; and

"(3) to make grants to States or territories administering unemployment compensation programs described in subsection (a) (including territories administering the Pandemic Unemployment Assistance program under section 2102) for such purposes, including the establishment of procedures or the building of infrastructure to verify or validate identity, implement Federal guidance regarding fraud detection and prevention, and accelerate claims processing or process claims for unemployment assistance programs under section 511, ensure coordination with diaper banks to the extent practicable; and

"(4) to pay hazard pay or other additional staff costs associated with providing home visits or administration for programs funded under section 511:

"(A) that are not reserved under paragraph (2) among the States that are not territories, for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as reported by the Secretary under section 411; divided by

"(B) the total population of children in the States that are not territories, as so determined; plus

"(II) 50 percent, multiplied by—

"(aa) the total amount expended by the Secretary for basic assistance under the United States for each such State for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as reported by the Secretary under section 411; divided by

"(bb) the total amount expended by the States that are not territories for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as so reported by the Secretary.

"(B) TERRITORIES AND INDIAN TRIBES.—The Secretary shall allocate among the territories and Indian tribes otherwise eligible for funds under this paragraph a share equal to 75 percent of the amount specified in paragraph (1) that are not reserved under paragraph (2) as the Secretary deems appropriate based on the needs of the territory or Indian tribe involved.

"(C) EXPENDITURE COMMITMENT REQUIREMENT.—To receive the full amount of funding payable under this subsection, a State or Indian tribe shall inform the Secretary as to whether it intends to use all of its allotment under this paragraph and provide that information to the Congress. 

"(ii) in the case of a State that is not a territory, within 45 days after the date of the enactment of this subsection; or

"(ii) in the case of an Indian tribe, within 90 days after such date of enactment.

"(4) GRANTS.—

"(A) IN GENERAL.—The Secretary shall provide funds to each State and Indian tribe to which an amount is allocated under paragraph (3), from the amount so allotted.

"(B) TREATMENT OF UNUSED FUNDS.—(i) Reallocation.—The Secretary shall reallocate in accordance with paragraph (3) all funds provided to any State or Indian tribe under this subsection that are unused, among the other States and Indian tribes eligible for funds under this subsection. For purposes of paragraph (3), the Secretary shall treat the funds as if included in the amount specified in paragraph (1).

"(ii) Provision.—The Secretary shall provide funds to each such other State or Indian tribe in an amount equal to the amount so reallocated.

"(C) RECIPIENT OF FUNDS PROVIDED FOR TERRITORIES.—In the case of a territory not operating a program funded under this part, the Secretary shall provide the funds required to be provided to the territory under this subsection, to the agency that administers the bulk of local human services programs in the territory.

"(D) USE OF FUNDS.—

"(A) IN GENERAL.—To a State or Indian tribe to which funds are provided under this subsection may use the funds only for non-recurring short term benefits, whether in the form of cash or in other forms.

"(B) LIMITATION ON USE FOR ADMINISTRATIVE EXPENSES.—A State to which funds are provided under this subsection shall not expend more than 15 percent of the funds for administrative purposes.

SEC. 9101. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

Title V of the Social Security Act (42 U.S.C. 701-713) is amended by adding after section 511 the following:

"SEC. 511A. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

"(a) Supplemental Appropriation.—In addition to amounts otherwise appropriated, there is appropriated to the Secretary $150,000,000, to remain available through September 30, 2022, to enable eligible entities to conduct user accessibility testing on any new system developed by the Secretary pursuant to subsection (b)(3), the Secretary may require that a State or territory receiving such a grant shall—

"(1) use such program integrity tools as the Secretary may specify; and

"(2) as directed by the Secretary, conduct user accessibility testing on any new system developed by the Secretary pursuant to subsection (b)(2).

"Subtitle B—Emergency Assistance to Families Through Home Visiting Programs

SEC. 9101. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

Title V of the Social Security Act (42 U.S.C. 701-713) is amended by adding after section 511 the following:

"SEC. 511A. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

"(a) Supplemental Appropriation.—In addition to amounts otherwise appropriated, there is appropriated to the Secretary $150,000,000, to remain available through September 30, 2022, to enable eligible entities to conduct user accessibility testing on any new system developed by the Secretary pursuant to subsection (b)(3), the Secretary may require that a State or territory receiving such a grant shall—

"(1) use such program integrity tools as the Secretary may specify; and

"(2) as directed by the Secretary, conduct user accessibility testing on any new system developed by the Secretary pursuant to subsection (b)(2).

"(b) Use of Funds.—Amounts made available under subsection (a) may be used—

"(1) for Federal administrative costs related to the purposes described in subsection (a);

"(2) for systemic infrastructure investments and development related to such purposes; and

"(3) to make grants to States or territories administering unemployment compensation programs described in subsection (a) (including territories administering the Pandemic Unemployment Assistance program under section 2102) for such purposes, including the establishment of procedures or the building of infrastructure to verify or validate identity, implement Federal guidance regarding fraud detection and prevention, and accelerate claims processing or process claims for unemployment assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as reported by the Secretary under section 411; divided by

"(i) the total population of children in the States that are not territories, as so determined; plus

"(ii) 50 percent, multiplied by—

"(aa) the total amount expended by the Secretary for basic assistance under the United States for each such State for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as reported by the Secretary under section 411; divided by

"(bb) the total amount expended by the States that are not territories for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as so reported by the Secretary.

"(B) TERRITORIES AND INDIAN TRIBES.—The Secretary shall allocate among the territories and Indian tribes otherwise eligible for funds under this paragraph a share equal to 75 percent of the amount specified in paragraph (1) that are not reserved under paragraph (2) as the Secretary deems appropriate based on the needs of the territory or Indian tribe involved.

"(C) EXPENDITURE COMMITMENT REQUIREMENT.—To receive the full amount of funding payable under this subsection, a State or Indian tribe shall inform the Secretary as to whether it intends to use all of its allotment under this paragraph and provide that information to the Congress. 

"(i) in the case of a State that is not a territory, within 45 days after the date of the enactment of this subsection; or

"(ii) in the case of an Indian tribe, within 90 days after such date of enactment.

"(4) GRANTS.—

"(A) IN GENERAL.—The Secretary shall provide funds to each State and Indian tribe to which an amount is allotted under paragraph (3), from the amount so allotted.

"(B) TREATMENT OF UNUSED FUNDS.—(i) Reallocation.—The Secretary shall reallocate in accordance with paragraph (3) all funds provided to any State or Indian tribe under this subsection that are unused, among the other States and Indian tribes eligible for funds under this subsection. For purposes of paragraph (3), the Secretary shall treat the funds as if included in the amount specified in paragraph (1).

"(ii) Provision.—The Secretary shall provide funds to each such other State or Indian tribe in an amount equal to the amount so reallocated.

"(C) RECIPIENT OF FUNDS PROVIDED FOR TERRITORIES.—In the case of a territory not operating a program funded under this part, the Secretary shall provide the funds required to be provided to the territory under this subsection, to the agency that administers the bulk of local human services programs in the territory.

"(D) USE OF FUNDS.—

"(A) IN GENERAL.—To a State or Indian tribe to which funds are provided under this subsection may use the funds only for non-recurring short term benefits, whether in the form of cash or in other forms.

"(B) LIMITATION ON USE FOR ADMINISTRATIVE EXPENSES.—A State to which funds are provided under this subsection shall not expend more than 15 percent of the funds for administrative purposes.
("(C) NONSUPPLANTATION.—Funds provided under this subsection shall be used to supplement and not supplant other Federal, State, or tribal funds for services and activities that pertain to this part.

"(D) EXPENDITURE DEADLINE.—"

"(1) IN GENERAL.—Except as provided in clause (ii), a State or Indian tribe to which funds are provided under this subsection shall expend the funds not later than the end of fiscal year 2022.

"(ii) EXCEPTION FOR REALLOTTED FUNDS.—A State or Indian tribe to which funds are provided under paragraph (4)(B) shall expend the funds within 12 months after receipt.

"(2) SUSPENSION OF TERRITORY SPENDING CAP.—Section 1109 shall not apply with respect to any funds provided under this subsection.

"(8) DEFINITIONS.—In this subsection:

"(A) APPLICABLE FUNDING PERIOD.—The term ‘applicable period’ means the period that begins with April 1, 2021, and ends with September 30, 2022.

"(B) NON-RECURRENT SHORT TERM BENEFITS.—The term ‘non-recurrent short term benefits’ has the meaning given the term in OMB approved Form ACF-196R, published on July 3, 2014.

"(C) STATE.—The term ‘State’ means the 50 States of the United States, the District of Columbia, and the territories.

"(D) TERRITORY.—The term ‘territory’ means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Subtitle D—Elder Justice and Support Guarantee

SEC. 9301. ADDITIONAL FUNDING FOR AGING AND DISABILITY SERVICES PROGRAMS

Subtitle A of title XX of the Social Security Act (42 U.S.C. 1397-1397b) is amended by adding at the end the following:

"SEC. 2010. ADDITIONAL FUNDING FOR AGING AND DISABILITY SERVICES PROGRAMS.

"(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $276,000,000, to remain available until expended, to carry out the programs described in this section.

"(b) USE OF FUNDS.—Of the amounts made available under this section:

"(1) $188,000,000 shall be made available to carry out the programs described in this section in fiscal year 2022, of which not less than $100,000,000 shall be available for activities described in section 242(b).

"(II) the premium for such different coverage does not exceed the premium for coverage in which such individual was enrolled at the time such qualifying event occurred; and

"(III) the individual elects to enroll in coverage that is also offered to similarly situated active employees of the employer at the time at which such election is made.

"(4) EXTENSION OF ELECTION PERIOD AND EFFECT ON COVERAGE.—

"(A) ELIGIBILITY FOR ADDITIONAL COVERAGE.—Paragraph (1)(A) shall not apply with respect to any assistance eligible individual described in paragraph (4)(B) with respect to any coverage beginning on or after the earlier of—

"(I) the date following the expiration of the maximum period of continuation coverage required under the applicable COBRA continuation coverage provision; or

"(II) the later of—

"(I) the date following the expiration of the period of coverage granted by reason of subparagraph (A) of section 603(c)(2) of the Employee Retirement Income Security Act of 1974, or

"(II) the date following the expiration of the period of coverage granted by reason of subparagraph (A) of section 603(c)(2) of the Employee Retirement Income Security Act of 1974.

"(B) NOTIFICATION REQUIREMENT.—Any assistance eligible individual shall notify the group health plan with respect to which the applicable arrangement (as defined in section 106(c)(2) of the Internal Revenue Code of 1986) ceases to apply by reason of clause (i) of subparagraph (A) (as applicable). Such notice shall be provided to the group health plan in such time and manner as may be specified by the Secretary of Labor.

"(3) ASSISTANCE ELIGIBLE INDIVIDUAL.—For purposes of this section, the term ‘assistance eligible individual’ means, with respect to any group health plan offered by a plan sponsor to an assistance eligible individual who is enrolled in a group health plan with respect to which the applicable arrangement (as defined in section 106(c)(2) of the Internal Revenue Code of 1986) ceases to apply by reason of clause (i) of subparagraph (A) (as applicable), any individual that is a qualified beneficiary who—

"(A) is eligible for COBRA continuation coverage by reason of a qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, section 733(c) of the Employee Retirement Income Security Act of 1974, and section 279(c) of the Public Health Service Act, coverage under a flexible spending arrangement (as defined in section 9831(d)(2) of the Internal Revenue Code of 1986), or

"(B) is under a qualified small employer health reimbursement arrangement (as defined in section 9831(d)(2) of the Internal Revenue Code of 1986), or

"(C) is eligible for benefits under the Medicare program under title XVIII of the Social Security Act; or

"(D) the premium for such different coverage does not exceed the premium for coverage in which such individual was enrolled at the time such qualifying event occurred; and

"(E) the individual elects to enroll in coverage that is also offered to similarly situated active employees of the employer at the time at which such election is made.

"(4) EXTENSION OF ELECTION PERIOD AND EFFECT ON COVERAGE.—

"(A) ELIGIBILITY FOR ADDITIONAL COVERAGE.—Paragraph (1)(A) shall not apply with respect to any assistance eligible individual described in paragraph (4)(B) with respect to any coverage beginning on or after the earlier of—

"(I) the date following the expiration of the maximum period of continuation coverage required under the applicable COBRA continuation coverage provision; or

"(II) the later of—

"(I) the date following the expiration of the period of coverage granted by reason of subparagraph (A) of section 603(c)(2) of the Employee Retirement Income Security Act of 1974, or

"(II) the date following the expiration of the period of coverage granted by reason of subparagraph (A) of section 603(c)(2) of the Employee Retirement Income Security Act of 1974.

"(B) NOTIFICATION REQUIREMENT.—Any assistance eligible individual shall notify the group health plan with respect to which the applicable arrangement (as defined in section 106(c)(2) of the Internal Revenue Code of 1986) ceases to apply by reason of clause (i) of subparagraph (A) (as applicable). Such notice shall be provided to the group health plan in such time and manner as may be specified by the Secretary of Labor.

"(3) ASSISTANCE ELIGIBLE INDIVIDUAL.—For purposes of this section, the term ‘assistance eligible individual’ means, with respect to any group health plan offered by a plan sponsor to an assistance eligible individual who is enrolled in a group health plan with respect to which the applicable arrangement (as defined in section 106(c)(2) of the Internal Revenue Code of 1986) ceases to apply by reason of clause (i) of subparagraph (A) (as applicable), any individual that is a qualified beneficiary who—

"(A) is eligible for COBRA continuation coverage by reason of a qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, section 733(c) of the Employee Retirement Income Security Act of 1974, and section 279(c) of the Public Health Service Act, coverage under a flexible spending arrangement (as defined in section 9831(d)(2) of the Internal Revenue Code of 1986), or

"(B) is under a qualified small employer health reimbursement arrangement (as defined in section 9831(d)(2) of the Internal Revenue Code of 1986), or

"(C) is eligible for benefits under the Medicare program under title XVIII of the Social Security Act; or

"(D) the premium for such different coverage does not exceed the premium for coverage in which such individual was enrolled at the time such qualifying event occurred; and

"(E) the individual elects to enroll in coverage that is also offered to similarly situated active employees of the employer at the time at which such election is made.

"(4) EXTENSION OF ELECTION PERIOD AND EFFECT ON COVERAGE.—

"(A) ELIGIBILITY FOR ADDITIONAL COVERAGE.—Paragraph (1)(A) shall not apply with respect to any assistance eligible individual described in paragraph (4)(B) with respect to any coverage beginning on or after the earlier of—

"(I) the date following the expiration of the maximum period of continuation coverage required under the applicable COBRA continuation coverage provision; or

"(II) the later of—

"(I) the date following the expiration of the period of coverage granted by reason of subparagraph (A) of section 603(c)(2) of the Employee Retirement Income Security Act of 1974, or

"(II) the date following the expiration of the period of coverage granted by reason of subparagraph (A) of section 603(c)(2) of the Employee Retirement Income Security Act of 1974.

"(B) NOTIFICATION REQUIREMENT.—Any assistance eligible individual shall notify the group health plan with respect to which the applicable arrangement (as defined in section 106(c)(2) of the Internal Revenue Code of 1986) ceases to apply by reason of clause (i) of subparagraph (A) (as applicable). Such notice shall be provided to the group health plan in such time and manner as may be specified by the Secretary of Labor.

"(3) ASSISTANCE ELIGIBLE INDIVIDUAL.—For purposes of this section, the term ‘assistance eligible individual’ means, with respect to any group health plan offered by a plan sponsor to an assistance eligible individual who is enrolled in a group health plan with respect to which the applicable arrangement (as defined in section 106(c)(2) of the Internal Revenue Code of 1986) ceases to apply by reason of clause (i) of subparagraph (A) (as applicable), any individual that is a qualified beneficiary who—

"(A) is eligible for COBRA continuation coverage by reason of a qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, section 733(c) of the Employee Retirement Income Security Act of 1974, and section 279(c) of the Public Health Service Act, except for the voluntary termination of such individual’s employment by such individual, occurred, and such coverage shall be treated as COBRA continuation coverage for purposes of the applicable COBRA continuation coverage provision.

"(ii) REQUIREMENTS.—Any assistance eligible individual may elect to enroll in different coverage as described in clause (i) only if—

"(I) the employer involved has made a determination that such employer will permit such assistance eligible individual to enroll in different coverage as provided under this subparagraph;
(A) IN GENERAL.—For purposes of applying section 606(a) of the Employee Retirement Income Security Act of 1974, section 4980B(b)(5)(A) of the Internal Revenue Code of 1986, and section 2206(a) of the Public Health Service Act, in the case of—

(i) an individual who does not have an election of COBRA continuation coverage in effect on the first day of the first month beginning after the date of the enactment of this Act but who would be an assistance eligible individual described in paragraph (3) if such election were in effect; or

(ii) an individual who elected COBRA continuation coverage and discontinued from such coverage before the first day of the first month beginning after the date of the enactment of this Act and ending 60 days after the date on which such individual may elect the COBRA continuation coverage under the COBRA continuation coverage provisions containing such provisions during the period beginning on the first day of the first month beginning after the date of the enactment of this Act and ending 60 days after the date on which the notification required under paragraph (5)(C) is provided to such individual.

(B) SPECIFIC REQUIREMENTS.—Each additional notification under subparagraph (A) shall include—

(i) the forms necessary for establishing eligibility for premium assistance under this subsection;

(ii) the name, address, and telephone number necessary to contact the plan administrator or any other person maintaining relevant information in connection with such premium assistance;

(iii) a description of the extended election period provided for in paragraph (4)(A);

(iv) a description of the obligation of the qualified beneficiary under paragraph (2)(B) and the penalty provided under section 7326C of the Internal Revenue Code of 1986 for failure to carry out the obligation;

(v) a description, displayed in a prominent location, of the qualified beneficiary's right to a subsidized premium and any conditions on entitlement to the subsidized premium; and

(vi) a description of the option of the qualified beneficiary to enroll in different coverage if the employer permits such beneficiary to elect to enroll in such different coverage under the plan.

(C) NOTICE IN CONNECTION WITH EXTENDED ELECTION PERIODS.—In the case of any assistance eligible individual described in paragraph (2)(A) who was so in effect; or

(i) an individual who, during the period described in paragraph (2)(A), the period specified in this subsection; and

(ii) an individual who would be an assistance eligible individual described in paragraph (2)(A), the period specified in this subsection.

Section 4980B(f)(5)(A) of the Internal Revenue Code of 1986, or section 2206(4) of the Public Health Service Act (42 U.S.C. 300bb–6(4)), with respect to individuals described in paragraph (3), the Secretary of Health and Human Services, shall provide outreach consisting of public education and enrollment assistance relating to such premium assistance provided under this subsection.

(D) NOTICES TO INDIVIDUALS.—Not later than 30 days after the date of enactment of this Act, and every 60 days thereafter, the Secretary of Health and Human Services, in consultation with the Secretary of Labor, shall provide model notices for such purposes as may be necessary or appropriate to carry out the provisions of this subsection, including the prevention of fraud and abuse under this section, that are 45 days before the date of such expiration.

(E) ENROLLMENT UNDER MEDI-CARE.—The Secretary of Health and Human Services shall provide outreach consisting of public education. Such outreach shall target individuals who lose health insurance coverage.

(F) DEFINITIONS.—For purposes of this section—

(A) ADMINISTRATOR.—The term "administrator" means the administrator of the plan.

(B) COBRA CONTINUATION COVERAGE.—The term "COBRA continuation coverage" means continuation coverage provided pursuant to section 606(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1165(a)), section 4980B(b)(5)(A) of the Internal Revenue Code of 1986, or section 2206(a) of the Public Health Service Act (42 U.S.C. 300bb–6(b)), with respect to individuals who are referred to in paragraph 125 of the Employee Retirement Income Security Act of 1974 (other than subsection (f)(1) of such section) in consultation with the Secretary of Labor, in consultation with the Secretary of Health and Human Services, and includes a family plan.

(C) COVERED EMPLOYEE.—The term "covered employee" means an individual who loses eligibility for health insurance coverage under a group health plan.

Section 4980B(f)(5)(A) of the Internal Revenue Code of 1986, or section 2206(4) of the Public Health Service Act (42 U.S.C. 300bb–6(4)), with respect to individuals described in paragraph (3), the Secretary of Health and Human Services, shall provide model notices for such purposes as may be necessary or appropriate to carry out the provisions of this subsection, including the prevention of fraud and abuse under this section, that are 45 days before the date of such expiration.

(2) Eligible Beneficiary.—The term "eligible beneficiary" has the meaning given such term in section 607(1) of the Employee Retirement Income Security Act of 1974.

(3) Group Health Plan.—The term "group health plan" has the meaning given such term in section 607(1) of the Employee Retirement Income Security Act of 1974.

(4) State.—The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(5) Short-Term Health Plan.—Any reference in this subsection to a plan that is a short-term health plan shall be treated as a reference to a monthly or shorter period of coverage with respect to which premiums are charged with respect to such coverage.

(6) Plan Sponsor.—The term "plan sponsor" has the meaning given such term in section 3(36) of the Employee Retirement Income Security Act of 1974.

(7) Premium.—The term "premium" includes, with respect to COBRA continuation coverage, every payment made to the employer under section 3131(b) of the Internal Revenue Code of 1986 (as in effect on the date of the enactment of this paragraph) made under this paragraph in connection with such coverage.

(8) Implementation Funding.—In addition to amounts otherwise made available, out of any funds in the Treasury not otherwise appropriated, appropriate to an amount equal to the amount provided for in the Federal Law, the Secretary shall make available an amount equal to any amounts made available as a credit against the taxes imposed by section 3111(b), if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.

(9) Effective Date.—The amendments made by this paragraph apply to plan years beginning on or after the date of the enactment of this paragraph.

SEC. 6313. CONTINUATION COVERAGE PREMIUM ASSISTANCE.

(a) In General.—The Secretary shall provide assistance to plan sponsors for the payment of premiums for qualified health plans provided to beneficiaries under this title.

(b) Eligible Beneficiary.—The term "eligible beneficiary" has the meaning given such term in section 607(1) of the Employee Retirement Income Security Act of 1974.

(c) Limitations and Refundability.—(1) The credit allowed by subsection (a) with respect to amounts paid by plan sponsors for qualified health plans provided under this title shall be treated as a refundable credit for purposes of section 6656 of the Internal Revenue Code of 1986.

(d) In General.—The Secretary shall make available to plan sponsors an amount of the credit allowed under this section for the taxable year which is equal to the amount that the plan sponsor would be required to pay as a credit against the taxes imposed under section 3111(b) if the plan sponsor were not eligible for the credit under this section.

(e) Denial of Double Benefit.—The term "qualified health plan" has the meaning given such term in section 607(1) of the Employee Retirement Income Security Act of 1974.

(f) Extent of Limitation on Assessment.—The term "qualified health plan expenses" has the meaning given such term in section 3131(a) of the Employee Retirement Income Security Act of 1974.

(g) Regulations.—The Secretary shall issue such regulations, or other guidance, forms, instructions, and publications, as may be necessary or appropriate to carry out this section, including—

(1) the requirement to report information or the establishment of other methods for verifying the correct amounts of reimbursement under this section;

(2) the application of this section to group health plans that are multiemployer plans (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974);

(3) to allow the advance payment of the credit determined under subsection (a), subject to the limitations provided in this section and on such information as the Secretary shall require;

(4) to provide for the reconciliation of such advance payment with the amount of the credit at the time of filing the return of tax for the applicable quarter or taxable year, and

(5) allowing the credit to third party payers (including professional employer organizations, certified professional employer organizations, or agents under section 3504).

SEC. 6314. ADDITIONAL CRIMINAL PENALTY.

(a) in General.—The amendments made by this paragraph apply to premiums which are allocable to coverage under this title on or after the date of the enactment of this paragraph.

(b) Effective Date.—The amendments made by this paragraph apply to premiums which are allocable to coverage under this title on or after the date of the enactment of this paragraph.
"(2) 110 percent of the premium assistance provided under section 9501(a)(1)(A) of the American Rescue Plan Act of 2021 after termination of eligibility under such section.

"(c) RETRIEVAL CAUSE EXCEPTION.—No penalty shall be imposed under this section with respect to any failure if it is shown that such failure is due to reasonable cause and not to willful neglect.

"(B) Clerical Amendment.—The table of sections of part I of subchapter B of chapter 68 of such Code is amended by adding at the end the following new item:—

"Sec. 6720C. Penalty for failure to notify health plan of cessation of eligibility for continuation coverage or other premium assistance.

"(3) Coordination with HCTC.—

"(A) In General.—Section 36(g)(9) of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:—

"Sec. 36(g)(9). Personal exemption for qualified family member for purposes of applying section 152 of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 6428A the following new section:

"(1) IN GENERAL.—The amount of the credit allowed by subsection (a) (determined without regard to this subsection and subsection (f)) shall be reduced (but not below zero) by the amount which bears the same ratio to such credit (as so determined) as—

"(i) zero if the valid identification number of such person was not included on the return of tax for the taxable year,

"(ii) $75,000, bears to

"(B) Special Rules.—

"(A) Joint Return or Surviving Spouse.—In the case of a joint return or a surviving spouse (as defined in section 2(a)), paragraph (1) shall be applied by substituting "$150,000" for "$75,000" and "$100,000" for "$50,000".

"(B) Head of Household.—In the case of a head of household (as defined in section 2(b)), paragraph (1) shall be applied by substituting "$121,500" for "$75,000" and "$75,500" for "$50,000".

"(E) Definitions and Special Rules.—

"(1) Definition.—For purposes of this section, the term '2021 rebate amount' has the meaning given such term by section 152.

"(2) Identification Number Requirement.—

"(A) In General.—In the case of a return other than a joint return, the $1,400 amount in subsection (b)(1) shall be treated as zero unless the taxpayer includes the valid identification number of the taxpayer on the return of tax for the taxable year.

"(B) Joint Returns.—In the case of a joint return, the $2,800 amount in subsection (b)(1) shall be treated as being—

"(i) $1,400 if the valid identification number of only 1 spouse is included on the return of tax for the taxable year, and

"(ii) zero if the valid identification number of neither spouse is so included.

"(C) Dependents.—A dependent shall not be taken into account for any purpose under subsection (b)(2) unless the valid identification number of such dependent is included on the return of tax for the taxable year.

"(D) Valid Identification Number.—

"(1) In General.—For purposes of this paragraph, the term 'valid identification number' means an identification number issued to an individual by the Social Security Administration on or before the due date for filing the return for the taxable year.

"(2) Adoption of Identification Number.—For purposes of subparagraph (C), in the case of a dependent who is adopted or placed for adoption, the adoption identification number of such dependent is included on the return of tax for the taxable year.

"(E) Special Rule for Members of the Armed Forces.—Subparagraph (B) shall not apply in the case where at least 1 spouse was a member of the Armed Forces of the United States at any time during the taxable year.

"(F) Coordination with Certain Advance Payment Credits.—Subparagraph (B) shall not apply in the case where the individual is a dependent of another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins, and

"(G) Mathematical or Clerical Error Authority.—Any omission of a correct valid identification number required under this paragraph shall be treated as a mathe-
to such overpayments electronically if appropriate. No refund or credit shall be made or allowed under this subsection after December 31, 2021.

"(4) REGULATIONS.—No interest shall be allowed on any overpayment attributable to this subsection.

"(5) APPLICATION TO INDIVIDUALS WHO HAVE FILED FOR TAX YEAR 2020.—(A) APPLICATION TO 2020 RETURNS FILED AT TIME OF INITIAL DETERMINATION.—If, at the time of any determination made pursuant to paragraph (2), the individual referred to in paragraph (1) has filed a return of tax for the individual’s first taxable year beginning in 2020, paragraph (1) shall be applied with respect to such individual by substituting ‘‘2020’’ for ‘‘2019’’.

"(B) ADDITIONAL PAYMENT.—(i) IN GENERAL.—In the case of any individual who files, before the additional payment determination date, a return of tax for such individual’s first taxable year beginning in 2020, the Secretary shall make a payment in addition to any payment made under paragraph (1) to such individual equal to the excess (if any) of—

"(1) the amount which would be determined under paragraph (1) (after the application of subparagraph (A)) by applying paragraph (1) as of the additional payment determination date, over

"(2) the amount of any payment made with respect to such individual under paragraph (1).

"(ii) ADDITIONAL PAYMENT DETERMINATION DATE.—The term ‘‘additional payment determination date’’ means the earlier of—

"(I) the date which is 90 days after the 2020 calendar year filing deadline, or


"(iii) 2020 CALENDAR YEAR FILING DEADLINE.—The term ‘‘2020 calendar year filing deadline’’ means the date specified in section 6072(a) as the due date for returns for calendar year 2020. Such date shall be determined after taking into account any period disregarded under section 7508A if such disregard applies to substantially all returns for calendar year 2020 to which section 6072(a) applies.

"(6) APPLICATION TO CERTAIN INDIVIDUALS WHO HAVE NOT FILED A RETURN OF TAX FOR 2019 OR 2020 AT TIME OF DETERMINATION.—In the case of any individual who, at the time of any determination made pursuant to paragraph (3), has filed a return tax return for either the year described in paragraph (1) nor for the year described in paragraph (5)(A), the Secretary shall, consistent with rules similar to those of section 6428(g), have available to the Secretary, and any credit or refund under subsection (g), an individual is not taken into account and any credit or refund under subsection (g) is provided assistance in applying for such advance refund and credits.

(b) TREATMENT OF CERTAIN POSSESSIONS.—(1) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEM.—The Secretary of the Treasury shall pay to each possession of the United States which has a mirror-code tax system amounts equal to the loss (if any) to that possession by reason of the amendments made by this section. Such amounts shall be determined by the Secretary based on information provided by the government of the respective possession.

(2) PAYMENTS TO OTHER POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the amendments made by this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession by reason of the amendments made by this section is determined by the Secretary of the Treasury to be entitled to such payments.

(3) INCLUSION OF ADMINISTRATIVE EXPENSES.—The Secretary shall pay to each possession of the United States to which the Secretary makes a payment under paragraph (1) or (2) an amount equal to the lesser of—

"(A) the increase (if any) of the administrative expenses of such possession—

"(i) in the case of a possession described in paragraph (1), by reason of carrying out the plan described in such paragraph, and

"(ii) in the case of a possession described in paragraph (2), by reason of carrying out the plan described in such paragraph, or

"(B) $500,000 ($10,000,000 in the case of Puerto Rico).

The amount described in subparagraph (A) shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(4) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes under section 6428 of the Internal Revenue Code of 1986 (as added by this section) for any amount refunded by the Secretary made or allowed under subsection (g) of such section, to any person—

"(A) to whom a credit is allowed against taxes imposed by the possession by reason of the amendments made by this section, or

"(B) who is eligible for a payment under a plan described in such section.

(c) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term ‘‘mirror code tax system’’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the amount of tax that may be available for this purpose, and

"(1) LIMITS ON USE OF CERTAIN PREVIOUSLY COLLECTED TAXES.—For purposes of section 6428 of the Internal Revenue Code of 1986, if any amount that would otherwise be available to be paid to the Secretary is not paid under this section, such amount shall be treated as not being available to be paid to the Secretary.

(2) ERRORS.—In the case of any error under this section, the term ‘‘mirror code tax system’’ includes, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the amount of tax that may be available for this purpose, and

(3) DETERMINATION OF DEFICIENCY.—Section 6211(b)(4)(A) of the Internal Revenue Code of 1986 is amended by inserting ‘‘6428, and 6428A’’.

(d) APPROPRIATIONS.—Immediately upon the enactment of this Act, in addition to any money in the Treasury otherwise appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated:

"(1) $4,646,500,000 to remain available until September 30, 2023 for necessary expenses for the Internal Revenue Service for the administration of the advance payments, the provision of taxpayer assistance, and the furtherance of integrated, modernized, and secure Internal Revenue System services, of which up to $20,000,000 is available for premium pay or services related to the development of information technology as determined by the Commissioner of the Internal Revenue Service.

"(2) $7,000,000 to remain available until September 30, 2022, for necessary expenses for the Bureau of the Fiscal Service to carry out this section (and the amendments made by this section), which shall supplement and not supplant any other appropriations that may be available for this purpose.

"(3) $8,000,000 to remain available until September 30, 2023, for the Treasury Inspector General for Tax Administration for the purposes of overseeing activities related to the administration of this section (and the amendments made by this section), which shall supplement and not supplant any other appropriations that may be available for this purpose.
PART 2—CHILD TAX CREDIT

SEC. 9611. CHILD TAX CREDIT IMPROVEMENTS FOR 2021.

(a) In General.—Section 2 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(1) Special Rules for 2021.—In the case of any taxable year beginning after December 31, 2020, and before January 1, 2022

“(I) Ratable Refundable Credit.—If the taxpayer (in the case of a joint return, either spouse) has a principal place of abode in the United States throughout any calendar year, the amount of the credit (as determined under subsection (a) for more than one-half of the taxable year or is a bona fide resident of Puerto Rico (within the meaning of section 957(a)) for such taxable year,

“(II) Exception.—For purposes of this paragraph, the term ‘amount’ of such credit which would be so determined without regard to subsection (h)(4) shall be allowed under subtotal C (and not allowed under this subparagraph).

“(B) 17-Year-Olds Eligible for Treatment as Qualifying Children.—This section shall be applied—

“(i) by substituting ‘age 18’ for ‘age 17’ in subsection (c)(1), and

“(ii) in the case of a joint return or surviving spouse (as defined in section 2(a)) of a joint return or surviving spouse (as defined in section 2(a)) of the reference taxable year

“(B) Applicable Threshold Amount.—For purposes of this section, the term ‘applicable threshold amount’ means—

“(1) the applicable threshold amount which would be applicable by subtracting $3,000 ($3,600 in the case of a qualifying child who has not attained age 6 as of the close of the calendar year in which the taxable year of the taxpayer begins) for $1,000.

“(4) Reduction of Increased Credit Amount Based on Modified Adjusted Gross Income.

“(A) In General.—The amount of the credit allowable under subsection (a) (determined after the application of subsection (h)(2)(A)) for a joint return or surviving spouse (as defined in section 2(a)) of a joint return or surviving spouse (as defined in section 2(a)) of the reference taxable year

“(B) Applicable Threshold Amount.—For purposes of this paragraph, the term ‘applicable threshold amount’ means—

“(i) the amount of the credit allowable under subsection (a) (determined after the application of section 24(h)(1) for the taxpayer’s taxable year beginning in such calendar year if—

“(A) the status of the taxpayer as a taxpayer described in section 24(h)(1) is determined with respect to the reference taxable year,

“(B) the taxpayer’s modified adjusted gross income for such taxable year is equal to the taxpayer’s modified adjusted gross income for the reference taxable year,

“(C) the taxpayer’s modified adjusted gross income, and

“(D) the reference taxable year.

“(2) Annual Amount.—For purposes of this section,

“(i) a return of tax filed by such taxpayer for such calendar year to take into account—

“(A) the status of the taxpayer as a taxpayer described in section 24(h)(1) is determined with respect to the reference taxable year,

“(B) the taxpayer’s modified adjusted gross income for such taxable year is equal to the taxpayer’s modified adjusted gross income for the reference taxable year,

“(C) the taxpayer’s modified adjusted gross income, and

“(D) the reference taxable year.

“(2) Modification during Calendar Year.

“(A) In General.—The Secretary may modify, during any calendar year, the annual amount with respect to any taxpayer for such calendar year to take into account—

“(B) a return of tax filed by such taxpayer during such calendar year (and the taxable year to which such return relates) may be taken into account as the reference taxable year, and

“(2) any other information provided by the taxpayer to the Secretary which allows the Secretary to determine payments under subsection (a) which, in the aggregate during any taxable year of the taxpayer, more closely total the Secretary’s estimate of the amount treated as allowed under subtotal C of part IV of subchapter A of chapter 1 by reason of section 24(h)(1) for such taxable year of such taxpayer.

“(B) Adjustment to Reflect Excess or Deficit in Prior Payments.—In the case of any modification of the annual advance amount under subparagraph (A), the Secretary may adjust the amount of any periodic payment made after the date of such modification to reflect such excess or deficit in prior payments made before such date which was greater than or less than the amount that such payment would have been on the basis of the annual advance amount as so modified.

“(4) Determination of Status.—If information contained in the taxpayer’s return of tax for the reference taxable year does not establish the status of the taxpayer as being described in section 24(h)(1), the Secretary shall, for purposes of paragraph (1)(A), determine such status based on information known to the Secretary.

“(5) Treatment of Certain Deaths.—A child shall not be taken into account in determining the annual advance amount under paragraph (1) if the death of such child is known to the Secretary as of the beginning of the calendar year for which the estimate under such paragraph is made.

“(C) On-Line Information Portal.—The Secretary shall establish an on-line portal with allows taxpayers to—

“(i) elect not to receive payments under this section, and

“(ii) provide information to the Secretary which could be relevent to determining the status of the taxpayer as being described in subsection (b)(3)(B) of the annual advance amount, including information regarding—

“(A) a change in the number of the taxpayer’s qualifying children, including by reason of the birth of a child,

“(B) a change in the taxpayer’s marital status,

“(C) a significant change in the taxpayer’s income, and

“(D) any other factor which the Secretary may provide.

“(D) Notice of Payments.—Not later than January 31 of the calendar year following any calendar year during which the Secretary makes one or more payments to any taxpayer under this section, the Secretary shall provide such taxpayer with a written notice which includes the taxpayer’s taxpayer identity (as defined in section 6103(b)(6)), the aggregate amount of such payments made to such taxpayer during such calendar year, and such other information as the Secretary determines appropriate.

“(E) Administrative Provisions.—

“(1) Application of Electronic Funds Payment Requirement.—The payments made by the Secretary under subsection (a) shall be made by electronic funds transfer to the taxpayer’s bank account in the same manner as such payments were Federal payments not made under this title.

“(2) Application of Certain Rules.—Rules similar to the rules of subparagraphs (B) and (C) of section 6428A(f)(3) shall apply for purposes of this section.

“(3) Exception from Reduction or Offset.—Any payment made to any individual under this section shall not be—

“(A) subject to reduction or offset pursuant to subsection (c), (d), (e), or (f) of section 6402, or

“(B) reduced or offset by other assessed Federal taxes that would otherwise be subject to levy or collection.

“(4) Application of Advance Payments in the Possessions of the United States.—

“(A) In General.—The advance payment amount determined under this section shall be determined by the Secretary to be—

“(i) by applying section 28(a)(1) without regard to the phrase ‘or is a bona fide resident of Puerto Rico (within the meaning of section 28(a)(1))’, and

“(ii) without regard to section 28(a)(3)(C)(i)(I).
“(B) MIRROR CODE POSSESSIONS.—In the case of any possession of the United States with a mirror code tax system (as defined in section 24(k)(3)), with respect to taxable years beginning in 2021 and 2022, and beginning after December 31, 2020, the amount other- wise paid by the Secretary to such possession under section 24(k)(1) shall be increased by $300,000 if such possession has a plan, which has been approved by the Secretary, for making advance payments consistent with such election.

(ii) AMERICAN SAMOA.—The amount otherwise paid by the Secretary to American Samoa under subparagraph (A) of section 24(k)(3) with respect to taxable years beginning in 2021 shall be increased by $300,000 if the plan described in subparagraph (B) of such section has been approved by the Secretary, for making advance payments under rules similar to the rules of this section.

(B) APPLICATION.—No payments shall be made under this paragraph for any taxable year beginning after December 31, 2021, in the case of any possession of the United States to which the Secretary shall issue such regulations or other guidance as the Secretary determines necessary or appropriate to carry out the purposes of this section and subsections (i) and (j) of section 24, including regulations or other guidance which provides for the application of such provisions where the filing status of the taxpayer during such taxable year is different from the status used for determining the annual advance amount.

(2) RECONCILIATION OF CREDIT AND ADVANCE PAYMENTS.—

(A) Section 26(b)(2) of such Code is amended in paragraph (X), by striking the period at the end of subparagraph (Y) and inserting “., and”, and by adding at the end the following new subparagraph:

(B) Section 26(b)(4)(A) of such Code, as amended by the preceding provisions of this Act, is amended by adding at the end the following new subsection:

(j) RECONCILIATION OF CREDIT AND ADVANCE PAYMENTS.—

(1) GENERAL.—The amount of the credit allowed under this section for any taxable year shall be reduced (but not below zero) by the aggregate amount of payments made under section 7527A to such taxpayer during such taxable year. Any failure to qualify shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b)(1).

(2) EXCESS ADVANCE PAYMENTS.—

(A) In general.—If the aggregate amount of payments under section 7527A to the taxpayer during the taxable year exceeds the amount of the credit allowed under this section to such taxpayer for such taxable year (determined without regard to paragraph (1)), the tax imposed by this chapter for such taxable year shall be increased by the amount of such excess.

(B) SAFER HARBOR BASED ON MODIFIED ADJUSTED GROSS INCOME.—

(1) IN GENERAL.—In the case of a taxpayer whose modified adjusted gross income (as defined in subsection (b)) for such taxable year does not exceed 200 percent of the applicable income threshold, the safe harbor amount otherwise in effect under clause (i) shall be reduced by the amount which bears the same ratio to the safe harbor amount otherwise in effect under clause (i) as such excess bears to the applicable income threshold.

(2) APPLICABLE INCOME THRESHOLD.—For purposes of this paragraph, the term ‘applicable income threshold’ means:

(i) $50,000 in the case of a joint return or surviving spouse (as defined in section 2(a)),

(ii) $40,000 in any other case.

(IV) SAFE HARBOR AMOUNT.—For purposes of this paragraph, the term ‘safe harbor amount’ means, with respect to any taxable year, the product of:

(i) $2,000, multiplied by

(ii) the ratio (if other than 1) of the number of qualified children taken into account in determining the annual advance amount with respect to the taxpayer under section 7527A with respect to months beginning in such taxable year, over the number of qualified children taken into account in determining the credit allowed under this section for such taxable year.

(3) COORDINATION WITH WAGE WITHHOLDING.—Section 3402(h) of such Code is amended by striking “section 24(a)” and inserting “section 24 by application of subsection (j) thereof”. (g) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section.

(2) For purposes of this paragraph, the term ‘mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of this section (determined without regard to this subsection) with respect to taxable years beginning after 2020. Such amounts shall be determined by the Secretary based on information provided by the government of the respective possession.

(b) Coordination with credit allowed against United States income taxes.—No credit shall be allowed under this section for taxable years to a resident of American Samoa who is not eligible for a credit is allowed against taxes imposed by a possession of the United States with a mirror code tax system by reason of the application of this section in possession for such taxable year.

(c) MIRROR CODE TAX SYSTEM.—For purposes of this paragraph, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession for such program does not interfere with the income taxes of the United States as if such possession were the United States.

(1) IN GENERAL.—The amount of the credit allowed under this section to residents of Puerto Rico, see subsection (i).

(ii) For nonapplication of advance payments to residents of Puerto Rico, see section 7527A(a).

(2) APPLICATION TO TAXABLE YEARS AFTER 2021.—In the case of any bona fide resident of Puerto Rico (within the meaning of section 7527A) for any taxable year beginning after December 31, 2021, the credit determined under this section shall be allowed to such resident, and the amount of the credit under this subsection (d) shall be allowed without regard to the phrase ‘in the case of a taxpayer with 3 or more qualifying children’.

(1) IN GENERAL.—The Secretary shall pay to American Samoa amounts estimated by the Secretary as being equal to the aggregate benefits that would have been provided to residents of American Samoa by reason of the application of this section for taxable year.
years beginning after 2020 if the provisions of this section had been in effect in American Samoa (applied as if American Samoa were the United States and without regard to the application of section 424 of title II of such public law to bona fide residents of Puerto Rico under subsection (i)(1)).

(2) DISTRIBUTION REQUIREMENT.—Subparagraph (A) shall not apply unless American Samoa (applied as if American Samoa were the United States) has been approved by the Secretary, under which American Samoa will promptly distribute such payments to its residents.

(C) APPLICABLE SECTION IN EVENT OF ABSENCE OF APPROVED PLAN.—In the case of a taxable year with respect to which a plan is not approved under subparagraph (B)—

(i) in general.—In the case of a taxable year beginning after December 31, 2021, rules similar to the rules of paragraph (2)(B) shall apply with respect to bona fide residents of American Samoa (applied as if American Samoa were the United States) for bona fide residents of Puerto Rico.

(ii) elimination of maximum age for credit.—Subsection (c)(1)(A)(iii)(II) shall be applied without regard to the phrase "but not attained age 65'.''

(iii) increase in credit and phase-out percentages.—The table contained in subsection (b)(2)(A) shall be applied by substituting '15.3' for '7.65'.

(iv) increase in earned income and phase-out amounts.—(A) in general.—The table contained in subsection (b)(2)(A) shall be applied—

(i) by substituting '$9,820' for '$4,220', and

(ii) by substituting '$11,610' for '$5,350'.

(B) coordination with inflation adjustment.—Subsection (j) shall not apply to any dollar amount specified in this paragraph.''

(b) INFORMATION RETURN MATCHING.—As soon as practicable, the Secretary of the Treasury (or the Secretary's delegate) shall develop and implement procedures to use information returns 6605F (relating to returns relating to higher education tuition and related expenses) to check the status of individuals as specified students for purposes of section 32(n)(1)(B)(ii) of the Internal Revenue Code of 1986 (as added by this section).
“(A) IN GENERAL.—The term ‘specified matching amount’ means, with respect to any calendar year, the lesser of—

(i) the excess (if any) of—

(1) the product of 3, multiplied by the base amount for such calendar year.

(2) BASE AMOUNT.—

(1) IN GENERAL.—For calendar year 2021, the term ‘base amount’ means the greater of—

(I) the cost to Puerto Rico of the earned income tax credit for taxable years beginning in or with calendar year 2019 (rounded to the nearest multiple of $1,000,000), or

(II) $16,000,000.

(ii) INFLATION ADJUSTMENT.—In the case of any calendar year after 2021, the term ‘base amount’ means the dollar amount determined under clause (i) increased by an amount equal to—

(I) such dollar amount, multiplied by—

(ii) the cost-of-living adjustment determined under clause (i) for such calendar year, determined by substituting ‘calendar year 2020’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

Any amount determined under this clause shall be rounded to the nearest multiple of $1,000,000.

(4) RULES RELATED TO PAYMENTS.—

(A) TIMING OF PAYMENTS.—The Secretary shall make payments under paragraph (1) for any calendar year—

(i) after receipt of such information as the Secretary may require to determine such payments, and

(ii) except as provided in clause (i), within a reasonable period of time before the due date for individual income tax returns (as determined under the laws of Puerto Rico) for taxable years which began on the first day of such calendar year.

(B) INFORMATION.—The Secretary may require the reporting of such information as the Secretary may require to carry out this subsection.

(C) DETERMINATION OF COST OF EARNED INCOME TAX CREDIT.—For purposes of this subsection, the cost to Puerto Rico of the earned income tax credit shall be determined by the Secretary on the basis of the laws of Puerto Rico and shall include reductions in revenues received by Puerto Rico by reason of refunds attributable to such credit, but shall not include any administrative costs with respect to such credit.

(b) POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—

(1) IN GENERAL.—With respect to calendar year 2021 and each calendar year thereafter, the Secretary shall, except as otherwise provided in this subsection, make payments to American Samoa equal to—

(A) the lesser of—

(1) the product of 3, multiplied by the dollar amount determined under section 1(f)(3) for such calendar year, or

(2) $16,000,000, plus

(B) in the case of calendar years 2021 through 2025, the lesser of—

(i) the expenditures made by American Samoa during such calendar year for educational purposes with respect to individual taxpayers and tax return preparers relating to such earned income tax credit, or

(ii) $50,000.

(2) REQUIREMENT TO ENACT AND MAINTAIN AN EARNED INCOME TAX CREDIT.—The Secretary shall not make any payments under paragraph (1) with respect to any calendar year unless American Samoa has in effect an earned income tax credit for taxable years beginning in or with such calendar year which allows a refundable tax credit to individuals on the basis of the taxpayer’s earned income which is designed to substantially increase workforce participation.

(3) INFLATION ADJUSTMENT.—In the case of any calendar year after 2021, the term ‘base amount’ means the dollar amount determined under section 1(f)(3) for such calendar year, determined by substituting ‘calendar year 2020’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

Any increase determined under this clause shall be rounded to the nearest multiple of $100,000.

(4) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of subparagraphs (A), (B), and (C) of section (a)(4) shall apply for purposes of this subsection.

(d) TREATMENT OF CERTAIN POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—The Secretary of the Treasury shall pay to each possession of the United States which has a mirror code tax system amounts equal to the (loss (if any)) that would have been provided to residents of such possession by reason of the provisions of this section (other than this subsection) with respect to section 32 of the Internal Revenue Code of 1986 if a mirror code tax system had been in effect in such possession.

The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to its residents.

(2) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(a) IN GENERAL.—If the earned income of the taxpayer for the taxpayer’s first taxable year beginning in 2021 is less than the earned income of the taxpayer for the taxpayer’s first taxable year beginning in 2019, the credit allowed under the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by substituting—

(1) such earned income for the taxpayer’s first taxable year beginning in 2019, for

(2) such earned income for the taxpayer’s first taxable year beginning in 2021.

(b) EARNED INCOME.—

(1) IN GENERAL.—For purposes of this section, the term ‘earned income’ has the meaning provided for in section 1324 of title 31, United States Code.

(2) APPLICATION TO JOINT RETURNS.—For purposes of subsection (a), in the case of a joint return, the earned income of the taxpayer for the first taxable year beginning in 2019 shall be the sum of the earned income of each spouse for such taxable year.

(c) ERRORS TREATED AS MATHEMATICAL ERRORS.—For purposes of section 6213 of the Internal Revenue Code of 1986, an incorrect use on a return of earned income pursuant to subsection (a) shall be treated as a mathematical or clerical error.

(2) PAYMENTS TO OTHER POSSESSIONS.—

The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury as being equal to the (loss (if any)) that would have been provided to residents of such possession by reason of the provisions of this section (other than this subsection) with respect to section 32 of the Internal Revenue Code of 1986 if a mirror code tax system had been in effect in such possession.

The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to its residents.

(3) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(a) TREATMENT OF PAYMENTS.—For purposes of section 3234 of title 31, United States Code, the payments under 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.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 7530. Application of earned income tax credit from a credit provision referred to in subsection (b)(2) of such section."

(c) TEMPORARY SPECIAL RULE FOR DETERMINING EARNED INCOME FOR PURPOSES OF EARNED INCOME TAX CREDIT.—

(1) IN GENERAL.—If the earned income of the taxpayer for the taxpayer’s first taxable year beginning in 2021 is less than the earned income of the taxpayer for the taxpayer’s first taxable year beginning in 2019, the credit allowed under the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by—

(1) such earned income for the taxpayer’s first taxable year beginning in 2019, for

(2) such earned income for the taxpayer’s first taxable year beginning in 2021.

(b) EARNED INCOME.—

(1) IN GENERAL.—For purposes of this section, the term ‘earned income’ has the meaning provided for in section 1324 of the Internal Revenue Code of 1986.

(2) APPLICATION TO JOINT RETURNS.—For purposes of subsection (a), in the case of a joint return, the credit allowed under the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by—

(1) such earned income for the taxpayer’s first taxable year beginning in 2019, for

(2) such earned income for the taxpayer’s first taxable year beginning in 2021.

(b) EARNED INCOME.—

(1) IN GENERAL.—For purposes of this section, the term ‘earned income’ has the meaning provided for in section 1324 of the Internal Revenue Code of 1986.

(2) APPLICATION TO JOINT RETURNS.—For purposes of subsection (a), in the case of a joint return, the credit allowed under the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by—

(1) such earned income for the taxpayer’s first taxable year beginning in 2019, for

(2) such earned income for the taxpayer’s first taxable year beginning in 2021.

(b) EARNED INCOME.—

(1) IN GENERAL.—For purposes of this section, the term ‘earned income’ has the meaning provided for in section 1324 of the Internal Revenue Code of 1986.

(2) APPLICATION TO JOINT RETURNS.—For purposes of subsection (a), in the case of a joint return, the credit allowed under the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by—

(1) such earned income for the taxpayer’s first taxable year beginning in 2019, for

(2) such earned income for the taxpayer’s first taxable year beginning in 2021.
"(B) by substituting ‘$125,000’ for ‘$15,000’.

"(4) Application of phaseout to high income individuals.—

"(A) IN GENERAL.—Subsection (a)(2) shall be amended by substituting ‘the phaseout percentage’ for ‘20 percent’.

"(B) Phaseout percentage.—The term ‘phaseout percentage’ means 20 percent reduced (but not below zero) by 1 percentage point for each $2,000 (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable year exceeds $400,000.

"(4) Application of Code in Possessions.—Section 21 of such Code, as amended by subsection (a), is amended by adding at the end the following new subsection:

"(b) Application of Credit in Possessions.—

"(1) Payment to possessions with mirror code tax system.—The Secretary shall pay to each possession of the United States with a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of this section (determined without regard to this subsection) with respect to taxable years beginning in or after 2021. Such amounts shall be determined by the Secretary on information provided by the government of the respective possession.

"(2) Payments to other possessions.—The Secretary shall make payments to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary as being equal to the aggregate benefits that would have been provided to residents of such possession by reason of this section with respect to taxable years beginning in or after 2021 if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary, under which such possession will promptly distribute such payments to its residents.

"(3) Coordination with credit allowed against United States income taxes.—In the case of any taxable year beginning in or after 2021, no credit shall be allowed under this section to any individual—

"(A) to whom a credit is allowable against taxes imposed by a possession with a mirror code tax system by reason of this section, or

"(B) who is eligible for a payment under a plan described in paragraph (2).

"(4) Application of Code Tax System.—For purposes of this subsection, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system under which such possession is required to be taxed by such possession of the United States.

"(5) Treatment of Payments.—For purposes of section 6402(a) and 6413(b) of the United States Code, the payments under this subsection shall be treated in the same manner as a refund due from a credit provision referred to in subsection (c)(1) for the taxable year in which the payment is made.

"(c) Conforming Amendments.—

"(1) Section 6211(b)(4)(A) of such Code, as amended by the preceding provisions of this Act, is amended by striking ‘21’ by reason of subsection (g) thereof, before ‘24’.

"(2) Section 1323(b)(2) of title 31, United States Code (as amended by the preceding provisions of this Act), is amended by inserting ‘21’ before ‘24’.

"(d) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

SEC. 9632. INCREASE IN EXCLUSION FOR EMPLOYER-PROVIDED DEPENDENT CARE ASSISTANCE.

"(a) IN GENERAL.—Section 129(a)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(B) Special Rule for 2021.—In the case of any taxable year beginning after December 31, 2020, and before January 1, 2022, paragraph (1) shall be applied by substituting ‘$10,500 (half such dollar amount for ‘$5,250’.

"(2) Effective Date.—The amendment made by this section shall apply to taxable years beginning after December 31, 2020.

"(c) Repeal of Section 5109.—Section 5109 of the Internal Revenue Code of 1986 shall be repealed.

"(d) Application of Credit.—The credit allowed by subsection (a) shall be increased by so much of the employer’s qualified health plan expenses as are properly allocable to the qualified sick leave wages for which the credit is allowed under section 3131.

"(2) Qualified Health Plan Expenses.—For purposes of this subsection, the term ‘qualified health plan expenses’ means amounts paid or incurred by the employer to provide and maintain a group health plan (as defined in section 300ll(b)(1), but only to the extent that such amounts are excluded from the gross income of employees by reason of section 106(a).

"(3) Allocation Rules.—For purposes of this section, qualified health plan expenses shall be calculated by subtracting from the qualified sick leave wages in such manner as the Secretary may prescribe. Except as otherwise provided by the Secretary, such allocations shall be treated as properly made if made on the basis of being pro rata among covered employees and pro rata on the basis of periods of coverage (relative to the time periods of leave to which such wages relate).

"(e) Allowance of Credit for Amounts Paid Under Certain Collectively Bargained Agreements.—

"(1) In General.—The amount of the credit allowed under subsection (a) shall be increased by the sum of—

"(A) the amount paid by the employer collectively bargained defined benefit pension plan contributions as are properly allocable to
the qualified sick leave wages for which such credit is so allowed, plus

“(B) so much of the employer’s collectively bargained apprenticeship program contributions allocated to qualified sick leave wages for which such credit is so allowed.

(2) COLLECTIVELY BARGAINED DEFINED BENEFIT PLAN CONTRIBUTIONS.—For purposes of this subsection—

“A) IN GENERAL.—The term ‘collectively bargained defined benefit pension plan contributions’ means contributions made to a defined benefit pension plan for employees covered under a collectively bargained apprenticeship program, for benefits under a registered apprenticeship program, or for benefits under a defined benefit plan to which the requirements of section 401(a), (f) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1301(a)(11)).

“C) ALLOCATION RULES.—The amount of collectively bargained defined benefit pension plan contributions allocated to qualified sick leave wages for any calendar quarter shall be the product of—

“(i) the pension contribution rate (expressed as an hourly rate), and

“(ii) the number of hours for which qualified sick leave wages were provided to employees covered under the collective bargaining agreement described in subparagraph (A)(iii) during the calendar quarter.

“D) ALLOCATION RULES.—The amount of collectively bargained apprenticeship program contributions allocated to qualified sick leave wages for any calendar quarter shall be the product of—

“(i) the apprenticeship program contribution rate (expressed as an hourly rate), and

“(ii) the number of hours for which qualified sick leave wages were provided to employees covered under the collective bargaining agreement described in subparagraph (A)(iii) during the calendar quarter.

“(D) DEFINITIONS AND SPECIAL RULES.—

“(1) APPLICABLE EMPLOYMENT TAXES.—For purposes of this section, the term ‘applicable employment taxes’ means the following:

“(A) The taxes imposed under section 3111(b).

“(B) So much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b).

“(2) WAGES.—For purposes of this section, the term ‘wages’ means wages (as defined in section 3212) determined under the rules of paragraphs (1) through (22) of section 3121(b) and compensation (as defined in section 3231(e), determined without regard to the sentence in paragraph (1) thereof which begins ‘Such term does not include remuneration’).

“(3) DENIAL OF DOUBLE BENEFIT.—For purposes of chapter 1, the gross income of the employer, for the taxable year which includes the last day of any calendar quarter in which the credit is allowed under this section, shall be increased by the amount of such credit. Any wages taken into account in determining the credit allowed under this section shall not be taken into account for purposes of determining the credit allowed under sections 45A, 45F, 45S, 51, 3132, and 3314. In the case of any credit allowed under section 324 of the CARES Act or section 41 with respect to wages taken into account under this section, the credit allowed under this section shall be reduced by the portion of the credit allowed under such section 324 or section 41 which is attributable to such wages.

“(4) ELECTION TO NOT TAKE CERTAIN WAGES INTO ACCOUNT.—This section shall not apply to so much of the qualified sick leave wages paid by an eligible employer as such employer elects (at such time and in such manner as the Secretary may prescribe) to not take into account for purposes of this section.

“(5) CERTAIN GOVERNMENTAL EMPLOYERS.—

“No credit shall be allowed under this section to the Government of the United States or to any agency or instrumentality thereof. The preceding sentence shall not apply to any organization of collective bargaining (as defined in section 501(c)(5) of the Internal Revenue Code of 1986) or exempt from tax under section 501(a).

“(6) EXTENSION OF LIMITATION ON ASSESSMENT.—Notwithstanding section 6501, the limitations on the time period for assessment of any amount attributable to a credit claimed under this section shall not expire before the date that is 5 years after the later of—

“(A) the date on which the original return which includes the calendar quarter with respect to which such credit is determined is filed, or

“(B) the date on which such return is treated as filed under section 6501(b)(2).

“(7) COORDINATION WITH CERTAIN PROGRAMS.—

“A) IN GENERAL.—This section shall not apply to so much of the qualified sick leave wages paid by an eligible employer as are taken into account as payroll costs in connection with—

“(i) a covered loan under section 7(a)(37) of the Small Business Act,

“(ii) a grant under section 324 of the Economic Aid to Hard-Hit Small Businesses, Non-Profits, and Venues Act, or

“(iii) a restaurant revitalization grant under section 5003 of the American Rescue Plan Act of 2021.

“(B) APPLICATION WHERE PPP LOANS NOT FORFEITTED.—The Secretary shall issue guidance providing that payroll costs paid during the covered period shall not fail to be treated as qualified sick leave wages under this section when the forgiveness of subparagraph (A)(ii) to the extent that—

“(i) a covered loan of the taxpayer under section 7(a)(37) of the Small Business Act is forgiven in accordance with section 7(a)(37)(J) of such Act, or

“(ii) a covered loan of the taxpayer under section 7(a)(37) of the Small Business Act is not forgiven by reason of a decision under section 7(a)(g) of such Act.

“Terms used in the preceding sentence which are also used in section 7(a)(j) or 7(a)(37)(j) of the Small Business Act shall, when applied in connection with either such section, have the same meaning as when used in such section, respectively.

“(C) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

“(1) regulations or other guidance to prevent the avoidance of the purposes of the limitations under this section,

“(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section,

“(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,

“(4) regulations or other guidance for recapturing the benefit of credits determined under this section in cases where there is a subsequent adjustment to the credit determined under subsection (a) of this section,

“(5) regulations or other guidance to ensure that the wages taken into account under this section conform with the paid sick time required to be provided under the Emergency Paid Sick Leave Act,

“(6) regulations or other guidance to permit the advancement of the credit determined under subsection (a), and

“(7) regulations or other guidance with respect to the allocation, reporting, and subvention of collection bargaining defined benefit pension plan contributions and collectively bargained apprenticeship program contributions.

“(D) APPLICATION OF SECTION.—This section shall apply only to wages paid with respect to the period beginning on April 1, 2021, and ending on September 30, 2021.

“(E) REMEDIAL REINTERPRETATION.—The Secretary shall waive any penalty under section 6656 for any failure to make a deposit of applicable employment taxes if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.

“(F) NON-DISCRIMINATION REQUIREMENT.—No credit shall be allowed under this section to any employer for any calendar quarter if such employer, with respect to the availability of the provision of qualified sick leave wages to which this section otherwise applies for such calendar quarter, discriminates in favor of highly compensated employees (within the meaning of section 414(q)), full-time employees, or employees on the basis of employment tenure with such employer.

“SEC. 3132. PAYROLL CREDIT FOR PAID FAMILY LEAVE.

“(A) IN GENERAL.—In the case of an employer, there shall be allowed as a credit against applicable employment taxes for each calendar quarter an amount equal to the product of the qualified sick leave wages paid by such employer with respect to such calendar quarter.
paid by such employer with respect to such leave shall not be taken into account as qualified family leave wages. For purposes of the preceding sentence, an employer which takes an action described in section 3132(e)(3)(A)(iii) during the calendar quarter.

(2) DEFINITIONS AND SPECIAL RULES.—

(1) APPLICABLE EMPLOYMENT TAXES.—For purposes of this section—

(A) the term 'qualified family leave wages' means the following:

(i) the apprenticeship contribution rate (as defined in section 3131(e)(3)(A)(iii)), expressed as an hourly rate, and

(ii) the number of hours for which qualified family leave wages were provided to employees covered under the collective bargaining agreement described in section 3132(e)(2)(A)(i) during the calendar quarter.

(2) ALLOCATION RULES.—For purposes of this section, the amount of collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for any calendar quarter shall be the product of—

(i) the pension contribution rate (as defined in section 3131(e)(3)(A)(iii)), expressed as an hourly rate, and

(ii) the number of hours for which qualified family leave wages were provided to employees covered under the collective bargaining agreement described in section 3132(e)(2)(A)(i) during the calendar quarter.

(3) COLLECTIVELY BARGAINED APPRENTICESHIP PROGRAM CONTRIBUTIONS.—For purposes of this subsection—

(A) IN GENERAL.—The term 'collectively bargained defined benefit apprenticeship program contributions' has the meaning given such term.

(B) ALLOCATION RULES.—The amount of collectively bargained defined benefit apprenticeship program contributions as are properly allocable to the qualified family leave wages for any calendar quarter shall be the product of—

(i) the apprenticeship contribution rate (as defined in section 3131(e)(3)(A)(iii)), expressed as an hourly rate, and

(ii) the number of hours for which collectively bargained defined benefit apprenticeship program contributions were made to such wages.

(4) ELECTION TO NOT TAKE CERTAIN WAGES INTO ACCOUNT.—This section shall not apply to so much of the qualified family leave wages paid by an eligible employer as such employer elects (at such time and in such manner as the Secretary may prescribe) to not take into account for purposes of this section.

(5) CERTAIN GOVERNMENTAL EMPLOYERS.—No credit shall be allowed under this section to the Government of the United States or to any agency or instrumentality thereof. The preceding sentence shall not apply to any organization described in section 501(c)(1) and exempt from tax under section 501(a). The limitation on the time period for the assessment of any amount attributable to a credit allowed under this section shall not expire before the date that is 5 years after the later of—

(A) the date on which the original return with which includes the calendar quarter with respect to which such credit is determined is filed, or

(B) the date on which such credit is treated as (filed under section 6020(b)).

(7) COORDINATION WITH CERTAIN PROGRAMS.—

(A) IN GENERAL.—This section shall not apply to so much of the qualified family leave wages paid by an eligible employer as are taken into account as payroll costs in connection with

(i) an employer loan under section 7(a)(3) or 7(a) of the Small Business Act,

(ii) a grant under section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Expansion Act of 2021,

(iii) a restaurant revitalization grant under section 5003 of the American Rescue Plan Act of 2021.

(8) APPLICATION WHERE PPP LOANS NOT FORGIVEN.—The Secretary shall issue guidance providing that payroll costs paid during...
the covered period shall not fail to be treated as qualified family leave wages under this section by reason of subparagraph (A)(i) to the extent that—

(1) the loan of the taxpayer under section 7(a)(37) of the Small Business Act is not forgiven by reason of a decision under section 7(a)(37)(J) of such Act, or

(2) the loan of the taxpayer under section 7A of the Small Business Act is not forgiven by reason of a decision under section 7A(g) of such Act.

Terms in the preceding sentence which are also used in section 7A(g) or 7(a)(37)(J) of the Small Business Act shall, when applied in connection with either such section, have the same meaning as when used in section 7A(g), respectively.

(2) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to prevent the avoidance of the purposes of the limitations under this section,

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section,

(3) regulations or other guidance providing for waiver of penalties for failure to deposit amounts in anticipation of the allowance provided under this section,

(4) regulations or other guidance for recapturing the benefit of credits determined under this section in cases where there is a subsequent adjustment to the credit determined under subsection (a),

(5) regulations or other guidance to ensure that the wages taken into account under this section are qualified family leave wages with the paid leave required to be provided under the Emergency Family and Medical Leave Expansion Act (including the amendments made by such Act),

(6) regulations or other guidance to permit the advancement of the credit determined under subsection (a), and

(7) regulations or other guidance with respect to the allocation, reporting, and substantiation of collectively bargained defined benefit pension plan contributions and collectively bargained apprenticeship program contributions.

(b) APPLICATION OF SECTION.—This section shall apply only to wages paid with respect to calendar quarters beginning after March 31, 2021. SEC. 8642. CREDIT FOR SICK LEAVE FOR CERTAIN SELF-EMPLOYED INDIVIDUALS.

(a) IN GENERAL.—In the case of an eligible self-employed individual, there shall be allowed as a credit against the tax imposed by chapter 1 of the Internal Revenue Code of 1986 for any taxable year an amount equal to the qualified sick leave equivalent amount with respect to the individual.

(b) ELIGIBLE SELF-EMPLOYED INDIVIDUAL.—For purposes of this section—

(1) IN GENERAL.—The term ‘‘eligible self-employed individual’’ means an individual who—

(A) regularly carries on any trade or business within the meaning of section 1402 of the Internal Revenue Code of 1986, and

(B) would be entitled to receive paid leave during the taxable year pursuant to the Emergency Paid Sick Leave Act if—

(i) the individual were an employee of an employer (other than himself or herself), and

(ii) such Act applied after March 31, 2021.

(2) RULES OF APPLICATION.—For purposes of paragraph (1)(B), in determining whether an individual would be entitled to receive paid leave under the Emergency Paid Sick Leave Act, such Act shall apply to the individual—

(A) by inserting ‘‘, the employee is seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19 and such employee has been exposed to COVID-19 or is unable to work pending the results of such test or diagnosis, or the employee is obtaining immunization related to COVID-19 or recovering from any injury, disability, illness, or condition related to such immunization’’ after ‘‘medical diagnosis’’ in section 3102(a)(3) of such Act, and

(B) by applying section 3102(b)(1) of such Act separately with respect to each taxable year.

(c) QUALIFIED SICK LEAVE EQUIVALENT AMOUNT.—For purposes of this section—

(1) IN GENERAL.—The term ‘‘qualified sick leave equivalent amount’’ means, with respect to any eligible self-employed individual, an amount equal to—

(A) the number of days during the taxable year (but not more than 10) that the individual was unable to perform services in any trade or business referred to in section 1402 of the Internal Revenue Code of 1986 for a reason with respect to which such individual would be entitled to receive sick leave as described in subsection (b), multiplied by

(B) the lesser of—

(i) $200 ($511 in the case of any day of paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act, applied with the modification described in subsection (b)(2)(A)) of this section, or

(ii) 67 percent (100 percent in the case of any day of paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act, applied with the modification described in subsection (b)(2)(A)) of this section, or

(d) CREDIT REFUNDABLE.—

(1) IN GENERAL.—The credit determined under this section shall be treated as a credit allowed to the taxpayer under subpart C of part IV of subchapter A of chapter 1 of such Code.

(2) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, any refund due from the credit determined 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.

(e) SPECIAL RULES.—

(1) DOCUMENTATION.—No credit shall be allowed under this section unless the individual maintains such documentation as the Secretary may prescribe to establish such individual as an eligible self-employed individual.

(2) DENIAL OF DOUBLE BENEFIT.—In the case of an individual who receives wages (as defined in section 3124(a) of the Internal Revenue Code of 1986) or compensation (as defined in section 3302(e) of such Code) paid by an employer which are required to be paid in reason of the Emergency Paid Sick Leave Act, the qualified sick leave equivalent amount otherwise determined under subsection (c) of this section shall be reduced (but not below zero) to the extent that the sum of the amount described in such subsection and in section 3131(b)(1) of such Code exceeds $2,000 ($5,110 in the case of any day of paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act).

(f) APPLICATION OF SECTION.—Only days occurring during the period beginning on April 1, 2021, and ending on September 30, 2021, shall be taken into account under subsection (c)(1)(A).

(g) APPLICATION OF CREDIT IN CERTAIN POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—The Secretary shall pay to each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined by the Secretary based on information provided by the government of the respective possession.

(2) PAYMENTS TO OTHER POSSESSIONS.—The Secretary shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the provisions of this section if a mirror code tax system had been in effect in such possession. The preceding sentence does not apply to any possession that has a plan, which has been approved by the Secretary, under which such possession....
will promptly distribute such payments to its residents.

(3) **Mirror Code Tax System.**—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(4) **TREATMENT OF PAYMENTS.**—For purposes of section 1324 of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund of a credit provision referred to in subsection (b)(2) of such section.

(h) **REGULATIONS.**—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to effectuate the purposes of this section, and
(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

SEC. 9643. CREDIT FOR FAMILY LEAVE FOR CERTAIN SELF-EMPLOYED INDIVIDUALS.

(a) **IN GENERAL.**—In the case of an eligible self-employed individual, there shall be allowed as a credit against the tax imposed by chapter 1 of the Internal Revenue Code of 1986 for any taxable year an amount equal to 100 percent of the qualified family leave equivalent amount with respect to such individual.

(b) **ELIGIBLE SELF-EMPLOYED INDIVIDUAL.**—For purposes of this section—

(i) **IN GENERAL.**—The term ‘eligible self-employed individual’ means an individual who—

(A) regularly carries on any trade or business within the meaning of section 1332(b) of the Internal Revenue Code of 1986, and

(B) would be entitled to receive paid leave during the taxable year pursuant to the Emergency Family and Medical Leave Expansion Act if—

(i) the individual was an employee of an employer (other than himself or herself),


(ii) **RULES OF APPLICATION.**—For purposes of paragraph (1)(B), in determining whether an individual would be entitled to receive paid leave under the Emergency Family and Medical Leave Act—

(A) section 118(a)(2)(A) of the Family and Medical Leave Act of 1993 shall be applied by inserting ‘or any reason for leave described in section 512(a) of the Families First Coronavirus Response Act, or the employee is seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19 and such employee has been exposed to COVID-19 or is unable to work pending the results of such test or diagnosis, or the employee is obtaining immunization related to COVID-19 or recovering from any injury, disability, illness, or condition related to such immunization’ after ‘public health emergency’; and

(B) section 118(b) of such Act shall be applied—

(i) without regard to paragraph (1) thereof, and

(ii) by striking ‘after taking leave after such section and in section 3132(b)(1) of such Code.

(2) **TREATMENT OF PAYMENTS.**—For purposes of section 1324 of title 31, United States Code, any refund due from the credit determined 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.

(3) **CREDIT REFUNDABLE.**—

(i) **IN GENERAL.**—The credit determined under this section shall be treated as a credit allowed to the taxpayer under subparagraph C of part IV of subchapter A of chapter 1 of such Code.

(ii) **SPECIAL RULES.**—

(A) **DOCUMENTATION.**—No credit shall be allowed under this section unless the individual maintains documentation as the Secretary may prescribe to establish such individual as an eligible self-employed individual.

(B) **DENIAL OF DOUBLE BENEFIT.**—In the case of an individual who receives wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) or compensation (as defined in section 3301(e) of such Code) paid by an employer which are required to be paid by reason of the Emergency Family and Medical Leave Expansion Act, the qualified family leave equivalent amount otherwise described in subsection (c) of this section shall be reduced (but not below zero) to the extent that the sum of the amount described in such subsections (c) and (e) of section 3321(b)(1) of such Code exceeds $12,000.

(C) **REFERENCES TO EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT.**—Any reference to the Emergency Family and Medical Leave Expansion Act shall be treated as including a reference to the amendments made by such Act.

(4) **APPLICATION OF SECTION.**—Only days occurring during the period beginning on April 1, 2021 and ending on September 30, 2021, may be taken into account under subsection (c)(1)(A).

(g) **APPLICATION OF CREDIT IN CERTAIN POSSESSIONS.**—

(1) **PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEM.**—The Secretary shall pay to each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined by reference to the income tax liabilities of the residents of such possession for any taxable year which is determined by reference to the income tax laws of the United States which does not have a mirror code tax system amounts estimated by the Secretary as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the provisions of this section if a mirror code tax system had been in effect in such possession.

(2) **PAYMENTS TO OTHER POSSESSIONS.**—The Secretary shall pay to each possession of the United States.

(h) **REGULATIONS.**—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to prevent the avoidance of the purposes of this section.

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

PART 6—EMPLOYEE RETENTION CREDIT

SEC. 9651. EXTENSION OF EMPLOYEE RETENTION CREDIT.

(a) **IN GENERAL.**—Subchapter D of chapter 21 of subtitle C of the Internal Revenue Code of 1986, as added by section 9641, is amended by adding at the end the following:

**“SEC. 3134. EMPLOYER RETENTION CREDIT FOR EMPLOYERS SUBJECT TO CLOSURE DUE TO COVID-19.”—

(1) **IN GENERAL.**—In the case of an eligible employer, there shall be allowed as a credit against applicable employment taxes for each calendar quarter an amount equal to 70 percent of the qualified wages with respect to each employee of such employer for such calendar quarter.

(2) **LIMITATIONS AND REFUNDABILITY.**—

(1) **IN GENERAL.**—WAGES TAKEN INTO ACCOUNT.—The amount of qualified wages with respect to any employee which may be taken into account under subsection (a) by the eligible employer for any calendar quarter shall not exceed $10,000.

(2) **RECOVERY STARTUP BUSINESSES.**—In the case of an eligible employer which is a recovery startup business (as defined in subsection (c)(5), the amount of the credit allowed under subsection (a) (after application of subparagraph (A)) for any calendar quarter shall not exceed $50,000.

(3) **CREDIT LIMITED TO EMPLOYMENT TAXES.**—The credit allowed under subsection (a) with respect to any calendar quarter shall be the applicable employment taxes (reduced by any credits allowed under sections 3131 and 3132) on the wages paid with
(3) REFUNDABILITY OF EXCESS CREDIT.—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (2) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(c) DEFINITIONS.—For purposes of this section—

(1) APPLICABLE EMPLOYMENT TAXES.—The term ‘applicable employment taxes’ means the following:

(A) The taxes imposed under section 3112(a).

(B) So much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b).

(2) ELECTION TO APPLY TO OTHER EMPLOYERS.—

(A) IN GENERAL.—The term ‘eligible employer’ means any employer—

(i) which was carrying on a trade or business during the calendar quarter for which the credit is determined under subsection (a), and

(ii) with respect to any calendar quarter, for which—

(I) the operation of the trade or business described in clause (i) is fully or partially suspended by orders from an appropriate governmental authority limiting commerce, travel, or group meetings (for commercial, social, religious, or other purposes) due to the coronavirus disease 2019 (COVID-19).

(II) the gross receipts (within the meaning of section 446(c)) of such employer for such calendar quarter are less than 80 percent of the gross receipts of such employer for the same calendar quarter in calendar year 2019, or

(III) the employer is a recovery startup business (as defined in paragraph (5)).

With respect to any employer for any calendar quarter, if such employer was not in existence as of the beginning of the same calendar quarter in calendar year 2019, clause (II) shall be applied by substituting ‘2020’ for ‘2019’.

(B) ELECTION TO USE ALTERNATIVE QUARTER.—At the election of the employer—

(i) subparagraph (A)(ii) shall be applied—

(I) by substituting ‘for the immediately preceding calendar quarter’ for ‘for such calendar quarter’,

and

(II) by substituting ‘the corresponding calendar quarter in calendar year 2019’ for ‘the same calendar quarter in calendar year 2019’,

and

(ii) the last sentence of subparagraph (A) shall be applied by substituting ‘the corresponding calendar quarter in calendar year 2019’ for ‘the same calendar quarter in calendar year 2019’.

An election under this subparagraph shall be made at such time and in such manner as the Secretary shall prescribe.

(C) TAX-EXEMPT ORGANIZATIONS.—In the case of an organization which is described in section 501(c) and exempt from tax under section 501(a)—

(i) clauses (1) and (1)(I) of subparagraph (A) shall apply to all operations of such organization, and

(ii) any reference in this section to gross receipts shall be treated as a reference to gross receipts within the meaning of section 6033.

(3) QUALIFIED WAGES.—

(A) IN GENERAL.—The term ‘qualified wages’ means—

(i) in the case of an eligible employer for which the average number of full-time employees (within the meaning of section 4980H) employed by such eligible employer during 2019 was greater than 500, wages paid by such eligible employer with respect to which an employee is not providing services due to circumstances described in subclause (I) or (II) of paragraph (2)(A)(i), or

(ii) in the case of an eligible employer for which the average number of full-time employees (within the meaning of section 4980H) employed by such eligible employer during 2019 was not greater than 500—

(I) with respect to an eligible employer described in subclause (I) of paragraph (2)(A)(ii), wages paid by such eligible employer with respect to an employee during any period described in such paragraph, or

(II) with respect to an eligible employer described in subclause (II) of such paragraph, wages paid by such eligible employer with respect to an employee during any period described in such paragraph.

(B) ALLOCATION RULES.—For purposes of this section—

(I) the term ‘qualified wages’ shall include any wages taken into account under sections 41, 45A, 45P, 45S, and 4980H(b) employed by such eligible employer with respect to an employee during such quarter.

(II) the principal purpose or function of such entity shall be treated as satisfying the requirements of subsection (c)(2)(A)(i).

(C) ELECTION TO NOT TAKE CERTAIN WAGES INTO ACCOUNT.—This section shall not apply to so much of the qualified wages paid by an eligible employer as are taken into account as payroll costs in connection with—

(i) such entity is a college or university, or

(ii) the principal purpose or function of such entity is providing medical or hospital care.

In the case of any entity described in subsection (m), if such entity is not an eligible employer, the term ‘qualified wages’ shall be determined by substituting ‘less than 10 percent’ for ‘less than 80 percent’ in subparagraph (A)(ii) thereof.

(D) EXCEPTION.—The term ‘qualified wages’ shall not include any wages taken into account under section 448(c)(3) for the 3-taxable-year period ending during 2019.

(E) RULES OF SEVERAL SUBDIVISIONS.—In the case of an employer with respect to an employee during any calendar quarter, and with respect to an employee during any calendar quarter, such term shall include amounts—

(I) which were taken into account for purposes of the preceding sentence, in the case of any organization or entity described in subsection (m) or (o) of section 414, shall be treated as properly made if made on a pro rata basis among periods of existence in 2019.

(II) with respect to an employee during any period described in such paragraph (B), such entity shall be treated as satisfying the requirements of subsection (c)(2)(A)(i).

(F) CERTAIN GOVERNMENTAL EMPLOYERS.—

(i) IN GENERAL.—This section shall not apply to the Government of the United States, the government of any State or political subdivision thereof, or any agency or instrumentality of any of the foregoing.

(ii) SPECIAL RULE FOR EMPLOYERS NOT IN EXISTENCE IN 2019.—In the case of any employer that was not in existence in 2019, subclauses (II) and (III) of paragraph (2) shall be applied by substituting ‘2020’ for ‘2019’ each place it appears.

(G) ELECTION.—In the case of any calendar quarter, the term ‘wages’ shall not include any wages taken into account under section 448(c)(3) for the 3-taxable-year period ending during 2019.
“(A) IN GENERAL.—Under rules provided by the Secretary, an eligible employer for which the average number of full-time employees (within the meaning of section 4980H) employed by such eligible employer during 2019 was not greater than 500 may elect for any calendar quarter to receive an advance payment of the credit under subsection (a) for such quarter in an amount not to exceed 70 percent of the average quarterly wages paid by the employer in calendar year 2019.

“(B) SPECIAL RULE FOR SEASONAL EMPLOYERS.—In the case of any employer who employs seasonal workers (as defined in section 45R(d)(5)(B)) the employer may elect to apply subparagraph (A) by substituting ‘the wages for the calendar quarter in 2019 which corresponds to the calendar quarter to which the election relates’ for ‘the average quarterly wages paid by the employer in calendar year 2019’.

“(C) SPECIAL RULE FOR EMPLOYERS NOT IN EXISTENCE IN 2019.—In the case of any employer that was not in existence in 2019, subparagraphs (A) and (B) shall each be applied by substituting ‘2020’ for ‘2019’ each place it appears.

“(3) RECONCILIATION OF CREDIT WITH ADVANCE PAYMENTS.—

‘‘(A) IN GENERAL.—The amount of credit which would (but for this subsection) be allowed under this section shall be reduced (but not below zero) by the aggregate payment allowed to the taxpayer under paragraph (2). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed accordingly.

‘‘(B) EXCESS ADVANCE PAYMENTS.—If the advance payments to a taxpayer under paragraph (2) for a calendar quarter exceed the credit allowed by this section (determined without regard to paragraph (A)), the tax imposed under section 3221(a) or so much of the tax imposed under section 3221(a) as is attributable to the rate in effect under section 3111(b) (whichever is applicable) for the calendar quarter shall be increased by the amount of such excess.

