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PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

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House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. CUELLAR).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 10, 2021.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Margaret Grun Kibben, offered the following prayer:

Almighty God, as these lawmakers take their sides on this factional bill before them, we pray Your mercy.

Forgive them—all of them—for when called upon to respond to a once-in-a-century pandemic that has rocked our country, upended its economy, and widened the chasm of partisan opinion, they have missed the opportunity to step above the fray and unite to attend to this national crisis.

In failing to address the acrimony and divisions which have prevailed in this room, the servants You have called to lead this country have contributed to the spread of an even more insidious contagion of bitterness and spite.

Rather than employing the preventive measures of compassion, kindness, humility, gentleness, and patience, this armor has been set aside in favor of argument, disparaging words, and divisiveness.

You have warned us that a house divided against itself cannot stand. And now we stand in need of healing and reconciliation.

Merciful Lord, rebuild this house that their labor will not be in vain.

We offer ourselves and our prayers to You in the strength of Your name.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 5(a)(1)(A) of House Resolution 8, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. VARGAS) come forward and lead the House in the Pledge of Allegiance.

Mr. VARGAS 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

REMEMBERING DR. WILLIE BLAIR

(Mr. VARGAS asked and was given permission to address the House for 1 minute.)

Mr. VARGAS. Mr. Speaker, I rise today with my colleague, Congresswoman SARA JACOBS, to honor San Diego leader Dr. Willie Blair.

As a San Diego community leader, Dr. Blair left a legacy for those demanding social justice and equity. He served his country as a Vietnam combat veteran; a former congressional staffer; and locally as a leader of Black American Political Association of California-San Diego chapter, or BAPAC.

From 2008 to 2017, Dr. Blair served as board chairman for BAPAC, an organization that strives to ensure the Black community in San Diego County remains a relevant economic, social force in southern California.

In 2017, he was elected as BAPAC's president, where he continued his work in civil and human rights and used his stature to promote quality leadership in the community.

Dr. Blair is survived by his daughter, U.S. Air Force officer Deborah Smith; his siblings Janet, Trece, and Roger; and several nieces.

We are very lucky to have a leader like Dr. Blair, who paved the way for future changemakers. All of us who knew Dr. Blair loved him and respected him dearly. We are saddened by his passing.

TAKING AWAY EMPLOYEE CHOICE

(Mr. HERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HERN. Mr. Speaker, last year, I stood right here and argued against the many concerns I have with the PRO Act. Thirteen months later, nothing has been done to address those concerns or earn bipartisan support.

The PRO Act is a dangerous example of power for union leaders without necessary protections for union members.

One of the biggest glaring failures of this legislation is taking away employee choice, effectively repeating right-to-work laws across the country, like in my home State of Oklahoma, where we choose to empower employees and employers alike. Where workers have previously had the freedom to choose whether or not to pay fees and join unions, they will now be forced to pay membership fees or lose their job.

American workers and American ingenuity made our country what it is

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today. If my colleagues insist on moving forward with legislation that empowers union bosses and strips independence from our workers, we will lose to countries like China, who profit from sweatshops and child labor.

Many of the ideas in this bill have already been rejected in the court system, making this bill pointless and a waste of time.

THIS PANDEMIC REQUIRES A BOLD INVESTMENT

(Mr. CARBAJAL asked and was given permission to address the House for 1 minute.)

Mr. CARBAJAL. Mr. Speaker, a once-in-a-lifetime pandemic requires bold investment, and that is what the American Rescue Plan is.

This bill invests $20 billion to get shots in arms and make sure everyone knows where, when, and how to get a vaccine.

Many students are back in school or are going back soon. California will get $15 billion to reopen safely and keep schools open to make up for lost time.

We have also invested in the backbone of our economy: small businesses. In fact, economists believe this bill can bring us back to near full employment in about a year.

To ensure local governments can keep providing essential services, this bill delivers over $259 million to cities and counties in my district alone.

Finally, this package invests in the American people. Direct payments, unemployment benefits, tax credits, and healthcare subsidies will help lift 12 million people out of poverty.

Mr. Speaker, I look forward to voting for this bill.

SPENDING BILL IS NOT TARGETED, TIMELY, NOR TIED TO COVID RELIEF

(Mrs. WAGNER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WAGNER. Mr. Speaker, I rise in opposition to the partisan $1.9 trillion spending bill before us today.

It is shameful that Democrats have disregarded their obligation to provide real COVID relief to the American people and are instead attempting to use this process to jam through partisan agenda items.

This bill is not targeted, timely, nor tied to COVID relief. We need to focus on solving the critical issues at hand: getting vaccines to Americans; providing relief for our local businesses, restaurants, and entertainment venues; and supporting those who have been seriously impacted by this pandemic.

Only 9 percent of this massive $1.9 trillion package goes to fighting COVID–19, and outside of stimulus payments, nearly half won't even be spent this year. It is simply unfathomable that Democrats want to spend money years down the road when we have so many pressing needs to address today.

We have worked in a bipartisan manner to pass five—five—relief measures, and I am disappointed that the Democrats have decided to be so egregiously partisan in a time of crisis.

Mr. Speaker, I urge my colleagues to oppose this bill.

A MAJORITY OF AMERICANS SUPPORT UNIVERSAL BACKGROUND CHECKS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, more than 90 percent of Americans support universal background checks for those purchasing guns. Today, I urge my colleagues to do the same by supporting H.R. 8 and H.R. 1446. These bills will keep guns out of the hands of those who aren't allowed to have them in the first place.

For years, I have introduced a bill to prevent people from skirting the background check process by purchasing guns at gun shows, and I am very glad that H.R. 8 accomplishes this. If you can't buy a gun from a licensed dealer, you shouldn't be able to buy a gun anywhere, especially at a gun show.

H.R. 1446 closes the Charleston loophole, which allows individuals to buy guns before their background check is completed. Ensuring community safety shouldn't have a 72-hour clock.

With gun deaths and gun sales surging in 2020, we must act now to close these loopholes and meaningfully combat gun violence.

Mr. Speaker, I urge a ''yes'' vote on these two votes today.

HONORING THE LIFE OF GLENNA FOUBERG

(Mr. JOHNSON of South Dakota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of South Dakota. Mr. Speaker, Glenna Fouberg was a force of nature. Her list of accomplishments makes that clear.

She made real and lasting contributions to at-risk youth, the board of education, the Indian Education Summit, Teach for America, YMCA, Northern State, and her church. She was named South Dakota Teacher of the Year in 1994, and she was a member of the South Dakota Hall of Fame. As I said, she was a force of nature.

But Glenna Fouberg was not a list of accomplishments to me, Mr. Speaker. She was a friend. For 20 years, she gave me advice and counsel. Like a good teacher, she always gave it to me straight.

She gave gifts like that to so many. Earlier this week, I was talking to my friend Tom, who said that during the pandemic, 78-year-old Glenna Fouberg, a force of nature and a legend, had been teaching his 12-year-old daughter how to knit.

When Glenna died in January, she left behind her loving family and thousands of us to whom she had taught so much.

TODAY WE ARE HELPING MAIN STREET

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, today, the House will vote to approve the American Rescue Plan for poor and middle America.

The false choice of Wall Street or Main Street is no more. This plan helps the neighborhood streets and the homes where real people live and struggle every day.

This plan is supported by 75 percent of the American people. It will help the cities of Niagara Falls and Buffalo, the county of Erie; will return the American economy to full employment; and will grow that economy by 6 percent, a rate not seen in many, many decades. This is a good plan that provides direct assistance to the people of this country who need it.

Mr. Speaker, I urge my colleagues to support this plan.

HONORING THE SELFLESS BRAVERY OF TIMOTHY CHADWICK, SR.

(Ms. TENNEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. TENNEY. Mr. Speaker, today, I rise to honor the selfless bravery and service of a member of my community in New York's 22nd Congressional District, Timothy Chadwick, Sr.

Mr. Chadwick served our country in the Air Force during the Vietnam war. Timothy's story is shared by so many Vietnam veterans across our country. While serving in Laos, Timothy was exposed to Agent Orange, which has plagued his health ever since.

Many U.S. servicemembers who were stationed in Vietnam were exposed to the toxic herbicide known as Agent Orange. As a result, our veterans are at an increased risk of developing cancer, Parkinson's disease, non-Hodgkin's lymphoma, and many other deadly illnesses.

These brave veterans risked everything to defend our freedom, and they deserve our support as they overcome the effects of their service. I will never stop standing up and fighting for veterans like they stood up and fought for us.

God bless men like Timothy Chadwick and so many others who served our Nation honorably, and God bless all the men and women currently serving in the U.S. Armed Forces.

SALUTING ALIYAH BOSTON

(Ms. PLASKETT asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Ms. PLASKETT. Mr. Speaker, this month is not only Women's History Month, but it is also Virgin Islands History Month, and what better way to celebrate it than today for me to salute Virgin Islands' native and basketball upcoming star, Aliyah Boston, who had another dominant performance in South Carolina's 67–62 win over Georgia in the SEC tournament final.

Boston put up 27 points and 10 rebounds for her 15th double-double of the year, and was named the tournament MVP as South Carolina captured its sixth championship in the last 7 years.

''Aliyah was huge,'' said Coach Dawn Staley after the game. ''She has to be that dominant in order for us to win these kind of basketball games.''

Aliyah, you are huge. You are dominant. And what better way to recognize Women's History Month and Virgin Islands History Month by a Virgin Islander and a woman making history.

□ 0915

IT IS TIME TO PUT STUDENTS FIRST

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, just over 1 year ago, we entered a COVID crackdown. Businesses and schools shut their doors—some of them, sadly, for good. Communities across the Nation continue to feel this pain.

For more than 365 days, far too many of our Nation's school children have been confined to virtual learning—forced to sit at home behind a computer instead of a classroom.

The implications of students being left out of the classroom are much bigger than parents being inconvenienced or students missing their friends. Every day that we wait to reopen our schools is another day we look the other way as youth mental health continues to plummet.

Every day we wait to reopen our schools is another day our students fall behind.

Mr. Speaker, allowing American school children to return to the classroom is long overdue.

It is time to listen to the science. It is time to put the students first. And it is time to reopen our schools.

A PLEA TO ALL TEXANS

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Mr. Speaker, this morning I make a personal plea to my fellow Texans.

I recognize that there has been an overload of tiredness and desire to go back to work and maybe a desire to party.

Unfortunately, with bad advice and political emphasis, the mask order will be lifted today on March 10 in our State.

Our State is being plagued by the United Kingdom variant. We are still on the hot list for the number of deaths. We have not reached a certain number in terms of lowering the infection rate, and we haven't reached any kind of level in terms of vaccination.

Removing the restrictions and having remove-mask parties is going to be a disaster.

I make this plea: Wear your mask, socially distance. Restaurants and other businesses be responsible.

We are on the way with a rescue, but I beg of my fellow Texans, let us not go backwards to create more deaths, to create more hospitalizations, more loved ones that we will not have at the dinner table.

This is not a time to go backwards. This is a time to go forward. Wear your mask. Let's be responsible.

I ask my constituents on Washington Avenue: Do not have a remove-mask party tonight because you will be walking into a destiny of death.

EXCUSES

(Mr. BARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARR. Mr. Speaker, after enactment of five bipartisan COVID relief bills last year totaling $4 trillion in assistance for healthcare workers, businesses, schools, testing, and vaccines, with over $1 trillion in already appropriated funds still unspent, with an unprecedented level of monetary stimulus from the Fed already in the pipeline with no end in sight, with massive pent-up demand and an economy poised for full recovery, with the success of Operation Warp Speed delivering multiple safe and effective vaccines in record time, with literally millions of Americans benefiting from the mass distribution of those vaccines every single day, with all of these heroic efforts to defeat this virus already in place, why is it that Democrats in Congress are so determined at all costs to ram through this hyperpartisan $2 trillion spending spree with zero bipartisan support?

The answer is that they are exploiting this pandemic as an excuse:

An excuse to force passage of this budget-busting monstrosity, 90 percent of which is totally unrelated to COVID–19:

An excuse to bail out mismanaged State and local governments for liabilities unrelated to COVID.

An excuse to use taxpayer funds to fund Planned Parenthood.

An excuse to send stimulus checks to prisoners and illegal immigrants.

An excuse to expand the welfare state and pay people not to work.

In sum, an excuse to advance an unrelated liberal agenda Democrats call the ''most progressive bill in American history'' that will lead to huge tax increases.

I urge all my colleagues to vote ''no.''

REOPEN AMERICA

(Mrs. GREENE of Georgia asked and was given permission to address the House for 1 minute.)

Mrs. GREENE of Georgia. Mr. Speaker, I thank my colleague and the good gentleman here for explaining why $1.9 trillion in spending is reckless, irresponsible, and the wrong thing to do.

We still have $1 trillion set aside for COVID relief and spending. There is no need to enslave the American people, our children, our grandchildren, our great grandchildren, and generations going forward in more debt.

We are $28 trillion in debt. This Congress is ramming through unbelievable things at a rapid pace.

This must be stopped. We have to give pause and consideration to what we are doing. This is a waste of money and a complete waste of time.

Reopening America is a much better way to go.

MOTION TO ADJOURN

Mrs. GREENE of Georgia. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from Georgia (Mrs. GREENE).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mrs. GREENE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 149, nays 235, not voting 47, as follows:

[Roll No. 71]

YEAS—149

Aderholt	Clyde	Gonzales, Tony
Allen	Cole	Good (VA)
Armstrong	Comer	Gooden (TX)
Arrington	Crawford	Graves (LA)
Baird	Davidson	Graves (MO)
Balderson	Davis, Rodney	Greene (GA)
Barr	DesJarlais	Griffith
Bentz	Diaz-Balart	Grothman
Bergman	Donalds	Guest
Biggs	Duncan	Guthrie
Bilirakis	Dunn	Hagedorn
Bishop (NC)	Emmer	Harshbarger
Boebert	Estes	Hartzler
Bost	Fallon	Hern
Brady	Feenstra	Herrell
Brooks	Ferguson	Hice (GA)
Bucshon	Fischbach	Hill
Budd	Fitzgerald	Hollingsworth
Burchett	Fleischmann	Hudson
Cammack	Franklin, C. Scott	Huizenga
Carl	Fulcher	Jackson
Carter (GA)	Garbarino	Johnson (OH)
Cawthorn	Garcia (CA)	Johnson (SD)
Chabot	Gimenez	Jordan
Cline	Gohmert	Joyce (PA)
Cloud		Keller

Kelly (PA)
Kim (CA)
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Loudermilk
Lucas
Luetkemeyer
Malliotakis
Mann
Massie
McCarthy
McClain
McClintock
McHenry
Meuser
Miller (IL)
Miller (WV)
Moolenaar
Mooney
Moore (AL)
Mullin
Newhouse
Nunes
Obernolte
Owens
Palazzo
Palmer
Perry
Pfluger
Reed
Reschenthaler
Rose
Rosendale
Rouzer
Roy
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Steel
Steil
Steube
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Timmons
Turner
Upton
Valadao
Van Duyne
Wagner
Walorski
Waltz
Weber (TX)
Wenstrup
Williams (TX)
Wilson (SC)
Wittman
Zeldin

NAYS—235

Adams
Aguilar
Allred
Amodei
Auchincloss
Axne
Bacon
Banks
Barragán
Bass
Beatty
Bera
Beyer
Bice (OK)
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brownley
Buchanan
Bush
Bustos
Butterfield
Calvert
Carbajal
Carson
Carter (TX)
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Craig
Crenshaw
Crow
Cuellar
Curtis
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Fortenberry
Foster
Foxx
Frankel, Lois
Fudge
Gallagher
Gallego
Garamendi
García (IL)
Garcia (TX)
Gibbs
Golden
Gonzalez (OH)
Gonzalez, Vicente
Gottheimer
Granger
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Herrera Beutler
Higgins (LA)
Higgins (NY)
Himes
Hinson
Horsford
Houlahan
Hoyer
Huffman
Issa
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (TX)
Jones
Joyce (OH)
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Long
Lowenthal
Luria
Lynch
Mace
Maloney, Carolyn B.
Maloney, Sean
Manning
Mast
McBath
McCollum
McEachin
McGovern
McKinley
McNerney
Meijer
Meng
Miller-Meeks
Moore (UT)
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Pallone
Panetta
Pappas
Pascrell
Payne
Pence
Perlmutter
Phillips
Pingree
Pocan
Porter
Posey
Price (NC)
Quigley
Raskin
Rice (NY)
Rice (SC)
Rogers (AL)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan
Sánchez
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Spanberger
Stanton
Stauber
Stevens
Strickland
Suozzi
Takano
Thompson (CA)
Thompson (MS)
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Underwood
Vargas
Velázquez
Walberg
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Womack
Yarmuth

NOT VOTING—47

Babin
Brown
Buck
Burgess
Cárdenas
Cartwright
Cheney
Costa
Crist
Doyle, Michael F.
Gaetz
Gomez
Gosar
Green (TN)
Harris
Jacobs (NY)
Kinzinger
Larson (CT)
Lawrence
Malinowski
Matsui
McCaul
Meeks
Mfume
Nehls
Norman
Omar
Peters
Pressley
Rodgers (WA)
Rogers (KY)
Sarbanes
Sewell
Simpson
Soto
Speier
Stefanik
Swalwell
Tiffany
Titus
Trone
Van Drew
Veasey
Vela
Webster (FL)
Westerman
Young

□ 1007

Messrs. COOPER, NORCROSS, and Mrs. LURIA changed their vote from ''yea'' to ''nay.''

Messrs. LUCAS, BUDD, LaMALFA, MULLIN, SALAZAR, and DIAZ-BALART changed their vote from ''nay'' to ''yea.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MALINOWSKI. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 71.

Mr. SOTO. Mr. Speaker, had I been present, I would have voted "nay" on rollcall No. 71.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Davids (KS))
Baird (Walorski)
Barragán (Beyer)
Bush (Ocasio-Cortez)
Cleaver (Davids (KS))
Cohen (Beyer)
DeFazio (Davids (KS))
Fudge (Kaptur)
Grijalva (García (IL))
Hastings (Wasserman Schultz)
Johnson (TX) (Jeffries)
Kirkpatrick (Stanton)
Langevin (Lynch)
Lawson (FL) (Evans)
Lieu (Beyer)
Lofgren (Jeffries)
Lowenthal (Beyer)
McEachin (Wexton)
McHenry (Banks)
Meng (Clark (MA))
Moore (WI) (Beyer)
Morelle (Tonko)
Moulton (Rice (NY))
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Kuster)
Porter (Wexton)
Roybal-Allard (Leger Fernandez)
Ruiz (Aguilar)
Rush (Underwood)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Thompson (MS) (Butterfield)
Watson Coleman

AMERICAN RESCUE PLAN ACT OF 2021

Mr. YARMUTH. Mr. Speaker, pursuant to House Resolution 198, I call up the bill (H.R. 1319) to provide for reconciliation pursuant to title II of S. Con. Res. 5, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the first word and insert the following:

1. SHORT 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. 1004. Funding for the USDA Office of Inspector General for oversight of COVID–19-related programs.
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.
Sec. 1103. Additional funding for nutrition assistance programs.
Sec. 1104. Commodity supplemental food program.
Sec. 1105. Improvements to WIC benefits.
Sec. 1106. WIC program modernization.
Sec. 1107. Meals and supplements reimbursements for individuals who have not attained the age of 25.
Sec. 1108. Pandemic EBT program.

TITLE II—COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Subtitle A—Education Matters

PART 1—DEPARTMENT OF EDUCATION

Sec. 2001. Elementary and Secondary School Emergency Relief Fund.
Sec. 2002. Emergency assistance to non-public schools.
Sec. 2003. Higher Education Emergency Relief Fund.
Sec. 2004. Maintenance of effort and maintenance of equity.
Sec. 2005. Outlying areas.
Sec. 2006. Gallaudet University.
Sec. 2007. Student aid administration.
Sec. 2008. Howard University.
Sec. 2009. National Technical Institute for the Deaf.
Sec. 2010. Institute of Education Sciences.
Sec. 2011. Program administration.
Sec. 2012. Office of Inspector General.
Sec. 2013. Modification of revenue requirements for proprietary institutions of higher education.
Sec. 2014. Funding for the Individuals with Disabilities Education Act.

PART 2—MISCELLANEOUS

Sec. 2021. National Endowment for the Arts.
Sec. 2022. National Endowment for the Humanities.
Sec. 2023. Institute of Museum and Library Services.

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. 2205. Child abuse prevention and treatment.

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.
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TITLE I—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, $4,000,000,000, 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 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 grants and loans for small or midsized food processors or distributors, seafood processing facilities and processing vessels, farmers markets, producers, or other organizations to respond to COVID–19, including for measures to protect workers against COVID–19; and

(4) to make 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) OVERTIME 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. 695), section 25 of the Poultry Products Inspection Act (21 U.S.C. 468), and section 24 of the Egg Products Inspection Act (21 U.S.C. 1053), 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 Federal Meat Inspection Act (21 U.S.C. 601 et seq.), the Poultry Products Inspection Act (21 U.S.C. 451 et seq.), or the Egg Products Inspection Act (21 U.S.C. 1031 et seq.), for inspection activities carried out during the period of fiscal years 2021 through 2030.

(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 HEALTH CARE.

(a) GRANTS.—The Secretary of Agriculture (in this section referred to as the ''Secretary'') shall use the funds 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 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 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, the median household 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. 8103(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 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 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 as defined 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 FUNDS.

In addition to amounts otherwise available, there are appropriated 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 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, $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.

SEC. 1005. FARM LOAN ASSISTANCE FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.

(a) PAYMENTS.—

(1) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated to the Secretary for fiscal year 2021, out of amounts in the Treasury not otherwise appropriated, such sums as may be necessary, to remain available until expended, for the cost of loan modifications and payments under this section.

(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—

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

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

(b) DEFINITIONS.—In this section:

(1) FARM LOAN.—The term ''farm loan'' means—

(A) a loan administered by the Farm Service Agency under subtitle A, B, or C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.); and

(B) a Commodity Credit Corporation Farm Storage Facility Loan.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—The term ''socially disadvantaged farmer or rancher'' has the meaning given the term in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

SEC. 1006. USDA ASSISTANCE AND SUPPORT FOR SOCIALLY DISADVANTAGED FARMERS, RANCHERS, FOREST LAND OWNERS AND OPERATORS, AND GROUPS.

(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, $1,010,000,000, 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) for purposes described in this subsection by—

(1) using not less than 5 percent of the total amount of funding provided under subsection (a) to 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, or nutrition to socially disadvantaged farmers, ranchers, or forest landowners, or other members of socially disadvantaged groups;

(2) using not less than 5 percent of the total amount of funding provided under subsection (a) 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) using not less than 0.5 percent of the total amount of funding provided under subsection (a) to fund the activities of one or more equity commissions that will address racial equity issues within the Department of Agriculture and its programs;

(4) using not less than 5 percent of the total amount of funding provided under subsection (a) to support and supplement agricultural research, education, and extension, as well as scholarships and programs that provide internships and pathways to Federal employment, by—

(A) using not less than 1 percent of the total amount of funding provided under subsection (a) at colleges or universities eligible to receive funds under the Act of August 30, 1890 (commonly known as the ''Second Morrill Act'') (7 U.S.C. 321 et seq.), including Tuskegee University;

(B) using not less than 1 percent of the total amount of funding provided under subsection (a) at 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382));

(C) using not less than 1 percent of the total amount of funding provided under subsection (a) at Alaska Native serving institutions and Native Hawaiian serving institutions eligible to receive grants under subsections (a) and (b), respectively, of section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156);

(D) using not less than 1 percent of the total amount of funding provided under subsection (a) at Hispanic-serving institutions eligible to receive grants under section 1455 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241); and

(E) using not less than 1 percent of the total amount of funding provided under subsection (a) at the insular area institutions of higher education located in the territories of the United States, as referred to in section 1489 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3361); and

(5) using not less than 5 percent of the total amount of funding provided under subsection (a) 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) SOCIALLY DISADVANTAGED GROUP.—The term ''socially disadvantaged group'' has the meaning given the term in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

SEC. 1007. USE OF THE 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 406(b) of the Food for Peace Act (7 U.S.C. 1736(b)) and for expenses under such section.

Subtitle B—Nutrition

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 appropriated, $1,150,000,000, to remain available until September 30, 2023, with amounts to be obligated for each of fiscal years 2021, 2022, and 2023, 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. 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 of fiscal years 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. 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 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. 2014(h)).

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

(a) FUNDING.—In addition to amounts otherwise made 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. 2011 et seq.);

(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(h)(14) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(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 initiatives.

SEC. 1103. ADDITIONAL FUNDING FOR NUTRITION ASSISTANCE PROGRAMS.

Section 704 of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended—

(1) by striking ''In addition'' and inserting the following:

''(a) COVID–19 RESPONSE FUNDING.—In addition''; and

(2) by adding at the end the following—

''(b) ADDITIONAL FUNDING.—In addition to any other funds made 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 September 30, 2027, for the Secretary of Agriculture to provide grants to the Commonwealth of Northern Mariana Islands, Puerto Rico, and American Samoa for nutrition assistance, of which $30,000,000 shall be available to provide grants to the Commonwealth of Northern Mariana Islands for such assistance.''.

SEC. 1104. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

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).

SEC. 1105. IMPROVEMENTS TO WIC BENEFITS.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE PERIOD.—The term ''applicable period'' means a period—

(A) beginning after the date of enactment of this Act, as selected by a State agency; and

(B) ending not later than the earlier of—

(i) 4 months after the date described in subparagraph (A); or

(ii) September 30, 2021.

(2) CASH-VALUE VOUCHER.—The term ''cash-value voucher'' has the meaning given the term in section 246.2 of title 7, Code of Federal Regulations (as in effect on the date of the enactment of this Act).

(3) PROGRAM.—The term ''program'' means the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

(4) QUALIFIED FOOD PACKAGE.—The term ''qualified food package'' 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.

(C) Food Package V–Pregnant and partially (mostly) breastfeeding women.

(D) Food Package VI–Postpartum women.

(E) Food Package VII–Fully breastfeeding.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(6) 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. 1786(b)).

(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) on January 31, 2020, with respect to the Coronavirus Disease 2019 (COVID–19), and in response to challenges relating to 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 $35.

(c) APPLICATION OF INCREASED AMOUNT OF CASH-VALUE VOUCHER TO STATE AGENCIES.—

(1) NOTIFICATION.—An increase to the amount of a cash-value voucher under subsection (b) shall apply to any State agency that notifies the Secretary of—

(A) the intent to use that increased amount, without further application; and

(B) the applicable period selected by the State agency during which that 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 Secretary, out of funds in the Treasury not otherwise appropriated, $490,000,000 to carry out this section, to remain available until September 30, 2022.

SEC. 1106. WIC PROGRAM MODERNIZATION.

In addition to amounts otherwise available, there are appropriated to the Secretary of Agriculture, out of amounts in the Treasury not otherwise appropriated, $390,000,000 for fiscal year 2021, to remain available until September 30, 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 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 enactment of this Act).

SEC. 1107. MEALS AND SUPPLEMENTS REIMBURSEMENTS FOR INDIVIDUALS WHO HAVE NOT ATTAINED THE AGE OF 25.

(a) PROGRAM FOR AT-RISK SCHOOL CHILDREN.—Beginning on the date of enactment of this section, notwithstanding paragraph (1)(A) of section 17(r) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(r)), during the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary shall

reimburse institutions that are emergency shelters under such section 17(r) (42 U.S.C. 1766(r)) for meals and supplements served to individuals who, at the time of such service—

(1) have not attained the age of 25; and

(2) are receiving assistance, including non-residential assistance, from such emergency shelter.

(b) PARTICIPATION BY EMERGENCY SHELTERS.—Beginning on the date of enactment of this section, notwithstanding paragraph (5)(A) of section 17(t) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(t)), during the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary shall reimburse emergency shelters under such section 17(t) (42 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.

(c) DEFINITIONS.—In this section:

(1) EMERGENCY SHELTER.—The term ''emergency shelter'' has the meaning given the term under section 17(t)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766(t)(1)).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

SEC. 1108. PANDEMIC EBT PROGRAM.

Section 1101 of the Families First Coronavirus Response Act (7 U.S.C. 2011 note; Public Law 116–127) 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'';

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

(3) in subsection (h)(1)—

(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 grant-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;

(5) by inserting after subsection (h) the following:

''(i) EMERGENCIES DURING SUMMER.—The Secretary of Agriculture may permit a State agency to extend a State agency plan approved under subsection (b) for not more than 90 days for the purpose of operating the plan during a covered summer period, during which time schools participating in the school lunch program under the Richard B. Russell National School Lunch Act or the school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773) and covered child care facilities shall be deemed closed for purposes of this section.'';

(6) in subsection (j) (as so redesignated)—

(A) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively;

(B) by inserting after paragraph (1) the following:

''(2) COVERED SUMMER PERIOD.—The term 'covered summer period' means a summer period that follows a school year during which there was a public health emergency designation.''; and

(C) in paragraph (5) (as so redesignated), by striking ''or another coronavirus with pandemic potential''; and

(7) in subsection (k) (as so redesignated), by inserting ''Federal agencies,'' before ''State agencies''.

TITLE II—COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

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, $122,774,800,000, to remain available through September 30, 2023, to carry out this section.

(b) GRANTS.—From funds provided under subsection (a), the Secretary shall—

(1) use $800,000,000 for the purposes of identifying homeless children and youth and providing homeless children and youth with—

(A) wrap-around services in light of the challenges of COVID–19; and

(B) assistance needed to enable homeless children and youth to attend school and participate fully in school activities; and

(2) from the remaining amounts, make grants to each State educational agency in accordance with this section.

(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 part A of title I of the Elementary and Secondary Education Act of 1965 in the most recent fiscal year.

(d) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

(1) IN GENERAL.—Each State shall allocate not less than 90 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) USES 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, extended day, comprehensive afterschool 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; and

(2) shall use the remaining funds for any of the following:

(A) Any activity authorized by the Elementary and Secondary Education Act of 1965.

(B) Any activity authorized by the Individuals with Disabilities Education Act.

(C) Any activity authorized by the Adult Education and Family Literacy Act.

(D) Any activity authorized by the Carl D. Perkins Career and Technical Education Act of 2006.

(E) Coordination of preparedness and response efforts of local educational agencies with State, local, Tribal, and territorial public health departments, and other relevant agencies, to improve coordinated responses among such entities to prevent, prepare for, and respond to coronavirus.

(F) Activities to address the unique needs of low-income children or students, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth, including how outreach and service delivery will meet the needs of each population.

(G) Developing and implementing procedures and systems to improve the preparedness and response efforts of local educational agencies.

(H) Training and professional development for staff of the local educational agency on sanitation and minimizing the spread of infectious diseases.

(I) Purchasing supplies to sanitize and clean the facilities of a local educational agency, including buildings operated by such agency.

(J) Planning for, coordinating, and implementing activities during long-term closures, including providing meals to eligible students, providing technology for online 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 consistent with all Federal, State, and local requirements.

(K) Purchasing educational technology (including hardware, software, and connectivity) for 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 and children with disabilities, which may include assistive technology or adaptive equipment.

(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, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care, of the local educational agency, including by—

(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, including through differentiating instruction;

(ii) implementing 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 risk of virus transmission and exposure to environmental health hazards, and to support student health needs.

(P) Inspection, testing, maintenance, repair, replacement, and upgrade projects 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 strategies and implementing 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 operation of school facilities to 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.

(f) STATE FUNDING.—With funds not otherwise allocated under subsection (d), a State—

(1) shall reserve not less than 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, activities to address learning loss by supporting the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool 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, including by providing additional support to local educational agencies to fully address such impacts;

(2) 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 implementation of evidence-based summer enrichment 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 implementation of evidence-based comprehensive afterschool 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; and

(4) may reserve not more than one-half of 1 percent of the total amount of grant funds awarded to the State under this section for administrative costs and the remainder for emergency needs as determined by the State educational agency to address issues responding to coronavirus, which may be addressed through the use of grants or contracts.

(g) REALLOCATION.—A State shall return to the Secretary any funds received under 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—

(1) 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);

(2) the term ''full-service community school'' has the meaning given that term in section 4622(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7272(2)); and

(3) the term ''State'' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(i) SAFE RETURN TO IN-PERSON INSTRUCTION.—

(1) IN GENERAL.—A local educational agency receiving funds under this section shall develop and make publicly available on the local educational agency's website, not later than 30 days after receiving the allocation of funds described in paragraph (d)(1), a plan for the safe return to in-person instruction and continuity of services.

(2) COMMENT PERIOD.—Before making the plan described in paragraph (1) publicly available, the local educational agency shall seek public comment on the plan and take such comments into account in the development of the plan.

(3) PREVIOUS PLANS.—If a local educational agency has developed a plan for the safe return to in-person instruction before the date of enactment of this Act that meets the requirements described in paragraphs (1) and (2), such plan shall be deemed to satisfy the requirements under this subsection.

SEC. 2002. EMERGENCY ASSISTANCE TO NON-PUBLIC SCHOOLS.

(a) IN GENERAL.—In addition to amounts otherwise available through the Emergency Assistance to Non-Public Schools Program, there is appropriated to the Department of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $2,750,000,000, to remain available through September 30, 2023, for making allocations to Governors under the Emergency Assistance to Non-Public Schools Program to provide services or assistance to non-public schools that enroll a significant percentage of low-income students and are most impacted by the qualifying emergency.

(b) LIMITATIONS.—Funds provided under subsection (a) shall not be used to provide reimbursements to any non-public school.

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, $39,584,570,000, to remain available through September 30, 2023, for making allocations to institutions of higher education in accordance with the same terms and conditions of section 314 of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (division M of Public Law 116–260), except that—

(1) subsection (a)(1) 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)''; and

(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)'';

(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 (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 for the purposes of such clause (iii);

(4) subsection (a)(4) of such section 314 shall be applied by substituting ''1 percent'' for ''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. 1087tt);

(6) the following shall not apply to funds provided or received in accordance with this section—

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

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

(C) paragraphs (1), (2), (4), (5), (6), and (8) of subsection (d) of such section 314;

(D) subsections (e) and (f) of such section 314; and

(E) section 316 of the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (division M of 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)(1) of such section 314 shall use not less than 50 percent of such allocation to provide emergency financial aid grants to students in accordance with subsection (c)(3) of such section 314.

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

(a) STATE MAINTENANCE OF EFFORT.—

(1) IN GENERAL.—As a condition of receiving funds under section 2001, a State shall maintain support for elementary and secondary education, and for higher education (which shall include State funding to institutions of higher education and State need-based financial aid, and shall not include support for capital projects or for research and development or tuition and fees paid by students), in each of fiscal years 2022 and 2023 at least at the proportional levels of such State's support for elementary and secondary education and for higher education relative to such State's overall spending, averaged over fiscal years 2017, 2018, and 2019.

(2) WAIVER.—For the purpose of relieving fiscal burdens incurred by States in preventing, preparing for, and responding to the coronavirus, the Secretary of Education may waive any maintenance of effort requirements associated with the Education Stabilization Fund.

(b) STATE MAINTENANCE OF EQUITY.—

(1) HIGH-NEED LOCAL EDUCATIONAL AGENCIES.—As a condition of receiving funds under section 2001, a State educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) for any high-need local educational agency in the State by an amount that exceeds the overall per-pupil reduction in State funds, if any, across all local educational agencies in such State in such fiscal year.

(2) HIGHEST POVERTY LOCAL EDUCATIONAL AGENCIES.—Notwithstanding paragraph (1), as a condition of receiving funds under section 2001, a State educational agency shall not, in fiscal year 2022 or 2023, reduce State funding (as calculated on a per-pupil basis) for any highest poverty local educational agency below the level of 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—

(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); divided by

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

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

(i) the total reduction in full-time equivalent staff in all schools served by such 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.

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

(A) Such local educational agency has a total enrollment of less than 1,000 students.

(B) Such local educational agency operates a single school.

(C) Such local educational agency serves all students within each grade span with a single school.

(D) Such local educational agency demonstrates an exceptional or uncontrollable circumstance, such as unpredictable changes in student enrollment or a precipitous decline in the financial resources of such agency, as determined by the Secretary of Education.

(d) DEFINITIONS.—In this section:

(1) ELEMENTARY EDUCATION; SECONDARY EDUCATION.—The terms ''elementary education'' and ''secondary education'' have the meaning given such terms under State law.

(2) HIGHEST POVERTY LOCAL EDUCATIONAL AGENCY.—The term ''highest poverty local educational agency'' means a local educational agency that is among the group of local educational agencies in the State that—

(A) in rank order, have the highest percentages of economically disadvantaged students in the State, on the basis of the most recent satisfactory data available from the Department of Commerce (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.

(3) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—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—

(A) in rank order, have the highest percentages of economically disadvantaged students in the State, on the basis of the most recent satisfactory data available from the Department of Commerce (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.

(4) HIGH-POVERTY SCHOOL.—

(A) IN GENERAL.—The term ''high-poverty school'' means, with respect to a school served by a local educational agency, a school that is in the highest quartile of schools served by such local educational agency based on the percentage of economically disadvantaged students served, as determined by the State in accordance with subparagraph (B).

(B) DETERMINATION.—In making the determination under subparagraph (A), a State shall select a measure of poverty established for the purposes of this paragraph by the Secretary of Education and apply such measure consistently to all schools in the State.

(5) OVERALL PER-PUPIL REDUCTION IN STATE FUNDS.—The term ''overall per-pupil reduction in State funds'' means, with respect to a fiscal year—

(A) the amount of any reduction in the total amount of State funds provided to all local educational agencies in the State 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.

(6) STATE.—The term ''State'' means each of the 50 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 through September 30, 2023, for the Secretary 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 Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and 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, $91,130,000, to remain available through September 30, 2023, for 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, economic impact payments, means-tested benefits, unemployment assistance, 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, $35,000,000, to remain available through September 30, 2023, for Howard 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. 2009. NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

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 National Technical Institute for the Deaf 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 training, 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. 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 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. 6311(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, $15,000,000, to remain available through September 30, 2024, for Program Administration within the Department of Education to prevent, prepare for, and respond to coronavirus, and for salaries and expenses necessary to implement this part.

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 of the Department of Education, for salaries and expenses necessary for oversight, investigations, and audits of programs, grants, and projects funded under this part 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 this title'' and inserting ''Federal funds that are disbursed or delivered to or on behalf of a student to be used to attend such institution (referred to in this paragraph and subsection (d) as 'Federal education assistance funds')''.

(b) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—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''.

(c) EFFECTIVE DATE.—The amendments made under this section shall—

(1) be subject to the master calendar requirements under section 482 of the Higher Education Act of 1965 (20 U.S.C. 1089) and the public involvement and negotiated rulemaking requirements under section 492 of the Higher Education Act of 1965 (20 U.S.C. 1098a), except that such negotiated rulemaking shall commence not earlier than October 1, 2021; and

(2) apply to institutional fiscal years beginning on or after January 1, 2023.

SEC. 2014. FUNDING FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) AMOUNTS FOR IDEA.—There is appropriated to the Secretary of Education for fiscal year 2021, out of any money in the Treasury not otherwise appropriated—

(1) $2,580,000,000 for grants to States under part B of the Individuals with Disabilities Education Act;

(2) $200,000,000 for preschool grants under section 619 of the Individuals with Disabilities Education Act; and

(3) $250,000,000 for programs for infants and toddlers with disabilities under part C of the Individuals with Disabilities Education Act.

(b) GENERAL PROVISIONS.—Any amount appropriated under subsection (a) is in addition to

other amounts appropriated or made available for the applicable purpose.

PART 2—MISCELLANEOUS

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, $135,000,000, to remain available until expended, under the National Foundation on the Arts and the Humanities Act of 1965, as follows:

(1) Forty percent shall be for grants, and relevant administrative expenses, to State arts agencies and regional arts organizations 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.

(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. 2022. 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, $135,000,000, to remain available until expended, under the National Foundation on the Arts and the Humanities Act of 1965, as follows:

(1) Forty percent shall be for grants, and relevant administrative expenses, to State 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, $200,000,000, to remain available until expended, for necessary expenses to carry out museum and library services. The Director of the Institute of Museum and Library Services shall award not less than 89 percent of such funds to State library administrative agencies by applying the formula in section 221(b) of the Museum and Library Services Act, except that—

(1) section 221(b)(3)(A) of such Act shall be applied by substituting ''$2,000,000'' for ''$680,000'' and by substituting ''$200,000'' for ''$60,000''; and

(2) section 221(b)(3)(C) and subsections (b) and (c) of section 223 of such Act shall not apply to funds provided under this section.

Subtitle B—Labor Matters

SEC. 2101. 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.

Subtitle C—Human Services and Community Supports

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

(a) CHILD CARE AND DEVELOPMENT BLOCK GRANT FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $14,990,000,000, to remain 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. 9858a) without regard to requirements in sections 658E(c)(3)(E) or 658G of such Act (42 U.S.C. 9858c(c)(3)(E), 9858e). Payments made to States, territories, Indian Tribes, and Tribal organizations from funds made available under this subsection shall be obligated in fiscal year 2021 or the succeeding 2 fiscal years. States, territories, Indian Tribes, and Tribal organizations are authorized to use such funds to provide child care assistance to health care sector employees, emergency responders, sanitation workers, and other workers deemed essential during the response to coronavirus by public officials, without regard to the income eligibility requirements of section 658P(4) of the Child Care and Development Block Grant Act (42 U.S.C. 9858n(4)).

(b) ADMINISTRATIVE COSTS.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $35,000,000, to remain available through September 30, 2025, for the costs of providing technical assistance and conducting research and for the administrative costs to carry out this section and section 2202 of this subtitle.

(c) 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. 2202. CHILD CARE STABILIZATION.

(a) DEFINITIONS.—In this section:

(1) COVID–19 PUBLIC HEALTH EMERGENCY.—The term ''COVID–19 public health emergency'' means 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) on January 31, 2020, with respect to COVID–19, including any renewal of the declaration.

(2) ELIGIBLE CHILD CARE PROVIDER.—The term ''eligible child care provider'' means—

(A) an eligible child care provider as defined in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n); or

(B) a child care provider that is licensed, regulated, or registered in the State, territory, or Indian Tribe on the date of enactment of this Act and meets applicable State and local health and safety requirements.

(b) CHILD CARE STABILIZATION FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated, $23,975,000,000, to remain available through September 30, 2021, for grants under this section in accordance with the Child Care and Development Block Grant Act of 1990.

(c) GRANTS.—From the amounts appropriated to carry out this section and under the authority of section 658O of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858m) and this section, the Secretary shall award to each lead agency a child care stabilization grant, without regard to the requirements in subparagraphs (C) and (E) of section 658E(c)(3), and in section 658G, of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(3), 9858e). 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 receives a child care stabilization grant pursuant to subsection (c) shall reserve not more than 10 percent of such grant funds to administer subgrants, 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 paragraph (2)(D)(i).

(2) SUBGRANTS TO QUALIFIED CHILD CARE PROVIDERS.—

(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 either—

(i) open and available to provide child care services; 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 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.

(D) APPLICATION.—The lead agency shall—

(i) 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) the provider applying will, when open and available to provide child care services, implement policies in line with guidance from the corresponding State, Tribal, and local authorities, and in accordance with State, Tribal, and local orders, and, to the greatest extent possible, implement policies in line with guidance from the Centers for Disease Control and Prevention;

(II) for each employee, the provider will pay not less than the full compensation, including any benefits, that was provided to the employee as of the date of submission of the application for the subgrant (referred to in this subclause as ''full compensation''), and will not take any action that reduces the weekly amount of the employee's compensation below the weekly amount of full compensation, or that reduces the employee's rate of compensation below the rate of full compensation, including the involuntary furloughing of any employee employed on the date of submission of the application for the subgrant; and

(III) the provider will provide relief from copayments and tuition payments for the families enrolled in the provider's program, to the extent possible, and prioritize such relief for families struggling to make either type of payment; and

(ii) accept and process applications submitted under this subparagraph on a rolling basis, and provide subgrant funds in advance of provider expenditures, except as provided in subsection (e)(2).

(E) OBLIGATION.—The lead agency shall notify the Secretary if it is unable to obligate at least 50 percent of the funds received pursuant to subsection (c) that are available for subgrants described in this paragraph within 9 months of the date of enactment of this Act.

(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 sole proprietor or 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 resume 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 for the cost of a good or service described in paragraph (1) to respond to the COVID–19 public health emergency.

(f) 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, $1,000,000,000, 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 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. 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 except as otherwise provided in this subsection, each of the following:

''(1) $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 subsection (a)(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 305(e) to 'the end of the following fiscal year' shall be considered to be a reference to 'the end of fiscal year 2025'; and

''(D) funds made available to a State in a grant under 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 2025;

''(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 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) on January 31, 2020, with respect to COVID–19, including any renewal of the declaration.

(c) GRANTS TO SUPPORT CULTURALLY SPECIFIC POPULATIONS.—

(1) IN GENERAL.—In addition to amounts otherwise made available, there is appropriated, out of any amounts in the Treasury not otherwise appropriated, to the Secretary of Health and Human Services (in this section referred to as the ''Secretary''), $49,500,000 for fiscal year 2021, to be available until expended, to carry out this subsection (excluding Federal administrative costs, for which funds are appropriated under subsection (e)).

(2) USE OF FUNDS.—From amounts appropriated under paragraph (1), the Secretary acting through the Director of the Family Violence Prevention and Services Program, shall—

(A) support culturally specific community-based organizations to provide culturally specific activities for survivors of sexual assault and domestic violence, to address emergent needs resulting from the COVID–19 public health emergency and other public health concerns; and

(B) support culturally specific community-based organizations that provide culturally specific activities to promote strategic partnership development and collaboration in responding to the impact of COVID–19 and other public health concerns on survivors of sexual assault and domestic violence.

(d) GRANTS TO SUPPORT SURVIVORS OF SEXUAL ASSAULT.—

(1) IN GENERAL.—In addition to amounts otherwise made available, there is appropriated, out of any amounts in the Treasury not otherwise appropriated, to the Secretary, $198,000,000 for fiscal year 2021, to be available until expended, to carry out this subsection (excluding Federal administrative costs, for which funds are appropriated under subsection (e)).

(2) USE OF FUNDS.—From amounts appropriated under paragraph (1), the Secretary acting through the Director of the Family Violence Prevention and Services Program, shall assist rape crisis centers in transitioning to virtual services and meeting the emergency needs of survivors.

(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 the Federal administrative costs of carrying out subsections (c) and (d).

SEC. 2205. CHILD ABUSE PREVENTION AND TREATMENT.

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, the following amounts, to remain available through September 30, 2023:

(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 section 204(4) of such Act (42 U.S.C. 5116d(4)) and shall be allotted to States in accordance with section 203 of such Act (42 U.S.C. 5116b), 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 allocated without regard to section 112(a)(2) of such Act (42 U.S.C. 5106h(a)(2)).

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, $852,000,000, to remain available through September 30, 2024, to carry out subsection (b), except that amounts to carry out subsection (b)(7) shall remain available until September 30, 2026.

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

(1) AMERICORPS STATE AND NATIONAL.—$620,000,000 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 to support programs described in paragraphs (1)(B), (2)(B), (3)(B), (4)(B), and (5)(B) of subsection (a), and subsection (b)(2), of section 122 of the National and Community Service Act of 1990 (42 U.S.C. 12572), whether or not the entities are already grant recipients under such provisions on the date of enactment of this Act, and notwithstanding section 122(a)(1)(B)(vi) of the National and Community Service Act of 1990 (42 U.S.C. 12572(a)(1)(B)(vi)), by—

(i) prioritizing entities serving communities disproportionately 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, socioeconomic, 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 new and additional awards, including 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. 12576(a)).

(3) VOLUNTEER GENERATION FUND.—$20,000,000 shall be used for expenses authorized under section 501(a)(4)(F) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(4)(F)), which, notwithstanding section 198P(d)(1)(B) of that Act (42 U.S.C. 12653p(d)(1)(B)), shall be for grants awarded by the Corporation for National and Community Service on a competitive basis.

(4) AMERICORPS VISTA.—$80,000,000 shall be used for the purposes described in section 101 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951), including to increase the living allowances of volunteers, described in section 105(b) of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955(b)).

(5) NATIONAL SENIOR SERVICE CORPS.—$30,000,000 shall be used for the purposes described in section 200 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5000).