‘‘(k) TREATMENT OF DEPOSITS.—The Secretary shall waive any penalty under section 6656 for any failure to make a deposit of any applicable employment taxes if the Secretary determines that such failure was due to the reasonable determination of the credit allowed under this section.

‘‘(l) EXTENSION OF LIMITATION ON ASSESSMENT.—Notwithstanding section 6501, the limitation on the time period for the assessment of any amount attributable to a credit claimed under this section shall not expire before the date that is 5 years after the later of—

‘‘(1) the date on which the original return which includes the calendar quarter with respect to which such credit is determined is filed, or

‘‘(2) the date on which such return is treated as filed under section 6501(b)(2).

‘‘(m) REGULATIONS AND GUIDANCE.—The Secretary shall issue such forms, instructions, regulations, and other guidance as are necessary—

‘‘(1) to allow the advance payment of the credit under subsection (a) as provided in subsection (b), subject to the limitations provided in this section, based on such information as the Secretary shall require.

‘‘(2) with respect to the application of the credit under subsection (a) to third party payors (including professional employer organizations, certified professional employer organizations, or agents under section 3504), including regulations or guidance allowing such payors to submit documentation necessary to substantiate the eligible employer status of employers that use such payors, and

‘‘(3) to prevent the avoidance of the purposes of the limitations under this section, including through the backlease of employeers. Any forms, instructions, regulations, or other guidance described in paragraph (2) shall require the customer to be responsible for the accounting of the credit and for any liability for improperly claimed credits and shall require the certified professional employer organization or third party payor to accurately report such tax credits based on the information provided by the customer.

‘‘(n) APPLICATION.—This section shall only apply to wages paid after June 30, 2021, and before January 1, 2022.’’.

(b) REFUNDS.—Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ‘‘3134,’’ before ‘‘6428’’.

(c) CLERICAL AMENDMENT.—The table of sections for subchapter D of chapter 21 of subtitle C of the Internal Revenue Code of 1986 is amended by adding at the end the following:

‘‘Sec. 3134. Employee retention credit for employers subject to closure due to COVID–19.’’

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar quarters beginning after June 30, 2021.

PART 7—PREMIUM TAX CREDIT

SEC. 9661. IMPROVING AFFORDABILITY BY EXPANDING PREMIUM ASSISTANCE FOR CONSUMERS.

(a) IN GENERAL.—Section 36B(b)(3)(A) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

‘‘(ii) the following table shall be applied in lieu of the table contained in clause (i):

<table>
<thead>
<tr>
<th>Income Tier</th>
<th>Initial Premium Percentage</th>
<th>Final Premium Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 150.0 percent</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>150.0 percent up to 200.0 percent</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>200.0 percent up to 250.0 percent</td>
<td>2.0</td>
<td>4.0</td>
</tr>
<tr>
<td>250.0 percent up to 400.0 percent</td>
<td>6.0</td>
<td>8.5</td>
</tr>
<tr>
<td>400.0 percent and higher</td>
<td>8.5</td>
<td>8.5%</td>
</tr>
</tbody>
</table>

(b) CONFORMING AMENDMENT.—Section 36B(c)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

‘‘(E) TEMPORARY RULE FOR 2021 AND 2022.—In the case of a taxable year beginning in 2021, for the taxable year beginning during 2021, for the taxable year in which such week begins—

‘‘(1) such taxpayer shall be treated as an applicable taxpayer, and

‘‘(B) there shall not be taken into account any household income of the taxpayer in excess of 133 percent of the poverty line for a family of the size involved for purposes of this subsection, the term ‘unemployment compensation’ has the meaning given such term in section 85(b).

(2) UNEMPLOYMENT COMPENSATION.—For purposes of this subsection, the term ‘unemployment compensation’ remains the meaning given such term in section 85(b).

(3) EVIDENCE OF UNEMPLOYMENT COMPENSATION.—For purposes of this subsection, a taxpayer shall not be treated as having received an unemployment compensation for any week unless such taxpayer provides self-attestation of, and such documentation as the Secretary may require which demonstrates, such receipt or approval.

(4) CLARIFICATION OF RULES REMAINING APPLICABLE.—

(1) AGENT RETURN REQUIREMENT.—Paragraph (1)(A) shall not affect the application of subsection (c)(1)(C).
"(B) HOUSEHOLD INCOME AND AFFORDABILITY.—Paragraph (1)(B) shall not apply to any determination of household income for purposes of paragraph (2)(C)(i)(II) or (iv) of section 170(b)(1)(A)(ii) if:

(1) the amount described in subparagraph (A)(ii) is (but for the second sentence of subparagraph (A)(ii)) included in gross income because the amount described in subparagraph (A)(ii) would be includible in gross income by reason of the exclusion or deduction provided by such Code with respect to such discharge.

(2) no deduction shall be denied, no tax attributable to such discharge shall be reduced, and no basis increase shall be denied, by reason of the exclusion or deduction provided by such Code with respect to such discharge.

SEC. 9673. MODIFICATION OF EXCEPTIONS FOR THIRD PARTY SETTLEMENT ORGANIZATIONS.—A third party settlement organization shall not be required to report any information under this section with respect to third party network transactions of any participating payee to the extent that such information would otherwise be required to be reported under subsection (a)(2) with respect to such transactions does not exceed $600.
(ii) the plan sponsor shall provide to the participants and beneficiaries, the bargaining parties, the Pension Benefit Guaranty Corporation, and the Secretary of Labor on or before any election under section (a) and such other information as the Secretary of the Treasury (in consultation with the Secretary of Labor) may require.

(2) In making any election before the annual certification is submitted to the Secretary or the Secretary's delegate under section 303(b)(3) of such Act and section 422(b)(2) of such Code, not later than 30 days after the date of the certification, and

(II) if the election is made after such date, not later than 30 days after the date of the election.

(B) NOTICE OF ENDANGERED STATUS.—Notwithstanding section 305(b)(3)(D) of such Act and section 432(b)(3) of such Code, the plan is certified to be in critical status for any plan year but is in endangered status by reason of an election made under subsection (a), the notice provided under such section shall be the notice which would have been provided if the plan had been certified to be in endangered status.

SEC. 9702. TEMPORARY EXTENSION OF THE FUNDING IMPROVEMENT AND REHABILITATION PERIODS FOR MULTIEMPLOYER PLANS IN CRITICAL AND ENDANGERED STATUS FOR 2020 OR 2021.

(a) In General.—If the plan sponsor of a multiemployer plan which is in endangered or critical status for a plan year beginning in 2020 or 2021 (determined after application of section 9701) elects the application of this section, then, for purposes of section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986, the plan's funding improvement period or rehabilitation period, whichever is applicable, shall be extended by 5 years.

(b) Definitions and Special Rules.—For purposes of this section—

(1) Election.—An election under this section shall be made at such time, and in such manner and form, as (in consultation with the Secretary of Labor) the Secretary of the Treasury or the Secretary's delegate may prescribe.

(2) Definitions.—Any term which is used in this section which is also used in section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such sections. (c) Effective Dates.—This section shall apply to plan years beginning after December 31, 2019.

SEC. 9703. ADJUSTMENTS TO FUNDING STANDARD ACCOUNT RULES.

(a) Adjustments.—

(A) Amendment to Employee Retirement Income Security Act of 1974.—Section 304(b)(8) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1084(b)) is amended by adding at the end the following new subsection:

"(F) Relief for 2020 and 2021.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met as of February 29, 2020, may elect to apply this paragraph (without regard to whether such plan previously elected the application of this paragraph)—

"(i) by substituting ‘February 29, 2020’ for ‘August 31, 2006’ each place it appears in subparagraphs (A)(i), (B)(i)(I), and (B)(i)(II),

"(ii) by inserting ‘and other losses related to the virus SARS-CoV-2 or coronavirus disease 2019 (COVID–19) (including experience losses related to reductions in contributions, reductions in employment, and deviations from the standard contribution rates, as determined by the plan sponsor)’ after ‘net investment losses’ in subparagraph (A)(i), and

"(iii) by substituting ‘this subparagraph or subparagraph (A)’ for ‘this subparagraph and subparagraph (A) both’ in subparagraph (B)(i)."

The preceding sentence shall not apply to a plan to which special financial assistance is granted under section 4262. For purposes of the application of this subparagraph, the Secretary shall rely on the plan sponsor's calculations of plan losses unless such calculations are clearly erroneous.

(B) Amendment to Internal Revenue Code of 1986.—Section 431(b)(8) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(F) Relief for 2020 and 2021.—A multiemployer plan with respect to which the solvency test under subparagraph (C) is met as of February 29, 2020, may elect to apply this paragraph (without regard to whether such plan previously elected the application of this paragraph)—

"(i) by substituting ‘February 29, 2020’ for ‘August 31, 2006’ each place it appears in subparagraphs (A)(i), (B)(i)(I), and (B)(i)(II),

"(ii) by inserting ‘and other losses related to the virus SARS-CoV-2 or coronavirus disease 2019 (COVID–19) (including experience losses related to reductions in contributions, reductions in employment, and deviations from the standard contribution rates, as determined by the plan sponsor)’ after ‘net investment losses’ in subparagraph (A)(i), and

"(iii) by substituting ‘this subparagraph or subparagraph (A)’ for ‘this subparagraph and subparagraph (A) both’ in subparagraph (B)(i)."

The preceding sentence shall not apply to a plan to which special financial assistance is granted under section 4262. For purposes of the application of this subparagraph, the Secretary shall rely on the plan sponsor's calculations of plan losses unless such calculations are clearly erroneous.

(C) Limitation on Effective Dates.—

(i) In General.—The amendments made by subsection (B) shall not apply to a plan that is in critical status for a plan year beginning before the date of enactment of this Act.

(ii) Amendment to apply to plans in critical status for plan years beginning after December 16, 2014, and has remained so insolvent and has not been terminated as of the date of enactment of this section.

"(2) Modified funded percentage.—For purposes of paragraph (1)(C), the term ‘modified funded percentage’ means the percentage equal to a fraction the numerator of which is current value of plan assets (as defined in section 433(a)(3)(B) of such Code) and the denominator of which is current value of plan liabilities (as defined in section 433(a)(3)(A) of such Code), determined as of the date of enactment of this Act.

"(3) Special financial assistance.—Within 120 days of the date of enactment of this section, the corporation shall provide to each plan that is in critical status (within the meaning of section 305(b)(2)), a modified funded percentage of less than 50 percent, and has a ratio of active to inactive participants which is less than 2 to 3, and

"(4) Special financial assistance.—Within 120 days of the date of enactment of this section, the corporation shall provide to each plan that is in critical status (within the meaning of section 305(b)(2)), a modified funded percentage of less than 50 percent, and has a ratio of active to inactive participants which is less than 2 to 3, and

"(5) Eligible multiemployer plans.—

(A) In General.—The corporation shall provide special financial assistance to an eligible plan under this section, which may be used by a plan that has been approved for a partition under section 4233 before the date of enactment of this section.

(B) Special financial assistance by the corporation.—

"(1) In General.—The corporation shall provide special financial assistance to a plan under this section, which may be used by a plan that has been approved for a partition under section 4233 before the date of enactment of this section.

"(2) Modified funded percentage.—For purposes of paragraph (1)(C), the term ‘modified funded percentage’ means the percentage equal to a fraction the numerator of which is current value of plan assets (as defined in section 433(a)(3)(B) of such Code) and the denominator of which is current value of plan liabilities (as defined in section 433(a)(3)(A) of such Code), determined as of the date of enactment of this Act.

"(3) Special financial assistance.—With respect to the plan under section 4262, and to pay for necessary administrative expenses of the corporation.
 filed in accordance with the regulations or guidance issued under subsection (c) shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the revised application that the application is incomplete, any proposed change or assumption is unreasonable, or information is needed to complete the application. If the corporation notifies the plan under this subsection, the plan may submit a revised application under this section. Any revised application for special financial assistance submitted by a plan shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the revised application that the application is incomplete, any proposed change or assumption is unreasonable, or the plan is not eligible under this section. Special financial assistance issued by the corporation shall be effective on a date determined by the corporation, but no later than 1 year after a plan’s special financial assistance application is approved by the corporation or deemed approved. The corporation shall not pay any special financial assistance after September 30, 2025.

‘‘(2) L IMITATION.—The payment made by the corporation to an eligible multiemployer plan under this section shall be made as a single payment.

‘‘(1) AMOUNT AND MANNER OF SPECIAL FINANCIAL ASSISTANCE.—

‘‘(2) AMOUNT OF FINANCIAL ASSISTANCE.—In determining the amount of special financial assistance in its application, an eligible multiemployer plan shall—

‘‘(A) use the interest rate used by the plan in its most recently completed certification of plan status before January 1, 2021, unless such assumptions are unreasonable.

‘‘(B) for other assumptions, use the assumptions that the plan used in its most recently completed certification of plan status before January 1, 2021, unless such assumptions are unreasonable.

‘‘ (3) INTEREST RATE LIMIT.—The interest rate limit for purposes of this subsection is the rate specified in section 305(b)(2)(C)(ii)(Disregarding modifications made under clause (ii) of subsection (a) for the period in which the application for special financial assistance is filed by the eligible multiemployer plan or the 3 preceding months, with such specified rate increased by 200 basis points.

‘‘(4) CHANGES IN ASSUMPTIONS.—If a plan determines that use of one or more prior assumptions is unreasonable, the plan may propose in its application to change such assumptions, provided that the plan discloses such changes in its application and describes why such assumptions are no longer reasonable.

‘‘(5) ACTUARIAL ASSUMPTIONS.—

‘‘(B) the corporation projects the eligible multiemployer plan is in a critical status or a declining status for purposes of eligible multiemployer plan shall—

‘‘(A) the eligible multiemployer plan is in a critical status or a declining status for purposes of eligibility for special financial assistance, the corporation shall accept assumptions incorporated in a multiemployer plan’s determination that it is in critical status or critical and declining status (within the meaning of section 305(b)) for certifications of plan status completed before January 1, 2021, unless such assumptions are clearly unreasonable.

‘‘(C) the corporation determines it appropriate based on other similar circumstances.

‘‘(D) the corporation determines it appropriate based on other similar circumstances.

‘‘(1) ELIGIBILITY.—For purposes of determining eligibility for special financial assistance, the corporation shall accept assumptions incorporated in a multiemployer plan’s determination that it is in critical status or critical and declining status (within the meaning of section 305(b)) for certifications of plan status completed before January 1, 2021.

‘‘(2) PROJECTIONS.—The funding projections under this subsection, the plan may submit a revised application under this section. Any revised application for special financial assistance submitted by a plan shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the revised application that the application is incomplete, any proposed change or assumption is unreasonable, or the plan is not eligible under this section. Special financial assistance issued by the corporation shall be effective on a date determined by the corporation, but no later than 1 year after a plan’s special financial assistance application is approved by the corporation or deemed approved. The corporation shall not pay any special financial assistance after September 30, 2025.

‘‘(2) L IMITATION.—The payment made by the corporation to an eligible multiemployer plan under this section shall be made as a single payment.

‘‘(1) AMOUNT AND MANNER OF SPECIAL FINANCIAL ASSISTANCE.—

‘‘(1) IN GENERAL.—Special financial assistance under this section shall be a transfer of funds in the amount necessary as demonstrated by the plan sponsor on the application for such special financial assistance, in accordance with guidelines described in subsection (j). Special financial assistance shall be paid to such plan as soon as practicable upon approval of the application by the corporation.

‘‘(2) No CAP.—Special financial assistance granted by the corporation under this section shall not be capped by the guarantee under 4022.

‘‘(3) IN general.—Special financial assistance under this section shall be a transfer of funds in the amount necessary as demonstrated by the plan sponsor on the application for such special financial assistance, in accordance with guidelines described in subsection (j). Special financial assistance shall be paid to such plan as soon as practicable upon approval of the application by the corporation.

‘‘(4) DETERMINATION OF AMOUNT OF SPECIAL FINANCIAL ASSISTANCE.—

‘‘(5) LIMITATION.—The corporation shall—

‘‘(A) reinstate any benefits that were suspended under section 305(e)(9) or 4226(a) to any participants or beneficiaries in pay status as of the date of enactment of this section and ending on the last day of the plan year ending in 2051.

‘‘(B) $1,000,000,000 if the special financial assistance is not offered; and

‘‘(C) the corporation determines it appropriate based on other similar circumstances.

‘‘(D) the corporation determines it appropriate based on other similar circumstances.

‘‘(1) IN GENERAL.—The corporation, in consultation with the Secretary of the Treasury, may impose, by regulation or other guidance, reasonable conditions on an eligible multiemployer plan that receives special financial assistance and any special financial assistance payments in future accrual rates and any retroactive benefit improvements, allocation of plan assets, reductions in employer contribution rates, diversion of contributions to, and allocation of expenses to, other benefit plans, and withdrawal liability.

‘‘(2) LIMITATION.—The corporation may not impose the conditions described in subsection (c) on an eligible multiemployer plan as a condition of, or following receipt of, special financial assistance under this section relating to—

‘‘(A) any prospective reduction in plan benefits (including benefits that may be adjusted pursuant to section 305(e)(8));

‘‘(B) plan governance, including selection of, removal of, and terms of contracts with, trustees, actuaries, investment managers, and other service providers; or

‘‘(C) any funding rules relating to the plan receiving special financial assistance under this section.

‘‘(3) PAYMENT OF PREMIUMS.—An eligible multiemployer plan receiving special financial assistance under this section shall continue to pay all premiums due under section 4007 for participants and beneficiaries in pay status as of the date of enactment of this section and ending on the last day of the plan year ending in 2051.

‘‘(4) ASSISTANCE NOT CONSIDERED FOR CERTAIN PURPOSES.—An eligible multiemployer plan that receives special financial assistance shall be deemed to be in critical status or a declining status for purposes of this section and ending on the last day of the plan year ending in 2051.

‘‘(5) INSOLVENT PLANS.—An eligible multiemployer plan receiving special financial assistance under this section shall subsequently become insolvent will be subject to the current rules and guarantee for insolvent plans.

‘‘(6) INELIGIBILITY FOR OTHER ASSISTANCE.—

‘‘(7) COORDINATION WITH SECRETARY OF THE TREASURY.—In prescribing the application process for eligible multiemployer plans to receive special financial assistance under this section and reviewing applications of such plans, the corporation shall coordinate with the Secretary of the Treasury in the following manner:

‘‘(1) In the case of a plan which has suspended benefits under section 305(e)(9)—

‘‘(B) in equal monthly installments over a period of 5 years, commencing within 3 months of such effective date, with no adjustment for interest.

‘‘(C) restrictions on the use of special financial assistance.

‘‘(D) the corporation projects the eligible multiemployer plan under this section and any eligible multiemployer plan to make benefit payments and pay plan expenses. Special financial assistance and any earnings on such assistance shall be segregated from other plan assets. Special financial assistance shall be invested in plans in investment-grade bonds or other investments as permitted by the corporation.

‘‘(D) MONOGRAPH ON PLANS RECEIVING SPECIAL FINANCIAL ASSISTANCE.—

‘‘(E) DETERMINATIONS ON APPLICATIONS.—

‘‘(A) any prospective reduction in plan benefits (including benefits that may be adjusted pursuant to section 305(e)(8));

‘‘(B) plan governance, including selection of, removal of, and terms of contracts with, trustees, actuaries, investment managers, and other service providers; or

‘‘(C) any funding rules relating to the plan receiving special financial assistance under this section.

‘‘(2) LIMITATION.—The corporation may not impose the conditions described in subsection (c) on an eligible multiemployer plan as a condition of, or following receipt of, special financial assistance under this section relating to—

‘‘(A) any prospective reduction in plan benefits (including benefits that may be adjusted pursuant to section 305(e)(8));

‘‘(B) plan governance, including selection of, removal of, and terms of contracts with, trustees, actuaries, investment managers, and other service providers; or

‘‘(C) any funding rules relating to the plan receiving special financial assistance under this section.

‘‘(3) PAYMENT OF PREMIUMS.—An eligible multiemployer plan receiving special financial assistance under this section shall continue to pay all premiums due under section 4007 for participants and beneficiaries in pay status as of the date of enactment of this section and ending on the last day of the plan year ending in 2051.

‘‘(4) ASSISTANCE NOT CONSIDERED FOR CERTAIN PURPOSES.—An eligible multiemployer plan that receives special financial assistance shall be deemed to be in critical status or a declining status for purposes of this section.

‘‘(5) INSOLVENT PLANS.—An eligible multiemployer plan receiving special financial assistance under this section shall continue to pay all premiums due under section 4007 for participants and beneficiaries in pay status as of the date of enactment of this section and ending on the last day of the plan year ending in 2051.

‘‘(6) INELIGIBILITY FOR OTHER ASSISTANCE.—

‘‘(7) COORDINATION WITH SECRETARY OF THE TREASURY.—In prescribing the application process for eligible multiemployer plans to receive special financial assistance under this section and reviewing applications of such plans, the corporation shall coordinate with the Secretary of the Treasury in the following manner:

‘‘(1) In the case of a plan which has suspended benefits under section 305(e)(9)
“(A) in determining whether to approve the application, the corporation shall con- 
sult with the Secretary of the Treasury re-
garding the plan’s proposed method of rein-
statement of the plan’s terminated benefits 
and in accordance with guidance issued by 
the Secretary of the Treasury, and

“(B) the corporation shall consult with the Secretary of the Treasury as to the 
amount of special financial assistance needed 
based on the projected funded status of the 
plan as of the last day of the plan year ending 
before January 1, 2021, whether the plan proposes to 
reap benefits over 5 years or as a lump sum, as 
required by subsection (k)(2), and any other 
relevant factors, as determined by the 
corporation, and shall consult with the Secre-

tary of the Treasury, to ensure the amount of 
assistance is sufficient to meet such require-
ment and is sufficient to pay benefits as 
required in subsection (j)(1).

“(2) In the case of any plan which proposes 
in its application to change the assumptions 
used, as provided in subsection (e)(4), the 
corporation shall consult with the Secretary 
of the Treasury regarding such proposed 
change in assumptions.

“(3) If the corporation specifies in regula-
tions issued pursuant to temporary priority 
consideration is available for plans which 
are insolvent within the meaning of section 
414E of the Internal Revenue Code of 1986 or 
likely to be insolvent, or for plans which have 
suspended benefits under section 4041(e)(9), 
or that availability is otherwise 
based on the funded status of the plan under 
section 4041, as permitted by subsection (d), 
the corporation shall consult with the Secre-
tary of the Treasury regarding any grant-
ing of priority consideration to such plans.

“(A) IN GENERAL.—Section 432(b) of the Internal Revenue 
Code of 1986 is amended by adding at 
the end the following new subsection:

“(C) AMOUNT OF FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—In determining the 
amount of special financial assistance to be 
specified in its application, an eligible 
multiemployer plan shall—

“(i) use the interest rate used by the plan 
in its most recently completed certification 
period, provided that the plan discloses 
that such rate is adjusted to the current 
interest rate level and, where applicable, 
the new rate that may apply to the plan

“(ii) for other assumptions, use the as-
sumptions that the plan used in its most re-
cent certification or plan status report,

“(iii) CHANGES IN ASSUMPTIONS.—If a plan 
determines that use of one or more prior as-
sumptions is unreasonable, the plan may 
propose in its application to change such as-
sumptions, and the Secretary shall consider 
how such changes in its application and describes 
why such assumptions are no longer reason-
able. The plan may not propose a change 
to assumptions before the plan year in which 
the Secretary makes a determination to apply 
this subsection for eligibility or financial as-

“(C) AMOUNT OF FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—In determining the 
amount of special financial assistance to be 
"specified in its application, an eligible 
multiemployer plan shall—

“(i) use the interest rate used by the plan 
in its most recently completed certification 
period, provided that the plan discloses 
that such rate is adjusted to the current 
interest rate level and, where applicable, 
the new rate that may apply to the plan

“(ii) for other assumptions, use the as-
sumptions that the plan used in its most re-
cent certification or plan status report,

“(iii) CHANGES IN ASSUMPTIONS.—If a plan 
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sumptions is unreasonable, the plan may 
propose in its application to change such as-
sumptions, and the Secretary shall consider 
how such changes in its application and describes 
why such assumptions are no longer reason-
able. The plan may not propose a change 
to assumptions before the plan year in which 
the Secretary makes a determination to apply 
this subsection for eligibility or financial as-

“(B) in determining whether to approve 
the application, the corporation shall con- 
sult with the Secretary of the Treasury re-
garding the plan’s proposed method of rein-
statement of the plan’s terminated benefits 
and in accordance with guidance issued by 
the Secretary of the Treasury, and

“(B) the corporation shall consult with the Secretary of the Treasury as to the 
amount of special financial assistance needed 
based on the projected funded status of the 
plan as of the last day of the plan year ending 
before January 1, 2021, whether the plan proposes to 
reap benefits over 5 years or as a lump sum, as 
required by subsection (k)(2), and any other 
relevant factors, as determined by the 
corporation, and shall consult with the Secre-
tary of the Treasury, to ensure the amount of 
assistance is sufficient to meet such require-
ment and is sufficient to pay benefits as 
required in subsection (j)(1).

“(2) In the case of any plan which proposes 
in its application to change the assumptions 
used, as provided in subsection (e)(4), the 
corporation shall consult with the Secretary 
of the Treasury regarding such proposed 
change in assumptions.

“(3) If the corporation specifies in regula-
tions issued pursuant to temporary priority 
consideration is available for plans which 
are insolvent within the meaning of section 
414E of the Internal Revenue Code of 1986 or 
likely to be insolvent, or for plans which have 
suspended benefits under section 4041(e)(9), 
or that availability is otherwise 
based on the funded status of the plan under 
section 4041, as permitted by subsection (d), 
the corporation shall consult with the Secre-
tary of the Treasury regarding any grant-
ing of priority consideration to such plans.

“(A) IN GENERAL.—Section 432(b) of the Internal Revenue 
Code of 1986 is amended by adding at 
the end the following new subsection:

“(C) AMOUNT OF FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—In determining the 
amount of special financial assistance to be 
"specified in its application, an eligible 
multiemployer plan shall—

“(i) use the interest rate used by the plan 
in its most recently completed certification 
period, provided that the plan discloses 
that such rate is adjusted to the current 
interest rate level and, where applicable, 
the new rate that may apply to the plan

“(ii) for other assumptions, use the as-
sumptions that the plan used in its most re-
cent certification or plan status report,

“(iii) CHANGES IN ASSUMPTIONS.—If a plan 
determines that use of one or more prior as-
sumptions is unreasonable, the plan may 
propose in its application to change such as-
sumptions, and the Secretary shall consider 
how such changes in its application and describes 
why such assumptions are no longer reason-
able. The plan may not propose a change 
to assumptions before the plan year in which 
the Secretary makes a determination to apply 
this subsection for eligibility or financial as-

“(A) in determining whether to approve the application, the corporation shall con- 
sult with the Secretary of the Treasury re-
garding the plan’s proposed method of rein-
statement of the plan’s terminated benefits 
and in accordance with guidance issued by 
the Secretary of the Treasury, and

“(B) the corporation shall consult with the Secretary of the Treasury as to the 
amount of special financial assistance needed 
based on the projected funded status of the 
plan as of the last day of the plan year ending 
before January 1, 2021, whether the plan proposes to 
reap benefits over 5 years or as a lump sum, as 
required by subsection (k)(2), and any other 
relevant factors, as determined by the 
corporation, and shall consult with the Secre-
tary of the Treasury, to ensure the amount of 
assistance is sufficient to meet such require-
ment and is sufficient to pay benefits as 
required in subsection (j)(1).

“(2) In the case of any plan which proposes 
in its application to change the assumptions 
used, as provided in subsection (e)(4), the 
corporation shall consult with the Secretary 
of the Treasury regarding such proposed 
change in assumptions.

“(3) If the corporation specifies in regula-
tions issued pursuant to temporary priority 
consideration is available for plans which 
are insolvent within the meaning of section 
414E of the Internal Revenue Code of 1986 or 
likely to be insolvent, or for plans which have 
suspended benefits under section 4041(e)(9), 
or that availability is otherwise 
based on the funded status of the plan under 
section 4041, as permitted by subsection (d), 
the corporation shall consult with the Secre-
tary of the Treasury regarding any grant-
ing of priority consideration to such plans.

“(A) IN GENERAL.—Section 432(b) of the Internal Revenue 
Code of 1986 is amended by adding at 
the end the following new subsection:

“(C) AMOUNT OF FINANCIAL ASSISTANCE.—

“(1) IN GENERAL.—In determining the 
amount of special financial assistance to be 
"specified in its application, an eligible 
multiemployer plan shall—

“(i) use the interest rate used by the plan 
in its most recently completed certification 
period, provided that the plan discloses 
that such rate is adjusted to the current 
interest rate level and, where applicable, 
the new rate that may apply to the plan

“(ii) for other assumptions, use the as-
sumptions that the plan used in its most re-
cent certification or plan status report,

“(iii) CHANGES IN ASSUMPTIONS.—If a plan 
determines that use of one or more prior as-
sumptions is unreasonable, the plan may 
propose in its application to change such as-
"(3) ELIGIBLE MULTIEmployER PLAN.—
"(A) IN GENERAL.—For purposes of this section, a multiemployer plan is an eligible multiemployer plan if—
"(i) the plan is in critical and declining status in any plan year beginning in 2020 through 2022,
"(ii) a suspension of benefits has been approved with respect to the plan under subsection (e)(9) as of the date of the enactment of this subsection;
"(iii) in any plan year beginning in 2020 through 2022, the plan is certified by the plan actuary to be in critical status, has a modified funded percentage of less than 2 to 3, or through 2022, the plan is certified by the plan actuary to be in critical status, has a modified funded percentage of less than 2 to 3, or
"(iv) the plan became insolvent within the meaning of section 412(e) after December 16, 2014, and has remained so insolvent and has not been terminated as of the date of enactment of this subsection.
"(B) MODIFIED FUNDED PERCENTAGE.—For purposes of subparagraph (A)(iii), the term 'modified funded percentage' means the percentage equal to a fraction of which is current value of plan assets (as defined in section 3(26) of the Employee Retirement Income Security Act of 1974), and the denominator of which is current liabilities (as defined in section 432(c)(6)(D)).

SEC. 9705. EXTENDED AMORTIZATION FOR SINGLE EMPLOYER PLANS.

(a) 15-YEAR AMORTIZATION UNDER THE INTERNAL REVENUE CODE OF 1986.—Section 430(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(8) 15-YEAR AMORTIZATION.—With respect to plan years beginning after December 31, 2021 (or, at the election of the plan sponsor, plan years beginning after December 31, 2018, December 31, 2019, or December 31, 2020)—

"(A) the shortfalls amortization bases for all plan years preceding the first plan year beginning after December 31, 2021 (or after whichever earlier date is elected pursuant to this paragraph) and all shortfalls amortization installments determined with respect to such bases, shall be reduced to zero, and

"(B) subparagraphs (A) and (B) of paragraph (2) shall each be applied by substituting '15-plan-year period' for '7-plan-year period'."

SEC. 9706. EXTENSION OF PENSION FUNDING STABILIZATION PERCENTAGES FOR SINGLE EMPLOYER PLANS.

(a) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—The table contained in clause (i) of section 303(b)(2)(C)(iv) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by adding at the end the following new paragraph:

"(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 303(b)(2)(C)(iv) of such Code is amended by adding at the end the following:

"(3) Maximum to Projected Funded Status.—The apportionment of the projected funded status of the plan as of the last day of the plan year ending in 2051, whether the plan proposes to repay benefits over 5 years or as a lump sum, as required by paragraph (2)(b)(ii), and any other relevant factors, as determined by such corporation in consultation with the Secretary, to ensure the amount of assistance is sufficient to meet such requirement and is sufficient to pay benefits as required in section 4223(c)(1) of such Act.

"(B) In the case of any plan which proposes in its application to change the assumptions used, as provided in paragraph (1)(C)(ii), such corporation shall consult with the Secretary regarding any granting of priority consideration to such plans.''

"If the calendar year is:

<table>
<thead>
<tr>
<th>The applicable minimum percentage is</th>
<th>The applicable maximum percentage is</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any year in the period starting in 2012 and ending in 2019</td>
<td>90%</td>
</tr>
<tr>
<td>Any year in the period starting in 2020 and ending in 2025</td>
<td>95%</td>
</tr>
<tr>
<td>2026</td>
<td>90%</td>
</tr>
<tr>
<td>2027</td>
<td>85%</td>
</tr>
<tr>
<td>2028</td>
<td>80%</td>
</tr>
<tr>
<td>2029</td>
<td>75%</td>
</tr>
<tr>
<td>After 2029</td>
<td>70%</td>
</tr>
</tbody>
</table>

(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 303(b)(2)(C)(iv) of such Code is amended by adding at the end the following:

"Notwithstanding anything in this subsection, if the average of the first, second, or third segment rate for any 25-year period is less than 2 to 3, such average shall be deemed to be 5 percent.''

"Amendments to Employee Retirement Income Security Act of 1974.—

(1) IN GENERAL.—The table contained in clause (i) of section 303(b)(2)(C)(iv) of such Code is amended by adding at the end the following:

"(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 303(b)(2)(C)(iv) of such Code is amended by adding at the end the following:

"(3) Maximum to Projected Funded Status.—The apportionment of the projected funded status of the plan as of the last day of the plan year ending in 2051, whether the plan proposes to repay benefits over 5 years or as a lump sum, as required by paragraph (2)(b)(ii), and any other relevant factors, as determined by such corporation in consultation with the Secretary, to ensure the amount of assistance is sufficient to meet such requirement and is sufficient to pay benefits as required in section 4223(c)(1) of such Act.

"(B) In the case of any plan which proposes in its application to change the assumptions used, as provided in paragraph (1)(C)(ii), such corporation shall consult with the Secretary regarding any granting of priority consideration to such plans.''

"If the calendar year is:

<table>
<thead>
<tr>
<th>The applicable minimum percentage is</th>
<th>The applicable maximum percentage is</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any year in the period starting in 2012 and ending in 2019</td>
<td>90%</td>
</tr>
<tr>
<td>Any year in the period starting in 2020 and ending in 2025</td>
<td>95%</td>
</tr>
<tr>
<td>2026</td>
<td>90%</td>
</tr>
<tr>
<td>2027</td>
<td>85%</td>
</tr>
</tbody>
</table>
The applicable minimum percentage is: 80%

2028 ................................................ 80% 120%
2029 ................................................ 75% 125%
After 2029 ........................................ 70% 130%

"If the calendar year is:

(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 303(b)(2)(C)(iv) of such Act (29 U.S.C. 1083(b)(2)(C)(iv)(I)) is amended by adding at the end the following: "Notwithstanding anything in this subclause, if the average of the first, second, or third segment rate for any 25-year period is less than 5 percent, such average shall be deemed to be 5 percent.

(3) CONFORMING AMENDMENTS.—
(A) IN GENERAL.—Section 101(f)(2)(D) of such Act (29 U.S.C. 1021(f)(2)(D)) is amended—
(i) in clause (i) by striking "and the Bipartisan Budget Act of 2015" both places it appears and inserting ", the Bipartisan Budget Act of 2015, and the American Rescue Plan Act of 2021",
and
(ii) in clause (ii) by striking "2029" and inserting "2029".

(B) STATEMENTS.—The Secretary of Labor shall modify the statements required under subsection (f)(2)(A) and (I) of section 101(f)(2)(D)(i) of such Act to conform to the amendments made by this section.

(c) EFFECTIVE DATE.—
(I) IN GENERAL.—The amendments made by this section shall apply with respect to plan years beginning after December 31, 2019.

(2) ELECTION NOT TO APPLY.—A plan sponsor may elect not to have the amendments made by this section apply to any plan year beginning before January 1, 2022, either (as specified in the election)—
(A) for all purposes for which such amendments apply, or
(B) solely for purposes of determining the adjusted funding target attainment percentage under section 430 of the Internal Revenue Code of 1986 and 206(g) of the Employee Retirement Income Security Act of 1974 for such plan year.

A plan shall not be treated as failing to meet the requirements of sections 204(g) of such Act and 411(d)(6) of such Code solely by reason of an election under this subsection.

SEC. 9707. MODIFICATION OF SPECIAL RULES FOR MINIMUM FUNDING STANDARDS FOR COMMUNITY NEWSPAPER PLANS.

(a) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Subsection (m) of section 430 of the Internal Revenue Code of 1986 is amended to read as follows:

"(m) SPECIAL RULES FOR COMMUNITY NEWSPAPER PLANS.—

"(1) IN GENERAL.—An eligible newspaper plan sponsor of a plan under which no participant has had the participant's accrued benefit increased (whether because of service or compensation) after April 2, 2019, may elect to have the alternative standards described in paragraph (4) apply to such plan.

"(2) ELIGIBLE NEWSPAPER PLAN SPONSOR.—
The term ‘eligible newspaper plan sponsor’ means the plan sponsor of—
(A) any community newspaper plan, or
(B) any other plan sponsored, as of April 2, 2019, by a member of the same controlled group of a plan sponsor of a community newspaper plan who was an employer which—
(1) at any time after December 20, 2019, was in the trade or business of publishing 1 or more newspapers.

"(3) ELECTION.—An election under paragraph (1) shall be irrevocable at such times and in such manner as prescribed by the Secretary. Such election, once made with respect to a plan year, shall apply to all subsequent plan years unless revoked with the consent of the Secretary.

"(4) ALTERNATIVE MINIMUM FUNDING STANDARDS.—The alternative standards described in this paragraph are the following:

(A) INTEREST RATES.—
(i) IN GENERAL.—Notwithstanding subsection (b)(2), for purposes of determining the funding target and normal cost of a plan for any plan year, the present value of any benefit accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect shall be determined on the basis of the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

(ii) UNITED STATES TREASURY-obligation yield curve means, with respect to any day, a yield curve which shall be prescribed by the Secretary for such day on interest-bearing obligations of the United States.

(B) SHORTFALL AMORTIZATION BASE.—
(i) PREVIOUS SHORTFALL AMORTIZATION BASE.—The short-fall amortization bases determined under subsection (c)(3) for all plan years preceding the first plan year to which the election under paragraph (1) applies (and all short-fall amortization installments determined with respect to such bases) shall be reduced to zero under rules similar to the rules of subsection (c)(6).

(ii) NEW SHORTFALL AMORTIZATION BASE.—Notwithstanding subsection (c)(3), the short-fall amortization base for the first plan year to which the election under paragraph (1) applies shall be the funding shortfall of such plan for such plan year (determined using the interest rates as modified under subparagraph (A)).

(C) DETERMINATION OF SHORTFALL AMORTIZATION INSTALLMENTS.—(1) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting '30-plan-year' for '7-plan-year' each place it appears in subparagraph (A).

(2) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

(D) EXEMPTION FROM AT-RISK TREATMENT.—Subsection (i) shall not apply.

(E) COMMUNITY NEWSPAPER PLAN.—For purposes of this section, the term ‘community newspaper plan’ means any plan to which this section applies maintained as of December 20, 2019.

(F) IN GENERAL.—The term ‘community newspaper plan’ means any plan to which this section applies maintained as of December 20, 2019.

(4) APPLICABILITY.—The alternative standards described in paragraph (4) apply to such plan.
“(B) any other plan sponsored, as of April 2, 2019, by a member of the same controlled group of a plan sponsor of a community newspaper plan if such member is in the trade or business of publishing 1 or more newspapers.

“(3) Election.—An election under paragraph (1) shall be made at such time and in such manner as prescribed by the Secretary of the Treasury. Such election, once made with respect to a plan year, shall apply to all subsequent plan years unless revoked with the consent of the Secretary of the Treasury.

“(4) Alternative Minimum Funding Standards.—The alternative standards described in this paragraph are the following:

“(A) In General.—(I) Notwithstanding subsection (h)(2)(C) and except as provided in clause (i) of section 1135(g)(1)(B), testing and administration of the vaccine; and (F) during the period beginning on the date of the enactment of the American Rescue Plan Act of 2021 and ending on the last day of the fiscal year that begins on October 1, 2022, section 418(a)(3) of such Act shall be applied and administered with respect to any State that is entitled to receive the entire amount that would be allotted to the State under section 418(a)(2)(B) of such Act for the fiscal year beginning in fiscal year 2020, as if the Federal medical assistance percentage for the State for the fiscal year were 100 percent.

“(B) Funding for the Territories.—Section 418(a) of such Act (42 U.S.C. 618(a)) is amended by adding at the end the following:

“(6) Territorial.

“(A) Grants.—The Secretary shall reserve $25,000,000 of the aggregate amount appropriated to carry out this section in each fiscal year beginning with fiscal year 2021 to make grants to the territories in proportion to their respective needs.

“(B) Redistribution.—The amount reserved in paragraph (A) for a fiscal year shall be made available for redistribution for such fiscal year among the territories in proportion to the amount so available for redistribution for each such fiscal year.

“(C) Allotments.—The amount reserved in paragraph (A) for a fiscal year shall be made available for redistribution for such fiscal year among the territories in proportion to the amount so available for redistribution for such fiscal year.

“(D) Inapplicability of Payment Limitation.—Section 1108(a) shall not apply with respect to any amount paid under this paragraph.

“(E) Territory.—In this paragraph, the term ‘territory’ means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.”.

Subtitle J—Medicaid

SEC. 9811. MANDATORY COVERAGE OF COVID–19 VACCINES AND ADMINISTRATION AND TREATMENT UNDER MEDICAID.

(a) Coverage.—

“(1) In General.—Section 1902(a)(4) of the Social Security Act (42 U.S.C. 1396a(a)(4)) is amended by striking ‘reserving described in paragraph (4)” and inserting ‘reserving described in paragraphs (4) and (6)”.

“(2) Conforming Amendment.—Section 418(a)(2)(A) of such Act (42 U.S.C. 618(a)(2)(A)) is amended by striking “reservation described in paragraph (4)” and inserting “reservations described in paragraphs (4) and (6)”.”

(b) Modification of State Match Requirement for Funding Increases in Fiscal Year 2021 and 2022.—In the case of the amounts made available by section 418(a)(3) of the Social Security Act for each of fiscal years 2021 and 2022, section 418(a)(2)(C) of such Act shall be applied and administered with respect to any State that is entitled to receive the entire amount that would be allotted to the State under section 418(a)(2)(B) of such Act for the fiscal year beginning in fiscal year 2020, as if the Federal medical assistance percentage for the State for the fiscal year were 100 percent.

(c) Funding for the Territories.—Section 418(a) of such Act (42 U.S.C. 618(a)) is amended by adding at the end the following:

“(6) Territorial.

“(A) Grants.—The Secretary shall reserve $25,000,000 of the aggregate amount appropriated to carry out this section in each fiscal year beginning with fiscal year 2021 to make grants to the territories in proportion to their respective needs.

“(B) Redistribution.—The amount reserved in paragraph (A) for a fiscal year shall be made available for redistribution for such fiscal year among the territories in proportion to the amount so available for redistribution for each such fiscal year.

“(C) Allotments.—The amount reserved in paragraph (A) for a fiscal year shall be made available for redistribution for such fiscal year among the territories in proportion to the amount so available for redistribution for such fiscal year.

“(D) Inapplicability of Payment Limitation.—Section 1108(a) shall not apply with respect to any amount paid under this paragraph.

“(E) Territory.—In this paragraph, the term ‘territory’ means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.”.

Subtitle I—Child Care for Workers

SEC. 9801. CHILD CARE ASSISTANCE.

(a) Appropriation.—

“(1) In General.—Section 418(a)(3) of the Social Security Act (42 U.S.C. 618(a)(3)) is amended to read as follows:

“(3) Appropriation.—For grants under this section for each fiscal year beginning with fiscal year 2021, $387,000,000.

“(4) Appropriation.—For grants under this section for each fiscal year beginning with fiscal year 2021.”.

Subtitle I—Child Care for Workers

SEC. 9801. CHILD CARE ASSISTANCE.

(a) Appropriation.—

“(1) In General.—Section 418(a)(3) of the Social Security Act (42 U.S.C. 618(a)(3)) is amended to read as follows:

“(3) Appropriation.—For grants under this section for each fiscal year beginning with fiscal year 2021.”

Subtitle I—Child Care for Workers

SEC. 9801. CHILD CARE ASSISTANCE.

(a) Appropriation.—

“(1) In General.—Section 418(a)(3) of the Social Security Act (42 U.S.C. 618(a)(3)) is amended to read as follows:

“(3) Appropriation.—For grants under this section for each fiscal year beginning with fiscal year 2021.”

Subtitle I—Child Care for Workers

SEC. 9801. CHILD CARE ASSISTANCE.

(a) Appropriation.—

“(1) In General.—Section 418(a)(3) of the Social Security Act (42 U.S.C. 618(a)(3)) is amended to read as follows:

“(3) Appropriation.—For grants under this section for each fiscal year beginning with fiscal year 2021.”
treatments for COVID-19, including specialized equipment and therapies (including preventive therapies), and, in the case of an individual who is diagnosed with or presumed to have COVID-19, the treatment of a condition that may seriously complicate the treatment of COVID-19, if otherwise covered under the State plan (or waiver of such plan); and (3) Prohibition of cost sharing—(A) In general.—The requirements of section 1907(e)(2)(A) of the Social Security Act (42 U.S.C. 1396r–8) shall apply to any drug or biological product to which subparagraph (F) of section 1982(a)(4) of such Act, as added by paragraph (1), applies or to which the subparagraph (F), (G) of such Act, as added by paragraph (1), applies, for medically necessary services furnished for medical assistance for a State medical assistance percentage for a State, other than a prescription drug covered under title XVIII of the Social Security Act, as added by section 1927(k) of such Act, as applicable, for the treatment, or prevention, when the conditions for such services are met, of COVID-19, including specialized equipment and therapies (including preventive therapies), and, in the case of such an individual who is diagnosed with or presumed to have COVID-19, the treatment of a condition that may seriously complicate the treatment of COVID-19, if otherwise covered under the State plan (or waiver of such plan).
SEC. 9812. MODIFICATIONS TO CERTAIN COVERAGE UNDER MEDICAID FOR PREGNANT AND POSTPARTUM WOMEN.

(a) State Option.—Section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)) is amended by adding at the end the following new paragraph:

"(16) EXTENDING CERTAIN COVERAGE FOR PREGNANT AND POSTPARTUM WOMEN.—

'(A) IN GENERAL.—At the option of the State (or waiver of such State plan) may provide, that an individual who, while pregnant, is eligible for and has received medical assistance under the State plan (or waiver) with respect to subsection (a) (or with respect to such plan (including during a period of retroactive eligibility under subsection (a)(34)) shall, in addition to remaining eligible under paragraphs (2), (4), (5), (6), and (7) of section 1946 (describing an pregnancy-related and postpartum medical assistance available under the State plan (or waiver) through the last day of the month in which such 12-month period (beginning on the last day of her pregnancy) ends, remain eligible under the State plan (or waiver) for medical assistance for the period beginning on the first day of the first fiscal year quarter that begins one year after the date of such election under section 2107(e)(1)(J) of that plan (or waiver), shall:

'(i) include all items and services covered under the State plan (or waiver) that are not less in amount, duration, or scope, or are determined by the Secretary to be substantially equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A)(i); and

'(ii) be provided for the individual while pregnant and during the 12-month period that begins on the last day of the individual's pregnancy and ends on the last day of the month in which such 12-month period ends.

'(C) COVERAGE UNDER CHIP.—A State making an election under this paragraph that covers pregnant and postpartum women in accordance with targeted low-income children who are pregnant or targeted low-income pregnant women, as applicable, shall also make the elections under section 2107(e)(1)(J) of this title.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections made under paragraph (16) of section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)), as added by subsection (a), during the 5-year period beginning during the first 12 fiscal quarters occurring during the 8-quarter period beginning during the first 12 fiscal quarters occurring during the 5-year period beginning on the first day of the first fiscal year quarter that begins one year after the date of the enactment of this Act.

SEC. 9813. STATE OPTION TO PROVIDE QUALIFYING COMMUNITY-BASED MOBILE CRISIS INTERVENTION SERVICES.

Title XIX of the Social Security Act is amended by adding a new section 1946 (42 U.S.C. 1396w-5) the following new section:

"SEC. 1947. STATE OPTION TO PROVIDE QUALIFYING COMMUNITY-BASED MOBILE CRISIS INTERVENTION SERVICES.

'Title XIX of the Social Security Act is amended by adding a new section 1946 (42 U.S.C. 1396w-5) the following new section:

"(a) IN GENERAL.—Notwithstanding section 1902(a)(1) (relating to Statewideness), section 1902(a)(10)(B) (relating to comparability), section 1905 (relating to proportionate share hospital payments described in sections 1915(b) or 1915(c) waiver request (or an amendment to such a waiver) to provide qualifying community-based mobile crisis intervention services available in a region of the State in such fiscal year, the State will continue to make such services available under this section during each month occurring during the period described in subsection (a) for which the Federal medical assistance percentage under subsection (c) is applicable with respect to the State.

''(b) FUNDING FOR STATE PLANNING GRANTS.—There is appropriated, out of any funds in the Treasury not otherwise appropriated, $11,000,000 to the Secretary for purposes of implementing, administering, and making planning grants to States as soon as practical for purposes of developing a State plan amendment or section 1115, 1915(b), or 1915(c) waiver request (or an amendment to such a waiver) to provide qualifying community-based mobile crisis intervention services under this section, to remain available until expended.

SEC. 9814. TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICARE PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

Section 1905 of the Social Security Act (42 U.S.C. 1396w-5) is further amended—

'(1) in subsection (b), by striking "(hh)" and inserting "(hh), and (ii)";

'(2) in subsection (f), by striking "subject to subsection (hh)" and inserting "subject to subsections (hh) and (ii)"; and

'(3) by adding at the end the following new subsection:

''(II) TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICARE PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.—

'(1) IN GENERAL.—For each quarter occurring during the 8-quarter period beginning with the first calendar quarter during which a qualifying State (as defined in paragraph (2) of this subsection) expends amounts for all individuals described in subsection (b) of section 1923 for which the Federal medical assistance percentage described in subsection (a) of section 1923 is applicable with respect to the State, an increase of 10 percentage points shall be made in the Federal medical assistance percentage described in subsection (a) for each quarter during the 8-quarter period beginning with the first calendar quarter during which the State ceases to provide medical assistance to any such individual under the State plan (or waiver of such plan).

''(2) SPECIAL APPLICATION RULES.—Any increase described in paragraph (1) (or payments for expenditures on medical assistance that are subject to such increase) shall not apply with respect to disproportionate share hospital payments described in section 1922.

''(3) DEFINITION.—For purposes of this subsection, the term ‘qualifying State’ means a
SEC. 9815. ENHANCED 100 PERCENT FEDERAL MEDICAL ASSISTANCE PERCENTAGE TO URBAN INDIAN HEALTH ORGANIZATIONS AND NATIVE HAWAIIAN HEALTH CARE SYSTEMS.

Section 1905(b) of the Social Security Act (42 U.S.C. 1396b(b)) is amended by inserting after “(a) INCREASED FMAP.—” the following: “(1) IN GENERAL.—Notwithstanding section 1905(b) of the Social Security Act (42 U.S.C. 1396b) or section 1905(d), in the case of a State that meets the requirements of section 4 of the Indian Health Care Improvement Act that has a grant or contract with the Indian Health Service under title V of such Act; and, for such fiscal year quarters, the Federal medical assistance percentage shall also be 100 per centum with respect to amounts expended as medical assistance for services which are received through an Urban Indian organization (as defined in section 29 of section 4 of the Indian Health Care Improvement Act) that has a grant or contract with the Indian Health Service under title V of such Act and, for such fiscal year quarters, the Federal medical assistance percentage shall also be 100 per centum with respect to amounts expended as medical assistance for services which are received through a Native Hawaiian Health Care System (as defined in section 409 of the Native Hawaiian Health Care Improvement Act) or a qualified entity (as defined in section 6(b) of such Act) that has a grant or contract with the Pua Ola Lokahi under section 8 of such Act.”

SEC. 9816. SUNSET OF LIMIT ON MAXIMUM RATE AMOUNT FOR SINGLE SOURCE DRUGS AND INNOVATOR MULTIPLE SOURCE DRUGS.

Section 1927(c)(2)(D) of the Social Security Act (42 U.S.C. 1396s(c)(2)(D)) is amended by inserting after “December 31, 2009,” the following: “and before January 1, 2024.”

SEC. 9817. ADDITIONAL SUPPORT FOR MEDICAID HOME AND COMMUNITY-BASED SERVICES DURING THE COVID-19 EMERGENCY.

(a) INCREASED FMAP.—

(1) IN GENERAL.—Notwithstanding section 1905(b) of the Social Security Act (42 U.S.C. 1396b) or section 1905(d), in the case of a State that meets the requirements of section 4 of the Indian Health Care Improvement Act (as defined in subparagraph (A) of section 4 of the Indian Health Care Improvement Act) that has a grant or contract with the Indian Health Service under title V of such Act and, for such fiscal year quarters, the Federal medical assistance percentage determined for the State under section 1905(b) of such Act (or, if applicable, section 1905(d)), if appropriate, increased under subsection (y), (z), (aa), or (ii) of section 1905 of such Act (42 U.S.C. 1396d), section 1915(k) of such Act (42 U.S.C. 1396n), or section 606 of the Families First Coronavirus Response Act (Public Law 116–127), shall be increased by 7.35 percentage points with respect to expenditures of the State under the State Medicaid program for home and community-based services (as defined in paragraph (2)(B) that are provided during the HCBS program improvement period (as defined in paragraph (2)(A)). In no case may the application of the previous sentence result in the Federal medical assistance percentage determined for a State being more than 95 percent with respect to such expenditures. Any payment made to Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, or American Samoa for any medical assistance to an eligible individual that is subject to the Federal medical assistance percentage increase specified under the first sentence of this paragraph shall be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1108 of the Social Security Act (42 U.S.C. 1338).

(b) REQUIREMENTS FOR FMAP INCREASE.—As conditions for receipt of the increase under subsection (a) to the Federal medical assistance percentage determined for a State, the State shall meet each of the following requirements in subsection (a) as the HCBS program requirements:

(i) SUPPLEMENT, NOT SUPPLANT.—The State shall use the Federal funds attributable to the increase under subsection (a) to supplement, and not supplant, the level of State funds expended for home and community-based services for eligible individuals through programs in effect as of April 1, 2021.

(ii) REQUIRED IMPLEMENTATION OF CERTAIN ACTIVITIES.—The State shall implement, or supplement the implementation of, one or more activities to enhance, expand, or strengthen home and community-based services under the State Medicaid program.

SEC. 9818. FUNDING FOR STATE STRIKE TEAMS FOR RESIDENT AND EMPLOYEE SAFETY IN NURSING FACILITIES.

Section 1919I of the Social Security Act (42 U.S.C. 1396w–8) is amended by adding at the end the following new subsection:

(1) STATE STRIKE TEAMS.—In addition to amounts otherwise available, there is appropriated to the Secretary, out of any moneys in the Treasury not otherwise appropriated, $250,000,000, to remain available until expended, for purposes of allocating such amount among the States (including the District of Columbia and each territory of such a State) to establish and implement a strike team that will be deployed to a nursing facility in the State with diagnosed or suspected cases of COVID–19 among residents or staff for purposes of assisting with clinical care, infection control, or staffing during the period of the emergency period described in section 1135(g)(x)(B) and the 1-year period immediately following the end of such emergency period.”

SEC. 9819. SPECIAL RULE FOR THE PERIOD OF A DECLARED PUBLIC HEALTH EMERGENCY RELATED TO CORONAVIRUS.

(a) IN GENERAL.—Section 1923(h) of the Social Security Act (42 U.S.C. 1396m–3(h)) is amended—

(1) by striking “subsection (E)” and inserting “subparagraphs (E) and (F)” and

(2) by adding at the end the following new subparagraph:

“(F) ALLOTMENTS DURING THE CORONAVIRUS TEMPORARY MEDICAID FMAP INCREASE.—

(1) IN GENERAL.—Notwithstanding any other provision of this subsection, for any fiscal year for which the Federal medical assistance percentage applicable to expenditures under this section is increased pursuant to section 6008 of the Families First Coronavirus Response Act, the Secretary shall recalculate the annual DSH allotment, including the DSH allotment portion under paragraph (6)(A)(vi), to ensure that the total DSH payments (including both Federal and State shares) that a State may make related to such fiscal year is no greater than the DSH payments that the State could have made for such fiscal year without such increase to the Federal medical assistance percentage.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect and apply as if included in the enactment of the Families First Coronavirus Response Act (Public Law 116–127).

Subtitle K—Children’s Health Insurance Program

SEC. 9821. MANDATORY COVERAGE OF COVID–19 VACCINES AND ADMINISTRATION UNDER CHIP.

(a) COVERAGE.—

(1) IN GENERAL.—Section 2100(c) of the Social Security Act (42 U.S.C. 1397ccc(c)) is amended by adding at the end the following paragraph:

“(11) REQUIRED COVERAGE OF COVID–19 VACCINES AND TREATMENT.—Regardless of the type of coverage elected by a State under subsection (a), the child health assistance provided for a targeted low-income child, and, in the case of a State that elects to provide primary care-related assistance pursuant to section 1135(g)(1)(B) or any succeeding fiscal year shall be determined under this paragraph without regard to the DSH allotments determined under clause (i).”

(2) REIMBURSEMENT.—The amendment made by subsection (a) shall take effect and apply as if included in the enactment of the Families First Coronavirus Response Act (Public Law 116–127).
(or is presumed to have) COVID–19, the treatment of a condition that may seriously complicate the treatment of COVID–19, if otherwise covered under the State child health plan (or plan)."

(2) PROHIBITION OF COST SHARING.—Section 2105(e)(2) of the Social Security Act (42 U.S.C. 1397gg(e)(2)), amended by section 1309(b)(1) of the Families First Coronavirus Response Act, is amended—

(A) in the paragraph header, by inserting "A COVID–19 VACCINE, COVID–19 TREATMENT," before "OR PREGNANCY–RELATED ASSISTANCE";

and

(B) by striking "visits described in section 1916(a)(2)(G), or" and inserting "services described in section 1916(a)(2)(G), or services described in section 1916(a)(2)(H) administered during the period described in such section (and the administration of such vaccines), testing or treatments described in section 1916(a)(2)(I) furnished during the period described in such section, or".

SEC. 9832. MODIFICATIONS TO CERTAIN COVERAGE UNDER CHIP FOR PREGNANT AND POSTPARTUM WOMEN.

(a) MODIFICATIONS.—

(1) IN GENERAL.—Section 2105(e)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

(A) by redesignating subparagraphs (J) through (S) as subparagraphs (K) through (T), respectively; and

(B) by inserting after subparagraph (I) the following new subparagraph: "(J) Paragraphs (5) and (16) of section 1902(e) (relating to the State option to provide medical assistance consisting of full benefits during the 12-month postpartum period under title XIX), if the State provides child health assistance for targeted low-income children who are pregnant; or targeted low-income pregnant women and the State has elected to apply such paragraph (16) with respect to pregnant women under the title XIX, the provision of assistance under the State child health plan or waiver for targeted low-income children or targeted low-income pregnant women during pregnancy and the 12-month postpartum period that begins on or after October 1, 2021, at the option of the State and shall include coverage of all items or services provided to a pregnant child or to a targeted low-income pregnant woman (as applicable) under the State child health plan or waiver.".

(2) TEMPORARY INCREASE IN FEDERAL PAYMENTS FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—Section 2105(c) of the Social Security Act (42 U.S.C. 1397gg(c)) is amended—

(A) in clause (i), by striking "(12)" and inserting "(12), (13), or (14)"; and

(B) by striking "(13)" and inserting "(13), (14), or (15)".

SEC. 9833. FLOOR ON THE MEDICARE AREA WAGE INDEX FOR HOSPITALS IN ALL-URBAN STATES.

(a) IN GENERAL.—Section 1886(d)(3)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(B)) is amended—

(1) in the first sentence—

(i) by striking "(12)", and inserting "(12), or (13), or";

(ii) by striking ", and (13)", and inserting ", or (13), or (14)"; and

(iii) by striking ", or (13)".

(2) in the flush matter at the end, by adding the following new subparagraph: "(14) FLOOR ON AREA WAGE INDEX FOR HOSPITALS IN ALL-URBAN STATES.—

(1) IN GENERAL.—For discharges occurring on or after October 1, 2021, the area wage index applicable to such discharges (as determined by the fee schedule established under 1834(l) (expressly excluding the base rate that would have been paid under Medicare regulations (as described in section 1886(d)(3)(B)), and the administration of such index, and the adjustment of such index, and the adjustment of such index under such paragraph.

(2) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if contained in the Social Security Act (42 U.S.C. 1395ww(d)(3)(B)).

SEC. 9835. FUNDING FOR OFFICE OF INSPECTOR GENERAL.

In addition to amounts otherwise available, there is appropriated to the Inspector General of the Department of Health and Human Services for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until expended, for oversight of activities supported with funds appropriated to the Department of Health and Human Services to prepare for, respond to, and recover from coronavirus 2019 or COVID–19, domestically or internationally.

Subtitle M—Coronavirus State and Local Fiscal Recovery Funds

SEC. 9901. CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS.

(a) IN GENERAL.—(1) TITLE VI OF THE SOCIAL SECURITY ACT (42 U.S.C. 1801 et seq.) is amended by adding at the end the following:
SEC. 602. CORONAVIRUS DISEASE (COVID–19) FUND.

(A) Appropriation.—In addition to amounts made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—

(1) $219,800,000,000, to remain available through December 31, 2023, for making payments under this section to States, territories, and Tribal governments to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID–19); and

(2) $50,000,000, to remain available until expended, for the costs of the Secretary for administration of the funds established under this title.

(B) AUTHORITY TO MAKE PAYMENTS.—

(1) TO THE STATES, TERRITORIES, AND TRIBAL GOVERNMENTS.—(A) IN GENERAL.—The Secretary shall reserve $1,500,000,000 of the amount appropriated under subsection (a)(1) to make payments to the territories.

(B) ALLOCATION.—Of the amount reserved under subparagraph (A)—

(i) 50 percent of such amount shall be allocated by the Secretary equally among each of the 50 States; and

(ii) 50 percent of such amount shall be allocated by the Secretary as an additional amount to each of the 50 States and the District of Columbia in an amount which bears the same proportion to 1⁄2 of the total amount reserved under subparagraph (A) that the estimated number of seasonally-adjusted unemployed individuals in all of the 50 States and the District of Columbia over the 3-month period ending with December 2020 bears to the average estimated number of seasonally-adjusted unemployed individuals for all of the 50 States and the District of Columbia over the same period.

(C) PAYMENT.—

(1) IN GENERAL.—Subject to clause (i), the Secretary shall make payments under this section to States, territories, and Tribal governments.

(ii) MINIMUM PAYMENT REQUIREMENT.—(I) In general.—The Secretary shall make the payment required for the State or territory specified in this clause to the State or territory in an amount which bears the same proportion to 1⁄2 of the total amount allocated to the State or territory by paragraph (1) that the estimated number of seasonally-adjusted unemployed individuals in the State or territory over the 3-month period ending with December 2020 bears to the estimated number of seasonally-adjusted unemployed individuals in all of the 50 States and the District of Columbia over the same period.

(ii) MINIMUM PAYMENT REQUIREMENT.—(I) In general.—The Secretary shall make the payment required for the State or territory specified in this clause to the State or territory in an amount which bears the same proportion to 1⁄2 of the total amount allocated to the State or territory by paragraph (1) that the estimated number of seasonally-adjusted unemployed individuals in the State or territory over the 3-month period ending with December 2020 bears to the estimated number of seasonally-adjusted unemployed individuals in all of the 50 States and the District of Columbia over the same period.

(D) PRO RATA ADJUSTMENT.—The Secretary shall adjust the payment made under paragraph (1) in accordance with paragraph (3).

(E) POPULATION DATA.—For purposes of determining allocations for a territory under this section, the population of the territory shall be based on the most recent data available from the Bureau of the Census.

(F) TIMING.—(A) IN GENERAL.—To the extent practicable, with respect to each State and territory allocated a payment under this section, the Secretary shall make the payment required for the payment specified in this subsection not later than 60 days after the date on which the certification required under subsection (c) is provided to the Secretary.

(B) TRIBAL GOVERNMENTS.—To the extent practicable, with respect to each Tribal government for which an amount is allocated under this subsection, the Secretary shall make the payment required for the Tribal government not later than 60 days after the date of enactment of this section.

(G) REQUIREMENTS.—

(1) USE OF FUNDS.—Subject to paragraph (2), and except as provided in paragraph (3), a State, territory, or Tribal government shall only use the funds provided under a payment made under this section, or transferred pursuant to section 603(c)(4), to cover costs incurred by the State, territory, or Tribal government, by December 31, 2024—

(A) to respond to the public health emergency with respect to the Coronavirus Disease (COVID–19); and

(B) to net tax revenue attributable to such violation; and

(2) the amount of funds received by such State or territory pursuant to a payment made under this section or a transfer made under section 603(c)(4) to either directly or indirectly offset a reduction in the net tax revenue of such State or territory resulting from a change in law or regulation, or any curtailment or suspension during the covered period that reduces any tax (by providing for a reduction in a rate, a rebate, a deduction, a credit, or otherwise) or delays the imposition of any tax or tax increase.

(B) PENSION FUNDS.—No State or territory may use funds made available under this section for deposit into any pension fund.

(C) TRANSFER AUTHORITY.—A State, territory, or Tribal government receiving a payment from funds made available under this section may transfer such funds to a non-profit organization (as that term is defined in paragraph (17) of section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 10801(17)), a local organization that term is defined in section 4 of the Indian Self Determination and Education Assistance Act (25 U.S.C. 5304), a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.

(D) CERTIFICATIONS AND REPORTS.—

(A) IN GENERAL.—The Secretary shall require a State or territory to receive a payment under this section, or a transfer of funds under section 603(c)(4), the State or territory shall provide the Secretary with a certification signed by an authorized officer of such State or territory, that such State or territory requires the payment or transfer to carry out the activities specified in subsection (c) of this section and will use any payment under this section, or transfer of funds under section 603(c)(4), in compliance with subsection (c) of this section.

(B) REPORTING.—Any State, territory, or Tribal government receiving a payment under this section shall provide to the Secretary periodic reports providing a detailed accounting of—

(A) the uses of funds by such State, territory, or Tribal government, including, in the case of a State or a territory, communications to the State’s or territory’s tax revenue sources during the covered period; and

(B) such other information as the Secretary may require for the administration of this section.

(E) RECoupMENT.—Any State, territory, or Tribal government that has failed to comply with paragraph (2), and except as provided in paragraph (3), may be adjusted by the Secretary on a pro rata basis to the extent necessary to comply with the requirement of subclause (I).

(3) PRO RATA ADJUSTMENT.—

(A) IN GENERAL.—The Secretary shall adjust the payment made under paragraph (1) in accordance with paragraph (3).

(B) ALLOCATION.—Of the amount reserved under subparagraph (A)—

(i) $1,000,000,000 shall be allocated by the Secretary equally among each of the Tribal governments; and

(ii) $19,000,000,000 shall be allocated by the Secretary to the Tribal governments in a manner determined by the Secretary.

(C) PAYMENTS TO TRIBAL GOVERNMENTS.—(A) IN GENERAL.—The Secretary shall reserve $20,000,000,000 of the amount appropriated under subsection (a)(1) to make payments to Tribal governments.

(B) ALLOCATION.—Of the amount reserved under subparagraph (A)—

(i) $25,500,000,000 of such amount shall be allocated by the Secretary equally among each of the 50 States and the District of Columbia; and

(ii) an amount equal to $1,250,000,000 less the amount allocated for the District of Columbia shall be made available to each of the 50 States and the District of Columbia in an amount which bears the same proportion to 1⁄2 of the total amount reserved under subparagraph (A) that the estimated number of seasonally-adjusted unemployed individuals in the State, territory, or Tribal government, as determined by the Bureau of Labor Statistics Local Area Unemployment Statistics program in the State or District of Columbia over the 3-month period ending with December 2020 bears to the average estimated number of seasonally-adjusted unemployed individuals for all of the 50 States and the District of Columbia.

(D) INITIAL PAYMENT TO TRIBAL GOVERNMENTS.—To the extent practicable, with respect to each Tribal government for which an amount is allocated under this subsection, the Secretary shall make the payment required for the Tribal government not later than 60 days after the date of enactment of this section.

(E) REQUIREMENTS.—

(1) USE OF FUNDS.—Subject to paragraph (2), and except as provided in paragraph (3), a State, territory, or Tribal government shall only use the funds provided under a payment made under this section, or transferred pursuant to section 603(c)(4), to cover costs incurred by the State, territory, or Tribal government, by December 31, 2024—

(A) to the total population of all such territories.

(B) such other information as the Secretary may require for the administration of this section.
"(1) COVERED PERIOD.—The term ‘covered period’ means, with respect to a State, territory, or Tribal government, the period that—

(A) begins on March 1, 2021; and

(B) extends through the end of the 12-month period beginning on the first day of the fiscal year of such State, territory, or Tribal government in which all funds received by the State, territory, or Tribal government from paragraph (1), from amounts reserved under subdivision (B), or from amounts described in subsection (a), the Secretary shall allocate and, in accordance with this paragraph, make distributions to nonentitlement units of local government in the State, subject to clause (iii).

(ii) DISTRIBUTION OF FUNDS.—If an authorized officer of a State required to make distributions under clause (i) certifies in writing to the Secretary before the end of the distribution period under this paragraph that such State has taken and will take in order to make all such distributions before the end of the distribution period (as extended under subsection (d)(iv)) the actions the State has taken and will take to ensure that such State complies with the requirements of this clause, the Secretary shall make all such distributions before the end of the distribution period (as extended under subsection (d)(iv)) to each nonentitlement unit of local government in the State that the Secretary determines is willing and able to meet the requirements of that clause.

(ii) ADDITIONAL EXTENSIONS.—If a State has been granted an extension of the distribution period under subsection (d)(iv) but is unable to make all the distributions required under paragraph (1) by the date specified as the end of the distribution period under such subsection as extended, an authorized officer of the State may request an additional extension of the distribution period of not more than 30 days. The Secretary shall grant, an extension of such period only if—

(A) the State provides a written plan to the Secretary specifying, for each distribution for which an additional extension is requested, when the State expects to make such distribution and the actions the State has taken and will take in order to make all such distributions before the end of the distribution period (as extended under subsection (d)(iv)) the actions the State expects to take to ensure that such State complies with the requirements of paragraph (1).

(B) the Secretary determines that such plan is reasonably designed to distribute all such funds to nonentitlement units of local government in the State by the end of the distribution period (as so extended).

(BB) the Secretary determines that such plan is reasonably designed to distribute all such funds to nonentitlement units of local government in the State by the end of the distribution period (as so extended).

(bb) FURTHER ADDITIONAL EXTENSIONS.—If a State has been granted an additional extension of the distribution period under paragraph (1), the Secretary shall allocate and, in accordance with paragraph (7), pay to each metropolitan city an amount determined for the metropolitan area that such city is located in under section 106(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(b)), except that, in applying such formula, shall substitute all metropolitan areas for all metropolitan areas each place it appears.

(2) NONENTITLEMENT UNITS OF LOCAL GOVERNMENT.—

(A) IN GENERAL.—Of the amount appropriated under subparagraph (A), the Secretary shall reserve $20,000,000,000 to make payments to metropolitan cities.

(B) ALLOCATION AND PAYMENT.—From the amount reserved under subparagraph (A), the Secretary shall allocate and, in accordance with paragraph (7), pay to each metropolitan city an amount determined for the metropolitan area that such city is located in under section 106(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(b)), except that, in applying such formula, shall substitute all metropolitan areas for all metropolitan areas each place it appears.

(2) NONENTITLEMENT UNITS OF LOCAL GOVERNMENT.—

(A) IN GENERAL.—Of the amount appropriated under subsection (a), the Secretary shall reserve $60,000,000,000 to make payments to nonentitlement units of local government in the State.

(B) ALLOCATION AND PAYMENT.—From the amount reserved under subparagraph (A), the Secretary shall allocate and, in accordance with paragraph (7), pay to each State an amount which bears the same proportion to the sum of all amounts reserved under subparagraph (A) as the population of all nonentitlement units of local government in the State bears to the total population of all nonentitlement units of local government in the United States.

(C) DISTRIBUTION TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT.—

(I) IN GENERAL.—Not later than 30 days after the date on which a payment under paragraph (B), the State shall distribute to each nonentitlement unit of local government in the State an amount that bears the same proportion to the amount of such payment as the population of the nonentitlement unit of local government bears to the population of all nonentitlement units of local government in the State, subject to clause (iii).

(ii) DISTRIBUTION OF FUNDS.—If an authorized officer of a State required to make distributions under clause (i) certifies in writing to the Secretary before the end of the distribution period under this paragraph that such State has taken and will take in order to make all such distributions before the end of the distribution period (as extended under subsection (d)(iv)) to each nonentitlement unit of local government, the Secretary shall allocate and, in accordance with this paragraph, make distributions to nonentitlement units of local government in the State, subject to clause (iii).

(III) DISTRIBUTION TO METROPOLITAN CITIES.—

(A) IN GENERAL.—Of the amount appropriated under subsection (a), the Secretary shall pay from such allocation the First Tranche Amount for each metropolitan city consistent with the formula specified in such paragraphs.

(B) Additional Amounts.—The amounts otherwise determined for allocation and payment under paragraphs (1), (2), and (3) may be adjusted by the Secretary on a pro rata basis to the extent necessary to adjust the amount paid to each nonentitlement unit of local government under this paragraph with respect to any change in the population of such units of local government.
Tranche Amount for such city, State, or county not earlier than 12 months after the date on which the First Tranche Amount is paid to the city, State, or county.

(3) USE OF FUNDS.—Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county may use funds made available under this section for—

(a) providing a payment from funds made available under this section to a private nonprofit organization, a public benefit corporation, or the transportation of passengers or cargo, or a special-purpose unit of State or local government;

(b) responding to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(c) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to such emergency; or

(d) to make necessary investments in water, sewer, broadband infrastructure.

(2) PREFERENCE.—A metropolitan city, nonentitlement unit of local government, or county may use funds made available under this section for a process of applying for grants to access funding made available under section 106 of such Act (42 U.S.C. 5306) for fiscal year 2021.

(5) NONENTITLEMENT UNIT OF LOCAL GOVERNMENT.—The term ‘nonentitlement unit of local government’ means a ‘city’, as that term is defined in section 102(a)(4) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(4)) and includes cities that relinquish or defer their status as a metropolitan city for purposes of receiving allocations under section 106 of such Act (42 U.S.C. 5306) for fiscal year 2021.

(6) SECOND TRANCHE AMOUNT.—The term ‘Second Tranche Amount’ means, with respect to each metropolitan city for which an amount is allocated under subsection (b)(1), an amount not to exceed 50 percent of the amount so allocated to such metropolitan city, State, or county (as applicable).

(7) TRANSFERS TO STATES.—With respect to the term ‘Secretary’ means the Secretary of the Treasury.

(8) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(9) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ‘unit of general local government’ has the meaning given that term in section 603(g).”

SEC. 1150C. FUNDING FOR PROVIDERS RELATING TO COVID–19.

SEC. 9911. FUNDING FOR PROVIDERS RELATING TO COVID–19.

SEC. 1150C. FUNDING FOR PROVIDERS RELATING TO COVID–19.

(a) FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000,000, to remain available until expended, for making payments to States, territories, and Tribal governments to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to COVID–19.

(b) PAYMENTS TO EACH OF THE 50 STATES AND THE DISTRICT OF COLUMBIA.—

(1) MINIMUM AMOUNTS.—From the amount appropriated under section (a), the Secretary shall pay—

(A) to the Secretary shall pay $100,000,000 to each State;

(B) to the Secretary shall pay $100,000,000 to the Commonwealth of Puerto Rico and $100,000,000 to the District of Columbia;

(C) to the Secretary shall pay $100,000,000 of such amount in equal shares to the United States, Guam, the Commonwealth of the Northern Mariana Islands, the Republic of Marshall Islands, the Federated States of Micronesia, and Palau; and

(D) the Secretary shall pay $100,000,000 of such amount to Tribal governments and the State of Hawaii (in addition to the amount paid to the State of Hawaii under subparagraph (A), of which—

(i) not less than $50,000 shall be paid to each Tribal government;

(ii) not less than $50,000 shall be paid to the State of Hawaii for the exclusive use of the Department of Hawaiian Home Lands in the Commonwealth of the Northern Mariana Islands, the Republic of Marshall Islands, the Federated States of Micronesia, and Palau; and

(iii) $50,000,000 shall be paid to the State of Hawaii for the exclusive use of the Department of Hawaiian Homelands in the Commonwealth of the Northern Mariana Islands, the Republic of Marshall Islands, the Federated States of Micronesia, and Palau.

(e) RECOUPMENT.—Any metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section may transfer such funds to the Secretary and the Secretary may require for the administration of this section—

(f) REPORTING.—Any metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of such funds by such metropolitan city, nonentitlement unit of local government, or county and including such other information as the Secretary may require for the administration of this section.

(2) TRANSFERS TO STATES.—Notwithstanding paragraph (1), a metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section may transfer such funds to the Secretary and the Secretary may require for the administration of this section—

(i) in the case of any payment to eligible health care providers, such amount to Tribal governments and the Secretary shall allocate such amount to each Tribal government; and

(ii) in the case of any payment to an eligible health care provider, such amount to Tribal governments and the Secretary shall allocate such amount to each Tribal government.

(3) FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $8,500,000,000 for purposes of making payments to eligible health care providers for such care related expenses and lost revenues that are attributable to COVID–19. Amounts appropriated under the preceding sentence shall remain available until expended.

(4) DEFINITIONS.—In this section—

(a) SECRETARY.—The term ‘Secretary’ means the Secretary of the Treasury.

(5) TRIBAL GOVERNMENT.—The term ‘Tribal government’ has the meaning given such term in section 603(g).
the Secretary an application in such form and manner as the Secretary shall prescribe. Such application shall contain the following:

(1) A statement justifying the need of the provider for the capacity, including documentation of the health care related expenses attributable to COVID-19 and lost revenues attributable to COVID-19.

(2) The tax identification number of the provider.

(3) Such assurances as the Secretary determines are necessary that the eligible health care provider will maintain and make available such documentation and submit such reports (at such time, in such form, and containing such information as the Secretary shall prescribe) as the Secretary determines is necessary to ensure compliance with any conditions imposed by the Secretary under this section.

(4) Any other information determined appropriate by the Secretary.

(5) LIMITATION.—Payments made to an eligible health care provider under this section may not be used to reimburse any expense or loss that—

(1) has been reimbursed from another source or

(2) another source is obligated to reimburse.

(e) APPLICATION OF REQUIREMENTS, RULES, AND PROCEDURES.—The Secretary shall apply any requirements, rules, or procedures as the Secretary deems appropriate for the efficient execution of this section.

(f) DEFINITIONS.—In this section:

(1) ELIGIBLE HEALTH CARE PROVIDER.—The term ‘eligible health care provider’ means—

(A) a provider of services (as defined in section 1861(u)) or a supplier (as defined in section 1861(d)) that—

(i) is enrolled in the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) (commonly referred to as the Medicare program) and

(ii) provides services, testing, or care for individuals with possible or actual cases of COVID-19; and

(B) any other rural area (as defined by the Secretary) as the Secretary determines is appropriate.

(2) RURAL AREA.—The term ‘rural area’ means—

(A) a rural area (as defined in section 1886(d)(2)(D)); or

(B) any other rural area (as defined by the Secretary).

SEC. 10012. EXTENSION OF CUSTOMS USER FEES.

(a) IN GENERAL.—The Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(i)(3)) is amended—

(1) by inserting at the end of subsection (c) the following new paragraphs: “(A) the Secretary;” and

(2) by inserting clause ‘(3) October 21, 2029’ after clause ‘(2) October 21, 2029’.

(b) RATES FOR MERCHANDISE PROCESSING FEES.—Section 503 of the United States–Korea Free Trade Agreement Implementation Act (Public Law 112–41; 19 U.S.C. 3805 note) is amended by striking ‘October 21, 2029’ and inserting ‘October 30, 2030’. 

TITLE X—COMMITTEE ON FOREIGN RELATIONS

SEC. 10001. DEPARTMENT OF STATE OPERATIONS.

In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of State for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $14,500,000,000, to remain available until September 30, 2022, for necessary expenses of the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign affairs of the United States, to prevent, prepare for, and respond to coronavirus domestically or internationally, which shall include maintaining Department of State operations.

SEC. 10002. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OPERATIONS.

In addition to amounts otherwise available, there is authorized and appropriated to the United States Agency for International Development for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $14,500,000,000, to remain available until September 30, 2022, for necessary expenses of the United States Agency for International Development to prevent, prepare for, and respond to coronavirus domestically or internationally, and for other operations and maintenance requirements related to coronavirus.

SEC. 10003. GLOBAL RESPONSE.

(a) IN GENERAL.—In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of State for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $12,675,000,000, to remain available until September 30, 2022, for expenses necessary to carry out the provisions of section 531 of chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2127) to prevent, prepare for, and respond to coronavirus, which shall include recovery from the impacts of such virus and shall be allocated as follows:

(1) $3,500,000,000 shall be available to the United States Agency for International Development for global health activities to prevent, prepare for, and respond to coronavirus, which shall include a contribution to a multilateral vaccine development partnership to support epidemic preparedness and response.

(2) $3,750,000,000 to be made available to the Secretary of State to support programs for the prevention, treatment, and control of HIV/AIDS in order to meet priorities and objectives in the Global Fund to Fight AIDS, Tuberculosis and Malaria; and

(3) $3,000,000,000 to be made available to the United States Agency for International Development to prevent, prepare for, and respond to coronavirus, including to mitigate the impact on such programs from coronavirus and support recovery from the impact of the coronavirus, and for less than $3,500,000,000 shall be for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria.

(b) WAIVER OF LIMITATION.—Any contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria pursuant to subsection (a) shall be made available notwithstanding section 202(d)(4)(A)(i) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2022 (22 U.S.C. 6762(d)(4)(A)(i)), and such contribution shall not be considered a contribution for the purpose of applying section 202(d)(4)(A)(i).

SEC. 10004. HUMANITARIAN RESPONSE.

(a) IN GENERAL.—In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of State for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2022, to carry out the provisions of section 201(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2161(a)) and (b) to prevent, prepare for, and respond to coronavirus.

(b) USE OF FUNDS.—Funds appropriated pursuant to this section shall not be made available for the costs of resettling refugees as defined in section 423 of the Act of August 21, 1954 (22 U.S.C. 2427) for necessary expenses of the United States Agency for International Development to prevent, prepare for, and respond to coronavirus, which shall include activities to address economic and stabilization requirements resulting from the effects of the coronavirus, and for the purposes of section 202(d)(4)(A)(i) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2022 (22 U.S.C. 6762(d)(4)(A)(i)), and such contribution shall not be considered a contribution for the purpose of applying section 202(d)(4)(A)(i).

SEC. 10005. MULTILATERAL ASSISTANCE.