(6) ADMINISTRATIVE COSTS.—$73,000,000 shall be used for the Corporation for National and Community Service for administrative expenses to carry out programs and activities funded by subsection (a).

(7) OFFICE OF INSPECTOR GENERAL.—$9,000,000 shall be used for the Office of Inspector General of the Corporation for National and Community Service for salaries and expenses necessary for oversight and audit of 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, $148,000,000, to remain available until expended, for administration of the National Service Trust, and for payment to the Trust for the provision of educational awards pursuant to section 145(a)(1)(A) 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 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, $7,500,000,000, to remain available until expended, to carry out activities to plan, prepare for, promote, distribute, administer, monitor, and track COVID–19 vaccines.

(b) USE OF FUNDS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, and in consultation with other agencies, as applicable, shall, in conducting activities referred to in subsection (a)—

(1) conduct activities to enhance, expand, and improve nationwide COVID–19 vaccine distribution and administration, including activities related to distribution of ancillary medical products and supplies related to vaccines; and

(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 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. 360bbb–3) and ancillary medical products and supplies related to vaccines;

(B) the establishment and expansion, including staffing support, of community vaccination centers, particularly in underserved areas;

(C) the deployment of mobile vaccination units, particularly in underserved areas;

(D) information technology, standards-based data, and reporting enhancements, including improvements necessary to support standards-based sharing of data related to vaccine distribution and vaccinations and systems that enhance vaccine safety, effectiveness, and uptake, particularly among underserved populations;

(E) facilities enhancements;

(F) communication with the public regarding when, where, and how to receive COVID–19 vaccines; and

(G) transportation of individuals to facilitate vaccinations, including at community vaccination centers and mobile vaccination units, particularly for underserved populations.

(c) SUPPLEMENTAL FUNDING FOR STATE VACCINATION GRANTS.—

(1) DEFINITIONS.—In this subsection:

(A) BASE FORMULA.—The term ''base formula'' means the allocation formula that applied to the Public Health Emergency Preparedness cooperative agreement in fiscal year 2020.

(B) ALTERNATIVE ALLOCATION.—The term ''alternative allocation'' means an allocation to each State, territory, or locality calculated using the percentage derived from the allocation received by such 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).

(2) SUPPLEMENTAL FUNDING.—

(A) IN GENERAL.—Not later than 21 days after the date of enactment of this Act, the Secretary shall, out of amounts described in subsection (a), provide supplemental funding to any State, locality, or territory that received less of the amounts that were appropriated under title III of division M of Public Law 116–260 for vaccination grants to be issued by the Centers for Disease Control and Prevention than such State, locality, or territory would have received had such amounts been allocated using the alternative allocation.

(B) AMOUNT.—The amount of supplemental funding provided under this subsection shall be equal to the difference between—

(i) the amount the State, locality, or territory received, or would receive, under the base formula; and

(ii) the amount the State, locality, or territory would receive under the alternative allocation.

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—

(1) to strengthen vaccine confidence in the United States, including its territories and possessions;

(2) to provide further information and education with respect to 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. 360bbb–3); and

(3) to improve rates of vaccination throughout the United States, including its territories and possessions, including through activities described in section 313 of the Public Health Service Act, as amended by section 311 of division BB of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

SEC. 2303. FUNDING FOR SUPPLY CHAIN FOR COVID–19 VACCINES, THERAPEUTICS, AND MEDICAL SUPPLIES.

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, $6,050,000,000, to remain available until expended, for necessary expenses with respect to research, development, manufacturing, production, and the purchase of vaccines, therapeutics, and ancillary medical products and supplies to prevent, prepare, or respond to—

(1) SARS–CoV–2 or any viral variant mutating therefrom with pandemic potential; and

(2) COVID–19 or any disease with potential for creating a pandemic.

SEC. 2304. FUNDING FOR COVID–19 VACCINE, THERAPEUTIC, AND DEVICE ACTIVITIES AT THE 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 performance, safety, and effectiveness, including with respect to emerging COVID–19 variants, of vaccines, therapeutics, and diagnostics approved, cleared, licensed, or authorized for use for the treatment, prevention, or diagnosis of COVID–19; facilitation of advanced continuous manufacturing activities related to production of vaccines and related materials; facilitation 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 chain and mitigation of shortages 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—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 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, $47,800,000,000, to remain available until expended, to carry out activities to detect, diagnose, 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 for testing, contact tracing, surveillance, and mitigation with respect to SARS–CoV–2 and COVID–19, including through activities authorized under section 319(a) of the Public Health Service Act;

(2) provide technical assistance, guidance, and support, and award grants or cooperative agreements to State, local, and territorial public health departments for activities to detect, diagnose, trace, and monitor SARS–CoV–2 and COVID–19 infections and related strategies and activities to mitigate the spread of COVID–19;

(3) support the development, manufacturing, procurement, distribution, and administration of tests to detect or diagnose SARS–CoV–2 and COVID–19, including through—

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

(B) support for the acquisition, construction, alteration, or renovation of non-federally owned facilities for the production of diagnostics and ancillary medical products and supplies where the Secretary determines that such an investment is necessary to ensure the production of sufficient amounts of such supplies;

(4) establish and expand Federal, State, local, and territorial testing and contact tracing capabilities, including—

(A) through investments in laboratory capacity, such as—

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

(ii) community-based testing sites and community-based organizations; or

(iii) 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 sharing of data related to public health capabilities;

(6) award grants to, or enter into cooperative agreements or contracts with, State, local, and territorial public health 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. 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) award grants or cooperative agreements to State, local, Tribal, or territorial public health departments or public health laboratories—

(A) to increase their capacity to sequence genomes of circulating strains of viruses and other organisms, including SARS–CoV–2;

(B) to identify mutations in viruses and other organisms, including SARS–CoV–2;

(C) to use genomic sequencing to identify outbreaks and clusters of diseases or infections, including COVID–19; and

(D) to develop effective disease response strategies based on genomic sequencing and surveillance data;

(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 genomic sequencing and surveillance 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 acting through the Director of the Centers for Disease Control and Prevention to combat SARS–CoV–2, COVID–19, and other emerging infectious disease threats globally, including efforts related to global health security, global disease detection and response, global health protection, 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 acting 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, and establish, expand, and maintain efforts 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, to carry out activities related to establishing, expanding, and sustaining a public health workforce, including by making awards to State, local, and territorial public health departments.

(b) USE OF FUNDS FOR PUBLIC HEALTH DEPARTMENTS.—Amounts made available to an awardee pursuant to subsection (a) shall be used for the following:

(1) Costs, including wages and benefits, related to the recruiting, hiring, and training of individuals—

(A) to serve as case investigators, contact tracers, social support specialists, community health workers, public health nurses, disease intervention specialists, epidemiologists, program managers, laboratory personnel, informaticians, communication and policy experts, and any other positions as may be required to prevent, prepare for, and respond to COVID–19; and

(B) who are employed by—

(i) the State, territorial, or local public health department involved; or

(ii) a nonprofit private or public organization with demonstrated expertise in implementing public health programs and established relationships with such State, territorial, or local public health departments, particularly in medically underserved areas.

(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 subsection (a) to local health departments for the purposes of the activities funded under this section.

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, $100,000,000, to remain available until expended, for carrying out section 2813 of the Public Health Service Act (42 U.S.C. 300hh–15).

Subtitle G—Public Health Investments

SEC. 2601. FUNDING FOR COMMUNITY HEALTH CENTERS AND COMMUNITY CARE.

(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 necessary expenses for awarding grants and cooperative agreements under section 330 of the Public Health Service Act (42 U.S.C. 254b) to be awarded without regard to the time limitation in subsection (e)(3) and subsections (e)(6)(A)(iii), (e)(6)(B)(iii), and (r)(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.1395x(aa)(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. 11703, 11705). Of the total amount appropriated by the preceding sentence, not less than $20,000,000 shall be for 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. 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, surveillance, 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 338A, 338B, and 338I of the Public Health Service Act (42 U.S.C. 254l, 254l–1, 254q–1) with respect to the health workforce.

(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 providing primary health services through grants to States under section 338I(a) of the Public Health Service Act (42 U.S.C. 254q–1(a)).

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

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

(B) Notwithstanding section 338I(d)(2) of the Public Health Service Act (42 U.S.C. 254q–1(d)(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 NURSE 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, $200,000,000, to remain available until expended, for carrying out section 846 of the Public Health Service Act (42 U.S.C. 297n).

SEC. 2604. FUNDING FOR TEACHING HEALTH CENTERS THAT 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(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, $330,000,000, 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 749A of the Public Health Service Act (42 U.S.C. 293l–1).

(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 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 $10,000.

(3) For making payments under section 340H(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 340H(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 awards under section 749A of the Public Health Service Act (42 U.S.C. 293l–1) to teaching health centers for the purpose of establishing new accredited or expanded primary care residency programs.

(6) To cover administrative costs and activities necessary for qualified teaching health centers receiving payments under section 340H of the Public Health Service Act (42 U.S.C. 256h) to carry out activities under such section.

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 1001 of the Public Health Service Act (42 U.S.C. 300).

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 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–51 et seq.), and section 505(c) of such Act (42 U.S.C. 290aa–4(c)) 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. 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 substance abuse, and section 515(d) of such Act (42 U.S.C. 290bb–21(d)). 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 Administrator of the Health Resources and Services Administration, shall, taking into consideration the needs of rural and medically underserved communities, use amounts appropriated by subsection (a) to award grants or contracts to health professions schools, academic health centers, State or local governments, Indian Tribes and Tribal organizations, or other appropriate public or private nonprofit entities (or consortia of entities, including entities promoting multidisciplinary approaches), to plan, develop, operate, or participate in health professions and nursing training activities for health care students, residents, professionals, paraprofessionals, trainees, and public safety officers, and employers of such individuals, in evidence-informed strategies for reducing and addressing suicide, burnout, mental health conditions, and substance use disorders among health care professionals.

SEC. 2704. FUNDING FOR EDUCATION AND AWARENESS CAMPAIGN ENCOURAGING HEALTHY WORK CONDITIONS AND USE OF MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES BY HEALTH CARE PROFESSIONALS.

(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 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 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. 2705. FUNDING FOR GRANTS FOR 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, $40,000,000, to remain available until expended, for the purpose described in subsection (b).

(b) USE OF FUNDS.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall, taking into consideration the needs of rural and medically underserved communities, use amounts appropriated by subsection (a) to award grants or contracts to entities providing health care, including health care providers associations and Federally qualified health centers, to establish, enhance, or expand evidence-informed programs or protocols to promote mental health among their providers, other personnel, and members.

SEC. 2706. FUNDING FOR COMMUNITY-BASED FUNDING FOR LOCAL 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, $30,000,000, to remain available until expended, to carry out the purpose described in subsection (b).

(b) USE OF FUNDS.—

(1) IN GENERAL.—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 support States; local, Tribal, and territorial governments; Tribal organizations; nonprofit community-based organizations; and primary and behavioral health organizations to support community-based overdose prevention programs, syringe services programs, and other harm reduction services.

(2) USE OF GRANT FUNDS.—Grant funds awarded under this section to eligible entities shall be used for preventing and controlling the spread of infectious diseases and the consequences of such diseases for individuals with substance use disorder, distributing opioid overdose reversal medication to individuals at risk of overdose, connecting individuals at risk for, or with, a substance use disorder to overdose education, counseling, and health education, and encouraging such individuals to take steps to reduce the negative personal and public health impacts of substance use or misuse.

SEC. 2707. FUNDING FOR COMMUNITY-BASED FUNDING FOR LOCAL BEHAVIORAL HEALTH NEEDS.

(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, to carry out the purpose described in subsection (b).

(b) USE OF FUNDS.—

(1) IN GENERAL.—The Secretary, acting through the Assistant Secretary 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 increased community behavioral health needs worsened by the COVID–19 public health emergency.

(2) USE OF GRANT FUNDS.—Grant funds awarded under this section to eligible entities shall be used for promoting care coordination among local entities; training the mental and behavioral health workforce, relevant stakeholders, and community members; expanding evidence-based integrated models of care; addressing surge capacity for mental and behavioral health needs; providing 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 preventive and crisis intervention services.

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 carrying out section 582 of the Public Health Service Act (42 U.S.C. 290hh–1) with respect to addressing the problem of high-risk or medically underserved persons who experience violence-related stress.

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, $30,000,000, to remain available until expended, for carrying out section 520A of the Public Health Service Act (42 U.S.C. 290bb–32) with respect to advancing 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 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. 294e–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, $420,000,000, to remain available until expended, for grants to communities and community organizations that meet the criteria for Certified Community Behavioral Health Clinics pursuant to section 223(a) of the Protecting 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 subtitle 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. 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 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, $20,000,000, 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)(5)(A) of the Railroad Unemployment Insurance Act (45 U.S.C. 352(a)(5)(A)) is amended—

(1) in the first sentence—

(A) by striking ''March 14, 2021'' and inserting ''September 6, 2021'';

(B) by striking ''or July 1, 2020'' and inserting ''July 1, 2020, or July 1, 2021''; and

(2) in the fourth sentence, by striking ''March 14, 2021'' and inserting ''September 6, 2021''.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under subparagraph (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 subsection (a) as well as 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 UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

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

(1) in clause (i)—

(A) in subclause (I), by striking ''185 days'' and inserting ''330 days'';

(B) in subclause (II),

(i) by striking ''19 consecutive 14-day periods'' and inserting ''33 consecutive 14-day periods''; and

(ii) by striking ''6 consecutive 14-day periods'' and inserting ''20 consecutive 14-day periods'';

(2) in clause (ii)—

(A) by striking ''120 days of unemployment'' and inserting ''265 days of unemployment'';

(B) by striking ''12 consecutive 14-day periods'' and inserting ''27 consecutive 14-day periods''; and

(C) by striking ''6 consecutive 14-day periods'' and inserting ''20 consecutive 14-day periods'';

(3) in clause (iii)—

(A) by striking ''June 30, 2021'' and inserting ''June 30, 2022''; and

(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 September 6, 2021.''; and

(4) in clause (v), by adding at the end the following: ''In addition to the amount appropriated by the preceding two sentences, out of any funds in the Treasury not otherwise appropriated, there are appropriated $2,000,000 to cover the cost of additional extended unemployment benefits provided under this subparagraph, to remain available until expended.''.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under the first, second, or third sentence of clause (v) of 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. 2903. 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. 9030(a)) is amended by striking ''March 14, 2021'' and inserting ''September 6, 2021''.

(b) CLARIFICATION ON AUTHORITY TO USE FUNDS.—Funds appropriated under section 2112(c) of the CARES Act (15 U.S.C. 9030(c)) shall be available to cover the cost of additional benefits payable due to section 2112(a) of such Act by reason of the amendments made by subsection (a) as well as to cover the cost of such benefits payable due to such section 2112(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 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 improvements for the Information Technology Investment Initiatives of the Railroad Retirement Board; and

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

Subtitle K—Ratepayer Protection

SEC. 2911. FUNDING FOR LIHEAP.

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. 2912. 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, $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 arrearages of and rates charged to such households for such services.

(b) ALLOTMENT.—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.

(c) DEFINITION.—In this section, the term ''State'' means each of the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

Subtitle L—Assistance for Older Americans, Grandfamilies, and Kinship Families

SEC. 2921. 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 of 1965.

(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) $460,000,000 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, 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 investments in technological equipment and solutions 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) $44,000,000 shall be available to carry out part D of title III of such Act.

(5) $145,000,000 shall be available to carry out part E of title III 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. 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 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 for government programs, nonprofit 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 Center shall focus primarily 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 (including mental health and substance use disorder treatment), education, nutrition, housing, financial needs, legal issues, disability self-determination, caregiver support, and other issues to help serve caregivers, children, and their parents in grandfamilies and kinship families;

(2) encourage and support the implementation of the evidence-based, evidence-informed, and exemplary practices or programs identified under paragraph (1) to support grandfamilies and kinship families and to promote coordination of services for grandfamilies and kinship families across systems that support them;

(3) facilitate learning across States, territories, Indian Tribes, 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;

(4) help government programs, nonprofit and other community-based organizations, and Indian Tribes, Tribal organizations, and urban Indian organizations, serving grandfamilies and kinship families, to plan and coordinate responses to assist grandfamilies and kinship families during national, State, Tribal, territorial, and local emergencies and disasters; and

(5) assist government programs, and nonprofit 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—Defense Production Act of 1950

SEC. 3101. COVID–19 EMERGENCY MEDICAL SUPPLIES ENHANCEMENT.

(a) SUPPORTING ENHANCED USE OF THE DEFENSE PRODUCTION ACT OF 1950.—In addition to funds 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 September 30, 2025, to carry out titles I, III, 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 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 reagents and other materials necessary for producing, conducting, or administering such products, and the machinery, equipment, laboratory capacity, or other technology necessary to produce 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 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, 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).

(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 pathogen that the President has determined has the potential for creating a public health emergency.

Subtitle B—Housing Provisions

SEC. 3201. EMERGENCY RENTAL ASSISTANCE.

(a) FUNDING.—

(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 under this section—

(2) RESERVATION OF FUNDS.—Of the amount appropriated under paragraph (1), the Secretary shall reserve—

(A) $305,000,000 for making payments under this section to the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa;

(B) $30,000,000 for costs of the Secretary for the administration of emergency rental assistance programs and technical assistance to recipients of any grants made by the Secretary to provide financial and other assistance to renters;

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

(D) $2,500,000,000 for payments to high-need grantees as provided in this section.

(b) ALLOCATION OF FUNDS TO ELIGIBLE GRANTEES.—

(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) of such subsection shall be allocated to eligible grantees described in subparagraphs (A) and (B) of subsection (f)(1) 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 under subsection (b)(1) of such section, except that section 501(b) of such subtitle A shall be applied—

(i) without regard to clause (i) of paragraph (1)(A);

(ii) by deeming the amount appropriated under paragraph (1) of subsection (a) of this Act that remains after the application of paragraph (2) of such subsection to be the amount deemed to apply for purposes of applying clause (ii) of section 501(b)(1)(A) of such subtitle A;

(iii) 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 ''under section 3201 of the American Rescue Plan Act of 2021'' for ''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 3201 of the American Rescue Plan Act of 2021 and will use the funds in a manner consistent with such section'' for ''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 will use the funds in a manner consistent with such section''.

(B) PRO RATA ADJUSTMENT.—The Secretary shall make pro rata adjustments in the amounts of the allocations determined under subparagraph (A) of this paragraph for entities 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 amount described in such subparagraph.

(2) ALLOCATIONS FOR TERRITORIES.—The amount reserved under subsection (a)(2)(A) shall be allocated to eligible grantees described in subsection (f)(1)(C) in the same manner as the amount appropriated under section 501(a)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is allocated under section 501(b)(3) of such subtitle A to eligible grantees described under subparagraph (C) of such section 501(b)(3), except that section 501(b)(3) of such subtitle A shall be applied—

(A) in subparagraph (A), by inserting ''of section 3201 of the American Rescue Plan Act of

2021'' after ''the amount reserved under subsection (a)(2)(A)''; and

(B) in clause (i) of subparagraph (B), by substituting ''the amount equal to 0.3 percent of the amount appropriated under subsection (a)(1)'' with ''the amount equal to 0.3 percent of the amount appropriated under 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 income on rent or living in substandard 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 not less than 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 in accordance with a procedure established by the Secretary, provided that any such procedure established by the Secretary shall require that an eligible grantee must have obligated not less than 75 percent of the funds already disbursed by the Secretary pursuant to this section prior to disbursement of additional amounts.

(d) USE OF FUNDS.—

(1) IN GENERAL.—An eligible grantee shall only use the funds provided from payments made under this section as follows:

(A) FINANCIAL ASSISTANCE.—

(i) IN GENERAL.—Subject to clause (ii) 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.

(ii) 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 subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), shall not exceed 18 months.

(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 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 affordable rental housing and eviction prevention activities, including for data collection and reporting requirements related to such funds.

(D) OTHER AFFORDABLE RENTAL HOUSING AND EVICTION PREVENTION ACTIVITIES.—An eligible grantee may use any funds from payments made under this section that are unobligated 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. 1437a(b))); and

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

(e) 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 to each eligible grantee eligible for a payment of reallocated funds described in paragraph (2) of this subsection the amount allocated to such eligible grantee in accordance with the procedure established by the Secretary in accordance with paragraph (1) of this subsection.

(4) 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).

(f) 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)).

(C) The Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa.

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

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

(i) qualified for unemployment benefits; or

(ii) experienced a reduction in household income, 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) the household is 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. 1437a(b)).

(3) INSPECTOR GENERAL.—The term ''Inspector General'' means the Inspector General of the Department of the Treasury.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(5) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' has the meaning given such term in section 501 of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(g) AVAILABILITY.—Funds provided to an eligible grantee under a payment made under this section shall remain available through September 30, 2025.

(h) EXTENSION OF AVAILABILITY UNDER PROGRAM FOR EXISTING FUNDING.—Paragraph (1) of section 501(e) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) is amended by striking ''December 31, 2021'' and inserting ''September 30, 2022''.

SEC. 3202. EMERGENCY HOUSING VOUCHERS.

(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, $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, prepare, 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 renewal funding allocation, including mainstream vouchers, for public housing agencies that experience a significant increase in voucher per-unit costs due 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 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 are—

(A) homeless (as such term is defined in section 103(a) of the McKinney-Vento Homeless 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 Homeless Assistance Act (42 U.S.C. 11360(1)));

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

(D) recently 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.

(3) ALLOCATION.—The Secretary shall notify public housing agencies of the number of emergency vouchers provided under this section to be allocated to the agency 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 ensures geographic diversity, including with respect to rural areas, among public housing agencies administering the Housing Choice Voucher program.

(4) TERMS AND CONDITIONS.—

(A) ELECTION TO ADMINISTER.—The Secretary shall establish a procedure for public housing agencies to accept or decline the emergency vouchers allocated to the agency in accordance with the formula under subparagraph (3).

(B) FAILURE TO USE VOUCHERS PROMPTLY.—If a public housing agency fails to lease its authorized vouchers under subsection (b) on behalf of eligible families within a reasonable period of time, the Secretary may revoke and redistribute any unleased vouchers and associated funds, including administrative fees and costs referred to in subsection (a)(3), to other public housing agencies according to the formula under paragraph (3).

(5) 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. 1437 et seq.) or regulation applicable to such statute 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 in this section.

(6) TERMINATION OF VOUCHERS UPON TURNOVER.—After September 30, 2023, a public housing agency may not reissue any vouchers made available under this section when assistance for the family assisted ends.

(c) TECHNICAL ASSISTANCE AND OTHER COSTS.—The Secretary may use not more $20,000,000 of the amounts made available under this section for the costs to the Secretary of administering and overseeing the implementation of this section and the Housing Choice Voucher program generally, including information technology, financial reporting, and other costs. Of the amounts set aside under this subsection, the Secretary may use not more than $10,000,000, without competition, to make new awards or increase prior awards to existing technical assistance providers to provide an immediate increase in capacity building and technical assistance to public housing agencies.

(d) IMPLEMENTATION.—The Secretary may implement the provisions of this section by notice.

SEC. 3203. EMERGENCY ASSISTANCE FOR RURAL HOUSING.

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, $100,000,000, to remain available until September 30, 2022, to provide grants under 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 502(c)(5)(D) of the Housing Act of 1949, for temporary adjustment of income losses for residents of housing financed or assisted under section 514, 515, 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 2021, 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 the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107) and consistent with the discretion set forth in section 606(a)(5) of such Act (42 U.S.C. 8105(a)(5)) 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.

(b) LIMITATION.—The aggregate amount provided to NeighborWorks organizations 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 for program administration in order to cover its expenses related to program administration and oversight.

(d) HOUSING COUNSELING SERVICES DEFINED.—For the 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, technology upgrades, and other program related support; and

(3) operational oversight funding for grantees and subgrantees that receive funds under this section.

SEC. 3205. HOMELESSNESS ASSISTANCE AND SUPPORTIVE SERVICES PROGRAM.

(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, $5,000,000,000, to remain available until September 30, 2025, except that amounts authorized under subsection (d)(3) shall remain available until September 30, 2029, for assistance under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) for the following activities to primarily benefit qualifying individuals or families:

(1) Tenant-based rental assistance.

(2) The development and support of affordable housing pursuant to section 212(a) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12742(a)) (''the Act'' herein).

(3) Supportive services to qualifying individuals or families not already receiving such supportive services, including—

(A) activities listed in section 401(29) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(29));

(B) housing counseling; and

(C) homeless prevention services.

(4) The acquisition and development of non-congregate shelter units, all or a portion of which may—

(A) be converted to permanent affordable housing;

(B) be used as emergency shelter under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371–11378);

(C) be converted to permanent housing under subtitle C of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11381–11389); or

(D) remain as non-congregate shelter units.

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

(1) homeless, as defined in section 103(a) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302(a));

(2) at-risk of homelessness, as defined in section 401(1) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360(1));

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

(4) in other populations where providing supportive services or assistance under section 212(a) of the Act (42 U.S.C. 12742(a)) 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 family member that meet one of the preceding criteria.

(c) TERMS AND CONDITIONS.—

(1) FUNDING RESTRICTIONS.—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 220 (42 U.S.C. 12750), and the set-aside for housing developed, sponsored, or owned by community housing development organizations required in section 231 of the Act (42 U.S.C. 12771) shall not apply for amounts made available in this section.

(2) ADMINISTRATIVE COSTS.— Notwithstanding sections 212(c) and (d)(1) of the Act (42 U.S.C. 12742(c) and (d)(1)), of 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) OPERATING EXPENSES.—Notwithstanding sections 212(a) and (g) of the Act (42 U.S.C. 12742(a) and (g)), a grantee may use up to an additional five percent of its allocation for the payment of operating expenses of 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 the jurisdiction or insular area to carry out activities authorized under this section; and

(B) the community housing development organization or nonprofit organization complies with the limitation on assistance in section 234(b) of the Act (42 U.S.C. 12774(b)).

(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 cover the actual total program costs and administrative overhead to provide the services contracted.

(d) ALLOCATION.—

(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. 12747) to grantees that 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 $25,000,000 of the amounts made available under this section shall be used, without competition, to make new awards or increase prior awards to existing technical assistance providers to provide an immediate increase in capacity building and technical assistance available to any grantees implementing activities or projects consistent with this section.

(3) OTHER COSTS.—Up to $50,000,000 of the amounts made available under this section shall be used for the administrative costs to oversee and administer implementation of this section and the HOME program generally, including information technology, financial reporting, and other costs.

(4) WAIVERS OR ALTERNATIVE REQUIREMENTS.—The Secretary may waive or specify alternative requirements for any provision of the Cranston-Gonzalez National Affordable 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 amounts 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 amounts made available under this section.

SEC. 3206. HOMEOWNER ASSISTANCE FUND.

(a) APPROPRIATION.—In addition to amounts otherwise available, there is appropriated 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, a mortgage secured by a 3-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. 1717(b)(2)) and section 305(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 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 (i) a 1- to 4-unit dwelling, or (ii) residential real property that includes a 1- to 4-unit dwelling; and

(B) the unpaid principal balance of which was, at the time of origination, not more than the conforming loan limit.

(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 of the United States, 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 OF FUND.—

(1) 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 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 homeowner to reinstate a mortgage or to pay other housing related costs related to a period of forbearance, delinquency, or default;

(C) principal reduction;

(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 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 delinquency, default, foreclosure, post-foreclosure eviction of a homeowner, or the loss of utility or home energy services, as determined by the Secretary.

(2) 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 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, 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 to eligible entities 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 to not exceed $2,600,000 for oversight of the program under this section.

(2) FOR STATES.—After the application of paragraphs (1), (4), and (5) of this subsection and subject to paragraph (3) of this subsection, the Secretary shall allocate the remaining funds available within the Homeowner Assistance Fund to each State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico based on homeowner need, for such State relative to all States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, as of the date of the enactment of this Act, which is determined by reference to—

(A) the average number of unemployed individuals measured over a period of time not fewer than 3 months and not more than 12 months; and

(B) the total number of mortgagors with—

(i) mortgage payments that are more than 30 days past due; or

(ii) mortgages in foreclosure.

(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 (c).

(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 $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 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.—

(1) IN GENERAL.—The Secretary shall make payments, beginning not later than 45 days after enactment of this Act, from amounts allocated under subsection (d) to eligible entities that have notified the Secretary that they request to receive payment from the Fund and that the eligible entity will use such payments in compliance with this section.

(2) REALLOCATION.—If a State does not request 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, by the 180th day after the date of enactment of this Act, 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 paragraph (1), to the greatest extent possible, provided that the Secretary shall also take into consideration in determining such reallocation a State's remaining need and a State's record of using payments from the 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.

(f) TRIBAL SET-ASIDE.—

(1) SET-ASIDE.—Notwithstanding any other provision of this section, of the amounts appropriated under subsection (a), the Secretary shall use 5 percent to make payments to entities that are eligible for payments under clauses (i) and (ii) of section 501(b)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) for the purposes described in subsection (c).

(2) ALLOCATION AND PAYMENT.—The Secretary shall allocate the funds set aside under paragraph (1) using the allocation formulas described in clauses (i) and (ii) of section 501(b)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260), and shall 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 subtitle 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.

(3) ADJUSTMENT.—Allocations provided under this subsection may be further adjusted as provided by section 501(b)(2)(B) of subtitle A 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, $39,000,000, to remain available until September 30, 2023, for direct loans made under sections 502 and 504 of the Housing 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, $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 3003—

(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) in subparagraph (A), by striking ''The Secretary'' and inserting ''With respect to States other than Tribal governments, the Secretary'';

(dd) in subparagraph (C)(i), 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 determine the 2021 allocation by allocating $500,000,000 among the Tribal governments in the proportion the Secretary determines appropriate, including with consideration to 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—

''(I) require Tribal governments that individually or jointly wish to 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

''(II) notwithstanding paragraph (1), 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.''; and

(III) by striking paragraph (3); and

(ii) in subsection (c)—

(I) in paragraph (1)(A)(iii), 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.—Any portion of a participating State's allocated 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 (B), if—

''(i) the second ⅓ of a State's allocated amount has not been transferred to the State before the end of the end of the 3-year period beginning on the date that the Secretary approves the State for participation; or

''(ii) the last ⅓ of a State's allocated amount has not been transferred to the State before the end of the end of the 6-year period beginning on the date that the Secretary approves the State for participation.

''(B) REALLOCATION.—Any amount deemed by the Secretary to be no longer allocated to a State and no longer available to such State under subparagraph (A) may be reallocated by the Secretary to other participating States. In making such a reallocation, the Secretary shall not take into account the minimum allocation requirements under subsection (b)(2)(B) or the specific allocation for Tribal governments described under subsection (b)(2)(C).'';

(B) in section 3004(d), by striking ''date of enactment of this Act'' each place it appears and inserting ''date of the enactment of section 3003(d)'';

(C) 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)'';

(D) in section 3006(b)(4), by striking ''date of enactment of this Act'' and inserting ''date of the enactment of section 3003(d)'';

(E) in section 3007(b), by striking ''March 31, 2011'' and inserting ''March 31, 2022'';

(F) in section 3009, by striking ''date of enactment of this Act'' each place it appears and inserting ''date of the enactment of section 3003(d)''; and

(G) 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 hereby appropriated to the Secretary of the Treasury for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $10,000,000,000, to remain available until expended, to provide support to small businesses responding to and recovering from the economic effects of the COVID–19 pandemic, ensure business enterprises owned and controlled by socially and economically disadvantaged individuals 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 that remain unexpended (whether obligated or unobligated) on September 30, 2030, shall be rescinded and deposited into the general fund of the Treasury.

(b) ADDITIONAL ALLOCATIONS TO SUPPORT BUSINESS ENTERPRISES OWNED AND CONTROLLED BY SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—Section 3003 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702) is amended by adding at the end the following:

''(d) 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—

''(1) 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

''(2) 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).

''(e) 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 set aside $1,000,000,000 for an incentive program under which the Secretary shall increase the second ⅓ and last ⅓ allocations for States that demonstrate robust support, as determined by the Secretary, for business concerns owned and controlled by socially and economically disadvantaged individuals in the deployment of prior allocation amounts.''.

(c) ADDITIONAL ALLOCATIONS TO SUPPORT VERY SMALL BUSINESSES.—Section 3003 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5702), as amended by subsection (b), is further amended by adding at the end the following:

''(f) ADDITIONAL ALLOCATIONS TO SUPPORT VERY SMALL BUSINESSES.—

''(1) IN GENERAL.—Of the amounts appropriated to carry out the Program, the Secretary shall allocate not less than $500,000,000 to States from funds allocated under this section to be expended for very small businesses.

''(2) VERY SMALL BUSINESS DEFINED.—In this subsection, the term 'very small business'—

''(A) means a business with fewer than 10 employees; and

''(B) may include independent contractors and sole proprietors.''.

(d) TECHNICAL ASSISTANCE.—Section 3009 of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5708) is amended by adding at the end the following:

''(e) TECHNICAL ASSISTANCE.—Of the amounts appropriated for fiscal year 2021 to carry out the Program, $500,000,000 may be used by the Secretary to—

''(1) provide funds to States to carry out a technical assistance plan under which a State will provide legal, accounting, and financial advisory services, either directly or contracted with legal, accounting, and financial advisory firms, with priority given to business enterprises owned and controlled by socially and economically disadvantaged individuals, to very small businesses and business enterprises owned and controlled by socially and economically disadvantaged individuals applying for—

''(A) State programs under the Program; and

''(B) other State or Federal programs that support small businesses;

''(2) transfer amounts to the Minority Business Development Agency, so that the Agency may use such amounts in a manner the Agency determines appropriate, including through contracting with third parties, to provide technical assistance to business enterprises owned and controlled by socially and economically disadvantaged individuals applying to—

''(A) State programs under the Program; and

''(B) other State or Federal programs that support small businesses; and

''(3) contract with legal, accounting, and financial advisory firms (with priority given to business enterprises owned and controlled by socially and economically disadvantaged individuals), to provide technical assistance to business enterprises owned and controlled by socially and economically disadvantaged individuals applying to—

''(A) State programs under the Program; and

''(B) other State or Federal programs that support small businesses.''.

(e) INCLUSION OF TRIBAL GOVERNMENTS.—Section 3002(10) of the State Small Business Credit Initiative Act of 2010 (12 U.S.C. 5701(10)) is amended—

(1) in subparagraph (C), by striking ''and'' at the end;

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(E) a Tribal government, or a group of Tribal governments that jointly apply for an allocation.''.

(f) 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 SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term 'business enterprise owned and controlled by socially and economically disadvantaged individuals' means a business that—

''(A) if privately owned, 51 percent is owned by one or more socially and economically disadvantaged individuals;

''(B) if publicly owned, 51 percent of the stock is owned by one or more socially and economically disadvantaged individuals; and

''(C) in the case of a mutual institution, a majority of the Board of Directors, account holders, and the community which the institution services is predominantly comprised of socially and economically disadvantaged individuals.

''(16) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term 'community development financial institution' has the meaning given that term under section 103 of the Riegle Community Development and Regulatory Improvement Act of 1994.

''(17) MINORITY DEPOSITORY INSTITUTION.—The term 'minority depository institution' has the meaning given that term under section 308(b) 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 (15 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).''.

(g) RULE OF APPLICATION.—The amendments made by this section shall apply with respect to funds 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.—

(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 coronavirus; 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 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 operations 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, statewide 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 for 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), $26,086,580,227 shall be for grants to recipients and subrecipients under section 5307 of title 49, United States Code, and shall be administered 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 of an amount that, when combined with amounts that were otherwise made available to such urbanized area for similar activities to prevent, prepare for, and respond to coronavirus, is equal to 132 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 each urbanized area that did not receive an apportionment under clause (i) shall receive an apportionment equal to 25 percent of the urbanized area's 2018 operating costs.

(2) FORMULA GRANTS FOR THE ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES.—

(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 in the same ratio as 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 administered 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 such 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 received 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)—

(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.

(B) 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)(i), $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 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 proportionally based on the non-capital investment grant share of the amount allocated.

(iii) ELIGIBLE RECIPIENTS.—For amounts made available in subparagraph (A)(ii), eligible recipients shall be any recipient of an allocation under subsection (h) of section 5309 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), (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)(ii) or (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), $100,000,000 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 State or territory for any expense eligible under section 5311 of title 49, United States Code.

(6) PLANNING.—

(A) IN GENERAL.—Of the amounts made available under subsection (a), $25,000,000 shall be for grants to recipients eligible 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—

(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 subparagraph (A) 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 company 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 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, personnel, 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 administered as if 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 chapter 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 available to the applicant from funds made available for similar activities in fiscal year 2020.

(ii) 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; 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, including projections 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 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—

(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 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) PERIOD OF AVAILABILITY.—Paid leave under this section may only be provided to and used by 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 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; and

(B) may not be used by an employee concurrently 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 civilian retirement benefit.

(d) EMPLOYEE DEFINED.—In this section, the term ''employee'' means—

(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. FUNDING FOR THE GOVERNMENT ACCOUNTABILITY OFFICE.

In addition to amounts otherwise available, 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 necessary expenses of the Government Accountability Office to prevent, prepare for, and respond to Coronavirus and to support oversight of the Coronavirus response and of funds provided in this Act or any other Act pertaining to the Coronavirus pandemic.

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 to support 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, $12,800,000, 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, $50,000,000,000, to remain available until September 30, 2025, 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 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 4005 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 purposes 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, 2023, 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, $1,000,000,000, to remain available until September 30, 2025, 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, $150,000,000, 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 firefighter grants 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.

SEC. 4015. EXTENSION OF REIMBURSEMENT AUTHORITY FOR FEDERAL CONTRACTORS.

Section 3610 of the CARES Act (Public Law 116–136; 134 Stat. 414) is amended by striking ''September 30, 2020'' and inserting ''September 30, 2021''.

SEC. 4016. ELIGIBILITY FOR WORKERS' COMPENSATION BENEFITS FOR FEDERAL EMPLOYEES DIAGNOSED WITH COVID–19.

(a) IN GENERAL.—Subject to subsection (c), a covered employee shall, with respect to any claim made by or on behalf of the covered employee for benefits under subchapter I of chapter 81 of title 5, United States Code, be deemed to have an injury proximately caused by exposure to the novel coronavirus arising out of the nature of the covered employee's employment. Such covered employee, or a beneficiary of such an employee, shall be entitled to such benefits for such claim, including disability compensation, medical services, and survivor benefits.

(b) DEFINITIONS.—In this section:

(1) COVERED EMPLOYEE.—

(A) IN GENERAL.—The term ''covered employee'' means an individual—

(i) who is an employee under section 8101(1) of title 5, United States Code, employed in the Federal service at anytime during the period beginning on January 27, 2020, and ending on January 27, 2023;

(ii) who is diagnosed with COVID–19 during such period; and

(iii) who, during a covered exposure period prior to such diagnosis, carries out duties that—

(I) require contact with patients, members of the public, or co-workers; or

(II) include a risk of exposure to the novel coronavirus.

(B) TELEWORKING EXCEPTION.—The term ''covered employee'' does not include any employee otherwise covered by subparagraph (A) who is exclusively teleworking during a covered exposure period, regardless of whether such employment is full time or part time.

(2) COVERED EXPOSURE PERIOD.—The term ''covered exposure period'' means, with respect to a diagnosis of COVID–19, the period beginning on a date to be determined by the Secretary of Labor.

(3) NOVEL CORONAVIRUS.—The term ''novel coronavirus'' means SARS–CoV–2 or another coronavirus declared to be a pandemic by public health authorities.

(c) LIMITATION.—

(1) DETERMINATIONS MADE ON OR BEFORE THE DATE OF ENACTMENT.—This section shall not apply with respect to a covered employee who is determined to be entitled to benefits under subchapter I of chapter 81 of title 5, United States Code, for a claim described in subsection (a) if such determination is made on or before the date of enactment of this Act.

(2) LIMITATION ON DURATION OF BENEFITS.—No funds are authorized to be appropriated to pay, and no benefits may be paid for, claims approved on the basis of subsection (a) after September 30, 2030. No administrative costs related to any such claim may be paid after such date.

(d) EMPLOYEES' COMPENSATION FUND.—

(1) IN GENERAL.—The costs of benefits for claims approved on the basis of subsection (a) shall not be included in the annual statement of the cost of benefits and other payments of an agency or instrumentality under section 8147(b) of title 5, United States Code.

(2) FAIR SHARE PROVISION.—Costs of administration for claims described in paragraph (1)—

(A) may be paid from the Employees' Compensation Fund; and

(B) shall not be subject to the fair share provision in section 8147(c) of title 5, United States Code.

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 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—

(A) in subparagraph (A)—

(i) in clause (xv), 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 nonprofit entity'—

''(I) means an organization described in any paragraph of section 501(c) of the Internal Revenue Code of 1986, other than paragraph (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 subparagraph, during the covered period—

''(aa) a nonprofit organization shall be eligible to receive a covered loan if the nonprofit organization employs not more than 500 employees per physical location of the organization; and

''(bb) an additional covered nonprofit entity and an organization that, but for subclauses (I)(dd) and (II)(dd) of clause (vii), would be eligible for a covered loan under clause (vii) shall be eligible to receive a covered loan if the entity or organization employs not more than 300 employees per physical location of the entity or 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 of the 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 additional 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 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 inserting ''`additional covered nonprofit entity','' after ''the terms''.

(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.—A 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 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

''(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.'';

(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) 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

''(bb) is majority 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 ''clause (iii)(II), (iv)(IV), or (vii)'' and inserting ''subclause (II), (III), or (IV) of clause (iii), subclause (IV) or (V) of clause (iv), clause (vii), or clause (ix)''; and

(D) in clause (viii)(II)—

(i) by striking ''business concern made eligible by clause (iii)(II) or clause (iv)(IV) of this subparagraph'' and inserting ''business concern made eligible by subclause (II) or (IV) of clause (iii) or subclause (IV) or (V) of clause (iv) of this subparagraph''; and

(ii) by inserting ''or organization'' after ''business concern'' each place it appears.

(2) ELIGIBILITY FOR SECOND DRAW LOANS.—Section 7(a)(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 ''clause (iii)(II), (iv)(IV), or (vii)'' and inserting ''subclause (II), (III), or (IV) of clause (iii), subclause (IV) or (V) of clause (iv), clause (vii), or clause (ix)''.

(c) COORDINATION WITH CONTINUATION COVERAGE PREMIUM ASSISTANCE.—

(1) PAYCHECK PROTECTION PROGRAM.—Section 7A(a)(12) 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)) is amended—

(A) by striking ''CARES Act or'' and inserting ''CARES Act,''; and

(B) by inserting before the period at the end the following: '', or premiums taken into account in determining the credit allowed under section 6432 of the Internal Revenue Code of 1986''.

(2) PAYCHECK PROTECTION PROGRAM SECOND DRAW.—Section 7(a)(37)(J)(iii)(I) 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—

(A) by striking ''or'' at the end of item (aa);

(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.''.

(3) APPLICABILITY.—The amendments made by this subsection shall apply only with respect to applications for forgiveness of covered loans made under paragraphs (36) or (37) of section 7(a) 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), that are received on or after the date of the enactment of this Act.

(d) COMMITMENT AUTHORITY AND APPROPRIATIONS.—

(1) COMMITMENT AUTHORITY.—Section 1102(b)(1) of the CARES Act (Public Law 116–136) is amended by striking ''$806,450,000,000'' and inserting ''$813,700,000,000''.

(2) DIRECT APPROPRIATIONS.—In addition to amounts otherwise available, there is appropriated to the Administrator of the Small Business Administration for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $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 ''covered entity'' and ''economic loss'' have the meanings given the terms in section 331(a) of the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act (title III of division N of Public Law 116–260).

(b) 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, $15,000,000,000—

(1) to remain available until expended; and

(2) of which, the Administrator shall use—

(A) $10,000,000,000 to make payments to covered entities that have not received the full amounts to which the covered entities are entitled under 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); 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 shall be—

(i) made to a covered entity that—

(I) has suffered an economic loss of greater than 50 percent; and

(II) employs not more than 10 employees;

(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).

SEC. 5003. SUPPORT FOR RESTAURANTS.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Small Business Administration.

(2) AFFILIATED BUSINESS.—The term ''affiliated business'' means a business in which an eligible entity has an equity or right to profit distributions of not less than 50 percent, or in which an eligible entity has the contractual 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 13, 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.

(4) ELIGIBLE ENTITY.—The term ''eligible entity''—

(A) means a restaurant, food stand, food truck, food cart, caterer, saloon, inn, tavern, bar, lounge, brewpub, tasting room, 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 in which the public or patrons assemble for the primary purpose of being served food or drink;

(B) includes an entity described in subparagraph (A) that is located in an airport terminal or that is a Tribally-owned concern; and

(C) does not include—

(i) an entity described in subparagraph (A) that—

(I) is a State or local government-operated business;

(II) as 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 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); or

(ii) a publicly-traded company.

(5) EXCHANGE; ISSUER; 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) except as provided in subparagraphs (B), (C), and (D), the gross receipts, as established using such verification documentation as the Administrator may require, of the eligible entity during 2020 subtracted from the gross receipts of the eligible entity in 2019, if such sum is greater than zero;

(B) if the eligible entity was not in operation for the entirety of 2019—

(i) the difference between—

(I) the product obtained by multiplying the average monthly gross receipts of the eligible entity in 2019 by 12; and

(II) the product obtained by multiplying the average monthly gross receipts of the eligible entity in 2020 by 12; 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 expenses described in subsection (c)(5)(A) that were incurred by the eligible entity minus any gross receipts received; or

(ii) an amount based on a formula determined by the Administrator; or

(D) if the eligible entity has not yet opened as of the date of application for a grant under subsection (c), but has incurred expenses described in subsection (c)(5)(A) as of 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.

For purposes of this paragraph, the pandemic-related revenue losses for an eligible entity shall be reduced by any amounts received from a covered loan made under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) in 2020 or 2021.

(8) PAYROLL COSTS.—The term ''payroll costs'' has the meaning given the term in section 7(a)(36)(A) of the Small Business Act (15 U.S.C. 636(a)(36)(A)), except that such term shall not include—

(A) qualified wages (as defined in subsection (c)(3) of section 2301 of the CARES Act) taken into account in determining the credit allowed under such section 2301; or

(B) premiums taken into account in determining the credit allowed under section 6432 of the Internal Revenue Code of 1986.

(9) PUBLICLY-TRADED COMPANY.—The term ''publicly-traded company'' means an entity that is majority owned or controlled by an entity that is an issuer, the securities of which are listed on a national securities exchange under section 6 of the Securities Exchange Act of 1934 (15 U.S.C. 78f).

(10) TRIBALLY-OWNED CONCERN.—The term ''Tribally-owned concern'' has the meaning given the term in section 124.3 of title 13, Code of Federal Regulations, or any successor regulation.

(b) RESTAURANT REVITALIZATION FUND.—

(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 not otherwise appropriated, $28,600,000,000, to remain available until expended.

(B) DISTRIBUTION.—

(i) IN GENERAL.—Of the amounts made available under subparagraph (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) $23,600,000,000 shall be available to the Administrator to award grants under subsection (c) in an equitable manner to eligible entities of different sizes based on annual gross receipts.

(ii) ADJUSTMENTS.—The Administrator may make adjustments as necessary to the distribution of funds under clause (i)(II) based on demand and the relative local costs in the markets in which eligible entities operate.

(C) GRANTS AFTER INITIAL PERIOD.—Notwithstanding subparagraph (B), on and after the date that is 60 days after the date of enactment of this section, or another period of time determined by the Administrator, the Administrator may make grants using amounts appropriated under subparagraph (A) to any eligible entity regardless of the annual gross receipts of the eligible entity.

(3) USE OF FUNDS.—The Administrator shall use amounts in the Fund to make grants described in subsection (c).

(c) RESTAURANT REVITALIZATION GRANTS.—

(1) IN GENERAL.—Except as provided in subsection (b) and paragraph (3), 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) BUSINESS IDENTIFIERS.—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(n) 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))), 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. 637(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.—

(i) 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.

(ii) RETURN 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.

(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 7A(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) Paid sick leave.

(K) Any other expenses that the Administrator determines to be essential to maintaining the eligible entity.

(6) RETURNING FUNDS.—If an eligible entity that receives a grant under this subsection fails to use all grant funds or permanently ceases operations on or before the last day of the covered period, the eligible entity shall return to the Treasury any funds that the eligible entity did not use for the allowable expenses under paragraph (5).

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 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.