In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of State for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $580,000,000, to remain available until September 30, 2022, to carry out the provisions of section 201(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2161(a)) to prevent, prepare for, and respond to coronavirus, which shall include support for the priorities and objectives of the United Nations Global Humanitarian Response Plan COVID-19 through voluntary contributions to international organizations and programs administered by such organizations.

TITLE XI—COMMITTEE ON INDIAN AFFAIRS

SEC. 11001. INDIAN HEALTH SERVICE.

In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of Health and Human Services (in this section referred to as the ‘Secretary’), for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $6,094,000,000, to remain available until expended, of which—

(1) $5,884,000,000 shall be for carrying out the Indian Health Care Improvement Act of 1990 (42 U.S.C. 280a et seq.) (commonly referred to as the Transfer Act), the Indian Self-Determination and

(A) $2,000,000,000 shall be for lost reimbursements, in accordance with section 207 of the Indian Health Care Improvement Act (25 U.S.C. 1621f);

(B) $500,000,000 shall be for the provision of additional health care services, supplies provided, and services rendered under a purchased/rental care program, and other related activities;

(C) $140,000,000 shall be for information technology, telehealth infrastructure, and the Indian Health Service electronic health records system;

(D) $84,000,000 shall be for maintaining operations of the Urban Indian health program, which shall be in addition to other amounts made available under this subsection for Urban Indian organizations (as defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1601));

(E) $600,000,000 shall be for necessary expenses to plan, prevent for, promote, distribute, monitor, track COVID-19 vaccines, for the purposes described in subparagraphs (F) and (G), and for other vaccine-related activities;

(F) $500,000,000 shall be for necessary expenses to detect, diagnose, trace, and monitor COVID-19 infections, activities necessary to mitigate the spread of COVID-19, and associated activities for the purposes described in subparagraphs (E) and (G), and for other related activities;

(G) $240,000,000 shall be for necessary expenses to establish, expand, and sustain a public health workforce to prevent, prepare for, and respond to COVID-19, other public health workforce-related activities, for the purposes described in subparagraphs (E) and (F), and for other related activities; and

(H) $420,000,000 shall be for necessary expenses related to mental health and substance use prevention and treatment services, for the purposes described in subparagraph (C) and paragraph (2) as related to mental health and substance use prevention and treatment services, and for other related activities;

(2) $650,000,000 shall be for the lease, purchase, construction, alteration, renovation, or equipping of facilities to respond to COVID-19, and for maintenance and improvement projects necessary to respond to COVID-19 under section 7 of the Act of August 5, 1954 (25 U.S.C. 1404a), the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), the Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.), and titles II and III of the Public Health Service Act (42 U.S.C. 200 et seq.) with respect to the Indian Health Service; and

(3) $10,000,000 shall be for carrying out section 7 of the Act of August 5, 1954 (42 U.S.C. 200a) for expenses relating to potable water delivery;

(b) Funds appropriated by subsection (a) shall be made available to restore amounts, either directly or through reimbursement, for obligations specified in this section that were incurred to prevent, prepare for, and respond to COVID-19 during the period beginning on the date on which the pandemic was declared a public health emergency by the Secretary on January 31, 2020, pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID-19, and ending on the date of the enactment of this Act.

(c) Funds made available under subsection (a) to Tribal organizations under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall be available on a one-time basis. Such non-recurring funds shall not be part of the amount required by section 106 of the Indian Self-Determination and Education Assistance Act and such funds shall only be used for the purposes identified in this section.

SEC. 11002. BUREAU OF INDIAN AFFAIRS.

(a) In General.—In addition to amounts otherwise available there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000 to remain available until expended, pursuant to the Snyder Act (25 U.S.C. 13), of which—

(1) $100,000,000 shall be for Tribal housing improvement grants;

(2) $772,500,000 shall be for Tribal government services, public safety and justice, social services, child welfare assistance, and for other related expenses;

(3) $7,500,000 shall be for related Federal administrative costs and oversight; and

(4) $20,000,000 shall be to provide and deliver potable water.

(b) Exclusions from Calculation.—Funds appropriated under subsection (a) shall be excluded from the calculation of funds received by those Tribal governments that participated in the emergency management program.

(c) One-Time Basis Funds.—Funds made available under subsection (a) to Tribes and Tribal organizations under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall be available on a one-time basis. Such non-recurring funds shall not be part of the amount required by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5325), and such funds shall only be used for the purposes identified in this section.

SEC. 11003. HOUSING ASSISTANCE AND SUPPORT SERVICES PROGRAMS FOR NATIVE AMERICANS.

(a) Available Funds.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the ‘‘Secretary’’) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $750,000,000, to remain available until September 30, 2025, to prevent, prepare for, respond to, and recover from the outbreak of coronavirus, for activities and assistance authorized under title II of the Native American Housing Assistance and Self-Determination Act of 1994 (25 U.S.C. 4101 et seq.), under title VIII of NAHASDA (25 U.S.C. 4221 et seq.), and under section 106(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 2361(a)), which shall be made available as follows:

(1) Housing Block Grants.—$455,000,000 shall be for the Native American Housing Block Grants and Native Hawaiian Housing Block Grant programs, as authorized under titles I and VIII of NAHASDA, subject to the following terms and conditions:

(A) FORMULA.—Of the amounts made available under this paragraph, $450,000,000 shall be for grants under标题 I of NAHASDA and shall be distributed according to the same funding formula used in fiscal year 2021.

(B) Native Hawaiians.—Of the amounts made available under this paragraph, $5,000,000 shall be for grants under标题 VIII of NAHASDA.

(C) Use.—Amounts made available under this paragraph may be used by recipients to prevent, prepare for, and respond to coronavirus, including to maintain normal operations and fund eligible affordable housing and economic development activities during the period that the program is impacted by coronavirus. In addition, amounts made available under subparagraph (B) may be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands.

(b) Use of funds made available under this section may be used, as necessary, to cover or reimburse allowable costs to prevent, prepare for, and respond to coronavirus inflicted by a recipient, including for costs incurred after January 21, 2020.

(E) Waivers or Alternative Requirements.—The Secretary may waive or specify alternative requirements for any provision of NAHASDA (25 U.S.C. 4101 et seq.) or regulation applicable to the Native American Housing Block Grant Program or the Native Hawaiian Housing Block Grant program other than requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of amounts made available under this paragraph.

(F) Unobligated Amounts.—Amounts made available under this paragraph which are not accepted, are voluntarily returned, or otherwise recaptured for any reason shall be used to fund grants under paragraph (2).

(G) Timing of Obligations.—Amounts made available under this paragraph shall be used, without competition, for emergencies that constitute imminent threats to health and safety and are designed to prevent, prepare for, and respond to coronavirus.

(H) Timing.—Not to exceed 20 percent of any grant made with funds made available under this paragraph shall be expended for planning and management development and administration.

(I) Inapplicability of Public Services Cap.—Indian tribes may use up to 100 percent of any grant from amounts made available under this paragraph for public services activities, as necessary, to expedite or facilitate the use of amounts made available under this paragraph.

(J) Waivers or Alternative Requirements.—The Secretary may, in accordance with the applicable terms and conditions, waive or specify alternative requirements for any provision of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 4101 et seq.) or regulation applicable to the Indian Community Development Block Grant program other than requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of amounts made available under this paragraph.

(K) Use of Technical Assistance.—$10,000,000 shall be used to make new awards or increase prior awards to existing technical assistance providers to provide an immediate increase in training and technical assistance to Indian tribes, Indian housing authorities, tribally designated housing entities, and recipients under title VIII of NAHASDA for activities described in this section.

(L) Other Costs.—$5,000,000 shall be used for the administrative costs to oversee and administer the implementation of this section, including the implementation of technology, financial reporting, and other costs.
SEC. 11004. COVID–19 RESPONSE RESOURCES FOR THE PRESERVATION AND MAINTENANCE OF NATIVE AMERICAN LANGUAGES.

(a) Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 299d-3) is amended by adding at the end the following:

"(f) In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000 to remain available until expended, to carry out section 803(c)(4) of this Act.".

(b) Section 803(c) of the Native American Programs Act of 1974 (42 U.S.C. 299b-3) is amended by adding at the end the following:

"(g) EMERGENCY GRANTS FOR NATIVE AMERICAN PROTECTION AND MAINTENANCE.—Not later than 180 days after the effective date of this subsection, the Secretary shall award grants to entities eligible to receive assistance under subsection (a)(1) to ensure the survival and continuing vitality of Native American languages during and after the period from the date of enactment of this Act, for programs or activities authorized under section 6205(a)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7515(a)(1)) for eligible to receive grants under section 7441(c));".

SEC. 11005. BUREAU OF INDIAN EDUCATION.

In addition to amounts otherwise available, there is appropriated to the Bureau of Indian Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $850,000,000, to remain available until expended, to carry out programs and activities authorized under section 6121(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441(c));

(2) $85,000,000 shall be for awards for Tribal education agencies for activities authorized under section 6121(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441(c));

(3) $85,000,000 shall be for awards to entities eligible to receive grants under section 6205(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7515(a)(1)) for activities authorized under section 6205(a)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7515(a)(3)); and

(3) $85,000,000 shall be for awards to entities eligible to receive grants under section 630(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7544(a)(1)) for activities authorized under section 630(a)(2-3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7544(a)(2-3)) and other related activities.

AMERICAN INDIAN LANGUAGE PRESERVATION AND MAINTENANCE OF NATIVE AMERICAN LANGUAGES.

Mr. DAINES. Madam President, this land was passed down from generation to generation. John is a proud wheat farmer of those hills today, moving the same rocks as his great-great-grandfathers did. John and his wife, Rita, raised their three children, Cory, Heather, and Mitchell, on this land. All three of their children attended Montana schools and universities and have gone on to start families of their own. The Laird family story highlights the agricultural history of Montana, and the tenacity and legacy of those who educate our future generations, stick- ing to create a better life. It is my honor to recognize John Laird as a successful farmer and father and for leading a life that represents everything Montanans hold dear.

VERMONT STATE OF THE UNION ESSAY CONTEST FINALISTS

Mr. SANDERS. Madam President, I ask to have printed in the RECORD some of the finalists’ essays written by Vermont High School students as part of the 11th annual “State of the Union” essay contest conducted by my office.

The material follows:

FINALS

EH KA LUU, WINOOSKI HIGH SCHOOL, SENIOR

"Don’t hold a guy’s hand; you’ll get pregnant. Don’t kiss; you’ll get herpes. "Don’t go near a guy; he’ll get you pregnant." These are the things in my family. However, I have found that most parents think that if they don’t talk to their children about sex, they are protecting themselves and their kids. Schools teaching students about sex education in a structure way. Some states, such as California and Arizona, don’t even teach the subject at all. They preach abstinence to their students and tell them to wait till marriage to have intercourse. Schools should teach safe sex and ways on how to prevent STIs. Sex should be used at a different types of birth control that are available. It’s also important to include information for students with different sexuality. In a video by Above the Noise, “Sex education in America: The good, the bad, and the ugly”, high school students shared their thoughts on the current Sex Education. One student talked about how she came out as a member in the LGBTQ+ community. Sex education needs to provide students with different sexuality, they should teach sex between different types of sexualities. It’s very important to help kids understand safe sex no matter their sexual orientation.

The topic of sex should be normalized and talked more about to people at a very young age. To help kids understand the changes in their body and explore their sexuality. Parents should have the knowledge and ability to protect their children and the human body to their kids. School should include people with different sexuality. If we do these things, teenagers would feel comfortable enough to protect themselves and weigh their options when it comes to safe sex.

KADA ORLOW, BURLINGTON HIGH SCHOOL, FRESHMAN

My sister and I were very little when my mom became our only parent. She was all by herself, with no “safety net”, as she calls it. We were left with nothing but each other. She talked with other parents about possible sex education classes that was taught in schools. In 6th grade year, I avoided the hands of the opposite gender. I didn’t talk to other kids, but I pocketed my hoodie due to my moms version of sex education. Yet, in seventh grade I had Health class, where curiosity got the best of me.

"Mrs. where do babies come from?" I asked back up down, she smiled and explained everything to me, this was where things started to make sense. I realized that I’ve been lied to by my own mother. I had questions. “Why do some parents avoid such topic?” and “why do schools not teach prop- erly?” These questions that my mom raised in my head. We were left with nothing but each other. She talked with other parents about possible sex education classes that was taught in schools. In 6th grade year, I avoided the hands of the opposite gender. I didn’t talk to other kids, but I pocketed my hoodie due to my moms version of sex education. Yet, in seventh grade I had Health class, where curiosity got the best of me.

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providing for their children, and being with them. With no other options, parents are prevented from raising their children, just so they don’t lose the benefits for their kids. Even when parents work, the wages are not enough to support a family. Working full-time for $10 an hour is only about $19,000 a year. This fact explains many single parents’ poor educational experiences, whereas the majority of the most mentally strong people I’ve ever met, and no matter what, they prevail. This piece of evidence shows that there is no option to give up, you have to keep pushing no matter what. The General Hospital of Psychiatry says that in the past two decades in recent years. The General Hospital of Psychiatry says that in the past two decades in recent years. The General Hospital of Psychiatry says that in the past two decades in recent years. The General Hospital of Psychiatry says that in the past two decades in recent years. The General Hospital of Psychiatry says that in the past two decades in recent years.

Technology provides many of the answers to these problems. The solutions are there, they would benefit not only single parents, but eventually in the long run, it would benefit everyone. An online database and one-stop shop: housing, services, food, healthcare. Just one simple example of a solution that can be extremely beneficial because it is tailored to your different needs and in different ways. All the government assistance programs being in one, easy to access place would make it simpler for single parents to deal with. They need to know that the tax dollars are paying for Technology could help in other ways as well. Imagine you are a single mom, there is no one else to help. You have to leave your other children (en) with, while you rush the sick one to the emergency room. If you could use an app like pingmd.com app, as to have would have to do is “ping” your doctor directly, share photos, and list out the symptoms. This would save time before scheduling an appointment and visiting a doctor (time that parents are usually away from work) and reducing the expenses of the expenses of visiting a doctor. There are new solutions being made everyday in order to make life for single parent’s easier, this being one of them. Parent’s that don’t have enough time in the day to record everything that their child is doing, ex: soccer games, presentations, first day of school experiences, etc. This is now being solved with a page called Kidlee. This is another example that will help not only single parents right now, but even parents don’t have time for this.

These solutions are only the beginning, if only they were acted upon, single parents could get the assistance they need.

ELLA PARTLOW, MISSISquoi VALLEY UNION HIGH SCHOOL, JUNIOR

At such a significant time in their lives for personal growth, teenagers are one of the most vulnerable age groups when it comes to mental health. According to the National Institute of Medicine, twenty-five percent of Americans experience at least one depressive episode prior to adulthood. More concerning is that the prevalence of youth mental health issues has increased in recent years. The National Health Organization found that many such conditions are ignored; an estimated fifteen percent of teenagers’ mental health conditions are not properly identified and understood. This elucidates that adolescent mental health is not often made a priority. The mental health of American teenagers needs to be addressed immediately.

When teenage mental health is neglected, it becomes an even more pressing issue. Reflecting the detrimental effects of a poor mental health, the rates of victimization, rates of self-harm and suicide in America have increased in recent years. The General Hospital of Psychiatry says that in the past two decades emergency rooms in America have seen an increase in the rates of self-inflicted harm in all age groups have increased; albeit, these visits were most common among ages fifteen to nineteen. Additionally, data from the Centers for Disease Control and Prevention explains that there was a thirty percent increase in suicides from 2003 to 2016. This predominantly signifies that ignoring the mental health of America’s youth puts their safety and lives in jeopardy. In order to solve this problem, it is vital that public schools offer resources and support. The National Institute of Medicine provides information and resources that incorporate mental health programs and support services are increased. The Journal of Adolescent Health identifies “insurance restrictions, poor funding, and loss of programs” as the three key obstacles preventing teenagers from seeking necessary help. A widespread lack of education regarding mental health also contributes to this. The American Academy of Child and Adolescent Psychology. A step towards prioritizing teenage mental health, increased funding and education would result in teenagers feeling supported and having better access to mental health services.

Furthermore, better funding and education will allow for the improvement of on campus mental health service. First, it is necessary that the presence of these services on school campuses are increased. In a report from the National Research Council and Institute of Medicine, adolescents were more likely to receive mental health services when on site services were increased. Second, diversity, identified by the report as a key component to effective on campus mental health services, should be considered; a more diverse range of counselors leads to lower dropout rates in mental health programs, and misdiagnosis of mental illness decreased when there were fewer cultural differences between provider and patient. Amplifying on campus services by increasing and diversifying them will encourage teenagers to seek help and normalize doing so, creating an environment where teens can comfortably discuss their mental health without fear of being treated as insignificant.

Moreover, improving the funding, education, and available services surrounding teen mental health will allow us to make this issue a larger priority in America. In doing this, we take care of our youth and improve their quality of life.

REMEMBERING SAM TAYLOR

Mr. TILLIS. Madam President, I rise today with my colleague, the senior Senator from North Carolina, to honor the life and work of Sam Taylor, the president of North Carolina Biosciences Organization. Sam was a giant in our State and a leading voice for our vital and innovative life sciences and biopharmaceutical sector. A native North Carolinian, his love for his home State and his commitment to its future was evident. Sam completed a graduate of North Carolina State University, and he received his law degree with high honors from the University of North Carolina at Chapel Hill.

Sam was a dedicated and energetic voice for the biosciences and a terrific partner to those in government and the private sector committed to promoting those industries. This sector has seen remarkable growth in recent years: since 2016, it has increased its employment base by 10 percent and reach more than 83,000 jobs in 2018 across 210 business establishments. Between 2016 and 2019, the biosciences has attracted more than $1.5 billion in venture capital investment to North Carolina. These successes were in no small part due to Sam and his tireless leadership and advocacy.

Sam was one of the founders of NC BIO in 1994, long before most people grasped the industry’s potential. His advocacy in the business community, in Raleigh, in Washington, and around the world made a huge difference. Whether promoting our world-class universities, our startups, or more established companies, Sam was always there with the facts, and the sheer force of will to move our State forward. He worked for the creation of the NC BioImpact training collaborative with the NC Community College System’s BioNetwork program, as well as the Biomanufacturing Training and Education Center at North Carolina State University and the Biomanufacturing Research Institute and Technology Enterprise program at North Carolina Central University.

Sam’s work was recognized by the North Carolina Council for Entrepreneurial Development in 2005 with the Chairman’s Service Award. He received the Life Science Conference Leadership Award in 2012 and the Life Science Award from Triangle Business Journal in 2015. Just recently and most significantly, he received our State’s highest honor, the Order of the Long Leaf Pine. To say Sam was a giant among men is an understatement. He was a leader and a visionary, someone who truly worked to make our State and world a better place.

North Carolinians have lost a loyal son and a tireless advocate. We have lost a friend and colleague. Today, we ask every member of this body to join us in honoring the life and amazing legacy of Sam Taylor. Our State and the people of the United States are grateful for his life of service, and we know that North Carolina will continue to be one of our Nation’s life science innovation hubs in no small part due to him.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–382. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promotion of State Air Quality Plans for Designated Facilities and Pollutants; Arkansas, Louisiana, New Mexico, and Albuquerque-Bernalillo County, New Mexico; Control of Emissions From Existing Hospital/Infectious Waste Incinerator Units” (FRL No. 10019–25–Region 6) received in the Office of the President of the Senate on February 25, 2021; to the Committee on Environment and Public Works.

EC–383. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval of Source-Specific Air Quality Implementation Plans; New Jersey.”
of the President of the Senate on February 25, 2021; to the Committee on Environment and Public Works.

EC–591. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Pennsylvania; 2020–0137”) received in the Office of the President of the Senate on February 25, 2021; to the Committee on Finance.

EC–591. A communication from the Yoe- man Chief Petty Officer, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Air Quality Standard Second Maintenance Plan for the Harrisburg-Lebanon-Carlisle Area” (FRL No. 10018–56–Region 3) received in the Office of the President of the Senate on February 25, 2021; to the Committee on Environment and Public Works.

EC–592. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitted, pursuant to law, the Administration’s Fiscal Year 2020 Transaction Management Act (FISMA) and Privacy Management Report; to the Committees on Agriculture, Nutrition, and Forestry; Appropriations; Homeland Security and Governmental Affairs; and Commerce, Science, and Transportation.

EC–593. A communication from the Chair- man of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitted, pursuant to law, the report of a rule entitled “Civil Monetary Penalties—2021 Adjustment” (Docket No. EP 716 (Sub–No. 6)) received in the Office of the President of the Senate on February 25, 2021; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. MANCHIN for the Committee on Energy and Natural Resources.

*Debra Anne Baalid, of New Mexico, to be Secretary of the Interior.

*Nomination was reported with recommendation that it be confirmed subject to the nominee’s commitment to respond to requests to appear and testify before any other duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. CAPITO (for herself, Mrs. SHERIDAN, Mr. PORTMAN, and Mr. MANCHIN):

S. 586. A bill to amend title XVIII of the Social Security Act to combat the opioid crisis by promoting access to on-potential treatments in the hospital outpatient setting; to the Committee on Finance.

By Mr. GRASSLEY (for himself, Mr. PETERS, Mr. PORTMAN, Mr. CARPER, Mr. LANDFORD, Ms. HASSAN, Mr. ROMNEY, Mr. TESTER, Ms. COLLINS, Mrs. FEINSTEIN, Mr. WICKER, and Ms. ROSEN):
By Mr. GRASSLEY:
S. 489. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to reform the tax treatment of employee plans to ensure the ability of the Pension Benefit Guaranty Corporation to provide guaranteed benefits of retirees, and for other purposes; to the Committee on Finance.

By Mr. KENNEDY (for himself, Mr. GRASSLEY, Mr. Tillis, Mr. Hawley, Ms. Blackburn, Mr. Blumenthal, and Mr. Marshall):
S. 500. A bill to establish limitations regarding Confucius Institutes, and for other purposes; considered and passed.

By Ms. COLLINS (for herself, Mr. Murphy, Mr. Durbin, Mr. Van Hollen, Mrs. Feinstein, Ms. Warren, Mr. Markey, Mr. Wyden, Mr. Casey, Mr. between the States, Ms. Baldwin, Ms. Duckworth, Ms. Klobuchar, Ms. Hirono, Mr. Brown, Mr. Coons, Mr. Menendez, Mr. Capito, Ms. Caine, Mr. Leahy, Mr. Booker, Mrs. Gillibrand, Mr. Smith, Mr. Heinrich, and Mr. Sanders):
S. 510. A bill to prohibit firearms dealers from sending a firearm prior to the completion of a background check; to the Committee on the Judiciary.

By Mr. WINGIER (for himself and Mrs. Blackburn):
S. 592. A bill to establish a reserve fund for the proceeds of the C-band auction conducted by the Federal Communications Commission; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI (for herself and Mr. Sullivan):
S. 593. A bill to restrict the imposition by the Secretary of Homeland Security of fines, penalties, duties, or tariffs applicable only to coastwise voyages, or prohibit otherwise qualified non-United States citizens from serving as crew, on specified vessels transporting passengers between the State of Alaska and the contiguous United States, to address the impact of international maritime laws on the United States as it relates to the maritime fisheries of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. COLLS (for herself, Ms. Sinema, Mr. Hawley, and Mr. Peters):
S. 594. A bill to double the existing penalties for the provision of misleading or inaccurate caller identification information; to the Committee on Commerce, Science, and Transportation.

By Mr. VAN HOLLEN (for himself, Ms. Warren, Mr. Merkley, Mr. Cardin, Mr. Schatz, Ms. Baldwin, Ms. Smith, Mr. Markey, and Mrs. Gillibrand):
S. 566. A bill to prohibit the use of funds for research and development, production, or deployment of the nuclear-armed sea-launched cruise missile and its associated nuclear warhead; to the Committee on Foreign Relations.

By Mr. CARPER (for himself, Mr. Casey, Ms. Capito, Mr. Coons, Mr. Johnson, Mr. Klobuchar, Mrs. Hyde-Smith, Mrs. Shaheen, Ms. Sinema, Ms. Ernst, Ms. Murkowski, Mr. Johnson, Mr. Tillis, and Mr. Heinrich):
S. 566. A bill to amend title XVIII of the Social Security Act to provide for the coordination of benefits to prevent and treat obesity, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself, Mr. Whitehouse, Mrs. Feinstein, Ms. Cantwell, Ms. Baldwin, Mr. Booker, Mr. Blumenthal, Ms. Warren, Mr. Van Hollen, Ms. Smith, Ms. Hirono, Ms. Klobuchar, Mr. Durbin, Mr. Marky, Mr. Brown, Mr. Wyden, Mr. Menendez, Ms. Duckworth, Mrs. Gillibrand, Mr. Luhan, Mr. Merkley, Ms. Stabenow, and Mr. Padilla):
S. 597. A bill to eliminate racial, religious, and other discrimination and profiling by law enforcement, and for other purposes; to the Committee on the Judiciary.

By Ms. WARREN (for herself, Mr. Sanders, Mr. Durbin, Mr. Blumenthal, Mrs. Gillibrand, Mrs. Murray, Mr. Booker, and Ms. Smith):
S. 598. A bill to authorize additional monies to the Public Housing Capital Fund of the Department of Housing and Urban Development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BOOKER (for himself and Mr. Hawley, Scott, and Mr. Portman):
S. 599. A bill to establish the Department of State Student Internship Program as a paid internship program to provide students with the opportunity to pursue a career in diplomacy and foreign affairs, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEE:
S. 600. A bill to prescribe zoning authority with respect to commercial unmanned aircraft systems and to preserve State, local, and Tribal land management authorities; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY, Mr. Leahy, Mr. Lee, Mr. Booker, and Mr. Tillis:
S. 601. A bill to amend section 3661 of title 18, United States Code, to prohibit the consideration of acquitted conduct at sentencing; to the Committee on the Judiciary.

By Mr. COTTON (for himself and Mr. Coons):
S. 602. A bill to combat forced organ harvesting and trafficking in persons for persons, and for other purposes; to the Committee on Foreign Relations.

By Mr. WARNER (for himself, Mr. Menendez, Mr. Schumer, Mr. Young, Mr. Cornyn, Mr. Sasse, Mr. Rubio, and Mr. Bennett):
S. 603. A bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain federal student loans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WARNER (for himself, Mr. Menendez, Mr. Schumer, Mr. Young, Mr. Cornyn, Mr. Sasse, Mr. Rubio, and Mr. Bennett):
S. 604. A bill to authorize the establishment of a Technology Partnership among democratic countries, and for other purposes; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND (for herself, Mr. Ruiz, Mr. Blumenthal, Ms. Duckworth, Mr. King, Mrs. Ernst, Ms. Brown, Mr. Tillis, Mr. Wyden, Mr. Menendez, Ms. Hirono, Ms. Shaheen, Ms. Warren, Ms. Smith, Ms. Blumenthal, Mr. Reid, Mr. Tester, Mr. Schatz, Mr. Casey, Ms. Cortez Masto, and Mr. Portman):
S. 605. A bill to deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon) as indicated:

By Mr. BOOKER (for himself and Mr. Murray, and Mr. Wyden):
S. Res. 96. A resolution recognizing the disproportionate impact of COVID-19 on women and girls globally; to the Committee on Foreign Relations.

By Ms. ROSEN (for herself and Mr. Murray):
S. Res. 96. A resolution designating March 8 through March 14, 2021, as ‘‘Women of the
At the request of Mr. Cardin, the name of the Senator from Arizona (Ms. Sinema) and the Senator from Maine (Ms. Collins) were added as cosponsors of S. 14, a bill to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to evaluate foreign persons engaged in grand corruption for inclusion as specially designated nations under the Global Magnitsky Human Rights Accountability Act.

At the request of Mr. Booker, the name of the Senator from Maryland (Mr. Van Hollen) was added as a cosponsor of S. 40, a bill to address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent de jure and de facto racial and economic discrimination against African Americans, and the impact of these forces on living African Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes.

At the request of Ms. Sinema, the name of the Senator from California (Mr. Padilla) was added as a cosponsor of S. 91, a bill to amend the Social Security Act to include special districts in the coronavirus relief fund, to direct the Secretary to include special districts as an eligible issuer under the Municipal Liquidity Facility, and for other purposes.

At the request of Mr. Moran, the names of the Senator from New Hampshire (Ms. Hassan) and the Senator from North Carolina (Mr. Tillis) were added as cosponsors of S. 134, a bill to direct the Secretary of Veterans Affairs to retraining assistance program for unemployed veterans, and for other purposes.

At the request of Mr. Moran, the names of the Senator from West Virginia (Mrs. Capito), the Senator from Maryland (Mr. Cardin), the Senator from Hawaii (Ms. Hirono), the Senator from Mississippi (Mrs. Hyde-Smith), the Senator from Maine (Mr. King), the Senator from Washington (Mrs. Murray), the Senator from Ohio (Mr. Portman) and the Senator from Alaska (Mr. Stivers) were added as cosponsors of S. 321, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 888th Central Postal Directory Battalion, known as the “Six Triple Eight”.

At the request of Mr. Toomey, the name of the Senator from North Dakota (Mr. Cramer) was added as a cosponsor of S. 450, a bill to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

At the request of Ms. Stabenow, the names of the Senator from New York (Mr. Schumer) and the Senator from Pennsylvania (Mr. Casey) were added as cosponsors of S. 452, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

At the request of Mr. Rubio, the names of the Senator from New Mexico (Mr. Heinrich) and the Senator from Virginia (Mr. Kaine) were added as cosponsors of S. 460, a bill to extend the authority for Federal contractors to reimburse employees unable to perform work due to the COVID–19 pandemic from March 31, 2021, to September 30, 2021.

At the request of Mr. Daines, the names of the Senator from Iowa (Mr. Grassley) and the Senator from Florida (Mr. Scott) were added as cosponsors of S. 501, a bill to prohibit earmarks.

At the request of Mr. Hagerty, the name of the Senator from Wyoming (Ms. Lummis) was added as a cosponsor of S. 519, a bill to review the use of election security grants in the 2020 presidential election and to prohibit future election security grants to States with unconstitutional election procedures.

At the request of Mr. Portman, the names of the Senator from New Hampshire (Mrs. Shaheen) and the Senator from Arizona (Ms. Sinema) were added as cosponsors of S. 521, a bill to require the United States Postal Service to continue selling the Multinational Species Conservation Funds Semipostal Stamps until all remaining stamps are sold, and for other purposes.

At the request of Mr. Cramer, the name of the Senator from Kansas (Mr. Moran) was added as a cosponsor of S. 563, a bill to amend the Federal Reserve Act to prohibit certain financial service providers who deny fair access to financial services from using tax-payer funded discount window lending programs, and for other purposes.

At the request of Mrs. Feinstein, the name of the Senator from California (Mr. Padilla) was added as a cosponsor of S. 580, a bill to reauthorize the Neighborhood Stabilization Program, and for other purposes.

At the request of Mr. Kaine, the names of the Senator from Massachusetts (Mr. Markey) and the Senator from Oregon (Mr. Wyden) were added as cosponsors of S.J. Res. 10, a joint resolution to repeal the authorizations for use of military force against Iraq, and for other purposes.

At the request of Mr. Cardin, the name of the Senator from Oregon (Mr. Wyden) was added as a cosponsor of S. 408, a bill to condemn the military coup that took place on February 1, 2021, in Burma and the Burmese military’s detention of civilian leaders, calling for an immediate and unconditional release of all those detained and for those elected to serve in parliament to resume their duties without impediment, and for other purposes.

At the request of Mr. Cotton, the names of the Senator from Iowa (Ms. Ernst) and the Senator from Florida (Mr. Scott) were added as cosponsors of S. Res. 72, a resolution opposing the lifting of sanctions imposed with respect to Iran without addressing the full scope of Iran’s malign activities, including its nuclear program, ballistic and cruise missile capabilities, weapons proliferation, support for terrorism, hostage-taking, gross human rights violations, and other destabilizing activities.

This Act may be cited as the “Prohibiting Upholding Act of 2021”.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. Durbin (for himself, Mr. Grassley, Mr. Leahy, Mr. Lee, Mr. Booker, and Mr. Tillis):
SEC. 2. ACQUIETED CONDUCT AT SENTENCING.
(a) USE OF INFORMATION FOR SENTENCING.—
(1) AMENDMENT.—Section 3661 of title 18, United States Code, is amended by inserting ‘‘, except for purposes of mitigating a sentence, acquitted conduct under this section’’ before the period at the end.
(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply only to a judgment entered on or after the date of enactment of this Act.

(b) DEFINITIONS.—Section 3673 of title 18, United States Code, is amended—
(1) in the matter preceding paragraph (1), by striking ‘‘(a)’’ and inserting the following:
‘‘(a) As’’; and
(2) by adding at the end the following:
‘‘(b) As used in this chapter, the term ‘acquitted conduct’ means—
’’(1) an act—
’’(A) for which a person was criminally charged and adjudicated not guilty after trial in a Federal, State, or Tribal court; or
’’(B) in the case of a juvenile, that was charged and for which the juvenile was found not responsible after a juvenile adjudication hearing; or
’’(2) any act underlying a criminal charge or juvenile information dismissed—
’’(A) upon a motion for acquittal or an analogous motion under rule 29 of the Federal Rules of Criminal Procedure; or
’’(B) in a State or Tribal court upon a motion for an analogous motion under the applicable State or Tribal rule of criminal procedure.’’.

By Mr. DURBIN (for himself, Mr. GRAHAM, Ms. BALDWIN, Mr. GRASSLEY, Ms. FEINSTEIN, Mr. CORNYN, Ms. KLOBUCHAR, Ms. MURKOWSKI, Mr. LEAHY, Mr. CRAPO, Mr. WHITEHOUSE, Ms. Ernst, Mr. BROWN, Mr. TILLIS, Mr. WYDEN, Mr. MENENDEZ, Ms. HIRONO, Mrs. SHAHEEN, Ms. WARREN, Ms. SMITH, Mr. BLUMENTHAL, Mr. REED, Mr. TESTER, Mr. SCHATZ, Mr. CASEY, Mr. VINTZKE, Mr. CASTRO, and Mr. PORTMAN):

S. 611. A bill to deposit certain funds into the Crime Victims Fund, to waive matching requirements, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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 ‘‘VOCA Fix to Sustain the Crime Victims Fund Act of 2021’’.

SEC. 2. COMPREHENSIVE FIX OF CRIME VICTIMS FUND AND COMPENSATION.
(a) CRIME VICTIMS FUND.—Section 1402 of the Victims of Crime Act of 1984 (34 U.S.C. 20102) is amended—
(1) in subsection (b)–
(A) in paragraph (4), by striking ‘‘; and’’ and inserting a semicolon;
(B) in paragraph (5)(B), by striking the period at the end and inserting ‘‘; and’’;
(C) by adding at the end the following new paragraph:

‘‘(6) any funds that would otherwise be deposited in the general fund of the Treasury collected pursuant to—
’’(A) a deferred prosecution agreement; or
’’(B) any other agreement.’’.

(b) NATIONAL EMERGENCY WAIVER.—Section 1403 of the Victims of Crime Act of 1984 (34 U.S.C. 20103(a)), as amended by subsection (a), is amended—
(1) in subsection (a)–
(A) in paragraph (1), by striking ‘‘40 percent in fiscal year 2002 and of 60 percent in subsequent fiscal years’’ and inserting ‘‘75 percent’’;
(B) in paragraph (2), by striking ‘‘of 40 percent in fiscal year 2002 and of 60 percent in subsequent fiscal years’’ and inserting ‘‘of 75 percent in fiscal year 2020 and of 60 percent in subsequent fiscal years’’;
(C) by redesignating paragraph (3) as paragraph (4); and
(D) by inserting after paragraph (2) the following new paragraph:

‘‘(3) For the purposes of calculating amounts awarded in the previous fiscal year under this subsection, the Director shall not require eligible crime victim compensation programs to deduct recovery costs or collections from restitution or from subrogation for payment under a civil lawsuit.’’.

(2) in subsection (b)(2) by striking ‘‘authorities;’’ and inserting ‘‘authorities, except if a program determines such cooperation may be impacted due to a victim’s age, physical condition, psychological state, cultural or linguistic barriers, or any other health or safety concern that jeopardizes the victim’s wellbeing;’’; and
(3) in subsection (d)–
(A) in paragraph (3), by striking ‘‘; and’’ and inserting a semicolon;
(B) in paragraph (4), by striking the period at the end and inserting ‘‘; and’’; and
(C) by adding at the end the following new paragraph:

‘‘(5) the term ‘recovery costs’ means expenses for personnel directly involved in the recovery efforts to obtain collections from restitution or from subrogation for payment under a civil law suit.’’

SEC. 3. WAIVER OF MATCHING REQUIREMENT.
(a) IN GENERAL.—Section 1404(a) of the Victims of Crime Act of 1984 (34 U.S.C. 20103(a)) is amended by inserting at the end the following new paragraph:

‘‘(7)(A) Each chief executive may waive a matching requirement, in its entirety, for all eligible crime victim assistance programs contracted by the Committee on Foreign Relations.

(b) NATIONAL EMERGENCY WAIVER.—Section 1404(a) of the Victims of Crime Act of 1984 (34 U.S.C. 20103(a)), as amended by subsection (a), is amended by inserting at the end the following new paragraph:

‘‘(i) the manner in which an eligible crime victim assistance program of the Committee on Foreign Relations shall issue waivers for any matching requirement, in its entirety, for all eligible crime victim assistance programs contracted to provide services at that time.’’.

SUBMITTED RESOLUTIONS
SENATE RESOLUTION 95—RECOGNIZING THE DISPROPORTIONATE IMPACT OF COVID–19 ON WOMEN AND GIRLS GLOBALLY

Mr. BOOKER (for himself, Mrs. MURKOWSKI, and Mr. WYDEN) offered the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 95

Whereas the COVID–19 crisis exacerbates existing vulnerabilities for women and girls and has an outsized effect on health, safety, and livelihoods for marginalized communities;

Whereas it is estimated that the disruption of sexual and reproductive health care services and supply chains caused by the COVID–19 crisis caused an estimated 49,000,000 women to stop using contraceptives during just the first 6 months of the crisis, likely resulting in approximately 7,000,000 unintended pregnancies, 1,700,000 major obstetric complications, 28,000 maternal deaths, 168,000 neonatal deaths, and 3,900,000 unsafe abortions;

Whereas lockdowns, quarantines, and other movement restrictions related to COVID–19 have disrupted access to legal and social services, as well as access to counseling, safe shelters, and medical treatment, exacerbating vulnerabilities for women and girls;

Whereas gender-based violence, such as domestic violence, child marriage, and female genital mutilation, has increased, and is expected to continue to increase, as a result of the COVID–19 crisis, including—
(1) an estimated 31,000,000 more gender-based violence cases during the first 6 months of shutdowns;
(2) an additional 13,000,000 child marriages by 2030; and
(3) an increase of approximately 2,000,000 cases of female genital mutilation between 2020 and 2030;

Whereas women play significant roles in the health care workforce; yet, only 5 percent of health care workers globally, yet often are not prioritized for the receipt of personal protective equipment, disproportionately exposing them to contracting COVID–19;

Whereas women and girls perform 3 times the amount of unpaid care work in homes and in their communities as men, while facing an increased work burden that has increased during the COVID–19 crisis as women and girls are disproportionately responsible for caring for sick and elders, family and community members and children who are out of school, limiting the ability of women and girls to perform income–generating work, pursue education or skills building, or avoid exposure to COVID–19;

Whereas, globally, women living in poverty will endure specific economic effects as a result of the COVID–19 crisis, largely due to the overrepresentation of those women in the informal economy, the increase in their unpaid care burdens, and the particular vulnerabilities facing female entrepreneurs, such as—
(1) loss of jobs or pressure to turn to exploitative work, as women workers dominate industries most affected by layoffs caused by the COVID–19 crisis, including hospitality, childcare, and tourism, and comprise...
Whereas the COVID–19 crisis will uniquely affect women in agriculture, who provide more than 48 percent of the agricultural labor around the world and more than 60 percent of such labor in Africa yet whose ability to harvest, sell, and buy food and other products necessary for their food security and nutrition will worsen due to travel restrictions related to the crisis, ongoing discrimination in access to agricultural inputs and markets, and disruptions and disproportionate unpaid care burdens for female farmers;

Whereas food insecurity will have unique effects for women and girls, including overcrowded conditions, restrictions and restrictions to mitigate shocks as compared to men; and

(4) loss of necessary income that female-headed households depend on, such as remittances and World Bank estimates will decrease by nearly 20 percent in 2020;

Whereas the COVID–19 crisis will uniquely affect women in agriculture, who provide more than 48 percent of the agricultural labor around the world and more than 60 percent of such labor in Africa yet whose ability to harvest, sell, and buy food and other products necessary for their food security and nutrition will worsen due to travel restrictions related to the crisis, ongoing discrimination in access to agricultural inputs and markets, and disruptions and disproportionate unpaid care burdens for female farmers;

Whereas food insecurity will have unique effects for women and girls, including overcrowded conditions, restrictions and restrictions to mitigate shocks as compared to men; and

(4) loss of necessary income that female-headed households depend on, such as remittances and World Bank estimates will decrease by nearly 20 percent in 2020;

Whereas the COVID–19 crisis will uniquely affect women in agriculture, who provide more than 48 percent of the agricultural labor around the world and more than 60 percent of such labor in Africa yet whose ability to harvest, sell, and buy food and other products necessary for their food security and nutrition will worsen due to travel restrictions related to the crisis, ongoing discrimination in access to agricultural inputs and markets, and disruptions and disproportionate unpaid care burdens for female farmers;

Whereas food insecurity will have unique effects for women and girls, including overcrowded conditions, restrictions and restrictions to mitigate shocks as compared to men; and

(4) loss of necessary income that female-headed households depend on, such as remittances and World Bank estimates will decrease by nearly 20 percent in 2020;

Whereas the COVID–19 crisis will uniquely affect women in agriculture, who provide more than 48 percent of the agricultural labor around the world and more than 60 percent of such labor in Africa yet whose ability to harvest, sell, and buy food and other products necessary for their food security and nutrition will worsen due to travel restrictions related to the crisis, ongoing discrimination in access to agricultural inputs and markets, and disruptions and disproportionate unpaid care burdens for female farmers;

Whereas food insecurity will have unique effects for women and girls, including overcrowded conditions, restrictions and restrictions to mitigate shocks as compared to men; and

(4) loss of necessary income that female-headed households depend on, such as remittances and World Bank estimates will decrease by nearly 20 percent in 2020;

Whereas the COVID–19 crisis will uniquely affect women in agriculture, who provide more than 48 percent of the agricultural labor around the world and more than 60 percent of such labor in Africa yet whose ability to harvest, sell, and buy food and other products necessary for their food security and nutrition will worsen due to travel restrictions related to the crisis, ongoing discrimination in access to agricultural inputs and markets, and disruptions and disproportionate unpaid care burdens for female farmers;

Whereas food insecurity will have unique effects for women and girls, including overcrowded conditions, restrictions and restrictions to mitigate shocks as compared to men; and

(4) loss of necessary income that female-headed households depend on, such as remittances and World Bank estimates will decrease by nearly 20 percent in 2020;
Whereas the future of an abundant aviation workforce depends on a robust and diverse pool of candidates; and
Whereas women such as Amelia Earhart, Circe Link, Malvina Honeymoon Cole, and Jeannie Leavitt have inspired, and will continue to inspire, young women to pursue careers in aviation: Now, therefore, be it

Resolved, That the Senate—
(1) designates March 8 through March 14, 2021, as ‘‘Women of the Aviation Workforce Week’’ for the purpose of—
(a) raising awareness about the gender gap in the air and space industry; and
(b) taking legislative actions to address the gender gap in science, technology, engineering, and mathematics (commonly known as ‘‘STEM’’) fields.

AMENDMENTS SUBMITTED AND PROPOSED

SA 891. Mr. SCHUMER (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) proposed an amendment to the bill S. 1319, supra, which was ordered to lie on the table.

SA 907. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra, which was ordered to lie on the table.

SA 908. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra, which was ordered to lie on the table.

SA 909. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra, which was ordered to lie on the table.

SA 910. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra, which was ordered to lie on the table.

SA 911. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra, which was ordered to lie on the table.

SA 912. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra, which was ordered to lie on the table.

SA 913. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra, which was ordered to lie on the table.

SA 914. Mr. CORNYN (for himself and Mr. Scott of South Carolina) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra, which was ordered to lie on the table.

SA 915. Mr. CORNYN (for himself and Mr. Scott of South Carolina) submitted an
amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 916. Ms. Ernst submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 917. Ms. Ernst submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 925. Mr. Toomey submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 926. Ms. Ernst submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 927. Ms. Ernst submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 928. Mr. Marshall submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 929. Mr. Marshall submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 930. Mr. Marshall submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 931. Mr. Marshall submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 932. Mr. Marshall submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 933. Mr. Marshall submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 934. Mr. Cornyn submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 935. Mr. Johnson submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 936. Mr. Johnson submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 937. Mr. Johnson submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 938. Mr. Johnson submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 939. Mr. Scott, of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 940. Mr. Scott, of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 941. Mr. Scott, of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 942. Mr. Scott, of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 943. Mr. Fischer submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.
amendment SA 891 proposed by Mr. Schum
(Sanders) to the bill H.R. 1319, supra; which
was ordered to lie on the table.

SA 954. Mr. Daines (for himself, Mr. Lankford, and Mr. Romero) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schum (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 955. Mr. Daines (for himself and Mr. Scott of South Carolina) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schum (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 956. Mr. Daines submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schum (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 957. Mr. Daines submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schum (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 958. Mr. Daines submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schum (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 959. Mr. Daines (for himself, Mr. Toomey, and Mr. Graham) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schum (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 960. Mr. Daines (for himself, Mr. Risch, and Mr. Cramer) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schum (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 961. Mr. Cramer submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schum (for himself, Mr. Wyden, Mrs. Murray, Mr. Brown, Mr. Peters, Mr. Cardin, Ms. Cantwell, Ms. Stabenow, Mr. Tester, Mr. Menendez, Mr. Schatz, Mr. Carper, Mr. Leahy, and Mr. Sanders) to the bill H.R. 1319, supra; which was ordered to lie on the table.
SA 972. Mr. SANDERS (for himself, Mr. SCHUMER, Mr. BROWN, Mr. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CASEY, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Ms. GILLIBRAND, Mr. GRAHAM, Mr. HARRIS, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. OSSOFF, Mr. PADILLA, Mr. PETERS, Mr. REED, Mr. SCHATZ, Ms. SMITH, Mr. VAN HOLLEN, Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 981 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 981. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 980 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 980. Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 979. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 978 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 978. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 977 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 977. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 976 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 976. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 975 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 975. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 974 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 974. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 973 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 973. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 972 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 995. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 994 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 994. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 993 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 993. Mrs. BLACKBURN (for herself, Mr. SCHUMER, Mr. TUBOFF, Mr. CONYNS, and Mr. HAGER) submitted an amendment intended to be proposed to amendment SA 992 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

SA 992. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 991 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.
SA 990. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill S. 1319, supra; which was ordered to lie on the table.
SA 1000. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS
SA 891. Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARDIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) proposed an amendment to the bill H.R. 1319, supra; which was ordered to lie on the table.

Strike all after the first word and insert the following:

TITLE
This Act may be cited as the ‘‘American Rescue Plan Act of 2021’’.

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:
Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY
Subtitle A—Agriculture
Sec. 1001. Food supply chain and agriculture pandemic response.
Sec. 1002. Emergency rural development grants for rural health care.
Sec. 1003. Pandemic program administration funds.
Sec. 1005. Farm loan assistance for socially disadvantaged farmers and ranchers.
Sec. 1006. USDA assistance and support for socially disadvantaged farmers, ranchers, forest land owners and operators, and groups.
Sec. 1007. Use of the Commodity Credit Corporation for commodities and associated expenses.
Subtitle B—Nutrition
Sec. 1101. Supplemental nutrition assistance program.
Sec. 1102. Additional assistance for SNAP online purchasing and technology improvements.
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Sec. 1104. Commodity supplemental food program.
Sec. 1105. Improvements to WIC benefits.
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Sec. 2202. Child Care Stabilization.
Sec. 2203. Head Start.
Sec. 2204. Programs for survivors.
Sec. 2206. Corporation for National and Community Service and the National Service Trust.
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Sec. 2706. Funding for community-based funding for local substance use disorder services.
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Sec. 3401. Funding for the Corporation for Public Broadcasting.
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Sec. 9702. Temporarily relaxing the Department of the funding improvement and rehabilitation periods for multiemployer pension plans in critical and endangered statuses for 2020 or 2021.
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Sec. 9815. Extension of 100 percent Federal medical assistance percentage to qualify Indian Health Organizations and Native Hawaiian Health Care Systems.
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Sec. 11001. Indian Health Service.
Sec. 11002. Bureau of Indian Affairs.
Sec. 11003. Housing assistance and supportive services programs for Native Americans, as approved by the Secretary.
Sec. 11004. COVID-19 response resources for the preservation and maintenance of Native American language, culture, and community-based mobile crisis intervention services.
Sec. 11005. Bureau of Indian Education.
Sec. 11006. American Indian, Native Hawaiian, and Alaska Native education programs.

TITLE XII—COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Subtitle A—Agriculture

Sec. 1001. Food supply chain and agriculture pandemic response.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until expended, to carry out this section.

(b) USE OF FUNDS.—The Secretary of Agriculture shall use the amounts made available pursuant to subsection (a)—

(1) to purchase and distribute agricultural commodities; (2) to purchase and distribute agricultural commodities (including fresh produce, dairy, seafood, eggs, and meat) to individuals in need, including through community foodinin organizations and through restaurants and other food related entities, as determined by the Secretary; (3) to make grants and loans for small or mized food processors or distributors, seafood processing facilities and processing vessels, farms, farmers market producers, or other organizations to respond to COVID–19, including for measures to protect workers against COVID–19; and (4) to make direct loans and grants and provide other assistance to maintain and improve food and agricultural supply chain resiliency.

(c) ANIMAL HEALTH.—

(1) COVID-19 ANIMAL SURVEILLANCE.—The Secretary of Agriculture shall conduct monitoring and surveillance of susceptible animals for incidence of SARS-CoV-2.

(2) FUNDING.—Out of the amounts made available under subsection (a), the Secretary shall use $300,000,000 to carry out this subsection.

(d) OVERTIME FEES.—

(1) SMALL ESTABLISHMENT; VERY SMALL ESTABLISHMENT DEFINITIONS.—The terms ‘‘small establishment’’ and ‘‘very small establishment’’ have the meaning given those terms in the final rule entitled ‘‘Pathogen Reduction: Hazard Analysis and Critical Control Point (HACCP) Systems’’ published in the Federal Register on July 25, 1996 (61 Fed. Reg. 38806).

(2) DELIGHTMENT INSPECTION COST REDUCTION.—Notwithstanding section 10703 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 2219a), the Act of June 5, 1948 (21 U.S.C. 601, section 227b), and any regulations promulgated by the Department of Agriculture implementing such provisions of law and subject to the availability of funds under paragraph (3), the Secretary of Agriculture shall reduce the amount of overtime inspection costs borne by federally-inspected small establishments and very small establishments engaged in meat, poultry, or egg products processing and subject to the requirements of the final rule entitled ‘‘Pathogen Reduction: Hazard Analysis and Critical Control Point (HACCP) Systems’’ published in the Federal Register on July 25, 1996 (61 Fed. Reg. 38806).

(3) FUNDING.—Out of the amounts made available under subsection (a), the Secretary shall use $100,000,000 to carry out this subsection.

Sec. 1002. Emergency rural development grants for rural healthcare.

(a) GRANTS.—The Secretary of Agriculture (in this section referred to as the ‘‘Secretary’’) shall use the amounts made available by this section to establish an emergency pilot program for rural development not later than 150 days after the date of enactment of this Act to provide grants to eligible applicants (as defined in section 3570.61(a) of title 7, Code of Federal Regulations) to be awarded by the Secretary based on rural development needs related to the COVID-19 pandemic.

(b) USES.—An eligible applicant to whom a grant is awarded under this section may use the grant funds for, including those incurred prior to the issuance of the grant, as determined by the Secretary of Agriculture, for facilities which primarily serve rural areas (as defined in section 343(a)(13)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)(C)), which are located in a rural area, and which primarily serve the population to be served by which is less than the greater of the poverty line or the applicable percentage (determined under section 3570.61(a)(3)(C)(ii)) of title 7, Code of Federal Regulations) of the State nonmetropolitan median household income, and for which the performance of any construction work completed with grant funds shall meet the conditions set forth in section 9003(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 193(f)), to—

(1) increase capacity for vaccine distribution; (2) provide medical supplies to increase medical surge capacity; (3) reimburse for revenue lost during the COVID-19 pandemic, including revenue losses incurred prior to the awarding of the grant; (4) increase telehealth capabilities, including underlying healthcare care information systems; (5) construct temporary or permanent structures to provide healthcare services, including vaccine administration or testing; (6) support staffing needs for vaccine administration or testing; and (7) in any other efforts to support rural development determined to be critical to address the COVID-19 pandemic, including nutritional assistance to vulnerable individuals, as approved by the Secretary.

(c) FUNDING.—In addition to amounts otherwise available, there is appropriated to the
Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2023, to carry out this section, of which not more than 3 percent may be used by the Secretary for administrative purposes and not more than 2 percent may be used by the Secretary for technical assistance in section 306(a)(26) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(26)).

SEC. 1003. PANDEMIC PROGRAM ADMINISTRATION.

In addition to amounts otherwise available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,500,000, to remain available until expended, for necessary administrative expenses associated with carrying out this subtitle.

SEC. 1004. FUNDING FOR THE USDA OFFICE OF INSPECTOR GENERAL FOR OVERSIGHT OF COVID-19-RELATED PROGRAMS.

In addition to amounts otherwise made available, there is appropriated to the Office of the Inspector General of the Department of Agriculture for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $47,500,000, to remain available until expended, for necessary administrative expenses associated with overseeing and other oversight activities of projects and programs funded, or to be funded, with amounts otherwise available, there is appropriated to the Department of Agriculture related to the COVID-19 pandemic.

SEC. 1005. FUNDING FOR THE ASSISTANCE FOR SOCIOECONOMICALLY DISADVANTAGED FARMERS AND RANCHERS.

(a) PAYMENTS.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $75,000,000, to remain available until expended, for the cost of loan modifications and payment adjustments under this section.

(b) PAYMENTS.—The Secretary shall provide a payment in an amount up to 120 percent of the outstanding indebtedness of each socially disadvantaged farmer or rancher as of January 1, 2021, to pay off the loan directly or to the socially disadvantaged farmer or rancher (or a combination of both), on each of the following:

(1) direct farm loan made by the Secretary to the socially disadvantaged farmer or rancher;

(2) loan guaranteed by the Secretary to the borrower of which is the socially disadvantaged farmer or rancher;

(b) LIMITATIONS.—In this section:

(F) definitions.—In this section:

(1) FARM LOAN.—The term "farm loan" means—

(A) a loan administered by the Farm Service Agency under subtitle A, R, C, or G of the Conservation, Animal and Rural Development Act (7 U.S.C. 1922 et seq.); and

(B) a Commodity Credit Corporation Farm Storage Facility Loan.

(2) The term "Secretary" means the Secretary of Agriculture.

(3) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—The term "socially disadvantaged farmer or rancher" means the term given in section 2501(a)(1) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

SEC. 1006. USE OF ASSISTANCE AND SUPPORT FOR SOCIALLY DISADVANTAGED FARMERS, RANCHERS, FOREST LAND OWNERS, OPERATORS, AND GROUPS.

(a) APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,010,000,000, to remain available until expended, to carry out this section.

(b) ASSISTANCE.—The Secretary of Agriculture shall use the amounts made available pursuant to subsection (a) to—

(1) provide outreach, mediation, financial training, capacity building training, cooperative development training and support, and other technical assistance on issues concerning food, agriculture, agricultural credit, agricultural extension, rural development, nutrition, and other issues facing socially disadvantaged farmers, ranchers, or forest landowners, or other members of socially disadvantaged groups;

(2) provide grants and loans to improve land access for socially disadvantaged farmers, ranchers, or forest landowners, including issues related to heirs' property in a manner determined by the Secretary; and

(3) to support the activities of one or more equity commissions that will address racial equity issues within the Department of Agriculture and its programs, using $5,000,000 of the amount made available pursuant to subsection (a);

(4) to support and supplement agricultural research, education, and extension, as well as scholarships and programs that provide internships and pathways to Federal employment, as determined by the Secretary;

(5) to provide financial assistance to socially disadvantaged farmers, ranchers, or forest landowners that are former farm loan borrowers that suffered related adverse actions or past discrimination or bias in Department of Agriculture programs, as determined by the Secretary.

(c) DEFINITIONS.—In this section:

(1) NONINDUSTRIAL PRIVATE FOREST LAND.—The term "nonindustrial private forest land" has the meaning given the term in section 1201(a)(18) of the Food Security Act of 1985 (16 U.S.C. 3801(a)(18)).

(2) SOCIALLY DISADVANTAGED FARMER, RANCHER, OR FOREST LANDOWNER.—The term "socially disadvantaged farmer, rancher, or forest landowner" means a farmer, rancher, or owner or operator of nonindustrial private forest land who is a member of a socially disadvantaged group.

(3) SOCIAL DISADVANTAGED GROUP.—The term "socially disadvantaged group" has the meaning given the term in section 305(a)(5) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

SEC. 1007. USE OF COMMODITY CREDIT CORPORATION FOR COMMODITIES AND ASSOCIATED EXPENSES.

In addition to amounts otherwise made available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $800,000,000, to remain available until September 30, 2022, to use the Commodity Credit Corporation to acquire and make available commodities under section 306(a)(8) of the Act (7 U.S.C. 1736(b)) and for expenses under such section.

SEC. 1101. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(a) VALUE OF BENEFITS.—Section 702(a) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking "June 30, 2021" and inserting "September 30, 2021.

(b) SNAP ADMINISTRATIVE EXPENSES.—In addition to amounts otherwise available, there is hereby appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise available, $1,150,000,000, to remain available until September 30, 2023, with amounts to be obligated for each of fiscal years 2022, 2023, and 2024, for the costs of State administrative expenses associated with carrying out this section and administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2001 et seq.), of which—

(1) $15,000,000 shall be for necessary expenses of the Secretary of Agriculture (in addition to amounts otherwise appropriated) for management and oversight of the program; and

(2) $1,135,000,000 shall be for the Secretary to make grants to each State agency for each of fiscal years 2021 through 2023 as follows:

(A) 15 percent of the amounts available shall be allocated to States based on the share of each State of households that participate in the supplemental nutrition assistance program as reported to the Department of Agriculture over the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of enactment of this Act) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)); and

(B) 25 percent of the amounts available shall be allocated to States based on the increase in the number of households that participate in the supplemental nutrition assistance program as reported to the Department of Agriculture over the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of enactment of this Act) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h));

SEC. 1102. ADDITIONAL ASSISTANCE FOR SNAP ONLINE PURCHASING AND TECHNOLOGY IMPROVEMENTS.

(a) FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $25,000,000 to remain available through September 30, 2026, to carry out this section.

(b) USE OF FUNDS.—The Secretary of Agriculture may use the amounts made available pursuant to subsection (a)—

(1) to make technological improvements to improve online purchasing in the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2001 et seq.); and

(2) to modernize electronic benefit transfer technology.

(3) to support the mobile technologies demonstration projects and the use of mobile technologies authorized under section 7(b)(14) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(b)(14)); and

(4) to provide technical assistance to educate retailers on the process and technical
requirements for the online acceptance of the supplemental nutrition assistance program benefits, for mobile payments, and for electronic benefit transfer modernization initially (mostly) breastfeeding women.

In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $37,000,000, to remain available until September 30, 2022, for activities authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c: note).

In addition to amounts otherwise available, there are appropriated to the Secretary, out of amounts in the Treasury otherwise made available, there is appropriated for fiscal year 2024, to carry out outreach, innovation, and program modernization efforts, including appropriate waivers and flexibility, to increase participation in and redemption of benefits under programs established under section 17 of the Child Nutrition Act of 1966 (7 U.S.C. 1431), except that such waivers may not relate to the content of the WIC Food Packages (as defined in section 246.10(e) of title 7, Code of Federal Regulations (as in effect on the date of the enactment of this Act)), or the nondiscrimination requirements under section 246.8 of title 7, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

The term "participant" means each of the following food packages (as defined in section 246.10(e) of title 7, Code of Federal Regulations (as in effect on the date of the enactment of this Act)):

(A) Food package III—Participants with qualifying conditions.

(B) Food package IV—Children 1 through 4 years old.

(C) Food package V—Pregnant and partially (mostly) breastfeeding women.

(D) Food package VI—Postpartum women.

(E) Food package VII—Fully breastfeeding women.

Secretary.—The term "Secretary" means the Secretary of Agriculture.

State agency.—The term "State agency" has the meaning given the term in section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1766b(b)).

Authority to increase amount of cash-value voucher.—During the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary shall reimburse emergency shelters that notify the Secretary of—

(A) the increased amount, without further application; and

(B) the applicable period selected by the State agency during which that increased amount shall remain available.


Emergency shelter.—The term "emergency shelter" has the meaning given the term in section 17(t) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(t)).

Secretary.—The term "Secretary" means the Secretary of Agriculture.

(c) ALLOCATIONS TO STATES.—The amount of each grant under subsection (b) shall be allocated by the Secretary to each State in the same proportion as each State received under paragraph (a) of title I of the Elementary and Secondary Education Act of 1965 in the most recent fiscal year.

(d) GRANTEES TO LOCAL EDUCATIONAL AGENCIES.—

(1) IN GENERAL.—Each State shall allocate not less than 87.5 percent of the grant funds awarded to the State under this section as subgrants to local educational agencies (including charter schools that are local educational agencies) in the State in proportion to the amount of funds such local educational agencies and charter schools that are local educational agencies received under part A of title I of the Elementary and Secondary Education Act of 1965 in the most recent fiscal year.

(2) AVAILABILITY OF FUNDS.—Each State shall make allocations under paragraph (1) to local educational agencies in an expedited and timely manner and, to the extent practicable, not later than 60 days after the receipt of such funds.

(e) USE OF FUNDS.—A local educational agency that receives funds under this section—

(1) shall reserve not less than 20 percent of such funds to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment programs, such as summer learning or extended day, comprehensive after-school programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student subgroups described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care;

(2) shall reserve not less than 1 percent of such funds to address learning loss through the implementation of evidence-based comprehensive after-school programs, and ensure such programs respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student populations described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care;

(3) shall reserve not less than 1 percent of the total amount of grant funds awarded to the State under this section to carry out, directly or through grants or contracts, the purchase of educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantial educational interaction between students and their classroom instructors, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care;

(f) STATE FUNDING.—With funds not otherwise allocated under subsection (d), a State—

(1) shall reserve not less than 20 percent of the total amount of grant funds awarded to the State under this section to carry out, directly or through grants or contracts, the purchase of educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency that aids in regular and substantial educational interaction between students and their classroom instructors, students with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children in foster care;

(2) shall reserve not less than 1 percent of such funds to address learning loss through the implementation of evidence-based comprehensive after-school programs, and ensure such programs respond to students’ academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student populations described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care;

(3) shall reserve not less than 1 percent of the total amount of grant funds awarded to the State under this section to carry out, directly or through grants or contracts, the purchase of educational technology (including hardware, software, and connectivity) for students who are served by the local educational agency in the State that aids in regular and substantial educational interaction between students and their classroom instructors, including low-income students and children experiencing homelessness, and children and youth in foster care;

(4) shall reserve 2.5 percent of the total amount of grant funds awarded to the State under this section to carry out, directly or through grants or contracts, the purchase of technology or adaptive equipment; and

(g) REALLOCATION.—A State shall retain the authority any funds reserved for this section that the State does not award within 1 year of receiving such funds and the Secretary shall reallocate such funds to the remaining States in accordance with subsection (c).

(h) DEFINITIONS.—In this section, the terms "child", "children with disabilities", "distance education", "elementary school", "English learner", "evidence-based", "secondary school", "local educational agency", "parent", "Secretary", "State educational agency", and "technology" have the meanings given those terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801); and

(i) SMALL LEARNING COMMUNITIES.—In this section, the term "full-service community schools" means the term given that term in section 1111(b)(2)(C)(v) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 772(2)); and
(a) a new measure of poverty established by the Secretary of Education, as determined by the Secretary in accordance with subparagraph (B).

(B) collectively serve not less than 20 percent of the State's total enrollment of students enrolled in the State.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—(1) A new measure of poverty established by the Secretary of Education, as determined by the Secretary in accordance with subparagraph (B).

(B) collectively serve not less than 50 percent of the State's total enrollment of students enrolled in the State.

(2) HIGH-POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), a local educational agency shall not use per-pupil funding (as calculated on a per-pupil basis) below the level of per-pupil funding (as calculated on a per-pupil basis) provided to each such local educational agency in fiscal year 2019.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—(1) In general.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) provided to each such local educational agency in fiscal year 2019.

(2) HIGH-POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), a local educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) below the level of per-pupil funding (as calculated on a per-pupil basis) provided to each such local educational agency in fiscal year 2019.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—(1) In general.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023,

(B) collectively serve not less than 50 percent of the State's total enrollment of students enrolled in the State.

(2) HIGH-POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), a local educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) below the level of per-pupil funding (as calculated on a per-pupil basis) provided to each such local educational agency in fiscal year 2019.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—(1) In general.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023,

(B) collectively serve not less than 50 percent of the State's total enrollment of students enrolled in the State.

(2) HIGH-POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), a local educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) below the level of per-pupil funding (as calculated on a per-pupil basis) provided to each such local educational agency in fiscal year 2019.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—(1) In general.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023,

(B) collectively serve not less than 50 percent of the State's total enrollment of students enrolled in the State.

(2) HIGH-POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), a local educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) below the level of per-pupil funding (as calculated on a per-pupil basis) provided to each such local educational agency in fiscal year 2019.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—(1) In general.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023,

(B) collectively serve not less than 50 percent of the State's total enrollment of students enrolled in the State.

(2) HIGH-POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), a local educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) below the level of per-pupil funding (as calculated on a per-pupil basis) provided to each such local educational agency in fiscal year 2019.

(c) LOCAL EDUCATIONAL AGENCY MAINTENANCE OF EQUITY FOR HIGH-POVERTY SCHOOLS.—(1) In general.—As a condition of receiving funds under section 2001, a local educational agency shall not, in fiscal year 2022 or 2023,
edcational agencies in the State in the previous fiscal year; divided by

(2) the aggregate number of children enrolled in all schools served by all local educational agencies in the State in the fiscal year for which the determination is being made.

(6) "State."—The term "State" means each of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

SEC. 2005. OUTLYING AREAS.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $850,000,000, to remain available throughout fiscal year 2023, for the Department of Education to allocate awards to the outlying areas on the basis of their respective needs, as determined by the Secretary, to be allocated not more than 30 calendar days after the date of enactment of this Act.

SEC. 2006. GALLAUDET UNIVERSITY.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $19,250,000, to remain available through September 30, 2023, for the Gallaudet University to prevent, prepare for, and respond to coronavirus, including to defray expenses associated with coronavirus (including lost revenue, reimbursement for expenses already incurred, technology costs associated with a transition to distance education, faculty and staff trainings, and payroll) and to provide financial aid grants to students, which may be used for any component of the student’s cost of attendance.

SEC. 2007. STUDENT AID ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $691,130,000, to remain available through September 30, 2023, for the Student Aid Administration, within the Department of Education to prevent, prepare for, and respond to coronavirus including direct outreach to students and borrowers about financial aid programs and tax benefits, for which the students and borrowers may be eligible.

SEC. 2008. HOWARD UNIVERSITY.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available through September 30, 2023, for the Institute of Education Sciences to carry out research and development related to the coronavirus among the student subgroups described in section 1111(b)(2)(B)(ix) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(ix)) and students experiencing homelessness and children and youth in foster care, and to disseminate such findings to State educational agencies and local educational agencies and other appropriate entities.

SEC. 2010. INSTITUTE OF EDUCATION SCIENCES.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available through September 30, 2023, for the Institute of Education Sciences to carry out research and development related to the coronavirus among the student subgroups described in section 1111(b)(2)(B)(ix) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(ix)) and students experiencing homelessness and children and youth in foster care, and to disseminate such findings to State educational agencies and local educational agencies and other appropriate entities.

SEC. 2011. PROGRAM ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000, to remain available through September 30, 2023, for the Office of Inspector General for oversight of the Department of Education to prevent, prepare for, and respond to coronavirus, and for salaries and expenses necessary to implement this Act.

SEC. 2012. OFFICE OF INSPECTOR GENERAL.

In addition to amounts otherwise available, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available until expended, for the Office of Inspector General for oversight of the Department of Education to prevent, prepare for, and respond to coronavirus.

SEC. 2013. MODIFICATION OF REVENUE REQUIREMENTS FOR PROPRIETARY INSTITUTIONS OF HIGHER EDUCATION.


(1) in subparagraph (A), by striking "$60,000"; and

(2) in subparagraph (B), by striking ''$680,000'' and by substituting ''$200,000'' for ''$60,000''.

(b) INSTITUTIONS OF HIGHER EDUCATION.—Section 151(b)(1) of the Tobacco Settlement Equity Act of 2006 (20 U.S.C. 1094(b)(1)) is amended—

(1) in subparagraph (A), by striking ''$2.50'' and by substituting ''$2,000,000'' for ''$2.50''; and

(2) in subparagraph (B), by striking ''$11,000,000'' and by inserting ''$60,000,000'' for ''$11,000,000''.

(c) INSTITUTIONS OF HIGHER EDUCATION.—Section 111(b)(1) of the Tobacco Settlement Equity Act of 2006 (20 U.S.C. 1094(b)(1)) is amended—

(1) by striking the introductory text of that section; and

(2) by striking the following: "Not less than 89 percent of such funds to State library agencies by applying the formula in section 221(b) of the Museum and Library Services Act of 1965, as follows:

(3) the Secretary’s activities to prevent, prepare for, and respond to coronavirus including direct outreach to students and borrowers about financial aid programs and tax benefits, for which the students and borrowers may be eligible.

SEC. 2015. NATIONAL ENDOWMENT FOR THE HUMANITIES.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $35,000,000, to remain available until September 30, 2023, for the National Endowment for the Humanities to prevent, prepare for, and respond to coronavirus, and for general operating expenses to cover up to 100 percent of the costs of the programs which the grants support.

SEC. 2016. FUNDING FOR DEPARTMENT OF LABOR WORKER PROTECTION ACTIVITIES.

(a) Appropriation.—In addition to amounts otherwise made available, out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary of Labor for fiscal year 2021, $200,000,000, to remain available until September 30, 2023, for the Wage and Hour Division, the Office of Workers’ Compensation Programs, the Office of the Solicitor, the Mine Safety and Health Administration, and the Occupational Safety and Health Administration to carry out COVID–19 related worker protection activities, and for the Office of Inspector General for oversight of the Secretary’s activities to prevent, prepare for, and respond to COVID–19.

(b) Allocation of Amounts.—Amounts appropriated under subsection (a) shall be allocated as follows:

(1) not less than $100,000,000 shall be for the Occupational Safety and Health Administration, of which $10,000,000 shall be for Susan Harwood training grants and not less than $5,000,000 shall be for enforcement activities related to COVID–19 at high risk workplaces including health care, meat and poultry
processing facilities, agricultural workplaces and correctional facilities.
(2) $12,500,000 shall be for the Office of Inspector General.

Subsection C—Human Services and Community Supports

SEC. 2201. CHILD CARE AND DEVELOPMENT BLOCK GRANT PROGRAM.

(a) CHILD CARE AND DEVELOPMENT BLOCK GRANTS.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $1,989,000,000 for funds available through September 30, 2021, to carry out the program authorized under section 658C of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c) without regard to the requirements of subparagraphs (C) and (E) of section 658c(c)(3), and in section 658e(c)(3)(E), of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858e(c)(3), 9858e(c)). Such grant shall be allotted in accordance with section 658O of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m).

(d) STATE RESERVATIONS AND SUBGRANTS.—

(1) RESERVATION.—A lead agency for a State that has received a subgrant pursuant to subsection (c) shall reserve not more than 10 percent of such grant funds to administer subgrants, provide technical assistance and training, and accessing the subgrant opportunity, publicize the availability of the subgrants, carry out activities to increase the supply of child care, and, to the extent possible, reimburse the provider for sums obligated or expended under this paragraph.

(2) SUBGRANTS TO QUALIFIED CHILD CARE PROVIDER.—

(A) IN GENERAL.—The lead agency shall use the remainder of the grant funds awarded pursuant to subsection (c) to make subgrants to qualified child care providers described in subparagraph (B), regardless of such a provider's previous receipt of other Federal assistance, to support the stability of the child care sector during and after the COVID–19 public health emergency.

(B) QUALIFIED CHILD CARE PROVIDER.—To be qualified to receive a subgrant under this paragraph, a provider shall be an eligible child care provider that on the date of submission of an application for the subgrant, was open and available to provide child care services; or

(i) closed due to public health, financial hardship, or other reasons relating to the COVID–19 public health emergency.

(C) SUBGRANT AMOUNT.—The amount of such a subgrant to a qualified child care provider shall be based on the provider's stated current operating expenses, including costs associated with providing or preparing to provide child care services during the COVID–19 public health emergency, and to the extent practicable, cover sufficient operating expenses to ensure continuous operations for the intended period of the subgrant.

(E) USES OF FUNDS.—

(1) IN GENERAL.—A qualified child care provider that receives funds through such a subgrant shall use the funds for at least one of the following:

(A) Personnel costs, including payroll and salaries or similar compensation for an employee (including any independent contractor), employee benefits, premium pay, or costs for employee recruitment and retention.

(B) Rent (including rent under a lease agreement) or payment on any mortgage obligation, utilities, facility maintenance or improvements, or insurance.

(C) Personal protective equipment, cleaning and sanitization supplies and services, or training and professional development related to health and safety practices.

(D) Purchases or upgrades to equipment and supplies to respond to COVID–19 public health emergency.

(E) Goods and services necessary to maintain or resume child care operations.

(F) Mental health supports for children and employees.

(2) REIMBURSEMENT.—The qualified child care provider may use the subgrant funds to reimburse the provider for sums obligated or expended before the date of enactment of this Act for the cost of goods or services described in paragraph (1) to respond to COVID–19 public health emergency.

(SUPPLEMENT NOT SUPPLANT.—Amounts made available to carry out this section shall be used to supplement and not supplant other Federal, State, and local public funds expended to provide child care services for eligible individuals.

SEC. 2203. HEAD START.

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $1,989,000,000, to remain available through September 30, 2022, to carry out the Head Start Act, including for Federal administrative expenses. After reserving funds for Federal administrative expenses, the Secretary shall allocate remaining amounts to Head Start agencies for one-time grants, and shall allocate to each Head Start agency an amount that bears the same ratio to the portion available for allocations as the number of enrolled children served by the Head Start agency bears to the number of enrolled children served by all Head Start agencies.

SEC. 2204. PROGRAMS FOR SURVIVORS.

(a) IN GENERAL.—Section 303 of the Family Violence Prevention and Services Act (42 U.S.C. 10463) is amended by adding at the end the following:

(4) ADDITIONAL FUNDING.—For the purposes of carrying out this title, in addition to amounts otherwise made available for such purposes, there are appropriated, out of any amounts in the Treasury not otherwise appropriated, for fiscal year 2021, to remain available until expended except as otherwise provided in this subsection, each of the following:

(i) $180,000,000 to carry out sections 301 through 312, to be allocated in the manner described in subsection (a)(2), except that—

(A) a reference in subsection (a)(2) to an amount appropriated under paragraph (1) shall be considered to be a reference to an amount appropriated under this paragraph;
“(B) the matching requirement in section 306(c)(4) and condition in section 308(d)(3) shall not apply; and

“(C) each reference in section 308(e) to ‘the end of the fiscal year’ shall be considered to be a reference to ‘the end of fiscal year 2023’; and

“(D) funds made available to a State in a grant pursuant to section 306(a) and obligated in a timely manner shall be available for expenditure, by the State or a recipient of funds from the grant, through the end of fiscal year 2023.

“(2) $18,000,000 to carry out section 309.

“(3) $2,000,000 to carry out section 313, of which $1,000,000 shall be allocated to support Indian communities.

“(B) COVID–19 Public Health Emergency Defined.—In this section, the term “COVID–19 public health emergency” means a public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 139a), as most recently amended by the Pandemic and All-Hazards Preparedness Reauthorization Act of 2014 (34 U.S.C. 751 note), which, in addition to amounts otherwise made available, shall be used—

“(1) $50,000,000 for responding to the COVID–19 public health emergency declared on March 8, 2020, related to COVID–19 and utilized culturally competent practices and services, for which funds are appropriated under subsection (a) shall be allocated without regard to section 204(4) of such Act (42 U.S.C. 15164(4)) and shall be allotted to States in accordance with section 203 of such Act (42 U.S.C. 15163), except that—

“(A) in subsection (b)(1)(A) of such section 203, “70 percent” shall be deemed to be “100 percent”; and

“(B) subsections (b)(1)(B) and (c) of such section 203 shall not apply; and

“(2) $100,000,000 for carrying out the State grant program authorized under section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a), which shall be- located without regard to section 112(a)(2) of such Act (42 U.S.C. 5106a(a)(2)).

SEC. 2205. CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND THE NATIONAL SERVICE TRUST.

(a) Corporation for National and Community Service.—Amounts otherwise made available, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, for the Corporation for National and Community Service, $852,000,000, to remain available through September 30, 2024, to carry out subsections (b)(1)(B) and (c) of such section, and for such purposes as determined by the Corporation for National and Community Service, shall be for grants awarded under section 126 of the National and Community Service Act of 1990 (42 U.S.C. 12572), which shall be allotted to States in accordance with section 203 of such Act (42 U.S.C. 12563), as most recently amended by the Pandemic and All-Hazards Preparedness Reauthorization Act of 2014 (34 U.S.C. 751 note), which shall be allotted without regard to section 204(4) of such Act (42 U.S.C. 15164(4)) and shall be allotted to States in accordance with section 203 of such Act (42 U.S.C. 15163), except that—

“(1) $20,000,000 for carrying out the State grant program authorized under section 106 of the State grant program authorized under section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a), which shall be located without regard to section 112(a)(2) of such Act (42 U.S.C. 5106a(a)(2));

“(2) $2,000,000 to carry out section 313, of which $1,000,000 shall be allocated to support Indian communities.

“12653p(d)(1)(B)), shall be for grants awarded under section 126(d)(1)(B) of the National and Community Service Act of 1990 (42 U.S.C. 12573(d)(1)(B)), which, notwithstanding section 105(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 9965(b)), shall remain available until expended, for the Corporation for National and Community Service for administrative expenses to carry out programs and activities funded by subsection (a).

(b) Use of Funds.—The Secretary, acting through the Director of the Corporation for National and Community Service, shall—

“(1) from amounts appropriated or otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $140,000,000, to remain available until expended, for administration of the National Service Trust, and for payment to the Trust for the provision of educational awards and grants under paragraph (1) of the National and Community Service Act of 1990 (42 U.S.C. 12601(a)(1)(A)).

“12653p(d)(1)(B)), shall be for grants awarded under section 126(d)(1)(B) of the National and Community Service Act of 1990 (42 U.S.C. 12573(d)(1)(B)), which, notwithstanding section 105(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 9965(b)), shall remain available until expended, for the Corporation for National and Community Service for administrative expenses to carry out programs and activities funded by subsection (a).

(c) National Service Trust.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $140,000,000, to remain available until expended, for administration of the National Service Trust, and for payment to the Trust for the provision of educational awards and grants under paragraph (1) of the National and Community Service Act of 1990 (42 U.S.C. 12601(a)(1)(A)).

Subtitle D—Public Health

SEC. 2301. FUNDING FOR COVID–19 VACCINE ACTIVITIES AT THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

(a) In General.—In addition to amounts otherwise made available, there is appropriated to the Secretary of Health and Human Services (in this subtitle referred to as the “Secretary”) $20,000,000,000, for the Centers for Disease Control and Prevention and in consultation with other agencies, as applicable, shall—

“(1) conduct activities to enhance, expand, and improve nationwide COVID–19 vaccine distribution and administration, including staffing support, of community vaccination centers, particularly in underserved areas;

“(2) provide technical assistance, guidance, and support to, and award grants or cooperative agreements to, State, local, Tribal, and territorial public health departments for enhancement of COVID–19 vaccine distribution and administration capabilities, including—

“(A) the distribution and administration of COVID–19 vaccines licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) or authorized under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb–3) and ancillary medical products and supplies related to vaccines; and

“(B) the establishment and expansion, including staffing support, of community vaccination centers, particularly in underserved areas;

“(3) the deployment of mobile vaccination units, particularly in underserved areas;

“(D) information technology, standards-based sharing of data related to vaccine distribution and vaccinations and systems for grants that enhance vaccine safety, effectiveness, and uptake, particularly among underserved populations;
SEC. 2302. FUNDING FOR VACCINE CONFIDENCE ACTIVITIES.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until expended, to carry out activities, acting through the Director of the Centers for Disease Control and Prevention, to—

(1) strengthen vaccine confidence in the United States, including its territories and possessions;

(2) provide further information and education with respect to vaccines licensed under section 351 of the Public Health Service Act; and

(3) to increase their capacity to sequence genomes of circulating strains of viruses and other organisms, including strains of SARS-CoV-2; and

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plans years beginning after December 31, 2020.

Subtitle E—Testing

SEC. 2401. FUNDING FOR COVID-19 TESTING, CONTACT TRACING, AND MITIGATION ACTIVITIES.

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary, acting through the Director of the Centers for Disease Control and Prevention, $78,000,000,000, to remain available until expended, to carry out activities to detect, trace, and monitor SARS-CoV-2 and COVID-19 infections and related strategies to mitigate the spread of COVID-19;

(b) USE OF FUNDS.—From amounts appropriated by subsection (a), the Secretary shall—

(1) implement a national, evidence-based strategy to increase capacity to sequence genomes of circulating strains of viruses and other organisms, including SARS-CoV-2; and

(2) to use genomic sequencing to identify outbreaks and clusters of diseases or infections, including COVID-19; and

(C) to use genomic sequencing to identify outbreaks and clusters of diseases or infections, including COVID-19, and monitor the spread of new and variant SARS-CoV-2 strains; and

(D) to prevent, detect, and respond to outbreaks of SARS-CoV-2 and related diseases; and

(E) activities authorized under section 319(a) of the Public Health Service Act;
(3) enhance and expand the informatics capabilities of the public health workforce; and
(4) award grants for the construction, alteration, or renovation of facilities to improve ability to sequence and surveil public health capabilities at the State and local level.

SEC. 2403. FUNDING FOR GLOBAL HEALTH.
In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $750,000,000, to remain available until expended for activities to be conducted through the Director of the Centers for Disease Control and Prevention to combat SARS-CoV-2 and other emerging infectious disease threats globally, including efforts related to global health security, global disease detection and response, global health equity, global immunization, and global coordination on public health.

SEC. 2404. FUNDING FOR DATA MODERNIZATION AND FORECASTING CENTER.
In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, for activities to be conducted by the Secretary to modernize the United States disease warning system to forecast and track hotspots for COVID–19, its variants, and emerging biological threats, including academic and workforce support for analytics and informatics infrastructure and data collection systems.

Subtitle F—Public Health Workforce

SEC. 2501. FUNDING FOR PUBLIC HEALTH WORKFORCE.
(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this subtitle referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $7,660,000,000, to remain available until expended, for necessary expenses for awarding grants and cooperative agreements under section 330 of the Public Health Service Act (42 U.S.C. 254d) without regard to the time limitation in subsection (e)(3) and subsections (e)(6)(A)(iii), (e)(6)(B)(iii), and (e)(2)(B) of such section 330, and for necessary expenses for awarding grants to Federally qualified health centers, as described in section 1861(aa)(4)(B) of the Social Security Act (42 U.S.C. 1395v(a)(4)(B)), and for awarding grants or contracts to Papa Ola Lokahi and to qualified entities under sections 4 and 6 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 1481a–5 and 1481a–6). Of the total amount appropriated by the preceding sentence, not less than $20,000,000 shall be for Papa Ola Lokahi and to qualified entities under sections 4 and 6 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 1481a–5 and 1481a–6).

(b) Use of Funds.—Amounts made available to an awardee pursuant to subsection (a) shall be used—

(1) to plan, prepare for, promote, distribute, administer, and track COVID–19 vaccines, and to carry out other vaccine-related activities;

(2) to detect, diagnose, trace, and monitor COVID–19 infections and activities necessary to mitigate the spread of COVID–19, including activities related to, or equipment or supplies purchased for, testing, contact tracing, case, contact, mitigation, and treatment of COVID–19;

(3) to purchase equipment and supplies to conduct mobile testing or vaccinations for COVID–19, to purchase and maintain mobile vehicles and equipment to conduct such testing or vaccinations, and to hire and train laboratory personnel and other staff to conduct such mobile vaccinations, particularly in medically underserved areas;

(4) to establish, expand, and sustain the health care workforce to prevent, prepare for, and respond to other health workforce-related activities;

(5) to modify, enhance, and expand health care services and supplies necessary for the COVID–19 pandemic;

(6) to conduct community outreach and education activities related to COVID–19;

(c) Pass Expenditures.—An awardee may use amounts awarded pursuant to subsection (a) to cover the costs of the awardee carrying out any of the activities described in subsection (b) during the period beginning on the date of the declaration of a public health emergency by the Secretary under section 319 of the Public Health Service Act (42 U.S.C. 264) on March 1, 2020, with respect to COVID–19 and ending on the date of such award.

SEC. 2502. FUNDING FOR MEDICAL RESERVE CORPS.
In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $300,000,000, to remain available until expended, for necessary expenses for training medical residency training programs.

SEC. 2503. FUNDING FOR COMMUNITY HEALTH WORKERS.
SEC. 2601. FUNDING FOR COMMUNITY HEALTH WORKERS.
(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this subtitle referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $7,660,000,000, to remain available until expended, for necessary expenses for awarding grants and cooperative agreements under section 330 of the Public Health Service Act (42 U.S.C. 254d) without regard to the time limitation in subsection (e)(3) and subsections (e)(6)(A)(iii), (e)(6)(B)(iii), and (e)(2)(B) of such section 330, and for necessary expenses for awarding grants to Federally qualified health centers, as described in section 1861(aa)(4)(B) of the Social Security Act (42 U.S.C. 1395v(a)(4)(B)), and for awarding grants or contracts to Papa Ola Lokahi and to qualified entities under sections 4 and 6 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 1481a–5 and 1481a–6). Of the total amount appropriated by the preceding sentence, not less than $20,000,000 shall be for Papa Ola Lokahi and to qualified entities under sections 4 and 6 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 1481a–5 and 1481a–6).

(b) Use of Funds.—Amounts made available to an awardee pursuant to subsection (a) shall be used—

(1) to plan, prepare for, promote, distribute, administer, and track COVID–19 vaccines, and to carry out other vaccine-related activities;

(2) to detect, diagnose, trace, and monitor COVID–19 infections and activities necessary to mitigate the spread of COVID–19, including activities related to, or equipment or supplies purchased for, testing, contact tracing, case, contact, mitigation, and treatment of COVID–19;

(3) to purchase equipment and supplies to conduct mobile testing or vaccinations for COVID–19, to purchase and maintain mobile vehicles and equipment to conduct such testing or vaccinations, and to hire and train laboratory personnel and other staff to conduct such mobile vaccinations, particularly in medically underserved areas;

(4) to establish, expand, and sustain the health care workforce to prevent, prepare for, and respond to other health workforce-related activities;

(5) to modify, enhance, and expand health care services and supplies necessary for the COVID–19 pandemic;

(6) to conduct community outreach and education activities related to COVID–19;

(c) Pass Expenditures.—An awardee may use amounts awarded pursuant to subsection (a) to cover the costs of the awardee carrying out any of the activities described in subsection (b) during the period beginning on the date of the declaration of a public health emergency by the Secretary under section 319 of the Public Health Service Act (42 U.S.C. 264) on March 1, 2020, with respect to COVID–19 and ending on the date of such award.

SEC. 2504. FUNDING FOR NATIONAL HEALTH SERVICE CORPS.
(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $800,000,000, to remain available until expended, for necessary expenses for awarding grants or contracts to States under section 338(a) of the Public Health Service Act (42 U.S.C. 254q–10).

(b) State Loan Repayment Programs.—

(1) In General.—Of the amount made available pursuant to subsection (a), $100,000,000 shall be made available for State loan repayment programs.

(2) Conditions.—With respect to grants described in paragraph (1) using funds made available under such paragraph:

(A) Section 338(b) of the Public Health Service Act (42 U.S.C. 254q–1(b)) shall not apply.

(B) Notwithstanding section 338(d)(2) of the Public Health Service Act (42 U.S.C. 254q–1(d)(2)), not less than 19 percent of an award to a State from such amounts, may be used by the State for costs of administering the program authorized by such section.

SEC. 2602. FUNDING FOR NATIONAL HEALTH SERVICE CORPS.
(a) In General.—In addition to amounts otherwise available, and notwithstanding the capped amount referenced in section 360H(b)(2) and 360H(d)(2) of the Public Health Service Act (42 U.S.C. 256h(b)(2) and (d)(2)), there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $300,000,000, to remain available until expended, for carrying out section 416 of the Public Health Service Act (42 U.S.C. 257o).

(b) Use of Funds.—Amounts made available pursuant to subsection (a) shall be used for the following activities:

(1) For making payments to establish new approved graduate medical residency training programs pursuant to section 360H(a)(1)(C) of the Public Health Service Act (42 U.S.C. 256h(a)(1)(C)).

(2) To provide an increase to the per resident amount described in section 360H(a)(2) of the Public Health Service Act (42 U.S.C. 256h(a)(2)) of $10,000.

(3) For making payments under section 360H(a)(1)(A) of the Public Health Service Act (42 U.S.C. 256h(a)(1)(A)) to qualified teaching health centers for maintenance of filled positions at existing approved graduate medical residency training programs.

(4) For making payments under section 360H(a)(1)(B) of the Public Health Service Act (42 U.S.C. 256h(a)(1)(B)) for the expansion of existing approved graduate medical residency training programs.

(5) For making payments under section 749A of the Public Health Service Act (42 U.S.C. 256h(a)(1)(C)) to teaching health centers for maintenance of filled positions at existing approved graduate medical residency training programs.

(6) To cover administrative costs and activities necessary for qualified teaching...
In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until expended, for necessary expenses for making grants and contracts under section 1001 of the Public Health Service Act (42 U.S.C. 300x).

Subtitle II—Mental Health and Substance Use Disorder

SEC. 2701. FUNDING FOR BLOCK GRANTS FOR COMMUNITY MENTAL HEALTH SERVICES.

In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this subtitle referred to as the ‘‘Secretary’’) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,500,000,000, to remain available until expended, for carrying out subpart I of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x et seq.), subpart III of part B of title XIX of such Act (42 U.S.C. 300x-31 et seq.), and section 515(b) of such Act (42 U.S.C. 256h) to carry out activities under title XIX of the Public Health Service Act (42 U.S.C. 300x–62), any amount awarded to a State out of amounts appropriated by this section shall be expended by the State by September 30, 2025.

SEC. 2702. FUNDING FOR BLOCK GRANTS FOR PREVENTION AND TREATMENT OF SUBSTANCE ABUSE.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,500,000,000, to remain available until expended, for carrying out subpart II of part B of title XIX of the Public Health Service Act (42 U.S.C. 300x-21 et seq.), subpart III of part B of title XIX of such Act (42 U.S.C. 300x-51 et seq.), section 505(d) of such Act (42 U.S.C. 290aa-4(d)) with respect to mental health. Notwithstanding section 1952 of the Public Health Service Act (42 U.S.C. 300x-62), any amount awarded to a State out of amounts appropriated by this section shall be expended by the State by September 30, 2025.

SEC. 2703. FUNDING FOR MENTAL HEALTH AND SUBSTANCE USE DISORDER TRAINING FOR HEALTH CARE PROFESSIONALS, PARAPROFESSIONALS, AND PUBLIC SAFETY OFFICERS.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $80,000,000, to remain available until expended, for the purpose described in subsection (b).

(b) USE OF FUNDING.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the medical professional community, shall use amounts appropriated by subsection (a) to carry out a national evidence-based education and awareness campaign directed at health care professionals and first responders (such as emergency medical service providers), and employers of such professionals and first responders. Such awareness campaigns shall—

(1) encourage primary prevention of mental health conditions and substance use disorders and secondary and tertiary prevention by encouraging health care professionals to seek support and treatment for their own mental health and substance use concerns; and

(2) help such professionals to identify risk factors in themselves and others and respond to such risks.

SEC. 2704. FUNDING FOR EDUCATION AND AWARENESS CAMPAIGN ENCOURAGING HEALTHY WORK CONDITIONS AND USE OF MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until expended, for the purpose described in subsection (b).

(b) USE OF FUNDS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in consultation with the medical professional community, shall use amounts appropriated by subsection (a) to—

(i) carry out a national evidence-based education and awareness campaign directed at health care professionals and employers of such professionals, the public, and relevant stakeholders; and

(ii) address increased community behavioral health needs worsened by the COVID-19 public health emergency.

SEC. 2705. FUNDING FOR NEAT.

(a) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $30,000,000, to remain available until expended, for the purpose described in subsection (b).

(b) USE OF FUNDS.—The Secretary, acting through the Assistant Secretary for Mental Health and Substance Use and in consultation with the Director of the Centers for Disease Control and Prevention, shall award grants to entities providing health care services; and supporting, enhancing, or expanding mental and behavioral health services to individuals with mental health needs (including co-occurring substance use disorders) as delivered by behavioral and mental health professionals utilizing telehealth services; and supporting, enhancing, or expanding mental and behavioral health services, and direct support to individuals with mental health needs.

SEC. 2706. FUNDING FOR NEAT PROJECT AWARE.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for carrying out section 520B of the Public Health Service Act (42 U.S.C. 290bb–1) with respect to addressing the problem of high-risk or medically underserved persons who experience violence-related stress.

SEC. 2707. FUNDING FOR PROJECT AWARE.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for carrying out section 520B of the Public Health Service Act (42 U.S.C. 290bb–3) with respect to enhancing wellness and resiliency in education.

SEC. 2710. FUNDING FOR YOUTH SUICIDE PREVENTION.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000, to remain available until expended, for carrying out sections 520E–2 and 520E–2 of the Public Health Service Act (42 U.S.C. 290bb–36, 290bb–36b).
SEC. 2711. FUNDING FOR BEHAVIORAL HEALTH WORKFORCE EDUCATION AND TRAINING.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000 to remain available until expended, for carrying out section 756 of the Public Health Service Act (42 U.S.C. 294c–1).

SEC. 2712. FUNDING FOR PEDIATRIC MENTAL HEALTH CARE ACCESS.

In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $80,000,000, to remain available until expended, for carrying out section 330M of the Public Health Service Act (42 U.S.C. 254c–19).

SEC. 2713. FUNDING FOR EXPANSION GRANTS FOR CERTIFIED COMMUNITY BEHAVIORAL HEALTH CLINICS.

In addition to amounts otherwise available, there is appropriated to the Secretary, acting through the Assistant Secretary for Mental Health and Substance Use, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, for grants to communities and community organizations that meet the criteria for Certified Community Behavioral Health Clinics established under section 223(a) of the Protection Access to Medicare Act of 2014 (42 U.S.C. 1396a note).

Subtitle I—Exchange Grant Program

SEC. 2801. ESTABLISHING A GRANT PROGRAM FOR EXCHANGE MODERNIZATION.

(a) In general.—Out of funds appropriated under subsection (b), the Secretary of Health and Human Services (in this subsection referred to as the “Secretary”) shall award grants to each American Health Benefits Exchange established under section 1311(b) of the Patient Protection and Affordable Care Act (42 U.S.C. 2101(n)) other than Exchange established by the Secretary under section 1311(b)(2) (42 U.S.C. 2101(n)) that submits to the Secretary an application at such time and in such manner, and containing such information, as specified by the Secretary, for purposes of enabling such Exchange to modernize or update any system, program, or technology utilized by such Exchange to ensure such Exchange is compliant with all applicable requirements.

(b) Funding.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $50,000,000, to remain available until September 30, 2022, for carrying out this section.

Subtitle J—Continued Assistance to Rail Workers

SEC. 2901. ADDITIONAL ENHANCED BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) In general.—Section 2(a)(9)(A) of the Railroad Unemployment Insurance Act (45 U.S.C. 1320(c)(9)(A)) is amended—

(1) in the first sentence—

(A) by striking “March 14, 2021” and inserting “August 29, 2021”;

(B) by striking “or July 1, 2020” and inserting “July 1, 2020, or July 1, 2021”;

and

(2) by adding at the end the following: “For registration periods beginning after March 14, 2021, no on or before August 29, 2021, the recovery benefit payable under this subparagraph shall be in the amount of $800.”;

(b) Clarification on authority to use funds.—Funds appropriated under section 212(c) of the CARES Act (45 U.S.C. 1350(c)) shall be available to cover the cost of additional benefits payable due to the act of the amendments made by subsection (a) as well as to cover the cost of such benefits payable due to section 212(a) as in effect on the day before the date of enactment of this Act.

SEC. 2902. EXTENSION OF WAIVER OF THE 7-DAY WAITING PERIOD FOR BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) In general.—Section 2112(a) of the CARES Act (15 U.S.C. 9039(a)) is amended by striking “March 14, 2021” and inserting “August 29, 2021.”

(b) Clarification on authority to use funds.—Funds appropriated under section 212(c) of the CARES Act (15 U.S.C. 9039(c)) shall be available to cover the cost of additional benefits payable due to the act of the amendments made by subsection (a) as well as to cover the cost of such benefits payable due to section 212(a) as in effect on the day before the date of enactment of this Act.

SEC. 2904. RAILROAD RETIREMENT BOARD AND OFFICE OF THE INSPECTOR GENERAL FUNDING.

In addition to amounts otherwise available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $27,975,000, to remain available until expended, for the Railroad Retirement Board, to prevent, prepare for, and respond to coronavirus.

(b) Allocation of amounts.—Amounts made available by subsection (a) shall be available as follows:

(1) $75,000,000 shall be available to carry out part C of title III of such Act.

(2) $25,000,000 shall be available to carry out title VI of such Act, including part C of such title.

(3) $4,000,000 shall be available to carry out part B of title III of such Act, including for—

(A) supportive services of the types made available for fiscal year 2020;

(B) efforts related to COVID–19 vaccination outreach, including education, communication, and transportation initiatives to facilitate vaccination of older individuals; and

(C) the cost of such benefits provided under such section (a)(5) as in effect on the day before the date of enactment of this Act.

SEC. 2903. EXTENDED UNEMPLOYMENT BENEFITS PROGRAM.

(a) In general.—Section 2(c)(2)(D) of the Railroad Unemployment Insurance Act (45 U.S.C. 1320(c)(2)(D)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking “185 days” and inserting “240 days of unemployment”;

(B) in subclause (II), by striking “19 consecutive 14-day periods” and inserting “31 consecutive 14-day periods”;

(ii) by striking “6 consecutive 14-day periods” and inserting “18 consecutive 14-day periods”;

and

(2) in clause (ii)—

(A) by striking “120 days of unemployment” and inserting “240 days of unemployment”;

(B) by striking “12 consecutive 14-day periods” and inserting “24 consecutive 14-day periods”;

and

(C) by striking “6 consecutive 14-day periods” and inserting “18 consecutive 14-day periods”;

and

(3) in clause (iii)—

(A) by striking “June 30, 2021” and inserting “June 30, 2021”;

(B) in paragraph (B), by striking “the provisions of clauses (i) and (ii) shall not apply to any employee whose extended benefit period under subparagraph (B) begins after March 14, 2021, and shall not apply to any employee with respect to any registration period beginning after April 5, 2021.” and inserting “the provisions of clauses (i) and (ii) shall not apply to any employee with respect to any registration period beginning after August 29, 2021. (C) in paragraph (B), by striking “U.S.C. 352(a)(5) by reason of the amendments to section 2(a)(5) by reason of the amendments to section 2(c)(2)(D) of the Railroad Unemployment Insurance Act shall be available to cover the cost of additional extended unemployment benefits provided under such section 2(c)(2)(D) by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits provided under such section 2(c)(2)(D) as in effect on the day before the date of enactment of this Act.

SEC. 2905. EXTENSION OF WAIVER OF THE 7-DAY WAITING PERIOD FOR BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) In general.—Section 2112(a) of the CARES Act (15 U.S.C. 9039(a)) is amended by striking “March 14, 2021” and inserting “August 29, 2021.”

(b) Clarification on authority to use funds.—Funds appropriated under section 212(c) of the CARES Act (15 U.S.C. 9039(c)) shall be available to cover the cost of additional benefits payable due to the act of the amendments made by subsection (a) as well as to cover the cost of such benefits payable due to section 212(a) as in effect on the day before the date of enactment of this Act.

SEC. 2906. FUNDING FOR WATER ASSISTANCE PROGRAM.

(a) In general.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until expended, for grants to States and Indian Tribes to assist low-income households, particularly those with the lowest incomes, that pay a high proportion of household income for drinking water and wastewater services, by providing funds to owners or operators of public water systems or treatment works to reduce arrears of and rates charged to such households for such services.

(b) Allocation.—The Secretary shall—

(1) allot amounts appropriated in this section to a State or Indian Tribe based on—

(A) the percentage of households in the State, or under the jurisdiction of the Indian Tribe, with income equal or less than 150 percent of the Federal poverty line; and

(B) the percentage of households in the State, or under the jurisdiction of the Indian Tribe, that spend more than 30 percent of monthly income on housing; and

(2) reserve up to 3 percent of the amount appropriated in this section for Indian Tribes and tribal organizations.

Subtitle L—Assistance for Older Americans, Grandfamilies, and Kinship Families

SEC. 2911. SUPPORTING OLDER AMERICANS AND THEIR FAMILIES.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,434,000,000, to remain available until expended, to carry out the Older Americans Act.

(b) Allocation of amounts.—Amounts made available by subsection (a) shall be available as follows:

(1) $750,000,000 shall be available to carry out part C of title III of such Act.

(2) $25,000,000 shall be available to carry out title VI of such Act, including part C of such title.

(3) $400,000,000 shall be available to carry out part B of title III of such Act, including for—

(A) supportive services of the types made available for fiscal year 2020;

(B) efforts related to COVID–19 vaccination outreach, including education, communication, and transportation initiatives to facilitate vaccination of older individuals; and

(C) the cost of such benefits provided under such section (a)(5) as in effect on the day before the date of enactment of this Act.
prevent and mitigation activities related to COVID-19 focused on addressing extended social isolation among older individuals, including activities for investments in technology-based solutions and on strategies aimed at alleviating negative health effects of social isolation due to long-term stay-at-home recommendations for older individuals. The duration of the COVID-19 public health emergency.

($44$) $10,000,000 shall be available to carry out part D of title III of such Act. (b) Technical Assistance—(1) In general.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available through September 30, 2025, for the Secretary, acting through the Administrator of the Administration for Community Living, to establish, directly or through grants or contracts, a National Technical Assistance Center on Grandfamilies and Kinship Families (in this section referred to as the “Center”) to provide training, technical assistance, and resources to programs, projects, and other community-based organizations, and Indian Tribes, Tribal organizations, and urban Indian organizations, that serve grandfamilies and kinship families to support the health and well-being of members of grandfamilies and kinship families, including caregivers, children, and their parents. The services primarily focus on serving grandfamilies and kinship families in which the primary caregiver is an adult age 55 or older, or the child has one or more disabilities.

(b) ACTIVITIES OF THE CENTER.—The Center shall—

(1) engage experts to stimulate the development of new and identify existing evidence-based, evidence-informed, and exemplary practices or programs related to health promotion of older individuals and the health and functional status of younger individuals (including in accordance with the evidence-based, evidence-informed, and exemplary practices or programs identified under paragraph (1) to support grandfamilies and kinship families and to provide coordination of services in the grandfamilies and kinship families across systems that support them;

(2) facilitate learning across States, territories, Tribal organizations, and urban Indian organizations for providing technical assistance, resources, and training related to issues described in paragraph (1) to individuals and entities across systems that directly work with grandfamilies and kinship families;

(3) help government programs, nonprofit and for-profit organizations, Indian Tribes, Tribal organizations, and urban Indian organizations to serve grandfamilies and kinship families, to plan and implement solutions to address the needs of grandfamilies and kinship families during national, State, Tribal, territorial, and local emergencies and disasters; and

(4) assist with grant programs, and non-profit and other community-based organizations in promoting equity and implementing culturally and linguistically appropriate approaches as the programs and organizations serve grandfamilies and kinship families.

TITLE III—COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Subtitle A—Emergency Rental Assistance Act of 1950

SEC. 301. COVID–19 EMERGENCY MEDICAL SUPPLIES ENHANCEMENT.

(a) SUPPORTING ENHANCED USE OF THE DEFENSE PRODUCTION ACT OF 1950.—In addition to funds otherwise appropriated, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000,000, notwithstanding section 304 of the Defense Production Act of 1950 (50 U.S.C. 4534(e)), to remain available until September 30, 2025, to carry out titles I, II, and VII of such Act in accordance with subsection (b).

(b) MEDICAL SUPPLIES AND EQUIPMENT.—

(1) TESTING, PPE, VACCINES, AND OTHER MATERIALS.—Except as provided in paragraph (2), amounts appropriated in subsection (a) shall be used for the purchase, production (including the construction, repair, and retrofitting of government-owned or private facilities), and distribution of medical supplies and equipment (including durable medical equipment) related to combating the COVID–19 pandemic, including—

(A) in vitro diagnostic products for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID–19, and the reagents and other materials necessary for producing, administering, and using such products, and the machinery, equipment, laboratory capacity, or other technology necessary to produce such products;

(B) face mask protective equipment, including face shields, nitrile gloves, N–95 filtering facepiece respirators, and any other masks or equipment (including durable medical equipment) needed to respond to the COVID–19 pandemic, and the materials, machinery, additional manufacturing lines or facilities, or other technology necessary to produce such equipment; and

(C) drugs, devices, and biological products that are approved, cleared, licensed, or authorized for use in treating or preventing COVID–19 and symptoms related to COVID–19, and any materials, manufacturing machinery, additional manufacturing or fill–finish lines or facilities, or委托ment (including durable medical equipment) necessary to produce or use such drugs, biological products, or devices (including syringes, vials, or other supplies or equipment related to delivery, distribution, or administration).

(2) RESPONDING TO PUBLIC HEALTH EMERGENCIES.—After September 30, 2022, amounts appropriated in subsection (a) may be used for any activity authorized by paragraph (1), or any other activity necessary to meet critical public health needs of the United States, with respect to any program that the President has determined has the potential for creating a public health emergency.

Subtitle B—Housing Provisions

SEC. 3201. EMERGENCY RENTAL ASSISTANCE.

(a) FUNDS.—

(1) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Treasury for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $21,550,000,000, to remain available until September 30, 2027, for making payments to eligible grantees described in such subparagraph as necessary to ensure that the total amount of allocations made pursuant to such subparagraph does not exceed the remainder appropriated to such subparagraph as described in such subparagraph.

(2) RESERVATION OF FUNDS.—Of the amount appropriated under paragraph (1), the Secretary shall reserve—

(A) $358,500,000 for making payments under this Act that remain after the application of subparagraphs (A) and (B) of subsection (f)(1) in the same manner as the amount appropriated under paragraph (2) of such subtitle to be the amount deemed to apply for purposes of applying clause (ii) of section 501(b)(1)(A) of such subtitle;

(B) $152,000,000, for “$330,000,000” each place such term appears;

(C) $2,500,000,000 for payments to high-need grantees described in subparagraphs (A) and (B) of subsection (f)(1) in the same manner as the amount appropriated under paragraph (2) of such subtitle to be the amount deemed to apply for purposes of applying clause (ii) of section 501(b)(1)(A) of such subtitle;

(D) $1,952,000,000, for “$200,000,000” each place such term appears;

(E) $1,952,000,000, for “$330,000,000” each place such term appears;

(F) $330,000,000, for “$330,000,000” each place such term appears;

(G) $330,000,000, for “$330,000,000” each place such term appears;

(H) $330,000,000, for “$330,000,000” each place such term appears;

(I) $330,000,000, for “$330,000,000” each place such term appears;

(J) $330,000,000, for “$330,000,000” each place such term appears;

(K) $330,000,000, for “$330,000,000” each place such term appears;

(L) $330,000,000, for “$330,000,000” each place such term appears;

(M) $330,000,000, for “$330,000,000” each place such term appears;

(N) $330,000,000, for “$330,000,000” each place such term appears;

(O) $330,000,000, for “$330,000,000” each place such term appears;

(P) $330,000,000, for “$330,000,000” each place such term appears;

(Q) $330,000,000, for “$330,000,000” each place such term appears;

(R) $330,000,000, for “$330,000,000” each place such term appears;

(S) $330,000,000, for “$330,000,000” each place such term appears;

(T) $330,000,000, for “$330,000,000” each place such term appears;

(U) $330,000,000, for “$330,000,000” each place such term appears;

(V) $330,000,000, for “$330,000,000” each place such term appear.
(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the "Secretary") for fiscal year 2022, any fund balances available in the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, Guam, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(b) EMERGENCY VOUCHERS.—

(1) IN GENERAL.—The Secretary shall provide emergency rental assistance vouchers under subsection (a), which shall be tenant-based rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

(2) QUALIFYING INDIVIDUALS OR FAMILIES DEFINED.—For the purposes of this section, qualifying individuals or families are those who—

(A) are homeless, as determined by the Secretary, and for whom providing rental assistance will prevent the family’s homelessness or having high risk of housing instability;

(B) are not currently homeless, as defined by the Secretary, and for which providing rental assistance will prevent the family’s homelessness or having high risk of housing instability.

(c) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2023.

(f) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2023.

(g) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2023.

(h) USE OF FUNDS.—(A) FINANCIAL ASSISTANCE.—

(i) IN GENERAL.—An eligible grantee may use any funds received in accordance with paragraph (1) of this subsection only for purposes specified in paragraph (1) of subsection (d).

(ii) LIMITATION.—The aggregate amount of financial assistance an eligible household may receive under this section, when combined with assistance provided under section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), shall not exceed 18 months, including the payment of—

(I) rent;

(II) rental arrears;

(III) utilities and home energy costs;

(IV) utilities and home energy costs arrears; and

(V) other expenses related to housing, as defined by the Secretary.

(ii) LIMITATION.—The aggregate amount of financial assistance an eligible household may receive under this section, when combined with assistance provided under section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), shall not exceed 18 months, including the payment of—

(I) rent;

(II) rental arrears;

(III) utilities and home energy costs;

(IV) utilities and home energy costs arrears; and

(V) other expenses related to housing, as defined by the Secretary.

(iii) LIMITATION.—The aggregate amount of financial assistance an eligible household may receive under this section, when combined with assistance provided under section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), shall not exceed 18 months, including the payment of—

(I) rent;

(II) rental arrears;

(III) utilities and home energy costs;

(IV) utilities and home energy costs arrears; and

(V) other expenses related to housing, as defined by the Secretary.

(iii) LIMITATION.—The aggregate amount of financial assistance an eligible household may receive under this section, when combined with assistance provided under section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), shall not exceed 18 months, including the payment of—

(I) rent;

(II) rental arrears;

(III) utilities and home energy costs;

(IV) utilities and home energy costs arrears; and

(V) other expenses related to housing, as defined by the Secretary.

(B) HOUSING STABILITY SERVICES.—Not more than 10 percent of funds received by an eligible grantee from payments made under this section may be used to provide case management and other services intended to help keep households stably housed.

(C) ADMINISTRATIVE COSTS.—Not more than 15 percent of the amount paid to an eligible grantee under this section may be used for administrative costs attributable to providing financial assistance, housing stability services, and other affordable rental housing and eviction prevention activities, including for data collection and reporting requirements related to such funds.

(D) OTHER APPROPRIATE RENTAL, HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use any funds from payments made under this section that are unobligated, for purposes specified in paragraph (1) of this subsection in addition to those specified in this paragraph, provided that—

(i) such other purposes are affordable rental housing and eviction prevention activities, as defined by the Secretary, serving very low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)); and

(ii) prior to obligating any funds for such purposes, the eligible grantee has obligated at least 50 percent of the total amount of funds allocated to such eligible grantee in accordance with this section.

(D) OTHER APPROPRIATE RENTAL, HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use any funds from payments made under this section that are unobligated, for purposes specified in paragraph (1) of this subsection in addition to those specified in this paragraph, provided that—

(i) such other purposes are affordable rental housing and eviction prevention activities, as defined by the Secretary, serving very low-income families (as such term is defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)); and

(ii) prior to obligating any funds for such purposes, the eligible grantee has obligated at least 50 percent of the total amount of funds allocated to such eligible grantee in accordance with this section.

(E) IN GENERAL.—The Secretary shall allocate funds reserved under subsection (a)(5) of section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under subsection (a)(1) of such section 501.

(F) ELIGIBILITY FOR REALLOCATED FUNDS.—

(1) IN GENERAL.—Beginning March 31, 2022, the Secretary shall reallocate funds allocated to eligible grantees in accordance with this subsection (b) to be obligated within 60 days of enactment of this Act.

(2) EIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of funds allocated to such eligible grantee under subsection (b) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(E) IN GENERAL.—The Secretary shall allocate funds reserved under subsection (a)(5) of section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) to amounts appropriated under subsection (a)(1) of such section 501.

(F) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of funds allocated to such eligible grantee under subsection (b) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(G) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2023.

(F) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of funds allocated to such eligible grantee under subsection (b) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(G) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2023.

(F) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of funds allocated to such eligible grantee under subsection (b) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(G) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2023.

(F) ELIGIBILITY FOR REALLOCATED FUNDS.—The Secretary shall require an eligible grantee to have obligated 50 percent of the total amount of funds allocated to such eligible grantee under subsection (b) to be eligible to receive funds reallocated under paragraph (1) of this subsection.

(G) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2023.
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(1) target housing counseling services to minority and low-income populations facing housing instability; or

(2) provide housing counseling services in geographically targeted areas within the Secretary’s jurisdiction to high concentration areas of minority and low-income populations.

(b) LIMITATION.—The aggregate amount of funds provided to counties under this section shall not exceed 15 percent of the total of grant funds made available by subsection (a).

(c) ADMINISTRATION AND OVERSIGHT.—The Corporation may retain a portion of the amounts provided under this section, in a proportion consistent with its standard rate required by paragraphs (3), (4), (5), (6), and (7) of subsection (a), to cover its expenses related to program administration and oversight.

(d) HOUSING COUNSELING SERVICES DEFINED.—For purposes of this section, the term “housing counseling services” means—

(1) housing counseling provided directly to households facing housing instability, such as eviction, default, foreclosure, loss of income, or homelessness;

(2) education, outreach, training, technical upgrades, and other program related support; and

(3) operational oversight funding for grantee and subgrantees that receive funds under this section.

SEC. 3205. HOMELESSNESS ASSISTANCE AND SUPPORTIVE SERVICES PROGRAM.

(a) Availability.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated and to remain available until September 30, 2022, to provide grants under section 232(a) of the Housing Act of 1949 or agreements entered into in lieu of debt or equity with nonprofit organizations or private entities for the support of households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, for temporary assistance of income lost for households under section 214, 215, or 216 of the Housing Act of 1949 who have experienced income loss but are not currently receiving Federal rental assistance.

(b) Allocation.—

(1) FUNDING RESTRICTIONS.—The cost limits of section 212(e) (42 U.S.C. 12742(e)), the requirement in section 212(g) (42 U.S.C. 12742(g)), and the requirements in section 220 (42 U.S.C. 12750), and the set-aside for housing developed, sponsored, or owned by community housing development organizations required in section 220(c) (42 U.S.C. 12771) shall not apply for amounts made available in this section.

(2) ADMINISTRATIVE COSTS.—Notwithstanding sections 212(e) and (d)(1) of the Act (42 U.S.C. 12742(c) and (d)(1)), the funds made available in this section for carrying out activities authorized in this section, a grantee may use up to 15 percent of its allocation for administrative and planning costs.

(3) OPERATING EXPENSES.—Notwithstanding sections 212(a) and (g) of the Act (42 U.S.C. 12742(a) and (g)), a grantee may use an additional five percent of its allocation for the development of operating community housing development organizations and nonprofit organizations carrying out activities authorized under this section, but only if—

(A) such funds are used to develop the capacity of the community housing development organization or nonprofit organization in providing services; or

(B) certain activities or projects consistent with this section.

(4) CONTRACTING.—A grantee, when contracting with service providers engaged directly in the provision of services under paragraph (a)(3), shall, to the extent practicable, enter into contracts in amounts that can be recouped by the Secretary and administrative overhead to provide the services contracted for.

(c) ELIGIBILITY.—

(1) FORMULA ASSISTANCE.—Except as provided in paragraphs (2) and (3), the Secretary shall allocate amounts made available under this section pursuant to section 217 of the Act (42 U.S.C. 12771) to grantees that have received allocations pursuant to that same formula in fiscal year 2021, and shall make such allocations within 30 days of enactment of this Act.

(2) TECHNICAL ASSISTANCE.—Up to $5,000,000 of the amounts made available under this section shall be used—

(A) to provide technical assistance to and training for grantees implementing activities or projects consistent with this section;

(B) to make new awards or increase prior awards to existing technical assistance providers to provide an additional increase in capacity building and technical assistance available to any grantees implementing activities or projects consistent with this section; and

(C) for other technical assistance activities or projects consistent with this section.

(3) OTHER COSTS.—Up to $5,000,000 of the amounts made available under this section shall be used for the administrative costs to oversee and administer implementation of the provisions of this section, without competition, to make new awards or increase prior awards to existing technical assistance providers to provide an additional increase in capacity building and technical assistance available to any grantees implementing activities or projects consistent with this section.

(4) WAIVERS OR ALTERNATIVE REQUIREMENTS.—The Secretary may specify alternative requirements for any provision of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 11360(29)) or other similar provisions of law that are applicable to any activity or grant program in order to accommodate the national priorities of the Administration and the Congress, consistent with this Act.
Housing Act (42 U.S.C. 12701 et seq.) and titles I and IV of the McKinney-Vento Homelessness Act (42 U.S.C. 11301 et seq., 11360 et seq.) or regulation for the administration of the programs and services made available under this section other than requirements related to fair housing, nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of funds made available under this section.

SEC. 3206. HOMEOWNER ASSISTANCE FUND.

(a) In addition to amounts otherwise available, there is appropriated to the Committee on Appropriations to the Secretary of the Treasury for the Homeowner Assistance Fund established under subsection (c) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $9,961,000,000, to remain available until September 30, 2025, for qualified expenses that meet the purposes specified under subsection (c) and expenses described in subsection (d)(1).

(b) DEFINITIONS.—In this section:

(1) CONFORMING LOAN LIMIT.—The term “conforming loan limit” means the applicable limitation governing the maximum original principal obligation of a mortgage secured by a single-family residence, a mortgage secured by a 2-family residence, or a mortgage secured by a 4-family residence, as determined and adjusted annually under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1414(b)(2) and section 302(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)).

(2) DWELLING.—The term “dwelling” means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more individuals.

(3) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State; or

(B) any entity eligible for payment under subsection (f).

(4) MORTGAGE.—The term “mortgage” means—

(A) a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is—

(i) a 1- to 4-unit dwelling; or

(ii) residential real property that includes a 1- to 4-unit dwelling; and

(B) a mortgage secured by a 1- to 4-unit dwelling, as determined and adjusted annually under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1414(b)(2)) and section 302(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)).

(5) FUND.—The term “Fund” means the Homeowner Assistance Fund established under subsection (c).

(6) SECRETARY.—The term “Secretary” means the Secretary of the Treasury.

(7) STATE.—The term “State” means any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(c) ESTABLISHMENT; QUALIFIED EXPENSES.—There is established in the Department of the Treasury a Homeowner Assistance Fund to mitigate financial hardships associated with the coronavirus pandemic by providing such funds as are appropriated by subsection (a) to eligible entities for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners. The Department of the Treasury shall, after January 21, 2020, through qualified expenses related to mortgages and housing, which include—

(A) legal, credit counseling, and other payment assistance; and

(B) financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing related costs related to a period of forbearance, delinquency, or default;

(C) principal reduction; and

(D) facilitating interest rate reductions;

(E) payment assistance for—

(i) utilities, including electric, gas, home energy, and water; and

(ii) internet service, including broadband internet service, as defined in section 8.1(b) of title 47, Code of Federal Regulations (or any successor regulation);

(iii) homeowner’s insurance, flood insurance, and mortgage insurance; and

(iv) homeowner’s association, condominium association fees, or common charges;

(F) reimbursement of funds expended by a State, local government, or designated entity under subsection (f) during the period beginning on January 21, 2020, and ending on the date that the first funds are disbursed by the eligible entity under the Homeowner Assistance Fund, for the purpose of providing housing or utility payment assistance to homeowners or otherwise providing funds to prevent foreclosure or post-foreclosure eviction of a homeowner or prevent mortgage delinquency or loss of housing or utilities as a response to the coronavirus disease (COVID) pandemic; and

(G) any other assistance to promote housing stability for homeowners, including preventing mortgage default, foreclosing, post-foreclosure eviction of a homeowner, or the loss of utility or home energy services, as determined by the Secretary.

(b) TARGETING.—Not less than 60 percent of amounts made to each eligible entity allocated amounts under subsection (d) or (f) shall be used for qualified expenses that assist homeowners equal to or less than 100 percent of the area median income for their household size or equal to or less than 100 percent of the median income for the United States, as determined by the Secretary of Housing and Urban Development, whichever is greater. The eligible entity shall prioritize remaining funds to socially disadvantaged individuals.

(d) ALLOCATION OF FUNDS.—

(1) ADMINISTRATION.—Of any amounts made available under this section, the Secretary shall reserve—

(A) to the Department of the Treasury, an amount not to exceed $40,000,000 to administer and oversee the Fund, and to provide technical assistance for the creation and implementation of State and tribal programs to administer assistance from the Fund; and

(B) to the Inspector General of the Department of the Treasury, an amount not to exceed $2,600,000 for oversight of the program under this section.

(2) REALLOCATION.—If a State does not request allocated funds by the 45th day after the date of enactment of this Act, the Secretary shall reallocate the balance of funds to the Secretary of the Treasury, which is determined by reference to the formulas described in paragraphs (1), (4), and (5) of this subsection and subject to paragraph (3) of this subsection, the Secretary shall allocate the remaining funds to the Homeowner Assistance Fund, to serve homeowners at disproportionate risk of mortgage default, foreclosure, or displacement, including homeowners having incomes equal to or less than 100 percent of the area median income for their household size or 100 percent of the median income for the United States, as determined by the Secretary of Housing and Urban Development, whichever is greater, and minority homeowners.

(3) SMALL STATE MINIMUM.—

(A) IN GENERAL.—Each State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico shall receive no less than $50,000,000 for the purposes established in this section.

(B) PRO RATA ADJUSTMENTS.—The Secretary shall adjust on a pro rata basis the amount of the payments for each State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirements of subparagraph (A).

(4) TERRITORY SET-ASIDE.—Notwithstanding any other provision of this section, of the amounts appropriated under subsection (a), the Secretary shall reserve not less than $50,000,000 to be disbursed to American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands based on each such territory’s share of the combined total population of all such territories, as determined by the Secretary. For the purposes of this paragraph, population shall be determined based on the most recent year for which data are available from the United States Census Bureau.

(5) TRIBAL SET-ASIDE.—The Secretary shall allocate funds to any eligible entity designated under subsection (f) pursuant to the requirements of that subsection.

(e) DISTRIBUTION OF FUNDS TO STATES.—In general.—The Secretary shall make payments to States, beginning on January 21, 2020, and ending on the date that the first funds are disbursed by the eligible entity under the Homeowner Assistance Fund, for the purpose of providing housing or utility payment assistance to homeowners or otherwise providing funds to prevent foreclosure or post-foreclosure eviction of a homeowner in or prevent mortgage delinquency and loss of housing or utilities as a response to the coronavirus disease (COVID) pandemic; and

(f) DETERMINATION.—Not less than 60 percent of amounts made to each eligible entity allocated amounts under subsection (d) or (f) shall be used for qualified expenses that assist homeowners equal to or less than 100 percent of the area median income for their household size or equal to or less than 100 percent of the median income for the United States, as determined by the Secretary of Housing and Urban Development, whichever is greater. The eligible entity shall prioritize remaining funds to socially disadvantaged individuals.

(g) REALLOCATION.—If a State does not request allocated funds by the 45th day after the date of enactment of this Act, the Secretary shall reallocate any funds that were not requested by such State among the States that have requested funds by the 45th day after the date of enactment of this Act. For any such reallocation of funds, the Secretary shall adhere to the requirements of paragraph (1), to the greatest extent possible, that the Secretary shall allocate not less than $50,000,000 for the purposes described in subsection (c).

(h) FUND USE.—The Secretary shall ensure that the funds allocated under this section are used for the purposes described in subsection (c).

(i) TREATMENT.—For the purposes of this section, any amount of funds designated by the Secretary to serve homeowners at disproportionate risk of mortgage default, foreclosure, or displacement, including homeowners having incomes equal to or less than 100 percent of the area median income for their household size or 100 percent of the median income for the United States, as determined by the Secretary of Housing and Urban Development, whichever is greater, and minority homeowners.
make payments of such amounts beginning no later than 45 days after enactment of this Act to entities eligible for payment under clauses (i) and (ii) of section 501(b)(2)(A) of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260) that notify the Secretary that they request to receive payments allocated from the Fund by the Secretary for purposes described under subsection (c) and will use such payments in compliance with this section.

(4) ADJUSTMENT.—Allocations provided under this subsection may be further adjusted as provided by section 501(b)(2)(B) of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

SEC. 3207. RELIEF MEASURES FOR SECTION 502 AND 504 DIRECT LOAN BORROWERS.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, and distributor, $30,000,000, to remain available until September 30, 2023, for direct loans made under section 502 of the Economic Development Act of 1949 (42 U.S.C. 1472, 1474).

(b) Administrative Expenses.—The Secretary may use not more than 3 percent of the amounts appropriated under this section for administrative purposes.

SEC. 3208. FAIR HOUSING ACTIVITIES.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Secretary of Housing and Urban Development (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, and distributor, $20,000,000, to remain available until September 30, 2023, for the Fair Housing Initiatives Program under section 561 of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a) to ensure fair housing organizations have additional resources to address fair housing inquiries, complaints, investigations, education and outreach activities, and costs of delivering or adapting services, during or relating to the coronavirus pandemic.

(b) Administrative Expenses.—The Secretary may use not more than 3 percent of the amounts appropriated under this section for administrative purposes.

Subtitle C—Small Business (SSBCI)

SEC. 3301. STATE SMALL BUSINESS CREDIT INITIATIVE.

(a) STATE SMALL BUSINESS CREDIT INITIATIVE.—

(1) IN GENERAL.—The State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701 et seq.) is amended—

(A) in section 3005—

(i) in subsection (b)—

(I) by amending paragraph (1) to read as follows—

‘‘(1) IN GENERAL.—Not later than 30 days after the date of enactment of subsection (d), the Secretary shall allocate Federal funds to participating States so that each State is eligible to receive an amount equal to what the State would receive under the 2021 allocation, as determined under paragraph (2);’’;

(II) in paragraph (2)—

(aa) by striking ‘‘2009’’ each place such term appears and inserting ‘‘2021’’;

(bb) by striking ‘‘2008’’ each place such term appears and inserting ‘‘2020’’;

(cc) by striking ‘‘The Secretary’’ and inserting ‘‘With respect to States other than Tribal governments, the Secretary’’;

(dd) in subparagraph (C)(1), by striking ‘‘2007’’ and inserting ‘‘2019’’; and

(ee) by adding at the end the following:

‘‘(C) SEPARATE ALLOCATION FOR TRIBAL GOVERNMENTS.—

‘‘(i) IN GENERAL.—With respect to States that are Tribal governments, the Secretary shall allocate $500,000,000 among the Tribal governments in the proportion the Secretary determines appropriate, including with consideration of available employment and economic data regarding each such Tribal government.

‘‘(ii) NOTICE OF INTENT; TIMING OF ALLOCATION.—With respect to allocations to States that are Tribal governments, the Secretary may—

(A) require Tribal governments that individually participate in the Program to file a notice of intent with the Secretary not later than 30 days after the date of enactment of subsection (d); and

(B) allocate Federal funds to participating Tribal governments not later than 60 days after the date of enactment of subsection (d).

‘‘(D) EMPLOYMENT DATA.—If the Secretary determines that employment data with respect to a State is unavailable from the Bureau of Labor Statistics of the Department of Labor, the Secretary shall consider such other economic and employment data that is otherwise available for purposes of determining the employment data of such State.

(III) by striking paragraph (3); and

(ii) in subsection (c)—

(I) in paragraph (2), by inserting before the period the following: ‘‘that have delivered loans or investments to eligible businesses’’;

and

(II) by amending paragraph (4) to read as follows:

‘‘(4) TERMINATION OF AVAILABILITY OF AMOUNTS NOT TRANSFERRED.—

(A) IN GENERAL.—The Secretary’s requirement of participating States’ allocable amount that has not been transferred to the State under this section may be deemed by the Secretary to be no longer allocated to the State and no longer available to the State and shall be returned to the general fund of the Treasury or reallocated as described under subparagraph (D).

(B) APPLICATION.—With respect to States that are Tribal governments, if the Secretary determines that employment data with respect to a State is unavailable from the Bureau of Labor Statistics of the Department of Labor, the Secretary may—

(i) allocate the second ⅓ of a State’s allocable amount that has not been transferred to the State before the end of the 6-year period beginning on the date that the Secretary approves the State for participation; or

(ii) the last ⅓ of a State’s allocable amount that has not been transferred to the State before the end of the 6-year period beginning on the date that the Secretary approves the State for participation.

(C) REALLOCATION.—Any amount deemed by the Secretary to be no longer allocated to a State and no longer available to such State under paragraph (B) may be reallocated by the Secretary to other participating States. In making such a reallocation, the Secretary shall not take into account the minimum amount each participating State would receive under subsection (b)(2)(B) or the specific allocation for Tribal governments described under subsection (b)(2)(C).

(D) APPROPRIATION.—

(I) in section 3004(d), by striking ‘‘date of the enactment of this Act’’ each place it appears and inserting ‘‘date of the enactment of section 3003(d);’’

(II) in section 3005(b), by striking ‘‘date of enactment of this Act’’ each place it appears and inserting ‘‘date of the enactment of section 3003(d);’’

(III) in section 3006(b)(4), by striking ‘‘date of enactment of this Act’’ and inserting ‘‘date of the enactment of section 3003(d);’’

(IV) in section 3007(b), by striking ‘‘March 31, 2011’’ and inserting ‘‘March 31, 2022;’’

(V) in section 3008(b), by striking ‘‘12 U.S.C. 5702’’ and inserting ‘‘12 U.S.C. 5702a’’;

(IV) in section 3011(b), by striking ‘‘date of enactment of this Act’’ and inserting ‘‘date of the enactment of section 3003(d);’’ and

(V) in section 3011(b), by striking ‘‘date of the enactment of this Act’’ each place it appears and inserting ‘‘date of the enactment of section 3003(d);’’

(2) APPROPRIATION.—

(A) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Treasury for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, and distributor, $50,000,000, to remain available until expended, to provide support to small businesses responding to and recovering from the economic effects of the COVID-19 pandemic, and to businesses owned and controlled by socially and economically disadvantaged individuals that have access to credit and investments, provide technical assistance to help small businesses applying for various support programs, and to pay reasonable costs of administering such Initiative.

(B) RESCISSION.—With respect to amounts appropriated under subparagraph (A),—

(i) the Secretary of the Treasury shall complete all disbursements and remaining obligations before September 30, 2030, and

(ii) any amounts not expended (whether obligated or unobligated) on September 30, 2030, shall be rescinded and deposited into the general fund of the Treasury.

(3) ADDITIONAL ALLOCATIONS TO SUPPORT BUSINESS ENTERPRISES OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—Of the amounts appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

(I) allocate $1,500,000,000 to States from funds allocated under this section and, by regulation or other guidance, prescribe Program requirements that the funds be expended for business enterprises owned and controlled by socially and economically disadvantaged individuals; and

(II) allocate such amounts to States based on the needs of business enterprises owned and controlled by socially and economically disadvantaged individuals, as determined by the Secretary, in each State, and not subject to the allocation formula described under subsection (b).

(c) INCENTIVE ALLOCATIONS TO SUPPORT BUSINESS ENTERPRISES OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—Of the amounts appropriated for fiscal year 2021 to carry out the Program, the Secretary shall—

(I) allocate $5,000,000,000 to States from funds allocated under this section and, by regulation or other guidance, prescribe Program requirements that the funds be expended for business enterprises owned and controlled by socially and economically disadvantaged individuals; and

(II) allocate such amounts to States based on the needs of business enterprises owned and controlled by socially and economically disadvantaged individuals, as determined by the Secretary, in each State, and not subject to the allocation formula described under subsection (b).

(d) INCENTIVE ALLOCATIONS TO SUPPORT VERY SMALL BUSINESSES.—Section 3003 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702c) is amended by adding at the end the following:

‘‘(D) ADDITIONAL ALLOCATIONS TO SUPPORT VERY SMALL BUSINESSES.—Section 3003 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702c) is amended by adding at the end the following:

(1) ‘‘ADDITIONAL ALLOCATIONS TO SUPPORT VERY SMALL BUSINESSES.—The Secretary shall’’.
“2) VERY SMALL BUSINESS DEFINED.—In this subsection, the term ‘very small business’—

(A) means a business with fewer than 10 employees;

(B) may include independent contractors and sole proprietors;.

(d) CDI AND MDI PARTICIPATION PLAN.—Section 3004 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5703) is amended by adding at the end the following:

‘‘(e) STATE AND FEDERAL RESPONSIBILITY.—The State shall utilize funds made available under this section to the greatest extent to the extent necessary to provide assistance to socially and economically disadvantaged individuals who are participating in the State’s assistance program.’’.

(f) PANDEMIC RESPONSE PLAN.—The Secretary may not approve a State to be a participating State unless the State has provided the Secretary with a description of how the State will expeditiously utilize funds provided under this section to respond to the coronavirus public health emergency, including, beginning on January 20, 2020—

(i) reimbursement for payroll of public transportation (including payroll and expenses of private providers of public transportation), unless the recipient certifies to the Administrator of the Federal Transit Administration that the recipient has not furloughed any employees;

(ii) providing financial assistance to operators or contractor personnel due to reductions in service.

United States Code.—Funds described in subparagraph (A) shall be—

(1) available for immediate obligation, notwithstanding the requirement for such expenditure to be included in an Improvement program, long-range transportation plan, statewide transportation plan, or statewide transportation improvement program under sections 3003 and 3004 of title 49, United States Code;

(2) directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation), unless the recipient certifies to the Administrator of the Federal Transit Administration that the recipient has not furloughed any employees;

(3) used to provide a Federal share of the costs for any grant made under this section of not more than 75 percent.

(g) ALLOCATION OF FUNDS.—

(1) URBANIZED AREA FORMULA GRANTS.—

(A) IN GENERAL.—Of the amounts made available under subsection (a), $348,800,000 shall be for grants to recipients under the Transit Program for Urbanized Areas, as provided in section 5307 of title 49, United States Code, funds provided under this section, other than subsection (b)(4), shall be available for the operating expenses of transit agencies that provide service in urbanized areas to respond to the coronavirus public health emergency, including, beginning on January 20, 2020—

(i) reimbursement for payroll of public transportation (including payroll and expenses of private providers of public transportation);

(ii) providing financial assistance to operators or contractor personnel due to reductions in service.

United States Code.—Funds described in subparagraph (A) shall be—

(1) available for immediate obligation, notwithstanding the requirement for such expenditure to be included in an Improvement program, long-range transportation plan, statewide transportation plan, or statewide transportation improvement program under sections 3003 and 3004 of title 49, United States Code;

(2) directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation), unless the recipient certifies to the Administrator of the Federal Transit Administration that the recipient has not furloughed any employees;

(3) used to provide a Federal share of the costs for any grant made under this section of not more than 75 percent.

(2) NONURBANIZED AREA FORMULA GRANTS.—

(A) IN GENERAL.—Of the amounts made available under subsection (a), $279,717,000 shall be for grants to recipients under the Transit Program for Nonurbanized Areas, as provided in section 5308 of title 49, United States Code, funds provided under this section, other than subsection (b)(4), shall be available for the operating expenses of transit agencies that provide service in nonurbanized areas to respond to the coronavirus public health emergency, including, beginning on January 20, 2020—

(i) reimbursement for payroll of public transportation (including payroll and expenses of private providers of public transportation);

(ii) providing financial assistance to operators or contractor personnel due to reductions in service.

(ii) used to provide a Federal share of the costs for any grant made under this section of not more than 75 percent.
(A) IN GENERAL.—Of the amounts made available under subsection (a), $50,000,000 shall be for grants to recipients or subrecipients eligible under section 5310 of title 49, United States Code, and shall be apportioned in accordance with such section.

(B) ALLOCATION RATIO.—Amounts made available under subparagraph (A) shall be allocated as if funds were provided under section 5310 of title 49, United States Code, for fiscal year 2020.

(3) FORMULA GRANTS FOR RURAL AREAS.—

(A) IN GENERAL.—Of the amounts made available under subsection (a), $317,214,013 shall be for grants to recipients or subrecipients eligible under section 5311 of title 49, United States Code, and shall be apportioned as if the funds were provided under section 5311 of such title, and shall be apportioned in accordance with such section, except as described in paragraph (B).

(B) ALLOCATION RATIO.—Amounts made available under subparagraph (A) to States, as defined in section 5302 of title 49, United States Code, shall be allocated to such States based on data contained in the National Transit Database, such that—

(i) any State that received an amount for similar activities to prevent, prepare for, and respond to coronavirus that is equal to or greater than 150 percent of the combined 2018 rural operating costs of the recipients and subrecipients in that State shall receive an amount equal to 5 percent of such State’s 2018 rural operating costs;

(ii) any State that does not receive an allocation under clause (i) that receives an amount for similar activities to prevent, prepare for, and respond to coronavirus that is equal to or greater than 140 percent of the combined 2018 rural operating costs of the recipients and subrecipients in that State shall receive an amount equal to 10 percent of such State’s 2018 rural operating costs; and

(iii) any State that does not receive an allocation under clauses (i) or (ii) shall receive an amount equal to 20 percent of such State’s 2018 rural operating costs.

(4) CAPITAL INVESTMENTS.—

(A) IN GENERAL.—Of the amounts made available under subsection (a)—

(1) $4,250,000,000 shall be for grants administered under paragraphs (d) and (e) of section 5309 of title 49, United States Code; and

(2) $250,000,000 shall be for grants administered under subsection (b) of section 5309 of title 49, United States Code.

(B) FUNDING DISTRIBUTION.—

(i) IN GENERAL.—Of the amounts made available in subparagraph (A)(i), $1,250,000,000 shall be for each recipient or subrecipient of projects with existing full funding grant agreements that received allocations for fiscal year 2019 or 2020, except that recipients with projects open for revenue service are not eligible to receive a grant under this subparagraph. Funds shall be provided proportionally based on the non-capital investment grant share of the amounts allocable to such States.

(ii) ALLOCATION.—Of the amounts made available in subparagraph (A)(ii), $750,000,000 shall be provided to each recipient for all projects with full funding grant agreements that received an allocation only prior to fiscal year 2019, except that projects open for revenue service are not eligible to receive a grant under this subparagraph and no project may receive more than 40 percent of the amounts provided under this clause. The Administrator of the Federal Transit Administration shall proportionally distribute funds in excess of such percent to recipients for which the percent of funds does not exceed 40 percent. Funds shall be provided based on the non-capital investment grant share of the amount allocated.

(iii) ELIGIBLE RECIPIENTS.—For amounts made available in subparagraph (A)(i), eligible recipients shall be any recipient of an allocation under subsection (b) of section 5309 of title 49, United States Code, an applicant in the project development phase described in paragraph (2) of such subsection.

(iv) AMOUNT.—Amounts distributed under clause (i) of subparagraph (A) shall be provided notwithstanding the limitation of any calculation of the maximum amount of Federal financial assistance for any public transportation project as provided in section 5309(h)(7) of section 5309 of title 49, United States Code.

(5) SECTION 5311(F) SERVICES.—

(A) IN GENERAL.—Of the amounts made available under subsection (a) and in addition to the amounts made available under paragraph (3), $50,000,000 shall be available for grants to recipients for bus operators that partner with recipients or subrecipients of funds under section 5311(f) of title 49, United States Code.

(B) ALLOCATION RATIO.—Notwithstanding paragraph (3), the Administrator of the Federal Transit Administration shall allocate amounts under subparagraph (A) in the same ratio as funds were provided under section 5311 of title 49, United States Code, for fiscal year 2020.

(C) EXCEPTION.—If a State or territory does not have bus providers eligible under section 5311(f) of title 49, United States Code, funds under this paragraph may be used by such States and territories for any reasonable expenses incurred for public transportation service provided in the planning period; or

(D) UNOBLIGATED FUNDS.—If amounts made available in subparagraph (A)(ii) are not obligated on September 30, 2023, such amounts shall be available for any purpose eligible under section 5307 of title 49, United States Code.

(6) PLANNING.—

(A) IN GENERAL.—Of the amounts made available under subsection (a), $250,000,000 shall be for grants eligible recipients for the planning of public transportation service, and shall be available for route planning designed to—

(i) increase ridership and reduce travel times, while maintaining or expanding the total level of service provided in the planning period; or

(ii) make service adjustments to increase the quality or frequency of service provided to low-income riders and disadvantaged neighborhoods or communities.

(B) LIMITATION.—Amounts made available under subparagraph (A) shall be used for route planning related to transitioning public transportation service provided as of the date of receipt of funds to a transportation network company or other third-party contract provider, unless the existing provider of public transportation service is a third-party contract provider.

(7) RECIPIENTS REQUIRING ADDITIONAL ASSISTANCE.—

(A) IN GENERAL.—Of the amounts made available under subsection (a), $2,307,561,294 shall be for grants to eligible recipients or subrecipients of funds under sections 5307 or 5311 of title 49, United States Code, that, as a result of COVID-19, require additional assistance for costs related to operations, personal, cleaning, and sanitization combating the spread of pathogens on transit systems, and debt service payments incurred to maintain operations and avoid layoffs and furloughs.

(B) ADMINISTRATION.—Funds made available under subparagraph (A) shall, after allocation, be provided under paragraph (1) or (3), as applicable.

(C) APPLICATION REQUIREMENTS.—

(i) IN GENERAL.—The Administrator of the Federal Transit Administration may not allocate funds to an eligible recipient or subrecipient of funds under chapters 53 of title 49, United States Code, unless the recipient provides to the Administrator—

(I) estimates of financial need;

(II) data on reductions in farebox or other sources of local revenue for sustained operations;

(III) a spending plan for such funds; and

(IV) demonstration of expenditure of greater than 90 percent of funds made available to the applicant from funds made available for similar activities in fiscal year 2020.

(ii) DEADLINES.—The Administrator of the Federal Transit Administration—

(I) not later than 180 days after the date of enactment of this Act, issue a Notice of Funding Opportunity for assistance under this paragraph; and

(II) not later than 120 days after the application deadline established in the Notice of Funding Opportunity under subclause (I), make awards under this paragraph to selected applicants.

(iii) EVALUATION.—

(I) IN GENERAL.—Applications for assistance under this paragraph shall be evaluated by the Administrator of the Federal Transit Administration based on the level of financial need demonstrated by an eligible recipient or subrecipient, in the judgment of the Administrator, and the future financial need to maintain service as a percentage of the 2018 operating costs that has not been replaced by the funds made available to the eligible recipient or subrecipient under paragraphs (1) through (5) of this subsection when combined with the amounts allocated to such eligible recipient or subrecipient from funds previously made available for the operating expenses of transit agencies related to the response to the COVID-19 public health emergency.

(II) RESTRICTION.—Amounts made available under this paragraph shall only be available for operating expenses.

(iv) STATE APPLICANTS.—A State may apply for assistance under this paragraph on behalf of an eligible recipient or subrecipient or a group of eligible recipients or subrecipients.

(D) UNOBLIGATED FUNDS.—If amounts made available under this paragraph remain unobligated on September 30, 2023, such amounts shall be available for any purpose eligible under sections 5307 or 5311 of title 49, United States Code.

TITLE IV—COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

SEC. 4001. EMERGENCY FEDERAL EMPLOYEE LEAVE FUND.

(a) ESTABLISHMENT; APPROPRIATION.—There is established in the Treasury the Emergency Federal Employee Leave Fund (in this section referred to as the “Fund”), to be administered by the Director of the Office of Personnel Management, for the purposes set forth in subsection (b). In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $570,000,000, which shall be deposited into the Fund and remain available through September 30, 2022. The Fund is available for reasonable expenses incurred by the Office of Personnel Management in administering this section.

(b) PURPOSE.—Amounts in the Fund shall be available for reimbursement to an agency for the use of paid leave under this section by any employee of the agency who is unable to work because the employee—

(A) is a Federal, State, or local quarantine or isolation order related to COVID-19;
(2) has been advised by a health care pro-
vider to self-quarantine due to concerns re-
lated to COVID–19; or
(3) is caring for an individual who is sub-
ject to COVID-19 isolation or quarantine or who has been so advised;
(4) is experiencing symptoms of COVID-19
and seeking a medical diagnosis;
(5) is caring for a son or daughter of such employ-
ee who is subject to COVID–19 isolation or
quarantine or who has been so advised; or
(6) is experiencing any other substantially
similar condition.

(7) Care for a family member with a mental or physical disability or who is 55
years of age or older and incapable of self-
care, without regard to whether another in-
dividual other than the employee is avail-
able to care for such family member, if the place of care for such family member is
closed or the direct care provider is unavail-
able due to COVID–19 precautions.

(8) is obtaining immunization related to
COVID–19 or is recovering from any injury,
disability, illness, or condition related to such
immunization.

(c) LIMITATIONS.—
(1) PERIOD OF AVAILABILITY.—Paid leave
under this section may only be provided to
an employee during the period beginning on the date of enactment of this
Act and ending on September 30, 2021.

(2) TOTAL HOURS; AMOUNT.—Paid leave
under this section—
(A) shall be provided to an employee in an
amount not to exceed 600 hours of paid leave for
each full-time employee, and in the case of a
part-time employee, employee on an
uncommon tour of duty, or employee with a
seasonal work schedule, in an amount not to
exceed the proportional equivalent of 600
hours to the extent amounts in the Fund re-
main available for reimbursement;
(B) shall be paid at the same hourly rate as
other leave payments; and
(C) may not be provided to an employee if
the leave would result in payments greater
than $2,800 in aggregate for any biweekly pay
period of the employee, or a propor-
tionally equivalent biweekly limit for a
part-time employee.

(3) RELATIONSHIP TO OTHER LEAVE.—Paid
leave under this section—
(A) is in addition to any other leave pro-
vided to an employee; and
(B) may not be used by an employee cur-
rently with any other paid leave.

(4) CALCULATION OF RETIREMENT BENEFIT.—
Any paid leave provided to an employee under this section shall reduce the total
service used to calculate any Federal civil-
ian retirement benefit.

(d) EMPLOYEE DEFINED.—In this section,
(1) an individual in the executive branch
for whom annual and sick leave is provided
under subchapter I of chapter 63 of title 5,
United States Code;
(2) an individual employed by the United States Postal Service;
(3) an individual employed by the Postal Regulatory Commission; and
(4) an employee of the Public Defender Service for the District of Columbia and the
District of Columbia Courts.

SEC. 4002. FUNDRNG FOR THE GOVERNMENT AC-
COUNTABILITY OFFICE.

In addition to amounts otherwise avail-
able, there is appropriated for fiscal year
2021, out of any money in the Treasury not
otherwise appropriated, $77,000,000, to remain available until September 30, 2025, for nec-
essary expenses of the Government Account-
ability Office to prevent, prepare for, and re-
spond to Coronavirus and to support over-
sight of the Coronavirus response and of any other public health emergency act-
ning pursuant to an Act pertaining to the Coronavirus pandemic.

SEC. 4003. PANDEMIC RESPONSE ACCOUNT-
ABILITY COMMITTEE FUNDING AVAILABILITY.
In addition to amounts otherwise avail-
able, there is appropriated for fiscal year
2021, out of any money in the Treasury not
otherwise appropriated, $40,000,000, to remain available until September 30, 2025, for the
Pandemic Response Accountability Com-
mittee established pursuant to the Coronavirus response and of funds provided in this Act or any other Act pertaining to the Coronavirus pandemic.

SEC. 4004. FUNDING FOR THE WHITE HOUSE.
In addition to amounts otherwise avail-
able, there is appropriated for fiscal year
2021, out of any money in the Treasury not otherwise appropriated, $12,800,000, to remain available until September 30, 2021, for nec-
ecessary expenses for the White House, to pre-
vent, prepare for, and respond to coronavirus.

SEC. 4005. FEDERAL EMERGENCY MANAGEMENT
AGENCY APPROPRIATION.
In addition to amounts otherwise avail-
able, there is appropriated to the Federal Emergency Management Agency for fiscal
year 2021, out of any money in the Treasury not
otherwise appropriated, $300,000,000, to remain available until September 30, 2025, to carry out the purposes of the Disaster Relief Fund for costs associated with major dis-
aster declarations.

SEC. 4006. FUNERAL ASSISTANCE.
(a) IN GENERAL.—For the emergency dec-
laration issued by the President on March 13,
2020, the President of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)), and for any
subsequent major disaster declaration that
supersedes such emergency declaration, the President shall provide financial assistance to an individual or household to meet dis-
aster-related funeral expenses under section
406(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)(1)), for which the Federal cost
share shall be 100 percent.
(b) UNIFORMITY.—Funds appropriated under section 4005 may be used to sub-
section (a) of this section.

SEC. 4007. EMERGENCY FOOD AND SHELTER PRO-
GRAM FUNDING.
In addition to amounts otherwise made
available, there is appropriated to the Fed-
eral Emergency Management Agency for fis-
cal year 2021, out of any money in the Treas-
ury not otherwise appropriated, $200,000,000, to remain available until September 30, 2025, for the employment of any individual described in
subparagraph (A) of subsection (a) of such section.

SEC. 4008. HUMANITARIAN RELIEF.
In addition to amounts otherwise available,
the President may award grants to
organizations to carry out the purposes of the
Emergency Food and Shelter Program.

SEC. 4009. CYBERSECURITY AND INFRASTRUC-
TURE SECURITY AGENCY.
In addition to amounts otherwise available,
there is appropriated to the Cybersecurity and
Infrastructure Security Agency for fiscal
year 2021, out of any money in the Treasury not
otherwise appropriated, $650,000,000, to remain available until September 30, 2023, for costs associated with the purposes of the Technology Modern-
ization Fund.

SEC. 4010. APPROPRIATION FOR THE UNITED STATES DIGITAL SERVICE.
In addition to amounts otherwise avail-
able, there is appropriated for fiscal year
2021, out of any money in the Treasury not
otherwise appropriated, $200,000,000, to re-
main available until September 30, 2024, for the United States Digital Service.

SEC. 4011. APPROPRIATION FOR THE TECH-
NOLOGY MODERNIZATION FUND.
In addition to amounts otherwise appro-
riated, there is appropriated to the General Services Administration for fiscal year
2021, out of any money in the Treasury not other-
wise appropriated, $1,000,000,000, to remain available until September 30, 2025, to carry out the purposes of the Technology Mod-
ernization Fund.

SEC. 4012. APPROPRIATION FOR THE FEDERAL CITIZEN SERVICES FUND.
In addition to amounts otherwise avail-
able, there is appropriated to the General Services Administration for fiscal year
2021, out of any money in the Treasury not other-
wise appropriated, $150,000,000, to remain available until September 30, 2025, to carry out the purposes of the Federal Citizen Serv-
ces Fund.

SEC. 4013. AFGR AND SAFER PROGRAM FUNDING.
In addition to amounts otherwise made
available, there is appropriated to the Federal Emergency Management Agency for fis-
cal year 2021, out of any money in the Treas-
ury not otherwise appropriated, $300,000,000, to remain available until September 30, 2025, for emergency management performance
grants.

TITLE V—COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP
SEC. 5001. MODIFICATION OF PAYCHECK PRO-
TECTION PROGRAM.
(a) ELIGIBILITY OF CERTAIN NONPROFIT EN-
TITIES FOR COVERED LOANS UNDER THE PAY-
CHECK PROTECTION PROGRAM.
(1) IN GENERAL.—Section 7(a)(36) of the
Small Business Act (15 U.S.C. 635(a)(36)), as
amended by the Economic Aid to Hard-Hit
States, Small Businesses and Nonprofits, and
Vulnerable Entities Act of 2020 (title II of divi-
sion N of Public Law 116–260), is amended—
(A) in subparagraph (A)—
(i) in clause (ix), by striking “and” at the end;
(ii) in clause (xvi), by striking the period at
the end and inserting “; and”;
and
(iii) by adding at the end the following:
“(xvii) the term ‘additional covered non-
profit entity’—
(I) means an organization described in
subsection (a) or (c) of section 501 of the Inter-
 nal Revenue Code of 1986, other than para-
graph (3), (4), (6), or (19), and exempt from
tax under section 501(a) of such Code; and
(II) does not include any entity that,
if the entity were a business concern, would
be described in section 120.110 of title 13, Code of Federal Regulations (or in any successor
regulation, or other related guidance or rule
that may be issued by the Administrator)
other than a business concern described in
paragraph (a) or (k) of such section.”;
and
(B) in subparagraph (D)—
(i) in clause (iii), by adding at the end the following:
“(III) ELIGIBILITY OF CERTAIN ORGANIZATIONS.—Subject to the provisions in this subpart, during the covered period—

(aa) a nonprofit organization shall be eligible for a covered loan if the nonprofit organization employs not more than 500 employees per physical location of the organization; and

(bb) any additional covered nonprofit entity and an organization that, but for subsection (I)(dd) or (II)(dd) of clause (vii), would be eligible for a covered loan under clause (I)(dd) shall be eligible to receive a covered loan if the entity or organization employs not more than 300 employees per physical location of the organization; and

(ii) by adding at the end the following:

“(ix) ELIGIBILITY OF ADDITIONAL COVERED NONPROFIT ENTITIES.—An additional covered nonprofit entity shall be eligible to receive a covered loan if—

“(I) the additional covered nonprofit entity does not receive more than 15 percent of its receipts from lobbying activities;

“(II) the lobbying activities of the additional covered nonprofit entity do not comprise more than 15 percent of the total activities or organization;

“(III) the cost of the lobbying activities of the additional covered nonprofit entity did not exceed $1,000,000 during the most recent tax year of the covered nonprofit entity that ended prior to February 15, 2020; and

“(IV) the additional covered nonprofit entity employs not more than 300 employees.”.

(2) ELIGIBILITY FOR SECOND DRAW LOANS.—

Paragraph (37)(A)(i) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by Public Law 116–260, is amended by inserting “Internet-only news publisher or Internet-only periodical publisher, and is engaged in the collection and distribution of local or regional and national news and information, if the business concern or organization—

“(aa) majorly owned or controlled by a business concern or organization that is assigned a North American Industry Classification System code of 519130, certifies in good faith as an Internet-only news publisher or Internet-only periodical publisher, and is engaged in the collection and distribution of local or regional and national news and information, if the business concern or organization—

“(bb) is majority owned or controlled by a business concern or organization that was not eligible to receive a covered loan if—

“(I) the lobbying activities of the additional covered nonprofit entity do not comprise more than 15 percent of the total activities or organization;

“(II) the lobbying activities of the additional covered nonprofit entity did not exceed $1,000,000 during the most recent tax year of the covered nonprofit entity that ended prior to February 15, 2020; and

“(III) the cost of the lobbying activities of the additional covered nonprofit entity did not exceed $1,000,000 during the most recent tax year of the covered nonprofit entity that ended prior to February 15, 2020; and

“(IV) the additional covered nonprofit entity employs not more than 300 employees.”.

(b) ELIGIBILITY OF INTERNET PUBLISHING ORGANIZATIONS FOR COVERED LOANS UNDER THE PAYCHECK PROTECTION PROGRAM.—

(1) IN GENERAL.—Section 7(a)(36)(D) of the Small Business Act (15 U.S.C. 636(a)(36)(D)), as amended by subsection (a), is further amended—

(A) in clause (iii), by adding at the end the following:

“(IV) ELIGIBILITY OF INTERNET PUBLISHING ORGANIZATIONS OR OTHER ORGANIZATION THAT WAS NOT ELIGIBLE TO RECEIVE A COVERED LOAN IF THE ENTITY OR ORGANIZATION EMPLOYS NOT MORE THAN 500 EMPLOYEES OR THE SIZE STANDARD ESTABLISHED BY THE ADMINISTRATOR FOR THAT NORTH AMERICAN INDUSTRY CLASSIFICATION CODE, PER PHYSICAL LOCATION OF THE BUSINESS CONCERN OR ORGANIZATION; and

(B) in clause (iv)—

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

(ii) in subclause (IV)(bb), by striking the period at the end and inserting “; and “; and

(iii) by adding at the end the following:

“(V) any business concern or other organization that was not eligible to receive a covered loan the day before the date of enactment of this subclause, is assigned a North American Industry Classification System code of 519130, certifies in good faith as an Internet-only news publisher or Internet-only periodical publisher, and is engaged in the collection and distribution of local or regional and national news and information, if the business concern or organization—

“(aa) majorly owned or controlled by a business concern or organization that is assigned a North American Industry Classification System code of 519130;”.

(C) in clause (v), by striking “‘additional covered nonprofit entity’” and inserting “‘eligible entity’”;

(D) in clause (vi), by striking “tags” and inserting “tags”;

(E) by adding at the end the following:

“(I) majorly owned or controlled by a business concern or organization that is assigned a North American Industry Classification System code of 519130.

(2) PAYCHECK PROTECTION PROGRAM.—

Paragraph (37)(A)(iv)(II) of the Small Business Act, as amended by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), is amended by striking “(bb) the business concern or organization—

“(i) in subclause (III), by striking ''and'' at the end of clause (iii) and striking the period at the end of clause (iv);

(ii) in an amount that is $5,000; and

(iii) by adding at the end the following new clause (iv) after clause (vi) of subsection (A) and clause (ix) of subsection (B) after clause (ix)’’.

(c) COORDINATION WITH CONTINUATION COVERAGE.—

(1) PAYCHECK PROTECTION PROGRAM.—

Section 7(a)(37)(A)(v) of the Small Business Act, as redesignated, transferred, and amended by section 394(b) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260), is amended by striking “(bb) is majority owned or controlled by a business concern or organization; and

“(V) any business concern or other organization that was not eligible to receive a covered loan if the entity or organization employs not more than 300 employees per physical location of the organization; and

“(II) by adding at the end the following:

“(V) any business concern or other organization that was not eligible to receive a covered loan if the entity or organization employs not more than 300 employees or the size standard established by the Administrator for that North American Industry Classification code, per physical location of the business concern or organization; and

“(bb) majorly owned or controlled by a business concern or organization that was not eligible to receive a covered loan if the entity or organization employs not more than 300 employees;”.

(d) COMMITMENT AUTHORITY AND APPROPRIATIONS.—

(1) COMMITMENT AUTHORITY.—Section 1102(b)(1) of the CARES Act (Public Law 116–136) is amended by striking “$906,450,000,000” and inserting “$813,700,000,000”.

(2) APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Small Business Administration for fiscal year 2021, $7,250,000,000, to remain available until expended, for carrying out this section.

SEC. 5002. TARGETED EIDL ADVANCE.

(a) DEFINITIONS.—In this section—

(1) the term “Administrator” means the Administrator of the Small Business Administration; and

(2) the terms “eligible entity” and “economic loss” have the meanings given the terms in—

(A) section N of Public Law 116–260; and

(B) $5,000,000,000 to make payments under section 1110(e) of the CARES Act (15 U.S.C. 9009(e)), each of which is—

(i) to an entity that—

(I) has suffered an economic loss of more than 50 percent; and

(II) employs not more than 10 employees; and

(ii) in an amount that is $5,000; and

(iii) with respect to the covered entity to which the payment is made, in addition to any payment made to the covered entity under section 1110(e) of the CARES Act (15 U.S.C. 9009(e)) or section 331 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260).

(b) A PPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Administrator for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000,000, to remain available until expended, for carrying out this section.

SEC. 5003. SUPPORT FOR RESTAURANTS.

(a) DEFINITIONS.—In this section—

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Small Business Administration.

(2) ELIGIBLE BUSINESS.—The term “affiliated business” means a business in which an eligible entity has an equity or right to profits distributions of not less than 50 percent, or both, in which an eligible entity has contractually an authority to control the direction of the business, provided that such affiliation shall be determined as of any arrangements or agreements in existence as of March 15, 2020.

(3) COVERED PERIOD.—The term “covered period” means the period—

(A) beginning on February 15, 2020; and

(B) ending on December 31, 2021, or a date to be determined by the Administrator that is not later than 2 years after the date of enactment of this section.

(c) ELIGIBLE ENTITY.—The term “eligible entity”—

(A) means a restaurant, food stand, food truck, food cart, caterer, saloon, inn, tavern, bar, lounge, brewery, distillery, winery, taproom, licensed facility or premise of a beverage alcohol producer where the public may taste, sample, or purchase products, or other similar place of business where the public or patrons assemble for the primary purpose of being served food or drink;
(B) includes an entity described in subparagraph (A) that—
(i) is a State or local government-operated business;
(ii) of March 13, 2020, owns or operates (together with any affiliated business) more than 20 locations, regardless of whether those locations do business under the same or multiple names; or
(iii) has a pending application for or has received section 224 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116-260); or
(ii) a paid sick leave;
(5) EXCHANGE; ISSUE; SECURITY.—The terms “exchange”, “issuer”, and “security” have the meanings given those terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).
(6) FUND.—The term “Fund” means the Restaurant Revitalization Fund established under subsection (b).
(7) PANDEMIC-RELATED REVENUE LOSS.—The term “pandemic-related revenue loss” means, with respect to an eligible entity, (A) any gross receipts received; (B) any gross receipts received; or (C) any gross receipts received.

SECTION 5004. COMMUNITY NAVIGATOR PILOT PROGRAM

SEC. 5004. COMMUNITY NAVIGATOR PILOT PROGRAM.—

(a) DEFINITIONS.—In this section:
(X) Any other expenses that the Administrator determines to be essential to maintaining the eligible entity.
(15 U.S.C. 632(q))), or socially and economically disadvantaged small business concerns (as defined in section 8(a)(4)(A) of the Small Business Act (15 U.S.C. 632(a)(4)(A))). The Administrator may take such steps as necessary to ensure that eligible entities described in this subparagraph have access to grant funding under this section after the end of such 21-day period.
(B) CERTIFICATION.—For purposes of establishing priority under subparagraph (A), an applicant shall submit a self-certification of eligibility for priority with the grant application.
(4) GRANT AMOUNT.—(A) AGGREGATE MAXIMUM AMOUNT.—The aggregate amount of grants made to an eligible entity and any affiliated businesses of the eligible entity under this subsection—
(i) shall not exceed $10,000,000; and
(ii) shall be limited to $5,000,000 per physical location of the eligible entity.
(B) DETERMINATION OF GRANT AMOUNT.—

(1) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the Restaurant Revitalization Fund.
(2) APPROPRIATIONS.—
(A) IN GENERAL.—In addition to amounts otherwise available, there is appropriated to the Restaurant Revitalization Fund for fiscal year 2021, out of any money in the Treasury otherwise not appropriated, $20,000,000,000, to remain available until expended.
(B) DISTRIBUTION.—
(i) IN GENERAL.—Of the amounts made available in subsection (A)—
(I) $5,000,000,000 shall be available to eligible entities with gross receipts during 2019 of not more than $500,000; and
(II) $20,000,000,000 shall be available to the Administrator to award grants under subsection (c) in an equitable manner to eligible entities of different sizes based upon annual gross receipts.
(ii) ADJUSTMENTS.—The Administrator may make adjustments as necessary to the distribution of grants under (I), to the extent based on demand and the relative local costs in the markets in which eligible entities operate.
(C) GRANTS AFTER INITIAL PERIOD.—Notwithstanding subparagraph (B), and on or after the date that is 60 days after the date of enactment of this Act, the Administrator shall award grants to eligible entities based on estimated receipts that are greater than the actual gross receipts of the eligible entity in 2020 shall be returned to the Treasury.
(5) USE OF FUNDS.—During the covered period, an eligible entity that receives a grant under this subsection may use the grant funds for the following expenses incurred as a direct result of, or during, the COVID-19 pandemic:
(A) Payroll costs.
(B) Payments of principal or interest on any mortgage obligation (which shall not include any prepayment of principal on a mortgage obligation).
(C) Rent payments, including rent under a lease agreement (which shall not include any prepayment of rent).
(D) Utilities.
(E) Maintenance expenses, including—
(i) construction to accommodate outdoor seating; and
(ii) walls, floors, deck surfaces, furniture, fixtures, and equipment.
(F) Supplies, including protective equipment and cleaning materials.
(G) Food and beverage expenses that are within the scope of the normal business practice of the eligible entity before the covered period.
(H) Covered supplier costs, as defined in section 7(a) of the Small Business Act (as redesignated, transferred, and amended by section 304(b) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (Public Law 116-260)).
(I) Operational expenses.
(J) Sick leave.
(K) Any other expenses that the Administrator determines to be essential to maintaining the eligible entity.
(1)minus any gross receipts received; or
(ii) an amount based on a formula determined by the Administrator;
(C) if the eligible entity opened during the period beginning on January 1, 2020, and ending on the day before the date of enactment of this section—
(i) the amount of those expenses; or
(ii) an amount based on a formula determined by the Administrator;
(F) Supplies, including protective equipment.
(G) Food and beverage expenses that are not may not be common to their industry;
(H) Covered supplier costs, as defined in section 2301; or
(i) the expenses described in subsection (c)(5)(A) as of the date of enactment of this section—
(i) shall not exceed $10,000,000; and
(ii) shall be limited to $5,000,000 per physical location of the eligible entity.