(5) 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(n) 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))).

(6) PRIVATE NONPROFIT ORGANIZATION.—The term ''private nonprofit organization'' 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.

(7) RESOURCE PARTNER.—The term ''resource partner'' means—

(A) a small business development center (as defined in section 3 of the Small Business Act (15 U.S.C. 632));

(B) a women's business center (as described in section 29 of the Small Business Act (15 U.S.C. 656)); and

(C) a chapter of the Service Corps of Retired Executives (as defined in section 8(b)(1)(B) of the Act (15 U.S.C. 637(b)(1)(B))).

(8) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given under section 3 of the Small Business Act (15 U.S.C. 632).

(9) STATE.—The term ''State'' means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam, or an agency, instrumentality, or fiscal agent thereof.

(10) 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.

(b) COMMUNITY NAVIGATOR PILOT PROGRAM.—

(1) IN GENERAL.—The Administrator of the Small Business Administration shall establish a Community Navigator pilot program to make grants to, 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.

(2) 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, $100,000,000, to remain available until September 30, 2022, for carrying out this subsection.

(c) 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 and offer referral 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 commonly spoken languages in the United States, to current or prospective owners of eligible businesses on community navigator services and other Federal programs to assist eligible businesses;

(B) improve the website of the Administration to describe such community navigator services and other Federal programs; and

(C) implement an education campaign by advertising in media 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. 5005. SHUTTERED VENUE OPERATORS.

(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, $1,250,000,000, 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 FOR NEW PPP RECIPIENTS.—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)(vi)—

(A) by striking subclause (III);

(B) by redesignating subclause (IV) as subclause (III); and

(C) in subclause (III), as so redesignated, by striking ''subclauses (I), (II), and (III)'' and inserting ''subclauses (I) and (II)''; and

(2) in subsection (c)(1)—

(A) in subparagraph (A), in the matter preceding clause (i), by striking ''A grant'' and inserting ''Subject to subparagraphs (B) and (C), a grant''; and

(B) by adding at the end the following:

''(C) REDUCTION FOR RECIPIENTS OF NEW PPP LOANS.—

''(i) IN GENERAL.—The otherwise applicable amount of a grant under subsection (b)(2) to an eligible person or entity shall be reduced by the total amount of loans guaranteed under paragraph (36) or (37) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)) that are received on or after December 27, 2020 by the eligible person or entity.

''(ii) APPLICATION TO GOVERNMENTAL ENTITIES.—For purposes of applying clause (i) to an eligible person or entity owned by a State or a political subdivision of a State, the relevant entity—

''(I) shall be the eligible person or entity; and

''(II) shall not include entities of the State or political subdivision other than the eligible person or entity.''.

SEC. 5006. 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, to remain available until expended—

(1) $840,000,000 for administrative expenses, including to prevent, prepare for, and respond to the COVID–19 pandemic, domestically or internationally, including administrative expenses related to paragraphs (36) and (37) of section 7(a) of the Small Business Act, 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), section 5002 of this title, and section 5003 of this title; and

(2) $460,000,000 to carry out the disaster loan program authorized by section 7(b) of the Small Business Act (15 U.S.C. 636(b)), of which $70,000,000 shall be for the cost of direct loans authorized by such section and $390,000,000 shall be for administrative expenses to carry out such program.

(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 of the Office of Inspector General.

TITLE VI—COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

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, $3,000,000,000, to remain available until September 30, 2022, to the Department of Commerce for economic adjustment assistance as authorized by sections 209 and 703 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149 and 3233) to prevent, prepare for, and respond to coronavirus and for necessary expenses for responding to economic injury as a result of coronavirus.

(b) Of the funds provided by this section, up to 2 percent shall be used for Federal costs to administer such assistance utilizing temporary Federal personnel as may be necessary consistent with the requirements applicable to such administrative funding in fiscal year 2020 to prevent, prepare for, and respond to coronavirus and which shall remain available until September 30, 2027.

(c) Of the funds provided by this section, 25 percent shall be for assistance to States and communities that have suffered economic injury as a result of job and gross domestic product losses in the travel, tourism, or outdoor recreation sectors.

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 or 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)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(7)(A)); and

(D) sections 791 through 797 of the Energy Policy Act of 2005 (42 U.S.C. 16131 through 16137); and

(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. 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 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) INSPECTION, INTERDICTION, AND RESEARCH RELATED TO CERTAIN SPECIES AND COVID–19.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $95,000,000 to remain available until expended, to carry out the provisions of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.) and the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) through direct expenditure, contracts, and grants, of which—

(1) $20,000,000 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 capacity for 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, $10,000,000, to remain available until expended, to carry out the provisions of section 42(a) of title 18, United States Code, and the Lacey Act Amendments of 1981 (16 U.S.C. 3371–3378).

TITLE VII—COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Subtitle A—Transportation and Infrastructure

SEC. 7101. GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION.

(a) NORTHEAST CORRIDOR APPROPRIATION.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $970,388,160, to remain available until September 30, 2024, for grants as authorized under section 11101(a) of the FAST Act (Public Law 114–94) to prevent, prepare for, and respond to coronavirus.

(b) NATIONAL NETWORK APPROPRIATION.—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 11101(b) of the FAST Act (Public Law 114–94) to prevent, prepare for, and respond to coronavirus.

(c) LONG-DISTANCE SERVICE RESTORATION 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 on long-distance routes (as defined in section 24102 of title 49, United States Code) that the National Railroad Passenger Corporation reduced the frequency of on or after July 1, 2020, and continue to operate such service at such frequency; and

(2) recall and manage employees furloughed on or after 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 $109,805,000 of the aggregate amounts made available under subsections (a) and (b)—

(1) shall be for use by the National Railroad Passenger Corporation in lieu of capital payments from States and commuter rail passenger transportation providers that are subject to the cost allocation policy under section 24905(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.

(e) USE OF FUNDS FOR STATE PAYMENTS FOR STATE-SUPPORTED ROUTES.—

(1) IN GENERAL.—Of the amounts made available under subsection (b), $174,850,000 shall be for use by the National Railroad Passenger Corporation to offset amounts required to be paid by States for covered State-supported routes.

(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) Each covered State-supported route shall receive 7 percent of the costs allocated to the route in fiscal year 2019 under the cost allocation methodology adopted pursuant to section 209 of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432).

(B) Any remaining amounts after the distribution described in subparagraph (A) shall be apportioned to each covered State-supported route in proportion to the passenger revenue of such route and other revenue allocated to such route in fiscal year 2019 divided by the total passenger revenue and other revenue allocated to all covered State-supported routes in fiscal year 2019.

(3) COVERED STATE-SUPPORTED ROUTE DEFINED.—In this subsection, the term ''covered State-supported route'' means a State-supported route, as such term is defined in section 24102 of title 49, United States Code, but does not include a State-supported route for which service was terminated on or before February 1, 2020.

(f) USE OF FUNDS FOR DEBT REPAYMENT OR PREPAYMENT.—Not more than $100,885,000 of the aggregate amounts made available under subsections (a) and (b) shall be—

(1) for the repayment or prepayment of debt incurred by the National Railroad Passenger Corporation under financing arrangements entered into prior to the date of enactment of this Act; and

(2) 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 National Railroad Passenger Corporation revenues.

(g) PROJECT MANAGEMENT OVERSIGHT.—Not more than $2,000,000 of the aggregate amounts made available under subsections (a) and (b) shall be for activities authorized under section 11101(c) of the FAST Act (Public Law 114–94).

SEC. 7102. 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, $8,000,000,000, to remain available until September 30, 2024, for assistance to sponsors of 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 allocated in excess of 4 years of operating funds to prevent, prepare for, and respond to coronavirus in fiscal year 2020.

(b) ALLOCATIONS.—The following terms shall apply to the amounts made available under this section:

(1) OPERATING EXPENSES AND DEBT SERVICE PAYMENTS.—

(A) IN GENERAL.—Not more than $6,492,000,000 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, janitorial services, combating 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)(i), 47114(c)(1)(C)(ii), 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)(1)(B) of title 49, United States Code.

(C) REMAINING AMOUNTS.—Any amount remaining after distribution under subparagraph (B) shall be distributed 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.

(2) FEDERAL SHARE FOR DEVELOPMENT PROJECTS.—

(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 less than a 100-percent Federal share, for an airport development project (as such term is defined in section 47102 of title 49).

(B) REMAINING AMOUNTS.—Any amount remaining under this paragraph shall be distributed as described in paragraph (1)(C).

(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 debt service payments.

(B) DISTRIBUTION.—Amounts made available under this paragraph shall be apportioned to each non-primary airport based on the categories published in the most current National Plan of Integrated Airport Systems, reflecting the percentage of the aggregate published 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.

(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 $800,000,000 shall be made available for sponsors of primary airports to provide relief from rent and minimum annual guarantees to airport concessions, of which at least $640,000,000 shall be available to provide relief to eligible small airport concessions and of which at least $160,000,000 shall be available to provide relief to eligible large airport concessions located at primary airports.

(B) DISTRIBUTION.—The amounts made available for each set-aside in this paragraph shall be distributed 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) CONDITIONS.—As a condition of approving a grant under this paragraph—

(i) the sponsor shall provide such relief from the date of enactment of this Act until the sponsor has provided relief equaling the total grant amount, to the extent practicable and to the extent permissible under State laws, local laws, and applicable trust indentures; and

(ii) for each set-aside, the sponsor shall provide relief from rent and minimum annual guarantee obligations to each eligible airport concession in an amount that reflects each eligible airport concession's proportional share of the total amount of the rent and minimum annual guarantees of those eligible airport concessions at such airport.

(c) ADMINISTRATION.—

(1) ADMINISTRATIVE EXPENSES.—The Administrator of the Federal Aviation Administration may retain up to 0.1 percent of the funds provided under this section to fund the award of, and oversight by the Administrator of, grants made under this section.

(2) WORKFORCE RETENTION REQUIREMENTS.—

(A) REQUIRED RETENTION.—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 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 nonprimary airports receiving funds under this section.

(D) NONCOMPLIANCE.—Any financial assistance provided under this section to an airport that fails to comply with 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) 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). In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $9,000,000, 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 use of paid 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, or the child care provider of 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) 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, 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.

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 ''Administration'') the Emergency TSA Employee Leave Fund (in this section referred to as the ''Fund''), to be administered by the Administrator of the Administration, 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, $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 Administration for the use of paid 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, or the child care provider of 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) 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, 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 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—

(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 propellers; 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 2020 as compared to 2019 or has experienced 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 an agreement under this subtitle;

(F) that agrees to provide immediate notice and justification to the Secretary of involuntary furloughs or layoffs exceeding 10 percent of the 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—

(i) 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 or production certificate or similar authorization issued under section 44704 of title 49, United States Code, with respect to a transport-category airplane covered under part 25 of title 14, 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 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) 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).

(4) EMPLOYER.—The term ''employer'' means an aviation manufacturing company that is an employer (as defined in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203)).

(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 employees 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 employee,

excluding overtime and premium 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 2021, out of amounts 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 the preceding 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, solely with an 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, except that such funds 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 allowed a credit under section 2301 of the CARES Act (26 U.S.C. 3111 note) for the immediately preceding calendar quarter ending before such agreement is entered into, who received financial assistance under section 4113 of the CARES Act (15 U.S.C. 9073), or who is currently expending financial assistance under the paycheck protection program established under section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)), 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, on a pro rata basis, the financial assistance provided under this subtitle.

(e) AGREEMENT DEADLINE.—No agreement may be entered into by the Secretary under the payroll support program established under subsection (a) 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.—The 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) a 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 transportation of persons, 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, security, airport 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 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 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 such air carrier 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 air carrier 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 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) $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 to section 402(a)(2) 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, 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 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; or

(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 or 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) $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 contractor in calendar year 2019.

(6) the term ''Secretary'' means the Secretary of the Treasury.

(b) PAYROLL SUPPORT GRANTS.—

(1) IN GENERAL.—The Secretary shall make available to eligible air carriers and eligible contractors, financial assistance exclusively for the continuation of payment of employee wages, salaries, and benefits to—

(A) eligible air carriers, in an aggregate amount of $14,000,000,000; and

(B) eligible contractors, in an aggregate amount of $1,000,000,000.

(2) APPORTIONMENTS.—

(A) IN GENERAL.—The Secretary shall apportion funds to eligible air carriers and eligible contractors in accordance with the requirements of this section not later than April 15, 2021.

(B) ELIGIBLE AIR CARRIERS.—The Secretary shall apportion funds made available under paragraph (1)(A) to each eligible air carrier in the ratio that—

(i) the amount received by the air carrier pursuant to section 403(a) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260) bears to

(ii) $15,000,000,000.

(C) ELIGIBLE CONTRACTORS.—The Secretary shall apportion, to each eligible contractor, an amount equal to the total amount such contractor received pursuant to section 403(a) of division N of the Consolidated Appropriations Act, 2021 (Public Law 116–260).

(3) IN GENERAL.—

(A) FORMS; TERMS AND CONDITIONS.—The Secretary shall provide financial assistance to an eligible air carrier or eligible contractor under this section in the same form and on the same terms and conditions as determined by pursuant to section 403(b)(1)(A) of subtitle A of title IV of division N of the Consolidated Appropriations Act, 2021 (Pub. L. No. 116–260).

(B) PROCEDURES.—The Secretary shall publish streamlined and expedited procedures not later than 5 days after the date of enactment of this section for eligible air carriers and eligible contractors to submit requests for financial assistance under this section.

(C) DEADLINE FOR IMMEDIATE PAYROLL ASSISTANCE.—Not later than 10 days after the date of enactment of this section, the Secretary shall make initial payments to air carriers and contractors that submit requests for financial assistance approved by the Secretary.

(4) TAXPAYER PROTECTION.—The Secretary shall receive financial instruments 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 under section 408 of subtitle A of title IV of division N of the Consolidated Appropriations Act, 2021 (Pub. L. No. 116–260).

(5) 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.

(c) FUNDING.—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $15,000,000,000, 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 COVID–19.

(a) APPROPRIATION.—In addition to amounts otherwise available, 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, to remain available until September 30, 2026, for the purposes described in subsection (b).

(b) PURPOSES.—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 (Public Law 116–260);

(2) enhance targeting, surveillance, and screening of consumer products, particularly COVID–19 products, entering the United States at ports of entry, including ports of entry for de minimis shipments;

(3) enhance monitoring of internet websites for the offering for sale of new and used violative consumer products, particularly COVID–19 products, and coordination with retail and resale websites to improve identification and elimination of listings of such products;

(4) increase awareness and communication particularly of COVID–19 product related risks and other consumer product safety information; and

(5) improve the Commission's data collection and analysis system especially with a focus on consumer product safety risks resulting from the COVID–19 pandemic to socially disadvantaged individuals and other vulnerable populations.

(c) DEFINITIONS.—In this section—

(1) the term ''Commission'' means the Consumer Product Safety Commission;

(2) the term ''violative 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, standard, or ban 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 the 2019 novel coronavirus (COVID–19), including under any renewal of such declaration, is in effect; and

(4) the term ''COVID–19 products'' means consumer products, as defined by section 3(a)(5) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)), 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 EDUCATIONAL CONNECTIONS AND DEVICES.

(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 under paragraphs (1)(B) and (2) 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 (or both), for use by—

(1) in the case of a school, students and staff of the school at locations that include locations other than the school; and

(2) in the case of a library, patrons of the library at locations that include locations other than the library.

(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 any eligible equipment 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 available, there is appropriated to the Emergency Connectivity 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, 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; and

(B) $1,000,000, to remain available until September 30, 2030, for the Inspector General of the Commission to conduct oversight of support provided under the covered regulations.

(3) LIMITATION.—Not more than 2 percent of the amount made available under paragraph (2)(A) may be used for the purposes described in clause (ii) of such paragraph.

(4) 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 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. 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 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) 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) $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) $24,000,000 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 awards for research, development, and testbeds to prevent, prepare for, and respond to coronavirus. None of the funds provided by this section shall be subject to cost share requirements.

SEC. 7502. NATIONAL SCIENCE FOUNDATION.

In addition to amounts otherwise made available, there are appropriated to the National Science Foundation 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.

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, $175,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including for fiscal stabilization grants to public telecommunications entities, as defined in section 397 of the Communications Act of 1934 (47 U.S.C. 397), with no deduction for administrative or other costs of the Corporation, to maintain programming and services 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 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 7113, 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 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 in sections 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. 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—

(1) $500,000,000, 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 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. 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) as of such date, 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 jobs program;

(E) is not in receipt of compensation for a service-connected disability rated 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 subtitle 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 ENTITLEMENT.—For purposes of 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 to be a veteran who is not eligible to receive educational assistance under chapter 33 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 the program of 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 bachelors 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 offered by 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. 3001 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 section 3688 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 under the retraining assistance program under this section an amount equal to the amount of educational assistance payable under section 3313(c)(1)(A) of title 38, United States Code, for each month the veteran pursues the covered program of education. Such amount shall be payable directly to the educational institution offering the covered program of education pursued by the veteran as follows:

(A) 50 percent of the total amount payable shall be paid when the eligible veteran begins the program of education.

(B) 25 percent of the total amount payable shall be paid when the eligible veteran completes the program of education.

(C) 25 percent of the total amount payable shall be paid when the eligible veteran finds employment in a field related to the program of education.

(2) FAILURE TO COMPLETE.—

(A) PRO-RATED PAYMENTS.—In the case of a veteran who pursues a covered program of education under the retraining assistance program under this section, but who does not complete the program of education, the Secretary shall pay to the educational institution offering such program of education a pro-rated amount based on the number of months the veteran pursued the program of education in accordance with this paragraph.

(B) PAYMENT OTHERWISE DUE UPON COMPLETION OF PROGRAM.—The Secretary shall 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 no longer intends to pursue the program of education.

(C) NONRECOVERY FROM VETERAN.—In the case of a veteran referred to in subparagraph (A), 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) PAYMENT DUE UPON 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, the Secretary shall pay to the educational institution a pro-rated amount under paragraph (1)(C) when the veteran finds such employment.

(ii) VETERANS WHO DO NOT 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 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 found employment during such 180-day period.

(3) HOUSING STIPEND.—For each month that an eligible veteran pursues a covered program of education under the retraining assistance program under this section, the Secretary shall pay to the veteran a monthly housing stipend in an amount equal to—

(A) in the case of a covered program of education leading to a degree, or 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) pursued on more than a half-time basis, 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 other than a program of education leading to a degree at an institution other than an institution of higher learning pursued on more than a half-time basis, the amount specified under subsection (g)(3)(A)(ii) of such section; or

(C) in the case of a covered program of education pursued on less than a half-time basis, or 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.

(4) FAILURE TO FIND EMPLOYMENT.—The Secretary shall not make a payment under paragraph (1)(C) with respect to an eligible veteran who completes or fails to complete a program of education under the retraining assistance program under this section if the veteran fails to find employment in a field related to the program of education within the 180-period beginning on the date on which the veteran withdraws from or completes the program.

(e) NO TRANSFERABILITY.—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.

(g) TERMINATION.—No retraining assistance may be paid under this section after the date that is 21 months after the date of the enactment of this Act.

(h) FUNDING.—In addition to amounts otherwise available there is appropriated to the Department of Veterans Affairs for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $386,000,000, to remain available until expended, to carry out this section.

SEC. 8007. PROHIBITION ON COPAYMENTS AND COST SHARING FOR VETERANS DURING EMERGENCY RELATING TO COVID–19.

(a) IN GENERAL.—The Secretary of Veterans Affairs—

(1) shall provide for any copayment or other cost sharing with respect to health care under the laws administered by the Secretary received by a veteran during the period specified in subsection (b); and

(2) shall reimburse any veteran who paid a copayment 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 SPECIFIED.—The period specified in this subsection is the period beginning on April 6, 2020, and ending on September 30, 2021.

(c) FUNDING.—In addition to amounts otherwise available, there is appropriated to the Secretary of Veterans Affairs 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 1703(c)(2)–(c)(4) of title 38, United States Code.

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 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). In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $80,000,000, which shall be deposited into the Fund and remain available through September 20, 2022.

(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—

(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 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 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 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 a covered employee; and

(B) may not be used by a covered employee concurrently with any other paid leave.

(4) CALCULATION OF RETIREMENT BENEFIT.—Any paid leave provided to a covered employee under this section shall reduce the total service used to calculate any Federal civilian retirement benefit.

(d) COVERED EMPLOYEE DEFINED.—In this section, the term ''covered employee'' means an employee of the Department of Veterans Affairs appointed 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) in subparagraph (A)(ii), by striking ''March 14, 2021'' and inserting ''September 6, 2021''; and

(2) by striking paragraph (3) and redesignating paragraph (4) as paragraph (3).

(b) INCREASE IN NUMBER OF WEEKS.—Section 2102(c)(2) of such Act (15 U.S.C. 9021(c)(2)) is amended—

(1) by striking ''50 weeks'' and inserting ''79 weeks''; and

(2) by striking ''50-week period'' and inserting ''79-week period''.

(c) HOLD HARMLESS FOR PROPER ADMINISTRATION.—In the case of an individual who is eligible to receive pandemic unemployment assistance under section 2102 of the CARES Act (15 U.S.C. 9021) as of the day before the date of enactment of this Act and on the date of enactment of this Act becomes eligible for pandemic emergency unemployment compensation under section 2107 of the CARES Act (15 U.S.C. 9025) by reason of the amendments made by section 9016(b) of this title, any payment of pandemic unemployment assistance under such section 2102 made after the date of enactment of this Act to such individual during an appropriate period of time, as determined by the Secretary of Labor, that should have been made under such section 2107 shall not be considered to be an overpayment of assistance under such section 2102, except that an individual may not receive payment for assistance under section 2102 and a payment for assistance under section 2107 for the same week of unemployment.

(d) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) 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. 9012. EXTENSION OF EMERGENCY UNEMPLOYMENT RELIEF FOR GOVERNMENTAL 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 ''September 6, 2021''.

(b) INCREASE IN REIMBURSEMENT RATE.—Section 903(i)(1)(B) of such Act (42 U.S.C. 1103(i)(1)(B)) is amended—

(1) in the first sentence, by inserting ''and except as otherwise provided in this subparagraph'' after ''as determined by the Secretary of Labor''; and

(2) by inserting after the first sentence the following: ''With respect to the amounts of such compensation paid for weeks of unemployment beginning after March 31, 2021, and ending on or before September 6, 2021, the preceding sentence shall be applied by substituting '75 percent' for 'one-half'.''.

SEC. 9013. EXTENSION OF FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 2104(e)(2) of the CARES Act (15 U.S.C. 9023(e)(2)) is amended by striking ''March 14, 2021'' and inserting ''September 6, 2021''.

(b) AMOUNT.—Section 2104(b)(3)(A)(ii) of such Act (15 U.S.C. 9023(b)(3)(A)(ii)) is amended by striking ''March 14, 2021'' and inserting ''September 6, 2021''.

SEC. 9014. EXTENSION OF FULL FEDERAL FUNDING OF THE FIRST WEEK OF COMPENSABLE REGULAR 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 ''September 6, 2021''.

(b) FULL REIMBURSEMENT.—Paragraph (3) of section 2105(c) of such Act (15 U.S.C. 9024(c)) is repealed and such section shall be applied to weeks of unemployment to which an agreement under section 2105 of such Act applies as if such paragraph had not been enacted. In implementing the preceding sentence, a State may, if necessary, reenter the agreement with the Secretary under section 2105 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 after December 31, 2020.

SEC. 9015. EXTENSION OF EMERGENCY STATE STAFFING FLEXIBILITY.

If a State modifies its unemployment compensation law and policies, 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 spread of COVID–19, 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 September 6, 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:

''(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 September 6, 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 ''53''.

(c) COORDINATION OF PANDEMIC EMERGENCY 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 ''September 6, 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 TEMPORARY FINANCING OF SHORT-TIME COMPENSATION PAYMENTS IN STATES WITH PROGRAMS IN LAW.

Section 2108(b)(2) of the CARES Act (15 U.S.C. 9026(b)(2)) is amended by striking ''March 14, 2021'' and inserting ''September 6, 2021''.

SEC. 9018. EXTENSION OF TEMPORARY FINANCING OF SHORT-TIME COMPENSATION AGREEMENTS FOR STATES WITHOUT PROGRAMS IN LAW.

Section 2109(d)(2) of the CARES Act (15 U.S.C. 9027(d)(2)) is amended by striking ''March 14, 2021'' and inserting ''September 6, 2021''.

PART 2—EXTENSION OF FFCRA UNEMPLOYMENT PROVISIONS

SEC. 9021. EXTENSION OF TEMPORARY ASSISTANCE FOR STATES WITH ADVANCES.

Section 1202(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 ''September 6, 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'' each place it appears and inserting ''September 6, 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 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. 9032. FUNDING FOR 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. 2118. FUNDING FOR 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 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) may be used—

''(1) for Federal administrative costs related to the purposes described in subsection (a);

''(2) for systemwide infrastructure investment 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 backlogs due to the pandemic.

''(c) RESTRICTIONS ON GRANTS TO STATES AND TERRITORIES.—As a condition of receiving a grant under 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).''.

PART 4—OTHER PROVISIONS

SEC. 9041. EXTENSION OF LIMITATION ON EXCESS BUSINESS LOSSES OF NONCORPORATE TAXPAYERS.

(a) IN GENERAL.—Section 461(l)(1) of the Internal Revenue Code of 1986 is amended by striking ''January 1, 2026'' each place it appears and inserting ''January 1, 2027''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2025.

SEC. 9042. SUSPENSION OF TAX ON PORTION OF UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—Section 85 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(c) SPECIAL RULE FOR 2020.—

''(1) IN GENERAL.—In the case of any taxable year beginning in 2020, if the adjusted gross income of the taxpayer for such taxable year is less than $150,000, the gross income of such taxpayer shall not include so much of the unemployment compensation received by such taxpayer (or, in the case of a joint return, received by each spouse) as does not exceed $10,200.

''(2) APPLICATION.—For purposes of paragraph (1), the adjusted gross income of the taxpayer shall be determined—

''(A) after application of sections 86, 135, 137, 219, 221, 222, and 469, and

''(B) without regard to this section.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 74(d)(2)(B) of the Internal Revenue Code of 1986 is amended by inserting ''85(c),'' before ''86''.

(2) Section 86(b)(2)(A) of such Code is amended by inserting ''85(c),'' before ''135''.

(3) Section 135(c)(4)(A) of such Code is amended by inserting ''85(c),'' before ''137''.

(4) Section 137(b)(3)(A) of such Code is amended by inserting ''85(c)'' before ''221''.

(5) Section 219(g)(3)(A)(ii) of such Code is amended by inserting ''85(c),'' before ''135''.

(6) Section 221(b)(2)(C)(i) of such Code is amended by inserting ''85(c)'' before ''911''.

(7) Section 222(b)(2)(C)(i) of such Code, as in effect before date of enactment of the Taxpayer Certainty and Disaster Tax Relief Act of 2020, is amended by inserting ''85(c)'' before ''911''.

(8) Section 469(i)(3)(E)(ii) of such Code is amended by striking ''135 and 137'' and inserting ''85(c), 135, and 137''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2019.

Subtitle B—Emergency Assistance to Families Through Home Visiting Programs

SEC. 9101. EMERGENCY ASSISTANCE TO FAMILIES THROUGH HOME VISITING PROGRAMS.

Effective 1 day after the date of enactment of this Act, 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 funds made available by subsection (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;

''(2) ensure the modification of grants, contracts, 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 section and ends with the end of the 2nd succeeding fiscal year after the funds are awarded, the entity shall—

''(A) not reduce funding for, or staffing levels of, the program on account of reduced enrollment in the program; and

''(B) when using funds to provide emergency supplies to eligible families receiving grant services under section 511, ensure coordination with local diaper banks to the extent practicable; and

''(3) reaffirm that, in conducting the program, the entity will focus on priority populations (as defined in section 511(d)(4)).

''(c) USES OF FUNDS.—An entity to which funds are provided under this section shall use the funds—

''(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 service 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;

''(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 training on safety and planning for families served to support the family outcome improvements listed in section 511(d)(2)(B);

''(4) for the acquisition by families served by programs under section 511 of such technological means as are needed to conduct and support a virtual home visit;

''(5) to provide emergency supplies (such as diapers and diapering supplies including diaper wipes and diaper cream, necessary to ensure that a child using a diaper is properly cleaned and protected from diaper rash, formula, food, water, hand soap and hand sanitizer) to an eligible family (as defined in section 511(k)(2));

''(6) to coordinate with and provide reimbursement for supplies to diaper banks when using such entities to provide emergency supplies specified in paragraph (5); or

''(7) to provide prepaid grocery cards to an eligible family (as defined in section 511(k)(2)) participating in the maternal, infant, and early childhood home visiting program under section 511 for the purpose of enabling 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 appropriated for fiscal year 2021, out of any money in the Treasury of the United States not otherwise appropriated, $1,000,000,000, to remain available until expended, to carry out this subsection.

''(2) RESERVATION OF FUNDS FOR TECHNICAL ASSISTANCE.—Of the amount specified in paragraph (1), the Secretary shall reserve $2,000,000 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.

''(3) ALLOTMENTS.—

''(A) 50 STATES AND THE DISTRICT OF COLUMBIA.—

''(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 that are not a territory and that are 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):

''(I) 50 percent, multiplied by—

''(aa) the population of children in the State, determined on the basis of the most recent population estimates 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

''(II) 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 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 States.

''(B) TERRITORIES AND INDIAN TRIBES.—The Secretary shall allot among the territories and Indian tribes otherwise eligible for a grant under this part such portions of 7.5 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—

''(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 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 the amount so allotted.

''(B) TREATMENT OF UNUSED FUNDS.—

''(i) REALLOTMENT.—The Secretary shall reallot 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 reallotted.

''(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) IN GENERAL.—A State or Indian tribe to which funds are provided under this subsection may use the funds only for non-recurrent 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 promote the purposes of this part.

''(D) EXPENDITURE DEADLINE.—

''(i) 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.

''(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.—The term 'non-recurrent short term benefits' has the meaning given the term in OMB approved Form ACF–196R, 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—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. 1397–1397h) 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 subtitle 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 $100,0000,000 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 2022, 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 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 ''(1) The Secretary''; and

(2) by adding at the end the following new paragraph:

''(2) 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 paragraph (1) to provide 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. 1395i–3) is amended by adding at the end the following new subsection:

''(k) FUNDING FOR STRIKE TEAMS.—In addition to amounts otherwise available, there is appropriated to the Secretary, out of any monies 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 the United States) for such a State to establish and implement a strike team that will be deployed to a skilled 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)(B) and the 1-year period immediately following the end of such emergency period.''.

Subtitle F—Preserving Health Benefits for Workers

SEC. 9501. PRESERVING HEALTH BENEFITS FOR WORKERS.

(a) PREMIUM ASSISTANCE FOR COBRA CONTINUATION COVERAGE FOR INDIVIDUALS AND THEIR FAMILIES.—

(1) PROVISION OF PREMIUM ASSISTANCE.—

(A) REDUCTION OF PREMIUMS PAYABLE.—In the case of any premium for 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, for COBRA continuation coverage with respect to any assistance eligible individual described in paragraph (3), such individual shall be treated for purposes of any COBRA continuation provision as having paid in full the amount of such premium.

(B) PLAN ENROLLMENT OPTION.—

(i) IN GENERAL.—Solely for purposes of this subsection, the COBRA continuation provisions shall be applied such that any assistance eligible individual who is enrolled in a group health plan offered by a plan sponsor may, not later than 90 days after the date of notice of the plan enrollment option described in this subparagraph, elect to enroll in coverage under a plan offered by such plan sponsor that is different than coverage under the plan in which such individual was enrolled at the time, in the case of any assistance eligible individual described in paragraph (3), the 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, or section 2203(2) 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;

(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;

(III) the different coverage in which the individual elects to enroll is coverage that is also offered 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 not—

(aa) coverage that provides 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;

(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 that 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 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 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 603(2) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, or section 2203(2) of the Public Health Service Act, except for the voluntary termination of such individual's employment by such individual; and

(B) elects such coverage.

(4) EXTENSION OF ELECTION PERIOD AND EFFECT ON COVERAGE.—

(A) IN GENERAL.—For purposes of applying section 605(a) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(5)(A) of the Internal Revenue Code of 1986, and section 2205(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 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)—

(i) shall commence (including for purposes of applying the treatment of premium payments under paragraph (1)(A) and any cost-sharing requirements for items and services under a group health plan) with the first period of coverage beginning on or after the first day of the first month beginning after the date of the enactment of this Act, and

(ii) shall not extend beyond the period of COBRA continuation coverage that would have been required under 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 606(a)(4) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(4)), section 4980B(f)(6)(D) 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 who, during the period described in paragraph (3), become entitled to elect COBRA continuation coverage, the requirements of such provisions shall not be treated as met unless such notices include an additional written notification to the recipient in clear and understandable language of—

(I) the availability of premium assistance with respect to such coverage under this subsection; and

(II) the option to enroll in different coverage if the employer permits assistance eligible individuals described in paragraph (3) to elect enrollment in different coverage (as described in paragraph (1)(B)).

(ii) ALTERNATIVE NOTICE.—In the case of COBRA continuation coverage to which the notice provision under such sections does not apply, the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall, in consultation with administrators of the group health plans (or other entities) that provide or administer the COBRA continuation coverage involved, provide rules requiring the provision of such notice.

(iii) FORM.—The requirement of the additional notification under this subparagraph may be met by amendment of existing notice forms or by inclusion of a separate document with the notice otherwise required.

(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 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 obligation of the qualified beneficiary under paragraph (2)(B) and the penalty provided under section 6720C of the Internal Revenue Code of 1986 for failure to carry out the obligation;

(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) 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 paragraph (1)(B).

(C) NOTICE IN CONNECTION WITH EXTENDED ELECTION PERIODS.—In the case of any assistance eligible individual described in paragraph (3) (or any individual described in paragraph (4)(A)) who became entitled to elect COBRA continuation coverage before the first day of the first month beginning after the date of the enactment of this Act, the administrator of the applicable group health plan (or other entity) shall provide (within 60 days after such first day of such first month) for the additional notification required to be provided under subparagraph (A) and failure to provide such notice shall be treated as a failure to meet the notice requirements under the applicable COBRA continuation provision.

(D) MODEL NOTICES.—Not later than 30 days after the date of enactment of this Act, with respect to any assistance eligible individual described in paragraph (3), 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 additional notification required under this paragraph.

(6) 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 606(a)(4) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(4)), section 4980B(f)(6)(D) of the Internal Revenue Code of 1986, or section 2206(4) of the Public Health Service Act (42 U.S.C. 300bb–6(4)), shall not be treated as met unless the plan administrator of the individual, during the period specified under subparagraph

(C), provides to such individual a written notice in clear and understandable language—

(i) that the premium assistance for such individual will expire soon and the prominent identification of the date of such expiration; and

(ii) that such individual may be eligible for coverage without any premium assistance through—

(I) COBRA continuation coverage; or

(II) coverage under a group health plan.

(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 (2)(A).

(C) PERIOD SPECIFIED.—For purposes of subparagraph (A), the period specified in this subparagraph 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 period beginning on the day that is 45 days before the date of such expiration and ending on the day that is 15 days before the date of such expiration.

(D) MODEL NOTICES.—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.

(7) REGULATIONS.—The Secretary of the Treasury and the Secretary of Labor may jointly prescribe such regulations or other guidance as may be necessary or appropriate to carry out the provisions of this subsection, including the prevention of fraud and abuse under this subsection, except that the Secretary of Labor and the Secretary of Health and Human Services may prescribe such regulations (including interim final regulations) or other guidance as may be necessary or appropriate to carry out the provisions of paragraphs (5), (6), and (8).

(8) OUTREACH.—

(A) IN GENERAL.—The Secretary of Labor, in consultation with the Secretary of the Treasury and 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 plan administrators, public assistance programs, 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). Information on such premium assistance, including enrollment, shall also 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. Such outreach shall target individuals who lose health insurance coverage. Such outreach shall include information regarding enrollment for Medicare benefits for purposes of preventing mistaken delays of such enrollment by such individuals, including lifetime penalties for failure of timely enrollment.

(9) DEFINITIONS.—For purposes of this section:

(A) ADMINISTRATOR.—The term ''administrator'' has the meaning given such term in section 3(16)(A) of the Employee Retirement Income Security Act of 1974, and includes a COBRA administrator.

(B) COBRA CONTINUATION COVERAGE.—The term ''COBRA continuation coverage'' means continuation coverage provided pursuant to part 6 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (other than under section 609), title XXII of the Public Health Service Act, or section 4980B of the Internal Revenue Code of 1986 (other than subsection (f)(1) of such section insofar as it relates to pediatric vaccines), or under a State program that provides comparable continuation coverage. Such term does not include coverage under a health flexible spending arrangement under a cafeteria plan within the meaning of section 125 of the Internal Revenue Code of 1986.

(C) COBRA CONTINUATION PROVISION.—The term ''COBRA continuation provision'' means the provisions of law described in subparagraph (B).

(D) COVERED EMPLOYEE.—The term ''covered employee'' has the meaning given such term in section 607(2) of the Employee Retirement Income Security Act of 1974.

(E) QUALIFIED BENEFICIARY.—The term ''qualified beneficiary'' has the meaning given such term in section 607(3) of the Employee Retirement Income Security Act of 1974.

(F) 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.

(G) 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.

(H) PERIOD OF COVERAGE.—Any reference in this subsection to a period of coverage 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.

(I) PLAN SPONSOR.—The term ''plan sponsor'' has the meaning given such term in section 3(16)(B) of the Employee Retirement Income Security Act of 1974.

(J) PREMIUM.—The term ''premium'' includes, with respect to COBRA continuation coverage, any administrative fee.

(10) IMPLEMENTATION FUNDING.—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, $10,000,000, to remain available until expended, for the Employee Benefits Security Administration to carry out the provisions of this subtitle.

(b) COBRA PREMIUM ASSISTANCE.—

(1) ALLOWANCE OF CREDIT.—

(A) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 6432. CONTINUATION COVERAGE PREMIUM ASSISTANCE.

''(a) IN GENERAL.—The person to whom premiums are payable for continuation coverage under section 9501(a)(1) of the American Rescue Plan Act of 2021 shall be allowed as a credit against the tax imposed by section 3111(b), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b), for each calendar quarter an amount equal to the premiums not paid by assistance eligible individuals for such coverage by reason of such section 9501(a)(1) with respect to such calendar quarter.

''(b) PERSON TO WHOM PREMIUMS ARE PAYABLE.—For purposes of subsection (a), except as otherwise provided by the Secretary, the person to whom premiums are payable under such continuation coverage shall be treated as being—

''(1) in the case of any group health plan which is a multiemployer plan (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974), the plan,

''(2) in the case of any group health plan not described in paragraph (1)—

''(A) 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

''(B) under which some or all of the coverage is not provided by insurance,

the employer maintaining the plan, and

''(3) in the case of any group health plan not described in paragraph (1) or (2), the insurer providing the coverage under the group health plan.

''(c) LIMITATIONS AND REFUNDABILITY.—

''(1) CREDIT LIMITED TO CERTAIN EMPLOYMENT TAXES.—The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the tax imposed by section 3111(b), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b), for such calendar quarter (reduced by any credits allowed against such taxes under sections 3131, 3132, and 3134) on the wages paid with respect to the employment of all employees of the employer.

''(2) REFUNDABILITY OF EXCESS CREDIT.—

''(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (1) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

''(B) CREDIT MAY BE ADVANCED.—In anticipation of the credit, including the refundable portion under subparagraph (A), the credit may be advanced, according to forms and instructions provided by the Secretary, up to an amount calculated under subsection (a) through the end of the most recent payroll period in the quarter.

''(C) TREATMENT OF DEPOSITS.—The Secretary shall waive any penalty under section 6656 for any failure to make a deposit of the tax imposed by section 3111(b), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(b), if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.

''(D) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, any amounts due to an employer under this paragraph 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) OVERSTATEMENTS.—Any overstatement of the credit to which a person is entitled under this section (and any amount paid by the Secretary as a result of such overstatement) shall be treated as an underpayment 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.

''(d) GOVERNMENTAL ENTITIES.—For purposes of this section, the term 'person' includes the government of any State or political subdivision thereof, any Indian tribal government (as defined in section 139E(c)(1)), any agency or instrumentality of any of the foregoing, and any agency or instrumentality of the Government of the United States that is described in section 501(c)(1) and exempt from taxation under section 501(a).

''(e) DENIAL OF DOUBLE BENEFIT.—For purposes of chapter 1, the gross income of any person allowed a credit under this section shall be increased for the taxable year which includes the last day of any calendar quarter with respect to which such credit is allowed by the amount of such credit. No credit shall be allowed under this section with respect to any amount which is taken into account as qualified wages under section 2301 of the CARES Act or section 3134 of this title or as qualified health plan expenses under section 7001(d) or 7003(d) of the Families First Coronavirus Response Act or section 3131 or 3132 of this title.

''(f) 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).

''(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 payment 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, certified professional employer organizations, or agents under section 3504).''.

(B) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 6432. Continuation coverage premium assistance.''.

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to premiums to which subsection (a)(1)(A) applies and wages paid on or after April 1, 2021.

(D) SPECIAL RULE IN CASE OF EMPLOYEE PAYMENT THAT IS NOT REQUIRED UNDER THIS SECTION.—

(i) 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 6432 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.—Part I of 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 the Secretary of Labor may require shall pay a penalty of $250 for each such failure.

''(b) INTENTIONAL FAILURE.—In the case of any such failure that is fraudulent, such person shall pay a penalty equal to the greater of—

''(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.''.

(3) COORDINATION WITH HCTC.—

(A) IN GENERAL.—Section 35(g)(9) of the Internal Revenue Code of 1986 is amended to read as follows:

''(9) CONTINUATION COVERAGE PREMIUM ASSISTANCE.—In the case of an assistance eligible individual who receives premium assistance for continuation coverage under section 9501(a)(1) of the American Rescue Plan Act of 2021 for any month during the taxable year, such individual shall not be treated as an eligible individual, a certified individual, or a qualifying family member for purposes of this section or section 7527 with respect to such month.''.

(B) EFFECTIVE DATE.—The amendment made by subparagraph (A) shall apply to taxable years ending after the date of the enactment of this Act.

(4) EXCLUSION OF CONTINUATION COVERAGE PREMIUM ASSISTANCE FROM GROSS INCOME.—

(A) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139H the following new section:

''SEC. 139I. CONTINUATION COVERAGE PREMIUM ASSISTANCE.

''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 for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 139H the following new item:

''Sec. 139I. Continuation coverage premium assistance.''.

(C) 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. 9601. 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 6428A the following new section:

''SEC. 6428B. 2021 RECOVERY REBATES TO INDIVIDUALS.

''(a) IN GENERAL.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by subtitle A for the first taxable year beginning in 2021 an amount equal to the 2021 rebate amount determined for such taxable year.

''(b) 2021 REBATE AMOUNT.—For purposes of this section, the term '2021 rebate amount' means, with respect to any taxpayer for any taxable year, the sum of—

''(1) $1,400 ($2,800 in the case of a joint return), plus

''(2) $1,400 multiplied by the number of dependents of the taxpayer for such taxable year.

''(c) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term 'eligible individual' means any individual other than—

''(1) any nonresident alien individual,

''(2) any individual who is a dependent of another taxpayer for a taxable year beginning in the calendar year in which the individual's taxable year begins, and

''(3) an estate or trust.

''(d) LIMITATION BASED ON ADJUSTED GROSS INCOME.—

''(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—

''(A) the excess of—

''(i) the taxpayer's adjusted gross income for such taxable year, over

''(ii) $75,000, bears to

''(B) $5,000.

''(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 '$150,000' for '$75,000' and '$10,000' for '$5,000'.

''(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 '$112,500' for '$75,000' and '$7,500' for '$5,000'.

''(e) DEFINITIONS AND SPECIAL RULES.—

''(1) DEPENDENT DEFINED.—For purposes of this section, the term 'dependent' 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 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.

''(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 and the valid identification number of at least 1 spouse is included on the return of tax for the taxable year.

''(F) COORDINATION WITH CERTAIN ADVANCE PAYMENTS.—In the case of any payment determined pursuant to subsection (g)(6), a 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 as described in such subsection.

''(G) MATHEMATICAL OR CLERICAL ERROR AUTHORITY.—Any omission of a correct valid identification number required under this paragraph shall be treated as a mathematical or clerical error for purposes of applying section 6213(g)(2) to such omission.

''(3) CREDIT TREATED AS REFUNDABLE.—The credit allowed by subsection (a) shall be treated as allowed by subpart C of part IV of subchapter A of chapter 1.

''(f) COORDINATION WITH ADVANCE REFUNDS OF CREDIT.—

''(1) REDUCTION OF REFUNDABLE CREDIT.—The amount of the credit which would (but for this paragraph) be allowable under subsection (a) shall be reduced (but not below zero) by the aggregate refunds and credits made or allowed to the taxpayer (or, except as otherwise provided by the Secretary, any 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(b)(1).

''(2) JOINT RETURNS.—Except as otherwise provided by the Secretary, in the case of a refund or credit made or allowed under subsection (g) with respect to a joint return, half of such refund or credit shall be treated as having been made or allowed to each individual filing such return.

''(g) ADVANCE REFUNDS AND CREDITS.—

''(1) IN GENERAL.—Subject to paragraphs (5) and (6), 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 against the tax imposed by chapter 1 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 paragraph (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) any 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 the 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 if the taxpayer (both spouses in the case of a joint return) was deceased before January 1, 2021.

''(3) TIMING AND MANNER OF PAYMENTS.—The Secretary shall, subject to the provisions of this title and consistent with rules similar to the rules of subparagraphs (B) and (C) of section 6428A(f)(3), refund or credit any overpayment attributable to this subsection as rapidly as possible, consistent with a rapid effort to make payments attributable to such overpayments electronically if appropriate. No refund or credit shall be made or allowed under this subsection after December 31, 2021.

''(4) NO INTEREST.—No interest shall be allowed on any overpayment attributable to this subsection.

''(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 determination made pursuant to paragraph (3), 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—

''(I) 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

''(II) 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

''(II) September 1, 2021.

''(iii) 2020 CALENDAR YEAR FILING DEADLINE.—The term '2020 calendar year filing deadline' means the date specified in section 6072(a) with respect to 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 tax return for neither the year described in paragraph (1) nor for the year described in paragraph (5)(A), the Secretary shall, consistent with rules similar to the rules of section 6428A(f)(5)(H)(i), apply paragraph (1) on the basis of information available to the Secretary and shall, on the basis of such information, determine the advance refund amount with respect to such individual without regard to subsection (d) unless the Secretary has reason to know that such amount would otherwise be reduced by reason of such subsection.

''(7) SPECIAL RULE RELATED TO TIME OF FILING RETURN.—Solely for purposes of this subsection, a return of tax shall not be treated as filed until such return has been processed by the Internal Revenue Service.

''(8) RESTRICTION ON USE OF CERTAIN PREVIOUSLY ISSUED PREPAID DEBIT CARDS.—Payments made by the Secretary to individuals under this section shall not be in the form of an increase in the balance of any previously issued prepaid debit card if, as of the time of the issuance of such card, such card was issued solely for purposes of making payments under section 6428 or 6428A.

''(h) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including—

''(1) regulations or other guidance providing taxpayers the opportunity to provide the Secretary information sufficient to allow the Secretary to make payments to such taxpayers under subsection (g) (including the determination of the amount of such payment) if such information is not otherwise available to the Secretary, and

''(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 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.

''(i) OUTREACH.—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 receive such advance refunds and credits as provided under subsection (h)(1); and are provided assistance in applying for such advance refunds and credits.''.

(b) 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) to that possession by reason of the amendments made by this section. Such amounts shall be determined by the Secretary of the Treasury 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 will promptly distribute such payments to its residents.

(3) INCLUSION OF ADMINISTRATIVE EXPENSES.—The Secretary of the Treasury 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 the amendments made by this section, 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 6428B of the Internal Revenue Code of 1986 (as added by this section), nor shall any credit or refund be 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 paragraph (2).

(5) 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 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 ''6428, and 6428A'' and inserting ''6428, 6428A, and 6428B''.