(1) IN GENERAL.—Except as provided in this paragraph, the amount of a grant made to an eligible entity under this subsection shall be equal to the pandemic-related revenue loss of the eligible entity.

Returns to TREASURY.—Any amount of a grant made under this subsection to an eligible entity based on estimated receipts that is greater than the actual gross receipts of the eligible entity in 2020 shall be returned to the Treasury.

(2) APPROPRIATIONS.—
(A) IN GENERAL.—Except as provided in subsection (b) and paragraph (3), the Administrator shall prioritize eligible entities with gross receipts during 2019 of not more than $500,000; and

(1) IN GENERAL.—Except as provided in this subparagraph, the Administrator shall award grants to eligible entities in the order in which applications are received by the Administrator.
(2) APPLICATION.—
(A) CERTIFICATION.—An eligible entity applying for a grant under this subsection shall make a good faith certification that—
(I) the uncertainty of current economic conditions makes necessary the grant request to support the ongoing operations of the eligible entity; and
(II) the eligible entity has not applied for or received a grant under section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116-260).
(B) BLENDING.—In accepting applications for grants under this subsection, the Administrator shall prioritize the ability of each applicant to use their existing business identifiers over requiring other forms of registration or identification that may not be common to their industry and imposing additional burdens on applicants.
(3) PRIORITY IN AWARDING GRANTS.—
(A) IN GENERAL.—During the initial 21-day period in which the Administrator awards grants under this subsection, the Administrator shall prioritize awarding grants to eligible entities that are small business concerns owned and controlled by women (as defined in section 3(q) of the Small Business Act (15 U.S.C. 632(q))), or socially and economically disadvantaged small business concerns (as defined in section 8(a)(4)(A) of the Small Business Act (15 U.S.C. 632(a)(4)(A))). The Administrator may take such steps as necessary to ensure that eligible entities described in this subparagraph have access to grant funding under this section after the end of such 21-day period.
(B) CERTIFICATION.—For purposes of establishing priority under subparagraph (A), an applicant shall submit a self-certification of eligibility for priority with the grant application.
(2) ADMINISTRATOR.—The term ‘‘Administrator’’ means the Administrator of the Small Business Administration.

(3) COMMUNITY NAVIGATOR SERVICES.—The term ‘‘community navigator’’ means a community organization, community financial institution as defined in section 7(a)(36)(A) of the Small Business Act (15 U.S.C. 636(a)(36)(A)), or other private nonprofit organization engaged in the delivery of community navigator services.

(4) ELIGIBLE BUSINESS.—The term ‘‘eligible business’’ means any small business concern, with priority for small business concerns owned and controlled by women (as defined in section 3(m) of the Small Business Act (15 U.S.C. 632(n))), small business concerns owned and controlled by veterans (as defined in section 3(q) of such Act (15 U.S.C. 632(q))), and socially and economically disadvantaged small business concerns (as defined in section 8(a)(4)(A) of the Small Business Act (15 U.S.C. 637(a)(4)(A))).

(5) PRIVATE NONPROFIT ORGANIZATION.—The term ‘‘private nonprofit organization’’ means an entity that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

(6) UNIT OF GENERAL LOCAL GOVERNMENT.—The term ‘‘unit of general local government’’ means a county, city, town, village, or other general purpose political subdivision of a State.

(7) COMMUNITY NAVIGATOR PILOT PROGRAM.—

(a) IN GENERAL.—The Administrator shall establish a Community Navigator pilot program to maintain, or enter into contracts or cooperative agreements with, private nonprofit organizations, resource partners, States, Tribes, and units of local government to ensure the delivery of free community navigator services to current or prospective owners of eligible businesses in order to improve access to assistance programs and resources made available because of the COVID–19 pandemic by Federal, State, Tribal, and local entities.

(b) OUTREACH AND EDUCATION.—

(1) PROMOTION.—The Administrator shall develop and implement a program to promote community navigator services to current or prospective owners of eligible businesses.

(2) CALL CENTER.—The Administrator shall establish a telephone hotline to offer information about Federal programs to assist eligible businesses, including services to resource partners, community navigators, potential lenders, and other persons that the Administrator determines appropriate for current or prospective owners of eligible businesses.

(3) OUTREACH.—The Administrator shall—

(A) conduct outreach and education, in the 10 most current or prospective owners of eligible businesses on community navigator services and other Federal programs that assist eligible businesses;

(B) improve the website of the Administrator to describe such community navigator services and other Federal programs;

(C) implement an education campaign by advertising in media targeted to current or prospective owners of eligible businesses.

(4) Allocating amounts otherwise available, there is appropriated to the Administrator for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2022, for carrying out this subsection.

(b) INSPECTOR GENERAL.—In addition to amounts otherwise available, there is appropriated to the Inspector General of the Small Business Administration for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $25,000,000, to remain available until expended, for necessary expenses for carrying out subsection (a).

(2) $50,000,000 shall be for grants and activities authorized under subsections (a) through (c) of section 103 of the Clean Air Act (42 U.S.C. 7402) and activities authorized under section 105 of such Act (42 U.S.C. 7405).

(b) ADMINISTRATION OF FUNDS.—

(1) Of the funds made available pursuant to subsection (a)(1), the Administrator shall reserve 2 percent for administrative costs necessary to carry out activities funded pursuant to such subsection.

(2) Of the funds made available pursuant to subsection (a)(2), the Administrator shall reserve 5 percent for activities funded pursuant to such subsection other than grants.

SEC. 6003. UNITED STATES FISH AND WILDLIFE SERVICE.

(a) In General.—

(1) $45,000,000 shall be for wildlife inspections, interdictions, investigations, and related activities, and for efforts to address wildlife trafficking; (2) $30,000,000 shall be for the care of captive species listed under the Endangered Species Act of 1973, for the care of rescued and confiscated wildlife, and for the care of Federal trust species in facilities experiencing lost revenues due to COVID-19; and (3) $45,000,000 shall be for research and extension activities to strengthen early detection, rapid response, and science-based management to address wildlife disease outbreaks before they become pandemics and strengthen wildlife health monitoring to enhance early detection of diseases that have capacity to jump the species barrier and pose a risk in the United States, including the development of a national wildlife disease database.

(b) Lacey Act Provisions.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $970,388,180, to remain available until September 30, 2024, for grants as authorized under section 1101(a) of the FAST Act (Public Law 114-94) to prevent, prepare for, and respond to coronavirus.

(c) Network National Authorization.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $729,611,840, to remain available until September 30, 2024, for grants as authorized under section 1101(b) of the FAST Act (Public Law 114-94) to prevent, prepare for, and respond to coronavirus.

(d) Long-Distance Service Restoration and Employment Bills.—Not less than $165,926,000 of the aggregate amounts made available under subsections (a) and (b) shall be for use by the National Railroad Passenger Corporation:

(1) to restore, not later than 90 days after the date of enactment of this Act, the frequency of rail service on long-distance routes (as defined under section 11101(b) of the FAST Act (Public Law 114-94)),

(2) and to the extent needed, to begin restoration of rail service on long-distance routes within 180 days after the date of enactment of this Act.

(e) Use of Funds for State Payments for State-Supported Routes.—

(f) Operating Expenses and Debt Service Payments.—

(g) Project Management Oversight.—

(h) Requirements and Limitations.—

(i) Operating expenses and debt service payments.

(2) Federal share for development projects.

(3) Nonprimary airports.
(A) In General.—Not more than $100,000,000 shall be made available for general aviation and commercial service airports that are not primary airports (as such terms are defined in section 47102 of Title 49, United States Code) for costs related to operations, personnel, cleaning, sanitization, janitorial services, combating the spread of pathogens at the airport, and service payments.

(B) DISTRIBUTION.—Amounts made available under this paragraph shall be apportioned to each non-primary airport based on the capital need in the most recent National Plan of Integrated Airport Systems, reflecting the percentage of the aggregate gross eligible development costs for each such category, and then dividing the allocated funds evenly among the eligible airports in each category, rounding up to the nearest thousand dollars.

(2) WORKFORCE RETENTION REQUIREMENTS.—(A) In General.—The workforce retention requirement described in subparagraph (A), and does not otherwise qualify for a waiver or exception under this paragraph. Such employee shall be subject to clawback by the Secretary.

(d) DEFINITIONS.—In this section:

(1) ELIGIBLE LARGE AIRPORT CONCESSION.—The term ‘eligible large airport concession’ means a concession (as defined in section 23.3 of Title 49, Code of Federal Regulations), that is in-terminal and has maximum gross receipts, averaged over the previous three fiscal years, of more than $56,420,000.

(2) ELIGIBLE SMALL AIRPORT CONCESSION.—The term ‘eligible small airport concession’ means a concession (as defined in section 23.3 of Title 49, Code of Federal Regulations), that is in-terminal and—

(A) a small business with maximum gross receipts, averaged over the previous 3 fiscal years, of less than $56,420,000; or

(B) is a joint venture (as defined in section 23.3 of Title 49, Code of Federal Regulations).

SEC. 7103. EMERGENCY FAA EMPLOYEE LEAVE FUND.

(a) Establishment; Appropriation.—There is established in the Federal Aviation Administration the Emergency FAA Employee Leave Fund (in this section referred to as the ‘‘Fund’’), to be administered by the Administrator of the Federal Aviation Administration, for the purposes set forth in subsection (b).

(b) PURPOSE.—Amounts in the Fund shall be available to the Administrator for the use of paid leave under this section by any employee of the Administrator who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19;

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID–19;

(3) is caring for an individual who is subject to such an order or has been so advised; or

(4) is experiencing symptoms of COVID–19 and seeking a medical diagnosis.

(c) ADMINISTRATION.—

(1) ADMINISTRATIVE EXPENSES.—The Administrator of the Federal Aviation Administration may retain up to 0.1 percent of the funds appropriated under this section to fund the award of, and oversight by the Administrator of, grants made under this section.

(2) WORKFORCE RETENTION REQUIREMENTS.—(A) In General.—As a condition for receiving funds provided under this section, an airport shall continue to employ, through September 30, 2021, at least 90 percent of the number of individuals employed (after making adjustments for retirements or voluntary employee separations) by the airport as of March 27, 2020.

(B) WAIVER OF GUARANTEE REQUIREMENT.—The Secretary shall waive the workforce retention requirement if the Secretary determines that—

(i) the airport is experiencing economic hardship as a direct result of the requirement; or

(ii) the requirement reduces aviation safety or security.

(C) EXCEPTION.—The workforce retention requirement shall not apply to nonhub airports or nonprimary airports receiving funds under this section.

(D) NONCOMPLIANCE.—Any financial assistance provided under this section to an airport in violation of the workforce retention requirement described in subparagraph (A), and does not otherwise qualify for a waiver or exception under this paragraph. Such airport shall be subject to clawback by the Secretary.

(2) Total Hours; Amount.—Paid leave under this section—

(A) shall be provided to an employee of the Administrator in an amount not to exceed 600 hours of paid leave for each full-time employee, and in the case of a part-time employee, a proportionate amount of the leave amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be used by an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

(3) RELATIONSHIP TO OTHER LEAVE.—Paid leave under this section—

(A) is in addition to any other leave provided to an employee of the Administrator; and

(B) may not be used by an employee of the Administrator concurrently with any other paid leave.

(4) CALCULATION OF RETIREMENT BENEFIT.—Any paid leave provided to an employee of the Administrator under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

SEC. 7104. EMERGENCY TSA EMPLOYEE LEAVE FUND.

(a) Establishment; Appropriation.—There is established in the Transportation Security Administration (in this section referred to as the ‘‘Emergency TSA Employee Leave Fund’’ (in this section referred to as the ‘‘Fund’’)) to be administered by the Administrator of the Transportation Security Administration, for the purposes set forth in subsection (b).

(b) PURPOSE.—Amounts in the Fund shall be available to the Administrator for the use of paid leave under this section by any employee of the Administrator who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID–19;

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID–19;

(3) is caring for an individual who is subject to such an order or has been so advised; or

(4) is experiencing symptoms of COVID–19 and seeking a medical diagnosis.

(c) ADMINISTRATION.—

(1) ADMINISTRATIVE EXPENSES.—The Administrator of the Transportation Security Administration may retain up to 0.1 percent of the funds appropriated under this section to fund the award of, and oversight by the Administrator of, grants made under this section.

(2) WORKFORCE RETENTION REQUIREMENTS.—(A) In General.—As a condition for receiving funds provided under this section, an airport shall continue to employ, through September 30, 2021, at least 90 percent of the number of individuals employed (after making adjustments for retirements or voluntary employee separations) by the airport as of March 27, 2020.

(B) WAIVER OF GUARANTEE REQUIREMENT.—The Secretary shall waive the workforce retention requirement if the Secretary determines that—

(i) the airport is experiencing economic hardship as a direct result of the requirement; or

(ii) the requirement reduces aviation safety or security.

(C) EXCEPTION.—The workforce retention requirement shall not apply to nonhub airports or nonprimary airports receiving funds under this section.

(D) NONCOMPLIANCE.—Any financial assistance provided under this section to an airport in violation of the workforce retention requirement described in subparagraph (A), and does not otherwise qualify for a waiver or exception under this paragraph. Such airport shall be subject to clawback by the Secretary.

(2) Total Hours; Amount.—Paid leave under this section—

(A) shall be provided to an employee of the Administrator in an amount not to exceed 600 hours of paid leave for each full-time employee, and in the case of a part-time employee, a proportionate amount of the leave amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be used by an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

(3) RELATIONSHIP TO OTHER LEAVE.—Paid leave under this section—

(A) is in addition to any other leave provided to an employee of the Administrator; and

(B) may not be used by an employee of the Administrator concurrently with any other paid leave.

(4) CALCULATION OF RETIREMENT BENEFIT.—Any paid leave provided to an employee of the Transportation Security Administration under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.
(8) is obtaining immunization related to COVID-19 or is recovering from any injury, disability, illness, or condition related to such immunization.

(c) FLYING ACTIVITY—

(1) PERIOD OF AVAILABILITY.—Paid leave under this section may only be provided to and used by an employee of the Administration during the period beginning on the date of enactment of this section and ending on September 30, 2021.

(2) TOTAL HOURS; AMOUNT.—Paid leave under this section—

(A) shall be provided to an employee of the Administration in an amount not to exceed 600 hours of paid leave for each full-time employee, or a proportional equivalent biweekly limit for a part-time employee.

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be provided to an employee if the leave would result in payments greater than $2,800 in aggregate for any biweekly pay period for a full-time employee, or a proportionally equivalent biweekly limit for a part-time employee.

The term ‘‘aviation manufacturing company’’ means an aviation manufacturing company that—

(i) has significant operations in, and a manufacturing capacity of 50 or more, agrees to refrain from conducting involuntary layoffs or furloughs, or reducing pay rates or benefits, for the eligible employee group for the duration of the agreement and receipt of public contributions under this subtitle;

(ii) has a net worth of not less than $30,000,000 as compared to 2019;

(iii) has significant operations in, and a manufacturing capacity of 50 or more, agrees to refrain from conducting involuntary layoffs or furloughs, or reducing pay rates or benefits, for the eligible employee group for the duration of the agreement and receipt of public contributions under this subtitle;

(iv) is obtaining immunization related to COVID-19 or is recovering from any injury, disability, illness, or condition related to such immunization.

The term ‘‘eligible employee group’’ means the portion of the Fund remain available for reimbursement.

(2) EMPLOYEE.—The term ‘‘employee’’ has the meaning given that term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(3) EMPLOYER.—The term ‘‘employer’’ has the meaning given that term in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(4) ELIGIBLE EMPLOYEE GROUP.—The term ‘‘eligible employee group’’ means the portion of an employer’s United States workforce that—

(A) does not exceed 25 percent of the employer’s total United States workforce as of April 1, 2020; and

(B) contains only employees with a total compensation level of $200,000 or less per calendar year and

(C) is engaged in aviation manufacturing activities and services, or maintenance, repair, and overhaul activities and services based in the United States;

(D) that agrees to provide immediate involuntary furloughs or reduced pay rates or benefits for the eligible employee group, subject to the employer’s right to discipline or terminate an employee for cause when necessary.

(5) PRIVATE CONTRIBUTION.—The term ‘‘private contribution’’ means the contribution funded by the employer under this subtitle to maintain 50 percent of the eligible employee group’s total compensation level, and combined with the private contribution, is sufficient to maintain the total compensation level for those in the eligible employee group as of April 1, 2020.

The term ‘‘Secretary’’ means the Secretary of Transportation.

(6) PUBLIC CONTRIBUTION.—The term ‘‘public contribution’’ means the contribution funded by the Federal Government under this subtitle to provide 50 percent of the eligible employee group’s total compensation level, and combined with the private contribution, is sufficient to maintain the total compensation level for those in the eligible employee group as of April 1, 2020.
(2) the term “contractor” means—

(A) a person that performs, under contract with a passenger air carrier conducting operations under part 121 of title 14, Code of Federal Regulations (CFR), ticketing and check-in functions; or

(B) a subcontractor that performs such functions;

(3) the term “employee” means an individual, other than a corporate officer, who is employed by an air carrier or a contractor;

(4) the term “eligible air carrier” means an air carrier that—

(A) received financial assistance pursuant to section 402(a)(1) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(B) provides air transportation as of March 31, 2021;

(C) has not conducted involuntary furloughs or reduced pay rates or benefits between March 31, 2021, and the date on which the air carrier makes a certification to the Secretary pursuant to subparagraph (D); and

(D) certifies to the Secretary that such air carrier will—

(i) refrain from conducting involuntary furloughs or reducing pay rates or benefits between March 31, 2021, and the date on which the air carrier makes a certification to the Secretary pursuant to subparagraph (D); and

(ii) refrain from purchasing an equity security of the air carrier or the parent company of the air carrier that is listed on a national securities exchange through September 30, 2022;

(iii) refrain from paying dividends, or making other capital distributions, with respect to common stock (or equivalent interest) of the air carrier through September 30, 2022; and

(iv) during the 2-year period beginning April 1, 2021, and ending April 1, 2023, refrain from paying—

(I) any officer or employee of the contractor whose total compensation exceeded $425,000 in calendar year 2019 (other than an employee whose compensation is determined through an existing collective bargaining agreement entered into prior to the date of enactment of this Act);

(aa) total compensation that exceeds, during any 12 consecutive months of such 2-year period, the total compensation received by the officer or employee from the contractor in calendar year 2019; and

(bb) severance pay or other benefits upon termination of employment with the contractor which exceeds twice the maximum total compensation received by the officer or employee from the contractor in calendar year 2019; and

(II) any officer of employee of the contractor whose total compensation exceeded $3,000,000 in calendar year 2019 during any 12 consecutive months of such period total compensation in excess of the sum of—

(aa) $5,000,000; and

(bb) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the contractor in calendar year 2019; and

(II) any officer or employee of the air carrier whose total compensation exceeded $3,000,000 in calendar year 2019 during any 12 consecutive months of such period total compensation in excess of the sum of—

(aa) $1,000,000; and

(bb) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the air carrier in calendar year 2019; or

(bb) severance pay or other benefits upon termination of employment with the air carrier which exceeds twice the maximum total compensation received by the officer or employee from the air carrier in calendar year 2019; and

(II) any officer or employee of the air carrier whose total compensation exceeded $3,000,000 in calendar year 2019 during any 12 consecutive months of such period total compensation in excess of the sum of—

(aa) $1,000,000; and

(bb) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the air carrier in calendar year 2019; or

(5) the term “eligible contractor” means a contractor that—

(A) received financial assistance pursuant to section 402(a)(1) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260); and

(B) performs one or more of the functions described under paragraph (2) as of March 31, 2021;

(C) has not conducted involuntary furloughs or reduced pay rates or benefits between March 31, 2021, and the date on which the contractor makes a certification to the Secretary pursuant to subparagraph (D); and

(D) certifies to the Secretary that such contractor will—

(i) refrain from conducting involuntary furloughs or reducing pay rates or benefits until September 30, 2021, or the date on which the assistance provided under this section is exhausted, whichever is later;

(ii) refrain from purchasing an equity security of the contractor or the parent company of the contractor that is listed on a national securities exchange through September 30, 2022;

(iii) refrain from paying dividends, or making other capital distributions, with respect to common stock (or equivalent interest) of the contractor through September 30, 2022;

(iv) during the 2-year period beginning April 1, 2021, and ending April 1, 2023, refrain from paying—

(I) any officer or employee of the contractor whose total compensation exceeded $425,000 in calendar year 2019 (other than an employee whose compensation is determined through an existing collective bargaining agreement entered into prior to the date of enactment of this Act);

(aa) total compensation that exceeds, during any 12 consecutive months of such 2-year period, the total compensation received by the officer or employee from the contractor in calendar year 2019; and

(bb) severance pay or other benefits upon termination of employment with the contractor which exceeds twice the maximum total compensation received by the officer or employee from the contractor in calendar year 2019; and

(II) any officer of employee of the contractor whose total compensation exceeded $3,000,000 in calendar year 2019 during any 12 consecutive months of such period total compensation in excess of the sum of—

(aa) $5,000,000; and

(bb) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the contractor in calendar year 2019; and

(6) the term “Secretary” means the Secretary of the Treasury.

SEC. 7401. FUNDING FOR CONSUMER PRODUCT SAFETY FUND TO PROTECT CONSUMERS FROM POTENTIALLY DANGEROUS PRODUCTS RELATED TO COVID–19.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated for the Consumer Product Safety Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000,000, to remain available until expended, to carry out this section.

Subtitle D—Consumer Protection and Commerce Oversight

SEC. 7402. UNITED STATES CUSTOMS AND Border Protection.

(a) In General.—The Secretary shall—

(1) carry out the requirements in title XV of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116–260);

(2) enhance targeting, surveillance, and screening of consumer products, particularly COVID–19 related products, entering the United States; and

(3) establish the ability to enter for de minimis shipments;

(b) Funding.—Of the amounts made available under paragraph (1), $50,000,000, to remain available until September 30, 2026, for the purposes described in subsection (c).

(c) Use.—Of the amounts made available under paragraph (1), $50,000,000, to remain available until September 30, 2026, for the purposes described in subsection (c).

Subtitle E—Provisions Relating to the National Flood Insurance Program

SEC. 7403. NATIONAL FLOOD INSURANCE PROGRAM.

(a) Prohibition.—There shall be no fraud, misrepresentation, or violation of law in connection with the acceptance, handling, or distribution of premiums or policyholder funds by any person involved in connection with the National Flood Insurance Program.

(b) Reporting.—The Secretary shall establish reporting requirements for purposes of conducting a comprehensive oversight and evaluation of the National Flood Insurance Program.

Subtitle F—Aviation Safety

SEC. 7404. AVIATION SAFETY FUND TO PROTECT CONSUMERS FROM POTENTIALLY DANGEROUS PRODUCTS RELATED TO COVID–19.

(a) Appropriation.—In addition to amounts otherwise available, there is appropriated for the Consumer Product Safety Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000,000, to remain available until expended, to carry out this section.

Subtitle G—General Provisions

SEC. 7405. GENERAL PROVISIONS.

(a) Amendments.—The Secretary shall—

(1) make available grants to eligible contractors to establish or expand in–house compliance and investigative systems with respect to the contractor’s compliance with all applicable laws and requirements.

(2) establish a process to promptly identify and eliminate any listings of violative consumer products, and to promptly remove and de-list any such products.

(3) establish a process for appropriate notification of individuals and others affected by such products.

(4) establish procedures for identifying and removing websites for the offering for sale of new and used violative consumer products; and

(5) establish a process to promptly identify and eliminate any listings of violative consumer products, and to promptly remove and de-list any such products.
(c) DEFINITIONS.—In this section—

(1) the term “Commission” means the Consumer Product Safety Commission;

(2) the term “volatile consumer products” means consumer products in violation of an applicable consumer product safety standard under the Consumer Product Safety Act (15 U.S.C. 2051 et seq.) or any similar rule, regulation, or order under any other Act enforced by the Commission;

(3) the term “COVID–19 emergency period” means the period during which a public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID–19 or whose risks have been significantly affected by COVID–19 or whose sales have materially increased during the COVID–19 emergency period as a result of the COVID–19 pandemic.

SEC. 7402. FUNDING FOR E-RATE SUPPORT FOR EMERGENCY-RELATED EDUCATIONAL CONNECTIONS AND DEVICES.

(a) REGULATIONS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, regulations shall be promulgated under section 254 of the Communications Act of 1934 (47 U.S.C. 254(h)) with respect to the provision, from amounts made available from the Emergency Connectivity Fund, of support under paragraph (3) of section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)) to an eligible school or library, for the purchase during a COVID–19 emergency period of eligible equipment or advanced telecommunications and information services, except that any reimbursement of a library at locations that include locations other than the library, and in the case of a library, patrons of the library at locations that include locations other than the library, and in the case of a school, students and staff of the school at locations that include locations other than the school; and

(b) SUPPORT AMOUNT.—In providing support under the covered regulations, the Commission shall reimburse 100 percent of the costs associated with the eligible equipment, advanced telecommunications and information services, or eligible equipment and advanced telecommunications and information services, except that any reimbursement of a school or library for the costs associated with a library located in a nonlibrary setting may not exceed an amount that the Commission determines, with respect to the request by the school or library for the reimbursement, is reasonable.

(c) EMERGENCY CONNECTIVITY FUND.

(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the “Emergency Connectivity Fund”.

(2) APPROPRIATION.—In addition to amounts otherwise made available, there is appropriated to the Fund for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—

(A) $7,171,000,000, to remain available until September 30, 2023, for—

(i) the provision of support under the covered regulations; and

(ii) the Commission to adopt, and the Commission to the Federal Service Service Administrative Company to administer, the covered regulations;

(B) $2,727,000,000, to remain available until September 30, 2030, for the Inspector General of the Commission to conduct oversight of support provided under the covered regulations;

(C) LIMITATION.—Not more than 2 percent of the amount made available under paragraph (2)(A) may be used for the purposes described in subsection (b), paragraphs (2)(B), and (3).

(d) RELATIONSHIP TO UNIVERSAL SERVICE CONTRIBUTIONS.—Support provided under the covered regulations shall be provided from amounts made available from the Emergency Connectivity Fund and not from contributions under section 254(d) of the Communications Act of 1934 (47 U.S.C. 254(d)).

(d) DEFINITIONS.—In this section—

(1) ADVANCED TELECOMMUNICATIONS AND INFORMATION SERVICES.—The term “advanced telecommunications services” means advanced telecommunications and information services, as such term is used in section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)).

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) CONNECTED DEVICE.—The term “connected device” means a laptop computer, tablet computer, or similar end-user device that is capable of connecting to advanced telecommunications and information services.

(4) COVERED REGULATIONS.—The term “covered regulations” means the regulations promulgated under subsection (a).

(5) COVID–19 EMERGENCY PERIOD.—The term “COVID–19 emergency period” means a period that—

(A) begins on the date of a determination by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) that a public health emergency exists as a result of COVID–19; and

(B) ends on the June 30 that first occurs after the date that is 1 year after the date on which such determination (including any renewal thereof) terminates.

(6) ELIGIBLE EQUIPMENT.—The term “eligible equipment” means the following:

(A) Wi-Fi hotspots.

(B) Modems.

(C) Routers.

(D) Devices that combine a modem and router.

(E) Connected devices.

(7) ELIGIBLE SCHOOL OR LIBRARY.—The term “eligible school or library” means an elementary school, secondary school, or library (including a Tribal elementary school, Tribal secondary school, or Tribal library) eligible for support under paragraphs (1)(B) and (2) of section 254(h) of the Communications Act of 1934 (47 U.S.C. 254(h)).

(8) EMERGENCY CONNECTIVITY FUND.—The term “Emergency Connectivity Fund” means the fund established under subsection (c)(1).

(9) LIBRARY.—The term “library” includes a library consortium.

(10) Wi-Fi.—The term “Wi-Fi” means a wireless networking protocol based on Institute of Electrical and Electronics Engineers standard 802.11 (or any successor standard).

(11) Wi-Fi hotspot.—The term “Wi-Fi hotspot” means a device that is capable of—

(A) receiving advanced telecommunications and information services; and

(B) sharing such services with a connected device through the use of Wi-Fi.

SEC. 7403. FUNDING FOR DEPARTMENT OF COMMERCE INSPECTOR GENERAL.

In addition to amounts otherwise available, there is appropriated to the Office of Inspector General of the Department of Commerce for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $3,000,000, to remain available until September 30, 2022, for oversight of activities supported with funds appropriated to the Department of Commerce to prevent, prepare for, and respond to COVID–19.

SEC. 7404. FEDERAL TRADE COMMISSION FUNDING FOR COVID–19 RELATED WORK.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Federal Trade Commission for fiscal year 2021, $30,400,000, to remain available until September 30, 2026, for the purposes described in subsection (b).

(b) PURPOSES.—From the amount appropriated under subsection (a), the Federal Trade Commission shall use—

(1) $1,400,000 to process and monitor consumer complaints received into the Consumer, Electronic, and Other Services Network, including complaints received regarding unfair or deceptive acts or practices related to COVID–19;

(2) $2,000,000 for consumer-related education, including in connection with unfair or deceptive acts or practices related to COVID–19; and

(3) $23,000,000 to fund full-time employees of the Federal Trade Commission to address unfair or deceptive acts or practices, including those related to COVID–19.

SUBTITLE E—Science and Technology

SEC. 7501. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

In addition to amounts otherwise made available, there are appropriated to the National Institute of Standards and Technology for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $150,000,000, to remain available until September 30, 2022, to fund or extend new and existing research grants, cooperative agreements, scholarships, fellowships, and apprenticeships, and related administrative expenses to prevent, prepare for, and respond to coronavirus.

SUBTITLE F—Corporation for Public Broadcasting

SEC. 7601. SUPPORT FOR THE CORPORATION FOR PUBLIC BROADCASTING.

In addition to amounts otherwise made available, there is appropriated to the Corporation for Public Broadcasting for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $600,000,000, to remain available until September 30, 2022, to fund or extend new and existing research grants, cooperative agreements, scholarships, fellowships, and apprenticeships, and related administrative expenses to prevent, prepare for, and respond to coronavirus.

TITLE VIII—COMMITTEE ON VETERANS’ AFFAIRS

SEC. 8001. FUNDING FOR CLAIMS AND APPEALS PROCESSING.

In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $272,000,000, to remain available until September 30, 2023, pursuant to sections 308, 310, 7101 through 7106, 7701, and 7703 of title 38, United States Code.

SEC. 8002. FUNDING AVAILABILITY FOR MEDICAL CARE AND HEALTH NEEDS.

In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $14,482,000,000, to remain available until September 30, 2023, for the allocation under chapters 17, 20, 73, and 81 of title 38, United States Code, of which not
more than $4,000,000,000 shall be available pursuant to section 1703 of title 38, United States Code for health care furnished through the Veterans Community Care program and veterans hospital or medical centers. Under section 1703(c)(1) and 1703(c)(5) of such title.

SEC. 8003. FUNDING FOR SUPPLY CHAIN MODERNIZATION.

In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $100,000,000, to remain available until September 30, 2022, for the supply chain modernization initiative under sections 308, 310, and 7301(b) of title 38, United States Code.

SEC. 8004. STAFFING OF STATE HOMES.

In addition to amounts otherwise made available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—

(1) $250,000,000, to remain available until expended, for allocation under sections 8131 through 8137 of title 38, United States Code; and

(2) $250,000,000, to remain available until September 30, 2022, for a one-time only obligation and expenditure to existing State extended care facilities for veterans in proportion to the percentage of the total resident population in such facilities as of the date of enactment of this Act where such care includes veterans on whom the Department of Veterans Affairs, in its discretion, in accordance with section 1741 of title 38, United States Code, has paid payment pursuant to section 1741 or 1745 of title 38, United States Code.

SEC. 8005. FUNDING FOR THE DEPARTMENT OF VETERANS AFFAIRS OFFICE OF INSPECTOR GENERAL.

In addition to amounts otherwise made available, there is appropriated to the Office of Inspector General of the Department of Veterans Affairs for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000, to remain available until expended, for audits, investigations, and other oversight of projects and activities carried out with funds made available to the Department of Veterans Affairs.

SEC. 8006. COVID-19 VETERAN RAPID RETRAINING ASSISTANCE PROGRAM.

(a) In general.—The Secretary of Veterans Affairs shall carry out a program under which the Secretary shall provide up to 12 months of retraining assistance to an eligible veteran for the pursuit of a covered program of education. Such retraining assistance shall be in addition to any other entitlement to educational assistance or benefits for which a veteran is, or has been, eligible.

(b) Eligible veterans.—

(1) In general.—In this section, the term "eligible veteran" means a veteran who—

(A) as of the date of the receipt by the Department of Veterans Affairs of an application for assistance under this section, is at least 22 years of age but not more than 66 years of age;

(B) as of such date, is unemployed by reason of the covered public health emergency, as certified by the veteran;

(C) is not eligible to receive educational assistance under chapter 30, 31, 32, 33, or 35 of title 38, United States Code, or chapter 1606 of title 10, United States Code;

(D) is not enrolled in any Federal or State job program;

(E) is not in receipt of compensation for a service-connected disability rated totally by reason of unemployment; and

(F) will not be in receipt of unemployment compensation (as defined in section 5(b) of the Internal Revenue Code of 1986), for any period, and any cash benefit received pursuant to such title A of title II of division A of the CARES Act (Public Law 116-136), as of the first day on which the veteran would receive a housing stipend payment under this section.

(2) Treatment of veterans who transfer entitlements. —For purposes of this paragraph, (1)(C), a veteran who has transferred all of the veteran's entitlement to educational assistance under section 3319 of title 38, United States Code shall be considered as a veteran who is not eligible to receive educational assistance under chapter 36 of such title.

(3) Failure to complete. —A veteran who receives retraining assistance under this section to pursue a program of education and who fails to complete education shall not be eligible to receive additional assistance under this section.

(c) Covered programs of education. —

(1) In general.—For purposes of this section, a covered program of education is a program of education (as such term is defined in section 3452(b) of title 38, United States Code) for training, pursued on a full-time or part-time basis—

(A) that—

(i) is approved under chapter 36 of such title;

(ii) does not lead to a bachelor's or graduate degree; and

(iii) is designed to provide training for a high-demand occupation, as determined under paragraph (3); or

(B) that is a high technology program of education at a qualified provider, under the meaning given such terms in section 116 of the Harry W. Colmery Veterans Educational Assistance Act of 2017 (Public Law 115-48; 38 U.S.C. 2001 note).

(2) Accredited programs. —In the case of an accredited program of education, the program of education shall not be considered a covered program of education under this section if the program has received a show cause order from the accreditor of the program during the five-year period preceding the date of the enactment of this Act.

(3) Determination of high-demand occupations. —In carrying out this section, the Secretary shall use the list of high-demand occupations compiled by the Commissioner of Labor Statistics.

(4) Full-time defined. —For purposes of this subsection, the term "full-time" has the meaning given such term under paragraph (3) of section 3451 of title 38, United States Code.

(d) Amount of assistance. —

(1) Retraining assistance. —The Secretary of Veterans Affairs shall provide to an eligible veteran pursuing a covered program of education a housing stipend in an amount equal to—

(A) in the case of a covered program of education not leading to a degree, at an institution of higher learning (as that term is defined in section 3452(f) of title 38, United States Code), that is less than a half-time basis, the amount specified under subsection (c)(3) of section 3313 of title 38, United States Code; and

(B) in the case of a covered program of education leading to a degree at an institution other than an institution of higher learning pursed on more than a half-time basis, the amount specified under subsection (c)(3)(D) of section 3313 of title 38, United States Code.

(2) Failure to complete. —A veteran who completes or fails to complete a program of education under the retraining assistance program under this section if the veteran who completes or fails to complete a program of education under the retraining assistance program under this section if the veteran finds such employment.

(3) Nonrecovery from veteran. —In the case of a veteran referred to in subparagraph (A) who finds employment in a field related to the program of education during the 180-day period beginning on the date on which the veteran withdraws from the program of education, the Secretary shall pay to the educational institution a pro-rated amount under paragraph (1)(C) when the veteran finds such employment.

(4) Failure to find employment. —In the case of a veteran referred to in subparagraph (A) who does not find employment in a field related to the program of education during the 180-day period beginning on the date on which the veteran withdrew from the program of education, the Secretary shall—

(I) in the case of a veteran referred to in paragraph (1)(A); and

(II) in the case of a veteran referred to in paragraph (1)(C), a veteran who has transferred all of the veteran's entitlement to educational assistance under section 3319 of title 38, United States Code, pay to the educational institution a pro-rated amount under paragraph (1)(B) when the veteran provides notice to the educational institution that the veteran intends to pursue the program of education.

(e) Nontransferability. —Retraining assistance provided under this section may not be transferred to another individual.

(f) Limitation. —Not more than 17,250 eligible veterans may receive retraining assistance under this section.
SEC. 8007. PROHIBITION ON COWORKING SPACE AND DORM REQUIREMENTS FOR VETERANS DURING EMERGENCY RELATING TO COVID-19.

(a) In General.—The Secretary of Veterans Affairs—

(1) shall provide for any coworking or other cost sharing with respect to health care incurred by any veteran during the period specified in subsection (b); and

(2) shall reimburse any veteran who paid a coworking or other cost sharing for health care under the laws administered by the Secretary received by a veteran during such period the amount paid by the veteran.

(b) Period.—The period specified in this subsection is the period beginning on April 6, 2020, and ending on September 30, 2021.

SEC. 8008. EMERGENCY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEE LEAVE FUND.

(a) Establishment; Appropriation.—There is established in the Treasury the Emergency Department of Veterans Affairs Employees Leave Fund (in this section referred to as the Fund), to be administered by the Secretary of Veterans Affairs, for the purposes set forth in subsection (b). In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $1,000,000,000, to remain available until expended, to carry out this section, except for health care furnished pursuant to section 1707(c)(2)-(c)(4) of title 38, United States Code.

(b) Purpose.—Amounts in the Fund shall be available to the Department of Veterans Affairs for the purpose of paying leave for any covered employee who is unable to work because the employee—

(1) is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;

(2) has been advised by a health care provider to self-quarantine due to concerns related to COVID-19;

(3) is caring for an individual who is subject to such an order or has been so advised;

(4) is experiencing symptoms of COVID-19 and seeking a medical diagnosis;

(5) is caring for a son or daughter of such employee if the school or place of care of the son or daughter has been closed, if the school of such son or daughter requires or makes optional a virtual learning instruction model or requires or makes optional a hybrid of in-person and virtual learning instruction models, or the child care provider of such son or daughter is unable, due to COVID-19 precautions,

(6) is experiencing any other substantially similar condition;

(7) is caring for a family member with a mental or physical disability who is 55 years of age or older and incapable of self-care, with regard to whether another individual other than the employee is available to care for such family member, if the place of care for such family member is closed or the direct care provider is unavailable due to COVID-19; or

(8) is obtaining medical care related to COVID-19 or to recover from any injury, disability, illness, or condition related to such immunization.

(c) Limitations.—

(1) Period of Availability.—Paid leave under this section may only be provided to and used by a covered employee during the period beginning on the date of enactment of this Act and ending on September 30, 2021.

(2) Total Hours; Amount.—Paid leave under this section—

(A) shall be provided to a covered employee in an amount not to exceed 600 hours of paid leave for each full-time employee, and in the case of a part-time employee, employee on an uncommon tour of duty, or employee with a seasonal work schedule, in an amount not to exceed the proportional equivalent of 600 hours to the extent amounts in the Fund remain available for reimbursement;

(B) shall be paid at the same hourly rate as other leave payments; and

(C) may not be provided to a covered employee if the leave would result in payments greater than $2,800 in aggregate for any bi-weekly pay period for a full-time employee, or a proportional equivalent bi-weekly limit for a part-time employee.

(3) Relationship to Other Leave.—Paid leave under this section—

(A) is in addition to any other leave provided to a covered employee; and

(B) may not be used by a covered employee concurrently with any other paid leave.

(d) Calculation Benedict.—Any paid leave provided to a covered employee under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

(e) Total Service.—

(1) Calculation.—Any leave paid under this section—

(A) shall be provided to a covered employee under this section; and

(B) shall be paid at the same hourly rate as other leave payments.

(f) Extent of Hours.—

(1) Limitation.—Paid leave under this section shall not exceed the proportional equivalent of 600 hours.

(2) Exception.—Nothing in this section shall limit for a part-time employee, the duration of unpaid leave for each full-time employee, and in the amounts paid to a part-time employee.

SEC. 9011. EXTENSION OF FEDERAL FUNDING FOR VETERANS HEALTH CARE.

(a) In General.—Section 1702(b)(1)(D) of title 38, United States Code, as amended by the CARES Act (Public Law 116-136) is amended by striking “2020'' and inserting “2021''; and

(b) Securing Care.—Section 1702(b)(1)(B) of title 38, United States Code, as amended by the CARES Act (Public Law 116-136) is amended by striking “2020'' and inserting “2021’’.

SEC. 9012. EXTENSION OF EMERGENCY UNEMPLOYMENT RELIEF FOR GOVERNMENT ENTITIES AND NONPROFIT ORGANIZATIONS.

(a) In General.—Section 903(i)(1)(D) of the Social Security Act (42 U.S.C. 1103(i)(1)(D)) is amended by striking “March 14, 2021’’ and inserting “August 29, 2021’’.

(1) Fund.—Section 903(i)(1)(E) of such Act (42 U.S.C. 1103(i)(1)(E)) is amended—

(A) by striking “July 11, 2020’’ and inserting “August 29, 2021’’; and

(B) by inserting after “2021’’ the following: ‘‘With respect to the amounts of assistance made available after March 14, 2021, the following amounts:’’.

(b) Amount.—Section 2104(b)(3)(A) of such Act (15 U.S.C. 9023(b)(3)(A)) is amended by adding at the end the following: ‘‘(iv) For weeks of unemployment ending after August 29, 2021, the amount shall be $2,500.’’

SEC. 9013. EXTENSION OF FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.

(a) In General.—Section 2104(c)(2) of the CARES Act (15 U.S.C. 9024(c)(2)) is amended by striking ‘‘March 14, 2021’’ and inserting ‘‘August 29, 2021’’.

(b) Amount.—Section 2104(b)(3)(A) of such Act (15 U.S.C. 9023(b)(3)(A)) is amended by adding at the end the following: ‘‘(iii) For weeks of unemployment ending after March 14, 2021, and ending on or before August 29, 2021, $400.’’

SEC. 9014. EXTENSION OF FULL FEDERAL FUNDING OF THE FIRST WEEK OF COMPENSABLE UNEMPLOYMENT FOR STATES WITH NO WAITING WEEK.

(a) In General.—Section 2105(e)(2) of the CARES Act (15 U.S.C. 9024(e)(2)) is amended by striking ‘‘March 14, 2021’’ and inserting ‘‘August 29, 2021’’.

(b) Reimbursement.—Section 2105(l)(1)(A)(i) of such Act (15 U.S.C. 9025(l)(1)(A)(i)) is amended by striking the first sentence of such subsection and inserting ‘‘With respect to the amounts of assistance made available after March 14, 2021, the following amounts:’’.

(c) Limitation.—Section 2105(e)(3)(A) of such Act (15 U.S.C. 9024(e)(3)(A)) is amended by adding after the last sentence the following: ‘‘The limitations shall be applied by subtracting the proportionate amount of unemployment that would have been paid under this section if the amount that would have been paid under this section during the relevant period for which such assistance is made available after March 14, 2021, under this section apply as if such paragraph had not been enacted. In implementing the preceding sentence, a State may, if necessary, reenter the provisions with the Secretary of Labor after March 14, 2021, and retroactively pay for the first week of regular compensation without a waiting period or with a waiting period consistent with State law (including a waiver of State law) and receive full reimbursement for weeks of unemployment that ended after December 31, 2020.’’

SEC. 9015. EXTENSION OF EMERGENCY STAFFING FLEXIBILITY.

If a State modifies its unemployment compensation law and policies, subject to the succeeding sentence, with respect to the period in which a State is operating under a disaster declaration, an emergency temporary basis as needed to respond to the spread of COVID-19, such modifications shall be disregarded for the purposes of such section of the Social Security Act and section 3304 of the Internal Revenue Code of 1986 to such State law. Such
modifications shall only apply through Au-gust 29, 2021, and shall be limited to engaging of temporary staff, rehiring of retirees or former employees on a non-competitive basis, and other temporary actions to quickly process applications and claims.

SEC. 9016. EXTENSION OF PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION

(a) In General.—Section 2107(g) of the CARES Act (15 U.S.C. 9025(g)) is amended to read as follows:

"(4) to make grants to States or territories administering unemployment compensation programs described in subsection (a) (including territories administering the Pandemic Unemployment Assistance program under section 2108 of the CARES Act), including the establishment of procedures or the building of infrastructure to verify or validate identity, implement Federal guidance regarding fraud detection and prevention, and accelerate claims processing or process claims backlogs due to the pandemic.

SEC. 9017. EXTENSION OF TEMPORARY FINANCING OF SHORT-TERM COMPENSATION PAYMENTS IN STATES WITH PROGRAMS IN LAW.

Section 2108(b)(2) of the CARES Act (15 U.S.C. 9025(b)(2)) is amended by adding the following:

"(2) to provide grants to States or territories administering unemployment compensation programs described in subsection (a) (including territories administering the Pandemic Unemployment Assistance program under section 2108 of the CARES Act), including the establishment of procedures or the building of infrastructure to verify or validate identity, implement Federal guidance regarding fraud detection and prevention, and accelerate claims processing or process claims backlogs due to the pandemic.

PART 2—EXTENSION OF FFCRA UNEMPLOYMENT PROVISIONS

SEC. 9021. EXTENSION OF TEMPORARY ASSISTANCE FOR STATES WITH ADVANCES.

Section 1203(b)(10)(A) of the Social Security Act (42 U.S.C. 1322(b)(10)(A)) is amended by striking "March 14, 2021" and inserting "August 29, 2021".

SEC. 9022. EXTENSION OF FULL FEDERAL FUNDING OF EXTENDED UNEMPLOYMENT COMPENSATION.

(a) In General.—Section 4105 of the Families First Coronavirus Response Act (26 U.S.C. 3304 note) is amended by striking "March 14, 2021" and inserting "August 29, 2021".

(b) Effective Date.—The amendment made by subsection (a) shall apply as if included in the enactment of the Families First Coronavirus Response Act (Public Law 116-127).

PART 3—DEPARTMENT OF LABOR FUNDING FOR TIMELY, ACCURATE, AND EQUITABLE PAYMENT

SEC. 9031. FUNDING FOR ADMINISTRATION.

In addition to amounts otherwise available, there is appropriated to the Employ-ment and Training Administration of the Department of Labor for fiscal year 2021, out of any money in the Treasury not otherwise appro-priated, $8,000,000, to remain available until expended, to carry out Federal activities relating to the administration of unemployment compensation programs.

SEC. 9032. FUNDING FOR FRAUD PREVENTION, EQUIitable ACCESs, AND TIMELY PAYMENT TO ELIGIBLE WORKERS.

Subtitle A—Supplemental Appropriations

(a) In General.—In addition to amounts otherwise available, there is appropriated to the Secretary of Labor for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,000,000,000, to remain available until expended, to detect and prevent fraud, promote equitable access, and ensure the timely payment of benefits with respect to unemployment compensation programs, including programs extended under subtitle A of title IX of the American Rescue Plan Act of 2021.

(b) USE OF FUNDS.—Amounts made available under subsection (a) are used to:

(1) for Federal administrative costs related to the purposes described in subsection (a); and

(2) for statewide infrastructure invest-ment and development related to such pur-pose; and

(3) to make grants to States or territories administering unemployment compensation programs described in subsection (a) (including territories administering the Pandemic Unemployment Assistance program under section 2108 of the CARES Act), including the establishment of procedures or the building of infrastructure to verify or validate identity, implement Federal guidance regarding fraud detection and prevention, and accelerate claims processing or process claims backlogs due to the pandemic.

(c) RESTRICTIONS ON GRANTS TO STATES AND TERRITORIES.—As a condition of receiv-ing a grant under subsection (b)(3), the Secre-tary may require that a State or territory (i) use such program integrity tools as the Secretary may specify; and

(ii) as directed by the Secretary, conduct user accessibility testing on any new system developed with funds provided under section 511(k)(2).

Subtitle B—Emergency Assistance to Families Through Home Visiting Programs

SEC. 9101. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

Title V of the Social Security Act (42 U.S.C. 701-713) is amended by inserting after section 511 the following:

"SEC. 511A. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

(a) SUPPLEMENTAL APPROPRIATION.—In addition to amounts otherwise appropriated, out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary $150,000,000, to remain available through September 30, 2022, to enable eligible entities to conduct programs in accordance with section 511 and subsection (c) of this section.

(b) ELIGIBILITY FOR FUNDS.—To be eligible to receive assistance provided under sub-section (a) of this section, an entity shall—

(1) as of the date of the enactment of this section, be conducting a program under section 511; and

(2) ensure the modification of grants, con-tracts, and other agreements, as applicable, executed under section 511 under which the program is conducted as are necessary to provide that, during the period that begins with the date of the enactment of this sec-tion and ends with the end of the succeeding fiscal year after the funds are award-ed, the entity shall:

(‘‘A’’ not reduce funding for, or staffing lev-els of, the program under section 511; and

(‘‘B’’ when using funds to provide emergency sup-ply services to eligible families receiving grant assistance under this section, provide coord-ination with local diaper banks to the extent practicable; and

(‘‘C’’ reaffirm that, in conducting the pro-gram, the entity will serve low-income popula-tions (as defined in section 511(d)(4));

(‘‘D’’ USES OF FUNDS.—An entity to which funds are provided under this section shall use the funds to

(‘‘1’’ to serve families with home visits or with virtual visits, that may be conducted by the use of electronic information and telecommunications technologies, in a serv-ice delivery model described in section 511(d)(3)(A);

(‘‘2’’ to pay hazard pay or other additional staff costs associated with providing home visits or administration for programs funded under section 511; and

(‘‘3’’ to train home visitors employed by the entity in conducting a virtual home visit and in emergency preparedness and response planning for families served, and may include training on how to safely conduct intimate partner violence screenings, and train-ing on safety and planning for families served to support the family outcome im-provements listed in section 511(k)(2); and

(‘‘4’’ to provide emergency supplies (such as diapers and diapering supplies including diaper wipes and diaper cream, necessary to en-sure that a child using a diaper is properly cleaned and protected from diaper rash, formula, food, water, hand soap and hand san-i-tizer) to an eligible family (as defined in sec-tion 511(k)(2));

(‘‘5’’ to coordinate with and provide reim-bursement for supplies to diaper banks when using such entities to provide emergency supply services specified in paragraph (1); and

(‘‘6’’ to provide emergency supplies (such as diapers and diapering supplies including diaper wipes and diaper cream, necessary to en-sure that a child using a diaper is properly cleaned and protected from diaper rash, formula, food, water, hand soap and hand san-i-tizer) to an eligible family (as defined in sec-tion 511(k)(2));

(‘‘7’’ to provide prepaid grocery cards to an eligible family (as defined in section 511(k)(2)) participating in the maternal, in-fant, and early childhood home visiting program under section 511 for the purpose of en-abling the family to meet the emergency needs of the family.’’.

Subtitle C—Emergency Assistance to Children and Families

SEC. 9201. PANDEMIC EMERGENCY ASSISTANCE.

Section 403 of the Social Security Act (42 U.S.C. 603) is amended by adding at the end the following:

"(c) PANDEMIC EMERGENCY ASSISTANCE.—

(1) APPROPRIATION.—In addition to amounts otherwise available, there is appro-priated to the Secretary for administrative expenses and the provision of technical assistance to States and Indian tribes with respect to the use of funds provided under this subsection.

(2) ALLOWANCES.—

(A) 50 STATES AND THE DISTRICT OF COLUM-BIA—

"March 4, 2021
“(i) **TOTAL AMOUNT TO BE ALLOTTED.**—The Secretary shall allot a total of 92.5 percent of the amount specified in paragraph (1) that is not reserved under paragraph (2) among the States and Indian tribes operating a program funded under this part, in accordance with clause (ii) of this subparagraph.

(II) **ALLOTMENT FORMULA.**—The Secretary shall allot to each such State the sum of the following percentages of the total amount described in clause (i):—

(1) 7.5 percent, multiplied by—

(aa) the population of children under 5 years of age in the State, determined on the basis of the most recent estimate as determined by the Bureau of the Census; divided by—

(bb) the total population of children in the States that are not territories, as so determined; plus

(2) 50 percent, multiplied by—

(aa) the total amount expended by the State for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as reported by the State under section 411; divided by—

(bb) the total amount expended by the State for basic assistance, non-recurrent short term benefits, and emergency assistance in fiscal year 2019, as so reported by the State.

(B) **DISTRIBUTIONS TO INDIAN TRIBES.**—The Secretary shall allot among the territories and Indian tribes otherwise eligible for a grant under this paragraph such portions of the amounts specified in paragraph (1) that are not reserved under paragraph (2) as the Secretary deems appropriate based on the needs of the territory or Indian tribe involved.

(C) **EXPENDITURE COMMITMENT REQUIREMENT.**—To receive the full amount of funding payable under this subsection, a State or Indian tribe shall inform the Secretary as to whether it intends to use all of its allotment under this paragraph and provide that information—

(1) in the case of a State that is not a territory, within 45 days after the date of the enactment of this subsection; or

(ii) in the case of a territory or an Indian tribe, within 90 days after such date of enactment.

(4) **GRANTS.**

(A) **IN GENERAL.**—The Secretary shall provide funds to each State and Indian tribe to which an amount is allotted under paragraph (3), from amounts otherwise available, in an amount equal to the amount so allotted.

(B) **TREATMENT OF UNFUNDED FUNDS.**—

(I) **REALLOTTED.**—The Secretary shall reallocate in accordance with paragraph (3) all funds provided to any State or Indian tribe under this subsection that are unreserved, among the other States and Indian tribes eligible for funds under this subsection. For purposes of paragraph (3), the Secretary shall treat the funds as if included in the amount specified in paragraph (1).

(ii) **PROVISION.**—The Secretary shall provide funds to each such other State or Indian tribe in an amount equal to the amount so reallocated.

(5) **RECIPIENT OF FUNDS PROVIDED FOR TERRITORIES.**—In the case of a territory not operating a program funded under this part, the Secretary shall provide the funds required to be provided to the territory under this subsection to the agency that administers the bulk of local human services programs in the territory.

(6) **USE OF FUNDS.**

(A) **GENERAL.**—A State or Indian tribe to which funds are provided under this subsection shall not expend more than 15 percent of the funds for administrative purposes.

(B) **NONSUPPLANTATION.**—Funds provided under this subsection shall not supplant any other Federal, State, or tribal funds for services and activities that promote the purposes of this part.

(II) **EXCEPTIONS.**—

(I) **IN GENERAL.**—Except as provided in clause (i), a State or Indian tribe to which funds are provided under this subsection shall expend the funds not later than the end of fiscal year 2022.

(ii) **EXCEPTION FOR REALLOTTED FUNDS.**—A State or Indian tribe to which funds are provided under this subsection shall expend the funds within 12 months after receipt.

(7) **SUSPENSION OF TERRITORY SPENDING CAP.**—Section 1108 shall not apply with respect to any funds provided under this subsection.

(8) **DEFINITIONS.**—In this subsection:

(A) **APPLICABLE PERIOD.**—The term ‘applicable period’ means the period that begins with April 1, 2021, and ends with September 30, 2022.

(B) **NON-RECURRENT SHORT TERM BENEFITS.**—For purposes of the term ‘non-recurrent short term benefits’ has the meaning given the term in OMB approved Form ACF-1969, published on July 31, 2014.

(C) **STATE.**—The term ‘State’ means the 50 States of the United States, the District of Columbia, and the territories.

(D) **TERRITORY.**—The term ‘territory’ means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

**Subtitle D—Emergency Support and Quality Improvement for Long-Term Care Facilities**

**SEC. 9301. ADDITIONAL FUNDING FOR AGING AND DISABILITY SERVICES PROGRAMES.**

Subtitle A of title XX of the Social Security Act (42 U.S.C. 1395i–3) is amended by adding at the end the following:

**SEC. 210. ADDITIONAL FUNDING FOR AGING AND DISABILITY SERVICES PROGRAMES.**

(a) **APPROPRIATION.**—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, of which not less than $275,000,000, to remain available until expended, for carrying out the programs described in subsection (b).

(b) **USE OF FUNDS.**—Of the amounts made available by subsection (a)—

(1) $88,000,000 shall be made available to carry out the programs described in subtitle B in fiscal year 2021, of which not less than an amount equal to $100,000,000 minus the amount previously provided in fiscal year 2021 to carry out section 2042(b) shall be made available to carry out such section; and

(2) $188,000,000 shall be made available to carry out the programs described in subtitle B in fiscal year 2021, of which not less than $100,000,000 shall be for activities described in section 2042(b).

**Subtitle E—Support to Skilled Nursing Facilities in Response to COVID-19**

**SEC. 9401. PROVIDING FOR INFECTION CONTROL SUPPORT TO SKILLED NURSING FACILITIES THROUGH CONTRACTS WITH WORKERS WITH QUALITY IMPROVEMENT ORGANIZATIONS.**

Section 1862(g) of the Social Security Act (42 U.S.C. 1395y(g)) is amended—

(1) by striking ‘‘The Secretary’’ and inserting ‘‘(I) The Secretary’’; and

(2) by adding at the end the following new paragraph:

(II) In addition to any funds otherwise available, there are appropriated to the Secretary, out of any monies in the Treasury not otherwise obligated, $200,000,000, to remain available until expended, for purposes of requiring multiple organizations described in section 1862(g) to provide infection control support to skilled nursing facilities (as defined in section 1819(a)), infection control and vaccination uptake support relating to the prevention or mitigation of COVID–19 as determined appropriate by the Secretary.”.

**SEC. 9402. FUNDING FOR STRIKE TEAMS FOR RESIDENT AND EMPLOYEE SAFETY IN SKILLED NURSING FACILITIES.**

Section 1819 of the Social Security Act (42 U.S.C. 1396i–3) is amended by adding at the end the following new subsection:

(4) **DEFINITIONS.**—In addition to amounts otherwise available, there is appropriated to the Secretary, out of any monies in the Treasury not otherwise obligated, $250,000,000, to remain available until expended, for purposes of allocating such amount among the States (including the District of Columbia and each territory of the United States) for such a State to establish and implement a strike team that will be deployed to a skilled nursing facility to support COVID–19 cases in the United States, for each of the fiscal years 2021 and 2022.

**Subtitle F—Preserving Health Benefits for Workers**

**SEC. 9501. PRESERVING HEALTH BENEFITS FOR WORKERS.**

(a) **PREMIUM ASSISTANCE FOR COBRA CON TINUATION COVERAGE FOR INDIVIDUALS AND THEIR FAMILIES.**

(1) **PROVISION OF PREMIUM ASSISTANCE.**—

(A) **REDUCTION OF PREMIUMS PAYABLE.**—In the case of any premium payable for continuation coverage during the period beginning on the first day of the first month beginning after the date of the enactment of this Act, and ending on September 30, 2021, to a person described in paragraph (3) in specified cases of COVID–19 among residents or staff for the purposes of assisting with clinical care, infection control, or staffing during the emergency period specified in section 1135(k)(1) and the 1-year period immediately following the end of such emergency period."

**Title VIII—Preserving Health Benefits for Workers**

**SEC. 8001. PROVIDING FOR THE FUNDING OF THE FUND FOR THE IMPROVEMENT OF ORGANIZATIONS.**

Section 1862(g) of the Social Security Act (42 U.S.C. 1395y(g)) is amended—

(1) by striking ‘‘The Secretary’’ and inserting ‘‘(I) The Secretary’’; and

(2) by adding at the end the following new paragraph:

(II) In addition to any funds otherwise available, there are appropriated to the Secretary, out of any monies in the Treasury not otherwise obligated, $200,000,000, to remain available until expended, for purposes of requiring multiple organizations described in section 1862(g) to provide infection control support to skilled nursing facilities (as defined in section 1819(a)), infection control and vaccination uptake support relating to the prevention or mitigation of COVID–19 as determined appropriate by the Secretary.”.
in different coverage as provided under this subparagraph;

(II) the premium for such different coverage does not exceed the premium for coverage provided under subparagraph (I) and is paid by the individual in the manner and at the time such qualifying event occurred;

(III) the different coverage in which the individual elects to enroll is coverage that is also available to similarly situated active employees of the employer at the time at which such election is made; and

(IV) the different coverage in which the individual elects to enroll is—

(aa) coverage that provides only excepted benefits as defined in section 9832(c) of the Internal Revenue Code of 1986, or section 1986(b)(2) of the Employee Retirement Income Security Act of 1974, section 2791(c) of the Public Health Service Act;

(bb) a qualified small employer health reimbursement arrangement as defined in section 9831(d)(2) of the Internal Revenue Code of 1986; or

(cc) a flexible spending arrangement as defined in section 106(c)(2) of the Internal Revenue Code of 1986.

(2) LIMITATION OF PERIOD OF PREMIUM ASSISTANCE.—

(A) ELIGIBILITY FOR ADDITIONAL COVERAGE.—Paragraph (1)(A) shall not apply with respect to any assistance eligible individual described in paragraph (3) for months of coverage beginning on or after the earlier of—

(i) the first date on which such individual is eligible for coverage under any other group health plan (other than coverage consisting of only excepted benefits as defined in section 9832(c) of the Internal Revenue Code of 1986, section 733(c) of the Employee Retirement Income Security Act of 1974, and section 2791(c) of the Public Health Service Act), coverage under a flexible spending arrangement (as defined in section 106(c)(2) of the Internal Revenue Code of 1986), coverage under a qualified small employer health reimbursement arrangement (as defined in section 9831(d)(2) of the Internal Revenue Code of 1986), or eligible for benefits under the Medicare program under title XVIII of the Social Security Act; or

(ii) the earlier of—

(I) the date following the expiration of the maximum period of continuation coverage required under the applicable COBRA continuation coverage provision; or

(II) the date following the expiration of the period of continuation coverage allowed under paragraph (4)(B)(ii).

(B) NOTIFICATION REQUIREMENT.—Any assistance eligible individual shall notify the group health plan with respect to which paragraph (1)(A) applies if such paragraph ceases to apply by reason of clause (i) of subparagraph (A) (as applicable). Such notice shall be provided to the group health plan in such manner and at such time as may be specified by the Secretary of Labor.

(C) NOTICE TO SUCH ELIGIBLE INDIVIDUAL.—For purposes of this section, the term “assistance eligible individual” means, with respect to a period of coverage during the period beginning on the first day of the first month beginning after the date of the enactment of this Act, and ending on September 30, 2021, any individual that is a qualified beneficiary who—

(A) is eligible for COBRA continuation coverage by reason of a qualifying event specified in section 6052(c) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(5)(A) of the Internal Revenue Code of 1986, or section 22320(2) of the Public Health Service Act, except for the voluntary termination of the group health plan of such individual’s employment by such individual; and

(B) elects such coverage.

(4) EXTENSION OF ELECTRONIC PERIOD AND EFFECT ON COVERAGE.—

(A) IN GENERAL.—For purposes of applying section 605(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166), section 4980B(f)(5)(A) of the Internal Revenue Code of 1986, and section 2206(a) of the Public Health Service Act, in the case of—

(i) an individual who does not have an election of COBRA continuation coverage in effect on the first day of the first month beginning after the date of the enactment of this Act but who would be an assistance eligible individual described in paragraph (3) if such election were so in effect; or

(ii) an individual who elected COBRA continuation coverage and then discontinued from such coverage before the first day of the first month beginning after the date of the enactment of this Act, such individual may elect the COBRA continuation coverage under the COBRA continuation coverage provisions containing such provisions during the period beginning on the first day of the first month beginning after the date of the enactment of this Act and ending 60 days after the date on which the notification required under paragraph (5)(C) is provided to such individual.

(B) COMMENCEMENT OF COBRA CONTINUATION COVERAGE.—Any COBRA continuation coverage elected by a qualified beneficiary during an extended election period under subparagraph (A) shall—

(i) commence (including for purposes of applying the treatment of premium payments under paragraph (b), and enrollment and cost sharing requirements for items and services under a group health plan) with respect to the first day of the first month beginning after the date of the enactment of this Act, and

(ii) not extend beyond the period of COBRA continuation coverage that would have been required if the applicable COBRA continuation coverage provision if the coverage had been elected as required under such provision or had not been discontinued.

(5) NOTICES TO INDIVIDUALS.—

(A) GENERAL NOTICE.—

(i) IN GENERAL.—In the case of notices provided under section 605(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(a)), section 4980B(f)(6)(D) of the Internal Revenue Code of 1986, and section 2206(a) of the Public Health Service Act (42 U.S.C. 1300b-6(a)), with respect to individuals who, during the period described in paragraph (3), become entitled to elect COBRA continuation coverage (for the applicable COBRA continuation coverage provision if the coverage had been elected as required under such provision or had not been discontinued), such notice—

(I) shall be provided in a manner, of the qualified beneficiary’s right to a subsidized premium and any conditions on entitlement to the subsidized premium; and

(II) shall describe to the individual the option of electing to enroll in different coverage provided under any other group health plan (or other entity) that shall be offered to similarly situated active employees of the employer in the manner and at the time such qualifying event occurred; and

(III) shall include an additional written notification to the recipient in clear and understandable language of—

(a) the forms necessary for establishing eligibility for premium assistance under this subsection;

(b) the name, address, and telephone number necessary to contact the plan administrator and any other person maintaining relevant information in connection with such premium assistance;

(c) a description of the extended election period provided for in paragraph (4)(A);

(iv) a description of the qualified beneficiary under paragraph (2)(B) and the penalty provided under section 6720C of the Internal Revenue Code of 1986 for failing to carry out the obligations; and

(v) a description, displayed in a prominent manner, of the qualified beneficiary’s right to a subsidized premium and any conditions on entitlement to the subsidized premium;

and

(ii) shall describe to the individual the option of electing to enroll in different coverage provided under any other group health plan (or other entity) that shall be offered to similarly situated active employees of the employer in the manner and at the time such qualifying event occurred; and

(B) SPECIFIC REQUIREMENTS.—Each additional notification under subparagraph (A) shall—

(i) the forms necessary for establishing eligibility for premium assistance under this subsection;

(ii) the name, address, and telephone number necessary to contact the plan administrator and any other person maintaining relevant information in connection with such premium assistance;

(iii) a description of the extended election period provided for in paragraph (4)(A);

(iv) a description of the qualified beneficiary under paragraph (2)(B) and the penalty provided under section 6720C of the Internal Revenue Code of 1986 for failing to carry out the obligations; and

(v) a description, displayed in a prominent manner, of the qualified beneficiary’s right to a subsidized premium and any conditions on entitlement to the subsidized premium; and

(vi) shall describe to the individual the option of electing to enroll in different coverage provided under any other group health plan (or other entity) that shall be offered to similarly situated active employees of the employer in the manner and at the time such qualifying event occurred; and

(C) NOTICE OF EXPIRATION OF PERIOD OF PREMIUM ASSISTANCE.—

(A) IN GENERAL.—With respect to any assistance eligible individual subject to subparagraph (B), the requirements of section 605(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(a)), section 4980B(f)(6)(D) of the Internal Revenue Code of 1986, and section 2206(a) of the Public Health Service Act (42 U.S.C. 1300b-6(a)), shall not be treated as met unless such notices include an additional written notification to the recipient in clear and understandable language of—

(i) that the premium assistance for such individual will expire soon and the premium assistance, if not re-elected, is not available thereafter;

(ii) the election to re-elect such coverage under this subpart; and

(iii) that such individual may be eligible for coverage without any premium assistance thereafter.

(B) EXCEPTION.—The requirement for the group health plan administrator to provide the written notice under subparagraph (A) shall be waived if the premium assistance for such individual expires pursuant to clause (i) of paragraph (3)(B).

(C) PERIOD SPECIFIED.—For purposes of subparagraph (A), the period specified in this
subsection is, with respect to the date of expiration of premium assistance for any assistance eligible individual pursuant to a limitation requiring a notice under this paragraph, the 45th day after the date on which is required under section 607(2) of the Employee Retirement Income Security Act of 1974.

(3) Not later than 45 days after the date of enactment of this Act, with respect to any assistance eligible individual, the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall prescribe models for the notification required under this paragraph.

(4) The term ‘covered employer’ means—

(A) a class of individuals who lose health insurance coverage. Such outreach shall include information regarding enrollment for Medicare benefits for purposes of avoiding mistaken individuals, including enrollment, shall be made available on websites of the Departments of Labor, Treasury, and Health and Human Services.

(B) ENROLLMENT UNDER MEDICARE.—The Secretary of Health and Human Services shall provide outreach consisting of public education and enrollment assistance relating to premium assistance provided under this subsection. Such outreach shall target employers, group health plans, States, insurers, and other entities as determined appropriate by such Secretaries. Such outreach shall include an initial focus on those individuals electing continuation coverage who are referred to in paragraph (5)(C) of such section 9501(a)(1) with respect to any calendar quarter.

(C) COBRA CONTINUATION COVERAGE.—The term ‘COBRA continuation provision’ means continuation coverage provided pursuant to paragraph 5 of the Internal Revenue Code of 1986 (other than subsection (f)(1) of such section which is subject to the COBRA continuation provisions contained in—

(i) the Internal Revenue Code of 1986;

(ii) the Employee Retirement Income Security Act of 1974; or

(iii) the Public Health Service Act, or

which premiums are payable for continuation coverage, any administrative fee.

(10) IMPLEMENTATION FUNDING.—In addition to amounts made available out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Secretary of Labor for fiscal year 2021, $10,000,000, to remain available until expended, for the Employee Benefits Security Administration to carry out the provisions of this subtitle.

(II) CONSEQUENTIAL DAMAGING EFFECTS.—The term ‘section 9501(a)(1)’ means continuation coverage under section 9501(a)(1) of the American Rescue Plan Act of 2021.

(11) SPECIAL RULE.—For purposes of chapter 1, the gross income of any person allowed a credit under this section (and any amount paid by such person of the taxes described in paragraph (1) and may be assessed and collected by the Secretary in the same manner as such taxes.

(12) ENVIRONMENTAL ENTITIES.—For purposes of this section, the term ‘environmental entity’ includes—
“(1) the date on which the original return which includes the calendar quarter with respect to which such credit is determined is filed, or
“(2) the date on which such return is treated as filed under section 6501(b)(2).
“(g) REGULATIONS.—The Secretary shall issue such regulations, or other guidance, forms, instructions, and publications, as may be necessary or appropriate to carry out this section, including—
“(1) the requirement to report information or the establishment of other methods for verifying the correct amounts of reimbursements under this section,
“(2) the application of this section to group health plans that are multiemployer plans (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974),
“(3) to allow the advance of the credit determined under subsection (a), subject to the limitations provided in this section, based on such information as the Secretary shall require,
“(4) to provide for the reconciliation of such advance payment with the amount of the credit at the time of filing the return of tax for the applicable quarter or taxable year, and
“(5) allowing the credit to third party payors (including professional employer organizations, professional service organizations, or agents under section 3504(c)).

(B) Clerical Amendment.—The table of sections of part I of subchapter B of chapter 68 of such Code is amended by adding at the end the following new item:
“Sec. 6622. Continuation coverage premium assistance.

(C) Effective Date.—The amendments made by this paragraph shall apply to premium payments to which subsection (a)(1)(A) applies and after April 1, 2021.

(D) Special Rule in Case of Employer Payment That is Not Required Under This Section.—
“(1) in General.—In the case of an assistance eligible individual who pays, with respect any period of coverage to which subsection (a)(1)(A) applies, any amount of the premium for such coverage that the individual would have (but for this Act) been required to pay, the person to whom such payment is payable shall reimburse such individual for the amount of such premium paid.

(ii) Credit of Reimbursement.—A person to which clause (i) applies shall be allowed a credit in the manner provided under section 6426 of the Internal Revenue Code of 1986 for any payment made to the employee under such clause.

(iii) Payment of Credits.—Any person to which clause (i) applies shall make the payment required under such clause to the individual not later than 60 days after the date on which such individual made the premium payment.

(2) Penalty for Failure to Notify Health Plan of Cessation of Eligibility for Premium Assistance.—

(A) in General.—Subchapter B of chapter 68 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:
“SEC. 6720C. PENALTY FOR FAILURE TO NOTIFY HEALTH PLAN OF CESSATION OF ELIGIBILITY FOR CONTINUATION COVERAGE PREMIUM ASSISTANCE.
“(a) in General.—Except in the case of a failure described in subsection (b) or (c), any person required to notify a group health plan under section 9501(a)(2)(B) of the American Rescue Plan Act of 2021 who fails to make such a notification at such time and in such manner as prescribed under such section shall be subject to a tax for the taxable year determined under such section, the term ‘eligible individual’ means an individual who makes the premium payment required under such clause to the individual for the amount of such premium paid.

(1) $250, or

(2) 110 percent of the premium assistance provided under section 9501(a)(1)(A) of the American Rescue Plan Act of 2021 after termination of eligibility under such section.

(c) Reasonable Cause Exception.—No penalty shall be imposed under this section with respect to any failure if it is shown that such failure is due to reasonable cause and not to willful neglect.

(B) Clerical Amendment.—The table of sections of part I of subchapter B of chapter 68 of such Code is amended by adding at the end the following new item:
“Sec. 6720C. Penalty for failure to notify health plan of cessation of eligibility for continuation coverage premium assistance.

(C) Coordination with HCTC.—
“(1) in General.—Section 35(g)(9) of the Internal Revenue Code of 1986 is amended to read as follows:
“(b) Continuation Coverage Premium Assistance.—

(i) in General.—In the case of an assistance eligible individual who receives premium assistance for continuation coverage under section 9501(a)(1)(A) of the American Rescue Plan Act of 2021 after termination of eligibility under such section, such individual shall not be treated as an eligible individual, a certified individual, or a qualifying family member for purposes of this section for section 6727 with respect to such month.

(ii) Effective Date.—The amendment made by subparagraph (A) shall apply to taxable years ending after the date of the enactment of this Act.

(iii) Exclusion of Continuation Coverage Premium Assistance From Gross Income.—

(A) in General.—Subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 138H the following new section:
“SEC. 139I. CONTINUATION COVERAGE PREMIUM ASSISTANCE.
“(i) in the case of an assistance eligible individual (as defined in subsection (a)(3) of section 9501 of the American Rescue Plan Act of 2021), gross income does not include any premium assistance provided under subsection (a)(1) of such section.

(B) Clerical Amendment.—The table of sections of part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 138H the following new item:
“Sec. 139I. Continuation coverage premium assistance.

(E) Effective Date.—The amendments made by this paragraph shall apply to taxable years ending after the date of the enactment of this Act.

Subtitle G—Promoting Economic Security

PART 1—2021 RECOVERY Rebates to Individuals

SEC. 8601. 2021 RECOVERY Rebates to Individuals.—

(a) in General.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by inserting after section 6428B the following new section:
“SEC. 6428B. 2021 RECOVERY Rebates to Individuals.
“(a) in General.—The term ‘valid identification number’ means a social security number issued to an individual by the Social Security Administration on or before the due date for filing the return for the taxable year.

(B) Special Rule for Members of the Armed Forces.—Subparagraph (B) shall not apply in the case where at least 1 spouse was a member of the Armed Forces of the United States for any time during the taxable year and the valid identification number of such spouse is included on the return of tax for the taxable year.

(2) the $5,000 amount in subsection (b)(1) shall be treated as being zero unless the taxpayer includes the valid identification number of the taxpayer on the return of tax for the taxable year.

(B) Joint Returns.—In the case of a joint return, the $2,800 amount in subsection (b)(1) shall be treated as being—

(i) $1,400 if the valid identification number of only 1 spouse is included on the return of tax for the taxable year, and

(ii) zero if the valid identification number of neither spouse is so included.

(C) Dependents.—A dependent shall not be taken into account under subsection (b)(2) unless the valid identification number of such dependent is included on the return of tax for the taxable year.

(D) Valid Identification Number.—

(i) in General.—For purposes of this paragraph, the term ‘valid identification number’ means a social security number issued to an individual by the Social Security Administration on or before the due date for filing the return for the taxable year.

(ii) Adoption Taxpayer Identification Number.—For purposes of subparagraph (C), in the case of a dependent who is adopted or placed for adoption, the term ‘valid identification number’ shall include the adoption taxpayer identification number of such dependent.

(VIII) Special Rule for Members of the Armed Forces.—Subparagraph (B) shall not apply in the case where at least 1 spouse was a member of the Armed Forces of the United States for any time during the taxable year and the valid identification number of at least 1 spouse is included on the return of tax for the taxable year.

(E) Limitation Based on Adjusted Gross Income.

(i) in General.—The amount of the credit allowed by subsection (a) (determined without regard to this subsection and subsection (f)) shall be reduced (but not below zero) by the amount which bears the same ratio to such credit (as so determined) as—

(A) the credit,

(B) the taxpayer’s adjusted gross income for such taxable year, over

(i) $75,000, to $150,000,

(ii) $150,000, to $250,000,

(iii) $250,000, to zero.

(2) Special Rules.—

(A) Joint Return or Surviving Spouse.—In the case of a joint return or a surviving spouse (as defined in section 1(b)), paragraph (1) shall be applied by substituting ‘$150,000’ for ‘$75,000’ and ‘$100,000’ for ‘$50,000’.

(B) Head of Household.—In the case of a head of household (as defined in section 1(b)), paragraph (1) shall be applied by substituting ‘$112,500’ for ‘$75,000’ and ‘$75,000’ for ‘$50,000’.

(C)Definitions and Special Rules.—

(i) dependent defined.—For purposes of this section, the term ‘dependent’ has the meaning given such term by section 152.

Identification Number Requirement.—

(A) in General.—In the case of a return other than a joint return, the $1,400 amount in subsection (b)(1) shall be reduced (but not below zero) unless the taxpayer includes the valid identification number of the taxpayer on the return of tax for the taxable year.

(B) Joint Returns.—In the case of a joint return, the $2,800 amount in subsection (b)(1) shall be treated as being—

(i) $1,400 if the valid identification number of only 1 spouse is included on the return of tax for the taxable year, and

(ii) zero if the valid identification number of neither spouse is so included.

(C) Dependents.—A dependent shall not be taken into account under subsection (b)(2) unless the valid identification number of such dependent is included on the return of tax for the taxable year.

(D) Valid Identification Number.—

(i) in General.—For purposes of this paragraph, the term ‘valid identification number’ means a social security number issued to an individual by the Social Security Administration on or before the due date for filing the return for the taxable year.

(ii) Adoption Taxpayer Identification Number.—For purposes of subparagraph (C), in the case of a dependent who is adopted or placed for adoption, the term ‘valid identification number’ shall include the adoption taxpayer identification number of such dependent.
valid identification number shall be treated for purposes of this paragraph as included on the taxpayer's return of tax if such valid identification number is available to the Secretary. In such subsection (g), the term 'individual' shall be treated as including a natural person who is not a citizen of the United States.

(2) CREDITS TREATED AS CREDITABLE.—The credit allowed by subsection (g) shall be treated as allowed by subsection (c) for purposes of section 5498A(b) (3), refund or credit any overpayment attributable to this subsection as rapidly as possible, consistent with a rapid effort to make payments attributable to this subsection no later than the time such refunds or credits would otherwise be allowed, and if any change in return status or dependent status between the taxable year for which such advance refunds and credits are made or allowed to the taxpayer (or, except as otherwise provided by the Secretary, dependent of the taxpayer) under subsection (g). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(g)(2) to such omission.

(3) CREDIT TREATED AS REFUNDABLE.—The credit allowed by subsection (g) shall be treated as allowed by subpart C of part IV of chapter 1 for such taxable year if this section (other than subsection (f) of section 6428A) is not in effect.

(4) CREDITS TREATED AS APPROPRIABLE.—For purposes of applying section 6213(g)(2) to such omission.

(5) APPLICATION TO INDIVIDUALS WHO HAVE FILED A RETURN OF TAX FOR 2020.—(A) APPLICATION TO 2020 RETURNS FILED AT TIME OF INITIAL DETERMINATION.—If, at the time of any amount for such taxable year in section 6428A(b)(3), refund or credit any overpayment attributable to this subsection as rapidly as possible, consistent with a rapid effort to make payments attributable to this subsection no later than the time such refunds or credits would otherwise be allowed, and if any change in return status or dependent status between the taxable year for which such advance refunds and credits are made or allowed to the taxpayer (or, except as otherwise provided by the Secretary, dependent of the taxpayer) under subsection (g). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(g)(2) to such omission.

(6) APPLICATION TO CERTAIN INDIVIDUALS AND SMALL BUSINESSES.—(A) IN GENERAL.—In the case of any individual who files, before the additional payment determination date, a return of tax for such individual's first taxable year beginning in 2020, the Secretary shall make a payment (in addition to any payment made under paragraph (1)) to such individual equal to the excess (if any) of—

(i) the amount which would be determined under paragraph (1) (after the application of paragraph (2)) of section 6428A(b) (1) as of the additional payment determination date, over

(ii) the amount of any payment made with respect to such individual under paragraph (1). (B) ADVANCE REFUND AMOUNT.—(1) IN GENERAL.—For purposes of paragraphs (2) and (3), each individual who was an eligible individual for such individual's first taxable year beginning in 2019 shall be treated as having made a payment under section 6213(b) for such taxable year in an amount equal to the advance refund amount for such taxable year.

(2) ADVANCE REFUND AMOUNT.—(A) IN GENERAL.—For purposes of paragraphs (1), the advance refund amount is the amount that would have been allowed as a credit under this section for such taxable year if this section (other than subsection (f) and this subsection) had applied to such taxable year.

(B) TREATMENT OF DECEASED INDIVIDUALS.—For purposes of determining the advance refund amount with respect to such taxable year—

(i) if an individual who was deceased before January 1, 2021, shall be treated for purposes of applying subsection (e)(2) in the same manner as if the valid identification number of such person was not included on the return of tax for such taxable year (except that subparagraph (E) thereof shall not apply),

(ii) notwithstanding clause (i), in the case of a joint return with respect to which only 1 spouse is deceased before January 1, 2021, such deceased spouse was a member of the Armed Forces of the United States at any time during the taxable year, and the valid identification number of such deceased spouse is included on the return of tax for such taxable year, the valid identification number of 1 (and only 1) spouse shall be treated as included on the return of tax for the taxable year for purposes of applying subsection (e)(2)(B) with respect to such joint return, and

(iii) no amount shall be determined under subsection (e)(2) with respect to any dependent of the taxpayer (or, except as otherwise provided by the Secretary, dependent of the taxpayer) under subsection (g). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(g)(2) to such omission.

(3) TIMING AND MANNER OF PAYMENTS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including—

(a) the method by which the Secretary shall determine the amount of any advance payment under this section, the maximum extent administratively practicable that, in determining the application of any advance payment (A) and any credit or refund under subsection (g), an individual is not taken into account more than once, including by different taxpayers and including by reason of a change in joint return status or dependent status between the taxable year for which an advance refund amount is determined and the taxable year for which a credit under subsection (a) is determined.

(b) regulations or other guidance to ensure that the maximum extent administratively practicable that, in determining the application of any advance payment (A) and any credit or refund under subsection (g), an individual is not taken into account more than once, including by different taxpayers and including by reason of a change in joint return status or dependent status between the taxable year for which an advance refund amount is determined and the taxable year for which a credit under subsection (a) is determined.

(c) regulations or other guidance to ensure that the maximum extent administratively practicable that, in determining the application of any advance payment (A) and any credit or refund under subsection (g), an individual is not taken into account more than once, including by different taxpayers and including by reason of a change in joint return status or dependent status between the taxable year for which an advance refund amount is determined and the taxable year for which a credit under subsection (a) is determined.

(d) regulations or other guidance to ensure that the maximum extent administratively practicable that, in determining the application of any advance payment (A) and any credit or refund under subsection (g), an individual is not taken into account more than once, including by different taxpayers and including by reason of a change in joint return status or dependent status between the taxable year for which an advance refund amount is determined and the taxable year for which a credit under subsection (a) is determined.

(4) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes under section 6428A if the Secretary makes a payment under this section, unless the Secretary makes a payment under this section, in the case of the amendments made by this section if a mirror tax system amounts equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the amendments made by this section, and any credit or refund under subsection (g), an individual is not taken into account more than once, including by different taxpayers and including by reason of a change in joint return status or dependent status between the taxable year for which an advance refund amount is determined and the taxable year for which a credit under subsection (a) is determined.

(2) REGULAR REFUND.—No later than the date prescribed by the Secretary for regular refunds under section 6428B of the Internal Revenue Code of 1986 (as added by this section), or any credit or refund be
made or allowed under subsection (c) of such section, to any person—
(A) to whom a credit is allowed against taxes imposed by the possession by reason of the annulment of any such certificates, and
(B) who is eligible for a payment under a plan described in paragraph (2).
(5) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.
(6) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this subsection 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) ADMINISTRATIVE PROVISIONS.—
(1) DEFINITION OF DEFICIENCY.—Section 6211(b)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ‘6128, and 6428A’ and inserting ‘6128, 6428A, and 6428B’.
(2) EXCEPTION FROM REDUCTION OR OFFSET.—Any refund payable by reason of section 6428B of the Internal Revenue Code of 1986 (as added by this section), or any such refund payable by reason of subsection (b) of this section, shall not be—
(A) reduced or offset pursuant to subsection (c), (d), (e), or (f) of section 6402 of the Internal Revenue Code of 1986, or
(B) reduced or offset by other assessed Federal taxes that would otherwise be subject to levy or collection.
(3) CONFORMING AMENDMENTS.—(A) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ‘6128B, after ‘6428A’.
(B) The table of sections for subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 6428A the following new item:
‘‘Sec. 6428B. 2021 recovery rebates to individuals.’’
(d) APPROPRIATIONS.—Immediately upon the enactment of this Act, in addition to amounts otherwise available by virtue of this appropriation for the fiscal year 2021, out of any money in the Treasury not otherwise appropriated:
(1) $614,500,000 to remain available until September 30, 2023 for necessary expenses for the Internal Revenue Service for the administration of the advance payments, the provision of refunds, and the prevention of fraudulent applications for and receipt of payments under this subsection, the term ‘applicable phaseout threshold amount’ means—
(I) the threshold amount applicable to the taxpayer under this paragraph, determined with respect to the reference taxable year, and
(II) the amount treated as allowed under subpart C of part IV of subchapter A of chapter 1 by reason of section 2618(a) for the taxpayer’s taxable year beginning in such calendar year if—
(1) the status of the taxpayer as a taxpayer described in section 2618(a) is determined with respect to the reference taxable year,
(2) the taxpayer’s modified adjusted gross income for such taxable year is equal to the taxpayer’s modified adjusted gross income for the reference taxable year,
(3) the only children of such taxpayer for such taxable year are qualifying children properly claimed on the taxpayer’s return for the reference taxable year, and
(4) the ages of such children (and the status of such children as qualifying children) are determined for such taxable year by taking into account the passage of time since the previous taxable year.
(2) REFERENCE TAXABLE YEAR.—Except as provided in paragraph (3)(A), the term ‘reference taxable year’ means, with respect to the taxpayer for any calendar year, the calendar year in which the reference taxable year of the taxpayer begins.
(3) MODIFICATIONS DURING CALENDAR YEAR.—
(A) IN GENERAL.—The Secretary may, during any calendar year, modify any requirement of this section if the Secretary determines that such modification is necessary to prevent fraud or abuse or improve the administration of this section.
(B) ADJUSTMENT TO REFLECT EXCESS OR DEFICIT IN PRIOR PAYMENTS.—In the case of

PART 2—CHILD TAX CREDIT

SEC. 6611. CHILD TAX CREDIT IMPROVEMENTS FOR 2021.

(a) IN GENERAL.—Section 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:
‘‘(I) the applicable threshold amount applicable to the taxpayer under this paragraph,
(II) the applicable credit increment amount applicable to the taxpayer under this paragraph.
(2) COORDINATION WITH LIMITATION ON OVERALL CREDIT.—Subsection (a) shall be applied by substituting ‘the credit allowable under subsection (a) (determined after the application of subsection (i)(4)(A) for the credit allowable under subsection (a))’ for the term ‘the credit allowable under subsection (a)’ in subsection (i)(3)(C)(ii).’’.
(b) ADVANCE PAYMENT OF CREDIT.—
(1) IN GENERAL.—Chapter 77 of such Code is amended by inserting after section 7527 the following new section:
‘‘SEC. 7527A. ADVANCE PAYMENT OF CHILD TAX CREDIT.
“(a) IN GENERAL.—The Secretary shall establish a program for making periodic payments to taxpayers which, in the aggregate during any calendar year, equal the annual advance amount determined with respect to such taxpayer for such calendar year. Except as provided in subsection (b)(3)(B), the periodic payments made to any taxpayer for any calendar year shall be in equal amounts.
“(b) ANNUAL ADVANCE AMOUNT.—For purposes of this section—
“(1) IN GENERAL.—Except as otherwise provided in this subsection, the term ‘annual advance amount’ means, with respect to any taxpayer for any calendar year, the amount (determined in subsection (c)) which is estimated to be equal to 50 percent of the amount which would be treated as allowed under subpart C of part IV of subchapter A of chapter 1 by reason of section 2618(a) for the taxpayer’s taxable year beginning in such calendar year if—
(A) the status of the taxpayer as a taxpayer described in section 2618(a) is determined with respect to the reference taxable year,
(B) the taxpayer’s modified adjusted gross income for such taxable year is equal to the taxpayer’s modified adjusted gross income for the reference taxable year,
(C) the only children of such taxpayer for such taxable year are qualifying children properly claimed on the taxpayer’s return for the reference taxable year, and
(D) the ages of such children (and the status of such children as qualifying children) are determined for such taxable year by taking into account the passage of time since the previous taxable year.
“(2) REFERENCE TAXABLE YEAR.—Except as provided in paragraph (3)(A), the term ‘reference taxable year’ means, with respect to the taxpayer for any calendar year, the calendar year in which the reference taxable year of the taxpayer begins in the preceding calendar year or, in the case of a taxpayer who did not file a return for such taxable year, the taxpayer’s taxable year beginning in the second preceding calendar year.
“(3) MODIFICATIONS DURING CALENDAR YEAR.—
(A) IN GENERAL.—The Secretary may modify, during any calendar year, the annual advance amount with respect to any taxpayer for such calendar year to take into account—
(i) a return of tax filed by such taxpayer during such calendar year (and the taxable year to which such return relates which may be taken into account as the reference taxable year), and
(ii) any other information provided by the taxpayer to the Secretary which allows the Secretary to determine payments under subsection (a) which, in the aggregate during any taxable year of the taxpayer, more closely reflect the amount of credits allowed under subsection (a) (determined after the application of subsection (i)(4)(A) for the credit allowable under subsection (a)) for the taxpayer’s taxable year than the amount treated as allowed under subpart C of part IV of subchapter A of chapter 1 by reason of section 2618(a) for such taxable year.
(B) ADJUSTMENT TO REFLECT EXCESS OR DEFICIT IN PRIOR PAYMENTS.—In the case of

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any modification of the annual advance amount under subparagraph (A), the Secretary may adjust the amount of any periodic payment made after the date of such modification to take into account the amount by which any periodic payment made before such date was greater than or less than the amount that such payment would have been based on the annual advance amount as so modified.

"(4) DETERMINATION OF STATUS.—If information contained in the taxpayer's return of tax for the taxable year does not establish the status of the taxpayer as being described in section 24(i)(1), the Secretary shall, for purposes of paragraph (1)(A), determine the status used for determining the annual advance amount with respect to months beginning in such taxable year, over the number of qualified children taken into account in determining the credit allowed under this section for such taxable year.

"(5) COORDINATION WITH WAGE WITHHOLDING.—Section 6013(b)(1)(C) of such Code is amended—

(A) by inserting before the period at the end of subparagraph (Y) and inserting 'or', and

(B) by striking subparagraph (Z) and inserting '(Z) section 24(j)(2) (relating to excess advance payments),'.

(C) Section 6211(b)(1)(A) of such Code, as amended by the preceding provision of this Act, is amended by adding at the end the following new subparagraph:

'"(i) REGULATIONS.—The Secretary shall provide such taxpayer with a written notice which includes the taxpayer's taxpayer identity (as defined in section 6103(b)(6)), the aggregate amount of such payments made to such taxpayer during such calendar year, and such other information as the Secretary determines appropriate.'

"(e) ADMINISTRATIVE PROVISIONS.—

"(1) ELECTRONIC FUNDS PAYMENT REQUIREMENT.—The payments made by the Secretary under subsection (a) shall be made by electronic funds transfer to the same extent and in the same manner as if such payments were Federal payments not made under this title.

"(2) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of subparagraphs (B) and (C) of section 628A(f)(3) shall apply for purposes of this section.

"(3) EXCEPTION FROM REDUCTION OR OFFSET.—Payments otherwise payable to any individual under this section shall not be reduced

(A) subject to reduction or offset pursuant to subsection (c), (d), (e), or (f) of section 6402, or

(B) reduced or offset by other assessed Federal taxes that would otherwise be subject to levy or collection.

"(4) APPLICATION OF ADVANCE PAYMENTS IN THE POSSESSIONS OF THE UNITED STATES.—

"(A) IN GENERAL.—The advance payment amount determined under this section shall be determined

(i) by applying section 24(h)(1) without regard to the phrase 'or a bona fide resident of Puerto Rico (within the meaning of section 931)', and

(ii) without regard to section 24(k)(3)(C)(ii)(I).

"(B) MIRROR CODE POSSESSIONS.—In the case of any possession of the United States with a mirror code tax system (as defined in section 24(h)), this section shall not be treated as a taxing authority of the United States for purposes of determining the income tax law of such possession unless such possession elects to have this section be so treated.

"(C) ADMINISTRATIVE EXPENSES OF ADVANCE PAYMENTS.—

(i) MIRROR CODE POSSESSIONS.—In the case of any possession of the United States with a mirror code tax system (as defined in section 24(h)), the Secretary may, for purposes of determining the income tax law of such possession, charge such possession a flat percentage of the aggregate amount of advances payments made to such possession, in which case the tax imposed by the Secretary on such possession and the amount so charged shall be reduced by the amount of such possession's periodic payment, multiplied by the fraction obtained by dividing the amount of such excess by the amount of the credit allowed under this section for such taxable year.

(ii) THE CENTRALIZED APPLICATION OF THE INTERNAL REVENUE CODE TO TERRITORIES.—In the case of the Centralized Application of the Internal Revenue Code to Territories, the term 'applicable income threshold' means—

(A) $60,000 in the case of a joint return or surviving spouse (as defined in section 2(a)), and

(B) $40,000 in the case of a head of household, and

(ii) $49,000 in any other case.

"(D) SAFE HARBOR AMOUNT.—For purposes of purposes of this subparagraph, the term 'safe harbor amount' means—

(i) $2,000, multiplied by

(ii) the number of qualified children taken into account in determining the annual advance amount with respect to the taxpayer under section 7527A with respect to months beginning in such taxable year, over the number of qualified children taken into account in determining the credit allowed under this section for such taxable year.

"(3) COORDINATION WITH WAGE WITHHOLDING.—Section 6013(b)(1)(C) of such Code is amended by striking 'section 24(a)' and inserting 'section 24(i)(1)' after application of subsection (j) thereof'.

"(4) CONFORMING AMENDMENTS.—

(A) Section 626(b)(1) of such Code is amended—

(i) by inserting '24', before '25A', and

(ii) by striking 'and' and inserting 'or', and

(B) Section 6221(b)(4)(A) of such Code, as amended by the preceding provisions of this subtitle, is amended—

(i) by striking '24d' and inserting '24 by reason of subsections (d) and (i)(1) thereof', and

(ii) by striking 'and 6228B' and inserting '6228B, and 7527A'.

"(5) APPROPRIATIONS TO CARRY OUT ADVANCE PAYMENTS.—Immediately upon the enactment of this Act, in addition to amounts otherwise available, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, a sum of $977,200,000 to carry out this section.

"(6) APPROPRIATIONS TO CARRY OUT ADVANCE PAYMENTS.—Immediately after the approval of this Act, in addition to sums otherwise available, there are appropriated for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, a sum of $977,200,000 to carry out this section.
to residents of American Samoa by reason of the Secretary as being equal to the aggregate household income of the Secretary, without regard to the phrase ‘in the case of a taxpayer with 3 or more qualifying children’.  

3. AMERICAN SAMOA.  

(A) In General. The Secretary shall pay to American Samoa amounts estimated by the Secretary as being equal to the aggregate household income of the Secretary, without regard to the phrase ‘in the case of a taxpayer with 3 or more qualifying children’.  

(B) Application to Taxable Years Beginning After December 31, 2020. The Secretary shall...
“(iii)(1) during the last 6 months of such taxable year, does not have the same principal place of abode as the individual’s spouse, or

(2) the expenditure made by Puerto Rico during such calendar year for education efforts with respect to individual taxpayers and tax return preparers relating to the earned income tax credit, or

(iii) the product of 3, multiplied by the base amount for such calendar year.

(B) BASE AMOUNT.—For purposes of this subsection—

(ii) the cost-of-living adjustment determined under clause (i) for calendar year 2021, the term ‘base amount’ means the greater of—

(i) $50,000, or

(ii) $50,000, plus the product of 3, multiplied by the base amount for such calendar year.

(C) TIMING OF PAYMENTS.—The Secretary shall make payments under paragraph (1) for any calendar year—

(i) after receipt of such information as the Secretary may require to determine such payments, and

(ii) except as provided in clause (i), within a reasonable period of time before the due date for individual income tax returns (as determined under the laws of Puerto Rico) for taxable years which began on the first day of such calendar year.

(B) IN GENERAL.—The term ‘specified matching amount’ means, with respect to any calendar year, the lesser of—

(1) the difference (if any) of—

(A) the lesser of—

(i) the amount determined under clause (i)(1), ‘calendar year 2016’ for ‘calendar year 2016’ in subparagraph (A)(ii), plus

(ii) the product of 3, multiplied by the base amount for such calendar year.

(ii) the cost-of-living adjustment determined under clause (i) for calendar year 2021, the term ‘base amount’ means the greater of—

(i) $50,000, or

(ii) $50,000, plus the product of 3, multiplied by the base amount for such calendar year.

(D) RULES RELATED TO PAYMENTS.—

(1) TIMING OF PAYMENTS.—The Secretary shall make payments under paragraph (1) for any calendar year—

(i) after receipt of such information as the Secretary may require to determine such payments, and

(ii) except as provided in clause (i), within a reasonable period of time before the due date for individual income tax returns (as determined under the laws of Puerto Rico) for taxable years which began on the first day of such calendar year.

(B) INFORMATION.—The Secretary may require the reporting of such information as the Secretary may require to carry out this subsection.

(C) DETERMINATION OF COST OF EARNED INCOME TAX CREDIT.—For purposes of this subsection, the cost to Puerto Rico of the earned income tax credit is determined by the Secretary on the basis of the laws of Puerto Rico and shall include reductions in revenues received by Puerto Rico by reason of such credit which are attributable to such credit, but shall not include any administrative costs with respect to such credit.

(2) POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—

(i) IN GENERAL.—With respect to calendar year 2021 and each calendar year thereafter, the Secretary shall, except as otherwise provided in this subsection, make payments to Puerto Rico equal to—

(A) the specified matching amount for such calendar year, plus

(B) the cost-of-living adjustment determined under clause (i) for calendar year 2021, the term ‘base amount’ means the greater of—

(i) $50,000, and

(ii) $50,000, plus the product of 3, multiplied by the base amount for such calendar year.

(2) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of subparagraphs (A), (B), and (C) of subsection (a)(4) shall apply for purposes of this subsection.

(C) CAMEL'S HUMP OF MATH ERRORS.—For purposes of section 6213 of the Internal Revenue Code of 1986, an incorrect use
on a return of earned income pursuant to subsection (a) shall be treated as a mathematical or clerical error.

(2) No effect on determination of gross income, etc.—A return under which there has otherwise been a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this section (other than this subsection) with respect to taxable years beginning in or after 2021 shall be treated in the same manner as a refund allowed under subpart C (and not allowed under section (a) shall be treated as a credit allowable for the taxable year, the credit allowed under sub-

(3) Payments to other possessions.—The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits (if any) which have been provided to residents of such possession by reason of the provisions of this section (other than this subsection) with respect to taxable years beginning in or after 2021 if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to its residents.

(4) Mirrored code tax system.—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system established under which the tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(5) Treatment of payments.—For purposes of section 1324 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 (a) of such section.

PART 4—DEPENDENT CARE ASSISTANCE

SEC. 9631. REFUNDABILITY AND ENHANCEMENT OF CHILD AND DEPENDENT CARE TAX CREDIT.

(a) In General.—Section 21 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

(‘‘(d) Special Rule for 2021.—In the case of any taxable year beginning after December 31, 2020, and before January 1, 2022, subparagraph (A) shall be applied by substituting ‘$10,500 (half such dollar amount) for ‘$5,000 (‘$2,500’).”’

(b) Effective Date.—The amendments made by this section shall apply to taxable years beginning after December 31, 2021.

(c) Retroactive Plan Amendments.—A plan that otherwise satisfies applicable requirements of sections 125 and 129 of the Internal Revenue Code of 1986 (including any rules or regulations thereunder) shall not be treated as a dependent care assistance program merely because such plan is amended pursuant to a provision under this section and such amendment is retroactive.

1. Such amendment is adopted no later than the last day of the plan year in which the amendment is effective, and

2. The plan is operated consistent with the terms of such amendment during the period beginning on the effective date of the amendment and ending on the date the amendment is effective.

PART 5.—CREDITS FOR PAID SICK AND FAMILY LEAVE

SEC. 9641. PAYROLL CREDITS.

(a) In General.—Chapter 21 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

(‘‘(A) by substituting ‘$8,000’ for ‘$3,000’ in paragraph (1) thereof, and

(B) by substituting ‘30 percent’ for ‘25 percent’, and

(C) by substituting ‘$25,000’ for ‘$15,000’.’’

(b) Application of special rule to tax on employers.

SEC. 9631. CREDIT FOR PAID SICK LEAVE.

(a) In General.—In the case of any taxable year beginning after December 31, 2020, and before January 1, 2022—

(1) wages taken into account.—The aggregate number of days taken into account under subsection (a), with any increases under subsection (c), with respect to any individual shall not exceed 2,000 ($510 in the case of any individual for whom a portion of which is paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act, applied with the modification described in subsection (c)(2)(A)(iv)) for any day (or portion thereof) for which the individual is paid qualified sick leave wages.

(2) overall limitation on number of days taken into account.—The aggregate number of days taken into account under paragraph (1) for any calendar year shall not exceed the excess (if any) of—

(A) 20, over

(B) the aggregate number of days so taken into account during preceding calendar quarters in such calendar year (other than the first quarter of calendar year 2021).

(3) credit limited to certain employment taxes.—The credit allowed by subsection (a) (with respect to any calendar quarter shall not exceed the applicable employment taxes for such calendar quarter on the wages paid with respect to the employment of all employees of the employer.

(4) Other limitations.—

(5) Credit is refundable.—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (3) for any calendar quarter shall not exceed the applicable employment taxes for such calendar quarter, the excess shall be refunded under sections 6402(a) and 6413(b).

SEC. 9632. INCREASE IN EXCLUSION FOR EMPLOYER-PROVIDED DEPENDENT CARE EXPENSES.

(a) In General.—Section 129(a) of the Internal Revenue Code of 1986 is amended by
(B) ADVANCING CREDIT.—In anticipation of the credit, including the refundable portion under subparagraph (A), the credit shall be advanced, according to forms and instructions prescribed by the Secretary, up to an amount calculated under subsection (a), subject to the limits under paragraph (1) and (2), all calculated through the end of the most recent quarter in the quarter.

(c) QUALIFIED SICK LEAVE WAGES.—For purposes of this section—

(1) in general.—The term ‘qualified sick leave wages’ means wages paid by an employer which would be required to be paid by reason of the Emergency Paid Sick Leave Act as if such Act applied after March 31, 2021.

(2) RULES OF APPLICATION.—For purposes of determining whether wages are qualified sick leave wages, paragraph (2) shall apply for purposes of this subsection—

(A) IN GENERAL.—The Emergency Paid Sick Leave Act shall be applied—

(i) by inserting ‘; the employee is seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, COVID-19 and such employee has been exposed to COVID-19 or the employee’s employer has requested such test or diagnosis, or the employee is obtaining immunization related to COVID-19 or recovering from any injury, disability, illness, required to such ‘immunization’ after ‘medical diagnosis’ in section 5102(a)(3) thereof, and

(ii) by applying section 5102(b)(1) of such Act separately with respect to each calendar quarter after 2020 (and, in the case of calendar year 2021, without regard to the first quarter thereof).

(B) LEAVE MUST REQUIREMENTS.—If an employer fails to comply with any requirement of such Act (determined without regard to section 5109 thereof) with respect to paying qualified sick leave wages for any calendar quarter, contributions which—

(i) are paid or incurred by an employer during the calendar quarter in which such wages relate.

(C) ALLOCATION RULES.—The amount of collectively bargained defined benefit pension contributions allocated to qualified sick leave wages for any calendar quarter shall be the product of—

(i) the pension contribution rate (expressed as a percentage), and

(ii) the number of hours for which qualified sick leave wages were provided to employees covered under the collective bargaining agreement described in subparagraph (A)(iii) during the calendar quarter.

(3) COLLECTIVELY BARGAINED APPRENTICESHIP PROGRAM CONTRIBUTIONS.—For purposes of this section—

(A) IN GENERAL.—The term ‘collectively bargained apprenticeship program contributions’ means, with respect to any qualified sick leave wage, contributions which—

(i) are paid or incurred by an employer on behalf of its employees with respect to the terms of a collective bargaining agreement described in subparagraph (A)(iii) during the calendar quarter.

(B) REGULATED APPRENTICESHIP PROGRAM.—The term ‘regulated apprenticeship program’ means an apprenticeship registered program described in subpart A of part 66 of the Building Industry Apprenticeship Act of 1938 (29 U.S.C. 1861a et seq.) that meets the standards of subpart A of part 29 and part 30 of title 29, Code of Federal Regulations.

(C) APPRENTICESHIP PROGRAM CONTRIBUTION RATE.—The term ‘apprenticeship program contribution rate’ means the percentage rate that the employer is obligated to pay on behalf of its employees under the terms of a collective bargaining agreement for benefits under a regulated apprenticeship program under such agreement, as such rate is applied to contribution base units (as defined in section 412(a)(11) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.)) that are properly allocable to qualified sick leave wages for any calendar quarter.

(4) ELECTION TO NOT TAKE CERTAIN WAGES INTO ACCOUNT.—This section shall not apply to so much of the qualified sick leave wages paid by an eligible employer as such employer elects (at such time and in such manner as the Secretary may prescribe) to not take into account for purposes of this section.

(5) CERTAIN GOVERNMENTAL EMPLOYERS.—Notwithstanding section 6501, the limitation on the time period for filing a return of assessment of any amount attributable to a credit claimed under this section shall not expire before the date that is 5 years after the later of—

(A) the date on which the original return which includes the calendar quarter with respect to which such credit is determined is filed;

(B) the date on which such return is treated as filed under section 6501(a)(2).

(6) EXTENSION OF LIMITATION ON ASSESSMENT.—Notwithstanding section 6501, the limitations on the time period for filing a return of assessment of any amount attributable to a credit claimed under this section shall not expire before the date that is 5 years after the later of—

(A) the date on which the original return which includes the calendar quarter with respect to which such credit is determined is filed;

(B) the date on which such return is treated as filed under section 6501(a)(2).

(7) COORDINATION WITH CERTAIN PROGRAMS.—(A) IN GENERAL.—This section shall not apply to so much of the qualified sick leave wages paid by an eligible employer as are allocable to such employer as payroll costs in connection with—

(i) a covered loan under section 7(a)(37) or 7(a) of the Small Business Act,

(ii) a grant under section 1224 of the Economic Aid to Hard-Hit Small Businesses, Non-Profits, and Venues Act,
(iii) a restaurant revitalization grant under section 5003 of the American Rescue Plan Act of 2021.

(2) APPLICATION WHERE PPP LOANS NOT FORGERED.—If the Secretary determines that any employer which is the owner or operator of a restaurant which is a recipient of a forgivable loan under section 7(a)(37)(J) of the Small Business Act is not forgiven by reason of a decision under section 7(a)(g) of such Act, or

(ii) a loan to a business under section 7(a) or 7(a)(37)(J) of the Small Business Act, in accordance with section 7(a)(37)(J) of the Small Business Act, in accordance with section 7(a)(g) of such Act.

Terms used in the preceding sentence which are also used in the Small Business Act shall, when applied in connection with either such section, have the same meaning as when used in such section, respectively.

(g) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to prevent the avoidance of the purposes of the limitations described in section 4980G; and

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

(h) REGULATIONS.—The Secretary shall prescribe such 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.

(i) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance permitting the advancement of the credit determined under subsection (a), and

(j) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance with respect to the allocation, reporting, and substantiation of collectively bargained defined benefit pension plan contributions and collectively bargained apprenticeship program contributions.

SEC. 312. PAYROLL CREDIT FOR PAID FAMILY LEAVE.

(a) IN GENERAL.—In the case of an employer, there shall be allowed as a credit against applicable employment taxes for each calendar quarter an amount equal to 100 percent of the qualified family leave wages paid by such employer with respect to such calendar quarter.

(b) LIMITATIONS AND REFUNDABILITY.—

(1) WAGES TAKEN INTO ACCOUNT.—The amount of qualified family leave wages taken into account under subsection (a), plus any increase in such amount determined with respect to any individual shall not exceed—

(A) for any day (or portion thereof) for which the individual is paid qualified family leave wages, $12,000, and

(B) in the aggregate with respect to all calendar quarters, $12,000.

(2) CREDIT LIMITED TO CERTAIN EMPLOYMENT TAXES.—There shall be allowed by subsection (a) with respect to any calendar quarter not exceeding the applicable employment taxes for such calendar quarter (reduced by any credits allowed under section 3313) on the wages paid with respect to the employment of all the employees of the employer.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b). (B) APPLICABILITY.—An advance for an anticipation of the credit, including the refundable portion under paragraph (a), shall be advanced, according to forms and instructions prescribed by the Secretary, to any amount calculated under subsection (a), subject to the limits under paragraph (1) and (2), all calculated with respect to the most recent payroll period in the quarter.

(c) QUALIFIED FAMILY LEAVE WAGES.—

(1) IN GENERAL.—For purposes of this section, the term ‘qualified family leave wages’ means wages paid by an employer which would be required to be paid by reason of the Family and Medical Leave Act of 1993 or the Emergency Family and Medical Leave Expansion Act, or any leave provided for a qualifying need related to COVID-19 or recovering from any injury, disability, illness, or condition related to COVID-19 or the employee’s exposure to COVID-19 or the employee’s being a close contact to an individual with COVID-19 or the employee’s being a close contact to an individual who has the symptoms of COVID-19.

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.

(3) REFUNDABILITY OF EXCESS CREDIT.—

(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the qualified family leave wages paid during the calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

(2) RULES OF APPLICATION.—

(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (2), in any calendar quarter, any payments which such wages relate). (B) so much of the employer’s collectively bargained defined benefit pension plan contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed, plus

(B) in the aggregate with respect to all calendar quarters, $12,000.
“(ii) the number of hours for which qualified family leave wages were provided to employees covered under the collective bargaining agreement described in section 3132(e) of the calendar quarter.

“(f) DEFINITIONS AND SPECIAL RULES.—

“(1) APPLICABLE EMPLOYMENT TAXES.—For purposes of this section, the term ‘applicable employment taxes’ means the following:

“(A) The taxes imposed under section 3111(b).

“(B) So much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b).

“(2) WAGES.—For purposes of this section, the term ‘wages’ means wages (as defined in section 3301(a), determined without regard to paragraphs (1) through (22) of section 3121(b)) and compensation (as defined in section 3301(a), determined without regard to the sentence in paragraph (1) thereof which begins ‘Such term does not include remuneration’).

“(3) DENIAL OF DOUBLE BENEFIT.—For purposes of chapter 1, the gross income of the employer, for the taxable year which includes the last day of any calendar quarter with respect to which a credit is allowed under this section, shall be increased by the amount of any credit allowed under this section.

“(4) PAYROLL COSTS.—For purposes of determining the credit allowed under sections 36A, 36P, 45S, 51, 3131, and 3132 for any taxable year an amount equal to—

“(A) the qualified sick leave equivalent amount...
(A) the net earnings from self-employment of the individual for the taxable year, divided by
(B) 260.

(3) RULES OF APPLICATION.—For purposes of this section, the term ‘‘qualified family leave equivalent amount’’ means—

(A) the net earnings from self-employment income for the taxable year, or

(B) $200.

(4) ELECTION TO USE PRIOR YEAR EARNINGS FROM SELF-EMPLOYMENT INCOME.—In the case of an individual who elects (at such time and in such manner as the Secretary may prescribe) to not take such day into account for purposes of such paragraph.

(d) CREDIT REFUNDABLE.—

(1) In General.—The credit determined under this section shall be treated as a credit allowed to the taxpayer under subparagraph C of part IV of subchapter A of chapter 1 of such Code.

(2) Treatment of Payments.—For purposes of section 1324 of title 31, United States Code, any refund due from the credit determined 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.

(3) Documentation.—No credit shall be allowed under this section unless the individual maintains such documentation as the Secretary may prescribe to establish such individual as an eligible self-employed individual.

(4) Denial of Double Benefit.—In the case of an individual who receives wages (as defined in section 3212(a) of the Internal Revenue Code of 1986) or compensation (as defined in section 3231(e) of such Code) paid by an employer which are required to be paid by reason of the Emergency Paid Sick Leave Act, the qualified sick leave equivalent amount otherwise determined under subsection (c) of this section shall be reduced (but not below zero) to the extent that the sum of the amount described in such subsection and in section 3313(b)(1) of such Code exceeds the loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined by the Secretary based on information provided by the government of the respective possession.

The Secretary shall pay to each possession of the United States which has a mirror code tax system amounts equal to the loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined by the Secretary based on information provided by the government of the respective possession.

The Secretary shall pay to each possession of the United States which has a mirror code tax system amounts estimated by the Secretary as being equal to the aggregate benefits (if any) that would have been provided to the residents of such possession by reason of the provisions of this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall apply with respect to any self-employed individual who has a plan, which has been approved by the Secretary, under which such possession will promptly distribute such payments to its residents.

(3) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ‘‘mirror code tax system’’ has the meaning for the possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(4) Treatment of Payments.—For purposes of section 1324 of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

(b) Regulations.—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to effectuate the purposes of this section, and

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

(c) Qualified Family Leave Equivalent Amount.—For purposes of this section—

(1) In General.—The term ‘‘qualified family leave equivalent amount’’ means an equivalent amount determined under this section.

(2) RULES OF APPLICATION.—For purposes of paragraph (1), in determining the qualified family leave equivalent amount otherwise determined under this section—

(A) the net earnings from self-employment income for the taxable year, or

(B) $200.

(3) ELECTION TO USE PRIOR YEAR EARNINGS FROM SELF-EMPLOYMENT INCOME.—In the case of an individual who elects (at such time and in such manner as the Secretary may prescribe) to not take such day into account for purposes of such paragraph.

(d) Credit Refundable.—

(1) In General.—The credit determined under this section shall be treated as a credit allowed to the taxpayer under subparagraph C of part IV of subchapter A of chapter 1 of such Code.

(2) Treatment of Payments.—For purposes of section 1324 of title 31, United States Code, any refund due from the credit determined 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.

(3) Documentation.—No credit shall be allowed under this section unless the individual maintains such documentation as the Secretary may prescribe to establish such individual as an eligible self-employed individual.

(4) Denial of Double Benefit.—In the case of an individual who receives wages (as defined in section 3212(a) of the Internal Revenue Code of 1986) or compensation (as defined in section 3231(e) of such Code) paid by an employer which are required to be paid by reason of the Emergency Paid Sick Leave Act, the qualified sick leave equivalent amount otherwise determined under this section shall be reduced (but not below zero) to the extent that the sum of the amount described in such subsection and in section 3313(b)(1) of such Code exceeds $12,000.

(5) References to Emergency Family and Medical Leave Expansion Act.—Any reference to the Emergency Family and Medical Leave Expansion Act, the qualified family leave equivalent amount otherwise determined under this section, or the qualified sick leave equivalent amount otherwise determined under this section shall be treated as including a reference to the Emergency Family and Medical Leave Expansion Act, the qualified family leave equivalent amount otherwise determined under this section, or the qualified sick leave equivalent amount otherwise determined under this section, as the case may be.
which has a mirror code tax system amounted equal to the loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined in each case on information provided by the government of the respective possession.

(2) Payments to other possessions.—The Secretary shall, with respect to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary as being equal to the aggregate benefit (if any) that would have been provided to residents of such possession by reason of the provisions of this section if a mirror code tax system had been in effect in such possession, and any amounts provided under paragraphs (1) and (3) of this subsection shall not apply unless the respective possession has a plan, which has been approved by the Secretary, under which such possession will promptly distribute such payments to its residents.

(3) Mirror code tax system.—For purposes of this section, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(4) Treatment of payments.—For purposes of section 3124 of title 31, United States Code, the payments under this subsection shall be treated in the same manner as a refund due under this provision referred to in subsection (b)(2) of such section.

(h) Regulations.—The Secretary shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to prevent the avoidance of the purposes of this section, and

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

PART 6—EMPLOYER RETENTION CREDIT

SEC. 3651. EXTENSION OF EMPLOYER RETENTION CREDIT.

(a) In general.—Subchapter D of chapter 21 of subtitle C of the Internal Revenue Code of 1986 (as added by section 9601, as amended by adding at the end the following:

"SEC. 3134. EMPLOYER RETENTION CREDIT FOR EMPLOYERS SUBJECT TO CLOSURE DUE TO COVID-19.

"(a) In general.—In the case of an eligible employer, there shall be allowed as a credit against the credit provisions for each calendar quarter an amount equal to 70 percent of the qualified wages with respect to each employee of such employer for such calendar quarter.

"(b) Limitations and Refundability.—

"(1) In general.—(A) Wages taken into account.—The amount allowed as a credit under this subsection for wages paid to any employee which may be taken into account under subsection (a) by the eligible employer for any calendar quarter shall not exceed $5,000.

"(B) Recovery startup businesses.—In the case of an eligible employer which is a recovery startup business (as defined in section 3121(a)) for any calendar quarter an amount equal to 70 percent of the qualified wages with respect to each employee of such employer for such calendar quarter.

"(2) Payments to other possessions.—The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the applicable employment taxes (reduced by the credits allowed under subsections 3131 and 3132) on the wages paid with respect to the employment of all the employ-

"(3) Qualified wages.—(A) In general.—The term ‘qualified wages’ means wages paid by such eligible employer with respect to an employee during any calendar quarter.

"(B) Limitations and refundability.—(i) In the case of an eligible employer for which the average number of full-time employees (within the meaning of section 4980H) employed by such eligible employer during 2019 was not greater than 500—

"(II) the gross receipts (within the meaning of section 448(c)) of such employer for such calendar year 2019, or

"(III) the employer is a recovery startup business (as defined in paragraph (5)).

"(C) Treatment of excess amount.—If the credit under this subsection for any calendar quarter exceeds the limitation of paragraph (2) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 4206(a) and 4213(b).

"(c) Definitions.—For purposes of this section—

"(1) APPLICABLE EMPLOYMENT TAXES.—The term ‘applicable employment taxes’ means the following:

(1) The taxes imposed under section 3111(b).

(2) So much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b).

(2) ELIGIBLE EMPLOYER.—(A) In general.—The term ‘eligible employer’ means any employer—

(i) which was carrying on a trade or business during the calendar quarter for which the credit is determined under subsection (a), and

(ii) with respect to any calendar quarter, for which—

(I) the operation of the trade or business described in clause (i) is fully or partially suspended during the calendar quarter due to the public health emergency declared by the Secretary, or

(II) the gross receipts (within the meaning of section 448(c)) of such employer for such calendar year are less than 80 percent of the gross receipts of such employer for the same calendar quarter in calendar year 2019, or

(III) the employer is a recovery startup business (as defined in paragraph (5)).

(3) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term ‘mirror code tax system’ means an eligible employer which is a recovery startup business (as defined in section 3121(a)) and which has a plan, which has been approved by the Secretary, under which such possession

"(f) Regulations.—The Secretary shall prescribe such regulations or other guidance to minimize compliance and record-keeping burdens under this section.

"(g) Additional provisions.—(1) APPLICABLE EMPLOYMENT TAXES.—The term ‘applicable employment taxes’ means—

"(I) WAGES TAKEN INTO ACCOUNT.—The term ‘wages taken into account’ means—

"(II) the gross receipts (within the meaning of section 448(c)) of such employer for such calendar year 2019, or

"(III) the employer is a recovery startup business (as defined in paragraph (5)).

"(2) Limitations and refundability.—(A) WAGES.—(I) IN GENERAL.—The term ‘wages’ means—

"(II) ALLOCATION RULES.—For purposes of this section, wages shall not include any wages taken into account under sections 41, 45A, 45F, 45S, 51, 1396, 3131, and 3132.

"(4) Selection to use alternative quarter.—At the election of the employer—

"(i) subparagraph (A)(ii)(II) shall be applied by substituting ‘2020’ for ‘2019’; and

"(ii) the last sentence of subparagraph (A) shall be applied—

"(A) by substituting ‘the immediately preceding calendar quarter’ for ‘for such calendar quarter’, and

"(B) by substituting ‘the corresponding calendar quarter by calendar quarter 2019’ for ‘the same calendar quarter in calendar year 2019’, and

"(C) which, with respect to such quarter, is a calendar quarter in which an employee is not providing services (as defined in section 3121(a)).

An election under this subparagraph shall be made at such time and in such manner as the Secretary may prescribe.

(i) TAX-EXEMPT ORGANIZATIONS.—In the case of an organization which is described in section 501(a), and—

(ii) which, with respect to such quarter, is a calendar quarter in which an employee is not providing services (as defined in section 3121(a)).

An election under this subparagraph shall be made at such time and in such manner as the Secretary may prescribe.

(4) Allocation rules.—For purposes of this section, amounts treated as wages under clause (i) shall be treated as paid with respect to any employee and (with respect to any period) to the extent that such amounts are properly allocable to such employee (and to such period) in such manner as the Secretary may prescribe. Except as otherwise provided by the Secretary, such allocation shall be treated as properly made if made on the basis of being pro rata among periods of coverage.

(5) Recovery startup business.—The term ‘recovery startup business’ means any employer—

(A) which began carrying on any trade or business after February 15, 2020, and

(B) for which the average annual gross receipts of such employer (as determined under paragraph (2) for any calendar quarter) did not exceed $50,000.
(c)(2)(A)(i). satisfying the requirements of subsection paragraph (B), such entity shall be treated as such entity is providing medical or hospital services in the case of any entity described in subdivision thereof, or any agency or instrumentality of any of the foregoing.

(2) EXCEPTION.—Paragraph (1) shall not apply to—

(A) any organization described in section 501(c)(1) and exempt from tax under section 501(a), or

(B) any entity described in paragraph (1) if—

(i) such entity is a college or university, or

(ii) the principal purpose or function of such entity is providing medical or hospital care.

In the case of any entity described in subparagraph (B), such entity shall be treated as satisfying the requirements of subsection paragraphs (A) and (B) of such subsection.

(g) ELECTION TO NOT TAKE CERTAIN WAGES INTO ACCOUNT.—This section shall not apply to so much of the qualified wages paid by an eligible employer as are taken into account as payroll costs in connection with—

(A) a covered loan under section 7(a)(37) or 7A of the Small Business Act,

(B) a grant under section 324 of the Economic Aid to Hard-Hit Small Businesses, Non-Profits, and Venues Act, or

(C) a restaurant revitalization grant under section 5003 of the American Rescue Plan Act of 2020.

(h) APPLICATION WHERE PPP LOANS NOT TAKEN.—The Secretary shall prescribe any rules necessary to carry out this section.

(i) IN GENERAL.—This section shall not apply to such wages if the employer determines that the average number of full-time employees of the employer during the calendar quarter in which the wages are paid is less than 50 percent of the average number of full-time employees for the calendar quarter in which the wages are paid.

(j) ELECTION TO CLAIM CREDIT.—If an eligible employer elected, under paragraph (i), not to take into account the wages paid by the employer in calendar quarter 2019, the eligible employer may elect not to take into account the wages paid by the employer in calendar year 2020.

(k) RECONCILIATION OF CREDIT WITH ADVANCE PAYMENTS.—(A) IN GENERAL.—The amount of credit which would (but for this subsection) be allowed under this section shall be reduced by the aggregate amount of advance payments to a taxpayer under paragraph (2). Any failure to so reduce the credit shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b)(1).

(B) EXCESS ADVANCE PAYMENTS.—If the advance payments to a taxpayer under paragraph (2) for a calendar quarter exceed the credit allowed by this section (determined without regard to subparagraph (A)), the tax imposed under section 3111(b) or so much of the tax imposed under section 3221(a) as is attributable to the credit under section 3111(b) (whichever is applicable) for the calendar quarter shall be increased by the amount of such excess.

(l) TREATMENT OF DEPOSITS.—The Secretary shall waive any penalty under section 6656 for any failure to make a deposit of any applicable employment taxes if the Secretary determines that such failure was due to the reasonable anticipation of the credit allowed under this section.

(m) REGULATIONS AND GUIDANCE.—The Secretary shall issue such forms, instructions, regulations, and other guidance as are necessary to—

(1) ensure the advance payment of the credit under subsection (a) as provided in subsection (j)(2), subject to the limitations provided in this section, based on such information as the Secretary shall require,

(2) with respect to the application of the credit under subsection (a) to third party payers (including professional employer organizations, certified professional employer organizations, or agents under section 3504), including regulations or guidance allowing such payors to submit documentation necessary to substantiate the eligible employer status of employers that use such payors, and

(3) to prevent the avoidance of the purposes of the limitations under this section, including through the leaseback of employer

Any forms, instructions, regulations, or other guidance described in paragraph (2) shall require the customer to be responsible for the accounting of the credit and for any liability for improperly claimed credits and shall require the certified professional employer organization or other third party payer to accurately report such tax credits based on the information provided by the customer.

(n) APPLICATION.—This section shall only apply to wages paid after June 30, 2021, and before January 1, 2022.

(o) REGULATIONS AND GUIDANCE.—The Secretary, in coordination with the Treasury Secretary, shall prescribe such regulations and guidance as are necessary to carry out this section.

(p) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar quarters beginning after June 30, 2021.

SEC. 3134. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3135. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3136. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3137. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3138. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3139. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3140. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3141. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3142. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3143. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3144. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3145. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3146. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3147. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3148. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3149. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3150. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3151. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3152. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3153. Employee retention credit for employers subject to closure due to COVID-19.

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SEC. 3155. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3156. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3157. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3158. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3159. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3160. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3161. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3162. Employee retention credit for employers subject to closure due to COVID-19.

SEC. 3163. Employee retention credit for employers subject to closure due to COVID-19.
(b) CONFORMING AMENDMENT.—Section 36B(c)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

"(E) The amendments made by this section shall apply to taxable years beginning after December 31, 2020.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9662. TEMPORARY MODIFICATION OF LIMITATIONS ON RECONCILATION OF TAX CREDITS FOR COVERAGE UNDER AN HIV/AIDS PREVENTION PROGRAM

SEC. 9663. AFFORDABILITY.—Paragraph (1)(B) shall not apply to any household income of the taxpayer in excess of 300.0 percent of the Federal poverty line for purposes of paragraph (2)(C)(ii)(1) or (4)(C)(ii)(1) of subsection (c).".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9664. TEMPORARY MODIFICATION OF TARGETED EID Advances.

For purposes of the Internal Revenue Code of 1986—

(1) amounts received from the Administrator of the Small Business Administration in the form of a targeted EIDL advance under section 316 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116-260) shall not be included in the gross income of the person that receives such amounts,

(2) no deduction shall be denied, no tax attribute shall be reduced, and no basis increase shall be denied, by reason of the exclusion from gross income provided by paragraph (1), and

(3) in the case of a partnership or S corporation that receives such amounts—

(A) any amount excluded from income by reason of paragraph (1) shall be treated as tax exempt income for purposes of sections 707 and 1366 of the Internal Revenue Code of 1986, and

(B) the Secretary of the Treasury (or the Secretary’s delegate) shall prescribe rules for determining a partner’s distributive share of any amount described in subparagraph (A) for purposes of sections 707 and 1366 of the Internal Revenue Code of 1986.

SEC. 9665. TAX TREATMENT OF RESTAURANT RE-VITALIZATION GRANTS.

For purposes of the Internal Revenue Code of 1986—

(1) amounts received from the Administrator of the Small Business Administration in the form of a restaurant revitalization grant under section 5003 shall not be includable in the gross income of the person that receives such amounts,

(2) no deduction shall be denied, no tax attribute shall be reduced, and no basis increase shall be denied, by reason of the exclusion from gross income provided by paragraph (1), and

(3) in the case of a partnership or S corporation that receives such amounts—

(A) except as otherwise provided by the Secretary of the Treasury (or the Secretary’s delegate), any amount excluded from income by reason of paragraph (1) shall be treated as tax exempt income for purposes of sections 707 and 1366 of the Internal Revenue Code of 1986, and

(B) the Secretary of the Treasury (or the Secretary’s delegate) shall prescribe rules for determining a partner’s distributive share of any amount described in subparagraph (A) for purposes of sections 707 and 1366 of the Internal Revenue Code of 1986.

SEC. 9674. MODIFICATION OF EXCEPTIONS FOR REPORTING OF THIRD PARTY NET-WORK TRANSACTIONS.

(a) IN GENERAL.—Section 6005(o) of the Internal Revenue Code of 1986 is amended to read as follows:

"(A) DE MINIMIS EXCEPTION FOR THIRD PARTY SETTLEMENT ORGANIZATIONS.—A third party settlement organization shall not be required to report any information under subsection (a) with respect to third party network transactions of any participating payee if the amount which would otherwise be reported under subsection (a)(2) with respect to such transactions does not exceed $500.

(b) CLARIFICATION THAT REPORTING IS NOT REQUIRED ON TRANSACTIONS WHICH ARE NOT FOR GOODS OR SERVICES.—Section 6005(c)(3) of such Code is amended by inserting "described in subsection (d)(3)(A)(iii)" after "such transaction".

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (b) shall apply to transactions after the date of the enactment of this Act.

(2) CLARIFICATION.—The amendment made by subsection (b) shall apply to transactions after the date of the enactment of this Act.

SEC. 9675. MODIFICATION OF TREATMENT OF STUDENT LOAN FORGIVENESS.

(a) IN GENERAL.—Section 108(l)(1) of the Internal Revenue Code of 1986 is amended by striking paragraph (5) and inserting the following:

"(5) STUDENT LOAN FORGIVENESS.—In addition to subsection (a), any loan provided expressly for post-secondary educational expenses, regardless of whether provided through the educational institution or directly to the borrower, if such loan was made, insured, or guaranteed by—

(i) the United States, or an instrumentality or agency thereof,

(ii) a State, territory, or possession of the United States, or the District of Columbia, or any political subdivision thereof, or

(iii) an eligible educational institution (as defined in section 25A).

(5) SPECIAL RULE FOR DISCHARGES IN 2021 THROUGH 2025.—Gross income does not include any amount which (but for this subsection) would be includible in gross income by reason of the discharge (in whole or in part) after December 31, 2020, and before January 1, 2026, of—

(A) any loan provided expressly for post-secondary educational expenses, regardless of whether provided through the educational institution or directly to the borrower, if such loan was made, insured, or guaranteed by—

(i) the United States, or an instrumentality or agency thereof,

(ii) a State, territory, or possession of the United States, or the District of Columbia, or any political subdivision thereof, or

(iii) an eligible educational institution (as defined in section 25A).

(B) any private education loan (as defined in section 140(a)(7) of the Truth in Lending Act)

(C) any loan made by any educational organization described in section 170(b)(1)(A)(I) if such loan is made—

(i) pursuant to an agreement with any entity described in subparagraph (A) or any private education lender (as defined in section 140(a) of the Truth in Lending Act)

(ii) in furtherance of the activities of such educational organization; or

(iii) pursuant to a program of such educational organization which is designed to encourage its students to serve in occupations with unmet needs or in areas with unmet needs and under which the services of the student are provided by the students (as students) are for or under the direction of a governmental unit or an organization described

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SEC. 9676. MODIFICATION OF TREATMENT OF WORK TRANSACTIONS.

(a) IN GENERAL.—Section 6005(o) of the Internal Revenue Code of 1986 is amended by striking paragraph (5) and inserting the following:

"(5) SPECIAL RULE FOR DISCHARGES IN 2021 THROUGH 2025.—Gross income does not include any amount which (but for this subsection) would be includible in gross income by reason of the discharge (in whole or in part) after December 31, 2020, and before January 1, 2026, of—

(A) any loan provided expressly for post-secondary educational expenses, regardless of whether provided through the educational institution or directly to the borrower, if such loan was made, insured, or guaranteed by—

(i) the United States, or an instrumentality or agency thereof,

(ii) a State, territory, or possession of the United States, or the District of Columbia, or any political subdivision thereof, or

(iii) an eligible educational institution (as defined in section 25A).

(B) any private education loan (as defined in section 140(a)(7) of the Truth in Lending Act)

(C) any loan made by any educational organization described in section 170(b)(1)(A)(I) if such loan is made—

(i) pursuant to an agreement with any entity described in subparagraph (A) or any private education lender (as defined in section 140(a) of the Truth in Lending Act)

(ii) in furtherance of the activities of such educational organization; or

(iii) pursuant to a program of such educational organization which is designed to encourage its students to serve in occupations with unmet needs or in areas with unmet needs and under which the services of the student are provided by the students (as students) are for or under the direction of a governmental unit or an organization described
in section 501(c)(3) and exempt from tax under section 501(a), or

“(D) any loan made by an educational organization described in section 170(b) (1)(A) of such Code, (2) by a plan, or (3) by an organization exempt from tax under section 501(a) to refinance a loan to an individual to assist the individual in attending any such educational organization described in such section (2)

(a) In General.—Notwithstanding the actuarial certification under section 305(b)(3) of the Employee Retirement Income Security Act of 1974 and section 432(b)(3) of the Internal Revenue Code of 1986, if, by reason of an election made under subsection (a), the plan is in neither endangered nor critical status—

(1) the plan sponsor of a multiemployer plan elects to apply the application of this section, then, for purposes of section 305 of such Act and section 432 of such Code—

(A) shall be made at such time and in such manner and form, as (in consultation with the Secretary of Labor) may prescribe, and

(B) if the election is made after such date, not later than 30 days after the date of the election.

(b) Notice of Endangered Status.—Notwithstanding section 305(b)(3)(D) of such Act and section 432(b)(3)(D) of such Code, if the plan is certified to be in critical status for any plan year by reason of an election made under subsection (a), the notice provided under such section shall be the notice which would have been provided if the plan had been certified to be in endangered status.

SEC. 9702. TEMPORARY EXTENSION OF THE FUNDING IMPROVEMENT AND REHABILITATION PERIODS FOR MULTIEMPLOYER PENSION PLANS IN CRITICAL AND ENDANGERED STATUS

(a) In General.—If the plan sponsor of a multiemployer plan which is in endangered or critical status as of the day of the first plan year ending on or after February 29, 2020, makes an election under section 421(a)(10) of the Employee Retirement Income Security Act of 1974 and section 432(b)(3) of the Internal Revenue Code of 1986 for purposes of the application of this subpart, the Secretary shall extend the expiration date of such application for purposes of the application of this subpart for an additional period of 5 years.

(b) Effective Date.—This section shall take effect as of the first day of the first plan year beginning after February 29, 2020.
(a)IRMWARE—Section 4005 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1305) is amended by adding at the end the following:

"(n) Special financial assistance to multiemployer pension plans, as provided under section 4262, and to pay for necessary administrative and operating expenses of the corporation relating to such assistance.

(2) There is appropriated from the general fund of the Treasury amounts necessary (disregarding modifications made under section 305(e)(9) as of the date of the enactment of this section) to cover the costs of providing financial assistance under section 4262 and necessary administrative and operating expenses of the corporation. The amount appropriated under this section shall be credited with amounts from time to time as the Secretary of the Treasury, in conjunction with the Director of the Pension Benefit Guarantee Corporation, determines appropriate, from the general fund of the Treasury, but in no case shall such amounts remain so insolvent and has not been terminated as of the date of enactment of this section;

(B) the corporation projects the eligible multiemployer plan to have a present value of financial assistance payments under sections 4231 of such Act that are not greater than $10,000 if the special financial assistance is not ordered;

(C) the eligible multiemployer plan has implemented benefit suspensions under section 4231(e)(5) of such Act before the date of the enactment of this section;

(D) the corporation determines it appropriate based on other similar circumstances.

(e) Actuarial assumptions.

(1) Eligibility.—For purposes of determining eligibility for special financial assistance, the corporation shall accept assumptions incorporated in a multiemployer plan's determination that it is in critical status or critical and declining status (within the meaning of section 4231(e)(5) of such Act) for a plan that has been approved for a partition under section 4231 before the date of enactment of this section, applications may be filed by an eligible multiemployer plan unless:

(A) the eligible multiemployer plan is insolvent or is likely to become insolvent within 5 years of the date of enactment of this section;

(B) the corporation projects the eligible multiemployer plan to have a present value of financial assistance payments under sections 4231 of such Act that are not greater than $10,000 if the special financial assistance is not ordered;

(C) the eligible multiemployer plan has implemented benefit suspensions under section 4231(e)(5) of such Act before the date of the enactment of this section;

(D) the corporation determines it appropriate based on other similar circumstances.

(2) No cap.—Special financial assistance payments under this section shall be such amount required for the plan year ending in 2051, with no reduction for any other plan year ending in 2051, and any revised application for special financial assistance under this section that is timely filed in accordance with the regulations or guidance issued under subsection (c) shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the application that the application is incomplete, any proposed change or assumption is unreasonable, or the plan is not eligible under this section. Such notice shall specify the reasons the application for special financial assistance, any proposed change or assumption is unreasonable, or information is needed to complete the application. If the corporation determines it is necessary to complete the application, the plan may submit a revised application under any revised application for special financial assistance submitted by a plan shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the application that the application is incomplete, any proposed change or assumption is unreasonable, or the plan is not eligible under this section. Special financial assistance approved under subsection (c) shall be effective on a date determined by the corporation, but no later than 1 year after a plan's special financial assistance application is approved by the corporation or deemed approved. The corporation shall not pay any special financial assistance after September 30, 2030.

(2) Appropriation.—Section 4005 of the Employee Retirement Income Security Act of 1974 is amended by inserting after section 4231 of such Act (29 U.S.C. 1431) the following:

"SEC. 4262. SPECIAL FINANCIAL ASSISTANCE BY THE CORPORATION.

(a) Special financial assistance.

(1) In general.—The corporation shall provide financial assistance to an eligible multiemployer plan under this section, upon the application of a plan sponsor of such a plan for such assistance.

(2) Assumptions of certain repayment obligation.—A plan receiving special financial assistance pursuant to this section shall not be subject to repayment obligations with respect to such special financial assistance.

(b) Eligible Multiemployer Plans.

(1) In general.—For purposes of this section, a multiemployer plan is an eligible multiemployer plan if—

(A) the plan is in critical and declining status (within the meaning of section 4005(b)(6) in any plan year beginning in 2022;

(B) a suspension of benefits has been approved with respect to the plan under section 4005(e)(9) as of the date of enactment of this section;

(C) in any plan year beginning in 2022 through 2030, if the plan is certified by the plan actuary to be in critical status (within the meaning of section 4005(b)(2)), has a modified funded percentage of less than 40 percent, and has a ratio of active to inactive participants which is less than 2 to 3; or

(D) the plan became insolvent for purposes of section 4185 of the Internal Revenue Code of 1986 after December 16, 2014, and has remained so insolvent and has not been terminated as of the date of enactment of this section;

(2) Modified funded percentage.—For purposes of paragraphs (1)(C), the term ‘modified funded percentage’ means the percentage equal to a fraction, the numerator of which is the plan’s plan assets (as defined in section 3(26) of such Act) and the denominator of which is current liabilities (as defined in section 431(c)(6)(D) of such Code and section 4029 of such Act).

(c) Applications for Special Financial Assistance.—Within 120 days of the date of enactment of this section, the corporation shall establish regulations or guidance incorporating forth requirements for special financial assistance applications under this section. In such regulations or guidance, the corporation shall—

(1) limit the materials required for a special financial assistance application to the minimum necessary to make a determination on the application;

(2) specify effective dates for transfers of special financial assistance following approval of an application as of the effective date of the supporting actuarial analysis and the date on which the application is submitted; and

(3) provide for an alternate application for special financial assistance under this section, which may be used by a plan that has been approved for a partition under section 4231 before the date of enactment of this section.

(d) Temporary Priority Consideration of Applications.—

(1) In general.—The corporation may specify in regulations or guidance under subsection (c) that, during a period not longer than the first 2 years following the date of enactment of this section, applications may not be filed by an eligible multiemployer plan unless:

(A) the eligible multiemployer plan is insolvent or is likely to become insolvent within 5 years of the date of enactment of this section;

(B) the corporation projects the eligible multiemployer plan to have a present value of financial assistance payments under sections 4231 of such Act that are not greater than $10,000 if the special financial assistance is not ordered;

(C) the eligible multiemployer plan has implemented benefit suspensions under section 4231(e)(5) of such Act before the date of the enactment of this section; or

(D) the corporation determines it appropriate based on other similar circumstances.

(2) Applications for special financial assistance under this section that is timely filed in accordance with the regulations or guidance issued under subsection (c) shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the application that the application is incomplete, any proposed change or assumption is unreasonable, or information is needed to complete the application. If the corporation determines it is necessary to complete the application, the plan may submit a revised application under any revised application for special financial assistance submitted by a plan shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the application that the application is incomplete, any proposed change or assumption is unreasonable, or the plan is not eligible under this section. Special financial assistance approved under subsection (c) shall be effective on a date determined by the corporation, but no later than 1 year after a plan's special financial assistance application is approved by the corporation or deemed approved. The corporation shall not pay any special financial assistance after September 30, 2030.

(3) Manner of payment.—The payment made by the corporation to an eligible multiemployer plan under this section shall be in a single lump sum payment.

(4) Amount and manner of special financial assistance.—

(1) In general.—Special financial assistance under this section shall be a transfer of funds in the amount necessary as demonstrated by the plan sponsor on the application for such special financial assistance, in accordance with the requirements described in subsection (j). Special financial assistance shall be paid to such plan as soon as practicable upon approval of the application by the corporation.

(2) No cap.—Special financial assistance granted by the corporation under this section shall not be capped by the guarantee under 9222A.

(5) Determination of amount of special financial assistance.—

(1) In general.—The amount of financial assistance provided to a multiemployer plan eligible for financial assistance under this section shall be such amount required for the plan as determined by subtracting from the aggregate of all benefits expected to be paid during the period beginning on the date of payment of the special financial assistance payment under this section and ending on the last day of the plan year ending in 2022, and any distribution in a participant’s or beneficiary’s accrued benefit as of the date of enactment of this section, except to the extent of a reduction mandated under paragraph (6) of subsection (a) of section 4022A, the benefit that is payable to the participant or beneficiary under this section, which section 432(k)(1)(D) of the Internal Revenue Code of 1986 applies, to the Secretary of the Treasury (in the case of a plan to which section 432(k)(1)(D) of the Internal Revenue Code of 1986 applies, to the Secretary of the Treasury) no later than December 31, 2030.

(6) Determination of amount of special financial assistance.—A plan’s application for special financial assistance under this section that is timely filed in accordance with the regulations or guidance issued under subsection (c) shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the application that the application is incomplete, any proposed change or assumption is unreasonable, or information is needed to complete the application. If the corporation determines it is necessary to complete the application, the plan may submit a revised application under any revised application for special financial assistance submitted by a plan shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the application that the application is incomplete, any proposed change or assumption is unreasonable, or the plan is not eligible under this section. Special financial assistance approved under subsection (c) shall be effective on a date determined by the corporation, but no later than 1 year after a plan’s special financial assistance application is approved by the corporation or deemed approved. The corporation shall not pay any special financial assistance after September 30, 2030.
taking into account the reinstatement of benefits required under subsection (k).

(2) **PROJECTIONS.—**The funding projections for purposes of this section shall be performed in a manner prescribed by the Corporation.

(3) **RESTATEMENT OF SUSPENDED BENEFITS.—**The Secretary, in coordination with the Treasury, shall ensure that an eligible multiemployer plan that requires special financial assistance under this section—

(1) restates any benefits that were suspended under section 305(e)(9) or section 4242(a) in accordance with guidance issued by the Secretary of the Treasury pursuant to section 4242 of the Internal Revenue Code of 1986, effective as of the first month in which the effective date for the special financial assistance occurs, for participants and beneficiaries as of such month, and

(2) provides payments equal to the amount of benefits previously suspended under section 305(e)(9) or 4242(a) to any participant or beneficiary within 3 months of such effective date; or

(B) in equal monthly installments over a period of 5 years, commencing within 3 months of such effective date, with no adjustment for interest.

(4) **RESTRICTIONS ON THE USE OF SPECIAL FINANCIAL ASSISTANCE.—**Special financial assistance received under this section may be used—

(A) to pay plan expenses and to pay plan liabilities; financial assistance shall be segregated from other plan assets. Special financial assistance shall be used exclusively in support of benefits, including benefits that may be added to a plan in the future by agreement of the plan; and

(B) the corporation shall coordinate the use of special financial assistance under this section with the Secretary of the Treasury in accordance with guidance issued by the Secretary of the Treasury.

(5) **COORDINATION WITH SECRETARY OF THE TREASURY.—**In the case of a plan which has suspended benefits under section 305(e)(9)—

(1) in determining whether to approve the application, the corporation shall consult with the Secretary of the Treasury regarding the plan’s proposed method of reinstating benefits, as described in the plan’s application and in accordance with guidance issued by the Secretary of the Treasury, and

(2) the corporation shall consult with the Secretary of the Treasury regarding the amount of special financial assistance needed, as determined by the corporation in consultation with the Secretary of the Treasury, to ensure that the amount of assistance is sufficient to meet such requirement and is sufficient to pay benefits as required in subsection (f)(1).

(6) **RESTRICTIONS ON THE USE OF SPECIAL FINANCIAL ASSISTANCE TO BE IN CRITICAL STATUS.—**Section 4242 of the Internal Revenue Code of 1986 is amended—

(A) in clause (vi)—

(1) in subparagraph (A)—

(i) by inserting ‘‘and before January 1, 2021, unless such assumption that the plan used in its most recently completed certification of plan status before January 1, 2021, provided that such interest rate does not exceed the interest rate limit, and

(ii) by striking ‘‘or’’ at the end;

(B) in clause (v)—

(1) by inserting ‘‘and before January 1, 2021, unless such assumption that the plan used in its most recently completed certification of plan status before January 1, 2021, provided that such interest rate does not exceed the interest rate limit, and

(ii) by striking ‘‘or’’ at the end; and

(C) with respect to an eligible multiemployer plan which applies for special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974, the requirements of subsection (k)(2), notwithstanding the preceding paragraphs of this subsection, the plan shall be deemed to be in critical status for purposes of any elections for the plan year in which the effective date for such assistance occurs and ending with the last plan year ending in 2032.’’.

(7) **RULES RELATING TO ELIGIBLE MULTIEMPLOYER PLANS.—**Section 432 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

(A) **PLANS RECEIVING SPECIAL FINANCIAL ASSISTANCE.—**If an eligible multiemployer plan which receives special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974 meets the requirements of subsection (k)(2), notwithstanding the preceding paragraphs of this subsection, the plan shall be deemed to be in critical status for purposes of any elections for the plan year in which the effective date for such assistance occurs and ending with the last plan year ending in 2032.’’.

(B) **RESTATEMENT OF SUSPENDED BENEFITS.—**In the case of a plan for which a suspension of benefits has been approved under section 305(e)(9), the application shall describe the manner in which suspended benefits will be reinstated in accordance with paragraph (2(A) and guidance issued by the Secretary of the Treasury for the plan receives special financial assistance.

(C) **AMOUNT OF FINANCIAL ASSISTANCE.—**In determining the amount of special financial assistance to be specified in its application, an eligible multiemployer plan shall—

(1) use the interest rate used by the plan in the most recently completed certification of plan status before January 1, 2021, provided that such interest rate does not exceed the interest rate limit, and

(ii) for purposes of clause (i), the interest rate limit is the rate

(III) such dollar amount for plan years beginning after December 31, 2030.

(iii) the product derived by multiplying such dollar amount by the ratio of—

(IV) the national average wage index as defined in section 209(k)(1) of the Social Security Act for the first of the 2 calendar years preceding the calendar year in which such application is submitted.

(ii) the national average wage index as so defined for 2029; and

(iii) such dollar amount for plan years beginning after December 31, 2029.

(iii) the product derived by multiplying such dollar amount by the ratio of—

(II) the national average wage index as so defined for 2028.
specified in section 430(h)(2)(C)(iii) (disregarding modifications made under clause (iv) of such section) for the month in which the application for special financial assistance is filed by the eligible multiemployer plan or the 3 preceding months, with such specified rate increased by 200 basis points.

(iii) CHANGES IN ASSUMPTIONS.—If a plan determines that one or more of such assumptions is unreasonable, the plan may propose in its application to change such assumptions, provided that the plan discloses such change of assumption and describes why such assumptions are no longer reasonable, the plan may not propose a change to the interest rate otherwise required under this subsection for eligibility or financial assistance amount.

(D) PLANS APPLYING FOR PRIORITY CONSIDERATION.—In the case of a plan applying for special financial assistance under rules providing for temporary priority consideration, as provided in paragraph (4)(C), such plan's application shall be submitted to the Secretary in addition to the Pension Benefit Guaranty Corporation.

(2) PLANS RECEIVING Special FINANCIAL ASSISTANCE.—In the case of an eligible multiemployer plan applying for special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974—

(A) REIMSTATEMENT OF SUSPENDED BENEFITS.—The plan shall—

(i) reinstate any benefits that were suspended under subsection (e)(9) or section 4265(a) of the Employee Retirement Income Security Act of 1974, as effective as of the first month in which the effective date for the special financial assistance occurs, for participants and beneficiaries as of such month, and

(ii) provide payments equal to the amount of benefits previously suspended to any participants or beneficiaries in pay status as of the effective date of the special financial assistance, payable, as determined by the plan—

(I) as a lump sum within 3 months of such effective date; or

(II) in equal monthly installments over a period of 5 years, commencing within 3 months of such effective date, with no adjustment for interest.

(B) RESTRICTIONS ON THE USE OF SPECIAL FINANCIAL ASSISTANCE.—Special financial assistance received by the plan may be used to make benefit payments and pay plan expenses. Such assistance shall be segregated from other plan assets, and shall be invested by the plan in investment-grade bonds or other investments permitted by regulations or other guidance issued by the Pension Benefit Guaranty Corporation.

(C) CONDITIONS ON PLANS RECEIVING SPECIAL FINANCIAL ASSISTANCE.—

(I) IN GENERAL.—The Pension Benefit Guaranty Corporation, in consultation with the Secretary, may impose, by regulation or other guidance, reasonable conditions on an eligible multiemployer plan receiving special financial assistance relating to increases in future benefit payments, provision for deferral of benefit payments, provisions to reduce plan expenses, improvement of plan operations, and reimbursement of plan expenses.

(ii) LIMITATION.—The Pension Benefit Guaranty Corporation shall not impose conditions that limit a multiemployer plan as a condition of, or following receipt of, special financial assistance relating to—

(1) any prospective reduction in plan benefits (including benefits that may be adjusted pursuant to subsection (e)(8)),

(ii) plan governance, including selection of, removal of, and compensation to, trustees, actuaries, investment managers, and other service providers, or

(iii) any funding rules relating to the plan.

(D) ASSISTANCE DISREGARDED FOR CERTAIN PURPOSES.—

(i) FUNDING STANDARDS.—Special financial assistance received by the plan shall not be taken into account for determining contributions required under section 431.

(ii) INSOLVENT PLANS.—If the plan becomes insolvent within the meaning of section 412E after receiving special financial assistance, the plan shall be subject to all rules applicable to insolvent plans.

(iii) INELIGIBILITY FOR SUSPENSION OF BENEFITS.—The plan shall not be eligible to apply for a new suspension of benefits under subsection (e)(9)(G).

(3) ELIGIBLE MULTIEmployER PLAN.—

(A) IN GENERAL.—For purposes of this section, a multiemployer plan is an eligible multiemployer plan if—

(i) the plan is in critical and declining status in any plan year beginning in 2020 through 2022,

(ii) a suspension of benefits has been approved with respect to the plan under subsection (e)(9) as of the date of the enactment of this subsection, and

(iii) in any plan year beginning in 2022 through 2022, the plan is certified by the plan actuary to be in critical status, has a modified funded percentage of less than 60 percent, and has a ratio of active to inactive participants which is less than 2 to 3, or

(iv) the plan became insolvent within the meaning of section 412E after December 16, 2014, and has remained so insolvent and has not been terminated as of the date of enactment of this subsection.

(B) MODIFIED FUNDED PERCENTAGE.—For purposes of subparagraph (A)(iii), the term ‘modified funded percentage’ means the percent equal to a fraction of which is current value of plan assets (as defined in section 3(26) of the Employee Retirement Income Security Act of 1974) and denominator of which is current liabilities (as defined in section 3(32)(A)(iii)).

(C) COORDINATION WITH PENSION BENEFIT GUARANTY CORPORATION.—In prescribing the applicable provisions for eligible multiemployer plans to receive special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974 and reviewed by the Pension Benefit Guaranty Corporation, the Secretary shall coordinate with the Secretary in the following manner:

(A) In the case of a plan which has suspended benefits under subsection (e)(9)—

(i) in determining whether to approve the application, such corporation shall consult with the Secretary regarding the plan’s proposed method of reinstating benefits, as described in the plan’s application and in accordance with guidance issued by the Secretary, and

(ii) such corporation shall consult with the Secretary regarding the amount of special financial assistance needed based on the projected funded status of the plan as of the last day of the plan year ending in 2051, whether the plan proposes to repay benefits over a period determined pursuant to subsection (2)(A)(ii), and any other relevant factors, as determined by such corporation in consultation with the Secretary, to ensure the amount of assistance is sufficient to meet such requirement and is sufficient to pay benefits as required in section 4262(b)(1) or 4262(d), as applicable.

(B) In the case of any plan which proposes in its application to change the assumptions used, as provided in paragraph (1)(C)(iii), such corporation shall consult with the Secretary regarding such proposed change in assumptions.

(C) If such corporation specifies in regulations that temporary priority consideration is available for plans which are insolvent within the meaning of section 412E or likely to become so insolvent or for plans which have either been determined with respect under subsection (e)(9), or that availability is otherwise based on the funded status of the plan under this section, as permitted by section 4245(a) of the Employee Retirement Income Security Act of 1974, the Pension Benefit Guaranty Corporation shall consult with the Secretary regarding any granting of priority consideration to such plans.

SEC. 9705. EXTENDED AMORTIZATION FOR SINGLE EMPLOYER PLANS.

(a) 15-YEAR AMORTIZATION UNDER THE INTERNAL REVENUE CODE OF 1986.—Section 430(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

(8) 15-YEAR AMORTIZATION.—With respect to plan years beginning after December 31, 2020, and plan years beginning after December 31, 2021, or, at the election of the plan sponsor, plan years beginning after December 31, 2018, December 31, 2019, or December 31, 2020—

(A) the shortfall amortization bases for all plan years preceding the first plan year beginning after December 31, 2021 (or after whichever earlier date is elected pursuant to this paragraph), and all shortfall amortization installments determined with respect to such bases, shall be reduced to zero, and

(B) subparagraphs (A) and (B) of paragraph (2) shall each be applied by substituting ‘15-plan-year period’ for ‘7-plan-year period’.

(b) 15-YEAR AMORTIZATION UNDER THE EMPLOYER RETIREMENT INCOME SECURITY ACT OF 1974.—Section 303(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by adding at the end the following new paragraph:

(8) 15-YEAR AMORTIZATION.—With respect to plan years beginning after December 31, 2021 (or, at the election of the plan sponsor, plan years beginning after December 31, 2018, December 31, 2019, or December 31, 2020)—

(A) the shortfall amortization bases for all plan years preceding the first plan year beginning after December 31, 2021 (or after whichever earlier date is elected pursuant to this paragraph), and all shortfall amortization installments determined with respect to such bases, shall be reduced to zero, and

(B) subparagraphs (A) and (B) of paragraph (2) shall each be applied by substituting ‘15-plan-year period’ for ‘7-plan-year period’.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after December 31, 2018.

SEC. 9706. EXTENSION OF PENSION FUNDING STABILIZATION PERCENTAGES FOR SINGLE EMPLOYER PLANS.

(a) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—The table contained in subsection (b)(2)(C)(iv) of section 430(b)(2)(C)(iv) of the Internal Revenue Code of 1986 is amended to read as follows:
If the calendar year is:

<table>
<thead>
<tr>
<th>Year</th>
<th>2023</th>
<th>2024</th>
<th>2025</th>
<th>2026</th>
<th>2027</th>
<th>2028</th>
<th>2029</th>
<th>After 2029</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any year in the period starting in 2012 and ending in 2019</td>
<td>95%</td>
<td>105%</td>
<td>110%</td>
<td>85%</td>
<td>90%</td>
<td>85%</td>
<td>80%</td>
<td>75%</td>
</tr>
<tr>
<td>Any year in the period starting in 2020 and ending in 2025</td>
<td>90%</td>
<td>110%</td>
<td>115%</td>
<td>95%</td>
<td>105%</td>
<td>90%</td>
<td>120%</td>
<td>125%</td>
</tr>
<tr>
<td>After 2029</td>
<td>70%</td>
<td>130%</td>
<td>135%</td>
<td>75%</td>
<td>125%</td>
<td>125%</td>
<td>120%</td>
<td>120%</td>
</tr>
</tbody>
</table>

(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 303(h)(2)(C)(iv) of such Code is amended by adding at the end the following: “Notwithstanding anything in this subclause, if the average of the first, second, or third segment rate for any 25-year period is less than 5 percent, such average shall be deemed to be 5 percent.”.

(3) CONFORMING AMENDMENTS.—

(A) In general.—Section 101(f)(2)(D) of such Act (29 U.S.C. 1021(f)(2)(D)) is amended—

(i) in clause (i) by striking “and the Bipartisan Budget Act of 2015” both places it appears and inserting “, the Bipartisan Budget Act of 2015 and the American Rescue Plan Act of 2021”;

(ii) in clause (ii) by striking “2023” and inserting “2029”.

(B) Statements.—The Secretary of Labor shall modify the statements required under subclauses (I) and (II) of section 101(f)(2)(D)(i) of such Act to conform to the amendments made by this section.

(c) EFFECTIVE DATE.—

The amendments made by this section shall apply with respect to plan years beginning after December 31, 2019.

(2) ELECTION NOT TO APPLY.—A plan sponsor may elect not to have the amendments made by this section apply to any plan year beginning before January 1, 2022, either (as specified in the election)—

(A) for all purposes for which such amendments apply, or

(B) solely for purposes of determining the adjusted funding target attainment percentage under sections 363 of the Internal Revenue Code of 1986 and 2009 of the Employee Retirement Income Security Act of 1974 for such plan year.

A plan shall not be treated as failing to meet the requirements of sections 204(g) of such Act and 411(d)(6) of such Code solely by reason of an election under this paragraph.

SEC. 9707. MODIFICATION OF SPECIAL RULES FOR MINIMUM FUNDING STANDARDS FOR COMMUNITY NEWSPAPER PLANS.

(a) AMENDMENT TO INTERNAL REVENUE CODE OF 1986.—Subsection (m) of section 430 of the Internal Revenue Code of 1986 is amended to read as follows:

“(m) SPECIAL RULES FOR COMMUNITY NEWSPAPER PLANS.—

(1) IN GENERAL.—An eligible newspaper plan sponsor of a plan under which no participant has had the participant’s accrued benefit increased (whether because of service or compensation) after April 2, 2019, may elect to have the alternative standards described in paragraph (4) apply to such plan.

(2) ELIGIBLE NEWSPAPER PLAN SPONSOR.—

The term ‘eligible newspaper plan sponsor’ means the plan sponsor of—

(A) any community newspaper plan, or

(B) any other plan sponsored, as of April 2, 2019, by a member of the same controlled group of a plan sponsor of a community newspaper plan if such member is in the trade or business of publishing 1 or more newspapers.

(3) ELECTION.—An election under paragraph (1) shall be made at such time and in such manner as prescribed by the Secretary. Such election, once made with respect to a plan year, shall apply to all subsequent plan years unless revoked with the consent of the Secretary.

(4) ALTERNATIVE MINIMUM FUNDING STANDARDS.—The alternative standards described in this paragraph are the following:

(A) INTEREST RATES.—

(1) IN GENERAL.—Notwithstanding subsection (h)(2)(C) and except as provided in section 430(h)(2)(C)(iv)(I) of such Code, the first, second, and third segment rates in effect for any month for purposes of this section shall be 8 percent.

(2) NEW YEARLY FUNDING STANDARDS.—Notwithstanding subsection (h)(2)(C), for purposes of determining the funding target and normal cost of a plan for any plan year, the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect shall be determined on the basis of the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

(3) UNITED STATES TREASURY OBLIGATION YIELD CURVE.—For purposes of this subsection, the term ‘United States Treasury obligation yield curve’ means, with respect to any day, a yield curve which shall be prescribed by the Secretary for such day on interest-bearing obligations of the United States.

(4) SHORTFALL AMORTIZATION BASE.—

(1) PREVIOUS SHORTFALL AMORTIZATION BASES.—The shortfall amortization bases determined under subsection (c)(3) for all plan years preceding the first plan year to which the election under paragraph (1) applies (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero under rules similar to the rules of subsection (c)(6).

(2) NEW SHORTFALL AMORTIZATION BASE.—Notwithstanding subsection (c)(3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be the funding shortfall of such plan for such plan year (determined using the interest rates as modified under subparagraph (A)).
“(C) DETERMINATION OF SHORTFALL AMORTIZATION INSTALLMENTS.—

“(i) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting ‘30-plan-year’ for ‘7-plan-year’ each place it appears.

“(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

“(D) EXEMPTION FROM AT-RISK TREATMENT.—Subsection (i) shall not apply.

“(E) CARARRIER PLAN.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘community newspaper plan’ means any plan to which this subsection applies (as defined in subsection (b)(2)) of which are persons described in subclause (I) or (II), or of which are persons described in subparagraph (D), as so redesignated, and inserting therein the following new subparagraph:

“(ii) NEW SHORTFALL AMORTIZATION BASE.—Notwithstanding subsection (c)(3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be equal to the greater of—

“(I) the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect, determined with respect to the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year. or

“(II) United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

“(F) ELECTRONIC EDITIONS.—In the case of a plan for which an election under paragraph (1) applies, all amounts determined under this section shall apply to plan years ending after December 31, 2019.

“(G) DETERMINATION OF SHORTFALL AMORTIZATION INSTALLMENTS.—

“(i) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting ‘30-plan-year’ for ‘7-plan-year’ each place it appears.

“(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

“(D) EXEMPTION FROM AT-RISK TREATMENT.—Subsection (i) shall not apply.

“(G) COMMUNITY NEWSPAPER PLAN.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘community newspaper plan’ means a plan to which this section applies (as defined in subsection (b)(2)) of which are persons described in subparagraph (D), as so redesignated, and inserting therein the following new subparagraph:

“(II) is controlled, directly or indirectly, by a combination of persons described in subclause (I) and (II), or

“(IV) Does not have a bona fide list of paid subscribers.

“(C) CONTROL.—A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.

“(D) CONTROLLED GROUP.—For purposes of this subsection, the term ‘controlled group’ means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986.

“(E) EXEMPTION FROM AT-RISK TREATMENT.—Subsection (i) shall not apply.

“(G) COMMUNITY NEWSPAPER PLAN.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘community newspaper plan’ means a plan to which this section applies (as defined in subsection (b)(2)) of which are persons described in subparagraph (D), as so redesignated, and inserting therein the following new subparagraph:

“(II) is controlled, directly or indirectly, by a combination of persons described in subclause (I) and (II), or

“(II) is controlled, directly, or indirectly, by 1 or more persons residing primarily in a State in which the community newspaper plan was published by the employer at any time during the entire 30-year period ending on December 31, 2019.

“(ii) NEW SHORTFALL AMORTIZATION BASE.—Notwithstanding subsection (c)(3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be equal to the greater of—

“(I) the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect, determined with respect to the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

“(II) United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.

“(F) ELECTRONIC EDITIONS.—In the case of a plan for which an election under paragraph (1) applies, all amounts determined under this section shall apply to plan years ending after December 31, 2019.

“(G) DETERMINATION OF SHORTFALL AMORTIZATION INSTALLMENTS.—

“(i) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting ‘30-plan-year’ for ‘7-plan-year’ each place it appears.

“(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

“(D) EXEMPTION FROM AT-RISK TREATMENT.—Subsection (i) shall not apply.

“(G) COMMUNITY NEWSPAPER PLAN.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘community newspaper plan’ means a plan to which this section applies (as defined in subsection (b)(2)) of which are persons described in subparagraph (D), as so redesignated, and inserting therein the following new subparagraph:

“(II) is controlled, directly or indirectly, by 1 or more persons residing primarily in a State in which the community newspaper plan has been published on newprint or carrier-distributed.

“(II) during the entire 30-year period ending on December 31, 2019, by individuals who are members of the same family.

“(iii) Has not ever been regularly published on newprint.

“(iv) Does not have a bona fide list of paid subscribers.

“(C) CONTROL.—A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.

“(D) CONTROLLED GROUP.—For purposes of this subsection, the term ‘controlled group’ means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986.