(2) EXCEPTION FROM REDUCTION OR OFFSET.—Any refund payable by reason of section 6428B(g) 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) subject to reduction or offset pursuant to subsection (c), (d), (e), or (f) of section 6402 of the Internal Revenue Code of 1986 or any similar authority permitting offset, 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 ''6428B,'' 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, there are appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated:

(1) $1,464,500,000 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 Service systems, of which up to $20,000,000 is available for premium pay for services related to the development of information technology as determined by the Commissioner of the Internal Revenue occurring between January 1, 2020 and December 31, 2022, and all of which shall supplement and not supplant any other appropriations that may be available for this purpose.

(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, and

(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 24 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(i) SPECIAL RULES FOR 2021.—In the case of any taxable year beginning after December 31, 2020, and before January 1, 2022—

''(1) REFUNDABLE CREDIT.—If the taxpayer (in the case of a joint return, either spouse) has a principal place of abode in the United States (determined as provided in section 32) for more than one-half of the taxable year or is a bona fide resident of Puerto Rico (within the meaning of section 937(a)) for such taxable year—

''(A) subsection (d) shall not apply, and

''(B) so much of the credit determined under subsection (a) (after application of subparagraph (A)) as does not exceed the amount of such credit which would be so determined without regard to subsection (h)(4) shall be allowed under subpart C (and not allowed under this subpart).

''(2) 17-YEAR-OLDS ELIGIBLE FOR TREATMENT AS QUALIFYING CHILDREN.—This section shall be applied—

''(A) by substituting 'age 18' for 'age 17' in subsection (c)(1), and

''(B) by substituting 'described in subsection (c) (determined after the application of subsection (i)(2)(A))' for 'described in subsection (c)' in subsection (h)(4)(A).

''(3) CREDIT AMOUNT.—Subsection (h)(2) shall not apply and subsection (a) shall be applied by substituting '$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 without regard to subsection (b)) shall be reduced by $50 for each $1,000 (or fraction thereof) by which the taxpayer's modified adjusted gross income (as defined in subsection (b)) exceeds the applicable threshold amount.

''(B) APPLICABLE THRESHOLD AMOUNT.—For purposes of this paragraph, the term 'applicable threshold amount' means—

''(i) $150,000, in the case of a joint return or surviving spouse (as defined in section 2(a)) ,

''(ii) $112,500, in the case of a head of household (as defined in section 2(b)), and

''(iii) $75,000, in any other case.

''(C) LIMITATION ON REDUCTION.—

''(i) IN GENERAL.—The amount of the reduction under subparagraph (A) shall not exceed the lesser of—

''(I) the applicable credit increase amount, or

''(II) 5 percent of the applicable phaseout threshold range.

''(ii) APPLICABLE CREDIT INCREASE AMOUNT.—For purposes of this subparagraph, the term 'applicable credit increase amount' means the excess (if any) of—

''(I) the amount of the credit allowable under this section for the taxable year determined without regard to this paragraph and subsection (b), over

''(II) the amount of such credit as so determined and without regard to paragraph (3).

''(iii) APPLICABLE PHASEOUT THRESHOLD RANGE.—For purposes of this subparagraph, the term 'applicable phaseout threshold range' means the excess of—

''(I) the threshold amount applicable to the taxpayer under subsection (b) (determined after the application of subsection (h)(3)), over

''(II) the applicable threshold amount applicable to the taxpayer under this paragraph.

''(D) COORDINATION WITH LIMITATION ON OVERALL CREDIT.—Subsection (b) 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)'.''.

(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 (if any) which is estimated by the Secretary as being 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 24(i)(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(i)(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 only children of such taxpayer for such taxable year are qualifying children properly claimed on the taxpayer's return of tax 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 reference taxable year.

''(2) REFERENCE TAXABLE YEAR.—Except as provided in paragraph (3)(A), the term 'reference taxable year' means, with respect to any taxpayer for any calendar year, the taxpayer's taxable year beginning in the preceding calendar year or, in the case of taxpayer who did not file a return of tax 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 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 total the Secretary's estimate of the amount treated as allowed under subpart C of part IV of subchapter A of chapter 1 by reason of section 24(i)(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 properly 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 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(i)(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 which allows taxpayers to—

''(1) elect not to receive payments under this section, and

''(2) provide information to the Secretary which would be relevant to a modification under 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 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 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 any similar authority permitting offset, 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(i)(1) without regard to the phrase 'or is a bona fide resident of Puerto Rico (within the meaning of section 937(a))', 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(k)), this section shall not be treated as part of the income tax laws 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 described in subparagraph (B) which makes the election described in such subparagraph, the amount otherwise paid by the Secretary to such possession under section 24(k)(1)(A) with respect to taxable years beginning in 2021 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 includes a program, which has been approved by the Secretary, for making advance payments under rules similar to the rules of this section.

''(iii) TIMING OF PAYMENT.—The Secretary may pay, upon the request of the possession of the United States to which the payment is to be made, the amount of the increase determined under clause (i) or (ii) immediately upon approval of the plan referred to in such clause, respectively.

''(f) APPLICATION.—No payments shall be made under the program established under subsection (a) with respect to—

''(1) any period before July 1, 2021, or

''(2) any period after December 31, 2021.

''(g) REGULATIONS.—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)(1) 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 for a taxable year is different from the status used for determining the annual advance amount.''.

(2) RECONCILIATION OF CREDIT AND ADVANCE CREDIT.—Section 24 of such Code, as amended by the preceding provision of this Act, is amended by adding at the end the following new subsection:

''(j) RECONCILIATION OF CREDIT AND ADVANCE CREDIT.—

''(1) IN GENERAL.—The amount of the credit allowed under this section to any taxpayer 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 so reduce the credit 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. Any failure to so increase the tax shall be treated as arising out of a mathematical or clerical error and assessed according to section 6213(b)(1).

''(B) SAFE HARBOR BASED ON MODIFIED ADJUSTED GROSS INCOME.—

''(i) IN GENERAL.—In the case of a taxpayer whose modified adjusted gross income (as defined in subsection (b)) for the taxable year does not exceed 200 percent of the applicable income threshold, the amount of the increase determined under subparagraph (A) with respect to such taxpayer for such taxable year shall be reduced (but not below zero) by the safe harbor amount.

''(ii) PHASE OUT OF SAFE HARBOR AMOUNT.—In the case of a taxpayer whose modified adjusted gross income (as defined in subsection (b)) for the taxable year exceeds 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 such amount as such excess bears to the applicable income threshold.

''(iii) APPLICABLE INCOME THRESHOLD.—For purposes of this subparagraph, the term 'applicable income threshold' means—

''(I) $60,000 in the case of a joint return or surviving spouse (as defined in section 2(a)),

''(II) $50,000 in the case of a head of household, and

''(III) $40,000 in any other case.

''(iv) SAFE HARBOR AMOUNT.—For purposes of this subparagraph, the term 'safe harbor amount' means, with respect to any taxable year, the product of—

''(I) $2,000, multiplied by

''(II) the excess (if any) 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(f)(1)(C) of such Code is amended by striking ''section 24(a)'' and inserting ''section 24 (determined after application of subsection (j) thereof)''.

(4) CONFORMING AMENDMENTS.—

(A) Section 26(b)(2) of such Code is amended by striking ''and'' at the end of subparagraph (X), by striking the period at the end of subparagraph (Y) and inserting '', and'', and by adding at the end the following new subparagraph:

''(Z) section 24(j)(2) (relating to excess advance payments).''.

(B) Section 6211(b)(4)(A) of such Code, as amended by the preceding provisions of this subtitle, is amended—

(i) by striking ''24(d)'' and inserting ''24 by reason of subsections (d) and (i)(1) thereof'', and

(ii) by striking ''and 6428B'' and inserting ''6428B, and 7527A''.

(C) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended—

(i) by inserting ''24,'' before ''25A'', and

(ii) by striking '' or 6431'' and inserting ''6431, or 7527A''.

(D) The table of sections for chapter 77 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 7527 the following new item:

''Sec. 7527A. Advance payment of child tax credit.''.

(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) $397,200,000 to remain available until September 30, 2022, for necessary expenses for the Internal Revenue 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, and

(B) $16,200,000 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.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

(2) ESTABLISHMENT OF ADVANCE PAYMENT PROGRAM.—The Secretary of the Treasury (or the Secretary's designee) shall establish the program described in section 7527A of the Internal Revenue Code of 1986 as soon as practicable after the date of the enactment of this Act, except that the Secretary shall ensure that the timing of the establishment of such program does not interfere with carrying out section 6428B(g) as rapidly as possible.

SEC. 9612. APPLICATION OF CHILD TAX CREDIT IN POSSESSIONS.

(a) IN GENERAL.—Section 24 of the Internal Revenue Code of 1986, as amended by the preceding provisions of this Act, is amended by adding at the end the following new subsection:

''(k) APPLICATION OF CREDIT IN POSSESSIONS.—

''(1) MIRROR CODE POSSESSIONS.—

''(A) IN GENERAL.—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 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 any taxable year to any individual to whom a credit is allowable 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 such 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 under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

''(2) PUERTO RICO.—

''(A) APPLICATION TO TAXABLE YEARS IN 2021.—

''(i) For application of refundable credit to residents of Puerto Rico, see subsection (i)(1).

''(ii) For nonapplication of advance payment to residents of Puerto Rico, see section 7527A(e)(4)(A).

''(B) APPLICATION TO TAXABLE YEARS AFTER 2021.—In the case of any bona fide resident of Puerto Rico (within the meaning of section 937(a)) for any taxable year beginning after December 31, 2021—

''(i) the credit determined under this section shall be allowable to such resident, and

''(ii) subsection (d)(1)(B)(ii) shall be applied 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 benefits that would have been provided to residents of American Samoa by reason of the application of this section for taxable 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 this section to bona fide residents of Puerto Rico under subsection (i)(1)).

''(B) DISTRIBUTION REQUIREMENT.—Subparagraph (A) shall not apply unless American Samoa has a plan, which has been approved by the Secretary, under which American Samoa will promptly distribute such payments to its residents.

''(C) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—

''(i) IN GENERAL.—In the case of a taxable year with respect to which a plan is approved under subparagraph (B), this section (other than this subsection) shall not apply to any individual eligible for a distribution under such plan.

''(ii) APPLICATION OF 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) if such taxable year begins in 2021, subsection (i)(1) shall be applied by substituting 'bona fide resident of Puerto Rico or American Samoa' for 'bona fide resident of Puerto Rico', and

''(II) if such taxable year begins after December 31, 2021, rules similar to the rules of paragraph (2)(B) shall apply with respect to bona fide residents of American Samoa (within the meaning of section 937(a)).

''(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) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

PART 3—EARNED INCOME TAX CREDIT

SEC. 9621. STRENGTHENING THE EARNED INCOME TAX CREDIT FOR INDIVIDUALS WITH NO QUALIFYING CHILDREN.

(a) SPECIAL RULES FOR 2021.—Section 32 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(n) SPECIAL RULES FOR INDIVIDUALS WITHOUT QUALIFYING CHILDREN.—In the case of any taxable year beginning after December 31, 2020, and before January 1, 2022—

''(1) DECREASE IN MINIMUM AGE FOR CREDIT.—

''(A) IN GENERAL.—Subsection (c)(1)(A)(ii)(II) shall be applied by substituting 'the applicable minimum age' for 'age 25'.

''(B) APPLICABLE MINIMUM AGE.—For purposes of this paragraph, the term 'applicable minimum age' means—

''(i) except as otherwise provided in this subparagraph, age 19,

''(ii) in the case of a specified student (other than a qualified former foster youth or a qualified homeless youth), age 24, and

''(iii) in the case of a qualified former foster youth or a qualified homeless youth, age 18.

''(C) SPECIFIED STUDENT.—For purposes of this paragraph, the term 'specified student' means, with respect to any taxable year, an individual who is an eligible student (as defined in section 25A(b)(3)) during at least 5 calendar months during the taxable year.

''(D) QUALIFIED FORMER FOSTER YOUTH.—For purposes of this paragraph, the term 'qualified former foster youth' means an individual who—

''(i) on or after the date that such individual attained age 14, was in foster care provided under the supervision or administration of an entity administering (or eligible to administer) a plan under part B or part E of title IV of the Social Security Act (without regard to whether Federal assistance was provided with respect to such child under such part E), and

''(ii) provides (in such manner as the Secretary may provide) consent for entities which administer a plan under part B or part E of title IV of the Social Security Act to disclose to the Secretary information related to the status of such individual as a qualified former foster youth.

''(E) QUALIFIED HOMELESS YOUTH.—For purposes of this paragraph, the term 'qualified homeless youth' means, with respect to any taxable year, an individual who certifies, in a manner as provided by the Secretary, that such individual is either an unaccompanied youth who is a homeless child or youth, or is unaccompanied, at risk of homelessness, and self-supporting.

''(2) ELIMINATION OF MAXIMUM AGE FOR CREDIT.—Subsection (c)(1)(A)(ii)(II) shall be applied without regard to the phrase 'but not attained age 65'.

''(3) INCREASE IN CREDIT AND PHASEOUT PERCENTAGES.—The table contained in subsection (b)(1) shall be applied by substituting '15.3' for '7.65' each place it appears therein.

''(4) INCREASE IN EARNED INCOME AND PHASEOUT 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 '$5,280'.

''(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 under section 6050S (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).

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9622. TAXPAYER ELIGIBLE FOR CHILDLESS EARNED INCOME CREDIT IN CASE OF QUALIFYING CHILDREN WHO FAIL TO MEET CERTAIN IDENTIFICATION REQUIREMENTS.

(a) IN GENERAL.—Section 32(c)(1) of the Internal Revenue Code of 1986 is amended by striking subparagraph (F).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9623. CREDIT ALLOWED IN CASE OF CERTAIN SEPARATED SPOUSES.

(a) IN GENERAL.—Section 32(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''MARRIED INDIVIDUALS.—In the case of'' and inserting the following: ''MARRIED INDIVIDUALS.—

''(1) IN GENERAL.—In the case of'', and

(2) by adding at the end the following new paragraph:

''(2) DETERMINATION OF MARITAL STATUS.—For purposes of this section—

''(A) IN GENERAL.—Except as provided in subparagraph (B), marital status shall be determined under section 7703(a).

''(B) SPECIAL RULE FOR SEPARATED SPOUSE.—An individual shall not be treated as married if such individual—

''(i) is married (as determined under section 7703(a)) and does not file a joint return for the taxable year,

''(ii) resides with a qualifying child of the individual for more than one-half of such taxable year, and

''(iii)(I) during the last 6 months of such taxable year, does not have the same principal place of abode as the individual's spouse, or

''(II) has a decree, instrument, or agreement (other than a decree of divorce) described in section 121(d)(3)(C) with respect to the individual's spouse and is not a member of the same household with the individual's spouse by the end of the taxable year.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 32(c)(1)(A) of such Code is amended by striking the last sentence.

(2) Section 32(c)(1)(E)(ii) of such Code is amended by striking ''(within the meaning of section 7703)''.

(3) Section 32(d)(1) of such Code, as amended by subsection (a), is amended by striking ''(within the meaning of section 7703)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9624. MODIFICATION OF DISQUALIFIED INVESTMENT INCOME TEST.

(a) IN GENERAL.—Section 32(i) of the Internal Revenue Code of 1986 is amended by striking ''$2,200'' and inserting ''$10,000''.

(b) INFLATION ADJUSTMENT.—Section 32(j)(1) of such Code is amended—

(1) in the matter preceding subparagraph (A), by inserting ''(2021 in the case of the dollar amount in subsection (i)(1))'' after ''2015'',

(2) in subparagraph (B)(i)—

(A) by striking ''subsections (b)(2)(A) and (i)(1)'' and inserting ''subsection (b)(2)(A)'', and

(B) by striking ''and'' at the end,

(3) by striking the period at the end of subparagraph (B)(ii) and inserting '', and'', and

(4) by inserting after subparagraph (B)(ii) the following new clause:

''(iii) in the case of the $10,000 amount in subsection (i)(1), 'calendar year 2020' for 'calendar year 2016'.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9625. APPLICATION OF EARNED INCOME TAX CREDIT IN POSSESSIONS OF THE UNITED STATES.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 7530. APPLICATION OF EARNED INCOME TAX CREDIT TO POSSESSIONS OF THE UNITED STATES.

''(a) PUERTO RICO.—

''(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 Puerto Rico equal to—

''(A) the specified matching amount for such calendar year, plus

''(B) in the case of calendar years 2021 through 2025, the lesser of—

''(i) the expenditures 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

''(ii) $1,000,000.

''(2) REQUIREMENT TO REFORM EARNED INCOME TAX CREDIT.—The Secretary shall not make any payments under paragraph (1) with respect to any calendar year unless Puerto Rico has in effect an earned income tax credit for taxable years beginning in or with such calendar year which (relative to the earned income tax credit which was in effect for taxable years beginning in or with calendar year 2019) increases the percentage of earned income which is allowed as a credit for each group of individuals with respect to which such percentage is separately stated or

determined in a manner designed to substantially increase workforce participation.

''(3) SPECIFIED MATCHING AMOUNT.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'specified matching amount' means, with respect to any calendar year, the lesser of—

''(i) the excess (if any) of—

''(I) the cost to Puerto Rico of the earned income tax credit for taxable years beginning in or with such calendar year, over

''(II) the base amount for such calendar year, or

''(ii) the product of 3, multiplied by the base amount for such calendar year.

''(B) BASE AMOUNT.—

''(i) BASE AMOUNT FOR 2021.—In the case of 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) $200,000,000.

''(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 section 1(f)(3) 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 such credit and 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 the Virgin Islands, Guam, and the Commonwealth of the Northern Mariana Islands equal to—

''(A) the cost to such possession of the earned income tax credit for taxable years beginning in or with such calendar year, plus

''(B) in the case of calendar years 2021 through 2025, the lesser of—

''(i) the expenditures made by such possession during such calendar year for education efforts with respect to individual taxpayers and tax return preparers relating to such earned income tax credit, or

''(ii) $50,000.

''(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) AMERICAN SAMOA.—

''(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—

''(i) the cost to American Samoa of the earned income tax credit for taxable years beginning in or with such calendar year, or

''(ii) $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 education efforts 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 $16,000,000 amount in paragraph (1)(A)(ii) shall be increased by an amount equal to—

''(A) such dollar amount, multiplied by—

''(B) the cost-of-living adjustment 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 subsection (a)(4) shall apply for purposes of this subsection.

''(d) 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 (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 to possessions of the United States.''.

SEC. 9626. TEMPORARY SPECIAL RULE FOR DETERMINING EARNED INCOME FOR PURPOSES OF EARNED INCOME TAX CREDIT.

(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 section 32 of 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 given such term under section 32(c) 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 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) SPECIAL RULES.—

(1) 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) NO EFFECT ON DETERMINATION OF GROSS INCOME, ETC.—Except as otherwise provided in this subsection, the Internal Revenue Code of 1986 shall be applied without regard to any substitution under subsection (a).

(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) to that possession by reason of the application of the provisions of this section (other than this subsection) with respect to section 32 of the Internal Revenue Code of 1986. Such amounts shall be determined by the Secretary of the Treasury 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 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.

(4) 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 (b)(2) 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:

''(g) SPECIAL RULES FOR 2021.—In the case of any taxable year beginning after December 31, 2020, and before January 1, 2022—

''(1) CREDIT MADE REFUNDABLE.—If the taxpayer (in the case of a joint return, either spouse) has a principal place of abode in the United States (determined as provided in section 32) for more than one-half of the taxable year, the credit allowed under subsection (a) shall be treated as a credit allowed under subpart C (and not allowed under this subpart).

''(2) INCREASE IN DOLLAR LIMIT ON AMOUNT CREDITABLE.—Subsection (c) shall be applied—

''(A) by substituting '$8,000' for '$3,000' in paragraph (1) thereof, and

''(B) by substituting '$16,000' for '$6,000' in paragraph (2) thereof.

''(3) INCREASE IN APPLICABLE PERCENTAGE.—Subsection (a)(2) shall be applied—

''(A) by substituting '50 percent' for '35 percent ', and

''(B) by substituting '$125,000' for '$15,000'.

''(4) APPLICATION OF PHASEOUT TO HIGH INCOME INDIVIDUALS.—

''(A) IN GENERAL.—Subsection (a)(2) shall be applied 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.''.

(b) APPLICATION OF CREDIT IN POSSESSIONS.—Section 21 of such Code, as amended by subsection (a), is amended by adding at the end the following new subsection:

''(h) APPLICATION OF CREDIT IN POSSESSIONS.—

''(1) PAYMENT TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—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 with 2021. 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 that would have been provided to residents of such possession by reason of this section with respect to taxable years beginning in or with 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 with 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) 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 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 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) CONFORMING AMENDMENTS.—

(1) Section 6211(b)(4)(A) of such Code, as amended by the preceding provisions of this Act, is amended by inserting ''21 by reason of subsection (g) thereof,'' before ''24''.

(2) Section 1324(b)(2) of title 31, United States Code (as amended by the preceding provisions of this title), 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, 2020.

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:

''(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 be substituting '$10,500 (half such dollar amount' for '$5,000 ($2,500'.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2020.

(c) RETROACTIVE PLAN AMENDMENTS.—A plan that otherwise satisfies all applicable requirements of sections 125 and 129 of the Internal Revenue Code of 1986 (including any rules or regulations thereunder) shall not fail to be treated as a cafeteria plan or dependent care assistance program merely because such plan is amended pursuant to a provision under this section and such amendment is retroactive, if—

(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 adopted.

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 subchapter:

''Subchapter D—Credits

''Sec. 3131. Credit for paid sick leave.
''Sec. 3132. Payroll credit for paid family leave.
''Sec. 3133. Special rule related to tax on employers.

''SEC. 3131. CREDIT FOR PAID SICK 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 sick 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 sick leave wages taken into account under subsection (a), plus any increases under subsection (e), with respect to any individual shall not exceed $200 ($511 in the case of any day any 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)(i)) 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 quarter shall not exceed the excess (if any) of—

''(A) 10, 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) REFUNDABILITY OF EXCESS CREDIT.—

''(A) CREDIT IS REFUNDABLE.—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (3) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).

''(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 provided 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 payroll period 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 under paragraph (1)—

''(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, or condition related 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 year after 2020 (and, in the case of calendar year 2021, without regard to the first quarter thereof).

''(B) LEAVE MUST MEET REQUIREMENTS.—If an employer fails to comply with any requirement of such Act (determined without regard to section 5109 thereof) with respect to paid sick time (as defined in section 5110 of such Act), amounts paid by such employer with respect to such paid sick time shall not be taken into account as qualified sick leave wages. For purposes of the preceding sentence, an employer which takes an action described in section 5104 of such Act shall be treated as failing to meet a requirement of such Act.

''(d) ALLOWANCE OF CREDIT FOR CERTAIN HEALTH PLAN EXPENSES.—

''(1) IN GENERAL.—The amount of the credit allowed under 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 such credit is so allowed.

''(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 5000(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 allocated to qualified sick leave wages 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 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) so much of the employer's 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 as are properly allocable to the qualified sick leave wages for which such credit is so allowed.

''(2) COLLECTIVELY BARGAINED DEFINED BENEFIT PENSION PLAN CONTRIBUTIONS.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'collectively bargained defined benefit pension plan contributions' means, with respect to any calendar quarter, contributions which—

''(i) are paid or incurred by an employer during the calendar quarter on behalf of its employees to a defined benefit plan (as defined in section 414(j)), which meets the requirements of section 401(a),

''(ii) are made based on a pension contribution rate, and

''(iii) are required to be made pursuant to the terms of a collective bargaining agreement in effect with respect to such calendar quarter.

''(B) PENSION CONTRIBUTION RATE.—The term 'pension contribution rate' means the contribution 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 defined benefit plan under such agreement, as such rate is applied to contribution base units (as defined by section 4001(a)(11) 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.

''(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 calendar quarter, contributions which—

''(i) are paid or incurred by an employer on behalf of its employees with respect to the calendar quarter to a registered apprenticeship program,

''(ii) are made based on an apprenticeship program contribution rate, and

''(iii) are required to be made pursuant to the terms of a collective bargaining agreement that is in effect with respect to such calendar quarter.

''(B) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an apprenticeship registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 29 U.S.C. 50 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 contribution 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 registered apprenticeship program under such agreement, as such rate is applied to contribution base units (as defined by section 4001(a)(11) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1301(a)(11)).

''(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.

''(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 3121(a), determined without regard to 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 with respect to which a 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, 45P, 45S, 51, 3132, and 3134. In the case of any credit allowed under section 2301 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 2301 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 described in section 501(c)(1) and exempt from tax under section 501(a).

''(6) 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—

''(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) or 7A 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 FORGIVEN.—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 by reason of subparagraph (A)(i) to the extent that—

''(i) 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)(37)(J) of such Act, or

''(ii) a covered 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 used 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 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 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),

''(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 substantiation of collectively bargained defined benefit pension plan contributions and collectively bargained apprenticeship program contributions.

''(h) 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.

''(i) TREATMENT OF DEPOSITS.—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.

''(j) 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 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 increases under subsection (e), 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, $200, and

''(B) in the aggregate with respect to all calendar quarters, $12,000.

''(2) 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 (reduced by any credits allowed under section 3131) on the wages paid with respect to the employment of all employees of the employer.

''(3) REFUNDABILITY OF EXCESS CREDIT.—

''(A) CREDIT IS REFUNDABLE.—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).

''(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 provided 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 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 Emergency Family and Medical Leave Expansion Act (including the amendments made by such Act) as if such Act (and amendments made by such Act) applied after March 31, 2021.

''(2) RULES OF APPLICATION.—

''(A) IN GENERAL.—For purposes of determining whether wages are qualified family leave wages under paragraph (1)—

''(i) section 110(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 5102(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 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, or condition related to such immunization' after 'public health emergency', and

''(ii) section 110(b) of such Act shall be applied—

''(I) without regard to paragraph (1) thereof,

''(II) by striking 'after taking leave after such section for 10 days' in paragraph (2)(A) thereof, and

''(III) by substituting '$12,000' for '$10,000' in paragraph (2)(B)(ii) thereof.

''(B) LEAVE MUST MEET REQUIREMENTS.—For purposes of determining whether wages would be required to be paid under paragraph (1), if an employer fails to comply with any requirement of the Family and Medical Leave Act of 1993 or the Emergency Family and Medical Leave Expansion Act (determined without regard to any time limitation under section 102(a)(1)(F) of the Family and Medical Leave Act of 1994) with respect to any leave provided for a qualifying need related to a public health emergency (as defined in section 110 of such Act, applied as described in subparagraph (A)(i)), amounts 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 105 of the Family and Medical Leave Act of 1993 shall be treated as failing to meet a requirement of such Act.

''(d) ALLOWANCE OF CREDIT FOR CERTAIN HEALTH PLAN EXPENSES.—

''(1) IN GENERAL.—The amount of the credit allowed under subsection (a) shall be increased by so much of the employer's qualified health plan expenses as are properly allocable to the qualified family leave wages for which such credit is so allowed.

''(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 5000(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 allocated to qualified family leave wages 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 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 so much of the sum of—

''(A) 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) so much of the employer's collectively bargained apprenticeship program contributions as are properly allocable to the qualified family leave wages for which such credit is so allowed.

''(2) COLLECTIVELY BARGAINED DEFINED BENEFIT PENSION PLAN CONTRIBUTIONS.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'collectively bargained defined benefit pension plan contributions' has the meaning given such term under section 3131(e)(2).

''(B) ALLOCATION RULES.—The amount of collectively bargained defined benefit pension plan contributions allocated to qualified family leave wages for any calendar quarter shall be the product of—

''(i) the pension contribution rate (as defined in section 3131(e)(2)), 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 3131(e)(2)(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' has the meaning given such term under section 3131(e)(3).

''(B) ALLOCATION RULES.—For purposes of this section, the amount of collectively bargained apprenticeship program contributions allocated to 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)), 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 3131(e)(3)(A)(iii) during 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 3121(a), determined without regard to 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 with respect to which a 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, 45P, 45S, 51, 3131, and 3134. In the case of any credit allowed under section 2301 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 2301 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 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).

''(6) 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—

''(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 family 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) or 7A 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 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—

''(i) 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)(37)(J) of such Act, or

''(ii) a covered 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 used 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 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 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),

''(5) regulations or other guidance to ensure that the wages taken into account under this section conform 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.

''(h) 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.

''(i) TREATMENT OF DEPOSITS.—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.

''(j) 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 family 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. 3133. SPECIAL RULE RELATED TO TAX ON EMPLOYERS.

''(a) IN GENERAL.—The credit allowed by section 3131 and the credit allowed by section 3132 shall each be increased by the amount of the taxes imposed by subsections (a) and (b) of section 3111 and section 3221(a) on qualified sick leave wages, or qualified family leave wages, for which credit is allowed under such section 3131 or 3132 (respectively).

''(b) DENIAL OF DOUBLE BENEFIT.—For denial of double benefit with respect to the credit increase under subsection (a), see sections 3131(f)(3) and 3132(f)(3).''.

(b) REFUNDS.—Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting ''3131, 3132,'' before ''6428''.

(c) CLERICAL AMENDMENT.—The table of subchapters for chapter 21 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''SUBCHAPTER D—CREDITS''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid with respect to calendar quarters beginning after March 31, 2021.

SEC. 9642. 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 be applied—

(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 5102(a)(3) of such Act, and

(B) by applying section 5102(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 is 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) of the average daily self-employment income of the individual for the taxable year.

(2) AVERAGE DAILY SELF-EMPLOYMENT INCOME.—For purposes of this subsection, the term ''average daily self-employment income'' means an amount equal to—

(A) the net earnings from self-employment of the individual for the taxable year, divided by

(B) 260.

(3) ELECTION TO USE PRIOR YEAR NET EARNINGS FROM SELF-EMPLOYMENT INCOME.—In the case of an individual who elects (at such time and in such manner as the Secretary may provide) the application of this paragraph, paragraph (2)(A) shall be applied by substituting ''the prior taxable year'' for ''the taxable year''.

(4) ELECTION TO NOT TAKE DAYS INTO ACCOUNT.—Any day shall not be taken into account under paragraph (1)(A) if the eligible self-employed individual 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 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 3121(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 3131(b)(1) of such Code exceeds $2,000 ($5,110 in the case of any day any 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).

(f) 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 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 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 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.

(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 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 Family and Medical Leave Expansion Act if—

(i) the individual were an employee of an employer (other than himself or herself),

(ii) section 102(a)(1)(F) of the Family and Medical Leave Act of 1993 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 Family and Medical Leave Act—

(A) section 110(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 5102(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 110(b) of such Act shall be applied—

(i) without regard to paragraph (1) thereof, and

(ii) by striking ''after taking leave after such section for 10 days'' in paragraph (2)(A) thereof.

(c) QUALIFIED FAMILY LEAVE EQUIVALENT AMOUNT.—For purposes of this section—

(1) IN GENERAL.—The term ''qualified family leave equivalent amount'' means, with respect to any eligible self-employed individual, an amount equal to the product of—

(A) the number of days (not to exceed 60) during the taxable year that the individual is 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 paid leave as described in subsection (b) of this section, multiplied by

(B) the lesser of—

(i) 67 percent of the average daily self-employment income of the individual for the taxable year, or

(ii) $200.

(2) AVERAGE DAILY SELF-EMPLOYMENT INCOME.—For purposes of this subsection, the term ''average daily self-employment income'' means an amount equal to—

(A) the net earnings from self-employment income of the individual for the taxable year, divided by

(B) 260.

(3) ELECTION TO USE PRIOR YEAR NET EARNINGS FROM SELF-EMPLOYMENT INCOME.—In the case of an individual who elects (at such time and in such manner as the Secretary may provide) the application of this paragraph, paragraph (2)(A) shall be applied by substituting ''the prior taxable year'' for ''the taxable year''.

(4) COORDINATION WITH CREDIT FOR SICK LEAVE.—Any day taken into account in determining the qualified sick leave equivalent amount with respect to any eligible-self employed individual under section 9642 shall not be take into account in determining the qualified family leave equivalent amount with respect to such individual under this section.

(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 3121(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 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 subsection and in section 3132(b)(1) of such Code exceeds $12,000.

(3) REFERENCES TO EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT.—Any reference in this section to the Emergency Family and Medical Leave Expansion Act shall be treated as including a reference to the amendments made by such Act.

(f) 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 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 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 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.

(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—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. EMPLOYEE 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 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.

''(b) LIMITATIONS AND REFUNDABILITY.—

''(1) IN GENERAL.—

''(A) 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.

''(B) 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.

''(2) CREDIT LIMITED TO EMPLOYMENT TAXES.—The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the applicable employment taxes (reduced by any credits allowed under sections 3131 and 3132) on the wages paid with respect to the employment of all the employees of the eligible employer for such calendar quarter.

''(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 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) 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 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 448(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)(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)(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 (i) and (ii)(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)(ii), 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 clause, 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 such quarter.

''(B) SPECIAL RULE FOR EMPLOYERS NOT IN EXISTENCE IN 2019.—In the case of any employer that was not in existence in 2019, subparagraph (A) shall be applied by substituting '2020' for '2019' each place it appears.

''(C) SEVERELY FINANCIALLY DISTRESSED EMPLOYERS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A)(i), in the case of a severely financially distressed employer, the term 'qualified wages' means wages paid by such employer with respect to an employee during any calendar quarter.

''(ii) DEFINITION.—The term 'severely financially distressed employer' means an eligible employer as defined in paragraph (2), determined by substituting 'less than 10 percent' for 'less than 80 percent' in subparagraph (A)(ii)(II) thereof.

''(D) EXCEPTION.—The term 'qualified wages' shall not include any wages taken into account under sections 41, 45A, 45P, 45S, 51, 1396, 3131, and 3132.

''(4) WAGES.—

''(A) IN GENERAL.—The term 'wages' means wages (as defined in section 3121(a)) and compensation (as defined in section 3231(e)). For purposes of the preceding sentence, in the case of any organization or entity described in subsection (f)(2), wages as defined in section 3121(a) shall be determined without regard to paragraphs (5), (6), (7), (10), and (13) of section 3121(b) (except with respect to services performed in a penal institution by an inmate thereof).

''(B) ALLOWANCE FOR CERTAIN HEALTH PLAN EXPENSES.—

''(i) IN GENERAL.—Such term shall include amounts paid by the eligible employer to provide and maintain a group health plan (as defined in section 5000(b)(1)), but only to the extent that such amounts are excluded from the gross income of employees by reason of section 106(a).

''(ii) 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,

''(B) for which the average annual gross receipts of such employer (as determined under rules similar to the rules under section 448(c)(3)) for the 3-taxable-year period ending with the taxable year which precedes the calendar quarter for which the credit is determined under subsection (a) does not exceed $1,000,000, and

''(C) which, with respect to such calendar quarter, is not described in subclause (I) or (II) of paragraph (2)(A)(ii).

''(6) OTHER TERMS.—Any term used in this section which is also used in this chapter or chapter 22 shall have the same meaning as when used in such chapter.

''(d) AGGREGATION RULE.—All persons treated as a single employer under subsection (a) or (b) of section 52, or subsection (m) or (o) of section 414, shall be treated as one employer for purposes of this section.

''(e) CERTAIN RULES TO APPLY.—For purposes of this section, rules similar to the rules of sections 51(i)(1) and 280C(a) shall apply.

''(f) CERTAIN GOVERNMENTAL EMPLOYERS.—

''(1) IN GENERAL.—This credit 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.

''(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 (c)(2)(A)(i).

''(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 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.

''(h) COORDINATION WITH CERTAIN PROGRAMS.—

''(1) IN GENERAL.—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 2021.

''(2) 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 wages under this section by reason of paragraph (1) to the extent that—

''(A) 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)(37)(J) of such Act, or

''(B) a covered 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 used 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 such section, respectively.

''(i) THIRD PARTY PAYORS.—Any credit allowed under this section shall be treated as a credit described in section 3511(d)(2).

''(j) ADVANCE PAYMENTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), no advance payment of the credit under subsection (a) shall be allowed.

''(2) ADVANCE PAYMENTS TO SMALL EMPLOYERS.—

''(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 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 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 anticipation 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 (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 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 leaseback of employees.

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 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:

''(iii) TEMPORARY PERCENTAGES FOR 2021 AND 2022.—In the case of a taxable year beginning in 2021 or 2022—

''(I) clause (ii) shall not apply for purposes of adjusting premium percentages under this subparagraph, and

''(II) the following table shall be applied in lieu of the table contained in clause (i):

''In the case of household income (expressed as a percent of poverty line) within the following income tier:	The initial premium percentage is—	The final premium percentage is—
Up to 150.0 percent	0.0	0.0
150.0 percent up to 200.0 percent	0.0	2.0
200.0 percent up to 250.0 percent	2.0	4.0
250.0 percent up to 300.0 percent	4.0	6.0
300.0 percent up to 400.0 percent	6.0	8.5
400.0 percent and higher	8.5	8.5''.

(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 or 2022, subparagraph (A) shall be applied without regard to 'but does not exceed 400 percent'.''.

(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 RECONCILIATION OF TAX CREDITS FOR COVERAGE UNDER A QUALIFIED HEALTH PLAN WITH ADVANCE PAYMENTS OF SUCH CREDIT.

(a) IN GENERAL.—Section 36B(f)(2)(B) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

''(iii) TEMPORARY MODIFICATION OF LIMITATION ON INCREASE.—In the case of any taxable year beginning in 2020, for any taxpayer who files for such taxable year an income tax return reconciling any advance payment of the credit under this section, the Secretary shall treat subparagraph (A) as not applying.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2019.

SEC. 9663. APPLICATION OF PREMIUM TAX CREDIT IN CASE OF INDIVIDUALS RECEIVING UNEMPLOYMENT COMPENSATION DURING 2021.

(a) IN GENERAL.—Section 36B of the Internal Revenue Code of 1986 is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) SPECIAL RULE FOR INDIVIDUALS WHO RECEIVE UNEMPLOYMENT COMPENSATION DURING 2021.—

''(1) IN GENERAL.—For purposes of this section, in the case of a taxpayer who has received, or has been approved to receive, unemployment compensation for any week beginning during 2021, for the taxable year in which such week begins—

''(A) 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.

''(2) UNEMPLOYMENT COMPENSATION.—For purposes of this subsection, the term 'unemployment compensation' has 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 (or been approved to receive) unemployment compensation for any week unless such taxpayer provides self-attestation of, and such documentation as the Secretary shall prescribe which demonstrates, such receipt or approval.

''(4) CLARIFICATION OF RULES REMAINING APPLICABLE.—

''(A) JOINT RETURN REQUIREMENT.—Paragraph (1)(A) shall not affect the application of subsection (c)(1)(C).

''(B) HOUSEHOLD INCOME AND AFFORDABILLITY.—Paragraph (1)(B) shall not apply to any determination of household income for purposes of paragraph (2)(C)(i)(II) or (4)(C)(ii) of subsection (c)''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

PART 8—MISCELLANEOUS PROVISIONS

SEC. 9671. REPEAL OF ELECTION TO ALLOCATE INTEREST, ETC. ON WORLDWIDE BASIS.

(a) IN GENERAL.—Section 864 of the Internal Revenue Code of 1986 is amended by striking subsection (f).

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2020.

SEC. 9672. TAX TREATMENT OF TARGETED EIDL 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 331 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 705 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 section 705 of the Internal Revenue Code of 1986.

SEC. 9673. TAX TREATMENT OF RESTAURANT REVITALIZATION 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 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) 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 705 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 section 705 of the Internal Revenue Code of 1986.

SEC. 9674. MODIFICATION OF EXCEPTIONS FOR REPORTING OF THIRD PARTY NETWORK TRANSACTIONS.

(a) IN GENERAL.—Section 6050W(e) of the Internal Revenue Code of 1986 is amended to read as follows:

''(e) 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 $600.''.

(b) CLARIFICATION THAT REPORTING IS NOT REQUIRED ON TRANSACTIONS WHICH ARE NOT FOR GOODS OR SERVICES.—Section 6050W(c)(3) of such Code is amended by inserting ''described in subsection (d)(3)(A)(iii)'' after ''any transaction''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply to returns for calendar years beginning after December 31, 2021.

(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(f) 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 postsecondary 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)(ii) 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) under which the funds from which the loan was made were provided to such educational organization, or

''(ii) 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 provided by the students (or former 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)(ii) or 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 but only if the refinancing loan is pursuant to a program of the refinancing organization which is designed as described in subparagraph (C)(ii).

The preceding sentence shall not apply to the discharge of a loan made by an organization described in subparagraph (C) or made by a private education lender (as defined in section 140(a)(7) of the Truth in Lending Act) if the discharge is on account of services performed for either such organization or for such private education lender.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to discharges of loans after December 31, 2020.

Subtitle H—Pensions

SEC. 9701. TEMPORARY DELAY OF DESIGNATION OF MULTIEMPLOYER PLANS AS IN ENDANGERED, CRITICAL, OR CRITICAL AND DECLINING STATUS.

(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 a plan sponsor of a multiemployer plan elects the application of this section, then, for purposes of section 305 of such Act and section 432 of such Code—

(1) the status of the plan for its first plan year beginning during the period beginning on March 1, 2020, and ending on February 28, 2021, or the next succeeding plan year (as designated by the plan sponsor in such election), shall be the same as the status of such plan under such sections for the plan year preceding such designated plan year, and

(2) in the case of a plan which was in endangered or critical status for the plan year preceding the designated plan year described in paragraph (1), the plan shall not be required to update its plan or schedules under section 305(c)(6) of such Act and section 432(c)(6) of such Code, or section 305(e)(3)(B) of such Act and section 432(e)(3)(B) of such Code, whichever is applicable, until the plan year following the designated plan year described in paragraph (1).

(b) EXCEPTION FOR PLANS BECOMING CRITICAL DURING ELECTION.—If—

(1) an election was made under subsection (a) with respect to a multiemployer plan, and

(2) such plan has, without regard to such election, been certified by the plan actuary 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 to be in critical status for the designated plan year described in subsection (a)(1), then such plan shall be treated as a plan in critical status for such plan year for purposes of applying section 4971(g)(1)(A) of such Code, section 302(b)(3) of such Act (without regard to the second sentence thereof), and section 412(b)(3) of such Code (without regard to the second sentence thereof).

(c) ELECTION AND NOTICE.—

(1) ELECTION.—An election under subsection (a)—

(A) shall be made at such time and in such manner as the Secretary of the Treasury or the Secretary's delegate may prescribe and, once made, may be revoked only with the consent of the Secretary, and

(B) if made—

(i) before the date the annual certification is submitted to the Secretary or the Secretary's delegate under section 305(b)(3) of such Act and section 432(b)(3) of such Code, shall be included with such annual certification, and

(ii) after such date, shall be submitted to the Secretary or the Secretary's delegate not later than 30 days after the date of the election.

(2) NOTICE TO PARTICIPANTS.—

(A) IN GENERAL.—Notwithstanding section 305(b)(3)(D) of the Employee Retirement Income Security Act of 1974 and section 432(b)(3)(D) 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—

(i) the plan sponsor of a multiemployer plan shall not be required to provide notice under such sections, and

(ii) the plan sponsor shall provide to the participants and beneficiaries, the bargaining parties, the Pension Benefit Guaranty Corporation, and the Secretary of Labor a notice of the election under subsection (a) and such other information as the Secretary of the Treasury (in consultation with the Secretary of Labor) may require—

(I) if the election is made before the date the annual certification is submitted to the Secretary or the Secretary's delegate under section 305(b)(3) of such Act and section 432(b)(3) 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)(D) of such Code, if 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 sections 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 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 DATE.—This section shall apply to plan years beginning after December 31, 2019.

SEC. 9703. ADJUSTMENTS TO FUNDING STANDARD ACCOUNT RULES.

(a) ADJUSTMENTS.—

(1) 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 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, 2008' 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 anticipated retirement 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)(iii).

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 of the Treasury shall rely on the plan sponsor's calculations of plan losses unless such calculations are clearly erroneous.''.

(2) 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, 2008' 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 anticipated retirement 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)(iii).

The preceding sentence shall not apply to a plan to which special financial assistance is granted under section 4262 of the Employee Retirement Income Security Act of 1974. 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) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by this section shall take effect as of the first day of the first plan year ending on or after February 29, 2020, except that any election a plan makes pursuant to this section that affects the plan's funding standard account for the first plan year beginning after February 29, 2020, shall be disregarded for purposes of applying the provisions of section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 to such plan year.

(2) RESTRICTIONS ON BENEFIT INCREASES.—Notwithstanding paragraph (1), the restrictions on plan amendments increasing benefits in sections 304(b)(8)(D) of such Act and 431(b)(8)(D) of such Code, as applied by the amendments made by this section, shall take effect on the date of enactment of this Act.

SEC. 9704. SPECIAL FINANCIAL ASSISTANCE PROGRAM FOR FINANCIALLY TROUBLED MULTIEMPLOYER PLANS.

(a) APPROPRIATION.—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:

''(i)(1) An eighth fund shall be established for 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 such amounts as are necessary for the costs of providing financial assistance under section 4262 and necessary administrative and operating expenses of the corporation. The eighth fund established under this subsection shall be credited with amounts from time to time as the Secretary of the Treasury, in conjunction with the Director of the Pension Benefit Guaranty Corporation, determines appropriate, from the general fund of the Treasury, but in no case shall such transfers occur after September 30, 2030.''.

(b) FINANCIAL ASSISTANCE AUTHORITY.—The Employee Retirement Income Security Act of 1974 is amended by inserting after section 4261 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 special 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) INAPPLICABILITY 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 305(b)(6)) in any plan year beginning in 2020 through 2022;

''(B) a suspension of benefits has been approved with respect to the plan under section 305(e)(9) as of the date of the enactment of this section;

''(C) in any plan year beginning in 2020 through 2022, the plan is certified by the plan actuary to be in critical status (within the meaning of section 305(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 418E 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 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 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 304(c)(6)(D) of such Act).

''(c) APPLICATIONS FOR SPECIAL FINANCIAL ASSISTANCE.—Within 120 days of the date of enactment of this section, the corporation shall issue regulations or guidance setting 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, based on 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 4233 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 no 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 section 4261 that exceeds $1,000,000,000 if the special financial assistance is not ordered;

''(C) the eligible multiemployer plan has implemented benefit suspensions under section 305(e)(9) as of the date of the enactment of this section; or

''(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 305(b)) for certifications of plan status completed before January 1, 2021, unless such assumptions are clearly erroneous. For certifications of plan status completed after December 31, 2020, a plan shall determine whether it is in critical or critical and declining status for purposes of eligibility for special financial assistance by using the assumptions that the plan used in its most recently completed certification of plan status before January 1, 2021, unless such assumptions (excluding the plan's interest rate) are unreasonable.

''(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, provided that such interest rate may not exceed the interest rate limit; and

''(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 303(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.

''(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. The corporation shall accept such changed assumptions unless it determines the changes are unreasonable, individually or in the aggregate. The plan may not propose a change to the interest rate otherwise required under this subsection for eligibility or financial assistance amount.

''(f) APPLICATION DEADLINE.—Any application by a plan for special financial assistance under this section shall be submitted to the corporation (and, 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, 2025, and any revised application for special financial assistance shall be submitted no later than December 31, 2026.

''(g) DETERMINATIONS ON APPLICATIONS.—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 the plan is not eligible under this section. Such notice shall specify the reasons the plan is ineligible for special financial assistance, any proposed change or assumption is unreasonable, or information is needed to complete the application. If a plan is denied assistance 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, 2030.

''(h) MANNER OF PAYMENT.—The payment made by the corporation to an eligible multiemployer plan under this section shall be made as a single, lump sum payment.

''(i) 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 4022A.

''(j) 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 to pay all benefits due 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 2051, with no reduction 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 in accordance with section 305(e)(8) adopted prior to the plan's application for special financial assistance under this section, and taking into account the reinstatement of benefits required under subsection (k).

''(2) PROJECTIONS.—The funding projections for purposes of this section shall be performed on a deterministic basis.

''(k) REINSTATEMENT OF SUSPENDED BENEFITS.—The Secretary, in coordination with the Secretary of the Treasury, shall ensure that an eligible multiemployer plan that receives special financial assistance under this section—

''(1) reinstates any benefits that were suspended under section 305(e)(9) or section 4245(a) in accordance with guidance issued by the Secretary of the Treasury pursuant to section 432(k)(1)(B) 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 4245(a) to any participants or beneficiaries in pay status as of the effective date of the special financial assistance, payable, as determined by the eligible multiemployer plan—

''(A) as a lump sum 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.

''(l) RESTRICTIONS ON THE USE OF SPECIAL FINANCIAL ASSISTANCE.—Special financial assistance received under this section and any earnings thereon may be used by an 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 by plans in investment-grade bonds or other investments as permitted by the corporation.

''(m) CONDITIONS ON PLANS RECEIVING SPECIAL FINANCIAL ASSISTANCE.—

''(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 relating to increases 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 shall not impose conditions 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 the plan.

''(4) ASSISTANCE NOT CONSIDERED FOR CERTAIN PURPOSES.—An eligible multiemployer plan that receives special financial assistance shall be deemed to be in critical status within the meaning of section 305(b)(2) until the last plan year ending in 2051.

''(5) INSOLVENT PLANS.—An eligible multiemployer plan receiving special financial assistance under this section that subsequently becomes insolvent will be subject to the current rules and guarantee for insolvent plans.

''(6) INELIGIBILITY FOR OTHER ASSISTANCE.—An eligible multiemployer plan that receives special financial assistance under this section is not eligible to apply for a new suspension of benefits under section 305(e)(9)(G).

''(n) 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 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

''(B) the corporation shall consult with the Secretary of the Treasury 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 5 years or as a lump sum, as required by subsection (k)(2), and any other relevant factors, as determined by the corporation in consultation with the Secretary of the Treasury, to ensure the amount of assistance is sufficient to meet such requirement 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 regulations or guidance that temporary priority consideration is available for plans which are insolvent within the meaning of section 418E of the Internal Revenue Code of 1986 or likely to become so insolvent or for plans which have suspended benefits under section 305(e)(9), or that availability is otherwise based on the funded status of the plan under section 305, as permitted by subsection (d), the corporation shall consult with the Secretary of the Treasury regarding any granting of priority consideration to such plans.''.

(c) PREMIUM RATE INCREASE.—Section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (vi)—

(i) by inserting '', and before January 1, 2031'' after ''December 31, 2014,''; and

(ii) by striking ''or'' at the end;

(B) in clause (vii)—

(i) by moving the margin 2 ems to the left; and

(ii) in subclause (II), by striking the period and inserting '', or''; and

(C) by adding at the end the following:

''(viii) in the case of a multiemployer plan, for plan years beginning after December 31, 2030, $52 for each individual who is a participant in such plan during the applicable plan year.''; and

(2) by adding at the end the following:

''(N) For each plan year beginning in a calendar year after 2031, there shall be substituted for the dollar amount specified in clause (viii) of subparagraph (A) an amount equal to the greater of—

''(i) the product derived by multiplying such dollar amount by the ratio of—

''(I) 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 plan year begins, to

''(II) the national average wage index (as so defined) for 2029; and

''(ii) such dollar amount for plan years beginning in the preceding calendar year.

If the amount determined under this subparagraph is not a multiple of $1, such product shall be rounded to the nearest multiple of $1.''.

(d) AMENDMENTS TO INTERNAL REVENUE CODE OF 1986.—

(1) IN GENERAL.—Section 432(a) of the Internal Revenue Code of 1986 is amended—

(A) by striking ''and'' at the end of paragraph (2)(B),

(B) by striking the period at the end of paragraph (3)(B) and inserting '', and'', and

(C) by adding at the end the following new paragraph:

''(4) if the plan is an eligible multiemployer plan which is applying for or receiving special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974, the requirements of subsection (k) shall apply to the plan.''.

(2) PLANS RECEIVING SPECIAL FINANCIAL ASSISTANCE TO BE IN CRITICAL STATUS.—Section 432(b) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) PLANS RECEIVING SPECIAL FINANCIAL ASSISTANCE.—If an eligible multiemployer plan receiving 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 plan years beginning with the plan year in which the effective date for such assistance occurs and ending with the last plan year ending in 2051.''.

(3) 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:

''(k) RULES RELATING TO ELIGIBLE MULTIEMPLOYER PLANS.—

''(1) PLANS APPLYING FOR SPECIAL FINANCIAL ASSISTANCE.—In the case of an eligible multiemployer plan which applies for special financial assistance under section 4262 of such Act—

''(A) IN GENERAL.—Such application shall be submitted in accordance with the requirements of such section, including any guidance issued thereunder by the Pension Benefit Guaranty Corporation.

''(B) REINSTATEMENT OF SUSPENDED BENEFITS.—In the case of a plan for which a suspension of benefits has been approved under subsection (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 if the plan receives special financial assistance.

''(C) AMOUNT OF FINANCIAL ASSISTANCE.—

''(i) 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 of plan status before January 1, 2021, provided that such interest rate does not exceed the interest rate limit, and

''(II) 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.

''(ii) INTEREST RATE LIMIT.—For purposes of clause (i), the interest rate limit is the rate 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 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. 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 receiving special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974—

''(A) REINSTATEMENT OF SUSPENDED BENEFITS.—The plan shall—

''(i) reinstate any benefits that were suspended under subsection (e)(9) or section 4245(a) of the Employee Retirement Income Security Act of 1974, 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 as 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 accrual rates and any retroactive benefit improvements, allocation of plan assets, reductions in employer contribution rates, diversion of contributions and allocation of expenses to other benefit plans, and withdrawal liability.

''(ii) LIMITATION.—The Pension Benefit Guaranty Corporation shall not impose conditions on an eligible multiemployer plan as a condition of, or following receipt of, special financial assistance relating to—

''(I) 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 terms of contracts with, 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 418E after receiving special financial assistance, the plan shall be subject to all rules applicable to insolvent plans.

''(E) 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;

''(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 40 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 418E 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 the numerator 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 431(c)(6)(D)).

''(4) COORDINATION WITH PENSION BENEFIT GUARANTY CORPORATION.—In prescribing the application process for eligible multiemployer plans to receive special financial assistance under section 4262 of the Employee Retirement Income Security Act of 1974 and reviewing applications of such plans, the Pension Benefit Guaranty Corporation 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 5 years or as a lump sum, as required by paragraph (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(j)(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)(iii), such corporation shall consult with the Secretary regarding such proposed change in assumptions.

''(C) If such corporation specifies in regulations or guidance that temporary priority consideration is available for plans which are insolvent within the meaning of section 418E or likely to become so insolvent or for plans which have suspended benefits under subsection (e)(9), or that availability is otherwise based on the funded status of the plan under this section, as permitted by section 4262(d) of such Act, such 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, 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 EMPLOYEE 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 subclause (II) of section 430(h)(2)(C)(iv) of the Internal Revenue Code of 1986 is amended to read as follows:

''If the calendar year is:	*The applicable minimum percentage is:*	*The applicable maximum percentage is:*
Any year in the period starting in 2012 and ending in 2019	*90%*	*110%*
Any year in the period starting in 2020 and ending in 2025	*95%*	*105%*
2026	*90%*	*110%*
2027	*85%*	*115%*
2028	*80%*	*120%*
2029	*75%*	*125%*
After 2029	*70%*	*130%.''.*

(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 430(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.''.

(b) AMENDMENTS TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—

(1) IN GENERAL.—The table contained in subclause (II) of section 303(h)(2)(C)(iv) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(h)(2)(C)(iv)(II)) is amended to read as follows:

''If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
Any year in the period starting in 2012 and ending in 2019	90%	110%
Any year in the period starting in 2020 and ending in 2025	95%	105%
2026	90%	110%
2027	85%	115%
2028	80%	120%
2029	75%	125%
After 2029	70%	130%.''.

(2) FLOOR ON 25-YEAR AVERAGES.—Subclause (I) of section 303(h)(2)(C)(iv) of such Act (29 U.S.C. 1083(h)(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 ''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.—

(1) 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 sections 436 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 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.—

''(i) IN GENERAL.—Notwithstanding subsection (h)(2)(C) and except as provided in clause (ii), the first, second, and third segment rates in effect for any month for purposes of this section shall be 8 percent.

''(ii) NEW BENEFIT ACCRUALS.—Notwithstanding subsection (h)(2), 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.

''(iii) 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.

''(B) SHORTFALL AMORTIZATION BASE.—

''(i) 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).

''(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 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.

''(5) COMMUNITY NEWSPAPER PLAN.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'community newspaper plan' means any plan to which this section applies maintained as of December 31, 2018, by an employer which—

''(i) maintains the plan on behalf of participants and beneficiaries with respect to employment in the trade or business of publishing 1 or more newspapers which were published by the employer at any time during the 11-year period ending on December 20, 2019,

''(ii)(I) is not a company the stock of which is publicly traded (on a stock exchange or in an over-the-counter market), and is not controlled, directly or indirectly, by such a company, or

''(II) is controlled, directly or indirectly, during the entire 30-year period ending on December 20, 2019, by individuals who are members of the same family, and does not publish or distribute a daily newspaper that is carrier-distributed in printed form in more than 5 States, and

''(iii) is controlled, directly or indirectly—

''(I) by 1 or more persons residing primarily in a State in which the community newspaper has been published on newsprint or carrier-distributed,

''(II) during the entire 30-year period ending on December 20, 2019, by individuals who are members of the same family,

''(III) by 1 or more trusts, the sole trustees of which are persons described in subclause (I) or (II), or

''(IV) by a combination of persons described in subclause (I), (II), or (III).

''(B) NEWSPAPER.—The term 'newspaper' does not include any newspaper (determined without regard to this subparagraph) to which any of the following apply:

''(i) Is not in general circulation.

''(ii) Is published (on newsprint or electronically) less frequently than 3 times per week.

''(iii) Has not ever been regularly published on newsprint.

''(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.

''(6) 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 as of December 20, 2019.''.

(b) AMENDMENT TO EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974.—Subsection (m) of section 303 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(m)) 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 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) INTEREST RATES.—

''(i) IN GENERAL.—Notwithstanding subsection (h)(2)(C) and except as provided in clause (ii), the first, second, and third segment rates in effect for any month for purposes of this section shall be 8 percent.

''(ii) NEW BENEFIT ACCRUALS.—Notwithstanding subsection (h)(2), 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.

''(iii) 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 of the Treasury for such day on interest-bearing obligations of the United States.

''(B) SHORTFALL AMORTIZATION BASE.—

''(i) 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).

''(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 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.

''(5) COMMUNITY NEWSPAPER PLAN.—For purposes of this subsection—

''(A) IN GENERAL.—The term 'community newspaper plan' means a plan to which this section applies maintained as of December 31, 2018, by an employer which—

''(i) maintains the plan on behalf of participants and beneficiaries with respect to employment in the trade or business of publishing 1 or more newspapers which were published by the employer at any time during the 11-year period ending on December 20, 2019,

''(ii)(I) is not a company the stock of which is publicly traded (on a stock exchange or in an over-the-counter market), and is not controlled, directly or indirectly, by such a company, or

''(II) is controlled, directly, or indirectly, during the entire 30-year period ending on December 20, 2019, by individuals who are members of the same family, and does not publish or distribute a daily newspaper that is carrier-distributed in printed form in more than 5 States, and

''(iii) is controlled, directly, or indirectly—

''(I) by 1 or more persons residing primarily in a State in which the community newspaper has been published on newsprint or carrier-distributed,

''(II) during the entire 30-year period ending on December 20, 2019, by individuals who are members of the same family,

''(III) by 1 or more trusts, the sole trustees of which are persons described in subclause (I) or (II), or

''(IV) by a combination of persons described in subclause (I), (II), or (III).

''(B) NEWSPAPER.—The term 'newspaper' does not include any newspaper (determined without regard to this subparagraph) to which any of the following apply:

''(i) Is not in general circulation.

''(ii) Is published (on newsprint or electronically) less frequently than 3 times per week.

''(iii) Has not ever been regularly published on newsprint.

''(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.

''(6) 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 as of December 20, 2019.

''(7) EFFECT ON PREMIUM RATE CALCULATION.—In the case of a plan for which an election is made to apply the alternative standards described in paragraph (3), the additional premium under section 4006(a)(3)(E) shall be determined as if such election had not been made.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years ending after December 31, 2017.

SEC. 9708. EXPANSION OF LIMITATION ON EXCESSIVE EMPLOYEE REMUNERATION.

Paragraph (3) of section 162(m) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraph (C) as subparagraph (D),

(2) by striking ''or'' at the end of subparagraph (B),

(3) by inserting after subparagraph (B) the following new subparagraph:

''(C) in the case of taxable years beginning after December 31, 2026, such employee is among the 5 highest compensated employees for the taxable year other than any individual described in subparagraph (A) or (B), or'', and

(4) by striking ''employee'' in subparagraph (D), as so redesignated, and inserting ''employee described in subparagraph (A) or (B)''.

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, there are appropriated $3,550,000,000 for each fiscal year, of which—

''(A) $3,375,000,000 shall be available for grants to States;

''(B) $100,000,000 shall be available for grants to Indian tribes and tribal organizations; and

''(C) $75,000,000 shall be available for grants to territories.''.

(2) CONFORMING AMENDMENT.—Section 418(a)(2)(A) of such Act (42 U.S.C. 618(a)(2)(A)) is amended by striking ''paragraph (3), and remaining after the reservation described in paragraph (4) and'' and inserting ''paragraph (3)(A),''.

(b) MODIFICATION OF STATE MATCH REQUIREMENT FOR FUNDING INCREASES IN FISCAL YEARS 2021 AND 2022.—With respect to 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 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)(4) of such Act (42 U.S.C. 618(a)(4)) is amended to read as follows:

''(4) TERRITORIES.—

''(A) GRANTS.—The Secretary shall use the amounts made available by paragraph (3)(C) to make grants to the territories under this paragraph.

''(B) ALLOTMENTS.—The amount described in subparagraph (A) shall be allotted 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 redistributed 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) COVERAGE.—

(1) IN GENERAL.—Section 1905(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 (E) 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 (including preventive therapies), and, without regard to the requirements of section 1902(a)(10)(B) (relating to comparability), in the case of an individual who is diagnosed with or 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);''.

(2) MAKING COVID–19 VACCINE AVAILABLE TO ADDITIONAL ELIGIBILITY GROUPS AND TREATMENT AVAILABLE TO CERTAIN UNINSURED.—Section 1902(a)(10) of such Act (42 U.S.C. 1396a(a)(10)) is amended in the matter following subparagraph (G)—

(A) by striking ''and to other conditions which may complicate pregnancy, (VIII)'' and inserting '', medical assistance for services related to other conditions which may complicate pregnancy, and medical assistance for vaccines described in section 1905(a)(4)(E) and the administration of such vaccines during the period described in such section, (VIII)'';

(B) by inserting ''and medical assistance for vaccines described in section 1905(a)(4)(E) and

the administration of such vaccines during the period described in such section'' after ''(described in subsection (z)(2))'';

(C) by inserting ''and medical assistance for vaccines described in section 1905(a)(4)(E) and the administration of such vaccines during the period described in such section'' after ''described in subsection (k)(1)'';

(D) by inserting ''and medical assistance for vaccines described in section 1905(a)(4)(E) and the administration of such vaccines during the period described in such section'' after ''family planning setting'';

(E) by striking ''and any visit described in section 1916(a)(2)(G) that is furnished during any such portion'' and inserting '', any service described in section 1916(a)(2)(G) that is furnished during any such portion, any vaccine described in section 1905(a)(4)(E) (and the administration of such vaccine) that is furnished during any such portion, and 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 or 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

(F) by striking the semicolon at the end and inserting '', and (XIX) medical assistance shall be made available during the period described in section 1905(a)(4)(E) for vaccines described in such section and the administration of such vaccines, for any individual who is eligible for and receiving medical assistance under the State plan or under a waiver of such plan (other than an individual who is eligible for medical assistance consisting only of payment of premiums pursuant to subparagraph (E) or (F) or section 1933), notwithstanding any provision of this title or waiver under section 1115 impacting such individual's eligibility for medical assistance under such plan or waiver to coverage for a limited type of benefits and services that would not otherwise include coverage of a COVID–19 vaccine and its administration;''.

(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. 1396o) 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 subparagraphs:

''(H) during the period beginning on the date of the enactment of this subparagraph 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)); or

''(I) during the period beginning on the date of the enactment of this subparagraph 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 preventive therapies), and, in the case of an individual who is diagnosed with or presumed to have COVID–19, during the period during which 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''.

(B) APPLICATION TO ALTERNATIVE COST SHARING.—Section 1916A(b)(3)(B) of the Social Security Act (42 U.S.C. 1396o–1(b)(3)(B)) is amended—

(i) in clause (xi), by striking ''any visit'' and inserting ''any service''; and

(ii) by adding at the end the following clauses:

''(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), 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 or presumed to have COVID–19, during the period during which 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).''.

(4) INCLUSION IN THE MEDICAID DRUG REBATE PROGRAM OF COVERED OUTPATIENT DRUGS USED FOR COVID–19 TREATMENT.—

(A) IN GENERAL.—The requirements of section 1927 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 1905(a)(4) of such Act, as added by paragraph (1), applies or to which the subclause (XVIII) in the matter following subparagraph (G) of section 1902(a)(10) of such Act, as added by paragraph (2), applies that is—

(i) furnished as medical assistance in accordance with section 1902(a)(10)(A) of such Act and such subparagraph (F) or subclause (XVIII) and section 1902(a)(10)(A) of such Act, as applicable, for the treatment, or prevention, of COVID–19, as described in such subparagraph or subclause, respectively; and

(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 subclause (XVIII) 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. 1396r–8(d)(7)) is amended by adding at the end the following new subparagraph:

''(E) Drugs and biological products to which section 1905(a)(4)(F) and subclause (XVIII) in the matter following subparagraph (G) of section 1902(a)(10) apply that are furnished as medical assistance in accordance with such section or clause, respectively, for the treatment or prevention, of COVID–19, as described in such subparagraph or subclause, respectively, and section 1902(a)(10)(A).''.

(5) ALTERNATIVE BENEFIT PLANS.—Section 1937(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 for medical assistance through enrollment of an individual with benchmark coverage or benchmark-equivalent coverage under this section unless, 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), such coverage includes (and does not impose any deduction, cost sharing, or similar charge for)—

''(A) COVID–19 vaccines and administration of the vaccines; and

''(B) testing and treatments for 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, 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).''.

(b) TEMPORARY INCREASE IN FEDERAL PAYMENTS FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(1) in subsection (b), by striking ''and (ff)'' and inserting ''(ff), and (hh)'';

(2) in subsection (ff), in the matter preceding paragraph (1), by inserting '', subject to subsection (hh)'' after ''or (z)(2)'' and

(3) by adding at the end the following new subsection:

''(hh) TEMPORARY INCREASED 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 for a State, with respect 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 that—

''(A) begins on the first day of the first quarter beginning after the date of the enactment of this subsection; and

''(B) ends on the last day of the first quarter that begins one year after the last day of the emergency period described in section 1135(g)(1)(B).

''(3) EXCLUSION OF EXPENDITURES FROM TERRITORIAL CAPS.—Any payment made to a territory for expenditures for medical assistance under subsection (a)(4)(E) that are subject to the Federal medical assistance percentage specified under paragraph (1) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1108.''.

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, 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)(34)) 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 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 occurring after the end of such 60-day period and ending on the last day of the month in which the 12-month period (beginning on the last day of her pregnancy) ends.

''(B) FULL BENEFITS DURING PREGNANCY AND THROUGHOUT THE 12-MONTH POSTPARTUM PERIOD.—The medical assistance provided for a pregnant or postpartum individual by a State making an election under this paragraph, without regard to the basis on which the individual is eligible for medical assistance under the State 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 under title XXI child health assistance for targeted low-income children who are pregnant or targeted low-income pregnant 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)), as added by subsection (a), during the 5-year period beginning on the 1st day of the 1st 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 after 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.

''(a) IN GENERAL.—Notwithstanding section 1902(a)(1) (relating to Statewideness), section 1902(a)(10)(B) (relating to comparability), section 1902(a)(23)(A) (relating to freedom of choice of providers), or section 1902(a)(27) (relating to provider agreements), a State may, during the 5-year period beginning on the first day of the first fiscal year quarter that begins on or after the date that is 1 year after the date of the enactment of this section, provide medical assistance for qualifying community-based mobile crisis intervention services.

''(b) QUALIFYING COMMUNITY-BASED MOBILE CRISIS INTERVENTION SERVICES DEFINED.—For purposes of this section, the term 'qualifying community-based mobile crisis intervention services' means, with respect to a State, items and services for which medical assistance is available under the State plan under this title or a waiver of such plan, that are—

''(1) furnished to an individual otherwise eligible for medical assistance under the State plan (or waiver of such plan) who is—

''(A) outside of a hospital or other facility setting; and

''(B) experiencing a mental health or substance use disorder crisis;

''(2) furnished by a multidisciplinary mobile crisis team—

''(A) that includes at least 1 behavioral health care professional who is capable of conducting an assessment of the individual, in accordance with the professional's permitted scope of practice under State law, and other professionals or paraprofessionals with appropriate expertise in behavioral health or mental health crisis response, including nurses, social workers, peer support specialists, and others, as designated by the State through a State plan amendment (or waiver of such plan);

''(B) whose members are trained in trauma-informed care, de-escalation strategies, and harm reduction;

''(C) that is able to respond in a timely manner and, where appropriate, provide—

''(i) screening and assessment;

''(ii) stabilization and de-escalation; and

''(iii) coordination with, and referrals to, health, social, and other services and supports as needed, and health services as needed;

''(D) that maintains relationships with relevant community partners, including medical and behavioral health providers, primary care providers, community health centers, crisis respite centers, and managed care organizations (if applicable); and

''(E) that maintains the privacy and confidentiality of patient information consistent with Federal and State requirements; and

''(3) available 24 hours per day, every day of the year.

''(c) PAYMENTS.—Notwithstanding section 1905(b) or 1905(ff) and subject to subsections (y) and (z) of section 1905, during each of the first 12 fiscal quarters occurring during the period described in subsection (a) that a State meets the requirements described in subsection (d), the Federal medical assistance percentage applicable to amounts expended by the State for medical assistance for qualifying community-based mobile crisis intervention services furnished 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 a State for medical assistance for such qualifying community-based mobile crisis intervention services furnished during a quarter being less than the Federal medical assistance percentage that would apply to such amounts expended by the State for such services furnished 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 provided under this section that are attributable to the increased Federal medical assistance percentage under subection (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);

''(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) FUNDING FOR 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 implementing, administering, and making planning grants to States as soon as practicable 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 MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

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 ''and (hh)'' and inserting ''(hh), and (ii)'';

(2) in subsection (ff), 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)) expends 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;

''(B) shall not be taken into account in calculating the enhanced FMAP of a State under section 2105;

''(C) shall not be taken into account for purposes of part A, D, or E of title IV; and

''(D) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1108.

''(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.''.

SEC. 9815. EXTENSION OF 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. 1396d(b)) is amended by inserting after ''(as defined in section 4 of the Indian Health Care Improvement 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 per centum with respect to amounts expended as 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; and, for such 8 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 Center (as defined in section 12(4) 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 Papa Ola Lokahi under section 8 of such Act''.

SEC. 9816. SUNSET OF LIMIT ON MAXIMUM REBATE AMOUNT FOR SINGLE SOURCE DRUGS AND INNOVATOR MULTIPLE SOURCE DRUGS.

Section 1927(c)(2)(D) of the Social Security Act (42 U.S.C. 1396r–8(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. 1396d(b)) or section 1905(ff), in the case of a State that meets the HCBS program requirements under subsection (b), the Federal medical assistance percentage determined for the State under section 1905(b) of such Act (or, if applicable, under section 1905(ff)) and, if applicable,

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(k)), or section 6008(a) of the Families First Coronavirus Response Act (Public Law 116–127), shall be increased by 10 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 expenditures on medical assistance that are subject to the Federal medical assistance percentage increase specified under the first sentence of this paragraph shall not 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. 1308).

(2) DEFINITIONS.—In this section:

(A) HCBS PROGRAM IMPROVEMENT PERIOD.—The term ''HCBS program improvement period'' means, with respect to a State, the period—

(i) beginning on April 1, 2021; and

(ii) ending on March 31, 2022.

(B) HOME AND COMMUNITY-BASED SERVICES.—The term ''home and community-based services'' means any of the following:

(i) Home health care services authorized under paragraph (7) of section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)).

(ii) Personal care services authorized under paragraph (24) of such section.

(iii) PACE services authorized under paragraph (26) of such section.

(iv) Home and community-based services authorized under subsections (b), (c), (i), (j), and (k) of section 1915 of such Act (42 U.S.C. 1396n), such services authorized under a waiver under section 1115 of such Act (42 U.S.C. 1315), and such services through coverage authorized under section 1937 of such Act (42 U.S.C. 1396u–7).

(v) Case management services authorized under section 1905(a)(19) of the Social Security Act (42 U.S.C. 1396d(a)(19)) and section 1915(g) of such Act (42 U.S.C. 1396n(g)).

(vi) Rehabilitative services, including those related to behavioral health, described in section 1905(a)(13) of such Act (42 U.S.C. 1396d(a)(13)).

(vii) Such other services specified by the Secretary of Health and Human Services.

(C) ELIGIBLE INDIVIDUAL.—The term ''eligible individual'' means an individual who is eligible for and enrolled for medical assistance under a State Medicaid program and includes an individual who becomes eligible for medical assistance under a State Medicaid program when removed from a waiting list.

(D) MEDICAID PROGRAM.—The term ''Medicaid program'' means, with respect to a State, the State program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (including any waiver or demonstration under such title or under section 1115 of such Act (42 U.S.C. 1315) relating to such title).

(E) STATE.—The term ''State'' has the meaning given such term for purposes of title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(b) STATE 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 (referred to in subsection (a) as the HCBS program requirements):

(1) 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.

(2) 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 1919 of the Social Security Act (42 U.S.C. 1396r) is amended by adding at the end the following new subsection:

''(k) FUNDING FOR STATE STRIKE TEAMS.—In addition to amounts otherwise available, there is appropriated to the Secretary, out of any monies 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 the United States) for 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 the purposes of assisting with clinical care, infection control, or staffing during the emergency period described in section 1135(g)(1)(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(f)(3) of the Social Security Act (42 U.S.C. 1396r–4(f)(3)) is amended—

(1) in subparagraph (A), by striking ''subparagraph (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.—

''(i) 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 specified 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 a fiscal year is 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.

''(ii) NO APPLICATION TO ALLOTMENTS BEGINNING AFTER COVID–19 EMERGENCY PERIOD.—The DSH allotment for any State for the first fiscal year beginning after the end of the emergency period described in 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).''.

(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 AND TREATMENT UNDER CHIP.

(a) COVERAGE.—

(1) IN GENERAL.—Section 2103(c) of the Social Security Act (42 U.S.C. 1397cc(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 pregnancy-related assistance pursuant to section 2112, the pregnancy-related assistance provided for a targeted 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 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), of—

''(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 or presumed to have COVID–19, during the period during which 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 child health plan (or waiver of such plan).''.

(2) PROHIBITION OF COST SHARING.—Section 2103(e)(2) of the Social Security Act (42 U.S.C. 1397cc(e)(2)), as amended by section 6004(b)(3) 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), vaccines 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''.

(b) 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. 1397ee(c)) is amended by adding at the end the following new paragraph:

''(12) TEMPORARY ENHANCED PAYMENT FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—During the period described in section 1905(hh)(2), notwithstanding subsection (b), the enhanced FMAP for a State, with respect to payments under subsection (a) for expenditures under the State child health plan (or a waiver of such plan) for a vaccine described in section 1905(a)(4)(E) (and the administration of such a vaccine), shall be equal to 100 percent.''.

(c) ADJUSTMENT OF CHIP ALLOTMENTS.—Section 2104(m) of the Social Security Act (42 U.S.C. 1397dd(m)) is amended—

(1) in paragraph (2)(B), in the matter preceding clause (i), by striking ''paragraphs (5) and (7)'' and inserting ''paragraphs (5), (7), and (12)''; and

(2) by adding at the end the following new paragraph:

''(12) ADJUSTING ALLOTMENTS TO ACCOUNT FOR INCREASED FEDERAL PAYMENTS FOR COVERAGE AND ADMINISTRATION OF COVID–19 VACCINES.—If a State, commonwealth, or territory receives payment for a fiscal year (beginning with fiscal year 2021) under subsection (a) of section 2105 for expenditures that are subject to the enhanced FMAP specified under subsection (c)(12) of such section, the amount of the allotment determined for the State, commonwealth, or territory under this subsection—

''(A) for such fiscal year shall be increased by the projected expenditures for such year by the State, commonwealth, or territory under 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); and

''(B) once actual expenditures are available in the subsequent fiscal year, the fiscal year allotment that was adjusted by the amount described in subparagraph (A) shall be adjusted on the basis of the difference between—

''(i) such projected amount of expenditures described in subparagraph (A) for such fiscal year

described in such subparagraph by the State, commonwealth, or territory; and

''(ii) the actual amount of expenditures for such fiscal year described in subparagraph (A) by the State, commonwealth, or territory under the State child health plan (or 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 CHIP FOR PREGNANT AND POSTPARTUM WOMEN.

(a) MODIFICATIONS TO COVERAGE.—

(1) IN GENERAL.—Section 2107(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 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 to 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 coverage of all items or services 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(d)(2)(A) of the Social Security Act (42 U.S.C. 1397ll(d)(2)(A)) is amended by inserting after ''60-day period'' the following: '', or, in the case that subparagraph (A) of section 1902(e)(16) applies to the State child health plan (or waiver of such plan), pursuant to section 2107(e)(1), the 12-month period,''.

(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 9812(a) of subtitle J of this title, during the 5-year period beginning on the 1st day of the 1st fiscal year 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), in the first sentence, by striking ''or (iii)'' and inserting '', (iii), 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 this subparagraph to any hospital in an all-urban State (as defined in subclause (IV)) may not be less than the minimum area wage index for the fiscal year for hospitals in that State, as established under subclause (II).

''(II) MINIMUM AREA WAGE INDEX.—For purposes of subclause (I), the Secretary shall establish a 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 for fiscal year 2018.

''(III) WAIVING BUDGET NEUTRALITY.—Pursuant to the fifth sentence of clause (i), this clause shall not be applied in a budget neutral manner.

''(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 1886(d)(3)(E)(i) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(E)(i)) is amended, in the fifth sentence—

(1) by striking ''and the amendments'' and inserting '', the amendments''; and

(2) by 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 OF CERTAIN MEDICARE 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''; and

(C) by inserting after paragraph (8) the following new paragraph:

''(9) any requirement under section 1861(s)(7) or section 1834(l) 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 cases in which an individual would have been transported to a destination permitted under Medicare regulations (as described in section 410.40 to title 42, Code of Federal Regulations (or successor regulations)) but such transport did 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).''; and

(2) in the flush matter at the end, by adding at the end the following: ''Ground ambulance services for which 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 been so 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.

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. 801 et seq.) is 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—

''(1) $219,800,000,000, 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 administration of the funds established under this title.

''(b) AUTHORITY TO MAKE PAYMENTS.—

''(1) PAYMENTS TO TERRITORIES.—

''(A) IN GENERAL.—The Secretary shall reserve $4,500,000,000 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 to each territory; and

''(ii) 50 percent of such amount shall be allocated by the Secretary as an additional amount to each territory in an amount which bears the same proportion to ½ of the total amount reserved under subparagraph (A) as the population of the territory bears to the total population of all such territories.

''(C) PAYMENT.—The Secretary shall pay each territory the total of the amounts allocated for the territory under subparagraph (B) in accordance with paragraph (6).

''(2) 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) $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) PAYMENT.— The Secretary shall pay each Tribal government the total of the amounts allocated for the Tribal government under subparagraph (B) in accordance with paragraph (6).

''(3) PAYMENTS TO EACH OF THE 50 STATES AND THE DISTRICT OF COLUMBIA.—

''(A) IN GENERAL.—The Secretary shall reserve $195,300,000,000 of the amount appropriated under subsection (a)(1) to make payments to each of the 50 States and the District of Columbia.

''(B) ALLOCATIONS.—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;

''(ii) an amount equal to $1,250,000,000 less the amount allocated for the District of Columbia pursuant to section 601(c)(6) shall be allocated by the Secretary as an additional amount to the District of Columbia; and

''(iii) an amount equal to the remainder of the amount reserved 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 average estimated number of seasonally-adjusted unemployed individuals (as measured 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 in all of the 50 States and the District of Columbia over the same period.

''(C) PAYMENT.—

''(i) IN GENERAL.—Subject to clause (ii), the Secretary shall pay each of the 50 States and the District of Columbia, from the amount reserved under subparagraph (A), the total of the amounts allocated for the State and District of Columbia under subparagraph (B) in accordance with paragraph (6).

''(ii) MINIMUM PAYMENT REQUIREMENT.—

''(I) IN GENERAL.—The sum of—

''(aa) the total amounts allocated for 1 of the 50 States or the District of Columbia under subparagraph (B) (as determined without regard to this clause); and

''(bb) the amounts allocated under section 603 to the State (for distribution by the State to nonentitlement units of local government in the State) and to metropolitan cities and counties in the State;

shall not be less than the amount allocated to the State or District of Columbia for fiscal year 2020 under section 601, including any amount paid directly to a unit of local government in the State under such section.

''(II) PRO RATA ADJUSTMENT.—The Secretary shall adjust on a pro rata basis the amount of the allocations for each of the 50 States and the District of Columbia determined under subparagraph (B)(iii) (without regard to this clause) to the extent necessary to comply with the requirement of subclause (I).

''(4) 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 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.

''(6) TIMING.—

''(A) STATES AND TERRITORIES.—

''(i) IN GENERAL.—To the extent practicable, subject to clause (ii), with respect to each State and territory allocated a payment under this subsection, 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.

''(ii) AUTHORITY TO SPLIT PAYMENT.—

''(I) IN GENERAL.—The Secretary shall have the authority to withhold payment of up to 50 percent of the amount allocated to each State and territory (other than payment of the amount allocated under paragraph (3)(B)(ii) to the District of Columbia) for a period of up to 12 months from the date on which the State or territory provides the certification required under subsection (d)(1). The Secretary shall exercise such authority with respect to a State or territory based on the unemployment rate in the State or territory as of such date.

''(II) PAYMENT OF WITHHELD AMOUNT.—Before paying to a State or territory the remainder of an amount allocated to the State or territory (subject to subclause (III)) that has been withheld by the Secretary under subclause (I), the Secretary shall require the State or territory to submit a second certification under subsection (d)(1), in addition to such other information as the Secretary may require.

''(III) RECOVERY OF AMOUNTS SUBJECT TO RECOUPMENT.—If a State or territory is required under subsection (e) to repay funds for failing to comply with subsection (c), the Secretary may reduce the amount otherwise payable to the State or territory under subclause (II) by the amount that the State or territory would otherwise be required to repay under such subsection (e).

''(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.

''(C) INITIAL PAYMENT TO DISTRICT OF COLUMBIA.—The Secretary shall pay 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) 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 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;

''(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the State, territory, or Tribal government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

''(C) for the provision of government services to the extent of the reduction in revenue of such State, territory, or Tribal government due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the State, territory, or Tribal government prior to the emergency; or

''(D) to make necessary investments in water, sewer, or broadband infrastructure.

''(2) FURTHER RESTRICTION ON USE OF FUNDS.—

''(A) IN GENERAL.—A State or territory shall not use the funds provided under this section or transferred pursuant to 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, regulation, or administrative interpretation 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.

''(3) TRANSFER AUTHORITY.—A State, territory, or Tribal government 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 Tribal organization (as 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.—

''(1) IN GENERAL.—In order for 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.

''(2) 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, all modifications 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 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)(2)(A), 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 may 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) ELIGIBLE WORKERS.—The term 'eligible workers' means those workers needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as each Governor of a State or territory, or each Tribal government, may designate as critical to protect the health and well-being of the residents of their State, territory, or Tribal government.

''(3) PREMIUM PAY.—The term 'premium pay' means an amount of up to $13 per hour that is paid to an eligible worker, in addition to wages or remuneration the eligible worker otherwise receives, for all work performed by the eligible worker during the COVID–19 public health emergency. Such amount may not exceed $25,000 with respect to any single eligible worker.

''(4) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(5) STATE.—The term 'State' means each of the 50 States and the District of Columbia.

''(6) 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.

''(7) 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 Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

"SEC. 603. CORONAVIRUS LOCAL 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, $130,200,000,000, to remain available through December 31, 2024, for making payments under this section to metropolitan cities, nonentitlement units of local

government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (COVID–19).

''(b) AUTHORITY TO MAKE PAYMENTS.—

''(1) METROPOLITAN CITIES.—

''(A) IN GENERAL.—Of the amount appropriated under subsection (a), the Secretary shall reserve $45,570,000,000 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 city consistent with the formula 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, the Secretary shall substitute 'all metropolitan cities' 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 $19,530,000,000 to make payments to States for distribution by the State 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 such reserved amount as the total population of all areas that are non-metropolitan cities in the State bears to the total population of all areas that are non-metropolitan cities in all such States.

''(C) DISTRIBUTION TO NONENTITLEMENT UNITS OF LOCAL GOVERNMENT.—

''(i) IN GENERAL.—Not later than 30 days after a State receives a payment under subparagraph (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.—

''(I) EXTENSION FOR DISTRIBUTION.—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 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).

''(II) ADDITIONAL EXTENSIONS.—

''(aa) IN GENERAL.—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 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 such period only if—

''(AA) the authorized officer making such request 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 subclause (I) and this subclause); and

''(BB) the Secretary determines that such plan is reasonably designed to distribute all such funds to nonentitlement units of local government by the end of the distribution period (as so extended).

''(bb) FURTHER ADDITIONAL EXTENSIONS.—If a State granted an additional extension of the distribution period under item (aa) requires any further additional extensions of such period, the request only may be made and granted subject to the requirements specified in item (aa).

''(iii) CAPPED AMOUNT.—The total amount distributed to a nonentitlement unit of local government under this paragraph may not exceed the amount equal to 75 percent of the most recent budget for the nonentitlement unit of local government as of January 27, 2020.

''(iv) RETURN OF EXCESS AMOUNTS.—Any amounts not distributed to a nonentitlement unit of local government as a result of the application of clause (iii) shall be returned to the Secretary.

''(D) PENALTY 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) or, if later, the last day of the distribution period for the State (as extended with respect to the State under subparagraph (C)(ii)), such 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 granted in accordance with such subparagraph), an amount equal to the amount of such payment that remains undistributed as of such date shall be booked as a debt of such State owed to the Federal Government, shall be paid back from the State's allocation provided under section 602(b)(3)(B)(iii), and shall be deposited into the general fund of the Treasury.

''(3) COUNTIES.—

''(A) AMOUNT.—From the amount appropriated under subsection (a), the Secretary shall reserve and allocate $65,100,000,000 of such amount to make payments directly to counties in an amount which bears the same proportion to the total amount reserved under this paragraph as the population of each such county bears to the total population of all such entities and shall pay such allocated amounts 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 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 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 units of general local government 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 the boundaries of another unit of general local government may receive a distribution under each of paragraphs (1), (2), and (3), as applicable, based on the respective formulas specified in such 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 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 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 on which the First Tranche Amount is paid to the city, State, or county.

''(c) REQUIREMENTS.—

''(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 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, by December 31, 2024—

''(A) to respond 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;

''(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

''(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 the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

''(D) to make necessary investments in water, sewer, or broadband infrastructure.

''(2) 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.

''(3) 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) 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 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 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 violation 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:

''(1) COUNTY.—The term 'county' means a county, parish, or other equivalent county division (as defined by the Bureau of the Census).

''(2) ELIGIBLE WORKERS.—The term 'eligible workers' means those workers needed to maintain continuity of operations of essential critical infrastructure sectors and additional sectors as each chief executive officer of a metropolitan city, nonentitlement unit of local government, or county may designate as critical to protect the health and well-being of the residents of their metropolitan city, nonentitlement unit of local government, or county.

''(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), each State for which an amount is allocated under subsection (b)(2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under subsection (b)(3), 50 percent of the amount so allocated to such metropolitan city, State, or county (as applicable).

''(4) 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)) 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.

''(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)(5) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(5))), that is not a metropolitan city.

''(6) PREMIUM PAY.—The term 'premium pay' has the meaning given such term in section 602(g).

''(7) 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), each State for which an amount is allocated under subsection (b)(2) for distribution to nonentitlement units of local government, and each county for which an amount is allocated under subsection (b)(3), an amount not to exceed 50 percent of the amount so allocated to such metropolitan city, State, or county (as applicable).

''(8) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(9) 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.

''(10) UNIT OF GENERAL LOCAL GOVERNMENT.—The term 'unit of general local government' has the meaning given that term in section 102(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(1)).

"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, $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 the Coronavirus Disease (COVID–19).

''(b) PAYMENTS.—

''(1) MINIMUM AMOUNTS.—From the amount appropriated under subsection (a)—

''(A) the Secretary shall pay $100,000,000 to each State;

''(B) the Secretary shall pay $100,000,000 of such amount in equal shares to the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau; and

''(C) the Secretary shall pay $100,000,000 of such amount in equal shares 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; and

''(ii) not less than $50,000, and not more than $200,000, shall be paid to the State of Hawaii for the exclusive use of the Department of Hawaiian Home Lands and the Native Hawaiian Education Programs to assist Native Hawaiians in accordance with this section.

''(2) REMAINING AMOUNTS.—

''(A) IN GENERAL.—From 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 population such that—

''(i) 50 percent of such amount shall be allocated among the States based on the proportion that the population of each State bears to the population of all States;

''(ii) 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

''(iii) 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 poverty line applicable to a family of the size involved in each State bears to the number of such individuals 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 Bureau of the Census.

''(c) TIMING.—The Secretary shall establish a process of 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) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and Puerto Rico.

''(3) TRIBAL GOVERNMENT.—The term 'Tribal government' has the meaning given such term in section 602(g).

"SEC. 605. LOCAL ASSISTANCE AND TRIBAL CONSISTENCY 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, $2,000,000,000 to remain available until September 30, 2023, with amounts to be obligated for each of fiscal years 2022 and 2023 in accordance with subsection (b), for making payments under this section to eligible revenue sharing counties and eligible Tribal governments.

''(b) AUTHORITY TO MAKE PAYMENTS.—

''(1) PAYMENTS TO ELIGIBLE REVENUE SHARING COUNTIES.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $750,000,000 of the total amount appropriated under subsection (a) to allocate and pay to each eligible revenue sharing county in amounts that are determined by the Secretary taking into account economic conditions of each eligible revenue sharing county, using measurements of poverty rates, household income, land values, and unemployment rates as well as other economic indicators, over the 20-year period ending with September 30, 2021.

''(2) PAYMENTS TO ELIGIBLE TRIBAL GOVERNMENTS.—For each of fiscal years 2022 and 2023, the Secretary shall reserve $250,000,000 of the total amount appropriated under subsection (a) to allocate and pay to eligible Tribal governments in amounts that are determined by the Secretary taking into account economic conditions of each eligible Tribe.

''(c) USE OF PAYMENTS.—An eligible revenue sharing county or an eligible Tribal government may use funds provided under a payment made under this section for any governmental purpose other than a lobbying activity.

''(d) REPORTING REQUIREMENT.—Any eligible revenue sharing county receiving a payment under this section shall provide to the Secretary periodic reports providing a detailed accounting of the uses of fund by such eligible revenue sharing county and such other information as the Secretary may require for the administration of this section.

''(e) RECOUPMENT.—Any eligible revenue sharing county that has failed to submit a report required under subsection (d) or failed to comply with subsection (c), shall be required to repay to the Secretary an amount equal to—

''(1) in the case of a failure to comply with subsection (c), the amount of funds used in violation of such subsection; and

''(2) in the case of a failure to submit a report required under subsection (d), such amount as the Secretary determines appropriate, but not to exceed 5 percent of the amount paid to the eligible revenue sharing county under this section for all fiscal years.

''(f) DEFINITIONS.—In this section:

''(1) ELIGIBLE REVENUE SHARING COUNTY.—The term 'eligible revenue sharing county' means—

''(A) a county, parish, or borough—

''(i) that is independent of any other unit of local government; and

''(ii) that, as determined by the Secretary, is the principal provider of government services for the area within its jurisdiction; and

''(iii) for which, as determined by the Secretary, there is a negative revenue impact due to implementation of a Federal program or changes to such program; and

''(B) the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the United States Virgin Islands.

''(2) ELIGIBLE TRIBAL GOVERNMENT.—The term 'eligible Tribal government' means the recognized governing body of an eligible Tribe.

''(3) ELIGIBLE TRIBE.—The term 'eligible Tribe' means 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 section pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).

''(4) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.''.

(b) CONFORMING AMENDMENT.—The heading for title VI of the Social Security Act (42 U.S.C. 801 et seq.) is amended by striking ''**FUND**'' and

*inserting ''**, FISCAL RECOVERY, AND CRITICAL CAPITAL PROJECTS FUNDS**''.*

Subtitle N—Other Provisions

SEC. 9911. FUNDING FOR PROVIDERS RELATING TO COVID–19.

Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by adding at the end the following:

''SEC. 1150C. FUNDING FOR PROVIDERS RELATING TO COVID–19.

''(a) FUNDING.—In addition to amounts otherwise available, there is appropriated to the Secretary, for fiscal year 2021, out of any monies in the Treasury not otherwise appropriated, $8,500,000,000 for purposes of making payments to eligible health care providers for health care related expenses and lost revenues that are attributable to COVID–19. Amounts appropriated under the preceding sentence shall remain available until expended.

''(b) APPLICATION REQUIREMENT.—To be eligible for a payment under this section, an eligible health care provider shall submit to 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 payment, 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 appropriate 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.

''(c) 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.

''(d) 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.

''(e) 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 under section 1866(j) (including temporarily enrolled during the emergency period described in section 1135(g)(1)(B) for such period);

''(ii) provides diagnoses, testing, or care for individuals with possible or actual cases of COVID–19; and

''(iii) is a rural provider or supplier; or

''(B) a provider or supplier that—

''(i) is enrolled with 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 1902(a)(78) or section 1932(d)(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 2107(e)(1) (including enrolled pursuant to subparagraph (D) or (Q) of such section);

''(ii) provides diagnoses, testing, or care for individuals with possible or actual cases of COVID–19; and

''(iii) is a rural provider or supplier.

''(2) HEALTH CARE RELATED EXPENSES ATTRIBUTABLE 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 a temporary structure, the leasing of a property, 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 operation center, retrofitting a facility, providing for surge capacity, and other expenses determined appropriate by the Secretary.

''(3) LOST REVENUE ATTRIBUTABLE TO COVID–19.—The term 'lost 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' includes, as determined appropriate by the Secretary, a pre-payment, a prospective payment, a retrospective payment, or a payment through a grant or other mechanism.

''(5) RURAL PROVIDER OR SUPPLIER.—The term 'rural provider or supplier' means—

''(A) a—

''(i) provider or supplier located in a rural area (as defined in section 1886(d)(2)(D)); or

''(ii) provider treated as located in a rural area pursuant to section 1886(d)(8)(E);

''(B) a provider or supplier located in any other area that serves rural patients (as defined by the Secretary), which may include, but is not required to include, a metropolitan statistical area with a population of less than 500,000 (determined based on the most recently available data);

''(C) a rural health clinic (as defined in section 1861(aa)(2));

''(D) a provider or supplier that furnishes home health, hospice, or long-term services and supports in an individual's home located in a rural area (as defined in section 1886(d)(2)(D)); or

''(E) any other rural provider or supplier (as defined by the Secretary).''.

SEC. 9912. EXTENSION OF CUSTOMS USER FEES.

(a) IN GENERAL.—Section 13031(j)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is amended—

(1) in subparagraph (A), by striking ''October 21, 2029'' and inserting ''September 30, 2030''; and

(2) in subparagraph (B)(i), by striking ''October 21, 2029'' and inserting ''September 30, 2030''.

(b) RATE 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 ''September 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, $204,000,000, 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 the 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 Administrator of the United States Agency for International Development for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $41,000,000, to remain available until September 30, 2022, to carry out the provisions of section 667 of the Foreign Assistance Act of 1961 (22 U.S.C. 2427) 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, $8,675,000,000, to remain available until September 30, 2022, for necessary expenses 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. 2346) as health programs 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) $905,000,000 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 a contribution to a multilateral vaccine development partnership to support epidemic preparedness;

(2) $3,750,000,000 to be made available to the Department of State to support programs for the prevention, treatment, and control of HIV/AIDS in order to prevent, prepare for, and respond to coronavirus, including to mitigate the impact on such programs from coronavirus and support recovery from the impacts of the coronavirus, of which not less than $3,500,000,000 shall be for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria;

(3) $3,090,000,000 to be made available to the United States Agency for International Development to prevent, prepare for, and respond to coronavirus, which shall include support for international disaster relief, rehabilitation, and reconstruction, for health activities, and to meet emergency food security needs; and

(4) $930,000,000 to be made available to prevent, prepare for, and respond to coronavirus, which shall include activities to address economic and stabilization requirements resulting from such virus.