“(E) EXEMPTION FROM AT-RISK TREATMENT.—In the case of a plan for which an election under paragraph (1) applies, all amounts determined under this section shall apply to plan years ending after December 31, 2019.

“(F) ELECTRONIC EDITIONS.—In the case of a plan for which an election under paragraph (1) applies, all amounts determined under this section shall apply to plan years ending after December 31, 2019.

“(G) DETERMINATION OF SHORTFALL AMORTIZATION INSTALLMENTS.—

“(i) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting ‘30-plan-year’ for ‘7-plan-year’ each place it appears.

“(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

“(D) EXEMPTION FROM AT-RISK TREATMENT.—Subsection (i) shall not apply.

“(G) COMMUNITY NEWSPAPER PLAN.—For purposes of this subsection—

“(A) IN GENERAL.—The term ‘community newspaper plan’ means a plan to which this section applies (as defined in subsection (b)(2)) of which are persons described in subparagraph (D), as so redesignated, and inserting therein the following new subparagraph:

“(II) is controlled, directly or indirectly, by 1 or more persons residing primarily in a State in which the community newspaper plan has been published on newprint or carrier-distributed.

“(II) during the entire 30-year period ending on December 31, 2019, by individuals who are members of the same family.

“(iii) Has not ever been regularly published on newprint.

“(iv) Does not have a bona fide list of paid subscribers.

“(C) CONTROL.—A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.

“(D) CONTROLLED GROUP.—For purposes of this subsection, the term ‘controlled group’ means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986.

“(E) EXEMPTION FROM AT-RISK TREATMENT.—In the case of a plan for which an election under paragraph (1) applies, all amounts determined under this section shall apply to plan years ending after December 31, 2019.

“(F) ELECTRONIC EDITIONS.—In the case of a plan for which an election under paragraph (1) applies, all amounts determined under this section shall apply to plan years ending after December 31, 2019.

“(G) DETERMINATION OF SHORTFALL AMORTIZATION INSTALLMENTS.—

“(i) 30-YEAR PERIOD.—Subparagraphs (A) and (B) of subsection (c)(2) shall be applied by substituting ‘30-plan-year’ for ‘7-plan-year’ each place it appears.

“(ii) NO SPECIAL ELECTION.—The election under subparagraph (D) of subsection (c)(2) shall not apply to any plan year to which the election under paragraph (1) applies.

“SEC. 9801. CHILD CARE ASSISTANCE.

“(a) APPROPRIATION.—
(1) IN GENERAL.—Section 418(a)(3) of the Social Security Act (42 U.S.C. 1396d(a)(3)) is amended to read as follows:

(3) APPROPRIATION.—For grants under this section, there are appropriated $3,047,000,000 for each fiscal year beginning with fiscal year 2021.

(2) CONFORMING AMENDMENT.—Section 418(a)(2) of such Act (42 U.S.C. 1396d(a)(2)) is amended by striking “reservation described in paragraph (4)” and inserting “reservations described in paragraphs (4) and (6) of such section”.

(b) MODIFICATION OF STATE MATCH REQUIREMENT FOR FUNDING INCREASES IN FISCAL YEARS 2021 AND 2022.—With respect to the amounts authorized for fiscal years 2021 and 2022, section 418(a)(2)(C) of such Act shall be applied and administered with respect to any State that is entitled to receive the entire amount that would be allotted to the State under section 418(a)(2)(B) of such Act for the fiscal year in the manner authorized for fiscal year 2020, as if the Federal medical assistance percentage for the State for the fiscal year were 100 percent.

(c) FUNDING FOR THE TERRITORIES.—Section 418(a)(3) of such Act (42 U.S.C. 1396d(a)(3)) is amended by adding at the end the following:

(6) TERRITORIES.—

(A) GRANTS.—The Secretary shall reserve $32,900,000,000 of the amount appropriated for fiscal year 2021 to redistribute to each territory that applies for redistribution for a fiscal year shall be redistributed to each territory that applies for redistribution for each such fiscal year.

(B) ALLOTMENTS.—The amount reserved in subparagraph (A) for a fiscal year shall be allotted for each fiscal year among the territories in proportion to their respective needs.

(C) REDISTRIBUTION.—The 1st sentence of clause (i) and clause (ii) of paragraph (2)(D) shall apply with respect to the amounts allotted to the territories under this paragraph, except that the 2nd sentence of paragraph (2)(D) shall not apply and the amounts allotted to the territories that are available for redistribution for a fiscal year shall be redistributed to each territory that applies for the additional amounts, to the extent that the Secretary determines that the territory will be able to use the additional amounts to provide child care assistance, in an amount that bears the same ratio to the amount so available for redistribution for the fiscal year as the total amount allotted to the territories bears to the total amount allotted to all the territories receiving redistributable funds under this paragraph for the fiscal year.

(D) INAPPLICABILITY OF PAYMENT LIMITATION.—Section 1108(a) shall not apply with respect to any amount paid under this paragraph.

(E) TERRITORY.—In this paragraph, the term ‘territory’ means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Subtitle J—Medicaid

SEC. 9811. MANDATORY COVERAGE OF COVID-19 VACCINES AND ADMINISTRATION AND TREATMENT UNDER MEDICAID.

(a) COVERED DRUGS.

(1) IN GENERAL.—Section 1906(a)(4) of the Social Security Act (42 U.S.C. 1396d(a)(4)) is amended by striking the semicolon at the end and inserting “; and” during the period beginning on the date of the enactment of the American Rescue Plan Act of 2021 and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B), a COVID–19 vaccine and administration of the vaccine; and (F) during the period beginning on the date of the enactment of the American Rescue Plan Act of 2021 and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B), testing and treatments for COVID–19, including specialized equipment and therapies, and, without regard to the requirements of section 1902(a)(10)(B) (relating to comparability), in the case of an individual who is presumed to have COVID–19, during the period such individual has (or is presumed to have) COVID–19, the treatment of a condition that may seriously complicate the treatment of COVID–19, if otherwise covered under the State plan (or waiver of such plan); and

(i) during the period beginning on the date of the enactment of this paragraph and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B), a COVID–19 vaccine and the administration of such vaccine (for any individual eligible for medical assistance for such vaccine and administration) and

(ii) in paragraph (G), by striking “; and”, and

(iii) by adding at the end the following subparagraph:

(II) by striking the semicolon at the end and inserting “ and inserting “; and” during the period beginning on the date of the enactment of this clause and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B), a COVID–19 vaccine and the administration of such vaccine (for any individual eligible for medical assistance for such vaccine and administration) and

(3) PROHIBITION OF COST SHARING.—

(A) IN GENERAL.—Subsections (a)(2) and (b)(2) of section 1916 of the Social Security Act (42 U.S.C. 1396c) are each amended—

(i) in subparagraph (F), by striking “or” at the end;

(ii) in subparagraph (G), by striking “; and”, and

(iii) by adding at the end the following subparagraph:

(H) during the period beginning on the date of the enactment of this paragraph and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B), a COVID–19 vaccine and the administration of such vaccine (for any individual eligible for medical assistance for such vaccine and administration) and

(i) during the period beginning on the date of the enactment of this paragraph and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B), testing and treatments for COVID–19, including specialized equipment and therapies (including preventative therapies), and, in the case of an individual who is diagnosed with or presumed to have COVID–19, during the period such individual is presumed to have COVID–19, the treatment of a condition that may seriously complicate the treatment of COVID–19, if otherwise covered under the State plan (or waiver of such plan); and

(B) APPLICATION TO ALTERNATIVE COST SHARING.—Section 1916(a)(3)(B) of the Social Security Act (42 U.S.C. 1396c(a)(3)(B)) is amended—

(i) in clause (xi), by striking “any visit” and inserting “any service”;

(ii) by adding at the end the following clause:

(xii) During the period beginning on the date of the enactment of this clause and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B), a COVID–19 vaccine and the administration of such vaccine (for any individual eligible for medical assistance for such vaccine (and administration)).

(xiii) During the period beginning on the date of the enactment of this clause and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B), a COVID–19 vaccine and the administration of such vaccine (for any individual eligible for medical assistance for such vaccine (and administration)).

(iii) in clause (xii), by striking “or” at the end

(iv) in clause (xiii), by striking “or” at the end

(v) by adding at the end the following clause:

(yii) during the period during which such individual has (or is presumed to have) COVID–19, during the period during which such individual is presumed to have COVID–19, the treatment of a condition that may seriously complicate the treatment of COVID–19, if otherwise covered under the State plan (or waiver of such plan).”.

(4) INCLUSION IN THE MEDICAID DRUG REBATE PROGRAM.—The COVID–19 VACCINES covered under section 418(a)(4) of such Act, as added by paragraph (1), applies to any drug or biological product to which subparagraph (F) of section 1905(a)(4) of such Act, as added by paragraph (1), applies to which subparagraph (F) of such section, (VIII)’’;

(A) IN GENERAL.—The requirements of section 1217 of the Social Security Act (42 U.S.C. 1396w) shall apply to any drug or biological product to which subparagraph (F) of such section, (VIII)’’.

(B) MODIFICATION OF STATE MATCH REQUIREMENT FOR FUNDING INCREASES IN FISCAL YEARS 2021 AND 2022.—With respect to the amounts authorized for fiscal years 2021 and 2022, section 418(a)(2)(C) of such Act shall be applied and administered with respect to any State that is entitled to receive the entire amount that would be allotted to the State under section 418(a)(2)(B) of such Act for the fiscal year in the manner authorized for fiscal year 2020, as if the Federal medical assistance percentage for the State for the fiscal year were 100 percent.

(c) FUNDING FOR THE TERRITORIES.—Section 418(a)(3) of such Act (42 U.S.C. 1396d(a)(3)) is amended by adding at the end the following:

(6) TERRITORIES.—

(A) GRANTS.—The Secretary shall reserve $32,900,000,000 of the amount appropriated for fiscal year 2021 to redistribute to each territory that applies for redistribution for a fiscal year shall be redistributed to each territory that applies for the additional amounts, to the extent that the Secretary determines that the territory will be able to use the additional amounts to provide child care assistance, in an amount that bears the same ratio to the amount so available for redistribution as the amount allotted to the territory for the fiscal year bears to the total amount allotted to all the territories receiving redistributable funds under this paragraph for the fiscal year.

(B) ALLOTMENTS.—The amount reserved in subparagraph (A) for a fiscal year shall be allotted for each fiscal year among the territories in proportion to their respective needs.

(C) REDISTRIBUTION.—The 1st sentence of clause (i) and clause (ii) of paragraph (2)(D) shall apply with respect to the amounts allotted to the territories under this paragraph, except that the 2nd sentence of paragraph (2)(D) shall not apply and the amounts allotted to the territories that are available for redistribution for a fiscal year shall be redistributed to each territory that applies for the additional amounts, to the extent that the Secretary determines that the territory will be able to use the additional amounts to provide child care assistance, in an amount that bears the same ratio to the amount so available for redistribution as the amount allotted to the territory for the fiscal year bears to the total amount allotted to all the territories receiving redistributable funds under this paragraph for the fiscal year.

(D) INAPPLICABILITY OF PAYMENT LIMITATION.—Section 1108(a) shall not apply with respect to any amount paid under this paragraph.

(E) TERRITORY.—In this paragraph, the term ‘territory’ means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.
(ii) a covered outpatient drug (as defined in section 1927(k) of such Act, except that, in applying paragraph (2)(A) of such section to a drug to which such subparagraph (F) or such subparagraph (H) applies, such drug shall be deemed a prescribed drug for purposes of section 1905(a)(12) of such Act).

(b) CONFORMING AMENDMENT.—Section 1927(d)(7) of the Social Security Act (42 U.S.C. 1396d–8(d)(7)) is amended by adding at the end the following new subparagraph:

“(8) Drugs and biological products to which section 1906(a)(14)(F) and subclause (XVIII) in the matter following subparagraph (G) of section 1902(a)(10) apply that are furnished to a State in a manner that is required by such section or clause, respectively, for the treatment or prevention, of COVID–19, as presumed to have COVID–19, the treatment or prevention, of COVID–19, as referred to in such paragraph (16) of section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)).

(5) ALTERNATIVE BENEFIT PLANS.—Section 1907(b) of the Social Security Act (42 U.S.C. 1396u–7(b)) is amended by adding at the end the following new paragraph:

“(8) COVID–19 VACCINES, TESTING, AND TREATMENT.—Notwithstanding the previous provisions of this section, a State may not provide medical assistance for medical assistance that is included for the enrollment of an individual with benchmark coverage or benchmark-equivalent coverage under this section unless, during the period beginning on the last day of the first quarter of the enactment of the American Rescue Plan Act of 2021 and ending on the last day of the first calendar quarter that begins one year after the last day of the first quarter of the enactment of the American Rescue Plan Act of 2021, such coverage includes (and does not impose any deductible, cost sharing, or similar charge for):

“A. CO–VID–19 vaccines and administration of the vaccines; and

B. testing and treatments for COVID–19, including specialized equipment and therapies for COVID–19 (other than vaccine therapies) for the treatment of an individual with a diagnosis of COVID–19 (or presumed to have COVID–19) under the State plan (or waiver of such plan).

(6) TEMPORARY INCREASE IN FEDERAL PAYMENTS FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—Section 1906(c) of the Social Security Act (42 U.S.C. 1396a–15(g)) is amended by adding at the end the following new paragraph:

“(1) in subsection (b), by striking “and (ff)” and inserting “and (ff), and (hh)”;

(2) in subsection (f), in the matter preceding paragraph (1), by inserting “, subject to subsection (hh)” after “or (c)(2)” and by striking at the end the following new subsection:

“(hh) TEMPORARY INCREASE FMAP FOR MEDICAL ASSISTANCE FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—

“(1) in general.—Notwithstanding any other provision of this title, during the period described in paragraph (2) the Federal medical assistance percentage applicable to amounts expended by the State for medical assistance for a vaccine described in subsection (a)(4)(E) and the administration of such a vaccine, shall be equal to 100 percent.

“(2) period described.—The period described in this paragraph is the period beginning on the first day of the first quarter that begins one year after the last day of the emergency period described in section 1355(g)(1)(B).

SEC. 9812. MODIFICATIONS TO CERTAIN COVERAGE UNDER MEDICAID FOR PREGNANT AND POSTPARTUM WOMEN.

(a) STATE OPTION.—Section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)) is amended by adding at the end the following new paragraph:

“(B) EXTENDING CERTAIN COVERAGE FOR PREGNANT AND POSTPARTUM WOMEN.—

“(A) in general.—At the option of the State, the State plan (or waiver of such State plan) may provide, that an individual who, while pregnant, is eligible for and has received medical assistance under the State plan approved under this title (or a waiver of such plan) (including during a period of retroactive eligibility under subsection (a)(3)(C)), shall, in addition to remaining eligible under paragraph (5) for all pregnancy-related and postpartum medical assistance available under the State plan (or waiver) through the last day of the month in which the 60-day period (beginning on the first day of the individual’s pregnancy) ends, remain eligible under the State plan for the following period described in subsection (a) to the period beginning on the first day occurring after the end of such 60-day period and ending on the last day of the month in which the 60-day period described in section 1355(g)(1)(B), such coverage includes (and does not impose any deductible, cost sharing, or similar charge for):

“(i) all items and services covered under the State plan (or waiver) that are not less in amount, duration, or scope, or are determined by the Secretary to be substantially equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A); and

“(ii) all items and services covered under the State plan (or waiver) that are not less in amount, duration, or scope, or are determined by the Secretary to be substantially equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A); and

“(B) in general.—The amendment made by subsection (a) shall apply with respect to State elections made under paragraph (16) of section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)). A State plan (or waiver of such plan) shall include all items and services covered under the State plan (or waiver) that are not less in amount, duration, or scope, or are determined by the Secretary to be substantially equivalent, to the medical assistance available for an individual described in subsection (a)(10)(A); and

“(C) COVERAGE UNDER CHIP.—A State making an election under this paragraph that covers under title XXI child health assistance for pregnant or postpartum women, as applicable, shall also make the election under section 2107(e)(1)(J) of such title.

“(B) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to State elections made under paragraph (16) of section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)) by the date specified in subsection (a)(1) for purposes of this section, the term ‘qualified community-based mobile crisis intervention services’, means, with respect to a State, items and services for which medical assistance percentage applicable to such amounts expended by the State for such services during such quarter shall be equal to 85 percent. In no case shall the application of the previous sentence result in the Federal medical assistance percentage applicable to amounts expended by the State for such services during such quarter without application of the previous sentence.

“(D) REQUIREMENTS.—The requirements described in this subsection are the following:

“(1) The State demonstrates, to the satisfaction of the Secretary that it will be able
to support the provision of qualifying community-based mobile crisis intervention services that meet the conditions specified in subsection (b).

"(2) The State provides assurances satisfactory to the Secretary that—

(A) any additional Federal funds received by the State for qualifying community-based mobile crisis intervention services described in subsection (a) that are attributable to the increased Federal medical assistance percentage under subsection (c) will be used to supplement, and not supplant, the level of State funds expended for such services for the fiscal year preceding the first fiscal quarter occurring during the period described in subsection (a); and

(B) if the State made qualifying community-based mobile crisis intervention services available in a region of the State in such fiscal year, the State will continue to make such services available in such region under this section during each month occurring during the period described in subsection (a) for which the Federal medical assistance percentage under subsection (c) is applicable with respect to the State.

"(e) Eligible State Planning Grants.—There is appropriated, out of any funds in the Treasury not otherwise appropriated, $15,000,000 to the Secretary for purposes of developing, administering, and making planning grants to States as soon as practicable for purposes of developing a State plan amendment or section 1115 (or, if applicable, under section 1115(k) (as defined under such a waiver) to provide qualifying community-based mobile crisis intervention services under this section, to remain available until expended.

SEC. 9814. TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER CERTAIN MANDATORY MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

Section 1905 of the Social Security Act (42 U.S.C. 1396k) is amended by adding to section 1905(b) (42 U.S.C. 1396k(b)) by striking "(l)(2) (as defined under such a waiver) to provide qualifying community-based mobile crisis intervention services under this section, to remain available until expended.

SEC. 9816. SUNSET OF LIMIT ON MAXIMUM RATE AMOUNT FOR SINGLE SOURCE DRUGS AND INNOVATOR MULTIPLE SOURCE DRUGS.

Section 1907(c)(2)(D) of the Social Security Act (42 U.S.C. 1396f(c)(2)(D)) is amended by striking "December 31, 2009," the following: "and before January 1, 2021.".

SEC. 9817. ADDITIONAL SUPPORT FOR MEDICAID HOME AND COMMUNITY-BASED SERVICES DURING THE COVID-19 EMERGENCY.

(a) INCREASED FMAP.—

(1) IN GENERAL.—In the case of the period beginning with the first calendar quarter during which a qualifying State (as defined in paragraph (3)) spends amounts for all individuals described in section 1902(a)(3)(A)(VIII) under the State plan (or waiver of such plan), the Federal medical assistance percentage determined under subsection (b) for such State shall be equal to the increase under subsection (a) to supplement, and not supplant, the level of State funds expended for home and community-based services for individuals through programs in effect as of April 1, 2021.

(2) SPECIAL APPLICATION RULES.—Any increase described in paragraph (1) (or payment made for expenditures on medical assistance services to such beneficiaries) shall not apply with respect to disproportionate share hospital payments described in section 1923; and

(3) LIMITATIONS ON FMAP INCREASE.—In no case may the Federal medical assistance percentage determined under this subsection exceed 105 percent of such percentage.

(b) STATE REQUIREMENTS FOR FMAP INCREASE.—As conditions for receipt of the increase under subsection (a) to supplement, and not supplant, the level of State funds expended for home and community-based services for individuals through programs in effect as of April 1, 2021, the State shall meet each of the following requirements (referred to in subsection (a) as the HCBS program requirements):

(1) SUPPLEMENT, NOT SUPPLANT.—The State shall demonstrate to the Secretary that the increase under subsection (a) to supplement, and not supplant, the level of State funds expended for home and community-based services for individuals through programs in effect as of April 1, 2021, is designed to support the provision of qualifying community-based mobile crisis intervention services that meet the conditions specified in subsection (b).

(2) REQUIRED IMPLEMENTATION OF CERTAIN ACTIVITIES.—(A) The term ‘HCBS program improvement period’ means, with respect to a State, the period beginning on April 1, 2021; and

(B) The term ‘home and community-based services’ means any of the following:

(i) Home and community-based services described in section 1915(b)(3)(A)(viii) of such Act; and

(ii) Personal care services described in section 1915(b)(3)(A)(vi) of such Act.

(3) POLICY RELATED TO STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

Section 1905(f)(1)(C) of the Social Security Act (42 U.S.C. 1396f(f)(1)(C)) is amended by striking "December 31, 2009," the following: "and before January 1, 2021.".
appropriated, $250,000,000, to remain available until expended, for purposes of allocating such amount among the States (including the District of Columbia and each territory of the United States) to enable each State to establish and implement a strike team that will be deployed to a nursing facility in the State with diagnosed or suspected cases of COVID–19 among residents or staff for the purposes of assisting with clinical care, infection control, or staffing during the emergency period described in section 1135(g)(1) or any succeeding fiscal year that immediately follows the end of such emergency period.’’.

SEC. 9819. SPECIAL RULE FOR THE PERIOD OF A DECLARED PUBLIC HEALTH EMERGENCY RELATED TO CORONAVIRUS.

(a) In General.—Section 1923(x)(3) of the Social Security Act (42 U.S.C. 1396r-6(f)(3)) is amended—

(1) in subparagraph (A), by striking ‘‘(E) and (F)’’ and inserting ‘‘subparagraphs (E) and (F)’’; and

(2) by adding at the end the following new subparagraph:

‘‘(F) ALLOTMENTS DURING THE CORONAVIRUS PENDEMIC MEDICAID FMAP INCREASE.—In determining whether or not, for purposes of any other provision of this subsection, for any fiscal year for which the Federal medical assistance percentage applicable to expenditures for such fiscal year (as determined without regard to the DSH allotments described in subparagraph (A)) is increased pursuant to section 6008 of the Families First Coronavirus Response Act, the Secretary shall recalculate the annual DSH allotment, including the DSH allotment specified under paragraph (6)(A)(vi), to ensure that the total DSH payments (including both Federal and State payments) that such State could have made for DSH payments (including both Federal and State payments) shall be equal to the total DSH payments that the State could have made for such fiscal year without such increase to the Federal medical assistance percentage.

(b) Effective Date.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

Subtitle K—Children’s Health Insurance Program

SEC. 9821. MANDATORY COVERAGE OF COVID–19 VACCINES AND ADMINISTRATION AND TREATMENT UNDER CHIP.

(a) Coverage.—

(1) In General.—Section 2103(c) of the Social Security Act (42 U.S.C. 1397l(c)) is amended by adding after the last paragraph the following new paragraph:

‘‘(j) PROCURED COVERAGE OF COVID–19 VACCINES AND TREATMENT.—Regardless of the type of coverage elected by a State under subparagraph (a), the child health assistance provided by such coverage (including the low-income pregnant woman (as such terms are defined for purposes of such section), shall include coverage, during the period beginning on the date of enactment of this paragraph and ending on the last day of the first calendar quarter that begins one year after the last day of the emergency period described in section 1135(g),—

(A) a COVID–19 vaccine (and the administration of the vaccine); and

(B) testing and treatments for COVID–19, including specialized equipment and therapies (including preventive therapies), and, in the case of an individual who is diagnosed with any condition that may seriously compromise the condition during the period during which such individual has (or is presumed to have) COVID–19, the treatment of a condition that may seriously compromise the condition (including other conditions that are otherwise covered under the State child health plan (or waiver of such plan)).’’.

(2) PROHIBITION OF COST SHARING.—Section 2105(c) of the Social Security Act (42 U.S.C. 1397f(e)(2)) is amended by adding to the end the following new paragraph:

‘‘(12) TEMPORARY ENHANCED PAYMENT FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—During the period described in subsection (a) for expenditures for the State child health plan (or in the case of a targeted low-income pregnant woman (as applied under the State child health plan (or waiver of such plan), pursuant to section 9102(e) of subtitle J of this title), the provisions of subparagraph (A) shall apply with respect to expenses for vaccines described in section 1902(a)(10) for expenditures for the State child health plan (or a waiver of such plan) for vaccines described in section 1905(a)(4)(E) (and the administration of such vaccines).’’.

SEC. 9822. MODIFICATIONS TO CERTAIN COVERAGE UNDER MEDICAID FOR PREGNANT AND POSTPARTUM WOMEN.

(a) Modifications to Coverage.—

(1) In General.—Section 2107(c)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

(A) by redesignating subparagraphs (J) through (S) as subparagraphs (K) through (U) respectively; and

(B) by inserting after subparagraph (I) the following new subparagraph:

‘‘(J) PARRIALL COVERAGE OF LOW-INCOME PREGNANT AND POSTPARTUM WOMEN.—(A) In general.—The amount of assistance under section 1902(a)(16) (relating to the option to provide medical assistance consisting of full benefits during pregnancy and throughout the 12-month postpartum period under title XIX), if the State provides child health assistance for targeted low-income children who are pregnant or targeted low-income pregnant women and the State has elected to apply such paragraph (16) with respect to pregnant women under title XIX, the provision of assistance under the State child health plan or waiver for targeted low-income children or targeted low-income pregnant women during pregnancy and the 12-month postpartum period shall be required and not at the option of the State and shall include the coverage of assistance provided to a targeted low-income child or targeted low-income pregnant woman (as applicable) under the State child health plan or waiver.

(2) Optional Coverage of Targeted Low-Income Pregnant Women.—Section 2112(b)(2) of the Social Security Act (42 U.S.C. 1397l(b)(2)) is amended by inserting after ‘‘60–day period’’ the following: ‘‘, or, in the case that subparagraph (A) of section 1902(e) applies to the State child health plan (or waiver of such plan) for vaccines described in section 1905(a)(4)(E),’’.

(b) Effective Date.—The amendments made by subsection (a) shall apply with respect to State elections made under paragraph (16) of section 1902(e) of the Social Security Act (42 U.S.C. 1396a(e)), as added by section 9012(a) of subtitle J of this title, during the 5-year period beginning on the first day of the first fiscal quarter that begins one year after the date of the enactment of this Act.

Subtitle L—Medicare

SEC. 9831. FLOOR ON THE MEDICARE AREA WAGE INDEX FOR HOSPITALS IN ALL-URBAN STATES.

(a) In General.—Section 1886(d)(3)(E) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(E)) is amended—

(1) in clause (i), by striking ‘‘(or (ii))’’ and inserting ‘‘(i), (ii), or (iv)’’; and

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

‘‘(IV) FLOOR ON AREA WAGE INDEX FOR HOSPITALS IN ALL-URBAN STATES.—‘‘(I) In general.—For discharges occurring on or after October 1, 2021, the area wage index applicable under paragraph (3) of this section (relating to the State option to provide hospital payment rates) to any hospital in an all-urban State (as defined in subsection (IV)) may not be less than the minimum area wage index for the fiscal year for such State, as established under subsection (II).

‘‘(II) Minimum area wage index.—For purposes of subparagraph (I), the Secretary shall establish the minimum area wage index for a fiscal year for hospitals in each all-urban State using the methodology described in section 412.64(h)(4)(vi) of title 42, Code of Federal Regulations, as in effect on June 9, 2019.

‘‘(III) Waiving budget neutrality.—Pursuant to the fifth sentence of clause (i), this...
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Subtitle M—Coronavirus State and Local Fiscal Recovery Funds

SEC. 9901. CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS.

(a) In General.—Title VI of the Social Security Act (42 U.S.C. 1395wwd) as amended by adding at the end the following:

"SEC. 602. CORONAVIRUS STATE FISCAL RECOVERY FUND.

"(a) Appropriation.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available until expended, for oversight of activities supported with funds appropriated to the Department of Health and Human Services to combat coronavirus 2019 or COVID–19, domestically or internationally.

(b) Waiver Authority.—Section 1135(b)(2) of the Social Security Act (42 U.S.C. 1320b–5(b)) is amended—

"(2) in the flush matter at the end, by adding a semicolon and the following—

"(3) to comply with the requirement of subclause (II) in paragraph (6).

(c) Requirements.—

"(1) USE OF FUNDS.—Subject to paragraph (2), except as provided in paragraph (3), a State, territory, or Tribal government shall only use the funds provided under a

(IV) ALL-URBAN STATE DEFINED.—In this clause, the term ‘all-urban State’ means a State in which there are no rural areas (as defined in paragraph (2)(D)) or a State in which there are no hospitals classified as rural under this section.

(b) Waiving Budget Neutrality.—Section 1866(d)(3)(E)(i) of the Social Security Act (42 U.S.C. 1395wwd(d)(3)(E)(i)) is amended, in the fifth sentence—

"(I) by striking ‘‘and the amendments’’ and inserting ‘‘, and the amendments made by section 9831(a) of the American Rescue Plan Act of 2021’’ after ‘‘Care Act’’.

SEC. 9832. SECRETARIAL AUTHORITY TO TEMPORARILY WAIVE OR MODIFY APPLICATION CERTAIN FISCAL RECOVERY FUND REQUIREMENTS WITH RESPECT TO AMBULANCE SERVICES FURNISHED DURING CERTAIN EMERGENCY PERIODS.

(a) Waiver Authority.—Section 1135(b) of the Social Security Act (42 U.S.C. 1320b–5(b)) is amended—

"(1) in the first sentence—

"(A) in paragraph (7), by striking ‘‘and’’ at the end;

"(B) in paragraph (8), by striking the period at the end and inserting ‘‘; and’’;

"(C) inserting at the end of paragraph (8) the following new paragraph:

"(9) any requirement under section 1861(e)(7) or section 1861(r) that an ambulance service include the transport of an individual to the extent necessary to allow payment for ground ambulance services furnished in response to a 911 call or the equivalent in areas without a 911 call system in which an individual would have been transported to a destination permitted under Medicare regulations (as described in section 1834(l)(2)) or had not been transported to a destination permitted under Medicare regulations, if the ambulance service provided such transportation in a manner that would not occur as a result of community-wide emergency medical service (EMS) protocols due to the public health emergency described in subsection (g)(1)(B),’’;

"(2) in the flush matter at the end, by adding at the end the following—

"‘‘Ground ambulance services payment is made pursuant to paragraph (9) shall be paid at the base rate that would have been paid under the fee schedule established under 1834(l) (excluding any mileage payment) if the individual had not been transported and, with respect to ambulance services furnished by a critical access hospital or an entity described in paragraph (8) of such section, at the amount that otherwise would be paid under such paragraph.’’;

(b) Emergency Period Exception.—Section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)) is amended, in the matter preceding clause (i), by striking ‘‘subsection (b)(8)’’ and inserting ‘‘paragraphs (8) and (9) of subsection (b)’’.

SEC. 9833. FUNDING FOR OFFICE OF INSPECTOR GENERAL.

In addition to amounts otherwise available, there is appropriated to the inspector general of the Department of Health and Human Services for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,000,000, to remain available until expended, for oversight of activities supported with funds appropriated to the Department of Health and Human Services to prevent, prepare for, and respond to coronavirus 2019 or COVID-19, domestically or internationally.
(A) IN GENERAL.—A State or territory, or Tribal government, that has failed to comply with subparagraph (a) shall be required to repay to the Secretary the amount equal to the amount of funds used in violation of such subparagraph. For purposes of this subsection, in the case of a violation of this subparagraph, the term ‘Secretary’ means the Secretary of the Treasury.

(b) AUTHORITY TO MAKE PAYMENTS.—From the amount reserved under subparagraph (A), the Secretary shall reserve $18,030,000,000 for distribution to nonentitlement units of local government by the end of the 120-day period that begins on December 31, 2021, for making payments to nonentitlement units of local government.

(c) DISTRIBUTION TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT.—In general, of the amount allocated under this section to a State or territory, or Tribal government, the Secretary shall allocate it as follows:

(i) IN GENERAL.—Within 60 days after the date on which the Secretary has made all required payments under this section, the Secretary shall transfer to the States for distribution by the State to the total population of all nonentitlement units of local government in the United States.

(ii) TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT.—(A) IN GENERAL.—Not later than 30 days after a State receives a payment under paragraph (B), the State shall distribute it to the nonentitlement units of local government in the State an amount that bears the same proportion to the amount of such payment as the population of the nonentitlement units of local government in the State bears to the total population of all the nonentitlement units of local government in the United States.

(iii) DISTRIBUTION OF FUNDS.—If an authorized officer of a State required to make distributions under clause (i) certifies in writing to the Secretary before the end of the 30-day distribution period described in such clause that it would constitute an excessive administrative burden for the State to meet the terms of such clause with respect to 1 more such distributions, the authorized officer may request, and the Secretary shall grant, an extension of such period of not more than 30 days to allow the State to make such distributions in accordance with clause (i).

(II) ADDITIONAL EXTENSIONS.—(aa) IN GENERAL.—If a State has been granted an extension to the distribution period under clause (i) but is unable to make all the distributions required under clause (i) before the end of such period as extended, an authorized officer of the State may request an additional extension of the distribution period of not more than 30 days. The Secretary may grant a request for an additional extension of the period only if—

(A) the authorized officer making such request provides a written plan to the Secretary which an additional extension is requested, when the State expects to make such distribution and the actions the State has taken and will take in order to make all such distributions before the end of the distribution period (as extended under subclause (I) and this subclause); and

(bb) FURTHER ADDITIONAL EXTENSIONS.—If a State granted an additional extension of the distribution period under item (aa) requests any further extensions of such period, the request only may be granted subject to the requirements specified in item (aa).

(iv) RETURN OF EXCESS AMOUNTS.—Any amount not transferred to a nonentitlement unit of local government by the end of the distribution period so extended shall be returned to the Secretary.

(F) DETERMINATION FOR NONCOMPLIANCE.—If, by the end of the 120-day period that begins on the date a State receives a payment from the amount allocated under subparagraph (B), the State has failed to make all the distributions required from such amount in accordance with the terms of subparagraph (C) (including any extensions of the distribution period
First Tranche Amount for such city, State, or county and (3), as applicable, based on the respective population of all such entities and shall pay such allocation to such counties in accordance with paragraph (7).

**(B) Special rules.—**

(i) **Urban counties.—** No county that is an "urban county" (as defined in section 192 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) shall receive less than the amount the county would otherwise receive if under this paragraph were allocated to metropolitan cities and urban counties under section 106(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(b)).

(ii) **Counties that are not units of general local government.—** In the case of an amount to be paid to a county that is not a unit of general local government, the amount shall instead be paid to the State in which such county is located, and such State shall distribute such amount to each unit of general local government within such county in an amount that bears the same proportion to the amount to be paid to such county as the population of such county bears to the total population of such county.

(iii) **District of Columbia.—** For purposes of this paragraph, the District of Columbia shall be considered to consist of a single county that is a unit of general local government.

**(4) Consolidated Governments.—** A unit of general local government that has formed a consolidated government, or that is geographically contained (in full or in part) within another unit of general local government, may receive a distribution under each of paragraphs (1), (2), and (3) based on the respective formulas specified in those paragraphs.

**(5) Pro Rata Adjustment Authority.—** The amounts otherwise determined for allocation and payment under paragraphs (1), (2), and (3) may be adjusted by the Secretary on a pro rata basis to the extent necessary to ensure that all available funds are distributed to metropolitan cities, counties, and States in accordance with the requirements specified in each paragraph (as applicable) and the certification requirement specified in subsection (d).

**(6) Population.—** For purposes of determining allocations under this section, the population of an entity shall be determined based on the most recent data available from the Bureau of the Census or, if not available, from such other data as a State determines appropriate.

**(7) Term Defined.—**

(A) **First Tranche Amount.—** To the extent practicable, with respect to each metropolitan city for which an amount is allocated under paragraph (1), such State for which such amount is allocated under paragraph (2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under paragraph (3), the Secretary shall pay from such allocation the First Tranche Amount for such city, State, or county not later than 60 days after the date of enactment of this section.

(B) **Second Tranche Amount.—** The Secretary shall pay to each metropolitan city for which an amount is allocated under paragraph (1), each State for which an amount is allocated under paragraph (2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under paragraph (3), the Second Tranche Amount for such city, State, or county not earlier than 12 months after the date of enactment of this section.

**(c) Requirements.—**

(1) **Use of Funds.—** Subject to paragraph (2), and as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county due to such emergency.

(2) **To make necessary investments in water, sewer, or broadband infrastructure.**

(3) **Pension Funds.—** No metropolitan city, nonentitlement unit of local government, or county may use funds made available under this section for deposit into any pension fund.

(4) **Transfer Authority.—** A metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section may transfer funds to a private nonprofit organization (as that term is defined in paragraph (17) of section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11366(17))), a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.

(5) **Transfers to States.—** Notwithstanding paragraph (1), a metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section may transfer funds to a private nonprofit organization (as that term is defined in paragraph (17) of section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11366(17))), a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.

(6) **Reporting.—** An metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section shall provide to the Secretary a public report that provides a detailed accounting of the uses of such funds by such metropolitan city, nonentitlement unit of local government, or county and including such other information as the Secretary may require for the administration of this section.

**(e) Recoupment.—** Any metropolitan city, nonentitlement unit of local government, or county that has failed to comply with subsection (c) shall be required to repay to the Secretary an amount equal to the amount of funds used in contravention of such subsection.

**(f) Regulations.—** The Secretary shall have the authority to issue such regulations as may be necessary or appropriate to carry out this section.

**(g) Definitions.—** In this section:

(i) **County.**—The term ‘county’ means a county or other equivalent county division (as defined by the Bureau of the Census).

(2) **Covered Period.**—The term ‘covered period’ means, with respect to a metropolitan city, nonentitlement unit of local government, or county receiving funds under this section, the period:

(A) **begins on March 3, 2021; and (B) ends on the last day of the fiscal year of the metropolitan city, nonentitlement unit of local government, or county under this section that is not a fiscal year ending on December 31, 2021.**
"(B) The Secretary shall pay $100,000,000 to the
Commonwealth of Puerto Rico and
$100,000,000 to the District of Columbia;

(3) TRIBAL GOVERNMENT.—The term 'Tribal
government' has the meaning given such
term in section 603(g).

(a) IN GENERAL.—From the amount of the
appropriation to the Secretary, a pre-payment, a prospective pay-
ment to such provider for a date of COVID–19, and lost revenues attributable
to COVID–19.

1886(d)(2)(D)); or

"(B) any other rural area (as defined by the
Secretary)."

"(C) the Secretary shall pay $100,000,000 of
such amount to Tribal governments and the
States located among the States based on the pro-
portion that the population of each State
remains after the application of paragraph (1),
(i) not less than $50,000 shall be paid to each State government; and
(ii) not less than $50,000 shall be paid to
the State of Hawaii for the exclusive use of
the Department of Hawaiian Home Lands
and the Native Hawaiian Education Pro-
grams to assist Native Hawaiians in accord-
ance with this section.

"(2) REMAINING AMOUNTS.—(A) In addition to the amount of the
appropriation under subsection (a) that re-
 mains after the application of paragraph (1),
the Secretary shall make payments to States based on such the-

"(i) 50 percent of such amount shall be al-
llocated among the States based on the pro-
portion that the population of each State
bears to the population of all States; and

"(ii) 25 percent of such amount shall be al-
llocated among the States based on the pro-
portion that the number of individuals living
in rural areas in each State bears to the number
of individuals living in rural areas in all States;
and

"(iii) 25 percent of such amount shall be al-
llocated among the States based on the pro-
portion that the number of individuals with
a household income that is below 150 percent of
the poverty line applicable to a family of
the size involved in each State bears to the

"(D) the Secretary shall pay $100,000,000 of
such amount to Tribal governments and the
States located among the States based on the pro-
portion that the number of individuals living in
rural areas in each State bears to the number
of individuals living in rural areas in all States.

"(B) DATA.—In determining the allocations to be made to each State under subparagraph (A), the Secretary of the Treasury shall use the most recent data available from the Bu-
reau of the Census.

"(c) TIMING.—The Secretary shall establish a process for applying for grants to access funding made available under section (b) not later than 60 days after enactment of this section.

"(d) DEFINITIONS.—In this section: “(1) ELIGIBLE HEALTH CARE PROVIDER.—The term ‘eligible health care provider’ means—

"(A) a provider of services (as defined in
section 1861(u)) or a supplier (as defined in
section 1861(d)) that

"(ii) is enrolled with a State Medicaid plan
under title XVII of such program (as the
Secretary shall prescribe) as the Secretary
determines is necessary to ensure compliance with
any conditions imposed by the Secretary under
this section.

"(3) Such assurances as the Secretary de-

"(4) Any other information determined ap-
propriate by the Secretary.

"(d) LIMITATIONS.—Payments made to an el-
igible health care provider under this section may not be used to reimburse any expense or loss that—

"(1) has been reimbursed from another source;
or

"(2) another source is obligated to reim-
burse.

"(e) APPLICATION OF REQUIREMENTS, RULES,
AND PROCEDURES.—The Secretary shall apply any requirements, rules, or procedures as the Secretary deems appropriate for the efficient execution of this section.

"(f) DEFINITIONS.—In this section:

"(1) ELIGIBLE HEALTH CARE PROVIDER.—The term ‘eligible health care provider’ means—

"(A) a provider of services (as defined in
section 1861(u)) or a supplier (as defined in
section 1861(d)) that

"(i) meets the Medicare program
under title XVIII of such program (as the
Secretary shall prescribe) as the Secretary
determines is necessary to ensure compliance with
any conditions imposed by the Secretary under
this section.

"(ii) provides diagnoses, testing, or care for
individuals with possible or actual cases of
COVID–19;

"(iii) is located in a rural area or treated as
located in a rural area pursuant to section
1886(d)(8)(E); or

"(B) a provider or supplier that—

"(i) is enrolled in a State Medicaid plan
under title XIX (or a waiver of such plan) in
accordance with subsections (a)(77) and (kk)
of section 1902 (including enrolled pursuant to
section 1396a(l) or section 1922(b)(6) or
enrolled with a State child health plan under
title XXI (or a waiver of such plan) in
accordance with subparagraph (G) of section
1396a(l) (including enrolled pursuant to
paragraph (D) or (Q) of such section);

"(ii) provides diagnoses, testing, or care for
individuals with possible or actual cases of
COVID–19;

"(iii) is located in a rural area.

"(2) HEALTH CARE RELATED EXPENSES AT-
tributable to COVID–19.—The term ‘health
care related expenses attributable to COVID–19’ means health care related expenses to
prevent, prepare for, and respond to COVID–19, including the building or construction of
facilities, the purchase of medical supplies and equipment, including personal protective
equipment and testing supplies, providing for increased workforce and training, including
maintaining staff, obtaining additional staff, or both, the operation of an emergency oper-
ating facility, providing for surge capacity, and other expenses determined appropriate by the
Secretary.

"(3) LOSS REVENUE ATTRIBUTABLE TO
COVID–19.—The term ‘loss revenue attributable to
COVID–19’ has the meaning given that term in
the Frequently Asked Questions guidance
released by the Department of Health and Human Services in June 2020, including the
difference between such provider’s budgeted and actual revenue if such budget had been
established and approved prior to March 27, 2020.

"(4) PAYMENT.—The term ‘payment’ in-
cludes, as determined appropriate by the
Secretary, a pre-payment, a prospective pay-
ment, a retrospective payment, or a payment
through a grant or other mechanism.

"(5) RURAL AREA.—The term ‘rural area’ means—

"(A) a rural area (as defined in section
1886(d)(2)(D)); or

"(B) any other rural area (as defined by the
Secretary)."

"(2) LIMITATIONS.—Payments made to an el-
igible health care provider under this section may not be used to reimburse any expense or loss that—

"(1) has been reimbursed from another source;
or

"(2) another source is obligated to reim-
burse.

"(3) such miscellaneous amounts as the
Secretary determines are necessary to ensure compliance with any conditions imposed by the Secretary under
this section.

"(4) Other information determined ap-
propriate by the Secretary.

"(c) LIMITATIONS.—Payments made to an el-
igible health care provider under this section may not be used to reimburse any expense or loss that—

"(1) has been reimbursed from another source;
or

"(2) another source is obligated to reim-
burse.

"(3) such miscellaneous amounts as the
Secretary determines are necessary to ensure compliance with any conditions imposed by the Secretary under
this section.

"(4) Other information determined ap-
propriate by the Secretary.

"(d) LIMITATIONS.—Payments made to an el-
igible health care provider under this section may not be used to reimburse any expense or loss that—

"(1) has been reimbursed from another source;
or

"(2) another source is obligated to reim-
burse.

"(3) such miscellaneous amounts as the
Secretary determines are necessary to ensure compliance with any conditions imposed by the Secretary under
this section.

"(4) Other information determined ap-
propriate by the Secretary.

"(e) APPLICATION OF REQUIREMENTS, RULES,
AND PROCEDURES.—The Secretary shall apply any requirements, rules, or procedures as the Secretary deems appropriate for the efficient execution of this section.

"(f) DEFINITIONS.—In this section:

"(1) ELIGIBLE HEALTH CARE PROVIDER.—The term ‘eligible health care provider’ means—

"(A) a provider of services (as defined in
section 1861(u)) or a supplier (as defined in
section 1861(d)) that

"(i) meets the Medicare program
under title XVIII of such program (as the
Secretary shall prescribe) as the Secretary
determines is necessary to ensure compliance with
any conditions imposed by the Secretary under
this section.

"(ii) provides diagnoses, testing, or care for
individuals with possible or actual cases of
COVID–19;

"(iii) is located in a rural area or treated as
located in a rural area pursuant to section
1886(d)(8)(E); or

"(B) a provider or supplier that—

"(i) is enrolled in a State Medicaid plan
under title XIX (or a waiver of such plan) in
accordance with subsections (a)(77) and (kk) of
section 1902 (including enrolled pursuant to
section 1396a(l) or section 1922(b)(6) or
enrolled with a State child health plan under
title XXI (or a waiver of such plan) in
accordance with subparagraph (G) of section
1396a(l) (including enrolled pursuant to
paragraph (D) or (Q) of such section);

"(ii) provides diagnoses, testing, or care for
individuals with possible or actual cases of
COVID–19;

"(iii) is located in a rural area.

"(2) HEALTH CARE RELATED EXPENSES AT-
tributable to COVID–19.—The term ‘health
care related expenses attributable to COVID–19’ means health care related expenses to
prevent, prepare for, and respond to COVID–19, including the building or construction of
facilities, the purchase of medical supplies and equipment, including personal protective
equipment and testing supplies, providing for increased workforce and training, including
maintaining staff, obtaining additional staff, or both, the operation of an emergency oper-
ating facility, providing for surge capacity, and other expenses determined appropriate by the
Secretary.

"(3) LOSS REVENUE ATTRIBUTABLE TO
COVID–19.—The term ‘loss revenue attributable to
COVID–19’ has the meaning given that term in
the Frequently Asked Questions guidance
released by the Department of Health and Human Services in June 2020, including the
difference between such provider’s budgeted and actual revenue if such budget had been
established and approved prior to March 27, 2020.

"(4) PAYMENT.—The term ‘payment’ in-
cludes, as determined appropriate by the
Secretary, a pre-payment, a prospective pay-
ment, a retrospective payment, or a payment
through a grant or other mechanism.

"(5) RURAL AREA.—The term ‘rural area’ means—

"(A) a rural area (as defined in section
1886(d)(2)(D)); or

"(B) any other rural area (as defined by the
Secretary)."
SEC. 11001. INDIAN HEALTH SERVICE.

(a) In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,875,000,000, to remain available until September 30, 2022, for necessary expenses to carry out the provisions of section 511 of chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346) as such programs are extended or modified as the Secretary determines to be necessary to achieve the purposes described in subparagraphs (F) and (G), and for other vaccine-related activities; and

(b) Funds appropriated by subsection (a) shall be in addition to other amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,875,000,000, to remain available until September 30, 2022, for necessary expenses to carry out the provisions of section 511 of chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346) as such programs are extended or modified as the Secretary determines to be necessary to achieve the purposes described in subparagraphs (F) and (G), and for other vaccine-related activities; and

(1) $1,500,000,000 shall be for paying the costs of resettling refugees in the United States.

(2) $3,750,000,000 to be made available to the Department of State to support programs for the prevention, treatment, control of HIV/AIDS, Tuberculosis, and Malaria.

(3) $3,500,000,000 to be made available to the United States Agency for International Development for global health activities to prevent, prepare for, and respond to coronavirus, which shall include recovery from the impacts of such virus and shall be allocated pursuant to section 7 of the Act of August 5, 1954 (42 U.S.C. 200 et seq.), commonly referred to as the “Secretary”, and such funds shall be in addition to other amounts otherwise available, there is appropriated to the Secretary of the Department of Health and Human Services (in this section referred to as the “Secretary”), for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,875,000,000, to remain available until September 30, 2022, for necessary expenses to carry out the provisions of section 511 of chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346) as such programs are extended or modified as the Secretary determines to be necessary to achieve the purposes described in subparagraphs (F) and (G), and for other vaccine-related activities; and

(4) $930,000,000 to be made available to the Department of Health and Human Services, which shall be made available for the costs of vaccinating individuals against COVID-19.

(b) WAIVER OF LIMITATION.—Any contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria pursuant to subsection (a)(2) shall be made available not withstanding section 202(d)(4)(A)(i) of the Global Fund Act (25 U.S.C. 1621(f)).

(1) $2,000,000,000 shall be for lost reimbursements, in accordance with section 207 of the Indian Health Care Improvement Act (25 U.S.C. 1621(f)).

(2) $500,000,000, to remain available until September 30, 2022, to carry out the provisions of section 531 of the Indian Health Care Improvement Act (25 U.S.C. 1621(f)).

(3) $10,000,000 shall be for carrying out section 7 of the Act of August 5, 1954 (42 U.S.C. 200 et seq.) with respect to the Indian Health Service, of which—

(1) $2,000,000,000 shall be for lost reimbursements, in accordance with section 207 of the Indian Health Care Improvement Act (25 U.S.C. 1621(f));

(2) $500,000,000, to remain available until September 30, 2022, to carry out the provisions of section 531 of the Indian Health Care Improvement Act (25 U.S.C. 1621(f)); and

(3) $10,000,000 shall be for carrying out section 7 of the Act of August 5, 1954 (42 U.S.C. 200 et seq.) with respect to the Indian Health Service; and

(4) $1,500,000,000 shall be for lost reimbursements, in accordance with section 207 of the Indian Health Care Improvement Act (25 U.S.C. 1621(f)).

SEC. 11004. HUMANITARIAN RESPONSE.

(a) In GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of Health and Human Services (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2022, to carry out the provisions of section 2(a) and (b) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2801(a) and (b)) to prevent, prepare for, and respond to coronavirus.

(b) USE OF FUNDS.—Funds appropriated pursuant to this section shall not be made available for the costs of resettling refugees in the United States.

SEC. 11005. MULTILATERAL ASSISTANCE.

In addition to amounts otherwise available, there is authorized and appropriated to the Secretary of the Treasury for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2022, to carry out the provisions of section 301(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2212(a)) to prevent, prepare for, and respond to coronavirus.

SEC. 11006. INDIVIDUAL ACTIVITIES.

Title XI—Committee on Indian Affairs

SEC. 11002. BUREAU OF INDIAN AFFAIRS.

(a) In GENERAL.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Interior (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $300,000,000 to remain available until September 30, 2022, in pursuance of section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), for the purpose of providing grants to Tribes to carry out the provisions of section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), and such funds shall only be used for the purposes identified in this section.

(b) EXCLUSIONS FROM CALCULATION.—Funds appropriated under subsection (a) shall be excluded from the calculation of funds received by those Tribes that participated in the “Small and Niche” program.

(c) ONE-TIME BASIS FUNDS.—Funds made available under subsection (a) to Tribes and Tribal organizations under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) shall be available on a one-time basis. Such non-recurring funds shall not be part of the amount required by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), and such funds shall only be used for the purposes identified in this section.

SEC. 11003. PROVISION FOR SUPPORTIVE SERVICES PROGRAMS FOR NATIVE AMERICANS.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Interior (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $500,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus.

(b) USE OF FUNDS.—Funds appropriated pursuant to this section shall be available for the purposes specified in this section, either directly or through reimbursement, for obligations for the purposes specified in this section that were incurred to prevent, prepare for, and respond to COVID-19 during the period beginning on the public health emergency was declared by the Secretary on January 31, 2020, pursuant to section 319 of the Public Health Service Act (42 U.S.C. 244d-2) with respect to COVID-19 and ending on the date of the enactment of this Act.

(c) FUNDS MADE AVAILABLE UNDER SUBSECTION (a) TO TRIBES AND TRIBAL ORGANIZATIONS UNDER THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT (25 U.S.C. 5301 ET SEQ.) SHALL BE AVAILABLE ON A ONE-TIME BASIS. Such non-recurring funds shall not be part of the amount required by section 106 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), and such funds shall only be used for the purposes identified in this section.

SEC. 11004. TRANSPORTATION ASSISTANCE.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary of the Department of Transportation (in this section referred to as the “Secretary”) for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $300,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus.

(b) USE OF FUNDS.—Funds appropriated pursuant to this section shall be available for the purposes specified in this section, either directly or through reimbursement.
be for grants under title I of NAHASDA and shall be distributed according to the same funding formula used in fiscal year 2021. (B) NATIVE HAWAIIANS.—Of the amounts made available under this paragraph, $5,000,000 shall be for grants under title VIII of NAHASDA. (C) Usr.—Amounts made available under this paragraph shall be used by recipients to prevent, prepare for, and respond to coronavirus, including to maintain normal operations and fund eligible affordable housing activities under NAHASDA during the period that the program is impacted by coronavirus. In addition, amounts made available under subparagraph (B) may be used to provide assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands. (D) TIMING OF OBLIGATIONS.—Amounts made available under this paragraph shall be used, as necessary, to cover or reimburse allowable costs to prevent, prepare for, and respond to coronavirus that are incurred by a recipient, including for costs incurred after January 21, 2020. (E) WAIVERS OR ALTERNATIVE REQUIREMENTS.—The Secretary may waive or specify alternative requirements for any provision of NAHASDA, subject to subparagraph (B), if the Secretary determines that the provision is not necessary to expedite or facilitate the use of funds made available under this paragraph. (F) UNOBLIGATED AMOUNTS.—Amounts made available under this paragraph which are not accepted, are voluntarily returned, or otherwise recaptured for any reason shall be used to fund grants under paragraph (2). (G) INDIAN COMMUNITY DEVELOPMENT BLOCK GRANTS.—$280,000,000 shall be available for grants under title I of the Housing and Community Development Act of 1974, subject to the following terms and conditions: (A) Use.—Amounts made available under this paragraph shall be used, without competition, for emergencies that constitute imminent threats to health and safety, and are designed to prevent, prepare for, and respond to coronavirus. (B) PLANNING.—Not to exceed 20 percent of any grant made with funds made available under this paragraph shall be expended for planning and management development and administration. (C) TIMING OF OBLIGATIONS.—Amounts made available under this paragraph shall be used, as necessary, to cover or reimburse allowable costs to prevent, prepare for, and respond to coronavirus that are incurred by a recipient, including for costs incurred after January 21, 2020. (D) INAPPLICABILITY OF PUBLIC SERVICES CAP.—Any use up to 100 percent of any grant from amounts made available under this paragraph for public services activities to prevent, prepare for, and respond to coronavirus that are incurred after January 21, 2020, shall be authorized. (E) WAIVERS OR ALTERNATIVE REQUIREMENTS.—The Secretary may waive or specify alternative requirements for any provision of title VIII of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) or regulation applicable to the Native American Housing Block Grants or Native Hawaiian Housing Block Grant program other than requirements relating to nondiscrimination, labor standards, and the environment, upon a finding that the waiver or alternative requirement is necessary to expedite or facilitate the use of amounts made available under this paragraph.

(3) TECHNICAL ASSISTANCE.—$10,000,000 shall be used to make new awards or increase prior awards to existing technical assistance providers to provide an immediate increase in technical assistance to Indian tribes, Indian housing authorities, tribally designated housing entities, and recipients under title VIII of NAHASDA for activities authorized under section 6304(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441(c)); and

(4) OTHER COSTS.—$5,000,000 shall be used for the administrative costs to oversee and administer the implementation of this section, including for costs associated with information technology, financial reporting, and other costs.

SEC. 11004. COVID-19 RESPONSE RESOURCES FOR THE PRESERVATION AND MAINTENANCE OF NATIVE AMERICAN LANGUAGES. (a) Section 816 of the Native American Programs Act of 1974 (42 U.S.C. 2902(a)) is amended by adding at the end the following: ("(f) In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $20,000,000 to remain available until expended, to carry out section 6304(c) of this Act.") (b) Section 803C of the Native American Programs Act of 1974 (42 U.S.C. 2901b-3) is amended by adding at the end the following:

"(g) EMERGENCY GRANTS FOR NATIVE AMERICAN LANGUAGE PRESERVATION AND MAINTENANCE.—Not later than 180 days after the effective date of this subsection, the Secretary shall award grants to entities eligible to receive assistance under subsection (a)(1) to ensure the survival and continuing vitality of Native American languages during and after the public health emergency declared by the Secretary pursuant to section 319 of the Public Health Service Act (42 U.S.C. 276d) with respect to the COVID-19 pandemic.""

SEC. 11005. BUREAU OF INDIAN EDUCATION. In addition to amounts otherwise available, there is appropriated for the Bureau of Indian Education for fiscal year 2021, out of any money in the Treasury, not otherwise appropriated, $85,000,000, to remain available until expended, to be allocated by the Director of the Bureau of Indian Education not more than 45 calendar days after the date of enactment of this Act, for programs or activities carried out by the Bureau of Indian Education, for Bureau-funded schools (as defined in section 1141(3) of the Education Amendments of 1978 (25 U.S.C. 2221(3)), and for "B" Consultants (as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1090(b)(b)(b))),

SEC. 11006. AMERICAN INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION. In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $196,000,000, to remain available until expended, to be allocated by the Secretary of Education not more than 180 calendar days after the date of enactment of this Act, of which— (1) $20,000,000 shall be for awards for Tribal education agencies for activities authorized under section 6121(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7441(c));

(2) $85,000,000 shall be for awards to entities eligible to receive grants under section 6205(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7315(a)(1)) for activities authorized under section 6205(a)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7315(a)(3)); and


SA 892. Mr. Hagerty submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows: Strike subtitle D of title III.

SA 893. Mr. Hagerty submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows: Strike section 7101.

SA 894. Mr. Hagerty submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows: Strike section 1106.

SA 895. Mr. Hagerty submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows: Strike section 2605 of the amendment.

In addition to amounts otherwise available, including amounts otherwise made available under this title, there is appropriated to the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $196,000,000, to remain available until expended, for carrying out sections 520E and 520E-2 of the Public Health Service Act (42 U.S.C. 290b-36, 290b-36b).

SA 898. Mr. Hagerty submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. Schumer to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows: Strike section 2605 and insert the following:

SEC. 2605. ADDITIONAL FUNDING FOR YOUTH SUICIDE PREVENTION. In addition to amounts otherwise available, including amounts otherwise made available under this title, there is appropriated for the Secretary for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $177,000,000, to remain available until expended, for carrying out sections 5302 and 5302-2 of the Public Health Service Act (42 U.S.C. 290b-36, 290b-36b).
Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

SEC. 6004. CLEAN OCTANE STANDARD.

Section 211 of the Clean Air Act (42 U.S.C. 7546) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “or (o)” each place it appears and inserting “(o), or (w)”;

(B) in paragraph (2), by striking “and (o)” each place it appears and inserting “(o), and (w)”;

and

(2) by adding at the end the following:

(w) CLEAN OCTANE STANDARD.—

(I) ANNUAL AVERAGE LIMITATION; CAP.—Effective on and after January 1, 2023—

(A) no refiner or importer shall sell motor vehicle gasoline that contains, on an average annual basis, an aromatic hydrocarbon content in excess of 17.5 percent; and

(B) no person shall sell motor vehicle gasoline that contains an aromatic hydrocarbon content in excess of 17.5 percent.

(II) VACCINE ACTIVITIES.

Mr. GRASSLEY (for himself, Mr. MARSHALL, and Mr. Cramer) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 6005(a) (relating to funding for pollution and disparate impacts of the COVID–19 pandemic), in the matter preceding paragraph (1), strike “pollution and”.

Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of section 6005, add the following:

SEC. 6006. PROHIBITION ON VOLUNTARY CONTRIBUTIONS.

Amounts appropriated by this Act may not be used to make a voluntary contribution to the World Health Organization unless the World Health Assembly adopts reforms to the International Health Regulations designed to improve transparency and international cooperation by State Parties in response to outbreaks of infectious diseases.

Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 10006. THE ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ACTING THROUGH THE DIRECTOR OF THE FEDERAL MANAGEMENT AGENCY, SHALL SUBMIT TO CONGRESS REGULAR REPORTS THAT INCLUDE AN ACCOUNTING OF THE FUNDS AVAILABLE UNDER THIS SECTION AND THE USE OF THOSE FUNDS.

SA 906. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 3301(a)(2), add at the end the following:

SEC. 3301. ADDITIONAL FUNDING FOR COVID–19 RESPONSE ACTIVITIES.

In addition to amounts otherwise available, there is appropriated to the Administrator of the Federal Emergency Management Agency for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $700,000,000, to remain available until expended, to assist the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, in carrying out section 2301.

Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 2403 is added by adding at the end the following: “None of the funds made available under this section may be used for any activity that is prohibited under section 104(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151f(f)).”.

Mr. GRASSLEY (for himself, Mr. MARSHALL, and Mr. Cramer) submitted an amendment intended to be proposed by him to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 1001(b), strike paragraphs (3) and (4) and insert the following:

(3) to make grants and loans for small or mid-sized food processors or distributors, seafood processing facilities and processing vessels, food processors, or other organizations to respond to COVID–19, including for measures to protect workers against COVID–19;

(4) to make loans and grants and provide other assistance to maintain and improve food and agricultural supply chain resiliency; and

(5) to make payments for necessary expenses related to losses of crops (including losses due to high winds or derechoes) in the same manner as under title I of the Additional Supplemental Appropriations for Disaster Relief Act, 2019 (Public Law 116–20; 133 Stat. 871; 133 Stat. 1097; 133 Stat. 2659), for crop losses in crop year 2020.

Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

SEC. 6004. CLEAN OCTANE STANDARD.

Section 211 of the Clean Air Act (42 U.S.C. 7546) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “or (o)” each place it appears and inserting “(o), or (w)”;

(B) in paragraph (2), by striking “and (o)” each place it appears and inserting “(o), and (w)”;

and

(2) by adding at the end the following:

(w) CLEAN OCTANE STANDARD.—

(I) ANNUAL AVERAGE LIMITATION; CAP.—Effective on and after January 1, 2023—

(A) no refiner or importer shall sell motor vehicle gasoline that contains, on an average annual basis, an aromatic hydrocarbon content in excess of 17.5 percent; and

(B) no person shall sell motor vehicle gasoline that contains an aromatic hydrocarbon content in excess of 17.5 percent.

At the end of title X, add the following:

SA 907. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

SEC. 5001. ACCOUNTING OF FEMA EXPENDITURES RELATED TO THE COVID–19 PANDEMIC.

The Administrator of the Federal Emergency Management Agency shall submit to Congress regular reports that include an accounting of assistance provided by the Agency relating to the COVID–19 pandemic.

SA 908. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 10006. PROHIBITION ON VOLUNTARY CONTRIBUTIONS.

Amounts appropriated by this Act may not be used to make a voluntary contribution to the World Health Organization unless the World Health Assembly adopts reforms to the International Health Regulations designed to improve transparency and international cooperation by State Parties in response to outbreaks of infectious diseases.

SA 909. Mr. HAGERTY submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 6002(a) (relating to funding for pollution and disparate impacts of the COVID–19 pandemic), in the matter preceding paragraph (1), strike “pollution and”.

SA 910. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of section 1001 (relating to food supply chain and agriculture pandemic response), strike subsection (b) and insert the following:

(b) USE OF FUNDS.—The Secretary of Agriculture shall use the amounts made available pursuant to subsection (a)—

(1) to purchase food and agricultural commodities;

(2) to purchase and distribute agricultural commodities (including fresh produce, dairy, seafood, eggs, and meat) to individuals in need, including through delivery to nonprofit organizations and through restaurants and other food related entities, as determined by
the Secretary, that may receive, store, process, and distribute food items;
(3) to make payments to producers of advanced biofuel, biomass-based diesel, cellulosic biofuel, conventional biofuel, or renewable fuel (as those terms are defined in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1))) produced in the United States for unexpected market losses as a result of COVID-19;
(4) to make grants and loans for small or midsize food processors or distributors, seafood processors and processing vessels, farmers markets, producers, or other organizations to respond to COVID-19, including for measures to protect workers against COVID-19;
(5) to make loans and grants and provide other assistance to maintain and improve food and agricultural supply chain resiliency.

SA 911. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of section 5001, add the following:

(e) ELIGIBILITY FOR CERTAIN FARMERS AND RANCHERS.—Section 7(a)(36)(V)(i)(I) of the Small Business Administration (SBA) Headquarters, as amended by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116-260), as amended by inserting ”, is a partnership, is a single member limited liability company,” after “independent contractor.”.

SA 912. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of title I, add the following:

Subtitle C—Other Matters

SEC. 1201. CFAP PAYMENTS REINSTATED.

Funds appropriated under this title may not be made available for any purpose until the Secretary of Agriculture reinstates the processing and obligating of payments and additional payments under the coronavirus food assistance program under part 9 of title 7, Code of Federal Regulations.

SA 913. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

On page 579, line 15, and insert the following:

“(iii) an amount equal to the remainder of the amount appropriated under subparagraph (A) after the application of clauses (i) and (ii) of this subparagraph shall be allocated by the Secretary as an additional amount to each of the 50 States and the District of Columbia in an amount which bears the same proportion to such remainder as the population of the State or District of Columbia (as determined based on the most recent data available from the Bureau of the Census) bears to the total population of all 50 States and the District of Columbia (as so determined).

SA 914. Mr. CORNYN (for himself and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

On page 584, insert the following after line 17:

“(d) REQUIREMENT TO FUND STATE, TERRITORIAL, AND LOCAL LAW ENFORCEMENT.—Notwithstanding any other provision of this title, a State or territory shall use not less than 10 percent of any payment received by the State or territory under this section to fund State, territorial, and local law enforcement agencies.

SA 915. Mr. CORNYN (for himself and Mr. SCOTT of South Carolina) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of subtitle G of title IX, insert the following:

SEC. 96. 2017 MODIFICATIONS TO CHILD TAX CREDIT MADE PERMANENT.

(a) In General.—Section 34(b)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ”before January 1, 2026,” in paragraph (1), and

(2) by striking “after January 1, 2025” in the heading and inserting “AFTER 2017”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 97. 2017 MODIFICATIONS TO CHILD TAX CREDIT MADE PERMANENT.

(a) In General.—(Section 34(b)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ”before January 1, 2026,” in paragraph (1), and

(2) by striking “after January 1, 2025” in the heading and inserting “AFTER 2017”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 98. PERMANENT EXTENSION OF LIMITATION ON DEDUCTION FOR STATE AND LOCAL, ETC., TAXES.

In General.—Section 46(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking “10%” in the heading and inserting ”100%”, and

(2) by striking “the State or political subdivision” in the heading, and inserting “the State”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SA 916. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

On page 590, line 9 and all that follows through page 592, line 18, and insert the following:

“(a)(2),” and insert “(a)(3),” and insert as a new paragraph:

”(3) LIMITATION ON DEDUCTION FOR STATE AND LOCAL, ETC., TAXES.

In General.—Section 46(b) of the Internal Revenue Code of 1986 is amended—

(1) by striking “10%” in the heading and inserting ”100%”, and

(2) by striking “the State or political subdivision” in the heading, and inserting “the State”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SA 919. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of section 9013, insert the following:

(c) PROHIBITING THE PAYMENT OF FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION TO MILLIONAIRES.—

(1) IN GENERAL.—Section 2104(b) of the CARES Act (15 U.S.C. 9002(b)(ii)) is amended by adding at the end the following new paragraph:

”(v) PROHIBITION ON COMPENSATION TO MILLIONAIRES.—

(A) IN GENERAL.—Federal Pandemic Unemployment Compensation provided under this section shall not be payable to any individual whose adjusted gross income is equal to or greater than $1,000,000.

(B) COMPLIANCE.—Any application for regular benefits shall include in form or procedure for an individual applicant to certify that such individual is not prohibited from receiving such compensation; and

(C) ENFORCEMENT.—The Secretary of the Treasury (in consultation with the heads of other appropriate Federal agencies) shall develop and implement procedures to ensure compliance with the requirements of this section.
from receiving Federal Pandemic Unemployment Compensation pursuant to subpara-
graph (A).

"(C) AUDITS.—The certifications required by subsection (a)(1) shall be auditable by the Department of Labor.

(2) RULE OF CONSTRUCTION.—Nothing in the amendment made by paragraph (1) may be construed to require regular compensation or extended compensation (as such terms are defined by section 205 of the Federal-State Extended Unemployment Compensation Act (26 U.S.C. 931 note)) to which an individual may be otherwise entitled.

(3) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to weeks of unemployment beginning on or after the date of the enactment of this Act.

SA 920. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro-
vide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. TAXATION OF FEDERAL PAYMENTS TO PERPETRATORS OF SEXUAL ASSAULT.

(a) IN GENERAL.—Section 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

"(k) INCOME OF PERPETRATORS OF SEXUAL ASSAULT.—

"(1) IN GENERAL.—In the case of any taxpayer to whom this subsection applies, the tax imposed by this section shall be equal to the greater of—

"(A) a tax imposed by this section without regard to this subsection, or

"(B) the sum of—

"(I) the tax which would be imposed by this section if the taxable income of such taxpayer for the taxable year were reduced by the applicable Federal payments to such taxpayer, plus

"(ii) 100 percent of the applicable Federal payments to such taxpayer.

"(2) TAXPAYER TO WHOM THIS SUBSECTION APPLIES.—This subsection shall apply to any taxpayer for any taxable year if such taxpayer is Federal employee or Federal con-
tactor employee who is subject to a sus-
tained complaint involving sexual assault or

"(3) APPLICABLE FEDERAL PAYMENT.—For purposes of this section—

"(A) IN GENERAL.—The term ‘applicable Federal payment’ means—

"(i) in the case of a taxpayer who is a Federal employee, the amount of wages paid to such taxpayer by the Federal government after the applicable date, and

"(ii) in the case of a taxpayer who is a Fed-
teral contractor employee, the sum of—

"(I) the amount of wages paid to such taxpayer after the applicable date by any employer who has a contract with the Federal government, plus

"(II) any other amount received by such taxpayer after the applicable date from the Federal government in connection with a contract with the Federal government.

"(B) APPLICABLE DATE.—The term ‘applica-
able date’ means—

"(i) in the case of a sexual assault conviction, the date that is 30 days after the later of the date of the sexual assault conviction or the date that is 30 days after such sustained complaint involv-
ing sexual assault becomes final.

"(ii) in the case of a sustained complaint involv-
ing sexual assault, the date that is 30 days after such sustained complaint involv-
ing sexual assault becomes final.

"(4) OTHER DEFINITIONS.—For purposes of this subsection—

"(A) FEDERAL EMPLOYEE.—The term ‘Fed-

eral employee’ has the meaning given the term ‘Federal employee’ in section 1905 of the Internal Revenue Code, with regard to whether the employee is exempted from the application of some or all of such title.

"(B) FEDERAL CONTRACTOR EMPLOYEE.—The term ‘Federal contractor employee’ includes any individual receiving monetary compen-
sation pursuant to a contract with the Fed-
eral Government.

"(C) SEXUAL ASSAULT CONVICTION.—The term ‘sexual assault conviction’ means a conviction under Federal law or the law of a State that includes as an element of the underlying offense that the defendant en-
gaged in a nonconsensual sexual act upon an-
another person.

"(D) SUSTAINED COMPLAINT INVOLVING SEX-

UAL ASSAULT.—The term ‘sustained complaint involving sexual assault’ means an ad-

ministrative or judicial determination that an employee engaged in an unlawful employ-
ment practice under title VII of the Civil

Rights Act of 1964 (42 U.S.C. 2000e et seq.) or a State law of a State that includes as an element of the unlawful employment practice, that an employee engaged in a nonconsensual sexual act upon another person.

"(E) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2020.

SA 921. Ms. ERNST submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro-
vide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the appropriate place in title IX, insert the following:

SEC. 19. TERMINATION OF CREDIT FOR NEW QUALIFIED PLUG-IN ELECTRIC DRIVE MOTOR VEHICLES.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking section 30D and by striking the item relat-
ing to such section in the table of sections for such subpart.

(b) COMPOSITION AMENDMENTS.—

"(1) Section 38(b) of the Internal Revenue Code of 1986 is amended by striking para-
graph (30).

"(2) Section 1018(a) of such Code is amend-
ed—

"(A) in paragraph (36), by adding ‘‘and’’ at the end,

"(B) by striking paragraph (37), and

"(C) by redesignating paragraph (38) as para-
graph (37).

"(3) Section 6010(m) of such Code is amended by striking ‘‘30(b)(4)’’.

"(4) Section 156(b)(5)(A) of title 23, United States Code, is amended by inserting ‘‘, as in effect on the day before the date of the en-
actment of the American Rescue Plan Act of 2021’’ after ‘‘section 30D(d)(1) of the Internal Revenue Code of 1986’’.

"(5) EFFECTIVE DATE.—The amendments made by this section shall apply to motor vehicles placed in service after the date that is 30 days after the date of the enactment of this Act.

SA 922. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro-
vide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

In section 2002, between paragraphs (1) and (2), insert the following:

“(2) to educate and inform elected officials in order to prevent the spread of misinformation

according to the results of routine lic-
censure under section 351 of the Public

Health Service Act (42 U.S.C. 262) or author-
ization under section 564 of the Federal


SA 923. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro-
vide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

Insert after section 9817 the following:

SEC. 9817A. LIMITATION ON INCREASES IN THE FEDERAL MEDICAL ASSISTANCE PERCENTAGE.

(a) IN GENERAL.—With respect to each of fiscal years 2021 through 2030, if the most re-
cent amount expended as error rate measure-
ment (PERM) for a State Medicaid pro-
gram for the preceding fiscal year exceeds 10 percent, then, in the case of payments to the State under a State plan approved under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) or a waiver of such plan for expenditures described in subsection (b) for any quarter of such fiscal year, Federal medical assistance percentage determin-
ed for the State and fiscal year under section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) (or, if applicable, under section 1905(f)(1) of such Act (42 U.S.C. 1396d(f)(1)) shall be substituted for the applicable FMAP increases described in subsection (c) that would apply in the absence of this subsec-
tion.

(b) EXPENDITURES DESCRIBED.—The expend-
itures described in this subsection are the follow-
ing:

(1) Amounts expended by the State for medical assistance for qualifying commu-
nity-based mobile crisis intervention serv-
ices under section 1947 of the Social Security Act, as added by section 9813.

(2) Amounts expended by a State that is a qualifying State (as defined in section 1905(i)(3) of the Social Security Act, as added by section 9814) for all individuals de-
scribed in section 1905(i) of the Social Security Act under the State plan (or waiver of such plan) under title XIX of such Act.

(3) Amounts expended by a State that meets the HCBS program requirements under section 9817(b) for home and commun-
ity-based services (as defined in paragraph (2)(B) of section 9817(a)) that are provided during the HCBS program improvement pe-
riod (as defined in paragraph (2)(A) of section 9817(a)).

(c) APPLICABLE FMAP INCREASES DES-
CRIBED.—The applicable FMAP increases de-
scribed in this subsection are the follow-
ing:

(1) The Federal medical assistance percent-
age applicable under subsection (c) of section 1947 of the Social Security Act, as added by section 9813.

(2) The increase to the Federal medical as-
sist ance percentage applicable under section 1905(i) of the Social Security Act, as added by section 9814.

(3) The increase to the Federal medical as-
sist ance percentage applicable under section 9817(a).

(4) Any Federal medical assistance per-
centage increase to such percentage appli-
cable under subsection (y), (z), or (aa) of sec-
tion 1905 of the Social Security Act (42 U.S.C. 1396d) that is provided during the HCBS program improvement period (as defined in paragraph (2)(A) of section 9817(a)).
SA 924. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

(2) reviewing submissions pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(b)-3) with respect to a drug, biological product, or device with which the public health department has an established relationship, and based on demonstrated expertise of such entities in vaccine distribution and administration; and

(‘‘d’’) EXPERTISE REQUIREMENT.—Any amount awarded to a State, local, Tribal, or territorial public health department pursuant to subsection (b)(2) shall be conditioned on such public health department agreeing to make such award funds available—

(1) The Inspector General of the Small Business Administration shall conduct an investigation and submit to Congress a report describing the number of loans made to the Planned Parenthood Federation of America pursuant to section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) and to other individuals or entities that provide abortions.

SA 926. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

Strike section 9662.

SEC. 926. MR. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

Subtitle M—Food and Drug Administration

SEC. 921. USING EMERGENCY USE AUTHORIZATION DATA AND REAL WORLD EVIDENCE GATHERED DURING AN EMERGENCY TO SUPPORT DRUG, BIOMEDICAL PRODUCT, AND PRE-MARKET DEVICE APPLICATIONS.

(a) IN GENERAL.—Data generated to support an authorization under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(b)-3) with respect to a drug, biological product, or device, and real world evidence relating to such drug, biological product, or device, with respect to such authorization, may constitute valid scientific evidence, and shall be considered for purposes of—

(1) reviewing submissions pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and section 351 of the Public Health Service Act (42 U.S.C. 262);

(2) reviewing submissions pursuant to sections 510(k), 513(f), and 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(k), 360c(f), and 360e); and

(3) reviewing the requirements of such Act and such section 351 of the Public Health Service Act.

(b) APPLICABILITY OF CERTAIN CATEGORIZATION FOR PREMKT DEVICE REVIEW.—In the case of a device receiving an authorization under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(b)-3) for which the Secretary has determined, in accordance with subsection (m) of such section, that a laboratory examination or procedure associated with such device is deemed to be in the best interest of public health, the procedures described in section 355(d)(3)(C) of the Public Health Service Act (42 U.S.C. 262), such determination shall apply with regard to a submission pursuant to subsection (m) of the Public Health Service Act (42 U.S.C. 262) if such submission is made available to carry out the programs described in such section.

(c) LIMITATION ON USE OF FUNDS.—None of the amounts made available by subsection (b) may be used to carry out the programs described in subsection (b) unless the Secretary certifies to the Congress that such amounts will be used to carry out the requirements of such Act and such section 351 of the Public Health Service Act.

SEC. 928. MR. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

SA 929. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

SEC. 9071. RELIEF FUND FOR CERTAIN PIPELINE WORKERS.

None of the funds provided by this title may be expended until a relief fund is established to compensate individuals who have lost employment due to the cancellation of the Keystone XL Pipeline pursuant to section 6 of Executive Order 13990 (86 Fed. Reg. 7041 (January 25, 2021)), which revoked the Presidential Permit of March 29, 2019 (84 Fed. Reg. 13013 (April 3, 2019)) authorizing TransCanada Keystone Pipeline, L.P., to construct, connect, operate, and maintain pipeline facilities at the international border of the United States and Canada.
SA 932. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of section 6001, add the following:

(d) Of the funds provided by this section, $750,000,000 shall be used to assist high-speed broadband projects in rural communities.

SA 933. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 6. LIMITATION ON USE OF FUNDING.

None of the amounts made available under this Act, or an amendment made by this Act, may be obligated or expended until after the date on which the Secretary of the Treasury submits to Congress a report certifying that all amounts made available for relief from the COVID–19 pandemic under previously enacted Acts have been obligated by recipient governments.

SA 934. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In the case of household income (expressed as a percent of poverty line) within the following tier:

<table>
<thead>
<tr>
<th>Income Tier</th>
<th>The initial premium percentage is</th>
<th>The final premium percentage is</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 150.0 percent</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>150.0 percent up to 200.0 percent</td>
<td>0.0</td>
<td>2.0</td>
</tr>
<tr>
<td>200.0 percent up to 250.0 percent</td>
<td>2.0</td>
<td>4.0</td>
</tr>
<tr>
<td>250.0 percent up to 300.0 percent</td>
<td>4.0</td>
<td>6.0</td>
</tr>
<tr>
<td>300.0 percent up to 400.0 percent</td>
<td>6.0</td>
<td>8.5</td>
</tr>
<tr>
<td>400.0 percent and higher</td>
<td>8.5</td>
<td>8.5</td>
</tr>
</tbody>
</table>

(b) CONFORMING AMENDMENT.—Section 36B(c)(1) of the Internal Revenue Code of 1986 is amended by striking at the end the following new subparagraph:

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(E) TEMPORARY RULE FOR 2021.—In the case of a taxable year beginning in 2021, subparagraph (A) shall be applied without regard to 'but does not exceed 400 percent'.”
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(c) EFFECTIVE DATE.—The amendments made by this section shall not apply for purposes of adjusting premium percentages under this paragraph, and shall not apply for purposes of adjusting premium percentages under any amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 38 of the amendment, line 22, strike "$135,000,000" and insert "$0".

SA 935. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 58 of the amendment, line 19, strike "$200,000,000" and insert "$0".

SA 936. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 59 of the amendment, line 19, strike "$200,000,000" and insert "$0".

SA 937. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9661 and insert the following:

SEC. 9661. IMPROVING AFFORDABILITY BY EXPANDING PREMIUM ASSISTANCE FOR CONSUMERS.

(a) IN GENERAL.—Section 36B(b)(3)(A) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

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(iii) TEMPORARY PERCENTAGES FOR 2021.—In the case of a taxable year beginning in 2021—
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(1) clause (ii) shall not apply for purposes of adjusting premium percentages under this subparagraph, and
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(3) the following table shall be applied in lieu of the table contained in clause (i):
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SEC. 9662. LIMITATION ON DISBURSING FUNDS FOR PROGRAMS AND ENTITIES PREVIOUSLY RECEIVING FUNDS THAT ARE UNSPENT.

No amounts made available under this Act or an amendment made by this Act may be disbursed for any program or to any entity for which funding remains unobligated that was made available under the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–123), the Families First Coronavirus Response Act (Public Law 116–127), the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116–191), the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116–139), or the Coronavirus Response and Relief Supplemental Appropriations Act, 2020 (division M of the Consolidated Appropriations Act, 2021 (Public Law 116–260)).

SA 941. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 2013.
SA 942. Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. POINT OF ORDER.

(a) In General.—Notwithstanding section 312(b) of the Congressional Budget Act of 1974 (2 U.S.C. 643(b)), it shall not be in order in the Senate to consider any bill or resolution (or amendment, motion, or conference report on that bill or resolution) that would exceed the discretionary spending limit under section 3101(b) of title 31, United States Code, is increased or suspended in the same year.

(b) Waiver.—Subsection (a) may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

SA 943. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

On lines 1 through 3 of page 94, strike “with the agreement that time limitation in subsection (e)(3), and subsections (e)(6)(A)(i), (e)(6)(B)(ii), and (p)(2)(B) of section 330, and”.