(b) WAIVER OF LIMITATION.—Any contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria made pursuant to subsection (a)(2) shall be made available notwithstanding section 202(d)(4)(A)(i) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7622(d)(4)(A)(i)), and such contribution shall not be considered a contribution for the purpose of applying such 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 2(a) and (b) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(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. 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 301(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2221(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.

(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, $6,094,000,000, to remain available until expended, of which—

(1) $5,484,000,000 shall be for carrying out the Act of August 5, 1954 (42 U.S.C. 2001 et seq.) (commonly referred to as the Transfer Act), 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. 201 et seq. and 241 et seq.) with respect to the Indian Health Service, of which—

(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, services provided through the Purchased/Referred 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. 1603));

(E) $600,000,000 shall be for necessary expenses to plan, prepare for, promote, distribute, administer, and track COVID–19 vaccines, for the purposes described in subparagraphs (F) and (G), and for other vaccine-related activities;

(F) $1,500,000,000 shall be for necessary expenses to detect, diagnose, trace, and monitor COVID–19 infections, activities necessary to mitigate the spread of COVID–19, supplies necessary for such 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) $600,000,000 shall be for the lease, purchase, construction, alteration, renovation, or equipping of health 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 (42 U.S.C. 2004a), 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. 202 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. 2004a) 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 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 date on which 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. 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 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. 11002. BUREAU OF INDIAN AFFAIRS.

(a) IN GENERAL.—In addition to amounts otherwise made available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, $900,000,000 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;

(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 participate in the ''Small and Needy'' 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 SUPPORTIVE SERVICES PROGRAMS FOR NATIVE AMERICANS.

(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, $750,000,000, to remain available until September 30, 2025, to prevent, prepare for, and respond to coronavirus, for activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 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 with respect to Indian tribes (42 U.S.C. 5306(a)(1)), which shall be made available as follows:

(1) HOUSING BLOCK GRANTS.—$455,000,000 shall be available 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 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) USE.—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 rental 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 (25 U.S.C. 4101 et seq.) or regulation applicable to the Native American Housing Block Grants or 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).

(2) 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 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 incurred by a recipient, including for costs incurred after January 21, 2020.

(D) 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 to prevent, prepare for, and respond to coronavirus.

(E) WAIVERS OR ALTERNATIVE REQUIREMENTS.—The Secretary may waive or specify alternative requirements for any provision of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 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.

(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 training and technical assistance to Indian tribes, Indian housing authorities, tribally designated housing entities, and recipients under title VIII of NAHASDA for activities under this section.

(4) OTHER COSTS.—$5,000,000 shall be used for the administrative costs to oversee and administer the implementation of this section, and pay for associated 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. 2992d) 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 803C(g) of this Act.''.

(b) Section 803C of the Native American Programs Act of 1974 (42 U.S.C. 2991b–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. 247d) with respect to the COVID–19 pandemic.''.

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 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 operated or funded 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. 2021(3)), and for Tribal Colleges or Universities (as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)(3))).

SEC. 11006. AMERICAN INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION.

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, $190,000,000, to remain available until expended, for awards, which shall be determined 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. 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 6304(a)(1) of the Elementary and Secondary Education Act of 1965 of 1965 (20 U.S.C. 7544(a)(1)) for activities authorized under section 6304(a)(2–3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7544(a)(2–3)) and other related activities.

MOTION TO CONCUR

Mr. YARMUTH. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Yarmuth moves that the House concur in the Senate amendment to H.R. 1319.

The SPEAKER pro tempore. Pursuant to House Resolution 198, the motion shall be debatable for 2 hours equally divided among and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees and the chair and ranking minority member of the Committee on Ways and Means or their respective designees.

The gentleman from Kentucky (Mr. YARMUTH), the gentleman from Missouri (Mr. SMITH), the gentleman from Massachusetts (Mr. NEAL), and the gentleman from Texas (Mr. BRADY) each will control 30 minutes.

The Chair now recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. YARMUTH. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and insert extraneous material into the RECORD on the Senate amendment to H.R. 1319.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. YARMUTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the sponsor of this legislation, I am immensely proud that we will soon send this bill to President Biden's desk to be signed into law. We have acted with the urgency this pandemic demands, while following every House rule and proper procedure required for a budget reconciliation package.

The American Rescue Plan is aggressive—no doubt about it. But researchers and health professionals have told us this is what is needed to scale up testing and tracing, to address PPE shortages, and to speed up equitable vaccine distribution. They have told us these investments are needed if we want to save lives and defeat this pandemic once and for all.

Economists have also made clear what is needed to generate a strong, inclusive economic recovery. And again, we listened. This bill provides direct financial relief to more than 80 percent of American families. It helps feed hungry Americans and provides financial support so families can afford health coverage during the greatest health crisis of our lifetimes. It prevents more than 10 million workers from losing lifeline unemployment benefits—while also making the first $10,200 of these payments tax free. It helps families facing eviction stay in their homes. And it expands the earned income tax credit, putting more money in the pockets of hardworking Americans.

The American Rescue Plan will provide the resources needed to open schools safely and make up for lost time in the classroom. It will cut the child poverty rate in half—in half. Just think about what that will mean for those children and their futures—and the future of our country.

The legislation has been called one of the most consequential pieces of legislation in modern history. Well, I guess that depends—if you are measuring in terms of relief for nearly every American family and hardworking individual; if your yardstick is lifting millions of children out of poverty and giving parents the help they desperately need; if your metrics are a strong and inclusive economic future both in the short term and long term, then it is easy to agree.

And the American people do. They get what we are doing. They know all too well the challenges facing our Nation, and that is why the vast majority of them—Democrats, Republicans, and independents—support the American Rescue Plan.

□ 1015

Look, this is it. Congress' work on the bill is almost done. In just a short time, we will pass this legislation. We will send it to President Biden's desk, and he will sign it into law. We promised relief. The President promised relief, and now help is on the way.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, rewards the political class, not the working class; that should be the name of this bailout plan.

When our Democrat colleagues got together to describe how to proceed on additional COVID–19 spending, they could have done a number of things.

They should have followed the bipartisan precedent set over the past year and worked across the aisle. Instead, they chose a purely partisan process to jam through a radical agenda, putting the political class ahead of America's working class.

They could have looked at the data coming out of the Congressional Budget Office. Had they done so, they would have seen that, absent any new funding, the economy is projected to reach prepandemic levels of real GDP growth by the middle of this year. Further, they would have seen that without this bailout, America is already projected to see its largest GDP growth in 15 years. Instead, they ignored the data, just like they have ignored the science. And they now hope that their bailout plan gets credit for an economic recovery that CBO tells us is already underway.

They could have accounted for the approximately $1 trillion in COVID–19 money Congress already appropriated in a bipartisan approach but which has not been spent yet. Instead, they ignored calls to provide an accurate and thorough accounting of unspent funds. Now, they are charging American taxpayers another $2 trillion.

They could have focused on timely and targeted relief to support those

that are most in need, to reopen schools in our communities and storefronts on Main Street, and to crush the virus and put shots in Americans' arms. Instead, less than 9 percent of this bailout goes to crushing the virus and dispensing vaccines. Only 5 percent of the K–12 education funding will be spent this year, even as Americans are told this money is needed to reopen their children's schools.

Of course, Democrat leaders are more than willing to spend hundreds of billions to bail out States, sending a disproportionate share of that money to those States run by their political buddies that will reward and incentivize further lockdowns.

Just look at how they changed the State funding formula. California, where revenues are, in fact, up, and they are sitting on a surplus of $10-plus billion, will now get billions more than they otherwise would have, a direct reward to the Speaker and Vice President's home State.

It was all so predictable, really. From the very beginning of this process, Republicans have been saying that this bailout was never about COVID relief but, rather, about Democrats trying to notch some wins for their political base, to appease their allies rather than help Americans.

Amazingly, Democrats are not even shy now about admitting that fact. The White House Chief of Staff has called this bill the ''most progressive domestic legislation in a generation.''

Leader SCHUMER, in the Senate, called it ''one of the most progressive pieces of legislation . . . in decades.''

We are here today, Mr. Speaker, because Democrats made a choice, a choice to put their own partisan political ambitions ahead of the needs of the working class, ahead of the needs of the American people. When our Democrat colleagues speak of unity, they mean keeping their party together, not pulling this country together.

That is why we have before us this wrong plan at the wrong time for so many wrong reasons.

Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from California (Ms. LEE), a distinguished member of the Budget Committee.

Ms. LEE of California. Mr. Speaker, I rise in strong support of this rescue plan.

I thank Chairman YARMUTH, the Speaker, and all the committee chairs for this historic and transformative bill.

We have struggled through a year of gross neglect. People have suffered. They have died. They have lost their jobs and businesses. Families are living on the edge. But today, thank God, help is on the way.

We included provisions to ensure that communities of color disproportionately impacted by the virus get the care and vaccines they desperately need.

We included support for State and local governments, for our essential workers, resources to help our schools open safely, child tax credits that will cut child poverty in half, and investments to crush the virus worldwide.

We will, however, continue to fight for a $15 minimum wage to lift low-income people out of poverty.

I ask for an ''aye'' vote.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentlewoman from California. I will remind her that if this bill were enacted, her State's 6 million seniors would see a cut of Medicare of over $44 billion in the next 10 years.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, there is one thing that all sides can agree on: This is the most leftwing bill ever passed by the Congress.

But beware. There is no such thing as free money. All of it must be borrowed from the same capital pool that would otherwise be available as loans to consumers, home buyers, and small businesses. And it will be repaid entirely from your future earnings in the years ahead.

Divided by the number of U.S. households, the bill, for an average family, comes to roughly $15,000. Now, that is money that has to be taken from your family through future taxes and inflation, through lower wages and earnings as businesses pass along their costs. That is the only way that government debt can be financed.

Government lockdowns have devastated America's prosperity. The answer is to end the lockdowns, not rob Americans of their futures by crushing their families under debt that will destroy their opportunity, independence, and prosperity in the years ahead.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentleman from Nevada (Mr. HORSFORD), a distinguished member of the Budget Committee.

Mr. HORSFORD. Mr. Speaker, I rise in support of the American Rescue Plan.

Last year, as the COVID–19 pandemic first spread, I worked across the aisle to pass the CARES Act. Passing that bill required compromise, and the final legislation omitted key provisions that I wanted us to deliver on. But the American people got the relief they needed, and that was what was the most important thing.

One year later, with Democrats in the White House, Republicans won't help us in this pandemic. Why? Because Donald Trump's name won't be on the stimulus checks? Is that how easily they will abandon their constituents?

The American Rescue Plan will deliver $1,400 stimulus checks, cut child poverty in half, and provide critical support to help our communities recover and reopen.

The time for action is now, and if Republicans won't help us crush the coronavirus, we will do it without them.

For the sake of my constituents and all Americans, I am voting ''yes'' on the American Rescue Plan.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentleman from Nevada. I will remind him that with this bill, if it is signed into law, his 500,000 seniors will face a $3 billion cut to Medicare. So his vote today will cost a $3 billion cut to the seniors of Nevada.

Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MEUSER).

Mr. MEUSER. Mr. Speaker, over the past year, Congress passed five bipartisan and targeted relief bills, totaling $3.7 trillion, to respond to the COVID–19 pandemic. These packages succeeded in supporting our economy through the worst of this crisis.

Now, Democrat leadership wants to spend another $2 trillion on an excessive plan that directs just 1 percent toward vaccines, 1 percent, and provides far beyond what is needed to fuel our continued recovery.

States will receive $350 billion on top of the $500 billion already allocated. Revenue is actually up in these States.

Supplementing unemployment compensation while small business is hurting for employees is the wrong move to be made at this time.

Mr. Speaker, in this bill, felons, including currently incarcerated murderers, were not exempt from receiving these stimulus checks that are intended for taxpayers.

Federal workers, Mr. Speaker, will receive up to $35 an hour, in addition to their full salary, to care for a child learning from home.

Why do Federal workers deserve such privilege, Mr. Speaker, when we should be focused on economic recovery, getting our children back to school, and vaccine distribution? That is what is in the interests of the American people.

Mr. YARMUTH. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. CLYBURN), the majority whip.

Mr. CLYBURN. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, the American Rescue Plan enjoys overwhelming public support because it addresses critical needs exasperated by COVID–19. It is supported by 75 percent of the American people, 71 percent of independents, and 60 percent of Republicans.

This legislation is transformative. It specifically provides $1.6 billion for HBCUs and additional funds through the United States Department of Agriculture, which is now authorized to increase its support of our 1890 land grant institutions.

The Washington Post reports: A little-known element of this ''package would pay billions of dollars to disadvantaged farmers, benefiting Black farmers in a way that some experts say no legislation has since the Civil Rights Act of 1964.''

The New York Times says: ''Researchers predict it could become one

of the most effective laws to fight poverty in a generation,'' and would ''cut the child poverty rate in half.''

The Associated Press declares: ''Several million people stand to save hundreds of dollars in health insurance costs'' in ''the biggest expansion of Federal help for health insurance'' since the Affordable Care Act.

I call upon my Republican colleagues to stop their March madness and show some compassion for their constituents who are less than wealthy.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentleman from South Carolina, and I will remind him that if this bill becomes law, the 1 million seniors in his State will face a $7 billion cut over the next 10 years to Medicare.

Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CARTER).

Mr. CARTER of Georgia. Mr. Speaker, I rise today to oppose this bill and to urge my colleagues to do the same.

After passing more than $3 trillion worth of relief packages, we find ourselves finally overcoming the COVID–19 virus. We have successfully developed vaccines to combat this virus in record time, and now we see our economy opening up and coming back to full strength.

What is more, we have yet to spend $1 trillion that has already been enacted, that has already been appropriated, already been voted on.

Why do we need to pass another $1.9 trillion? You will find the reasons in the more than 90 percent of the bill that does not specifically target combating COVID–19.

What you will find is a partisan list of priorities and bailouts, 27 percent of it going to bailing out State and local governments that insisted on continued harmful lockdowns and did little to stop the virus, 21 percent dedicated to partisan policies that will reduce employment, and 45 percent of the bill won't even be spent until 2022 or later.

Perhaps that is why only two Republican amendments of 229 were accepted. The only thing bipartisan about this bill has been the opposition to it.

□ 1030

Mr. YARMUTH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I suspect we will listen to this throughout this debate. The ranking member of the Budget Committee, Mr. SMITH, persists in trying to scare the American people because he doesn't have a valid argument against this incredible popular bill.

Let me make this very clear: The statutory PAYGO requirements, which would cause a cut in Medicare, has never happened, won't happen, and will never happen. In 2017, when Republicans cut taxes for the wealthy and big corporations, we faced the same problem. We cured that. Democrats helped Republicans solve that issue. The only way any Medicare dollars get cut because of this bill is if Republicans don't help us correct it.

Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. LEVIN), a distinguished member of the Veterans' Affairs Committee.

Mr. LEVIN of California. Mr. Speaker, as the proud vice chair of the House Committee on Veterans' Affairs, I particularly want to call out the critical relief that the American Rescue Plan provides for those who have served our country.

The bill includes important funding for the Veterans Health Administration, prohibits copayments for medical care for veterans during the pandemic, strengthens VA's supply chain modernization, and helps State Veterans Homes upgrade and enhance their safety operations.

It provides critical funding to increase VA's claims and appeals process to reduce the backlog caused by COVID–19, and it funds enhanced oversight through VA's Office of Inspector General.

As chair of the Economic Opportunity Subcommittee, I am particularly proud that it provides $386 million for a rapid retraining program to help unemployed veterans get back to work.

Thanks to the leadership of Committee Chairman MARK TAKANO and our colleagues, this bill provides the relief that veterans need and deserve.

To our Nation's veterans, help is on the way.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentleman from California, and I will remind him that his State has 27 percent of the homeless population in the United States. But under this bill, the CBO projects that precisely zero dollars of the $5 billion will be spent this year. Wrong plan at the wrong time for so many wrong reasons.

Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. GOOD).

Mr. GOOD of Virginia. Mr. Speaker, this bill is what Democrat control looks like.

At $1.9 trillion, this bill spends an average of $6,000 per American citizen.

What would you say to somebody claiming to be a friend, who forced you to take out a loan for $6,000 because he might give you $1,400 from a portion of those loan proceeds? Would you consider that a good deal?

What if the same friend had already forced you to take out loans totaling $85,000 and you had little to nothing to show for it?

That is the average citizen's share of the national debt.

This bill takes aggregate so-called COVID relief spending to $6 trillion to alleviate an estimated $300 billion in lost wages. This is 20 times the spending compared to the lost wages.

What is next?

This is not even the beginning of the end of the Democrats' insatiable desire to spend their citizens into financial ruin.

Only 9 percent of the $1.9 trillion is even related to COVID relief, while 91 percent is for pet Democrat projects.

We still have $1 trillion unspent from the previous $4 trillion, and despite the efforts of the Republicans on the Budget Committee begging the President for answers, we can't even get an accounting for that.

The bill gives $500 billion in bailouts to failed, poorly run blue State governments that have only lost an estimated $7.6 billion in revenue. The bill does nothing to push the blue States to reopen, to even get the bailout money. Those amendments were rejected.

At least the House Democrats didn't call us Neanderthals when they voted against reopening.

The CDC estimated last spring that it would cost $25 billion to reopen the schools, and there was $70 billion already spent in the $4 trillion worth of COVID packages from last year. However, there is no pressure on the schools to reopen to get the additional $130 billion that is in this bill. Those amendments were rejected, too.

Only 5 percent of the $130 billion will even be spent this year. That is how essential it is for COVID relief.

But there is $12 billion in foreign aid, $270 billion for arts and humanities, and millions more for the Speaker's pet projects. With $30 trillion in national debt, which will be the balance when this is passed, we will owe $90,000 per citizen.

How dare we do that to the next generation.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from Illinois (Ms. SCHAKOWSKY), a distinguished member of the Budget Committee.

Ms. SCHAKOWSKY. Mr. Speaker, this is a historic day. It is the beginning of the end of the great COVID depression. It also marks the end of a decades-long successful battle by big corporations and the super rich in this country for trickle-down economics, the idea that the rich getting richer will somehow make us all do better. Wrong.

Today, we are putting money in the pockets of ordinary people, of poor people, of the middle class, and they will be the engine that creates a healthy, prosperous future for all of us.

Mr. SMITH of Missouri. Mr. Speaker, I would like to say that, under President Trump, we had the lowest poverty rate since 1959 in 2019. The lowest poverty rate since 1959 came under President Trump. Thank you to President Trump.

Mr. Speaker, I yield 1 minute to the gentleman from Iowa (Mr. FEENSTRA).

Mr. FEENSTRA. Mr. Speaker, I rise in opposition to this reckless spending bill.

On Monday, the Congressional Budget Office announced the Federal deficit has already exceeded $1 trillion in the first 5 months of fiscal year 2021.

Spending this year is already up 25 percent, and this massive spending bill adds another $1.9 trillion to our deficit.

We are currently enjoying low interest rates, but out-of-control spending

will lead to inflation. In this current year, inflation has already increased by 3 percent. Inflation leads to interest rate hikes. For example, in the 1980s, the Federal Reserve raised interest rates by 20 percent.

The debt is already at $28 trillion. So higher interest rates will cause a catastrophic death spiral.

This bill does not rescue our country. It literally puts us in peril.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from Texas (Ms. JACKSON LEE), a distinguished member of the Budget Committee.

Ms. JACKSON LEE. Mr. Speaker, the January 6 insurrectionists did not win. The American Government, the people of the United States, won with a Democratic government that has come to the rescue with the American Rescue Plan.

The long lines will stop. $20 billion for vaccines. Cash-strapped Americans will get $1,400 and extended unemployment. We will recognize that our children will get back to school with $130 billion. They will be able to stay in school. They will be able to regain lost learning. They will be safely in school.

And, yes, a working family, who my friends do not know, a single-parent working full time and making minimum wage of $15,000 will get $9,525, with children under 6, and a child tax credit of $3,600.

Houston will get $650 million; Harris County, $914 million.

This is a rescue. The insurrectionists did not win, but democracy did. The Democrats are on the way to give you help.

Ms. JACKSON LEE. Mr. Speaker, as a senior member of the Committees on the Judiciary, on Homeland Security, on the Budget, and as the Member of Congress for a congressional district that has experienced the worst of COVID–19 as a public health emergency and economic catastrophe, I rise in strong support of the Senate Amendment to H.R. 1319, the ''American Rescue Plan Act of 2021,'' which provides $1.9 trillion to take immediate and decisive action to crush the virus and vaccinate our people, build the economy back better, reopen schools, and provide needed support and assistance to state and local governments that have been asked to do too much with too little for far too long.

To be clear, I would have preferred the version of the American Rescue Plan passed on February 26, 2021 by the House, without a single Republican vote, but the amended version of the legislation is infinitely better than the feeble and disinterested efforts, and callous disregard of the previous Administration to this deadly pandemic.

Mr Speaker, I support the legislation before us because it will put money directly in the pockets of hard-pressed and weary Americans, vaccination shots in their arms, and help put them back to work and their children back in school.

The key differences between the bills passed by the House and Senate are:

1. The Senate-passed bill does not include the $15 an hour minimum wage provisions that were included in the bill passed by the House.

2. The Senate-passed bill reduces to $80,000 the phase-out range for qualification of an individual to receive direct payments under the legislation.

3. The Senate-passed bill extends the Federal Pandemic Unemployment Compensation (FPUC) only through September 6, but it retains the weekly benefit at the current $300 per week, and it also exempts up to $10,200 in unemployment benefits received in 2020 from federal income taxes for households making less than $150,000.

Like the House bill, the Senate-passed bill finishes the job on the President's promise to provide $2,000 per person in direct assistance to households across America with checks of $1,400 per person, following the $600 down payment enacted in December.

The bill will also provide direct housing assistance and nutrition assistance for 40 million Americans, expand access to safe and reliable child care and affordable health care, extend unemployment insurance so that 18 million American workers can pay their bills and support 27 million children with an expanded Child Tax Credit and more than 17 million low-wage childless workers through an improved Earned Income Tax Credit.

The bill supports communities struggling with the economic fallout by providing, like the House bill, crucial support for the hardest-hit small businesses, especially those owned by entrepreneurs from racial and ethnic backgrounds that have experienced systemic discrimination, with economic injury disaster loans (EIDL) grants, expanded PPP eligibility and more.

This legislation provides crucial resources to protect the jobs of first responders, frontline public health workers, and other essential workers.

Finally, and very important, the American Rescue Plan Act establishes the Coronavirus Local Fiscal Recovery Fund and provides $45.570 billion in direct funding to major metropolitan cities and local governments.

With our vote today in support of the American Rescue Plan, congressional Democrats and President Biden are making good on our commitment to the American people that help is on the way to crush the virus, open our schools safely, and build back better.

Mr. Speaker, by an overwhelming margin (72 percent), the public wants and is demanding that we act to provide more economic relief to address the damage caused by the coronavirus pandemic.

Nearly two-thirds (65 percent) of Republicans and Republican-leaning independents believe an additional relief package is necessary, while more than nine in ten (92 percent) Democrats and Democratic leaders say more coronavirus aid will be needed.

Even the most conservative Republicans favor more relief by a 56 percent–44 percent margin.

Nearly nine-in-ten of all adults (88 percent) in lower-income households say an additional package is necessary, while 81 percent of Republicans in lower-income households (81 percent) say additional aid is needed now.

The American Rescue Plan Act will put food on the table, by expanding the SNAP program and respecting Black family farmers.

The American Rescue Plan Act will put people back to work by prioritizing funding for transit, airlines and airports, and the disaster relief fund.

The American Rescue Plan Act will put a priority on protecting renters and homeowners, preventing homelessness, and providing $10 billion for the Defense Production Act to procure essential medical supplies and equipment.

The American Rescue Plan Act will put money in people's pockets with direct payments, Unemployment Insurance, Child Tax Credit, the Earned Income Tax Credit, and includes pension security and expanded Affordable Care Act coverage.

The American Rescue Plan Act will provide $17 billion in critical funding to help the VA meet the health and economic security of veterans, especially as relates to the benefits claims and appeals backlog caused by COVID–19.

The American Rescue Plan Act will produce and distribute the vaccine and test, treat and protect all Americans, including communities of color.

The American Rescue Plan Act will provides desperately needed funding for our heroes—health care workers, first responders, sanitation, transportation and food workers, and teachers—in states, localities, tribes, and territories.

Let me speak briefly about another crucially important feature of the legislation we will pass today.

The American Rescue Plan Act establishes the Coronavirus Local Fiscal Recovery Fund and provides $45.570 billion in direct funding to major metropolitan cities and local governments.

In my home state of Texas, metropolitan cities are estimated to receive $10.327 billion in direct coronavirus relief funding, while the state of Texas is slated to receive $16.824 billion, for an estimated $27.152 billion total to the state of Texas.

During the Budget Committee markup, I proposed, and the Committee agreed that any effort to strip or reduce this vital funding is to be rejected so major metropolitan cities, like Houston, receive the direct COVID–19 relief funding desperately needed to battle the coronavirus, restore critical services to struggling families, and help save the jobs of essential public servants like teachers, firefighters, and other first responders.

Let me discuss briefly why direct funding to major metropolitan cities and counties is so critical.

The purpose of providing for direct payment to major metropolitan cities like Houston and counties like Harris County, as opposed to the County having to receive an allocation from the State, is so that the local governments, who are in the best position to identify and respond, will be able to tailor the funding to meet the urgent needs of their communities.

For example, under the direct payment provisions in the CARES Act, Harris County received more federal funding relative to the amount that would have been received through the State program and had the flexibility needed for more efficient use of this funding, which was a concern voiced even by State leaders over the restrictive way that the State of Texas distributed CARES Act funding.

By directly allocating funding to metropolitan cities and areas like Houston and Harris County, local authorities can work with the community to determine the specific needs of Harris County residents.

As a result, Harris County Commissioners Court approved, for example, the following

programs to directly address community needs, and to get money into the hands of residents quickly:

1. Commissioners Court funded Community Programs
2. Census Services
3. Childcare Assistance Program
4. Court Evictions Services
5. COVID 19 Workforce Development Program
6. Direct Assistance Programs
7. Domestic Violence Assistance Fund
8. Rental Assistance Programs
9. Small Business Loan Program (LEAP)
10. Small Business Relief Fund
11. Small Cities Support
12. Student Digital Services
13. UT Health Community Spread Survey Program

Without direct payments to major metropolitan cities, state governments—as we saw here in Texas—would not have permitted CARES Act funding to be used to create or support any of these programs.

In addition, without direct payments to major metropolitan cities and government units, states invariably will succumb to the temptation to place onerous conditions on funding over and above those required by the Federal government.

For example, in Texas, only $55 per capita was allocated to nondirect allocation entities, instead of the $174.49 per capita that was allocated to them by Congress.

Additionally, only 20% of the allocation was made available immediately to local entities instead of making 100 percent of the allocation available immediately.

Third, direct funding is necessary to prevent state governments from creating specific categories limiting eligibility for medical expenses, public health expenses, payroll expenses for employees in the fields of public safety, public health, health care, human services, or whose services are substantially dedicated to mitigating or responding to the COVID–19 public health emergency.

Without direct payments to major metropolitan cities, state governments, again as we have seen in Texas, will limit recovery for expenditures to support actions to facilitate compliance with COVID–19 related public health measures or associated with the provision of economic support in connection with the COVID–19, or other COVID–19 related expenses reasonably necessary to the function of government that satisfy the fund's eligibility criteria.

I would urge my Republican colleagues to heed the words of Republican Governor Jim Justice of West Virginia who said colorfully just a few days ago, ''At this point in time in this nation, we need to go big. We need to quit counting the egg-sucking legs on the cows and count the cows and just move. And move forward and move right now.''

The same sentiment was expressed more eloquently by Abraham Lincoln in 1862 when he memorably wrote:

''The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew. We must disenthrall ourselves, and then we shall save our country.''

Mr. Speaker, the bipartisan action we took last December was a step in the right direction but only a long-delayed down payment; we cannot afford any more delays, especially since Republican stalling already caused a painful lapse in critical unemployment assistance last year, and additional unemployment assistance is set to expire on March 14, 2021.

That is why the American Rescue Plan Act is absolutely crucial and the right thing to do and to do right now.

The American Rescue Plan Act proposed by President Biden takes a multiprong approach to tackling the public health and economic crises stemming from the COVID–19 pandemic.

No one is better prepared or more experienced to lead the American rescue than President Biden, who as Vice-President oversaw the implementation of the Recovery Act, which saved millions of jobs and rescued our economy from the Great Recession the Obama Administration and the nation inherited from a previous Republican administration.

And let us not forget that President Obama also placed his confidence in his vice-president to oversee the rescue of the automotive industry, which he did so well that the American car industry fully recovered its status as the world leader.

Mr. Speaker, to crush the virus and safely reopen schools, the American Rescue Plan Act will mount a national vaccination program that includes setting up community vaccination sites nationwide and makes the investments necessary to safely reopen schools.

It will also take complementary measures to combat the virus, including scaling up testing and tracing, addressing shortages of personal protective equipment and other critical supplies, investing in high-quality treatments, and addressing health care disparities.

The American Rescue Plan Act delivers immediate relief to working families bearing the brunt of the crisis by providing $1,400 per person in direct cash assistance to households across America, bringing the total (including the $600 down payment enacted in December) to $2,000.

Additionally, the plan will also provide direct housing and nutrition assistance to families struggling to get by, expand access to safe and reliable child care and affordable health care, extend and expand unemployment insurance so American workers can pay their bills, and give families with children as well as childless workers a boost through enhanced tax credits.

Mr. Speaker, the American Rescue Plan Act provides much needed support for communities struggling with the economic fallout, including hard-hit small businesses, especially those owned by entrepreneurs from racial and ethnic backgrounds that have experienced systemic discrimination.

Finally, the plan also provides crucial resources to protect the jobs of first responders, frontline public health workers, teachers, transit workers, and other essential workers that all Americans depend on.

Mr. Speaker, the COVID–19 pandemic, as did the videos of the unjustified killings of George Floyd, Breanna Taylor, Ahmed Arbrey, and so many others, laid bare for the nation to see the stark racial and ethnic inequalities exacerbated by the virus.

In my home state of Texas, as of the end of September 2020, there have been more than 760,000 cases of COVID–19 and 16,000 deaths.

According to the Texas Department of State Health Care Services, 70 percent of the confirmed fatalities were people of color.

In Texas, COVID–19 mortality rates are 30 percent higher for African Americans and 80 percent higher for Hispanics overall.

The differences become much larger when accounting for age; for example, in the 25 to 44-year-old age group, African American mortality rates are more than four times higher than White rates, and the Hispanic rates are more than seven times higher.

One factor in Hispanic and African American populations being more likely to contract COVID–19 is employment in occupations associated with public contact and that cannot be done remotely.

The sad fact is that most workers in these occupations are less able to be absent from their job or to have paid time off.

In Texas, people of color make up more than 40 percent of cashiers, retail salespersons, child care workers, licensed practical nurses, more than 50 percent of bus drivers and transit workers, medical and nursing assistants, personal care aides, and home health aides, and more than 60 percent of building cleaners and housekeepers.

In addition, Hispanic and African American populations in Texas are less likely to have health insurance and to have a regular health care provider, so less likely to seek or receive early care for symptoms, especially in the first months of the epidemic.

And African American and Hispanic populations are also more likely to have an underlying health condition that makes them more vulnerable to the effects of COVID–19.

To respond and mitigate the devastation wrought by COVID–19 on Americans, and especially marginal and vulnerable communities of color, I have introduced H.R. 330, the ''Delivering Covid–19 Vaccinations to All Regions and Vulnerable Communities Act'' or ''COVID–19 Delivery Act,'' which I invite all Members to join as sponsors.

Under the COVID–19 Delivery Act, FEMA will be authorized and directed to lead the effort for vaccine delivery from the receipt from manufacturing facilities to delivery to designated inoculation sites (hospital, clinic, doctors' offices, school, places of worship, community centers, parks, or neighborhood gathering locations).

The legislation directs FEMA to develop and deploy a fully staffed and resourced 24–7 advanced real-time tracking system that allows FEMA to monitor shipments of vaccine units that can provide end-to-end transparency on the temperature, real-time location, origin, and destination data, anticipated time of arrival, and report on changes and update recipients on the progress of their delivery and report on changes that may impact expected delivery or the viability of the vaccine while in transit.

FEMA will provide an advanced communication system that allows public health departments to communicate their vaccine readiness, capability of receiving vaccines, delivery locations, details of facility capability of storing, securing, personnel authorized to receive deliveries, logistics for delivering vaccines to patients, report on vaccine receipts, condition of vaccines, patient reactions, feedback on how to improve the process.

H.R. 330 authorizes FEMA to secure transportation for delivery or use of vaccines, and, when requested, security for the vaccine delivery sites or inoculation locations to ensure the life and safety of personnel and patients who seek to provide or receive vaccinations are free of interference or threat.

Finally, the COVID–19 Delivery Act directs FEMA to conduct public education and patient engagement through the provision of inoculations of persons in areas and locations where vulnerable populations are under performing in getting vaccinations.

Mr. Speaker, I see the disparities in the lives of so many of my constituents who suffer disproportionately from medical conditions that make COVID–19 deadly.

They work low wage or no wage jobs to make ends meet, and they have no health insurance and rely on community health centers or public health services for routine care.

I call them friends and neighbors because they are that to me.

No one is benefiting from the COVID–19 economy.

The U.S. poverty rate has grown at a historic rate over the past five months, with 7.8 million Americans falling into poverty after the expanded $600 a week in unemployment assistance expired at the end of July.

This represents the greatest increase since the government began tracking poverty sixty years ago.

In the city of Houston, nine key service sectors, accounting for 70 percent of all jobs, hemorrhaged more 1,343,600 jobs, which to average folks is another way of saying that more than 1.34 million persons lost their livelihoods.

Houston workers lost jobs in the following areas:

Healthcare: 391,000;
Retail: 303,600;
Food services: 267,000;
Finance: 166,000;
Private Education: 63,400;
Arts and Entertainment: 37,400;
Accommodations: 28,700;
Air Transportation: 20,200;
Other Services: 115,800.

In addition to these positions, jobs were also lost in other areas, the largest of which was the construction industry, which shut down 30,700 jobs.

Professional and business services followed, with 25,300 jobs lost, although 13,900 were in temporary and provisional jobs in employment services; upstream oil lost 12,300 in March/April; and non-oil manufacturing lost 7,700 jobs.

Americans out of work due to COVID–19 have generated 86 million jobless claims, with new claims being filed in recent weeks topping 800,000.

Millions of Americans who lost their jobs during the pandemic have fallen thousands of dollars behind on rent and utility bills, a clear warning sign that people are running out of money for basic needs.

If this is not enough evidence of what is happening just look at the miles of vehicles lined up outside of food distribution centers for assistance, as we see nightly on our television screens and in our communities.

Moody's Analytics warned in November 2020 that 9 million renters said they were behind on rent, according to a Census Bureau survey.

The Bureau of the Census reports that twenty-one percent of all renters are behind on their rent, of which twenty-nine percent are African American families and seventeen percent are Hispanic households.

According to the Federal Reserve Bank of Philadelphia's analysis of persons who were employed prior to the pandemic, 1.3 million of these households are now, on average of $5,400 in debt on rent and utilities, after the family breadwinners lost their jobs.

The new COVID–19 relief legislation passed last week by Congress and reluctantly but finally signed by the Senate restores unemployment assistance, but cuts that assistance from $600 a week to $300 a week without consideration of the facts on the ground, which are that millions of Americans remain out of work due to COVID–19 public health policy, and have been without sufficient income since August 1, 2020.

The Centers for Disease Control and Prevention (CDC) reported that as of February 23, 2021, 28.3 million cases of COVID–19, resulting in more than 503,000 deaths, had been reported in the United States.

What the costs will be to our nation from this destruction of lives and livelihoods have yet to be fully calculated.

It is a tragedy that too many households who have lost a member to COVID–19 are struggling to accept these deaths, but it is also the friends, co-workers, business owners, professionals, students, teachers, wives, husbands, brothers, sisters, aunts, cousins, and grandparents who also are feeling these losses because someone that mattered to them is no longer here.

Each of these lives impacted dozens of other lives, too many of whom were not allowed to be present with them during their final moments on this earth, but whose suffering is too often overlooked because we unduly preoccupy ourselves with only the immediate family.

I strongly support the Senate Amendment to H.R. 1319, the American Rescue Plan Act of 2021 and urge all Members to join me in voting for its passage and to send the message to the American people that their voices have been heard, their request for assistance answered, and that help is on the way.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentlewoman from Texas, and I will remind her that, while this legislation provides her State government with another $40 billion, it fails to include any language to ensure that the 5 million K–12 students in her State are back in open schools anytime soon, does nothing to open schools.

Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, jeez, we could talk for 2 hours.

First thing, one of the things that hasn't been mentioned here is the increase in the income tax credit for single people has a marriage penalty in it. I bring it up because I know the strength that Black Lives Matter had in this last election. I know it is a group that doesn't like the old-fashioned family. I am disturbed that we have another program here in which we are increasing the marriage penalty.

Second thing, we have loan forgiveness on farms based on ethnicity. Some people are going to get forgiveness; some people aren't. I think that is incredibly divisive. I think we started out with a divisive inaugural speech right off the bat, and to go down this route is only going to create divisiveness in America.

The third thing, to have a bill with this high spending, with the Federal Reserve printing up this amount of money, is inevitably going to result in inflation.

I feel so sorry for young people today. As the cost of housing goes through the roof, I don't know how they are going to be able to afford a house. But we also have increase in food costs and increase in energy costs. I don't want to call it the Joe Biden inflation, but I am afraid that is where we are heading.

Fourth thing, in the rush to judgment, giving checks to people who are incarcerated. I have talked to my correctional officers about this. I don't know how they are supposed to feel, in which they have to work every day and the people who they are taking care of are going to be getting checks out of this.

Finally, I have had two municipalities in my district, from which I have been contacted, in which the amount of money they are getting is over 10 times what they feel would make them whole.

I think we are being very reckless about the degree to which we are spending money here.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from the Virgin Islands (Ms. PLASKETT), a distinguished member of the Budget Committee.

Ms. PLASKETT. Mr. Speaker, I hope my colleague from Wisconsin will not leave at this time, as he has talked about Black Lives Matter.

How dare you—how dare you say that Black Lives Matter, Black people, do not understand old-fashioned families. Despite some of the issues, some of the things that you have put forward that I have heard out of your mouth in the Committee on Oversight and Reform, in your own district, we have been able to keep our families alive for over 400 years in the assault on our families to not have Black lives or not even have Black families. How dare you say that we are not interested in families in the Black community. That is outrageous. That should be stricken down.

Mr. Speaker, I was going to talk about the American Rescue Plan. We know that this is going to provide relief to not only Black lives, Black Americans, but all Americans, that we are interested in children and in their welfare.

Forty-nine days ago President Biden took office and promised the American people that help is on the way. Today we take our final step forward on delivering on that promise. Millions of Americans will be supportive who have been economically crippled by a year-long pandemic. Most of this money goes directly to the American people. And, we have one of the most generous expansions of tax relief to working people in modern history in this plan. The child tax credit provisions on their own is a policy revolution in the making. More than 93 percent of our children— 69 million children—would receive benefits under

this rescue plan. Minority farmers will finally get the relief from indebtedness they deserve.

This version of the bill sent back from the Senate is not perfect. It is the result of compromise. Nonetheless, we have before us one of the most significant pieces of legislation to benefit working Americans in our recent history.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. JEFFRIES), the Democratic Caucus chairman and a distinguished member of the Budget Committee.

Mr. JEFFRIES. Mr. Speaker, the COVID–19 pandemic is a once-in-a-century crisis. It requires a once-in-a-century comprehensive, compassionate, and continuing congressional response. That is what the American Rescue Plan is all about.

More than 500,000 Americans have died. Hundreds of thousands of businesses have closed. Almost 30 million Americans have been infected by the coronavirus. Tens of millions of Americans are dealing with unemployment, food insecurity, or are on the brink of homelessness.

□ 1045

So much pain, suffering, and death, and our Republican colleagues want us to do nothing? What is wrong with them?

We are going to act with the fierce urgency of now. We will crush the virus. We will provide direct relief to everyday Americans who are struggling. We will revive the economy. We will send the American Rescue Plan to President Biden's desk. We will build back better for the people. Help is on the way.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentleman from New York, and I will remind him that, with passage of this bill, his State's 3 million seniors could see a cut to Medicare of $27 billion over the next 10 years.

I would also like to remind Mr. JEFFRIES that the CBO says that, without any additional stimulus, our economy later on in this year will be the highest GDP growth that we have seen in 15 years. So that help of extra government spending is not necessary to bail out your friends and allies who are in the Governor's mansion in New York or California.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SMUCKER).

Mr. SMUCKER. Mr. Speaker, the previous speaker said Republicans want to do nothing to help, which is false, untrue. Members in this body came together during an unprecedented crisis and passed five bills to provide much-needed relief and pave the way to defeat the virus. I believe that all of us continue to support targeted help for those who need it.

But that is not what this bill is. This bill may have made sense a year ago, but why would we print and borrow $2 trillion when we are so close to crushing this virus and returning to a way of life that all Americans sacrificed?

Why give $130 billion to schools and not require them to open when the CDC says it is safe and at a time when so many kids are desperate for personal social interaction?

Why provide $350 billion to States that shut down their economies even though their revenues are at record highs?

Why send $1,400 checks to individuals when the majority of those receiving the checks never lost any income?

People want to get back to work. So why make it harder, as we are doing in this bill by giving them a bonus to stay home?

The answer is this bill is not just about COVID relief. It is about enacting the largest progressive policy wish list of all time.

Mr. Speaker, we can do better than this, and the American people deserve better.

Mr. YARMUTH. Mr. Speaker, I remind the gentleman that the push to give $2,000 to every citizen under a certain income level was former President Donald Trump's idea. He campaigned on that. I guess the Republicans have had a change of heart now that it is a different President.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the distinguished chair of the Oversight and Reform Committee.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I strongly support this bill. The Oversight Committee, which I chair, is responsible for the provisions in this package that provide funding to States, local governments, Tribes, and territories.

When we began our work, hundreds upon hundreds of community leaders reached out to us asking for help. They told us the relief in this bill would mean recovery instead of recession. Democrats answered that call, and, today, we are delivering $362 billion in dedicated aid to cities and localities across this Nation, and they need it.

1.4 million essential workers have already been laid off due to State and local budget shortfalls that threaten the very fabric of our society.

This relief means that our first responders, our teachers, transit workers, sanitation workers, other public servants, everybody who is working continue serving our children, helping our neighbors, and protecting our communities as we see the fight against the pandemic through to the end.

This bill will provide local governments dedicated support for the first time since the pandemic struck. It can be used for vaccines, increased testing, and countless jobs. Cities and States across this Nation have lost billions in expected tax revenue. This bill helps.

The Oversight Committee also delivered a provision providing emergency paid leave for Federal employees to prevent the spread of the virus, as well as critical oversight prevention to ensure transparency of this full $1.9 trillion package.

The American Rescue Plan will rebuild our pandemic-torn Nation from the ground up and stronger than ever. Everybody should vote for this bill.

Mr. SMITH of Missouri. Mr. Speaker, I appreciate the gentlewoman from New York, and I would like to remind her that, in her home State, she has 16 percent—16 percent—of the country's homeless population in the United States; but under this bailout, the CBO projects that precisely zero dollars—zero dollars—of the $5 billion that is in this bill will go to help the homeless population this coming year.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the leader of the working class party.

Mr. MCCARTHY. Mr. Speaker, before I begin, I want to thank Congressman JASON SMITH for his work as the ranking Republican on the Budget Committee.

Mr. Speaker, I know the Democrats in the House are excited because all their work has even transpired all the way to Nevada, because now the socialist Democratic wing of the party has taken over there as well.

From H.R. 1 to voting to defund the police, House Democrats have abandoned any pretense of unity. They passed three major bills in one month with zero bipartisan support.

Today, they plan to pass another. Like the others, it represents a missed opportunity for Congress to focus on the real needs of the American people. At $1.9 trillion in new spending, the so-called American Rescue Plan is the most expensive single bill in American history.

Let's put that number in context, Mr. Speaker. If you put it in today's numbers, World War II cost our government $4.8 trillion. But if we pass this bill, our country's total relief, COVID relief, spending will now total $5.5 trillion. This so-called relief bill will end up costing every hardworking taxpayer in America more than $5,000 each. You send the government your tax dollars, but you only get a fraction of what you pay for, at the very best.

You know, we warn people on the internet about email scams. It is like one of those emails where you get a promise you will get millions of dollars, but first you have to wire them some money. That is exactly what is happening here today.

This is the reality of the bill before us. It showers money on special interests, but spends less than 9 percent on actually defeating the virus. But it gives San Francisco $600 million, essentially wiping out 92 percent of their budget deficit.

Think about that: 9 percent on the virus. But, Mr. Speaker, San Francisco, the home to our Speaker, gets to wipe out 92 percent of their budget deficit.

Where does that money come from?

Well, every American is now going to pay more than $5,000 so we can send it to San Francisco and give them 92 percent of their budget deficit. Interesting how socialism works.

In both the House and the Senate, the only bipartisan vote has been against this. And after five relief bills, it is on track to be the first passed by strictly party lines.

Mr. Speaker, I have heard people across the country say this bill today is costly, corrupt, and liberal. Now even the Biden White House agrees: It is very liberal. They called this the most progressive piece of legislation in history.

For those who are watching, progressive means socialism, the same party that runs here, and now the Democratic Party of Nevada is the socialist Democratic Party.

So let's be clear. This isn't a rescue bill. It isn't a relief bill. It is a laundry list of left-wing priorities that predate the pandemic and do not meet the needs of American families. No wonder even House Democrats have said they are embarrassed by what is in it. And just this week, one of their own Members said, ''There is no question there is some waste in there.'' But they will still vote for it anyway.

In fact, if you are a member of the swamp, you do pretty well under this bill. But for the American people, it means serious problems immediately on the horizon.

Consider this: Mr. Speaker, it will only be Democrats who vote for this bill that will cause $36 billion in cuts to Medicare starting this year. What they choose to do is cut Medicare to those who need it and send $600 million to San Francisco to pay for 92 percent of their budget deficit.

Or consider K–12 education. Democrats say they need $130 billion to reopen schools, but their bill only allocates $6 billion to help schools this fiscal year. Two-thirds of the total funding for education won't even be spent until 2023 or later.

But don't worry, San Francisco will get their money now. The schools need to wait. You have priorities.

Do Democrats expect schools to reopen 2 years from now?

I guess that is what they are saying with this bill. They have no plan to get children back in the classroom full time.

This week marks the 1-year anniversary of school districts across the country switching to school behind a screen. We still don't know the full effects of this decision, but we do know keeping classrooms closed has created an education and mental health problem for students and parents. It has been a lost year for our children's education. And even more devastating, one in four young adults has struggled with suicidal thoughts.

Experience and scientific evidence say reopen schools now. It is necessary and it is safe.

Mr. Speaker, the last time this bill was on the floor, we offered an amendment to take that money for that subway just outside of San Francisco and put that money for the children's mental health and others. Unfortunately, Mr. Speaker, all the Democrats said was, no; that subway by San Francisco was more important.

But, fortunately, we were able to remove that from the bill in the Senate. But luckily here, all the Democrats were able to think the priority is not children; it was San Francisco. But because Democrats are following the demands of special interests, not science, they are telling children to wait with no end in sight.

Now, Mr. Speaker, I want to applaud the Democrats on the other side because they put their money where their mouth is. They are telling the American public: First give me $5,000. I know you have to work harder, but what I am going to do—because this is how socialism works, the Democrats are now going to decide who should get that money. And you know what? At least they give it to the people they respect the most.

So let's go through this. Compared to the subsidies for the swamp, Democrats want to give Federal employees, who have not been laid off, an extra $21,000 to help cope with virtual schooling. But if you are in the private sector or if you have been laid off, you don't get any of that. But what they want to do is take the money from you, give it to any Federal employee, who gets a bonus of $21,000, even though they have never been laid off work.

So if you are in Washington, in the swamp, you are part of the team. If you are a hardworking taxpayer, sorry, you just send a bill. But if you are in San Francisco, we are going to help pay for your deficit.

□ 1100

What does it say to the millions of mothers and fathers who had to quit their job to take care of their kids at home or in school? Or compare that to Title X. This bill will allow organizations like Planned Parenthood to access $50 million.

You know, Mr. Speaker, for decades in this body we respected one another's opinion. We created the Hyde amendment that said we would not use taxpayer funds for abortion, but when there is a pandemic and a socialist reign, we are going to charge you $5,000 regardless of how you feel about it, and that is where the money is going to be spent.

Now, the Democrats believe schools should wait a couple years to get their money, but not Planned Parenthood. We have to get that money there quick.

Or compare it to how we fund States, Mr. Speaker. We have always had a formula, but, Mr. Speaker, now that we are going to do the bill this way where there is only one-party rule, we are going to change the formula of how States can get their money.

So let's analyze that. Democrats claim States and local governments need $350 billion.

Now, where do they get that number?

Well, if they read the headlines, it would confirm States are not in financial distress. Nearly half saw an increase in revenue last year. And some, even including my home State of California, they have a budget surplus.

Now, Mr. Speaker, I understand in Washington they maybe don't understand what the word ''surplus'' means; that means you have more money, that you actually saved money. What California is going to get is a windfall.

Remember, San Francisco is in California. Mr. Speaker, that just happens to be the Speaker's district, as well. They have a $650 million deficit.

Now, some of the challenges that San Francisco has—you see, if you are in San Francisco and you are homeless, they will pay for your alcohol and they will pay for your cannabis. So it costs more money. So that is why you have a deficit.

But it is okay because we don't need to send the schools money today, we can send that years from now, but we need to get San Francisco 92 percent of their deficit taken care of.

Now, we have a pandemic going on, and we are going to spend $1.9 trillion, but only 9 percent of that needs to go to COVID because San Francisco needs a lot of money.

So what they have done now is they reward bad behavior. That is one of the few places that is facing a shortfall. They are actually punishing States that did it right. American taxpayers didn't vote for this, but thanks to the blue State payout, they are. The bill rewards bad behavior.

Now, President Biden, he hasn't had a press conference, but he did say one time, and someone picked it up, ''Show me what to cut.''

Well, the Senate actually cut tens of billions of dollars in spending from the Biden bill that the House passed.

Now, I feel bad, Mr. Speaker, because Speaker PELOSI at first had, like, $112 million for that really important COVID subway just outside of San Francisco. Now, before that bill was able to get to the floor and the public found out about it—I guess it got good press because they added more money to it—it got to $140 million.

Now, when it came to the floor here, there was a group of people—well, Mr. Speaker, let's just say who it was, it was the Republicans, they thought a better priority was to spend that $140 million for children with mental health issues because we have watched study after study of children being left out of school; suicide, obesity.

What about those children who have parents who don't work for the Federal Government? They don't get a bonus. And some of those parents had to quit their job to care for their children.

So Republicans thought—I know it is a small amount compared to $1.9 trillion—we thought, wouldn't that be a better use of the money? So we offered

that on this floor, Mr. Speaker. But unfortunately, Mr. Speaker, the Democrats said ''no'' to that, that this subway was more important than the children.

Well, luckily on the Senate side, they took that out. Whoa, Mr. Speaker, the American public thought for one moment maybe the price could get a little lower and that Americans wouldn't have to pay $5,000 a person. Maybe they saved a little money. No, no, no, no, no.

You see, Mr. Speaker, the Democrats are in charge of the Senate, too, so they now decided since they couldn't build a subway, they would just plus that money up.

So where did they spend it? Well, Mr. Speaker, you have got to give them credit. They took the same advice that the Democrats in the House had. You see, they added an extra $25,000 bonus for State employees. Let's just not reward the employees of the Federal Government that haven't been laid off, let's reward the State employees who haven't been laid off. They get a $25,000 bonus.

Isn't that amazing? I wonder where the money comes from?

Oh, yes, Mr. Speaker, it comes from the American people, the hardworking taxpayers. You see, they all need to send the government $5,000 so you can decide where to spend it. And if you are part of the swamp, that is a pretty good reward. $25,000.

And then they added $15 billion for taxpayer-funded healthcare subsidies that illegal immigrants are eligible for.

Now, you know this, Mr. Speaker, based upon your district and others, you know what is happening down at the border. President Biden has created a new border crisis. There are more people able to come in, not being tested for COVID, but lo and behold, they are now going to get subsidized healthcare. Luckily, we can spend more money on that, Mr. Speaker. There is probably much more coming now with the Biden border crisis.

But will this help the people get back to work? Nope.

Will this help students get back in the classroom? Nope.

But will it help vaccines get to those who want it? Nope.

But will it help take care of 92 percent of San Francisco's budget deficit?

Oh, yes, it will. Yes, it will.

It just throws out money without accountability even though there are a trillion dollars sitting there right now that have already been appropriated that can go out to help.

Remember what Margaret Thatcher said, Mr. Speaker: ''The problem with socialism is that you eventually run out of other people's money.'' You have been doing a very good job of it so far.

There is still work to do to defeat the virus, but it is clear we are nearing the final phase of the fight. For 12 terrible months, the American worker has struggled through lockdowns, sacrificed through closures, and suffered through mandates. They persevered through it all. And now their government wants to take $5,000 more of it to make sure a Federal employee that wasn't laid off, a State employee that wasn't laid off gets bonuses. And lo and behold, we have got to make sure San Francisco gets their deficit taken care of. Not in 2 years like the schools, but today.

President Trump's Operation Warp Speed, previous bipartisan efforts in Congress, and the American people worked tirelessly toward that outcome. President Biden was set up for success both economically and with vaccines, but in that short amount of time what have they been able to accomplish down at the Biden administration? They have raised our gasoline prices, so not only are you asking them to pay for this bill, you are taking more out of their pocket, and at the same time by a stroke of a pen he laid off millions of those workers.

Mr. Speaker, I know this for sure, I know where you serve, and I know your passion for serving. I know the people in your district that are getting laid off for the XL pipeline. I know that wasn't your wish. It is harder to pay a bigger tax bill when you don't have a job.

It is even worse when that job was taken away by your President.

It is even worse when you go out to look for a new job and that same President has changed the policy along the border, and now you are competing with people who are not even Americans; and they are getting subsidized healthcare because of this bill.

Mr. Speaker, I believe the American public wants something different. I believe they are proud of the fact we did something here that was bipartisan.

I believe they were proud of the fact that because of Operation Warp Speed we now have three vaccines.

I believe they were proud when we were energy independent.

I believe they were proud when they had more money in their pocket, and they didn't have to pay so much for gasoline.

Mr. Speaker, socialism has destroyed many countries. I just watched Venezuela offer new currency. What was it, a million, a billion dollars is worth 50 cents today? How did it all start? I have watched socialism grow in this country. I have watched it grow in this body. I see within your own party you no longer even fear to say that you are Democrats anymore, Mr. Speaker. You are socialist Democrats. That is the lead of the Democratic party. Mr. Speaker, the chairman of the Senate Budget Committee isn't even registered as a Democrat. So what would you think would be produced?

Mr. Speaker, whoever votes for this bill, I want you to look the people in the eye. I want you to think about that hardworking taxpayer. I want you to explain to them why only 9 percent goes to defeat COVID. Why do they have to give $5,000, and you redistribute it to people who weren't even laid off? You give bonuses to the things you care most about.

Mr. Speaker, I have heard our Speaker say many times where you spend your money shows your values. Well, she does represent San Francisco, Mr. Speaker, but we don't. Ninety-two percent of the budget deficit of San Francisco is going to be paid with this bill.

But for that parent out there who has been struggling for the last year that has had to be the teacher, the tutor, the coach, the music instructor, the recess participant, help is not on the way. Help is not on the way.

For those who studied government and always thought working something bipartisan would be positive, that is no longer the case.

For those who thought they could have a fair debate on the floor, you take away even the offer to have an amendment. And when we do and we prioritize the children of this Nation over a subway in a district not far from our Speaker, the majority party walks in line.

Mr. Speaker, we are so much better than this. We proved it five other times. What a difference it makes by a simple new control of a power that people want.

Mr. Speaker, when you study history, there is a saying in a book called ''The Prince'' by Machiavelli: ''Absolute power corrupts absolutely.'' The first indication to know if it happens, take a look at the vote. There will be a bipartisan vote against this bill.

You can wave to me. It is okay. I want you to wave to the American public when they have to wave away $5,000, so a Federal employee that never has been laid off gets $21,000 to deal with their children being at home. Who is going to represent them? Who is going to be their voice?

Mr. Speaker, I will promise you this: We will never stop listening to those voices. We will never stop fighting for those voices. And there will be a day that that will be the majority voice in this House. Unfortunately, Mr. Speaker, I have not seen that this year.

History will not be kind about what transpires today, but I still believe that America is a great hope for the future, that we are all conceived in liberty and dedicated to the proposition that we are all equal.

But in this body it seems as though only one can have a voice, but that will not last long and that will change shortly.

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. YARMUTH. Mr. Speaker, we have just listened to a repetitive recitation of all the arguments we have heard about the American Rescue Plan for the last 6 weeks or so, and they consist essentially of scare tactics, misinformation, and then calling everything socialism. You know, if Democrats had a potluck picnic, the Republicans would call it socialism.

What we say is: This is a bill that responds uniquely to a unique national crisis and it does it in a way that the American people believe is the right way.

So I respond to the minority leader by saying, a poll just this morning reported that 75 percent of the American people support the American Rescue Plan. Only 18 percent oppose it. Fifty-nine percent of Republicans support the American Rescue Plan.

□ 1115

Despite his attempts to divide this country and to demonize the Speaker and others, the American people understand that this is the appropriate step to take at the appropriate time.

Mr. Speaker, I yield 45 seconds to the gentlewoman from California (Ms. CHU), a distinguished member of the Budget Committee.

Ms. CHU. Mr. Speaker, every day, constituents in my district are asking when the $1,400 survival checks are coming and when they can get help with their rent so that they don't become homeless. They are suffering, and they need help now.

Mr. Speaker, the American Rescue Plan is a real plan to crush the virus by speeding vaccine distribution and increasing access to healthcare. This will not only mean safer families but also safer classrooms for teachers and students. It means a continuation of $300-a-week checks in unemployment insurance, and it supports our businesses so they don't close.

Mr. Speaker, with over half a million dead, we need a way to end this crisis and help our people. That is exactly what today's bill will do. I strongly urge a ''yes'' vote.

Mr. SMITH of Missouri. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. SCALISE), the Republican whip.

Mr. SCALISE. Mr. Speaker, I thank my friend from Missouri for yielding.

Mr. Speaker, I rise in strong opposition to this massive non-COVID spending bill. If you look over the last year during this pandemic, Congress has come together many times in a bipartisan way to specifically help families who are struggling, to help small businesses who are hanging on by a thread, and to try to put more money into finding a vaccine.

Mr. Speaker, we were successful in those initiatives—in fact, so successful that we now have three proven vaccines that are out there working because of President Trump's Operation Warp Speed. We were able to help millions of small businesses stay afloat. There are still more struggling. In many cases, in States that are mismanaging this, you are seeing a disparate impact.

Mr. Speaker, instead of working with Republicans and Democrats, President Biden tried this go-it-alone approach, to allow Speaker PELOSI to write a bill behind closed doors and bring the bill forward, not allowing a single Democrat to file an amendment on a $1.9 trillion spending bill in the House.

When you look at what is in the bill—and many people reference polling, as if we should vote based on a poll that doesn't show the full story—we are starting to get the full story.

Mr. Speaker, ask people: Do you think, with hundreds of billions of dollars still out there unspent from previous bills, we should borrow $1.9 trillion from our children to do things like send $1,400 checks to people in Federal prison?

Mr. Speaker, yes, that is in this bill. Pick your prisoner of choice. The Boston Marathon bomber gets a $1,400 check in this bill, and we are borrowing that money from our children.

Has that been asked by a pollster?

I would argue no.

There was an amendment to strip that out. Every Democrat who had the opportunity voted to continue sending those checks to felons. No wonder, last week, 97 Democrats voted to allow felons to vote in elections. Luckily, that amendment barely failed.

Mr. Speaker, look at what is in this bill.

Is there any money in this bill, by the way, to specifically open our schools?

Unfortunately, the answer to that is no.

We had an amendment to require that if you are going to give hundreds of billions of new money to schools, shouldn't it at least be used to open those schools?

The science said to open schools. The union bosses say no.

Mr. Speaker, look at what is in this bill and what is not in this bill. This should be a targeted relief bill. Instead, this is an attempt by Speaker PELOSI to further promote her socialist agenda.

Mr. Speaker, 95 percent of the money in this bill for these schools can't even be spent this year, so this bill actually keeps schools closed longer.

Think about that juxtaposition. President Biden has created a crisis at America's border. President Biden said America's border is open, but in this bill, he keeps schools closed.

How does that make any sense?

Again, Mr. Speaker, you go through this bill, and they actually inserted language in this bill by dark of night, and I am sure it has never been polled. But in this bill, it bans States from cutting taxes, if anyone can explain to me how that has anything to do with COVID. You look at a State like New York that is losing hundreds of thousands of people from gross mismanagement by their Governor and because of high taxes to States like Florida, which have no income tax. If the State of New York in this bill tries to fix the problems they have created with high taxes by trying to bring their State in line, they actually get penalized in this bill for cutting taxes.

This has nothing to do with COVID. We should work together on something that helps families get through this, helps gets more vaccines in arms, and helps open up our schools.

Mr. Speaker, this is a failed socialist approach. I urge rejection.

Mr. YARMUTH. Mr. Speaker, may I inquire how much time remains on both sides.

The SPEAKER pro tempore. The gentleman from Kentucky has 14¼ minutes remaining. The gentleman from Missouri has 6 minutes remaining.

Mr. YARMUTH. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. SCOTT), the distinguished chairman of the Education and Labor Committee and also a member of the Budget Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in support of the American Rescue Plan Act.

Passing this plan will give schools the resources they need to comply with the CDC guidelines to reopen safely and to remain open, and the resources needed to make up for lost time in the classroom.

Passing this plan will help institutions of higher education weather this pandemic and provide urgent financial assistance to their students. It will help childcare providers to keep their doors open so working parents can rejoin the workforce.

Passing this plan will prevent more than a million retirees from losing their hard-earned pensions and avert an economic calamity that would destroy countless businesses and cost taxpayers at least $170 billion.

Passing this rescue plan will also improve access to affordable healthcare during the pandemic, and it will cut child poverty about in half.

Passing this plan will protect vulnerable Americans across the country, including families facing financial hardships, older Americans trying to stay safe, and survivors of domestic and gender-based violence.

Mr. Speaker, the American people have been calling on us to deliver relief and to defeat the COVID–19 pandemic. Today, we come together to send a resounding message that help is on the way.

Mr. Speaker, I urge my colleagues to support the American Rescue Plan Act.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentleman from Pennsylvania (Mr. BRENDAN F. BOYLE), a distinguished member of the Budget Committee.

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, this is a historic day. Among other things, today, in this bill, we will be voting to cut child poverty by 50 percent in the United States of America. That is just one reason why this is the most popular economic rescue plan in my lifetime. I have voted for this bill three times already. The only thing better is getting to vote for it a fourth time.

To the American people: Help is finally on the way.

Mr. SMITH of Missouri. Mr. Speaker, I just want to make sure. This Chamber may not have heard, but under the leadership of President Trump, in 2019, we hit the lowest poverty ever—lowest poverty. So thank you, President Trump.

Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. WATERS), the distinguished chair of the Committee on Financial Services.

Ms. WATERS. Mr. Speaker, I thank President Biden and all of the Democratic leadership for this wonderful, historic piece of legislation that we are voting on here today. This indeed responds to the needs of the American people during this pandemic. This is why I came to Congress to do this kind of work, and I am so proud to be a Democratic Member of Congress at this time.

This bill not only supports education; it gives stimulus checks to put food on the table and unemployment assistance. Small businesses will be able to reopen and stay open. Then everybody will have access to the vaccines that will be made available because of this bill.

It has been said more than once that this bill will take children out of poverty. They will be able to depend on regular assistance to them and their families every month.

I am so pleased that as the chair of the Committee on Financial Services, I have, in my jurisdiction, $77 billion to deal with some very critical issues.

This bill includes critical funding for emergency rental assistance, providing $22.5 billion to pay the back rent and future rent payments owed by millions of struggling families. That is in urban communities, rural communities, Black, White, and Asian. All folks will have access to this rental assistance.

Mr. Speaker, combined with the funding for emergency rental assistance I negotiated in the December stimulus package and the $5 billion for 70,000 new housing vouchers that are included in this package, this bill is truly historic and will help people across the Nation to remain safely housed.

Mr. SMITH of Missouri. Mr. Speaker, I yield 3½ minutes to the gentlewoman from the great State of Colorado (Mrs. BOEBERT).

Mrs. BOEBERT. Mr. Speaker, I thank the ranking member of the Budget Committee, my friend, Congressman JASON SMITH, for yielding me time.

Mr. Speaker, COVID relief, here we go again. The left continues to manipulate the English language however it suits their fancy, lying to the American people about what is really happening in the swamp.

American Rescue Plan? Please. President Biden is dropping bombs before anybody is getting checks.

Relief? Where is the relief for moms and dads trying to return their children to school?

This legislation has more funding for Democrat pet projects than it does for getting our kids out from behind the screens and back into the classrooms.

Democrats say this money that hasn't been and won't be spent any time soon is urgently needed to safely reopen schools. Bull. Many States have had their schools open for months now. By one estimate, State departments of education have between $53 and $63 billion in Federal funds to reopen that is unspent. This bill has another $130 billion, but only 5 percent would be spent this school year.

Democrats should stop using kids' schooling as a bargaining chip for more money for teachers' unions. Stop holding our children's education hostage for your pet projects and your lobbyist friends.

What about our seniors? Where is the relief for those who have suffered under the draconian leadership of Cuomo, Whitmer, and Newsom?

This legislation uses COVID like cheap drugstore concealer, masking the nasty truth about Democrat spending. This is nothing more than a trashy spending spree while doing nothing for those who have suffered the most from this China virus.

With $1 trillion left unspent from previous COVID bills, only 9 percent of this bill is going to address COVID-related issues. About 45 percent of it won't be spent until 2022 and beyond.

It begs the question: Why would Democrats push such a partisan, divisive, and, frankly, unhelpful bill?

Mr. Speaker, the answer can be found on K Street, where lobbyists close to PELOSI, SCHUMER, and Biden are already chilling the bubbly.

□ 1130

Mr. Speaker, America can see why this legislation will be the first COVID bill to receive zero bipartisan support. Americans know this bill will benefit States and unions that have been poorly mismanaged; but on Main Street, the small businesses will continue to suffer, $90 billion to bail out private pension plans, $500 billion to States and localities to keep their economies locked down.

Less than 9 percent of this $1.9 trillion goes to something COVID-related. Meanwhile, Planned Parenthood gets funding, pensions get bailed out, and San Francisco's balance sheets go from red to black. I have said it before, and I will say it again: Planned Parenthood can go fund themselves.

If conservatives were in charge, Mr. Speaker, you would see a limited and targeted relief plan, while enabling businesses and schools to remain open and reigniting our economy. Look at Florida and Texas, that have led the way. Never forget, these jobs are essential, and the best stimulus package is to reopen.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from Virginia (Ms. WEXTON), a distinguished member of the Budget Committee.

Ms. WEXTON. Mr. Speaker, we all want to get out of this pandemic and back to normal. We want to ensure that our kids can learn safely and in their classrooms. We want to get more shots into arms. We want to put money directly into the pockets of the Americans in need. We want to restore jobs in our communities.

We have to take action now, and the American Rescue Plan is the best way forward. Our colleagues across the aisle want to gaslight the American people on this, but they know that this bill has the support of over 70 percent of Americans, and there is a reason for that. The American Rescue Plan meets the needs of our families and communities right now.

With this bill, we will finally put this pandemic behind us. We will cut child poverty in half. We will deliver transformative tax cuts for our families, especially working moms. This is a great day because help is on the way.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the distinguished gentleman from Texas (Mr. DOGGETT), a member of Budget Committee.

Mr. DOGGETT. Mr. Speaker, rescue and relief for those awaiting lifesaving vaccines, for struggling small businesses, indebted families about to lose their home, for impoverished children, and for those who are eager to get their children back in school, survival checks are coming.

And the same Republicans who delayed relief for 7 long months last year seem determined to block this lifeline this year. Texas families tell me they cannot wait for more of your Republican gamesmanship. Our mayors and county judges across Texas, they have been the ones who stood alone, shouldering the burden of leadership, after multiple Trump failures and outrageous Abbott interference. They need help in providing for our communities. That is the relief we will provide.

Let's preserve the promise of life and liberty for those whose future has been dimmed by hardship. Republicans will not again deny the relief that we are delivering today.

Mr. SMITH of Missouri. Mr. Speaker, I yield 1 minute the gentleman from Mississippi (Mr. GUEST).

Mr. GUEST. Mr. Speaker, over the last year, Republicans and Democrats have worked together on numerous occasions to provide COVID relief for the American people. Unfortunately, this bill was not that way. This legislation is a completely partisan bill that has yet to receive one Republican vote in either the House or the Senate.

This spending bill will appropriate nearly $2 trillion at a time in which we still have $1 trillion in unspent funding from previous relief bills. This bill will be passed at a time in which our economy is growing, in which unemployment is dropping, in a time which Americans are being vaccinated.

Instead of prioritizing public health needs or focusing on reopening our

economy, reopening our schools, or even securing our border, we will be voting to add almost $2 trillion to our national debt; but most of the spending is going to fulfill campaign promises and fund the agenda of the far left.

We must reject this partisan bill that even many Democrats admit is the most progressive legislation in the last quarter century, and Congress must instead focus on working together for the good of the American people.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentleman from Rhode Island (Mr. CICILLINE), a distinguished member of the Foreign Affairs Committee.

Mr. CICILLINE. Mr. Speaker, people often wonder: Does government understand what is happening in my life and the family's life?

Despite the arguments of our Republican colleagues that the pandemic has passed, that the economy is fine, and that no relief is warranted, the truth is that more than half a million people have died, 4 million small businesses have closed, millions of people are out of work, and relief is needed.

The American Rescue Plan will speed up the delivery of vaccines, bolster testing and tracing, and expand access to affordable healthcare. It puts money—up to $1,400 a person—right into the pockets of working people. It extends unemployment benefits and gets help to small businesses.

Today, with President Biden in the White House and Democrats in control of the Congress, we can tell the American people that help is on the way.

To listen to my friends on the other side of the aisle, you wonder, where do they live, because, according to them, all of this has been resolved, the pandemic is gone, people are back to work, and the economy has recovered. That is not reality.

This bill will provide desperately needed relief to those we serve. Mr. Speaker, I urge everyone to support the American Rescue Plan.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentleman from Michigan (Mr. KILDEE), a distinguished member of the Budget Committee.

Mr. KILDEE. Mr. Speaker, I thank my friend, the chairman of the Budget Committee, for yielding.

Mr. Speaker, I support this legislation and the American people support this legislation because it is good for families, for seniors, for businesses, and it provides immediate economic relief to the people who are struggling right now.

$2,000 to every American, supported by Democrats and Republicans. Speeding up vaccinations, supported by Democrats and Republicans. Extending unemployment benefits, supported by Democrats and Republicans. Expanding the earned income tax credit and the child tax credit, cutting child poverty, supported by Democrats and Republicans.

I say it is supported by Democrats and Republicans with one exception: the Republicans who serve in this Congress.

Republicans across the country support it. Independents across the country support it. Democrats support it. This is the time to act.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from New York (Ms. CLARKE), a distinguished member of the Energy and Commerce Committee.

Ms. CLARKE of New York. Mr. Speaker, I thank the gentleman from Kentucky for yielding.

Mr. Speaker, I rise once again in support of the American Rescue Plan Act. This monumental and comprehensive legislation will bring a sustained critical relief to the American people: $1,400 in the direct payments to the most economically distressed Americans, cutting child poverty in half, $26 billion for emergency rental assistance, and $7.25 billion in new money for the PPP program.

New York City was the outbreak epicenter of the virus. We experienced unprecedented loss and economic devastation. But the American Rescue Plan; Brooklyn, New York; and the Nation can look forward to a future beyond devastating pandemic.

No amount of gaslighting, alternative facts, fear-mongering, and conspiracy theories will fool the American people. President Biden and the Democrats to the rescue.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentleman from California (Mr. KHANNA), a distinguished member of the Agriculture Committee and Oversight and Reform Committee.

Mr. KHANNA. Mr. Speaker, this bill is historic because it buries the myth that the cause of childhood poverty is a lack of character, or a lack of hard work, or a lack of love. The bill affirms the simple truth that the cause of poverty is a lack of income to cover basic necessities.

No child in America should be deprived of food, of medicine, of clothing, or of education because of the accident of birth. That is what this bill stands for. It represents and marks an ideological revolution on behalf of justice.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 45 seconds to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), a distinguished member of the Oversight and Reform Committee and the Appropriations Committee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, to honor the half million Americans who perished in this pandemic and rescue the millions still struggling in its fiscal chokehold, we must end this national viral nightmare.

The American Rescue Plan is our best hope and the most ambitious, progressive legislation in scope and impact since the Affordable Care Act. It delivers direct payments to families, helps our schools safely reopen, and ensures small businesses and Main Street stay open. It also ramps up testing and vaccine deployments, especially to underserved communities.

This plan's tax changes likely cut child poverty in half. If we want kids behind desks, shots in arms, and people in jobs, this American Rescue Plan delivers vital relief now and lays a solid foundation for the future.

Thankfully, the misers are no longer in charge, and help is on the way.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. MEEKS), the distinguished chairman of the Foreign Affairs Committee.

Mr. MEEKS. Mr. Speaker, as chair of the House Foreign Affairs Committee, I speak in support of the international provisions of the American Rescue Plan.

Pandemics do not respect international borders. COVID–19 won't end in America until it is brought under control around the world. The $10 billion included in this package for international support are a small, yet critical, investment in fighting COVID and its effects around the world.

This portion of the bill prioritizes global health, providing more that $4.6 billion to relieve overburdened healthcare systems and medical workers, and helping governments and multilateral partners develop and distribute vaccines.

To address the humanitarian crises exacerbated by this pandemic, the American Rescue Plan provides funding for lifesaving assistance, including shelter, food, clean water, and basic medical care. It also provides COVID-related relief to refugees, who are already among the most vulnerable; and to our multilateral partners, such as the World Food Program and UNICEF, who can leverage their other partners and their global reach to maximize these dollars.

These provisions would also provide nearly $1 billion in flexible funding for economic support to help ensure that even more need isn't created as a result of the economic impacts of COVID, which are already severe.

It will support our diplomats and development professionals, enabling them to scale up and adapt to the pandemic, and continue to serve Americans and our country's interests around the world.

The Foreign Affairs provisions represent approximately ½ of 1 percent of the overall package. These funds support America's foreign commitments to the poorest nations least able to tackle the pandemic.

Mr. SMITH of Missouri. Mr. Speaker, I reserve the balance of my time.

Mr. YARMUTH. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. GREEN), a distinguished member of the Financial Services Committee.

Mr. GREEN of Texas. Mr. Speaker, and still I rise, and I rise with gratitude and appreciation for the Biden administration. This administration did not give up, did not give in. This administration has become now a symbol of hope and help for working class people. It is time for us to put more emphasis on the workers and less emphasis on the billionaire class.

□ 1145

Mr. SMITH of Missouri. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there is this popular phrase that our Speaker is known for that we must pass the bill before we know what is in it. Well, the other side also said that you must poll the bill before the American people know what is in it. After they figure out what is in this bill, they won't like it.

We have looked at this bill. We have read it.

Less than 9 percent of all funding of this bill goes for healthcare spending to crush the virus and to put vaccinations in the arms of Americans. More than 20 percent of this bill goes to policies that harm jobs and reduce employment, and $36 billion will be cut from Medicare just next year alone because of this bill. Over $360 billion will be cut from seniors in 10 years because of this bill.

Mr. Speaker, when the facts are polled, the American people will know that this is a progressive wish list forced down by the Democratic Party.

Mr. Speaker, I yield back the balance of my time.

Mr. YARMUTH. Mr. Speaker, may I inquire how much time remains.

The SPEAKER pro tempore. The gentleman from Kentucky has 3¾ minutes remaining.

Mr. YARMUTH. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this morning there was a really interesting article in the Louisville, Kentucky, paper, The Courier-Journal, because yesterday the Beshear administration presented to the general assembly the numbers that Kentucky was going to experience based on this American Rescue Plan, the money that was going to go to the State, the money that was going to go to counties and cities, the money that was going to go to higher education—half of which has to be used to support students in need—and the amount of money that was going to go to help children out of poverty.

The way it was described in this article was that these legislators—overwhelmingly Republican, our State house is 75–25, and our senate is 38–9—were stunned and they were excited. One person described it as: the excitement was palpable.

Of course it is. This is life changing for so many constituents of theirs. It is life changing for the future of the Commonwealth of Kentucky.

Let me put it this way: We have 4.4 million Kentuckians—4 million out of 4.4 million, 92 percent—who will be getting a check, a $1,400 check, some a little bit less, but most $1,400, and 1.2 two million children will become eligible for an extended child tax credit—1.2 million children. The magnitude of the impact of this bill is truly stunning.

Now, some people will say—and you can infer this, Mr. Speaker, from many things the Republicans have said—that none of those people deserve the $1,400. They don't need it.

I hope they all go home and tell those people that they represent, you really don't need that $1,400. You haven't suffered because of this pandemic. You haven't had to care for a relative or a child who has not been able to go to school, and you haven't had any extra expenses because of the pandemic. You just don't need it. You are a moderate-income person. Don't take the $1,400.

I want to hear that conversation because it is not going to happen. As a matter of fact, what we are all concerned about on our side is Republicans are all going to vote against this and then are going to show up at every ribbon cutting for every project that is funded out of this bill, and they are going to puff up their chest and take credit for all these great benefits that are coming to their citizens. It is okay if they want to take credit for it. It is fine.

What we are concerned about is that we have finally, in this body and in this Congress, risen to the occasion in the context of a terrible national disaster.

What astounds me when I listen to the arguments against this bill is that nobody was at fault here. At least nobody out in the country was at fault. All these people who are going to get $1,400 didn't do anything wrong. All these kids who are going to get raised out of poverty certainly didn't do anything wrong. The people who are now in food lines in many cities across the country, who never ever would have been in a food line before, didn't do anything wrong.

Who is going to help?

Do we say this is all survival of the fittest?

No. We rose to the occasion. We delivered. The American people I know support us.

Mr. Speaker, I urge everyone to support the American Rescue Plan Act of 2021, and I yield back the balance of my time.

Mr. NEAL. Mr. Speaker, I yield such time as I may consume.

Mr. Speaker, this pandemic has been ruthless. With over half a million lives lost, we are a nation in a constant state of mourning. Sadly, we cannot take away the pain and the suffering of our friends, neighbors, and loved ones. But with this seismic legislation, we are delivering much-needed help and relief to millions of our fellow Americans.

In a few minutes, this Chamber will pass and then send to President Biden a monumental piece of legislation that will begin to turn the tide of an unprecedented health and economic crisis.

I want to thank Speaker PELOSI for the confidence that she offered to the Ways and Means Committee as we wrote most of this legislation.

In the 33 years that I have served in this House, I don't know that I will ever cast a more important vote than what we are about to do and of such great consequence in but a few minutes.

I am immensely proud of the work that the Ways and Means Committee members did to make this legislation a reality. We heard the American people, and we went big. We proudly contributed substantial solutions that will strengthen our recovery from this virus and rebuild our economy to work better for all Americans. The Ways and Means Committee was responsible for $1 trillion of this expenditure.

To contain the public health crisis and make health coverage more accessible, we are making the largest expansion of the Affordable Care Act since it was enacted and which the Ways and Means Committee helped to write. We are bringing down costs for jobless Americans saving them thousands of dollars in health insurance costs and more. We will also include assistance for nursing homes that are desperate to contain this virus.

We are going to help those struggling to stay afloat by putting cash in their pockets and simultaneously creating liquidity and demand. For the jobless, we extend Federal unemployment benefits to keep them afloat for the better days that lie ahead.

We have made three key tax credits for low- and middle-income workers and families more generous, more flexible, and more capable of tackling the inequality and concentrated wealth that exists in our country. We already know that a key to our recovery will be giving parents the tools to go back to work even though their previous childcare may have been upended. We will ease their worries by making childcare more accessible and indeed more affordable.

The child tax credit will lift millions out of poverty, and the expanded earned-income tax credit will put money into the pockets of the lowest-income workers.

Mr. Speaker, listen to this following statistic: All in all, there will be an increase in aftertax income for the poorest 20 percent of Americans by increasing their income by 20 percent. That is a staggering achievement. It is a life-changing achievement.

Lastly, we also made a long overdue fix to multiemployer pension programs that will protect hard-earned savings of workers, many of whom have been on the front lines of this crisis. These

are people who have played by the rules, served our country in the military, and worked day in and day out with the promise of a secure retirement not to have it pulled from under them. I would remind all that 30 Republicans on two separate occasions have voted for this bill as a standalone measure.

I heard a previous speaker say: This is a bailout. It is a backstop.

In addition, perhaps that individual didn't understand the PBGC, because if we didn't come to the support of these pensions, it would take down the Pension Benefit Guaranty Corporation which insures all pensions for Americans in the private sector.

I cannot stress enough—these provisions are going to change lives. We are not creating a narrative talking about changing lives, we are going to do it with this legislation.

We are doing the right thing, not only because of what we have been saying that we would do for years—this is the moment—but this legislation has the support of economists from the left, the right, and the center. This is about the power of ideas. But because it is what the American people want also, let me be clear: the American people, regardless of political affiliation, overwhelmingly support this package because they know what is in it is badly needed to get to the other side of the crisis.

I regret that the overwhelming support that I have just described has not been translated into unity in this Chamber. This is bipartisan in America even if it is not bipartisan in this Chamber.

Our colleagues on the other side have deemed workers who saw their entire industries evaporate perhaps unworthy of this moment. They have deemed working parents perhaps unworthy of this moment, and they have deemed the working- and middle-class American family perhaps at this moment unworthy.

I don't understand it.

Instead, there has been a lot of talk about this package being too large and too expensive. But if there was ever a time to go big, this should be it.

Shouldn't helping struggling American families be worth the size of this bill?

I seem to recall that my colleagues found that wealthy Americans and big corporations were worth the size of their tax cut. So why not working- and middle-class families who are facing a health and economic crisis unlike anything the Nation has experienced in more than a century?

I actually have some charts that I think highlight the difference today. We have two comparisons of who benefits from the American Rescue Plan and who benefited in the Tax Cuts and Jobs Act. This is pretty apparent and pretty obvious to all who might discern in this moment.

As you can see, Mr. Speaker, the benefits that my colleagues across the aisle will oppose today go directly to working-class Americans.

However, with the next chart, Mr. Speaker, you can look at their package, and it was nearly the same size. By the way, they borrowed $2.3 trillion for it. It had overwhelming support from their side of the aisle. But look who the benefits went to. The evidence is overwhelming as to who the benefits went to.

This package is nearly the same size as what they did, but the impact of what we are about to do will be extraordinary.

Multiple reports have highlighted how the tax cuts bill did not, as proponents claimed, grow the economy or indeed—the great hoax—pay for itself. That never happened. Yet they continue to stand behind a law that put the powerful and the wealthy first, and they dismiss what we are about to do today.

Hardworking Americans have been for too long left behind, and that ends today. This bill will save lives and livelihoods. We will help families stay housed, put food on the table, and access affordable healthcare. Most importantly, this package will help families avoid impossible choices.

Mr. Speaker, I urge our colleagues to rise to this moment and support this important legislation, and I reserve the balance of my time.

□ 1200

Mr. RICE of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to remind my friend and my chairman, who I have great respect for, Mr. NEAL, that the Tax Cuts and Jobs Act was one of the pivotal successes of the Trump administration that led to the lowest poverty among all Americans that had existed in decades, if not ever, and the strongest economy and lowest unemployment among all demographic groups.

Whereas, this plan, this so-called COVID relief plan, is not, in fact, a COVID relief plan at all. By far, most of the money goes to creating new entitlement programs. You see, my friends on the other side of the aisle are more concerned with making the American people rely on government programs than they are on creating opportunity for them to lift themselves up.

Mr. Speaker, if you operate a small business trying to get people to come back to work, if you are a frontline worker eager to be vaccinated and hoping this plan will speed that up, if you are a family attempting to educate your children while schools refuse to open, this bill won't help you. It leaves you behind.

My friend, Mr. CLYBURN, said last year that this COVID pandemic created a great opportunity for Democrats to mold things to their vision. Boy, are they delivering.

My friends on the other side say this bill is popular, and I don't doubt it is. I mean, it is certainly good politics to say: Hey, we are going to hand you a check for $1,400. Just help us get this across the line, and we will give you a check.

But what they don't talk about is what this bill costs. You see, $1.9 trillion is $5,487 for every man, woman, and child in this country—$5,500 for every man, woman, and child.

What these guys want to do is have the government borrow $5,500 in your name, and not just your name, your wife's or your husband's name and each of your kids' names. $5,500 they are going through in the kitty, but they are going to give you $1,400 of it back, so vote for this bill.

I think we should look a little further than that. I think we should look maybe at where the other $4,100 that they are borrowing in your name goes. Guess what? That money is going to have to be paid back. It is going to be paid back in higher taxes. It is going to be paid back in lower productivity. It is going to be paid back in lower government services. It is going to be paid back in less opportunity for your children and your grandchildren.

Let's look at where this $4,100 goes.

$750 of your $4,100 that they are borrowing in your name and each of your kids' names goes to paying extra unemployment for people to stay home. In fact, it pays people more unemployment than they can make at work, in most cases.

To bail out union pension plans that are chronically underfunded—and this problem needs to be fixed, but this plan does nothing to fix the problem. They will continue to be chronically underfunded. $177 of your $4,100 they are borrowing in your name and not giving back to you goes to bail out union pension plans.

$1,067 of your $4,100 that they are borrowing in your name and not giving back to you goes to bail out blue States. In the prior plans, we already had money to help States. A lot of the money hadn't been spent from the prior plans that we had. But they changed the allocation formula in this plan.

It was based on population, so every State was treated fairly. But that is not good enough for places like California and New York that are shut down. So they said: I know. Let's add unemployment in there because our Governors have shut our States down, and our unemployment is higher, and we want more money. We want to take money from places like Florida, Georgia, South Carolina, and other States in the Midwest that stayed open, and we want to redirect it to California and New York.

So, they threw in unemployment as a criteria. South Carolina, my home State, is the third biggest loser. Florida is the biggest loser. We lose over $1 billion, and $5.4 billion extra goes to rich California. That is $1,067 each of your money.

K–12 education, colleges, and universities get $500 of your money that they

are borrowing in your name. But guess what? We know you want to send your kids back to school, but they don't require that the schools actually open. Schools are sitting there closed.

They are still getting your property taxes. They are still getting all the property taxes that normally fund you. But they are going to send them another $500 of your money but not require that those schools open.

$34 of your money goes to museums and Native language preservation. You are spending $34 of your $4,100 on that.

Public health organizations, including Planned Parenthood, get $58 of your money that they are borrowing in your name and your kids' money that they are borrowing in their names. It goes to Planned Parenthood.

Transportation grants, $128.

Agriculture includes socially disadvantaged farmers. What does that mean, people who have historically been socially disadvantaged? That means if you are a White farmer, don't apply.

Foreign aid gets $30.

Then, I am lumping all the other progressive priorities of $1,279, and with a direct check of $1,400, it adds up to $5,487.

Mr. Speaker, this bill has had an absurd lack of bipartisanship. My chairman, my friend that I respect, says that the Ways and Means Committee created this bill. We didn't create this bill. Madam PELOSI uses COVID as an excuse to keep us out of town so she can write this liberal grab bag.

We had no hearings on this bill. When we marked it up, there were dozens of amendments offered. Not one single amendment was accepted. This is an absolute ram job by the Democrats of a menu of liberal priorities.

Mr. Speaker, we can do better. I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. THOMPSON), who is the chairman of the Select Revenue Measures Subcommittee, which plays a central role in tax policy. And repeatedly, he assures me that he is of modest income and from California.

Mr. THOMPSON of California. Mr. Speaker, I rise in strong support of this legislation.

This bill is one of the most consequential policies considered by this body during my time in Congress. From top to bottom, it provides struggling Americans with the relief that they need.

It provides critical healthcare funding to help crush the virus, including funds to continue ramping up vaccinations.

It provides funds to help small businesses stay afloat, to help restaurants keep their lights on, to help families afford health insurance, to keep workers employed, and to help kids get back into school.

It bolsters State and local governments and provides emergency assistance to the millions of Americans behind on rent. On top of that, this bill is projected to cut child poverty in this country in half.

This is an excellent bill, and I thank my colleagues, the chairman, especially, and our partners in the administration for swiftly bringing this critical relief to the floor.

The American people know that help is on the way. I urge my colleagues to vote ''yes.''

Mr. RICE of South Carolina. Mr. Speaker, I yield 1 minute to the gentlewoman from West Virginia (Mrs. MILLER).

Mrs. MILLER of West Virginia. Mr. Speaker, I rise today to speak against H.R. 1319, PELOSI's progressive payoff, and in support of America's gig economy.

Not only is this a costly bill full of liberal wish-list items that do nothing to crush COVID or create jobs, but it also stifles America's gig economy at a time when it needs our support the most.

The gig economy provides flexibility and opportunity to businesses, workers, and customers in urban and rural areas. The success of America's gig economy is due to the absence of government overregulation.

Let's take a lesson from the gig economy that has flourished and scale our response around demand rather than regulation.

I am giving this bill one star. Our gig economy workers and customers deserve the freedom to work and to thrive.

Mr. NEAL. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. DAVID SCOTT), my friend and chairman of the Agriculture Committee.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, let me, first of all, try to respond so the American people will know that this money, this $1.9 trillion, is going to help our Nation survive COVID–19. It is not just a disease that is out there. It is a disease that has impacted our people.

Let me tell you what is in this bill: $800 million for food.

Don't you all know we have a hunger crisis? Don't you know that the American people are hungry? They are in record lines—you see them—miles long every day, trying to get food.

It has $800 million for food for women, infants, and children. We have 13 million of our children and infants going to bed hungry and malnourished every single night. You know why? Because of COVID. Employment is down; our folks don't have the money to get the food.

Mr. Speaker, this is why our Agriculture Committee is having hearings tomorrow to address hunger, to see what else we need to do.

And I must respond to this.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NEAL. Mr. Speaker, I yield an additional 10 seconds to the gentleman from Georgia.

Mr. DAVID SCOTT of Georgia. He brought up the issue of the Black farmers. It is important for you to know that our Black farmers were not included in the other pieces, so we got them $4 billion just to help them and technical assistance. America needs this.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. RICE of South Carolina. Mr. Speaker, I would remind the gentleman that, due to the enormity of this bill, if $800 million of this bill goes to food assistance, that represents less than one one-thousandths of the total. That is a very tiny, small fraction.

And the prior bills were done in a bipartisan fashion. I am certain we could have worked in a bipartisan fashion if there was any attempt to do that. But, in fact, this is just a ram job by the liberals to push through a vastly expanding entitlement system.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. ARRINGTON).

Mr. ARRINGTON. Mr. Speaker, the American people deserve the truth.

Over the past year, Republican and Democrat lawmakers have worked together to provide temporary and targeted assistance to the American people. Five times, we passed bipartisan legislation, totaling $4 trillion, to help families get back on their feet and our country get back to work.

Which begs the question, Mr. Speaker: Why now are Democrats, who control Congress and control the White House, abandoning bipartisanship to jam through this partisan legislation without a single Republican vote?

I will tell you why. It is because this is not COVID relief. It is a $2 trillion blue State boondoggle and a Trojan horse for their reckless partisan policies.

It is because Speaker PELOSI is throwing your tax dollars at Democrat cronies like a float captain throws beads at a Mardi Gras parade: bailouts for union pensions, bailouts for cash-flush States like California, bailouts for schools that still refuse to open their doors to struggling students.

This massive spending bill, masquerading as COVID relief, will bankrupt the country. It will not rescue the country. It will bankrupt it and saddle our children with insurmountable debt.

I urge my colleagues to vote ''no'' on this bill.

□ 1215

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER), the chairman of the Subcommittee on Trade and a valued senior member of the Ways and Means Committee.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's comments moments ago.

This is historic legislation dealing with priorities long neglected. The charts that he presented tell it all.

The Republicans, with their $1.7 trillion tax cut, primarily for people who didn't need it, versus our priorities, dealing with making a major impact on child poverty, dealing with health, dealing with our local governments being able to survive. This is a reflection of Democratic values, and the difference it makes is stark.

I am proud to vote in favor of this recovery act. I am proud of what it is going to do for people who need it most. The contrast between Democratic priorities and what the Republicans did when they used reconciliation could not be more stark.

I appreciate the gentleman illustrating it, and I hope that the House will approve this measure.

Mr. RICE of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

I agree that the priorities could not be more stark, when the Tax Cuts and Jobs Act led to the most successful economy in decades, if not ever, and the lowest unemployment among African Americans, Hispanics, and women in the history of the United States. Whereas, this bill just represents a massive expansion of our entitlement system.

Our priorities are to get people to work. The Democrats' priorities are to get people hooked on the government, to make them reliant on government checks.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, I rise today to oppose this solely Democrat payoff spending bill.

I will agree with my colleagues, it is historic. I agree with my colleagues, it is consequential. There is no doubt about it. I am sure that with $1.9 trillion, somebody will be helped. I am quite sure of that. But the next generation of Americans are not going to be thankful.

Let's be honest with the American people. This is not a COVID relief bill. Members of this body came together four times last Congress and passed legislation that actually provided relief to our constituents. This bill is so incredibly far away from that, as Republicans have been completely frozen out of this process.

Mr. Speaker, what is the result? Only 9 percent goes towards defeating the virus.

$1.5 billion for Amtrak, which is already sitting on $1 billion in unspent aid. Maybe riding Amtrak is a good place to socially distance. Maybe that is the reason.

$50 million for environmental justice grants, Mr. Speaker. That doesn't educate our children.

Roughly $1 trillion on other liberal pet projects, when we have $1 trillion from the previous bipartisan bills that has been left unspent.

Can someone explain what that has to do with COVID relief? Anybody?

If Members are serious about directly addressing the medical and economic challenges our country faces, like getting businesses open, getting students back to school, getting vaccines to Americans who want them, I will work with anyone in this body to do so. You know Republicans will, because we did several times until Democrats ignored us this Congress.

Please, let's not pretend this bill is about COVID relief. That simply is not true.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. LARSON), chairman of the Subcommittee on Social Security and tireless champion of ensuring the delivery of stimulus checks to low-income retirees.

Mr. LARSON of Connecticut. Mr. Speaker, I want to thank President Biden for his science-based efforts in defeating this virus and his unrelenting focus on putting American families back on their feet.

The American Rescue Plan meets the moment and fulfills that old adage that help is on the way.

This bill gets shots into arms, money into people's pockets, and provides their communities, and especially our schools, with the relief that they need.

In Connecticut, 1.5 million working families will receive $4 billion. This relief is felt by those families—I say to my colleagues—as those families sit at the kitchen table and look across at each other and talk about their day-to-day needs and what needs to be met, Mr. Speaker.

And so this bipartisan relief package that we have put forward—and I say bipartisan, because when you talk to the general public and when you talk to the people that need this relief directly, you see that more than 70 percent of Democrats, Republicans, and the unaffiliated support this bill.

Mr. RICE of South Carolina. Mr. Speaker, what my friends across the aisle are saying is: Here is your $1,400 check, but don't look at what I am doing behind your back with the other $5,500 I am borrowing in your name and in the names of each of your children.

Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. REED).

Mr. REED. Mr. Speaker, I don't need a sheet of paper to express my words here today.

I rise in objection to this bill, because this bill is being passed on the backs of 500,000 plus of our fellow American citizens' deaths, under the guise that you are passing a bill on a partisan basis, on their souls, in order to do COVID relief. This isn't relief. This is because you guys won the majority.

I am speaking to the American people, to speak truth.