SA 944. Mrs. FISCHER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

Strike subtitle D of title III and insert the following:

Subtitle D—Public Transportation

SEC. 3401. FEDERAL TRANSIT ADMINISTRATION—

(a) Federal Transit Administration Appropriation.—

(1) In General.—In addition to amounts otherwise made available, there are appropriated for fiscal year 2021, out of any funds in the Treasury not otherwise appropriated, $30,461,355,534, to remain available until September 30, 2024, that shall—

(A) be for grants to eligible recipients under sections 5307, 5309, 5310, and 5311 of title 49, United States Code, to prevent, prepare for, and respond to the coronavirus public health emergency, including a share of the funds available under paragraphs (1) and (2) of section 2001 of title 49, United States Code, and

(B) not be subject to any prior restriction on the total amount of funds available for implementation or execution of programs authorized under sections 5307, 5310, or 5311 of such title.

(2) Availability of Funds for Operating Expenses.—

(A) In General.—Notwithstanding subsection (a)(1) or (b) of section 5307 and section 5310(b)(2)(A) of title 49, United States Code, funds provided under this section, other than those provided under subsection (b)(4), shall be available for the operating expenses of transit agencies to prevent, prepare for, and respond to the coronavirus public health emergency, including

(i) reimbursement for payroll of public transportation (including payroll and expenses of private providers of public transportation); (ii) operating costs to maintain service due to lost revenue due as a result of the coronavirus public health emergency, including the purchase of personal protective equipment; and

(iii) paying the administrative leave of operation personnel due to reductions in service.

(B) Use of Funds.—Funds described in subparagraph (A) shall be—

(i) available on an immediate obligation, notwithstanding the requirement for such expenses to be included in a transportation improvement program, long-range transportation plan, statewide transportation plan, or statewide transportation improvement program under sections 5303 and 5304 of title 49, United States Code, and (ii) directed to payroll and operations of public transportation (including payroll and expenses of private providers of public transportation), unless the recipient certifies to the Administrator of the Federal Transit Administration that the recipient has not furloughed any employee.

(C) Allocation of Funds.—Amounts made available under subparagraph (A) shall be—

(i) allocated in the same ratio as funds were provided under section 5307 of such title, and

(ii) allocated in the same ratio as funds were provided under section 5307 of such title, for fiscal year 2020.

(D) Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities.—

(A) In General.—Of the amounts made available under subsection (a), $1,250,000,000 shall be for grants to recipients or subrecipients eligible under section 5311 of title 49, United States Code, and shall be administered as if such funds were provided under section 5311 of such title.

(B) Allocation Ratio.—Amounts made available under subparagraph (A) shall be allocated in the same ratio as funds were provided under section 5307 of title 49, United States Code, and shall be apportioned in accordance with such section.

(E) Allocation of Funds.—Amounts made available under subparagraph (A) shall be—

(i) $1,425,000,000 shall be for grants administered under subsections (d) and (e) of section 5309 of title 49, United States Code, and

(ii) $250,000,000 shall be for grants administered under subsection (h) of section 5309 of title 49, United States Code.

(F) Funding Distribution.—

(i) In General.—Of the amounts made available in subparagraph (A)(i), $1,250,000,000 shall be provided to each recipient for all projects with existing full funding grant agreements that received allocations for fiscal year 2019 or 2020, except that recipients with projects open for revenue service are not eligible to receive a grant under this subparagraph. Funds shall be provided proportionally based on the non-capital investment grant share of the amount allocated.

(ii) Allocation.—Of the amounts made available in subparagraph (A)(ii), $175,000,000 shall be provided to each recipient for all projects with existing full funding grant agreements that received an allocation only prior to fiscal year 2019, except that projects with projects open for revenue service are not eligible to receive a grant under this subparagraph. Funds shall be provided proportionally based on the non-capital investment grant share of the amount allocated.

(G) Eligible Recipients.—For amounts made available in subparagraph (A)(i), eligible recipients shall be any recipient of an allocation under subsection (b) of section 5309 of title 49, United States Code, or an applicant in the project development phase described in paragraph (2) of such subsection.

(H) Amounts.—Amounts distributed under clauses (i), (ii), and (iii) of subparagraph (A) shall be provided notwithstanding the limitation of any calculation of the maximum amount of Federal financial assistance for the project under subsection (k)(2)(C)(i) or (h)(7) of section 5309 of title 49, United States Code.

(I) Planning.—

(A) In General.—Of the amounts made available under subsection (a), $1,000,000,000 shall be available for grants to recipients for bus operators that partner with recipients or subrecipients of funds under section 5311(f) of title 49, United States Code.

(B) Allocation Ratio.—Notwithstanding paragraph (3), the Administrator of the Federal Transit Administration shall allocate amounts under subparagraph (A) in the same ratio as funds were provided under section 5311 of such title.

(6) Planning.—

(A) In General.—Of the amounts made available under subsection (a), $25,000,000 shall be for grants to eligible recipients...
under section 5307 of title 49, United States Code, for the planning of public transportation associated with the restoration of services as the coronavirus public health emergency concludes and shall be available in accordance with such section.

(B) AVAILABILITY OF FUNDS FOR ROUTE PLANNING.—Amounts made available under subparagraph (a) shall be available for route planning designed to—

(1) increase ridership and reduce travel times, while maintaining or expanding the total level of vehicle revenue miles of service provided in the planning period; or

(2) make service adjustments to increase the quality or frequency of service provided to low-income riders and disadvantaged neighborhoods or communities.

(C) LIMITATION.—Amounts made available under subparagraph (a) shall not be used for route planning services as the coronavirus public health emergency concludes and shall be available in accordance with the provisions of such section.

SEC. 9664. MODIFICATION OF DEFINITION OF QUALIFIED HEALTH PLAN.

(a) In General.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: “or the provision of health insurance under a qualified health plan or health insurance coverage to an individual who is outside the United States.”

(b) Compliance.—The amendment made by this section shall apply to periods beginning after December 31, 2021.

SEC. 9671. REMOTE AND MOBILE WORKER RELIEF.

(a) In General.—Section 36B(c)(3)(A) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: “(2) any remuneration earned during the period for services performed outside the United States by an qualified health plan or health insurance coverage to an individual who is outside the United States.”

(b) Compliance.—The amendment made by this section shall apply to periods beginning after December 31, 2021.

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jurisdiction other than the taxing jurisdiction of the employee’s residence during such year as a result of the COVID–19 public health emergency, subsection (a)(2) shall be applied by substituting “90 days” for “30 days”.

**SEC. 9863. STATE AND LOCAL TAX CERTAINTY.**

(a) STATUS OF EMPLOYEES DURING COVERED PERIOD.—Notwithstanding section 9682(a)(2) or any provision of law of a taxing jurisdiction, with respect to any employee who is working remotely within such taxing jurisdiction during the covered period—

(1) as provided under paragraph (2), any wages earned by such employee during such period shall be deemed to have been earned at the primary work location of such employee; and

(2) if an employer, at its sole discretion, maintains a system that tracks where such employee performs duties on a daily basis, wages earned by such employee at the election of such employer, be treated as earned at the location in which such duties were remotely performed.

(b) STATUS OF BUSINESSES DURING COVERED PERIOD.—Notwithstanding any provision of law of a taxing jurisdiction—

(1) in the case of an out-of-jurisdiction business, any wages earned by employees working remotely within such jurisdiction during the covered period, the duties performed by such employees within such jurisdiction during such period shall not be sufficient to create any nexus or establish any minimum contacts or level of presence that would otherwise—

(A) subject such business to any registration, taxation, or other related requirements for businesses operating within such jurisdiction; or

(B) cause such business to be deemed a resident of such jurisdiction for tax purposes; and

(2) except as provided under subsection (a)(2), with respect to any tax imposed by such taxing jurisdiction which is determined, in whole or in part, based on net or gross receipts or income, for purposes of apportioning or sourcing such receipts or income, any duties performed by an employee of an out-of-jurisdiction business while working remotely during the covered period—

(A) shall be disregarded with respect to any filing requirements for such tax; and

(B) shall be apportioned and sourced to the taxing jurisdiction which includes the primary work location of such employee.

(c) DEFINITIONS.—For purposes of this section—

(1) COVERED PERIOD.—The term “covered period” means, with respect to any employee working remotely, the period—

(A) beginning on the date on which such employee began working remotely; and

(B) ending on the earlier of—

(i) the date on which the employer allows, at the same time—

(1) an employee to return to their primary work location; and

(II) not less than 90 percent of their permanent workforce to return to such work location; or


(2) EMPLOYEE.—The term “employee” has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986, unless such term is defined by the taxing jurisdiction in which such employee’s employment duties are deemed to have been performed under subsection (a), in which case the taxing jurisdiction’s definition shall prevail.

(3) EMPLOYER.—The term “employer” has the meaning given such term in section 3401(d)(4) of the Internal Revenue Code of 1986, unless such term is defined by the taxing jurisdiction in which such employee’s employment duties are deemed to have been performed under subsection (a), in which case the taxing jurisdiction’s definition shall prevail.

(4) OUT-OF-JURISDICTION BUSINESS.—The term “out-of-jurisdiction business” means, with respect to any taxing jurisdiction, any business entity which, excepting any employee of such business who is working remotely within such jurisdiction during the covered period, would, under the existing law of such taxing jurisdiction, not otherwise—

(A) be subject to any registration, taxation, or other related requirement for businesses operating within such jurisdiction; or

(B) be deemed a resident of such jurisdiction for tax purposes.

(5) PRIMARY WORK LOCATION.—The term “primary work location” means, with respect to an employee, the address of the employer where the employee is regularly assigned to work when such employee is not working remotely during the covered period.

(6) TAXING JURISDICTION.—The term “taxing jurisdiction” has the same meaning given such term under section 9682(d)(4).

(d) EFFECTIVE DATE; APPLICABILITY.

(a) EFFECTIVE DATE.—Subject to subsection (c), this section applies to calendar years beginning after December 31, 2019.

(b) APPLICABILITY.—This section shall apply to any tax obligation that accrues between January 1, 2019, and December 31, 2021, or is required to be paid by such date.

(c) TERMINATION.—Section 9682 shall not apply to calendar years beginning after December 31, 2021.

**SEC. 9864. EFFECTIVE DATE; APPLICABILITY.**

(a) EFFECTIVE DATE.—Subject to subsection (c), this section applies to calendar years beginning after December 31, 2019.

(b) APPLICABILITY.—This section applies to any tax obligation that accrues between January 1, 2019, and December 31, 2021.

(c) TERMINATION.—This section shall not apply to calendar years beginning after December 31, 2021.

**SA 949. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:**

At the appropriate place, insert the following:

In subsection (a) of section 1001 (relating to food supply chain and agriculture pandemic response), strike “$4,000,000,000” and insert “$3,980,000,000”.

In subsection (c)(2) of section 1005 (relating to food supply chain and agriculture pandemic response), strike “$300,000,000” and insert “$280,000,000”.

At the end of subtitle A of title I, add the following:

**SEC. 11. BUSINESS AND INDUSTRY GUARANTEE AND INSURANCE PROGRAMS.**

In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2022, out of any money in the Treasury not otherwise appropriated, $20,000,000,000, to remain available until September 30, 2023, to prevent, prepare for, and respond to coronavirus, for the portfolio of loans for rural business development programs authorized by section 312(c) of the Consolidated Farm and Rural Development Act of 1972 (7 U.S.C. 1932) and described in subsection (g) of that section.

**SA 950. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:**

At the end of section 9901 and insert the following:

**SEC. 9901. CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS.**

(a) In General.—Section 1905(b) of the Social Security Act (42 U.S.C. 1396b(b)) is amended by inserting after “(as defined in section 1905(d) of the Social Security Act)” the following: “; for the 8 fiscal year quarters beginning with the first fiscal year quarter beginning after the date of the enactment of the American Rescue Plan Act of 2021, the Federal medical assistance percentage shall also be 100 percent with respect to amounts expended for medical assistance for services which are received through an Urban Indian organization (as defined in paragraph (29) of section 4 of the Indian Health Care Improvement Act) that has a grant or contract with the Indian Health Service under title V of such Act; for such 8 fiscal year quarters, the Federal medical assistance percentage shall also be 100 percent with respect to amounts expended for medical assistance for services which are received through a Native Hawaiian Health Care Improvement Act (as defined in section 2(h) of the Native Hawaiian Health Care Improvement Act) or a qualified entity (as defined in section 1(15)) of such Act; that has a grant or contract with the Patsa Olai Lokahi under section 1(15) of such Act; and for such 8 fiscal year quarters, the Federal medical assistance percentage shall also be 100 percent with respect to amounts expended for medical assistance for services furnished to an Indian or Alaska Native who is eligible for medical assistance under this title by any provider or entity under the State plan, if the State has entered into at least one care coordination agreement pursuant to State Health Official letter (SHO #16-002).”


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SEC. 602. CORONAVIRUS STATE FISCAL RECOVERY FUND.

"(a) Appropriation.—In addition to amounts available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—

"(1) $26,000,000,000, to remain available through December 31, 2024, for making payments under this section to States, territories, and Tribal governments to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID-19); and

"(2) $50,000,000, to remain available until expended, for the costs of the Secretary for administering the funds established under this title.

"(b) Authority to Make Payments.—

"(1) Payments to Territories.—

"(A) in general.—The Secretary shall make payments to each territory in an amount to such remainder as the average estimated number of seasonally-adjusted unemployed individuals in each of the 50 States and the District of Columbia over the same period.

"(C) Payment.—

"(1) in general.—Subject to clause (ii), the Secretary shall—

"(ii) an amount equal to the remainder of the amounts allocated for the State or territory not later than 60 days after the date on which the certification required under subsection (d)(1) is provided to the Secretary.

"(b) the amounts allocated under section 603 to the State (for distribution by the State to nontenurettment units of local government in the State) and to metropolitan cities and counties in the State shall not be less than the amount paid to the State or District of Columbia for fiscal year 2022 under section 601.

"(ii) pro rata adjustment.—The amounts otherwise determined for allocation and payment under paragraphs (1), (2), and (3) may be adjusted by the Secretary on a pro rata basis to ensure that all available funds are allocated to States, territories, and Tribal governments in accordance with the requirements specified in each such paragraph (as applicable).

"(5) Population Data.—For purposes of determining allocations for a territory under this section, the population of the territory shall be determined based on the most recent data available from the Bureau of the Census.

"(b) Timing.—

"(A) in general.—To the extent practicable, with respect to each State and territory allocated a payment under this subcategory, the Secretary shall make the payment required for the State or territory not later than 60 days after the date on which the certification required under subsection (d)(1) is provided to the Secretary.

"(B) for the provision of government services to the extent of the reduction in revenue; and costs incurred by the State, territory, or Tribal government during the covered period that reduces any tax (by providing for a reduction in a rate, a rebate, a deduction, a credit, or otherwise) or delays the imposition of any tax or tax increase.

"(B) PfSS FUNDS.—No State or territory may use funds made available under this section for deposit into any pension fund.

"(3) Transfer Authority.—A State, territory, or Tribal government receiving a payment under this section shall have the authority to transfer funds pursuant to section 603(c)(4) to either directly or indirectly offset a reduction in the net tax revenue of such State, territory, or Tribal government during the covered period that reduces any tax (by providing for a reduction in a rate, a rebate, a deduction, a credit, or otherwise) or delays the imposition of any tax or tax increase.

"(4) Certifications and Reports.—

"(D) Form.—Any certification required under subsection (d) shall be provided to the Secretary in such form and manner as the Secretary shall require.

"(e) Reimbursement.—Any State, territory, or Tribal government that has failed to comply with subsection (c) shall be required to repay to the Secretary an amount equal to the amount of funds used in violation of such subsection, provided that, in the case of a violation of subsection (c) or subsection (d), the amount the State or territory shall be required to repay shall be lesser of—

"(1) the amount of the applicable reduction to net tax revenue attributable to such violation; and

"(2) the amount of funds received by such State or territory pursuant to a payment made under this section or a transfer made under section 603(c)(4).

"(f) Regulations.—The Secretary shall have the authority to issue such regulations as the Secretary determines to be necessary or appropriate to carry out this section.

"(g) Definitions.—In this section:

"(ii) an amount equal to $1,250,000,000 less the amount allocated under paragraph (3)(B)(ii) to the District of Columbia not later than 15 days after the date of enactment of this section.

"(C) pro rata adjustment.—The Secretary shall make the payment required for the Tribal government not later than 60 days after the date of enactment of this section.

"(c) Pro rata Adjustment Authority.—

"(C) Pro rata adjustment.—The Secretary shall make payments to States and the District of Columbia pursuant to section 601(c)(6) shall be allocated by the Secretary equally among each of the 50 States and the District of Columbia.

"(D) pro rata adjustment.—The amounts otherwise determined for allocation and payment under paragraphs (1), (2), and (3) may be adjusted by the Secretary on a pro rata basis to ensure that all available funds are allocated to States, territories, and Tribal governments in accordance with the requirements specified in each such paragraph (as applicable).

"(5) Population Data.—For purposes of determining allocations for a territory under this section, the population of the territory shall be determined based on the most recent data available from the Bureau of the Census.

"(b) Timing.—

"(A) in general.—To the extent practicable, with respect to each State and territory allocated a payment under this subcategory, the Secretary shall make the payment required for the State or territory not later than 60 days after the date on which the certification required under subsection (d)(1) is provided to the Secretary.

"(B) Tribal governments.—To the extent practicable, with respect to each Tribal government for which an amount is allocated under this subcategory, the Secretary shall make the payment required for the Tribal government not later than 60 days after the date of enactment of this section.

"(C) Transfer Authority.—A State, territory, or Tribal government receiving a payment under this section shall have the authority to transfer funds pursuant to section 603(c)(4), in compliance with subsection (c) of this section and will use any payment under this section, or transfer of funds under section 603(c)(4), in compliance with subsection (c) of this section.

"(D) Form.—Any certification required under subsection (d) shall be provided to the Secretary in such form and manner as the Secretary shall require.

"(e) Reimbursement.—Any State, territory, or Tribal government that has failed to comply with subsection (c) shall be required to repay to the Secretary an amount equal to the amount of funds used in violation of such subsection, provided that, in the case of a violation of subsection (c) or subsection (d), the amount the State or territory shall be required to repay shall be lesser of—

"(1) the amount of the applicable reduction to net tax revenue attributable to such violation; and

"(2) the amount of funds received by such State or territory pursuant to a payment made under this section or a transfer made under section 603(c)(4).

"(f) Regulations.—The Secretary shall have the authority to issue such regulations as the Secretary determines to be necessary or appropriate to carry out this section.

"(g) Definitions.—In this section:
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"(ii) an amount equal to $1,250,000,000 less the amount allocated under paragraph (3)(B)(ii) to the District of Columbia not later than 15 days after the date of enactment of this section.

"(C) Pro rata adjustment.—The Secretary shall make the payment required for the Tribal government not later than 60 days after the date of enactment of this section.

"(c) Pro rata Adjustment Authority.—

"(C) Pro rata adjustment.—The Secretary shall make payments to States and the District of Columbia pursuant to section 601(c)(6) shall be allocated by the Secretary equally among each of the 50 States and the District of Columbia.

"(D) pro rata adjustment.—The amounts otherwise determined for allocation and payment under paragraphs (1), (2), and (3) may be adjusted by the Secretary on a pro rata basis to ensure that all available funds are allocated to States, territories, and Tribal governments in accordance with the requirements specified in each such paragraph (as applicable).

"(5) Population Data.—For purposes of determining allocations for a territory under this section, the population of the territory shall be determined based on the most recent data available from the Bureau of the Census.

"(b) Timing.—

"(A) in general.—To the extent practicable, with respect to each State and territory allocated a payment under this subcategory, the Secretary shall make the payment required for the State or territory not later than 60 days after the date on which the certification required under subsection (d)(1) is provided to the Secretary.

"(B) Tribal governments.—To the extent practicable, with respect to each Tribal government for which an amount is allocated under this subcategory, the Secretary shall make the payment required for the Tribal government not later than 60 days after the date of enactment of this section.

"(C) Transfer Authority.—A State, territory, or Tribal government receiving a payment under this section shall have the authority to transfer funds pursuant to section 603(c)(4), in compliance with subsection (c) of this section.

"(D) Form.—Any certification required under subsection (d) shall be provided to the Secretary in such form and manner as the Secretary shall require.

"(e) Reimbursement.—Any State, territory, or Tribal government that has failed to comply with subsection (c) shall be required to repay to the Secretary an amount equal to the amount of funds used in violation of such subsection, provided that, in the case of a violation of subsection (c) or subsection (d), the amount the State or territory shall be required to repay shall be lesser of—

"(1) the amount of the applicable reduction to net tax revenue attributable to such violation; and

"(2) the amount of funds received by such State or territory pursuant to a payment made under this section or a transfer made under section 603(c)(4).

"(f) Regulations.—The Secretary shall have the authority to issue such regulations as the Secretary determines to be necessary or appropriate to carry out this section.

"(g) Definitions.—In this section:
(1) COVERED PERIOD.—The term ‘covered period’ means, with respect to a State, territory, or Tribal government, the period that—

(A) begins on March 3, 2021; and

(B) ends on the last day of the fiscal year of such State, territory, or Tribal government in which all funds received by the State, territory, or Tribal government from a payment made under this section or a transfer made under section 603(c)(4) have been expended or returned to, or recovered by, the Secretary.

(2) SECRETARY.—The term ‘Secretary’ means the Secretary of the Treasury.

(3) STATE.—The term ‘State’ means each of the District of Columbia, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(4) TERRITORY.—The term ‘Territory’ means the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(5) TRIBAL GOVERNMENT.—The term ‘Tribal Government’ means the recognized governor, council, tribal council, band, nation, pueblo, village, community, component band, or component reservation, individually identified (including parent tribes on the list publicly provided as of the date of enactment of this Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5306(b)), except that, in applying such formula, the Secretary shall substitute ‘all urban county’ (as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) shall receive less than the amount the county would otherwise receive if the amount paid under this paragraph were allocated to metropolitan cities, urban counties under section 106(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(b)).

(II) COUNTIES THAT ARE NOT UNITS OF GENERAL LOCAL GOVERNMENT.—In the case of an amount to be paid to a county that is not a unit of general local government, the amount shall instead be paid to the State in which the county is located. The Secretary shall distribute such amount to each unit of general local government within such county in an amount that bears the same proportion to the amount equal to the amount of such county bears to the total population of such units of general local government to bear to the population of such county.

(iii) DISTRICT OF COLUMBIA.—For purposes of this paragraph, the District of Columbia shall be considered to consist of a single county that is a unit of general local government.

(4) CONSOLIDATED GOVERNMENTS.—A unit of general local government that has formed a consolidated government under section 465 (42 U.S.C. 5303) shall be treated as a single governmental body for purposes of this paragraph.

(5) FEDERALLY RECOGNIZED INDIAN TRIBES.—The amounts otherwise determined for allocation and payment under paragraphs (1), (2), and (3) may be adjusted by the Secretary on a pro rata basis to the extent necessary to provide additional payments to Tribal governments in which an amount is allocated under paragraph (3), the Secretary may make such distribution to Tribal governments, and the actions the State has taken and will take in order to make all such distributions before the end of the distribution period (as extended under subclause (i)) are reasonably designed to distribute all such funds to Tribal governments, and the certification requirement specified in each paragraph (as applicable) and the certification requirement specified in subsection (d).

(6) POPULATION.—For purposes of determining allocations under this section, the population of an entity shall be determined based on the most recent data that are available from the Bureau of the Census or, if not available from such other data as a State determines appropriate.

(7) TIMING.—

(A) FIRST TRANCHE AMOUNT.—To the extent practicable, with respect to each metropolitan city for which an amount is allocated under paragraph (1), each State for which an amount is allocated under paragraph (2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under paragraph (3), the Secretary shall—

(B) SECOND TRANCHE AMOUNT.—To the extent practicable, with respect to each metropolitan city for which an amount is allocated under paragraph (1), each State for which an amount is allocated under paragraph (2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under paragraph (3), the Secretary shall—

(C) DISTRIBUTION TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT.—

(I) IN GENERAL.—Not later than 30 days after making a payment under paragraph (B), the State shall distribute to each nonentitlement unit of local government in the State an amount that bears the same proportion to the amount of such payment as the population of the nonentitlement unit of local government bears to the total population of all the nonentitlement units of local government in the State, subject to clause (iii).

(ii) DISTRIBUTION OF FUNDS.—If an authorized officer of a State required to make distributions under clause (i) certifies in writing to the Secretary before the end of the 30-day period described in such clause that it would constitute an excessive administrative burden for the State to make direct payments with respect to 1 or more such distributions, the authorized officer may request, and the Secretary shall grant, an extension of such period of not more than 30 days to allow the State to make such distributions in accordance with clause (i).

(iii) ADDITIONAL EXTENSIONS.—If a State has been granted an extension to the distribution period under subclause (i) but is unable to make all the distributions required under the State’s request as extended, the Secretary, in consultation with such State, may extend such extension for additional periods of not more than 30 days to allow the State to make such distributions.

(B) AUTHORITY TO MAKE PAYMENTS.—

(I) IN GENERAL.—The State shall determine the amounts that are to be paid under this section and shall make such payments to such State, territory, or Tribal government for each covered period under this section.

(II) DISTRIBUTION TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT.—

(A) IN GENERAL.—The State shall allocate and, in accordance with paragraph (7), pay to each metropolitan city an amount determined for the metropolitan city under section 106(b) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(b)), excess administrative burden for the State to make direct payments with respect to 1 or more such distributions, the authorized officer may request, and the Secretary shall grant, an extension of such period of not more than 30 days to allow the State to make such distributions in accordance with clause (i).

(iv) RETURN OF EXCESS AMOUNTS.—Any amounts not distributed to a nonentitlement unit of local government as a result of the application of subclause (i) shall be returned to the Secretary.

(D) PENALTY FOR NONCOMPLIANCE.—If, by the end of the 120-day period that begins on the date on which the amount is allocated under subparagraph (C) is paid, the State has failed to make all the distributions from such payment in accordance with the terms of subparagraph (C) (including any extensions of the distribution period), then the Secretary shall deposit into the general fund of the Treasury any amounts not distributed as required.
Tranche Amount for such city, State, or county not earlier than 12 months after the date on which the First Tranche Amount is paid to the city, State, or county.

(3) **Tranche**.

(1) **USE OF FUNDS.**—Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county, or any political subdivision thereof, including such other information as the Secretary may require for the administration of this section.

(2) **TRANSFER AUTHORITY.**—A metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section may transfer funds to a private nonprofit organization (as that term is defined in paragraph (17) of section 401 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(17)), a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.

(4) **TRANSFER TO STATES.**—Notwithstanding paragraph (1), a metropolitan city, nonentitlement unit of local government, or county receiving a payment from funds made available under this section may transfer such funds to the State in which such entity is located.

(d) **REPORTING.**—Any metropolitan city, nonentitlement unit of local government, or county receiving funds provided under a payment made under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of such funds by such metropolitan city, nonentitlement unit of local government, or county including such other information as the Secretary may require for the administration of this section.

(e) **RECoupMENT.**—Any metropolitan city, nonentitlement unit of local government, or county that has failed to comply with subsection (d) shall be required to repay to the Secretary an amount equal to the amount of funds used in violation of such subsection.

(f) **ELIGIBILITY.**—The Secretary shall have the authority to issue such regulations as may be necessary or appropriate to carry out this section.

(1) **COUNTY.**—The term ’county’ means a county, parish, or other equivalent county division (as defined by the Bureau of the Census).

(2) **Covers PERIOD.**—The term ’covered period’ means, with respect to a metropolitan city, nonentitlement unit of local government, or county, the period of time beginning on the date the metropolitan city, nonentitlement unit of local government, or county in which all of the funds received by the metropolitan city, nonentitlement unit of local government, or county under this section have been expended or returned to, or recovered by, the Secretary.

(3) **FIRST TRANCHE AMOUNT.**—The term ’First Tranche Amount’ means, with respect to each metropolitan city for which an amount is allocated under subsection (b)(1), an amount equal to 50 percent of the amount so allocated to such metropolitan city, State, or county.

(4) **SECOND TRANCHE AMOUNT.**—The term ’Second Tranche Amount’ means, with respect to each metropolitan city for which an amount is allocated under subsection (b)(1), an amount equal to 50 percent of the amount so allocated to such metropolitan city, State, or county.

(5) **NONENTITLEMENT UNIT OF LOCAL GOVERNMENT.**—The term ’nonentitlement unit of local government’ means a city, as that term is defined in section 102(a)(4) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(4)) and includes cities that are not incorporated or have been authorized by their state legislature to exercise certain limited self-government functions.

(6) **METROPOLITAN CITY.**—The term ’metropolitan city’ has the meaning given that term in section 102(a)(4) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(4)), that is not a metropolitan area.

(7) **SECRETARY.**—The term ’Secretary’ means the Secretary of the Treasury.

(8) **STATE.**—The term ’State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

(9) **UNIT OF GENERAL LOCAL GOVERNMENT.**—The term ‘unit of general local government’ has the meaning given that term in section 102(a)(5) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(5)), that is not a metropolitan area.

SEC. 604. CORONAVIRUS CAPITAL PROJECTS FUND.

(a) **APPROPRIATION.**—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,850,000,000, to remain available until expended, for making payments to States, territories, and Tribal governments to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).

(b) **PAYMENTS TO EACH OF THE 50 STATES AND THE DISTRICT OF COLUMBIA.**

(1) **MINIMUM AMOUNTS.**—From the amount appropriated under this title—

(A) the Secretary shall pay $28,500,000 to each State;

(B) the Secretary shall pay $28,500,000 to the Commonwealth of Puerto Rico and $28,500,000 to the District of Columbia;

(C) the Secretary shall pay $28,500,000 of such amount in equal shares to the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and Palau; and

(D) the Secretary shall pay $28,500,000 of such amount to Tribal governments and the State of Hawaii (in addition to the amount paid to the State of Hawaii under subparagraph (A), of which—

(i) not less than $16,000 shall be paid to each Tribal government;

(ii) not less than $16,000 shall be paid to the State of Hawaii for the exclusive use of the Department of Hawaiian Home Lands to assist Native Hawaiian Programs to assist Native Hawaiians in accordance with this section.

(ii) the amount of the appropriation under subsection (a) that remains after the application of paragraph (1), the Secretary shall make payments to States based on the proportion that the population of each State bears to the population of all States;

(iii) 25 percent of such amount shall be allocated among the States based on the proportion that the number of individuals living in rural areas in each State bears to the number of individuals living in rural areas in all States; and

(iv) 25 percent of such amount shall be allocated among the States based on the proportion that the number of individuals with a household income that is below 150 percent of the Federal poverty line applicable to family of the size involved in each State bears to the number of such individuals in all States.

(c) **DEFINITIONS.**—In this section—

(1) **SECRETARY.**—The term ’Secretary’ means the Secretary of the Treasury.

(2) **STATE.**—The term ’State’ means 1 of the 50 States.

(3) **TRIBAL GOVERNMENT.**—The term ’tribal government’ has the meaning given such term in section 603(g).

(d) **CONFORMING AMENDMENT.**—The heading for title VI of the Social Security Act (42 U.S.C. 501 et seq.) is amended by striking ’FUND’ and inserting ’FISCAL RECOVERY, AND CRITICAL CAPITAL PROJECTS FUND’.

SA 951. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of section 9032, insert the following:

(d) ADDITIONAL USE OF FUNDS.—Amounts made available under subsection (a) shall be used by the Secretary of Labor, in conjunction with the Secretary of Treasury, to provide, not later than 30 days after the date of enactment of this section, a report to State agencies responsible for unemployment benefits that describes best practices in addressing fraudulent unemployment claims.

SA 952. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows: At the end of part 1 of subtitle A of title II, add the following:
the child. In the case of an unborn child, the term 'unborn child' means a member of the species sapiens, at any stage of development, who is lawfully present in the United States at the time of filing the return for the taxable year in which such child is born—

(i) the amount of the credit determined on the return for the taxable year immediately preceding the year in which such child is born—

(ii) the amount determined under subsection (d)(1), shall each be increased by 100 percent with respect to such child for the taxable year in which the child is born.

SEC. 9613. CREDIT ALLOWED WITH RESPECT TO UNBORN CHILDREN.

(a) In General.—In the case of a child of an eligible taxpayer with respect to a child who is treated as a qualifying child of—

(i) the mother who carries or carried such child, and

(ii) such child shall be treated for purposes of this section for such taxable year as a qualifying child of—

(A) the eligible taxpayer, and

(B) any other taxpayer with respect to whom such child would, without regard to this subsection, be treated as a qualifying child, and

(iii) subsection (a) shall be applied to the eligible taxpayer without regard to whether the taxpayer is allowed a deduction under section 151 with respect to the child.

(b) MANNER OF COMBINATION OF DEDUCTIONS.—So long as the credit allowed under section 152(c) is not allowed by reason of this subsection, subsection (b)(9) shall be applied—

(i) by substituting '$30,000' for '$40,000', and

(ii) by substituting '$150,000' for '$200,000'.

(c) APPLICABILITY TO OTHER TAXPAYERS.—Subsection (d) shall be applied—

(A) by substituting '$30,000' for '$40,000', and

(B) by substituting '$150,000' for '$200,000'.

(d) DEFINITIONS.—For purposes of this subsection—

(A) UNBORN CHILD.—The term 'unborn child' means a member of the species sapiens, at any stage of development, who is lawfully present in the United States at the time of filing the return for the taxable year immediately preceding the year in which such child is born, if such child is born on or before the due date for the return of tax for such taxable year, and

(B) subsection (a) shall be applied without regard to whether the taxpayer is allowed a deduction under section 151 with respect to the child.

(2) DOUBLE CREDIT ALLOWED IN CERTAIN CASES.—

(A) In General.—In the case of an unborn child of an eligible taxpayer with respect to whom a credit is not allowed under this section by reason of subsection (1) (including by reason of subsection (b)(7) or any other provision of this section) for the taxable year immediately preceding the year in which such child is born—

(i) the amount of the credit determined under subsection (a), and

(ii) the amount determined under subsection (d)(1), shall each be increased by 100 percent with respect to such child for the taxable year in which the child is born.

(b) SPECIAL RULE FOR SPLITTING OF DOUBLE CREDIT.—In the case of a child otherwise described in subsection (a) (other than a child described by clause (ii) of this subparagraph) would not be treated as a qualifying child of the eligible taxpayer for the taxable year in which such child is born by reason of paragraph (1)(B) or (4) of section 152(c)—

(i) subparagraph (A) shall not apply to such child,

(ii) such child shall be treated for purposes of this section for such taxable year as a qualifying child of—

(A) the eligible taxpayer, and

(B) any other taxpayer with respect to whom such child would, without regard to this subparagraph, be treated as a qualifying child, and

(iii) subsection (a) shall be applied to the eligible taxpayer without regard to whether the taxpayer is allowed a deduction under section 151 with respect to the child.

(c) MODIFICATION OF THRESHOLD AMOUNT.—So long as the credit allowed under section 152(c) is not allowed by reason of this subsection, subsection (c)(1) shall be applied—

(A) by substituting $30,000,000 for $40,000,000, and

(B) by substituting $150,000,000 for $200,000,000.

(d) APPLICABILITY TO OTHER TAXPAYERS.—Subsection (d) shall be applied—

(A) by substituting (determined without regard to this subsection and subsection (l))' for (determined without regard to this subsection) in paragraph (1)(A) thereof,

(B) by substituting (determined under this section (other than subsection (l)) for the provisions of this section) in paragraph (5)(A) thereof, and

(C) by substituting 'the provisions of this section (other than subsection (l))' for the provisions of this section in paragraph (5)(A) thereof, and

(d) by substituting 'the rules of paragraph (2)(B) (after application of subsection (1)(a)(B) for the provisions of this section in paragraph (2)(B) in paragraph (3)(C)(ii)(III)).

(e) APPLICATION IN 2017.—Subsections (1) and (j) and section 7527A shall not apply with respect to an institution which is a public or private educational agency that allows for the participation of individuals who were assigned the gender of male at birth in female sporting programs.

(f) EFFECTIVE DATE.—This amendment made by this section shall apply to taxable years beginning after December 31, 2020.
amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of title X, add the following:

SEC. 19. PRIORITY AND APPROVAL OF INTERNATIONAL PIPELINE PERMITS.

Not later than 90 days after the date of enactment of this Act, the President, in consultation with the Secretary of State and the Secretary of Labor, shall review and approve or deny any permit for an international pipeline project that will—

(1) increase Federal revenues from rental fees, corporate taxes, and other Federal taxes and fees;
(2) increase employment in rural areas;
(3) increase revenue for local communities that have lost revenue due to the COVID-19 pandemic; and
(4) result in new construction jobs for individuals who became unemployed during the COVID-19 pandemic, including individuals who are members of a labor organization and individuals who are not members of a labor organization.

SA 961. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 19. EXTENSION OF TEMPORARY SUSPENSION OF MEDICARE SEQUESTRA-

(a) In general.—Section 3709(a) of division A of the CARES Act (2 U.S.C. 901a note), as amended by section 182 of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-136), is amended by striking—

“March 31, 2021” and inserting—

“December 31, 2023.”

(b) Effective date.—The amendment made by subsection (a) shall take effect as if enacted as part of the CARES Act (Public Law 116-136).

SA 962. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

Strike sections 2021, 2022, and 2023 and insert the following:

SEC. 2021. FUNDS FOR THE STRATEGIC NATIONAL STOCKPILE.

In addition to amounts otherwise available, there is appropriated to the Department of Health and Human Services, for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $700,000,000, to remain available through September 30, 2023, for the Strategic National Stockpile, established under section 319F-2 of the Public Health Service Act (42 U.S.C. 245d-6).

SA 963. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of title F of title II, add the following:

SEC. 2503. ADDITIONAL FUNDING FOR THE PROVIDER RELIEF FUND.

Notwithstanding section 4001, of the amounts made available under such section $570,000,000 shall be transferred to the appropriations account of the Department of Health and Human Services under the heading “Deficit Reduction; Human Services—Office of the Secretary—Public Health and Social Services Emergency Fund” for fiscal year 2021, to remain available until September 30, 2022, subject to the same terms and conditions applicable to amounts appropriated to such account under title III of division M of the Consolidated Appropriations Act, 2020, except that such amounts shall be reserved for making payments from the Provider Relief Fund.

SA 964. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

Strike section 3201(d) and insert the following:

(d) Use of Funds.—(1) In general.—Funds received by an eligible grantee from payments made under this section shall be used to provide funds to landlords and utilities, not to exceed 18 months, for the payment of utilities and home energy costs arrears for eligible households.
(2) Limitation.—The aggregate amount of financial assistance an eligible household may receive under this section, when combined with financial assistance provided under section 501 of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260), shall not exceed 18 months.
(3) Distribution of assistance.—Amounts appropriated under subsection (a)(1) of this section shall be subject to the same terms and conditions that apply under paragraph (4) of section 501(c) of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260) to amounts appropriated under subsection (a)(1) of such section 501.

SA 965. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the appropriate place in title VII, insert the following:

In section 7402(c)(2)(A), in the matter preceding clause (1), strike—

“$3,171,000,000 and” and insert—

“$5,171,000,000”.

At the end of subtitle D of title VII, add the following:

SEC. 7405. KEEPING CRITICAL CONNECTIONS EMERGENCY FUND.

(a) Definitions.—In this section—

(1) the term “Commission” means the Federal Communications Commission;
(2) the term “covered program” means a program established by a small business broadband provider under which the small business broadband provider, at any time during the COVID-19 emergency period, voluntarily—

(A) provides a customer with free or discounted broadband service, or free upgrades of existing service to meet certain capacity and speed needs, due specifically to the presence of a student in the household of the customer who needs distance learning capability; or
(B) refrains from disconnecting broadband service provided to an existing customer due to nonpayment or underpayment if the customer—

(i) has a household income, at the time of the nonpayment or underpayment, that does not exceed 135 percent of the Federal poverty guidelines (as determined by the Secretary of Health and Human Services); and

(ii) is unable to make a full payment due specifically to the economic impact of the national emergency described in paragraph (3); and

(iii) provides sufficient documentation to the provider to show that the customer meets the criteria under clauses (i) and (ii); and

(3) the term “COVID-19 emergency period” means the period during which the national emergency declaration by the President under the National Emergencies Act (50 U.S.C. 1621 et seq.) with respect to the Coronavirus Disease 2019 (COVID-19) is in effect.

(b) Appropriation.—In addition to amounts otherwise available, there is appropriated to the Commission for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $5,171,000,000. The Commission may retain amounts available until expended, to reimburse small business broadband providers for the costs of carrying out a covered program.

SA 966. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

Strike section 7402(d)(7) and insert the following:

(7) Eligible school or library.—The term “eligible school or library” means an elementary school, secondary school, or library (including a Tribal elementary school, Tribal secondary school, or Tribal library) that—

(A) is eligible for support under paragraphs (1)(B) and (2) of section 254(b) of the Communications Act of 1934 (47 U.S.C. 254(b)); and

(B) is open 5 days per week for—

(i) in the case of a school, in-person instruction; or

(ii) in the case of a library, in-person patronage.

SA 967. Mr. CRAMER submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

In section 1001(b), in paragraph (3), strike “and” at the end and all that follows through “loans” in paragraph (4) and insert the following:

(4) to make grants to junior or community colleges, technical or vocational schools, and land-grant colleges and universities for the establishment or expansion of career training programs relating to meat and poultry processing; and

(5) to make loans...
SA 969. Mr. CRUZ submitted an amendment not to be disagreed to on amendment SA 891, proposed by Mr. SCHUMER to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 3. STATE DIRECT FAMILY GRANT PROGRAM.

(a) In General.—Notwithstanding any provision of this title, not later than 7 days after the date of enactment of this title, each school that is eligible to receive grant funding under section 2001 shall submit to their respective State Secretaries of Education, or equivalent State officials, a plan to re-open in the regular, full-time, 5-day-a-week in-classroom instruction with teachers and faculty physically present for the remainder of the 2020-2021 and for the 2021-2022 school years in such a manner that meets or exceeds the plan for in-classroom instruction that was in effect for that school at the start of the 2019-2020 school year.

(b) STATE DIRECT EDUCATION ASSISTANCE FUND.—Each State shall establish a State-controlled Direct Education Assistance Fund. In the event of a school failing to timely submit a re-opening plan in accordance with subsection (a), the State shall withhold all grant funds that would have been provided to such school under section 2001, and redirect such amount into the Direct Education Assistance Fund. The State shall administer the Direct Education Assistance Fund, using the monies deposited therein, to establish and operate a grant program to assist families with educational costs in order to provide students with access to alternative education for the 2021-2022 school year. The State Department of Education shall operate the grant program as follows:

(1) The State shall establish an application process that allows parents to apply for an education grant from the State's Direct Education Assistance Fund as follows:

(A) Awards grants from available funds in a manner that prioritizes children—

(i) from schools that have not submitted a re-opening plan as required by this section;

(ii) who are special needs students;

(iii) who are suffering from depression or a similar condition or at risk of suicide due to COVID-19-related isolation; or

(iv) who have a parent (or parents) or guardian who work outside of the household and are not available to assist the child with virtual learning.

(B) Includes, as part of the application form, a 25% of such Fund shall be set aside and used to award supplemental education assistance grants to cover a portion of the costs for education such as tutoring services, educational curricula, inside or outside of the home, books, instructional materials, online educational materials, educational therapies, supplies, and such other educational and instructional materials as the child's parent or guardian determines is beneficial in-relation to at-home learning, including online or virtual schooling or home instruction.

(6) All grants shall be awarded not later than August 15, 2021.

(7) The Department shall require that any parent or guardian who receives a grant pursuant to this section maintain records of how any grant funds were spent.

(8) Grants awarded out of the Fund for direct education assistance shall be distributed in an equitable manner among recipients for those grants that are identified in this section but in an amount not to exceed the costs identified in such application.

(c) Prohibition of Control Over Non-Public Education Providers.

(1) In General.—Nothing in this section shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home education provider, whether or not a home education provider, including any education provider, including home education provider, with respect to programs or services under this section based in whole or in part on the provider’s religious beliefs or affiliation, including religiously based or mission-based policies or practices.

(d) Parental Rights to Use Grants.—No State shall favor or discourage the use of qualifying grants for the purchase of elementary and secondary education services, including home schooling, from eligible entities, including faith-based providers.

(e) Repayment.—If a school does not re-open and maintain the plan submitted under this section, the school shall be required to repay all monies received under section 2001 to the State Department of Education.

(f) Return to Treasury.—Any monies remaining in the Fund as of September 30, 2021, or subsequently reallocated pursuant to paragraph (c) of this subsection (e) shall be repaid to the United States Treasury not later than June 30, 2022.

At the end of section 2001(c), add the following: "An allocation to a State shall be made pursuant to the previous sentence only if the State has publicly published, by not later than 7 days after enactment of this Act, a written plan that guarantees each child in the State has a local public school education option to resume regular, 5-day-a-week in-classroom instruction with teachers and faculty physically present at a school, or home school under State law."

SA 970. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 891, proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

On page 356, between lines 19 and 201, insert the following:

(1) Special Rules With Respect to Priorities.

(1) Disallowance of Credit.—

(A) In General.—Subject to subparagraph (B), no credit shall be allowed under subsection (a) to an eligible individual who is, for each day during calendar year 2021, described in clause (i), (ii), (iii), or (iv) of section 20B(x)(1)(A) of the Social Security Act.

(B) Joint Return.—In the case of eligible individuals filing a joint return where 1 spouse is described in subparagraph (A), subsection (b)(1) shall be applied by substituting $1,400 for $2,800.

(2) Denial of Advance Refund Credit.—No refund or credit shall be made or allowed under subsection (g) with respect to any individual whom the Secretary has knowledge is, at the time of any determination made pursuant to paragraph (3) of such subsection, described in clause (i), (ii), (iii), or (iv) of section 20B(x)(1)(A) of the Social Security Act.

SA 971. Mrs. HYDE-SMITH submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

In section 1001 (relating to food supply chain and agriculture pandemic response), strike subsection (b) and insert the following:

(b) Use of Funds.—

(1) In General.—The Secretary of Agriculture shall use the amounts made available to it pursuant to subsection (a), including—

(A) to purchase food and agricultural commodities, including farm-raised fish and wild

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fish and shellfish eligible for purchase under the Section 32 program;
(B) to purchase and distribute agricultural commodities (including fresh produce, dairy, eggs, fish, and shellfish) to individuals in need, including through delivery to nonprofit organizations and through restaurants and other food-related entities, as determined by the Secretary, that may receive, store, process, and distribute food items;
(C) to make grants and loans for small or medium-sized food processors (fish, and wild fish and shellfish) to individuals in need, including through delivery to nonprofit organizations and through restaurants and other food-related entities, as determined by the Secretary, that may receive, store, process, and distribute food items;
(D) to make loans and grants and provide other assistance to maintain and improve food and agricultural supply chain resiliency; and
(E) to make payments to agricultural producers for necessary expenses related to losses of crops (including quality losses and crops prevented from planting), milk, trees, bushes, and vines.
(1) On the date in calendar year 2020 as a consequence of high winds or derechos, hurricanes, tropical storms, floods, tornadoes, wildfires, excessive moisture, and extreme drought;
(ii) that occurred in calendar year 2021 as a consequence of Winter Storms Uri and Viola (including freeze), including such losses to cooperatives due to power outages and power curtailments (in the same manner as disaster assistance provided to cooperatives for 2018 and 2019 losses).
(2) in the second sentence:
(A) FARM-RAISED FISH.—The term “farm-raised fish” has the meaning given the term in section 60.106 of title 7, Code of Federal Regulations, as in effect on the date of enactment of this Act.
(B) WILD FISH AND SHELLFISH.—The term “wild fish and shellfish” has the meaning given the term in section 60.2 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

SA 972. Mr. SANDERS (for himself, Mr. SCHUMER, Mrs. MURRAY, Mr. WYDEN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CASEY, Mr. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HIRONO, Mr. KAINE, Mr. LEAHY, Mr. MARKY, Mr. MERKLEY, Mr. MURPHY, Mr. OSSOFF, Mr. PADILLA, Mr. PETERS, Mr. REED, Mr. SCHATZ, Ms. SMITH, Mr. VAN HOLLEN, Mr. WARNOCK, Ms. WARREN, and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to Title II of S. Con. Res. 5, which fish was ordered to lie on the table; as follows:

At the end of title II, add the following:

Subtitle M—Increasing the Federal Minimum Wage
SEC. 2931. SHORT TITLE.
This subtitle may be cited as the “Raise the Wage Act of 2021”.

SEC. 2932. MINIMUM WAGE INCREASES.
(a) Amendments.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

‘‘(1) except as otherwise provided in this section, not less than—
(A) $9.50 an hour, beginning on the effective date under section 2937 of the Raise the Wage Act of 2021;
(B) $11.00 an hour, beginning 1 year after such effective date;
(C) $12.50 an hour, beginning 2 years after such effective date;
(D) $14.00 an hour, beginning 3 years after such effective date;
(E) $15.00 an hour, beginning 4 years after such effective date.
‘‘(2) In calculating the annual percentage increase in the median hourly wage of all employees for purposes of paragraph (1)(B), the Secretary, through the Bureau of Labor Statistics, shall compile data on the hourly wages of all employees to determine such a median hourly wage and compare such median hourly wage for the most recent year for which data are available with the median hourly wage determined for the preceding year.

SEC. 2933. TIPPED EMPLOYEES.
(a) BASE MINIMUM WAGE FOR TIPPED EMPLOYEES AND TIPS RETAINED BY EMPLOYERS.—Section 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(m)(2)(A)(i)) is amended by striking ''(F) beginning on the date that is 5 years after the date of enactment of this Act)'' and inserting the following: ''(F) beginning on the date that is 5 years after such effective date, and annually thereafter, the amount determined by the Secretary of Labor by applying paragraph (1) of subsection (a) of section 60.201 of title 29, Code of Federal Regulations, as in effect on the date of enactment of this Act).''

(b) DETERMINATION BASED ON INCREASE IN THE MEDIAN HOURLY WAGE OF ALL EMPLOYEES.—Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206) is amended by adding at the end the following:

‘‘(h)(1) Not later than each date that is 90 days before a new minimum wage determined under subsection (a)(1)(F) is to take effect, the Secretary shall determine the minimum wage to be in effect under this subsection for each period described in subsection (a)(1) for a year shall be—
(A) not less than the amount in effect under subsection (a)(1) for the year that is 1 day after the date on which the amount determined under paragraph (1) for such a year shall be—
(B) increased from such amount by the annual percentage increase, if any, in the median hourly wage of all employees as determined by the Bureau of Labor Statistics; and
(C) rounded up to the nearest multiple of $0.05.
‘‘(2) In calculating the annual percentage increase in the median hourly wage of all employees for purposes of paragraph (1)(B), the Secretary, through the Bureau of Labor Statistics, shall compile data on the hourly wages of all employees to determine such a median hourly wage and compare such median hourly wage for the most recent year for which data are available with the median hourly wage determined for the preceding year.

SEC. 2934. NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20 YEARS OLD.
(a) BASE MINIMUM WAGE FOR NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20 YEARS OLD.—Section 6(g)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)(1)) is amended by striking “$12.50 an hour, beginning 2 years after the effective date under section 6(a)(1),” and inserting the following: “$12.50 an hour, beginning 2 years after the effective date under section 6(a)(1),”.

(b) PUBLICATION OF NOTICE.—Subsection (i) of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as amended by section 2935, is further amended by striking “or in accordance with subsection (II) or (III) of section 3(m)(2)(A)(i)”.

(c) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on the date that is 1 day after the date on which the hourly wage under subsection (II) of section 3(m)(2)(A)(i) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(m)(2)(A)(i)) is as amended by subsection (a), takes effect.

(d) PENALTIES.—Section 16 of the Fair Labor Standards Act of 1938 (29 U.S.C. 216) is amended—
(1) in the third sentence of subsection (b), by inserting “or used” after “kept”; and
(2) in the second sentence of subsection (e), by inserting “used” after “kept”.

(b) SCHEDULED REPEAL OF SEPARATE MINIMUM WAGE FOR NEWLY HIRED EMPLOYEES WHO ARE LESS THAN 20 YEARS OLD.—
(1) In general.—Section 6(g) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)), as amended by subsection (a), shall be repealed.

(2) PUBLICATION OF NOTICE.—Subsection (i) of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as amended by section 2935(c)(2), is further amended by striking “or subparagraph (B) or (C) of subsection (g)(1),”.

(3) EFFECTIVE DATE.—The repeal and amendment made by paragraph (1) and (2), respectively, shall take effect on the date that is 1 day after the date on which the
hoursly wage under subparagraph (C) of section 6(g)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)(1)), as amended by subsection (a), takes effect.

SEC. 2935. EFFECTIVE DATE.

Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as amended by the preceding sections, is further amended by adding at the end the following:

"(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act.

(b) PUBLICATION OF NOTICE.

(1) AMENDMENTS.—Section (1) of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as amended by section 2934(b)(2), is further amended by striking "or section 14(c)(1)(A)"

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date after the date on which the wage rate described in paragraph (1)(A)/4)(V)/ii) of section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)), as amended by subsection (a)(1), takes effect.

SEC. 2937. GENERAL EFFECTIVE DATE.

Except as otherwise provided in this subtitile, the amendments made by this subtitle, and the amendments made by this subtitle shall take effect on the first day of the third month that begins after the date of the enactment of this Act.

SA 973. Mr. BRUEN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

Strike section 1093 and insert the following:

SEC. 1095. BROADBAND INVESTMENT AND PANDEMIC RESPONSE FOR COMMUNITY DEVELOPMENT.

In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated—

(1) $300,000,000, to remain available until September 30, 2022, to carry out chapter 1 of title 7 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa et seq.);

(2) $600,000,000, to remain available until September 30, 2026, to carry out section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb);

(3) $100,000,000, to remain available until September 30, 2026, to carry out section 602 of that Act (7 U.S.C. 950bb-1); and

(4) $200,000,000, to remain available until September 30, 2026, to carry out section 604 of that Act (7 U.S.C. 950bb-3).

SA 974. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of section 9501, insert the following:

"(c) PROHIBITION ON FUNDING FOR ABORTIONS.—

(1) IN GENERAL.—Notwithstanding any of the previous provisions of (including amendments made by) this section, with respect to any COBRA continuation coverage that includes coverage for abortions (other than an abortion or treatment described in paragraph (2) or (3)) shall not apply, premiums shall not be payable under subsection (a), the waiver provided by the Internal Revenue Code of 1986 shall not be allowed.

(2) CONSTRUCTION RELATING TO COMPLICATIONS OF ABORTION.—Nothing in paragraph (1) shall be construed to apply to any coverage for the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion. This rule of construction shall be applicable without regard to whether the abortion was performed in accordance with Federal or State law, and without regard to whether funding for the abortion is permissible under paragraph (3).

(3) TREATMENT OF ABORTIONS RELATED TO RAPE, INCEST, OR PRESERVING THE LIFE OF THE MOTHER.—The limitations established under paragraph (1) shall not apply to an abortion—

(A) if the pregnancy is the result of an act of rape or incest; or

(B) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.

(4) SEPARATE ABORTION COVERAGE OR PLAN ALLOWED.—

(A) OPTION TO PURCHASE SEPARATE COVERAGE OR PLAN.—Nothing in paragraph (1) shall restrict any non-Federal health insurance issuer offering a health plan from offering separate coverage for abortions described in paragraph (2) or (3) a health plan that includes such abortions, so long as no premium assistance or credit is allowed pursuant to this section, including amendments made by this section, with respect to the premiums for such separate coverage or plan.

(B) OPTION TO OFFER COVERAGE OR PLAN.—Nothing in paragraph (1) shall restrict any plan that includes such abortions, so long as no premium assistance or credit is allowed pursuant to this section, including amendments made by this section, with respect to the premiums for such separate coverage or plan.

SEC. 9506. AMENDMENTS TO STATE MEDICAID PLANS WHICH BEGIN TO RECEIVE FEDERAL MATCHING FUNDS FOR CERTAIN MANDATORY INDIVIDUALS.

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396u-5) as added by section 9811 of this subtitle, is further amended—
SA 977. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9614 and insert the following:

SEC. 9814. TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.—

(a) In General.—Section 1905 of the Social Security Act (42 U.S.C. 1396d), as amended by section 9811 of this subtitle, is further amended—

(1) in subsection (b), in the first sentence, by striking “(hh)” and inserting “(hh), (ii)”, and (ii)’’;

(2) in subsection (f), by striking “subject to subsection (hh)” and inserting “subject to subsections (hh) and (ii)”’’; and

(3) by adding at the end the following new subsection:

“(ii) TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.—

“(1) IN GENERAL.—For each quarter occurring during the 8-quarter period beginning with the first calendar quarter during which a qualifying State (as defined in paragraph (3)) spends amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) under the State plan (or waiver of such plan), the Federal medical assistance percentage determined under subsection (b) for such State shall, after application of any increase, if applicable, under section 6008 of the Families First Coronavirus Response Act, be increased by 5 percentage points, except for any quarter (and each subsequent quarter) during such period during which the State ceases to provide medical assistance to any such individual under the State plan (or waiver of such plan).”

“(2) SPECIAL APPLICATION RULES.—Any increase described in paragraph (1) (or payment made for expenditures on medical assistance that are subject to such increase)—

“(A) shall not apply with respect to disproportionate share hospital payments described in section 1923; and

“(B) shall not be taken into account in calculating the enhanced FMAP of a State under section 1205;”

“(C) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1198;”

“(D) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1198.”

“(3) DEFINITION.—For purposes of this subsection, the term ‘qualifying State’ means a State which has not expended amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) before the date of the enactment of this subsection.”.

(b) Conditions on Providing Medical Assistance to Certain Mandatory Individuals.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(10)(A)(i)(VIII), by striking “beginning January 1, 2014” and inserting “subject to subsection (tt)”’’; and

(2) by adding at the end the following new subsection:

“(tt) Conditions on the Provision of Medical Assistance to Certain Individuals.—

“(1) In General.—A State that is a qualifying State (as defined in section 1905(ii)(3)), and, beginning January 1, 2022, any other State, shall provide medical assistance to individuals described in subsection (a)(10)(A)(i)(VIII) unless the State meets the requirements described in paragraph (2).”

“(2) Requirements.—The requirements described in this paragraph are the following:

“(A) In General.—The State requirements described in subsection (a)(10)(A)(i)(VIII) receive a drug test as a condition of eligibility for medical assistance that the State plan or a waiver of such plan.

“(B) Substance User Disorder Treatment.—The State requires any individual described in subsection (a)(10)(A)(i)(VIII) who tests positive for drug use or is otherwise known to the State to have a substance user disorder to receive substance use disorder treatment as a condition of eligibility for medical assistance under the State plan or a waiver of such plan.”

“(iii) TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.—

“(1) IN GENERAL.—For each quarter occurring during the 8-quarter period beginning with the first calendar quarter during which a qualifying State (as defined in paragraph (3)) spends amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) under the State plan (or waiver of such plan), the Federal medical assistance percentage determined under subsection (b) for such State shall, after application of any increase, if applicable, under section 6008 of the Families First Coronavirus Response Act, be increased by 5 percentage points, except for any quarter (and each subsequent quarter) during such period during which the State ceases to provide medical assistance to any such individual under the State plan (or waiver of such plan).”

“(2) SPECIAL APPLICATION RULES.—Any increase described in paragraph (1) (or payment made for expenditures on medical assistance that are subject to such increase)—

“(A) shall not apply with respect to disproportionate share hospital payments described in section 1923; and

“(B) shall not be taken into account in calculating the enhanced FMAP of a State under section 1205;”

“(C) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1198;”

“(D) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1198.”

“(3) DEFINITION.—For purposes of this subsection, the term ‘qualifying State’ means a State which has not expended amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) before the date of the enactment of this subsection.”.

(b) Conditions on Providing Medical Assistance to Certain Mandatory Individuals.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(10)(A)(i)(VIII), by striking “beginning January 1, 2014” and inserting “subject to subsection (tt)”’’; and

(2) by adding at the end the following new subsection:

“(tt) Conditions on the Provision of Medical Assistance to Certain Individuals.—

“(1) In General.—A State that is a qualifying State (as defined in section 1905(ii)(3)), and, beginning January 1, 2022, any other State, shall provide medical assistance to individuals described in subsection (a)(10)(A)(i)(VIII) unless the State meets the requirements described in paragraph (2).”

“(2) Requirements.—The requirements described in this paragraph are the following:

“(A) In General.—The State requirements described in subsection (a)(10)(A)(i)(VIII) receive a drug test as a condition of eligibility for medical assistance that the State plan or a waiver of such plan.

“(B) Substance User Disorder Treatment.—The State requires any individual described in subsection (a)(10)(A)(i)(VIII) who tests positive for drug use or is otherwise known to the State to have a substance user disorder to receive substance use disorder treatment as a condition of eligibility for medical assistance under the State plan or a waiver of such plan.”
SA 979. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9814 and insert the following:

SEC. 914. TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) as amended by section 9811 of this subtitle, is further amended by—

(1) in subsection (b), in the first sentence, by striking “and (hh)” and inserting “(hh)”; and

(2) in subsection (f), by striking “subject to subsection (hh)” and inserting “subject to subsections (hh) and (ii)”; and

(b) by adding at the end the following new subsection:

“(ii) TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.—

“(1) IN GENERAL.—For each quarter occurring during the 8-quarter period beginning with the 8-quarter period in which the Federal medical assistance percentage determined under subsection (b) for such State shall, after application of any increase, if applicable, under section 1909 of the Families First Coronavirus Response Act, be increased by 5 percentage points, except for any quarter and each subsequent quarter during such period in which the State meets the requirements described in paragraph (2) for eligible individuals described in subsection (a)(10)(A)(VIII) to receive a drug test as a condition of eligibility for medical assistance under the State plan or a waiver of such plan.

“(2) SPECIAL APPLICATION RULES.—The State requirements described in subsection (a)(10)(A)(VIII) are as follows:

“(A) The State must perform drug tests on individual knowing to the State to have a substance use disorder treatment as a condition of eligibility for medical assistance under the State plan or a waiver of such plan.

“SA 980. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9814 and insert the following:

“(A) DRUG TESTING.—The State requires in- 

“(B) SUBSTANCE USE DISORDER TREAT- 

“(C) by inserting after the second sentence, 

“(D) by inserting at the end the following: 

“(2) REQUIREMENTS.—The requirements de- 

“(3) in subparagraph (C)—

“(B) by inserting before the 

“(C) in subparagraph (C)—

“(D) by inserting at the end the following: 

“(E) by inserting at the end the following: 

“SA 981. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro- 

“SA 982. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro- 

“SA 983. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro- 

“SA 984. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro- 

“SA 985. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro- 

“SA 986. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro- 

“SA 987. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to pro-
II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike subtitle M of title IX.

SA 983. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891, proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On [page 345, strike lines 12 through 16] and insert the following:

"(2) Special rules.—

(A) Joint return or surviving spouse.—In the case of a joint return or a surviving spouse (as defined in section 2(a)), paragraph (1) shall be applied by substituting $100,000 for $50,000 and $50,000 for $25,000.

(B) Head of household.—In the case of a head of household (as defined in section 2(b)), paragraph (1) shall be applied by substituting $75,000 for $50,000 and $37,500 for $25,000.

(2) Definitions and Special Rules.—

(A) Definition defined.—For purposes of this section, the term 'definition' has the meaning given such term by section 192.

(B) Identification number requirement.—

(A) in general.—In the case of a return other than a joint return, the $1,400 amount in subsection (b)(1) shall be treated as being zero unless the taxpayer includes the valid identification number of the taxpayer on the return of tax for the taxable year.

(B) Joint returns.—In the case of a joint return, the $2,800 amount in subsection (b)(1) shall be treated as being—

(i) $1,400 if the valid identification number of only 1 spouse is included on the return of tax for the taxable year, and

(ii) zero if the valid identification number of neither spouse is so included.

(C) Child or Qualified Dependent.—Any individual described in subparagraph (A) or (B) of subsection (b)(2) shall not be taken into account under such subsection (b)(2) unless the valid identification number of such individual is included on the return of tax for the taxable year.

(D) Valid identification number.—

(I) in general.—For purposes of this paragraph, the term 'valid identification number' means a social security number issued to an individual by the Social Security Administration, for purposes of this paragraph, before the due date for filing the return for the taxable year.

(ii) Adoption taxpayer identification number.—For purposes of subparagraph (C), the term 'valid identification number' shall include the adoption taxpayer identification number of such individual.

(E) Special rule for members of the armed forces.—

(A) Application to 2020 returns filed at or before December 31, 2020.—For purposes of subparagraph (C), in the case of an individual who is adopted or placed for adoption, the term 'valid identification number' shall include the adoption taxpayer identification number of such individual.

(B) Joint returns.—In the case of a joint return, the $2,800 amount in subsection (b)(1) shall be treated as being—

(i) $1,400 if the valid identification number of only 1 spouse is included on the return of tax for the taxable year, and

(ii) zero if the valid identification number of neither spouse is so included.

(D) Valid identification number.—

(I) in general.—For purposes of this paragraph, the term 'valid identification number' means a social security number issued to an individual by the Social Security Administration, for purposes of this paragraph, before the due date for filing the return for the taxable year.

(ii) Adoption taxpayer identification number.—For purposes of subparagraph (C), the term 'valid identification number' shall include the adoption taxpayer identification number of such individual.

(E) Special rule for members of the armed forces.—

(A) Application to 2020 returns filed at or before December 31, 2020.—For purposes of subparagraph (C), in the case of an individual who is adopted or placed for adoption, the term 'valid identification number' shall include the adoption taxpayer identification number of such individual.

(B) Joint returns.—In the case of a joint return, the $2,800 amount in subsection (b)(1) shall be treated as being—

(i) $1,400 if the valid identification number of only 1 spouse is included on the return of tax for the taxable year, and

(ii) zero if the valid identification number of neither spouse is so included.

(D) Valid identification number.—

(I) in general.—For purposes of this paragraph, the term 'valid identification number' means a social security number issued to an individual by the Social Security Administration, for purposes of this paragraph, before the due date for filing the return for the taxable year.

(ii) Adoption taxpayer identification number.—For purposes of subparagraph (C), the term 'valid identification number' shall include the adoption taxpayer identification number of such individual.

(E) Special rule for members of the armed forces.—

(A) Application to 2020 returns filed at or before December 31, 2020.—For purposes of subparagraph (C), in the case of an individual who is adopted or placed for adoption, the term 'valid identification number' shall include the adoption taxpayer identification number of such individual.

(B) Joint returns.—In the case of a joint return, the $2,800 amount in subsection (b)(1) shall be treated as being—

(i) $1,400 if the valid identification number of only 1 spouse is included on the return of tax for the taxable year, and

(ii) zero if the valid identification number of neither spouse is so included.
(1) In general.—In the case of any individual who files, before the additional payment determination date, a return of tax for which a credit under subsection (a) is determined, the Secretary shall carry out a robust and comprehensive outreach program to ensure that all taxpayers described in subsection (h)(1) learn of their eligibility for the advance refunds and credits under subsection (g); are advised of the opportunity to advance advance refunds and credits as provided under subsection (h)(1); and are provided assistance in applying for such advance refunds and credits.

SA 985. Mr. RISCH (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of section 10003, add the following:

(c) Requirement for Contribution.—Of funds made available by subsection (a)(2) for a contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria's COVID–19 Response Mechanism shall have surpassed $1,000,000,000.

SA 986. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 33, line 13, strike “September 30, 2023” and insert “June 30, 2022”.

SA 987. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 46, between lines 20 and 21, insert the following:

(b) An institution shall not be eligible for an allocation under subparagraph (A) if the institution is determined by the Secretary of Education to be not in compliance with the requirements under section 117 of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) in fiscal year 2021 or 2022.

SEC. 9661. EXPANSION OF HEALTH SAVINGS ACCOUNT ELIGIBILITY.

(a) In general.—Section 223 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (b)—

(2) regulations or other guidance to ensure to the maximum extent administratively practicable that, in determining the amount of any credit under subsection (a) and any advance refund amount under subsection (g), an individual is not taken into account more than once, including by different taxpayers and including by reason of a change in joint status.

(ii) in paragraph (6), by redesignating subsections (5)(B), (C), and (D) as subparagraphs (C), (D), and (E), respectively.

SA 988. Mr. SASSE submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike sections 9661, 9662, and 9663 and insert the following:

(b) CONFORMING AMENDMENTS.—

(1) Amendment:—

(A) in the heading of section 15(b)(2)(B), in the Internal Revenue Code of 1986 is amended by striking “high deductible health plan” and inserting “qualified health plan”.

(B) Section 106(e) of such Code is amended—

(2) in paragraph (2)—

(3) in the heading of subparagraph (A), by striking “high deductible health plan” and inserting “qualified health plan”, and

(ii) in paragraph (6), by redesignating subsections (5)(B), (C), and (D) as subparagraphs (C), (D), and (E), respectively.

CONGRESSIONAL RECORD—SENATE S1213

March 4, 2021

CONGRESSIONAL RECORD—SENATE S1213

March 4, 2021
(5) Section 1938(a)(3) of the Social Security Act (42 U.S.C. 1396a(a)(3)) is amended by inserting “(as in effect on the day before the date of the enactment of the American Rescue Plan of 2021)” after “section 223(c)(2)(C) of the Internal Revenue Code of 1986”.

(6) Section 2105(c)(1)(B) of the Social Security Act (42 U.S.C. 1397ee(c)(1)(B)(i)(II)) is amended by striking “high deductible health plan” and inserting “qualified health plan”.

(7) Section 1110(c)(2)(B)(ii) of the Patient Protection and Affordable Care Act (42 U.S.C. 18001(c)(2)(B)(ii)) is amended by striking “section 223(c)(2)” and inserting “section 223(b)(12)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(ii) in clause (i)(III), by inserting “an entertainment business operator” after “theatre operator”; and

(iii) in clause (ii)(III), by inserting “an entertainment business operator” after “theatre operator”;

(2) in subsection (b)—

(I) in clause (i), by inserting “an entertainment business operator” after “theatre operator”; and

(II) in clause (ii), by inserting “an entertainment business operator” after “theatre operator”;

(3) in subsection (c)(1), by inserting “an entertainment business operator” after “theatre operator”; and

(4) in subsection (d), by inserting “an entertainment business operator” after “theatre operator”.

SEC. 5007. ADDING MOBILE AND TRAVELING ENTERTAINMENT BUSINESS GRANT PROGRAM.

Section 324 of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Rural Communities Act (title III, subtitle A, division N of Public Law 116-260) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking subparagraph (A)—

(ii) in the matter preceding clause (i), by inserting “an entertainment business operator,” after “theatre operator”;

(II) in clause (i)(III), by inserting “an entertainment business operator” after “theatre operator”;

(III) in clause (ii)(III), by inserting “an entertainment business operator” after “theatre operator”;

(III) in clause (ii)(III), by inserting “an entertainment business operator” after “theatre operator”;

(2) by striking “section 2101(b)” and inserting the following:

(b) ALLOCATION OF AMOUNTS.—Amounts appropriated under subsection (a) shall be allocated as follows:

(I) Not less than $75,000,000 shall be for the Office of Inspector General.

(II) $12,500,000 shall be for the Office of Inspector General.

(III) $10,000,000 shall be—

(A) for the National Institute for Occupational Safety and Health; and

(B) for the Occupational Safety and Health Administration.

(IV) $10,000,000 shall be for the Occupational Safety and Health Administration.

(V) $10,000,000 shall be for the Secretary of Labor that information about the cooperative agreements and voluntary protection programs carried out on the day before the date of enactment of this Act; and

(VI) $10,000,000 shall be for the voluntary protection program authorized under this subsection.

SEC. 5990. BRANCA AMENDED AN AMENDMENT INTENDED TO BE PROPOSED TO AMENDMENT SA 891 PROPOSED BY MR. SCHUMER TO THE BILL H.R. 1319, TO PROVIDE FOR RECONCILIATION PURSUANT TO TITLE II OF S. CON. RES. 5, WHICH WAS ORDERED TO Lie ON THE TABLE; AS FOLLOWS:

At the end of subtitle V, add the following:

SEC. 5907. ADDING MOBILE AND TRAVELING BUSINESS GRANT PROGRAM.

The term “entertainment business operator” means an individual or entity that operates a business that provides live entertainment through recreation, sports, or amusement, including a mobile entity such as a fair, carnival, or circus.”.

Amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, which was ordered to lie on the table; as follows:

At the end of title V, add the following:
SEC. 5007. ADDING BUSINESSES THAT PROVIDE LIVE ENTERTAINMENT THROUGH RECREATION, SPORTS, OR AMUSEMENT DEVELOPMENT PROJECTS, TO THE SHUTTLED VENUE OPERATOR GRANT PROGRAM.

Section 324 of the Economic Aid to Hard-Hit States, Nonprofits, and Venues Act (title III of division N of Public Law 116–260) is amended—

(1) in paragraph (1), in the matter preceding subparagraph (a), by striking ‘‘entertainment business operator, after ‘theatre operator,’’; and

(2) in subparagraph (A), by inserting ‘‘entertainment business operator, after ‘theatre operator,’’; and

(3) in subsection (b), by inserting ‘‘entertainment business operator, after ‘theatre operator,’’; and

SA 993. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 992 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of part 1 of title A of title IX, insert the following:

SEC. 9109. CAP ON TEMPORARY INCREASED UNEMPLOYMENT COMPENSATION BENEFITS AT PRIOR WAGES WITH THE SAVINGS GOING TO FUNDING PAYMENTS TO STATES FOR WORKFORCE DEVELOPMENT PROJECTS.

(a) CAP.—

(1) PANDEMIC UNEMPLOYMENT ASSISTANCE.—Section 2102(d) of the CARES Act (15 U.S.C. 9021(d)) is amended—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ‘‘the assistance and inserting ‘Subject to paragraph (4), the assistance’’;

(B) in paragraph (2), by striking ‘‘In the case’’ and inserting ‘Subject to paragraph (4), in the case’’; and

(C) by adding at the end the following new paragraph:

‘‘(5) LIMITATION.—For weeks of unemployment ending after March 14, 2021, and ending on or before August 29, 2021, the total amount of the weekly assistance applicable to an individual under paragraph (1) or (2) (including the increase under section 2104) may not exceed—

‘‘(A) in the case of paragraph (1), the amount of the individual’s average weekly wages on which the individual’s weekly benefit is based; and

‘‘(B) in the case of paragraph (2), the amount of the individual’s average weekly wages on which the amount described in clause (ii) is based.’’

SA 993. Mr. JOHNSON submitted an amendment intended to be proposed to
amendment SA 891, proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike subtitle F of title VII.

SA 994. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 6002.

SA 995. Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 2. REDUCTION OF BUDGET AUTHORITY.
(a) In General.—Each amount made available to an agency under this Act, or an amendment made by this Act, shall be reduced, on a pro rata basis, by the amount required to reduce the total amount made available to the agency under this Act, and the amendments made by this Act, by the amount equal to the amount of the unobligated balances, as of the date of enactment of this Act, of amounts made available to the agency under any of the Acts described in subsection (b).

(b) COVID RELIEF ACTS.—The Acts described in this subsection are the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136), the Families First Coronavirus Response Act (Public Law 116-191), the Coronavirus Response and Health Care Enhancement Act (Public Law 116-260), the Coronavirus Aid, Relief, and Economic Security Act, 2021 (division M of the Consolidated Appropriations Act, 2021) (Public Law 116-94), the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116-139), the Emergency Aid for Returning Americans Affected by Coronavirus Act (Public Law 116-144), and the Continuing Appropriations Act, 2021 and Other Extent Acts (Public Law 116-159).

SA 996. Mrs. BLACKBURN (for herself, Mr. SHELY, Mr. TUBERVILLE, Mr. CORNELIAO, Mr. HAGERTY) submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARPIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 5831.

SA 997. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARPIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 321.

SA 998. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARPIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 2022.

SA 999. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARPIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 2023.

SA 1000. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER (for himself, Mr. WYDEN, Mrs. MURRAY, Mr. BROWN, Mr. PETERS, Mr. CARPIN, Ms. CANTWELL, Ms. STABENOW, Mr. TESTER, Mr. MENENDEZ, Mr. SCHATZ, Mr. CARPER, Mr. LEAHY, and Mr. SANDERS) to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 2001, insert the following after subsection (d).

(b) REQUIREMENT FOR FUNDING.—Notwithstanding any other provision of this section, a State shall not receive funds under this section if that State does not allow non-public elementary and secondary schools (including religious schools) in the State to operate for in-person instruction.

AUTHORITY FOR COMMITTEES TO MEET

Mr. PETERS. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS
The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, March 4, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES
The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, March 4, 2021, at 10 a.m., to conduct a hearing on a nomination.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, March 4, 2021, at 10:15 a.m., to conduct a hearing on a nomination.

COMMITTEE ON VETERANS’ AFFAIRS
The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Thursday, March 4, 2021, at 10 a.m., to conduct a hearing on a nomination.

ORDERS FOR FRIDAY, MARCH 5, 2021

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. Friday, March 5, that following the prayer and pledge, the morning hour be re-opened; that the time not used be divided equally among the senators desiring debate and that the time remaining, with the time equally divided and controlled between the two managers or their designees; and that it be in order to Senator SANDERS to offer the first amendment. The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 9 A.M. TODAY

Mr. VAN HOLLEN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 2:35 p.m., adjourned until Friday, March 5, 2021, at 9 a.m.
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1037–S1216

Measures Introduced: Twenty-six bills and two resolutions were introduced, as follows: S. 586–611, and S. Res. 95–96.

Measures Passed:

CONFUCIUS Act: Senate passed S. 590, to establish limitations regarding Confucius Institutes.

Pages S1119–21

Measures Considered:

Secretary of Defense Appointment Limitation Exception: Senate began consideration of the motion to proceed to consideration of S. 11, to provide for an exception to a limitation against appointment of persons as Secretary of Defense within seven years of relief from active duty as a regular commissioned officer of the Armed Forces.

Page S1043

American Rescue Plan Act—Agreement: Senate began consideration of H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5, taking action on the following amendment proposed thereto:

Pending:

Schumer Amendment No. 891, of a perfecting nature.

Prior to the consideration of this measure, Senate took the following action:

By 51 yeas to 50 nays, Vice President voting yea (Vote No. 73), Senate agreed to the motion to proceed to consideration of the bill.

A unanimous-consent-time agreement was reached providing for further consideration of the bill at approximately 9 a.m., on Friday, March 5, 2021; that there be 3 hours of debate remaining, with the time equally divided and controlled between the two managers or their designees; and that it be in order for Senator Sanders to offer the first amendment.

Pages S1051–S1117

Executive Communications:

Pages S1118–19

Executive Reports of Committees:

Page S1119

Additional Cosponsors:

Page S1121

Indexes

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Executive Communications:

Pages S1118–19

Executive Reports of Committees:

Page S1119

Additional Cosponsors:

Page S1121

Committee Meetings

Committee on Armed Services: Committee concluded a hearing to examine the nomination of Colin Hackett Kahl, of California, to be Under Secretary of Defense for Policy, after the nominee testified and answered questions in his own behalf.

THE FINANCIAL SYSTEM, WORKERS, AND THE RACIAL WEALTH GAP

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine how the financial system hurts workers and widens the racial wealth gap, after receiving testimony from Abbye Atkinson, University of California, Berkeley, School of Law; Darrick Hamilton, The New School and the Institute on Race and Political Economy, New York, New York; and Glenn Cartman Loury, Brown University, Providence, Rhode Island.

BUSINESS MEETING

Committee on Energy and Natural Resources: Committee ordered favorably reported the nomination of Debra Anne Haaland, of New Mexico, to be Secretary of the Interior.

Also, Committee announced the following subcommittee assignments for the 117th Congress:

Subcommittee on National Parks: Senators King (Chair), Sanders, Heinrich, Hirono, Kelly, Daines, Lee, Murkowski, Hoeven, and Lankford.

Subcommittee on Public Lands, Forests, and Mining: Senators Cortez Masto (Chair), Wyden, Heinrich, Hirono, Kelly, Daines, Murkowski, Lankford, Cassidy, and Hyde-Smith.


Senators Manchin and Barrasso are ex officio members of each subcommittee.

NOMINATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nomination of David Turk, of Maryland, to be Deputy Secretary of Energy, after the nominee, who was introduced by Senator Van Hollen and former Senator Conrad, testified and answered questions in his own behalf.

NOMINATIONS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nominations of Shalanda D. Young, of Louisiana, to be Deputy Director, who was introduced by Senators Leahy and Cassidy, and Jason Scott Miller, of Maryland, to be Deputy Director for Management, who was introduced by Representative Stevens, both of the Office of Management and Budget, after the nominees testified and answered questions in their own behalf.

House of Representatives

Chamber Action
The House was not in session today. The House is scheduled to meet at noon on Monday, March 8, 2021.

Committee Meetings

LEGISLATIVE MEASURE

Committee on Natural Resources: Full Committee held a hearing on legislation on Insular Area Climate Change Act. Testimony was heard from Jean-Pierre L. Oriol, Commissioner, Department of Planning and Natural Resources, U.S. Virgin Islands; Rafael A. Machargo Maldonado, Secretary, Department of Natural Resources, Puerto Rico; and public witnesses.

REAUTHORIZING TRADE ADJUSTMENT ASSISTANCE: OPPORTUNITIES FOR EQUITABLE ACCESS AND MODERNIZATION

Committee on Ways and Means: Subcommittee on Trade held a hearing entitled “Reauthorizing Trade Adjustment Assistance: Opportunities for Equitable Access and Modernization”. Testimony was heard from Shelly Forsberg, Trade Adjustment Assistance Program Manager, Oregon; and public witnesses.

Joint Meetings

VSO LEGISLATIVE PRESENTATIONS

Senate Committee on Veterans’ Affairs and House Committee on Veterans’ Affairs: Committees continued joint hearings to examine the legislative presentation of veterans services organizations, after receiving testimony from James W. Oxford, Vincent James Troiola, Lawrence Montreuil, Ralph Bozella, Mario Marquez, Daniel Seehafer, and Joe Sharpe, all of The American Legion; John Rowan, Vietnam Veterans of America; David Zurfluh, Paralyzed Veterans of America; Jeffrey Sacks, Jewish War Veterans of the United States; Ernie Rivera, Military Order of the Purple Heart; Lieutenant General Michael S. Linnington, USA (ret.), Wounded Warrior Project; and Jeremy Butler, Iraq and Afghanistan Veterans of America.

Hearing will next convene on Thursday, March 18, 2021 at 10 a.m.

COMMITTEE MEETINGS FOR FRIDAY,
MARCH 5, 2021

(Committee meetings are open unless otherwise indicated)

Senate
No meetings/hearings scheduled.

House

Committee on Appropriations, Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing entitled “Status of Department of Veterans Affairs Infrastructure”, 10:30 a.m., Webex.
Next Meeting of the SENATE
9 a.m., Friday, March 5

Senate Chamber
Program for Friday: Senate will continue consideration of H.R. 1319, American Rescue Plan Act. Senators should expect a long series of roll call votes.

Next Meeting of the HOUSE OF REPRESENTATIVES
12 p.m., Monday, March 8

House Chamber
Program for Monday: Consideration of measures under suspension of the Rules.