You won the majority, you took the opportunity to put forth an agenda, and you didn't include bipartisan support.

I had one simple amendment on this bill. $1,400 is going to go to convicted child molesters in State prisons. What is that doing to stimulate the economy? Why does a child molester, who is sitting in State prison, need $1,400 to buy cigarettes or play video games in State prison? That is your priority. That is what you put in this bill. You didn't even debate our bipartisan amendment to try and have that included.

Let's be honest with the American people. You are playing politics. You are carrying forward an agenda. I get it. You won the election. But this is an emergency. This is a virus that is killing our fellow American citizens.

We put together $4 trillion worth of relief to the American people on a bipartisan basis. We should have done it again, and you didn't. It is wrong. That is why I say no to this bill.

The SPEAKER pro tempore. Members are again reminded to direct their remarks to the Chair.

Mr. NEAL. Mr. Speaker, the gentleman from New York, my friend, knows that that decision was rendered by a federal judge, not by this Chamber.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PASCRELL), chairman of the Subcommittee on Oversight, who has led on a number of provisions, including extending the earned income tax credit to Puerto Rico.

Mr. PASCRELL. Mr. Speaker, a lot of people are waiting to get this done today. It is up to us to help Americans who can't buy their groceries or pay their rent and are not in prison.

It is up to us to protect seniors in nursing homes.

It is up to us to ensure that every American has quality health insurance and is able to get vaccinated.

These are Congress' burdens, our burdens.

I am voting yes, because Ingrid from Rutherford told me it would help her pay the rent or utilities. How can I say no to that?

I am voting yes, because Bradley from Fort Lee told me that a new stimulus check was the only way he could get help for his kids until he finds work. I am voting yes for that.

Our cities and States are being bled into bankruptcy. They contemplate cuts to public safety in schools that will be felt for a generation without us acting.

Americans are crying out for help, Mr. Speaker. Can you hear them? They have given us the burden to act. Today, we are going to deliver. We should be happy today. We should not be angry.

Mr. RICE of South Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. LAHOOD).

Mr. LAHOOD. Mr. Speaker, I rise today in opposition to the Democrats so-called COVID relief bill.

Congress' focus should be specifically dialed in on crushing this virus, creating jobs, and getting our economy back open.

Unfortunately, this package falls well short.

As we battled the COVID pandemic over the last year, the economic stress placed on communities that I represent in central and west-central Illinois has been immense.

Congress acted five times in a bipartisan way over the last year, creating over $3.7 trillion to help keep businesses and workers afloat and support the healthcare community, all of which we supported.

As of today, more than $1 trillion of those budgetary resources is still available, including money for State and local governments, small businesses, and schools.

Congress can do more to support the economic recovery from COVID, but our efforts must be targeted.

We cannot spend our way out of this crisis.

In Illinois, we have seen the negative impact of the tax-and-spend agenda that put our State on the path to economic disaster.

The proposed stimulus plan by the Biden administration will impose new, burdensome costs, regulations, and rules on small businesses, making the recovery even more difficult.

It is disheartening that, following calls for unity in his inauguration, President Biden's first major legislative agenda item was partisan and specifically designed not to allow Republican input.

Instead of rewarding fiscally irresponsible States with huge bailouts, Congress should work to incentivize growth, focus on job creation and vaccine distribution.

To generate a strong economy, we need to get government out of the way, open our communities, and enable Americans to thrive.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of our House.

Mr. HOYER. Mr. Speaker, some of us have been here for some period of time. Some of us have heard this debate before. My friend, Mr. REED, from New York, opined, and others have opined, about how we passed a number of bipartisan bills, five to be exact. March 4, March 14, March 27, April 24, and then we had a hiatus, because the majority leader of the Senate said we ought to take a break and see what happens, and the minority leader of the House said the same thing. So we didn't take any action. Frankly, tens of thousands of people died—hundreds of thousands of people died.

Now, I point out that we have acted five times: 415–2, 363–40—a voice vote on the CARES Act, $2 trillion—388–5, and 359–53.

Now, if you include the CASH Act, which we passed, because the President, i.e., Mr. Trump, said we needed more money for people, so we passed the bill and 44 Republicans voted for that one as well.

Now, there is only one thing that has changed since we passed those first five bills. We now have a Democratic President and not a Republican President. That is the only thing that has changed.

The need is there. The virus is still with us. The economy is struggling. But now we have a Democratic President, so I expect zero of you to vote for this.

Excuse me, Mr. Speaker. Mr. Speaker, I expect zero Republicans to vote for this bill.

Why do I expect that? Because I was here in 2009 when, under George Bush, we went into the deepest recession this country has seen since the Great Depression.

Very frankly, Mr. Speaker, we passed two major pieces of legislation to deal with that recession. One was called TARP, the Troubled Asset Relief Program. A Republican President and Democrats passed that bill. Only a third, Mr. Speaker, of the Republicans would support President Bush.

□ 1230

You can shake your head, but you look at the RECORD, that is the fact. That is the fact.

Democrats supported the request of a Republican President because we thought it was in the best interests of the country and our people. And the only reason it passed this House is because Democrats, 172 of us, stood up with George Bush and voted for that program. And it was a bad vote for us. It was the right thing to do, but politically it was a bad vote.

How sad, Mr. Speaker, I think it is that we passed five bipartisan votes with a Republican President. Now the President is different, and we don't want to give him any credit, so we are going to cut off the nose of the American people to spite the face of America.

Mr. Speaker, the Democratic majority in the Senate has taken action, passing an amended version of the American Rescue Plan that this House approved on February 27. The version they sent us back reflects the same commitment demonstrated by this House to take the big and bold action demanded by the American people and overwhelmingly supported not just by Democrats, but by Republicans.

The Republicans outside this House support this bill. Only the Republicans inside this House, unanimously apparently, oppose this bill while some 60 percent of the Republicans in America polled say, ''We are for this bill.''

But we have a Democratic President, I get it. President Biden's plan is reflected in this legislation. It says President Biden's plan, but this is our plan. This is a plan we built over a year of tough debate, long debate, substantive debate and discussion on both sides of the aisle, and in a bipartisan fashion passed those five bills.

This bill is consistent with the measures we passed last year to confront the challenges to our public health and economic well-being. It achieves a number of critical goals: It puts vaccines into Americans' arms; it will put money in Americans' pockets; it will put children back in classrooms; it will put millions of Americans back to work and reopen businesses safely; and it will put at ease the frontline and essential workers who are in the public sector, like teachers, the first responders, by ensuring that State, local, Tribal, and territorial governments can keep them employed.

Mr. Speaker, the American people overwhelmingly support this legislation, with more than three-quarters in favor of its enactment, according to a Morning Consult poll from March 3rd. I would like to see some of the NRCC polls because I think they give the same message. But, of course, maybe those people polled didn't realize there was a Democratic President. Heaven forbid that we vote for something that a Democratic President wants.

Mr. Speaker, I put our party up to any kind of analysis in terms of our bipartisan support for Republican Presidents when we thought it was in the best interests of the country. Nearly 6 in 10 Republicans want to see this bill passed.

Listen to your people. I am surprised that more of our Republican colleagues are not planning to vote for this legislation. I hope they will do so. I hope they will do so because I think it is in the best interests of our Nation, of our families, of our individuals, of our businesses, of our economy. I hope they will join Democrats in taking action to help the nearly 10 million Americans who are out of work compared to this time last year.

We waited. This is what happened. I hope they will also join Democrats in voting to extend expanded unemployment insurance benefits that would otherwise lapse for more than 11 million families this weekend and to make good on our promise to send another round of $1,400 stimulus checks to most Americans.

What are they going to do with that check?

They are going to put it in the economy, and it is going to grow the economy and create jobs.

And I hope they will join us in supporting a massive effort at deploying vaccines and testing so we can defeat this virus.

The American Rescue Plan means an end to the failed approach of hitting the pause button. It didn't work. It is time to hit the start button. It is time to start Building Back Better through bold action. That is a political slogan. I like it. I have a Make It In America slogan myself.

But this is not about slogans. It is about investment in our country, in our economy, and in our people, our families, our children, and, yes, the most vulnerable among us. That is what my faith teaches me to do. This is a vote to face our challenges with all of our strength and resolve. This is a vote to have each other's backs as fellow Americans in this time of difficulty.

Mr. Speaker, with our votes today, we can send this legislation to President Biden so he can sign it into law and get the help that America and Americans need.

Mr. RICE of South Carolina. Mr. Speaker, I would remind my friend, the majority leader, that the reason that this bill is not bipartisan is there has been no effort to make it bipartisan.

There have been zero committee meetings on this. Ms. PELOSI uses COVID as an excuse to keep us away from Washington so that she can write these liberal grab bag bills on her own. There were no hearings on this in the Ways and Means Committee or I don't think any other committee. I am sure we could have found a bipartisan response to this, but instead they chose, because they have the majority now, to ram through their list of liberal priorities in a massive expansion of the entitlement system under the guise of COVID relief.

Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Speaker, I rise today in strong opposition to the Senate amendment to this payoff package.

According to the Treasury, at the end of 2020, $46 billion provided to States in the CARES Act pandemic relief funding remained unspent. And this payoff package provides them an additional $360 billion.

The partisan formula used will direct hundreds of millions more to liberal States like California and New York. That is because the formula is determined by the State's population of unemployed people. States that enacted stricter lockdowns with the heavy hand of government saw higher unemployment rates and, therefore, will get more money.

I will also highlight the racist socially disadvantaged farmers and ranchers provision. This provision should be a clear violation of the Civil Rights Act of 1964, and I call on the Department of Justice to investigate it if it becomes law. It is shameful and, in my opinion, illegal. I cannot justify conditioning relief based on race and ethnicity. This is not equality under the law. Federal aid dollars should be colorblind, and this bill puts the Federal Government in a precarious position.

Mr. Speaker, I urge my colleagues to vote ''no'' on this relief package.

Mr. NEAL. Mr. Speaker, I am glad Mr. HOYER also pointed out that many of us did support President Bush's rescue package. I voted for it twice.

We met with Hank Paulson, the Secretary of the Treasury, in the Ways and Means Committee library, and he said, ''You have to do this.'' We followed suit and supported it.

It has come to my attention that there is some uncertainty about the effective date of one of the provisions in the American Rescue Plan Act of 2021. In section 9706 of the bill, we allow single-employer pension plans to measure their liabilities by using interest rates that are closer to historical norms, rather than the low interest rates that are in effect today in part because of the pandemic. This provision will enable both plans and participants to weather this crisis far better. I'd like to clarify an issue relating to the effective date of this provision. Plans can choose to have the provision apply starting in 2020. In addition, plans can elect to have the provision apply starting in 2022, so that it does not apply until 2022. It also is our intent that plans can elect for the provision to apply starting in 2021. We believe that is the right interpretation of the language of the bill. We want to give plans the maximum flexibility in this regard so that tomorrow's retirees can achieve a secure retirement. My staff has run this interpretation by the staff of the Joint Committee on Taxation and they also agree that an election to have the interest rate smoothing apply starting in 2021 is permitted by the language in the American Rescue Plan Act of 2021.

Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. DANNY K. DAVIS), the chair of the Worker and Family Support Subcommittee, who has been a champion for the expanded childcare credit in this legislation.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, this is the day that millions of Americans have been waiting for, and now it is here.

This is the day that we get serious about cutting child poverty in half, about putting millions of doses in the arms of people, vaccinations that they will get.

This is the day when individuals know that their unemployment check is coming. They have hope because now they can pay their rent, pay the mortgage, buy the baby milk, get the automobile repaired.

This is the day that the pastor at my church would say that the Lord has made, let us rejoice and be glad in it. I say this is the day that we restore the economy of America and save our Nation.

Mr. RICE of South Carolina. Mr. Speaker, I would respond to the comments of my friend, the chairman of the Ways and Means Committee when he said that he voted in favor of the bill when Hank Paulson came over and said it is something we needed to do, as opposed to this bill, which President Obama's former director of National Economic Council warned about consequences of this bill for the value of the dollar and financial stability because of the excessive borrowing that we are doing.

Again, folks back home, we are borrowing $5,500 in your name, in your wife's name, in your children's name, and giving you $1,400 of it.

President Biden's chief of staff boasted about this bill that this is the most progressive domestic legislation in a generation. So it is no surprise, Mr. Speaker, that there is no bipartisan support for this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. PALLONE), the chairman of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, I heard some of the Republican Members say they want to fight the virus, yet they are voting ''no'' on this bill. I would say they should do the opposite. If they want to fight the virus, they should be voting ''yes'' on this bill.

Unlike under President Trump, when there was no national plan to fight the virus, under President Biden, for the first time we have a national plan to fight the virus that does not force States and local governments to compete with each other for testing, contact tracing, and medical supplies.

The American Rescue Plan will support the national effort to ramp up distribution and administration of life-saving COVID–19 vaccines, as well as the implementation of a national testing strategy that will help us quickly track and contain the virus. It also includes the largest expansion of healthcare coverage since the passage of the Affordable Care Act, including lower monthly premiums for millions of Americans and a coverage expansion for millions under Medicaid who are currently uninsured.

Mr. Speaker, the American Rescue Plan lives up to its name. It rescues families by providing critical utility bill assistance so they can keep their lights on, the heat working, and the water running. It rescues kids by boosting internet connectivity to bridge the digital divide and close the homework gap.

Mr. Speaker, the American people are hurting. This legislation will rescue our families, our communities, and our Nation as we continue to confront this devastating pandemic and the ongoing economic crisis. It is time to act, and this is the bill to bring us forward.

Mr. RICE of South Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. SÁNCHEZ), who was a lead supporter of expanding the child tax credit and a longstanding advocate for helping laid-off workers through COBRA.

Ms. SÁNCHEZ. Mr. Speaker, I rise today to support the American Rescue Plan, and I want to thank Chairman NEAL for his work to ensure that this package keeps our promises.

This rescue plan is transformative. It is the biggest investment in American families in a generation.

It puts shots in arms, money in pockets, children back to school, and people in jobs.

It invests in research, development, and production to get vaccines out to all Americans.

It helps keep people in their homes and apartments.

It puts food on the tables of families who are experiencing hunger.

It supports 27 million children with an expanded child tax credit.

It helps more than 17 million workers through the earned income tax credit.

It lowers healthcare costs and helps families keep their health coverage

through a provision in the bill that I coauthored with Congresswoman MCBATH.

A vote for this bill is a vote for investing in the dignity of America's families. I urge my colleagues to vote ''yes'' on this relief package.

□ 1245

Mr. RICE of South Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Alabama (Ms. SEWELL), a member of the Ways and Means Committee, who has been a powerful voice for home-visiting programs and the help they provide to pregnant women and children.

Ms. SEWELL. Mr. Speaker, today is a day of great progress and great promise. I rise today to urge my colleagues to vote in favor of the American Rescue Plan.

The American Rescue Plan will save lives and livelihoods. It will put vaccines in the arms of Americans and provides $20 billion in a nationwide vaccine plan.

It also puts children safely back in schools with a nearly $130 billion investment. It will put money in people's pockets by delivering $1,400 stimulus checks, as well as expand reliable childcare and affordable healthcare. It will extend unemployment benefits to 18 million Americans and so many Alabamians that I represent.

It will put people back to work by providing critical support for the hardest hit small businesses, expanding PPP eligibility and much more. It will give lots of needed money directly to localities, to local cities and counties. In fact, $472 million of direct funding will come to the State of Alabama in my district.

Mr. Speaker, I want my constituents to know and all Americans to know that help is indeed on the way.

Mr. RICE of South Carolina. Mr. Speaker, I would point out to my friend from Alabama that because of the change in the allocation formula in this bill, relief for States—from the prior COVID relief bills—now this formula will focus on the unemployed; therefore, places that have shut their economies down and hurt their citizens economically will get more money than places who haven't.

As a result, Alabama is the fourth or fifth largest loser in this bill in State and local government recovery money. Alabama will lose about $890 million, almost $1 billion, and that works out to approximately $178 lost for every man, woman, and child living in Alabama.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Washington (Ms. DELBENE), a member of the Ways and Means Committee, who has been a tireless champion for this legislation's historic expansion of the child tax credit.

Ms. DELBENE. Mr. Speaker, I rise today in support of the American Rescue Plan, a bill that will deliver crucial relief to millions of Americans who have been struggling for far too long.

The pandemic has caused economic uncertainty, hardship, and turmoil. An estimated 8 million people have fallen into poverty during this crisis making the need for relief even greater.

This bill includes an antipoverty measure I have fought for: An expansion of the child tax credit. The expansion will provide increased payments to help families pay bills and buy essentials. The expansions in this bill are estimated to cut child poverty in half. This will transform the lives of many families and children.

As chair of the New Democrat Coalition, I am working to make the child tax credit permanent with Representatives DELAURO and TORRES. Democrats are united around our shared goal to rebuild the middle class and make some of the biggest antipoverty reforms in a generation.

I welcome my colleagues on the other side of the aisle to join us. Lifting children out of poverty should not be partisan.

The American Rescue Plan will get our economy back on track and crush the virus. I urge my colleagues to vote ''yes'' on this critical legislation.

Mr. RICE of South Carolina. Mr. Speaker, I would remind the gentlewoman that we are borrowing $5,500 for every man, woman, and child in the entire country with this $1.9 trillion bill and that we are using that money to expand entitlement programs, including the child tax credit.

Well, who is going to end up paying back that $5,500 per person? It is going to be the very children that we are professing to help today.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. CLARK), a champion of all things Massachusetts.

Ms. CLARK of Massachusetts. Mr. Speaker, I thank the gentleman for yielding and for your incredible work and that of your committee.

A few weeks ago, my colleagues across the aisle were animated in their support of fairness for women. So here is the moment to dispel any doubts that that was just a disingenuous defense of bigotry and truly help American women by supporting this transformative legislation.

Women have been on the front lines of this crisis. Over two million women have been pushed out of work while fighting to keep their families fed, healthy, and housed. Because of this pandemic, women's participation in the workforce is at a 33-year low.

A vote ''yes'' for the American Rescue Plan is a vote to say vaccines can get into the arms of teachers and our frontline workers. That direct checks will go to 85 percent of Americans. An expanded child tax credit will cut child poverty in half. Unprecedented childcare funding will directly benefit its workforce made up of 95 percent women.

Vote ''yes'' for women. Vote ''yes'' for families. Vote ''yes'' for a more equitable future.

Mr. RICE of South Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Virginia (Mr. BEYER), a valued member of the Ways and Means Committee, who played a central role in shepherding this legislation through 2 days of Ways and Means consideration.

Mr. BEYER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, my vote today for the American Rescue Plan will be the most consequential vote I have ever cast.

Today, we show that democracy works.

Today, we make available all the resources needed to end a pandemic that has killed 527,000 Americans.

Today, we lift millions of American children out of poverty.

Today, we make the investment to get our children back to school safely.

Today, we authorize economic income payments to millions of our citizens behind on their rents and car payments and unable to buy groceries.

Today, we extend unemployment insurance for the 10 percent of Americans still out of work because of the virus.

Today, we send national help to those State and local governments who employed the heroes who provide our quality of life: police, firefighters, teachers, child protective service workers, sanitation workers, and many others.

And, today, we reject the social Darwinism of our Republican friends. We reject the ethic of every man, woman, and child for themselves.

Mr. Speaker, I am proud to vote for this bill today.

Mr. RICE of South Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. EVANS), a member of the Ways and Means Committee, who has been a leader on expanding the earned income tax credit.

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding.

This act is big and bold, and it begins to keep our promise to Build Back Better. This is a historic bill, a policy revolution.

It includes: cutting child poverty in half, expanding the earned income tax credit for our essential workers, and saving people's pensions.

It means a shot in the arm, returning kids to school safely, and more people back in jobs.

My constituents in Philadelphia feel it is needed now. This is something we all should be working on together.

I thank the chairman of the Ways and Means Committee and all of the

staff for working on this very important bill. This is something that is long overdue, and I am glad to be part of it.

Mr. RICE of South Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. PANETTA), a member of the Ways and Means Committee, who was one of the loudest voices for expanding the employee retention tax credit and a leader on all provisions that will improve care for nursing home residents.

Mr. PANETTA. Mr. Speaker, 1 year ago this week we left Congress early because of COVID–19. Since then our entire way of life has been upended with the worst pandemic in a century, where at times we weren't taming this COVID tiger, we were just riding it.

Yet, despite that rough ride, we did our job in Congress with five massive relief bills that kept the economy afloat, the poverty rate flat, and put us in the position where right now we are neck and neck in this race between injections and infections.

Yet my colleagues on the other side want to slow us down by voting ''no,'' claiming process or price or pork or politics.

Well, I support the American Rescue Plan, not just because we need to speed up our response but because this bill is about people; their health, their vaccines, their jobs, their businesses, their local governments, and getting our kids back to school safely.

So let's do our job. Let's defeat this disease. Let's win this race by voting ''yes'' on the American Rescue Plan.

Mr. RICE of South Carolina. Mr. Speaker, I would remind my friend that only about 9 percent of this bill actually goes to speed vaccine production and delivery around the country. And if more of that were occurring in this bill there may be more bipartisanship.

This bill is a misnomer called a COVID recovery act when, in fact, it is just an expansion of entitlements that will make people more dependent on the government and will lessen their opportunity and heap debt on our children and our grandchildren.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. GOMEZ), a valued member of the Ways and Means Committee, who fought hard to ensure that all mixed-status families are eligible to receive the economic impact payments and emergency assistance under this legislation.

Mr. GOMEZ. Mr. Speaker, I represent Los Angeles, California, considered by many as one of the epicenters of the COVID–19 pandemic.

In my district working families are struggling to pay bills, small businesses are trying to stay afloat, and countless others are doing everything they can to keep a roof over their heads.

They need us to pass the American Rescue Plan.

Throughout California, essential workers, many of them Black and Latinos, are keeping our economy running. Frontline healthcare workers are exhausted from caring for their patients day after day, month after month during this pandemic, and local organizations are distributing food every single day to those in need. They need us to pass the American Rescue Plan.

Across the country people are terrified that they or a loved one will get COVID–19 before being vaccinated and end up in the hospital or dead. They are scared that the American Dream is drifting further and further away. They need us to pass the American Rescue Plan.

That is why 75 percent of Americans support this plan. Democrats, Republicans, independents from red States and blue States, they are urging us to pass this plan, and they are urging their Representatives to listen to them. They are urging my colleagues on the Republican side of the aisle to not turn a deaf ear to their cause and do the right thing and vote with Democrats to pass this bill.

Mr. RICE of South Carolina. Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. SUOZZI), a member of the Ways and Means Committee, who has been a champion for provisions to shore up the multiemployer pensions.

Mr. SUOZZI. Mr. Speaker, the other side of the aisle is peddling a false narrative. This bill is not loaded with pork. It is not a blue State bailout.

It is a comprehensive plan to help people crushed by the virus beat the pandemic into the ground and ensure a rapid economic recovery.

Yet my friends across the aisle and their cable news and social media enablers continue to promote fake news.

Let's set the record straight. It is true that 9 percent—their favorite talking point—9 percent, or $171 billion is for vaccines, testing, and other healthcare infrastructure.

Well, what about the other 90 percent? $424 billion for $1,400 stimulus checks, $350 billion for struggling State and local governments, $246 billion for unemployment insurance, $219 billion for children and childcare so parents can return to work, $178 billion to help reopen schools, $109 billion for farmers and small businesses, $28 billion for restaurants and live venues, $40 billion for renters and homeowners who need assistance.

Let's pass this bill. Stop the phony-baloney talking points and get the American people the relief they need.

□ 1300

Mr. RICE of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would remind my friend that what we are doing here is waving a $1,400 check in front of our constituency and saying, ''Look at this,'' but we are like the Wizard of Oz, ''Don't look at what is going on behind the curtain,'' because what we are doing with this $1.9 trillion bill is borrowing $5,500 for every man, woman, and child in this country.

We are giving them $1,400 so it is palatable to them. We are giving them a little sugar. We are not reminding them about the $4,100 other dollars that we are borrowing in their name, of which $1,067 goes to bail out blue States like New York and California.

Mr. Speaker, $177 of their money, of that $4,100, goes to bail out union pension plans; $750, folks back home, of your $4,100 that we are borrowing in your name and your wife's name and your kids' names is going to extend unemployment benefits to pay people more to sit home than they can make at work; $34 goes to museums and Native American language preservation; $393 goes to K–12 and $120 to colleges and universities, of your money, each of your money, and there is no requirement that they reopen; $58 goes for public health organizations, including Planned Parenthood.

Mr. Speaker, this bill, again, is simply a guise. COVID relief, no. As Mr. CLYBURN said: Let's use this disaster to mold things to our vision.

And they are doing exactly that. This is a massive expansion of the entitlement programs.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Mr. Speaker, I yield 30 seconds to the distinguished gentlewoman from Michigan (Mrs. LAWRENCE).

Mrs. LAWRENCE. Mr. Speaker, the scale of our relief bill must match the scale of this crisis, and the American Rescue Plan meets this moment.

In addition, this comprehensive plan includes much-needed relief for our battered cities. As a former mayor, I understand the struggle and strain of our cities right now. Congress cannot sit back as our mayors, Democrats and Republicans, are calling for help. This is not a Democrat or Republican issue. This pandemic is reaching every corner of our country.

Mr. Speaker, let's answer this call and pass the American Rescue Plan.

Mr. RICE of South Carolina. Mr. Speaker, I remind the people back home that the scale of this plan that the gentlewoman is talking about is $5,500 borrowed for every man, woman, and child in this country, and your children will pay that money back. They will pay it back in higher taxes. They will pay it back in lost opportunity. They will pay it back in weaker economic growth.

Mr. Speaker, I reserve the balance of my time.

Mr. NEAL. Madam Speaker, I yield 30 seconds to the gentlewoman from New Mexico (Ms. LEGER FERNANDEZ).

Ms. LEGER FERNANDEZ. Mr. Speaker, I have spoken with New Mexicans all across my district. I have

talked to mayors, local officials, Tribal leaders. I have asked them the same question: What do you need?

What they have all said, Republicans and Democrats alike, is that they need this rescue plan. Our small businesses are ready to put this lifeline to use. Our frontline workers, families, and farmers are ready. New Mexico is ready to start climbing out of this crisis.

Americans have told us what they need. We have listened, and now we are delivering.

Mr. NEAL. Mr. Speaker, may I inquire as to how much time is remaining on both sides.

The SPEAKER pro tempore. The gentleman from Massachusetts has 3 minutes remaining. The gentleman from South Carolina has 7 minutes remaining.

Mr. RICE of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, more than once today, there has been reference to the recovery bills at the end of the Bush administration and the beginning of the Obama administration coming out of a very bad financial crisis. Of course, this COVID pandemic has led to a financial crisis in this country. But the difference in the response here is stark between the two.

Coming out of the Bush administration and into the Obama administration, we expanded government, raised taxes, expanded regulations, and adopted recovery bills that weren't focused on economic growth. The result of that was, through 8 years of the Obama-Biden administration, we had stagnant growth. The middle class was shrinking; middle-class incomes were shrinking.

It took a Republican President, a Republican Congress, enacting bills that lowered taxes, lowered regulation, and lowered government reliance that led to massive economic growth and opportunity for all demographics in our country. Hispanics, African Americans, women, and others have seen growth and opportunity not seen in decades, if ever.

I hope, with this plan, that we are not going to go back to the days of the Obama-Biden years of stagnant growth and dashed opportunity for our children and our grandchildren.

Mr. Speaker, we are holding up a check for $1,400 to the American public and saying: Vote for this, but don't pay attention because we are really borrowing $5,500 in your name, your wife's name, your husband's name, and each of your kids' names. For each of your kids, we are borrowing $5,500 in their name that they are going to have to pay back. They are getting $1,400 of it, but the other $4,100 is going here.

It is not right, and it is not fair. And it will lead to lower growth and less opportunity for those kids that we are saddling with that debt right now.

Mr. Speaker, this is not the right plan to address our Nation's challenges in defeating the COVID–19 virus. It is not the right time either. There is still a trillion dollars in unused funds from previous packages that were bipartisan, that were targeted, that were not merely misnamed liberal grab bags.

The Congressional Budget Office's overview of the economic outlook projects that, by the middle of the year, the economy will have returned to a prepandemic level of real GDP. Why? That is because the policies put in place under the Trump administration and a Republican Congress are still in place—lower taxes and lower regulation. That is why, as opposed to the Obama-Biden recovery, which in 8 years still had not recovered, the economy is quickly coming back to prepandemic levels right now.

Yet, my colleagues on the other side of the aisle have found every reason to rush through costly, unnecessary progressive priorities that my constituents didn't ask for.

The American Rescue Plan is costing each American more than their mortgage payment, a downpayment on their car, or a semester of their children's college, and their children will have to pay it back. I don't want to leave a huge bill for my kids, and I know most Americans don't either.

Mr. Speaker, I hope that this bill expanding government, expanding entitlements, paying people to stay home, making them more reliant on the government does not lead to another decade of stagnation, of lost opportunity.

Vote ''no'' on this dangerous bill. Vote ''no'' against a selfish attempt to strap our next generation with debt. Vote ''no'' to progressive payoffs that we the people did not order. We must do better.

Mr. Speaker, I yield back the balance of my time.

Mr. NEAL. Mr. Speaker, I yield myself 2 minutes of my time.

Mr. Speaker, this is a most significant day, and this legislation meets the challenge of history and calls Americans to act upon this crisis. This is the opportunity now, and we should act.

This is not about self-correction. Far too much is at stake.

Mr. Speaker, I thank our colleagues and, particularly, the Committee on Ways and Means' staff, who wore many hats through this, from crafting this package to the brutal negotiations with the Senate. They worked long hours while facing the same challenges presented by remote school, lack of childcare, and concern for family members that Americans face every moment through this crisis. There are too many names to include, but I know that their counsel has been unparalleled and their expertise always unmatched.

Mr. Speaker, over the Speaker's rostrum is a magnificent admonition from a son of Massachusetts, Mr. WEBSTER: ''Let us develop the resources of our land, call forth its powers, build up its institutions, promote all its great interests, and see whether we also in our day and generation may not perform something worthy to be remembered.'' That is what we are going to do in the next few minutes.

Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the Speaker of the House, whose attention to legislative detail is extraordinary.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding, and I thank him for his extraordinary leadership in putting nearly a trillion dollars into the pockets of the American people. I thank him and Mr. YARMUTH, the chair of the Budget Committee, for their leadership on this legislation and, of course, on this debate this afternoon. It was dazzling to see them and the Democratic chairs and Members speak up about this important legislation.

I thank the chairman for pointing out the inconsistency on the part of our colleagues across the aisle in complaining about money helping the poorest of poor children in our country while they didn't hesitate to give large amounts of money to the richest people in America in their Republican tax scam. The chairman's charts were very eloquent.

Mr. Speaker, to hear our Members speak about the terms of this bill, the values that are in it, the plan that it has, why they were voting ''yes'' on the bill, and to hear Republicans talk about why they would vote ''no,'' it is typical that they vote ''no'' and take the dough.

This bill has bipartisan support across the country, not only among the general public, but in mayors, selectmen, city councilpersons, and county executives—who are Republican—eagerly awaiting the passage of this bill because they know at their level what a difference it will make in the lives of their constituents, the American people.

Mr. Speaker, this is a critical moment in our country's history. Tomorrow, the world will mark 1 year since COVID–19 was officially declared a global pandemic by the World Health Organization. At that time, just over 1,000 Americans had contracted the disease, and 38 had died.

Since that day 1 year ago from tomorrow, nearly 30 million Americans have become infected. Over half a million Americans have died, more lives than were lost in combat in all of America's wars against foreign enemies combined.

Each of those lives is precious to us. We feel each loss profoundly and pray for their families and for the families of those who have contracted the virus and are still affected by it. And through it all, a historic economic crisis has raged.

A full year later, 18 million Americans are still out of work, according to the statistics at the end of last week, and nearly 10 million jobs may have been lost. We hope to stop that.

The most vulnerable among us have been disproportionately affected: moms

pushed out of the labor market, women and minority-owned businesses forced to shudder, communities of color facing rising disparities.

Mr. Speaker, today, we have a real opportunity for change. As we serve in Congress with each other, we learn about each other's districts, each other's priorities, and the rest. And we learn about each other's why. Why did you come to Congress? Why are you here?

Each of us has come to Congress with a purpose. My purpose, my why, are the children. As a mother of five raising my kids, seeing all the attention and all that they needed, I was horrified by the fact that one in five children in America lives in poverty and goes to sleep hungry in America at night.

That is my why. That is why I went from homemaker to the House of Representatives.

□ 1315

That is why when people ask me, ''What do you think the three most important issues are facing the Congress?'' I always say the same thing: Our children, our children, our children—their health; their education; the economic security of their families; a safe, healthy environment in which they can thrive; and a nation at peace in which they can reach their fulfillment.

Several of those priorities are addressed in this legislation.

Again, this legislation, which has bipartisan support throughout the country, the Biden—and let me sing praises on President Biden for the values, for the vision, the strategic thinking, for the knowledge that he has brought to what, as you said earlier, we had in the works for a while, but we freshened up by current events, the vaccine, and what those possibilities are.

The Biden American Rescue Plan is about the children, their health, their education, the economic security of their families, again. Our children's health is greatly protected by crushing the virus and by expanding access to healthcare through the Affordable Care Act expansions in here, Medicaid through FMAP, and in other ways as well.

Our children's education is advanced with a $170 billion to open schools safely, including $130 billion for K–12. This funding will help address the social and emotional challenges that children face, as well as learning loss, as well as opening the schools safely. We know what that requires. It requires ventilation, space, more teachers, more space, to name a few things.

In terms of the economic security of children's families, this legislation, as I said earlier to Mr. NEAL, puts nearly $1 trillion in the pockets of the American people. Republicans did not seem to object when they put that much money in the pockets of 83 percent of their tax scam into the top 1 percent, but they seem to have a discomfort level when it reaches the poorest of the poor and those in the middle class who are struggling. So this legislation does that.

It includes the refundable tax credit, which will lift 50 percent of children out of poverty.

How do you say ''no'' to lifting 50 percent of impoverished children in America out of poverty?

Children also benefit from the earned income tax credit, direct payments, and enhanced unemployment insurance benefits for their families. And the economic security of children is also enhanced by pension security of their grandparents, which is historically secured in this bill.

Sometimes I have young people come to my office—it is all about the children, it is all about the future—high school students, college students—and they talk about the security of their grandparents as important because, to the extent that their parents can focus on them rather than worry about the financial security of their grandparents, it is very important to the family across the board.

For the children, the American Rescue Plan also includes $12 billion in nutrition assistance to help the estimated 11 million children still going hungry.

When I talk about this with my family, I say to my kids: You know, the millions of children who are food insecure in our country, that is horrible.

They will say: Mom, just say it another way. They are hungry. They are hungry. Some of them get their food at school. They go to sleep hungry. If you call that food insecurity, okay, but understand this, these little children are hungry.

Again, $12 billion in nutrition assistance.

$43 billion in rental, homeowner, and other housing assistance so that children of families who are on the verge of eviction can have the comfort of knowing that that won't happen. They will have the comfort of home.

$45 billion of childcare to keep children learning and parents earning. That is always necessary, but even more so with the 2.3 million women losing their jobs, many of them moms.

Now, everything that I mentioned here is related to the coronavirus. We have hunger issues in our country bigger than even this. We have housing issues. We have childcare issues, and the rest. It is very important in our country. But this is coronavirus-centered.

Childcare, and I will say it again, $45 billion. Most of it is for childcare and a little bit of it is for Head Start. Children learning, parents earning. This is important and central to how families get through this coronavirus crisis.

All of these provisions in the bill are enhanced by strengthening the support for our heroes at the State and local level. Hence, our bill was called the Heroes Act. Much of that is contained in this legislation. Heroes, because our workers at the State, county, and local level, our healthcare workers, our first responders, police and fire, our sanitation, transportation, our food workers, our teachers—our teachers, our teachers—make our lives possible, and make the existence of our children better.

Whatever we spend on education in this bill is a small percentage of what State and local government spend on education. More than 90 percent of it comes from the State and local. So in this legislation we are ensuring that State and local government keep them in their jobs as heroes, as we talked about, and will help fight the fiscal pressure that they have because of the cost of addressing the coronavirus crisis, as well as revenue lost because of shutdowns and the rest.

I was raised in a mayor's household as a daughter and sister of the mayor of Baltimore. The recognition of the role that local government plays is very important to me, local and State. But the local government is the first line of defense, and we are determined to fight any attempts to weaken what was in this legislation for local government.

One of the values respected in this legislation is our commitment to communities of color, including Native Americans, especially, who continue to face serious health and economic disparities. This legislation will, among other steps, address 8 in 10 minority-owned businesses on the brink of closure—8 in 10 minority-owned businesses.

The American Rescue Plan, Mr. Speaker, is a force for fairness and justice in America. This legislation is one of the most transformative and historic bills any of us will ever have the opportunity to support. It is one of the most transformative that I have seen in my over 30 years in the Congress. It is as consequential as the Affordable Care Act, which expanded healthcare to more than 20 million people and made benefits much better for over 150 million families.

Today, we have a decision to make of tremendous consequence, a decision that will make a difference for millions of Americans, saving lives and livelihoods. And as with all decisions, it is a decision that we will have to answer for. We will give the American Rescue Plan a resounding and, hopefully, bipartisan vote to reflect the bipartisan support that it has in the country. And we will get to work immediately to deliver lifesaving resources springing from this bill as soon as it is passed and signed, as we join President Biden in his promise that help is on the way. For the people, for the children, I urge a ''yes'' vote.

Mr. NEAL. Mr. Speaker, I yield back the balance of my time.

Ms. WATERS. Mr. Speaker, since March 2020, when the COVID–19 pandemic plunged this country into a public health emergency and wreaked havoc on the U.S. economy, House Democrats have worked around the clock to advance robust legislation to address our public health needs and to provide real assistance to those who have been affected by this deadly pandemic.

That day has finally arrived. The American Rescue Plan Act is the culmination of a year-long effort by Democrats to tackle the pandemic crisis and provide assistance to struggling individuals, families, small businesses and communities. Under the leadership of President Biden, Democrats in the House and Senate are taking action to deliver robust relief across the country.

With millions out of work, facing eviction, experiencing hunger, and struggling to make ends meet, this legislation is urgently needed.

The Committee on Financial Services drafted key recommendations that are contained in the legislation under consideration today, and as Chairwoman I am providing an explanatory statement of these provisions to guide the Administration's implementation of these provisions.

Section 3101. COVID–19 Emergency Medical Supplies Enhancement.

Subsection (a) of section 3101 provides $10,000,000,000 to carry out titles I, III, and VII of the Defense Production Act of 1950 (50 U.S.C. 4501 et seq)(DPA) to boost the production of essential medical equipment and supplies related to combating the COVID–19 Pandemic. The Committee expects that in implementing this section, the President will seek to make investments in both urban and rural areas to the extent this is consistent with the country's health needs.

Subsection (b) sets out the purposes for which the $10 billion provided by this section may be used. Paragraph (1) provides that the funds may be used for the purchase, production or distribution of medical equipment and supplies related to combating the COVID–19 Pandemic, including funding for all types of COVID–19 tests, personal protection equipment, including N95 masks, and vaccines and drugs for preventing or treating COVID–19 or its symptoms. Subsection (b) also provides for using such funds for acquisition of material, including raw materials, equipment and technology needed for such purposes. The Committee notes that testing is critical to ensure that we can stamp out the pandemic, and the provision includes in-vitro diagnostic testing, intended to be interpreted as that term is defined in section 809.3(a) of title 21, Code of Federal Regulations), for the detection of SARS–CoV–2 or the diagnosis of the virus that causes Covid–19. The Committee expects that such tests will include inexpensive rapid at-home antigen tests that will allow individuals to identify new infections quickly and safely. This subsection also provides for vaccines, which are described in this section as biological products, intended to be interpreted as that term is defined by section 351 of the Public Health Service Act (42 U.S.C. 262). The Committee also notes that ''drugs'' and ''medical devices'' as used in subsection (b)(1)(C) are intended to be interpreted as those terms are defined in the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.))

Subsection (b) also provides that after September 30, 2022, funds appropriated by subsection (a) may be used to combat future pathogens that the President determines have the potential for creating a public health emergency. This additional flexibility can be used to address the current or future pathogens. Given this flexibility, the Committee expects that if the President exercises this authority, the President will consult with the relevant committees, including providing information on the amounts the President anticipates the administration would spend to combat such a pathogen prior to exercising this authority. Because of the wide ranging interests in these matters, in addition to the Committee on Financial Services, information should be provided to the Senate Committee on Banking, Housing and Urban Affairs, the House and Senate Appropriations Committees, the Committee on Energy and Commerce, and the Senate Committee on Health, Education, Labor and Pensions.

The Committee also expects that the President will provide timely information regarding the use of these funds, whether for the COVID–19 Pandemic or for future pathogens. In particular, the Committee expects that the President will provide information on any commitment of more than $50 million, whether in the forms of expenditures or loans under the Defense Production Act of 1950, prior to making such commitment. Because of the wide interest in these matters, the Committee expects that all such information, shall be provided not only to the Committee but also to the Committees described above.

The Committee also expects that the funds provided by this section will primarily be used by the Secretary of Health and Human Services (HHS). The DPA allows the President to delegate his authority under the DPA to various agencies, and he has delegated DPA authority under Title III of the Act to HHS. While the DPA has been administered by the Department of Defense, the funds made available by this section are not for support of the Defense Industrial Base, but are for medical supplies and equipment related to the COVID–19 Pandemic. However, the Committee recognizes that the President may determine that it is important that other agencies, such as the Department of Homeland Security, have a role in either producing or distributing key supplies with respect to the Pandemic or a future pathogen that has the potential to cause a public health emergency. If the President delegates this authority to any agency other than HHS because it is important to do so, the Committee expects the President to consult with the relevant Committees prior to take such action, and notify the relevant Committees of which agency would exercise such authority, the amount and the purpose for which the funds would be used.

Finally, the Committee notes that the Senate Amendment removed references to section 304(e) of the Defense Production Act of 1950 (relating to limits on carryover funds remaining in the Defense Production Act Fund established by section 304 of the Act). The Committee believes by eliminating this reference, the $10 billion provided by section 3101 is no longer intended to be deposited into the DPA Fund. The statutory framework established by section 3101 clearly provides that the funds provided by this section are for any purpose in titles I, III and VII (including paying for critical infrastructure under section 107 of the Act and for experts and other personnel under Title VII of the Act). By its terms, amounts in the DPA Fund are available only for purposes of Title III, so funds from section 3101 should not be deposited into this Fund. This is also consistent with the provision free standing nature, as opposed to referencing the existing ''DPA Purchases'' account, which is a proxy for deposits into the Fund. Moreover, the fact that the funds have a specific duration until September 30, 2025 demonstrates that these funds have a special status that is not consistent with the statutory frame of DPA Fund. Thus, in agreeing to the Senate Amendment, the Committee intends that the President establish a new account to allow these funds to be used for the purposes of titles I, III, and VII of the Act and to available until September 30, 2025, without reference to section 304 of the Act. In order to ease execution of these funds, the President may use existing delegations and structures to carry out this provision, including current mechanisms for execution of the DPA Fund.

The Committee notes that this section draws from H.R. 1720, introduced by Representative JUAN VARGAS of California.

With millions of individuals and families struggling to pay their rent, action is urgently needed to prevent an eviction crisis. According to the latest U.S. Census data, nearly 1 in 5 renters are behind on paying rent, with renters of color disproportionally struggling, while Moody's Analytics recently estimated that renters collectively owe over $57 billion in unpaid rent, utilities, and additional fees. Section 3201 provides $21.6 billion for states, localities, and territories to provide emergency assistance to renters. This funding supplements the $25 billion in emergency rental assistance funding provided by Congress in December (Section 501 of the Consolidated Appropriations Act, 2021 (Public Law 116–260) (Section 501)) but includes additional flexibilities to ensure grantees can better stabilize renters. The Biden administration should again extend the federal eviction moratorium that expires on March 31, 2021 so that grantees have time to distribute assistance to renters in need.

Renters would be able to receive up to 18 months of financial assistance, including future rent and utility payments (including pad rents in manufactured housing communities), and unpaid rent or utility bills that have accumulated. Renters can also receive assistance for other housing-related expenses necessary to promote housing stability, such as, but not limited to:, security deposits; relocation and rental fees for displaced households; late fees related to a former or current rental unit; and internet service provided to the rental unit. Section 3201 does not preclude grantees from continuing payment processes provided in Section 501. These processes are the provisions that govern payments of rent and utility assistance either to property owners and utilities or directly to tenants, and the application for assistance by landlords and owners under subsection (f). Additionally, funds can be used to provide housing stability services, such as, but not limited to: case management; tenant-landlord mediation; legal services related to eviction and housing stability; housing counseling; fair housing counseling; and specialized services for people with disabilities, people with chronic health conditions, seniors, or survivors of domestic violence or human trafficking. Similar to Section 501, Section 3201 permits grantees to use a certain percentage of their funds on administrative costs to support eligible program activities, including the provision of financial assistance and housing stability services. Grantees may also use up to 10 percent of their funds on providing housing stability services. As in Section 501, funds are provided to states to assist renters throughout the state, including in rural communities, as

well as cities and counties that receive a direct allocation.

The Committee expects the Department of the Treasury (Treasury) (the agency implementing the program) and grantees to implement Section 3201 swiftly and not create any artificial barriers to assistance. In particular, we have seen with some benefits provided by the CARES Act, that documentation requirements to prove eligibility have erected artificial barriers that have cut people off from the benefits Congress intended them to receive. Indeed, diverse stakeholders, including tenant advocates, landlords, and state and local government agencies have raised concerns that such requirements that have been applied in existing emergency rental assistance programs have prevented renters from completing applications and are overly burdensome for program staff. It is critical that any renters who are struggling to pay their rent during the pandemic are not barred from accessing this assistance due to cumbersome documentation requirements or other barriers. An applicant's simple attestation should be the only documentation required to meet program eligibility requirements. Additionally, grantees may continue the income assessment procedures pursuant to Section 501 to determine eligibility. It is also the intent of the Committee that Treasury and grantees broadly read the requirement regarding the connection between a renter's hardship and the coronavirus pandemic when determining the eligibility of the renter. As the language states, the hardship must have occurred ''during or due, directly or indirectly, to the coronavirus pandemic.'' The economic effects of the pandemic will be felt long after the virus is contained. Certain industries and communities have been particularly hard-hit from the pandemic and will likely take years to recover. Treasury should issue guidance that makes this point clear to ensure renters are not cut off from needed assistance as they try to recover from economic downturns caused by the pandemic.

Section 3201 also provides that after October 1, 2022, certain grantees may expend funds on ''other affordable rental housing and eviction prevention activities'' that benefit any very low-income renter household. Such activities can include affordable housing development, preservation, or acquisition, and other forms of rental assistance and eviction prevention activities targeted to very low-income renters.

To ensure continuity in monitoring funds provided by Section 3201 and Section 501 and ease of grantee implementation, Treasury should maintain the same reporting requirements that were included in Section 501.

The Committee encourages the Administration to create and maintain a central public repository of information on state and local rental assistance programs, which at a minimum identifies the program's administering agency and contact information, so that renters and landlords can more easily identify available assistance.

Finally, to the extent there is any confusion with regard to the taxability of assistance, Treasury, in consultation with the Internal Revenue Service, should provide guidance to clarify this for grantees and program participants.

During this public health emergency and financial crisis, millions of homes are threatened by foreclosure, with over 8 million homeowners behind on their mortgage payments, and an estimated $90 billion in missed mortgage payments. Targeted, direct assistance to homeowners through the Homeowner Assistance Fund (HAF or Fund) is an essential tool that will help avoid a repeat of the 2008 foreclosure crisis, which upended the lives of millions of Americans and eviscerated the generational wealth for many communities, namely for families and communities of color.

Although the CARES Act provided a foreclosure moratorium and forbearance for federally-backed mortgages, many homeowners will lose their homes to foreclosure in the absence of additional assistance. Approximately 30 percent of the mortgage market is not federally-backed and, therefore, ineligible for CARES Act forbearance relief provided in March of 2020. Elderly borrowers with reverse mortgages (known as Home Equity Conversion Mortgages or HECMs) will need assistance paying their taxes, insurance, and utilities on time to avoid foreclosure. Low-to-moderate income homeowners may need more payment assistance after forbearance than is possible through loss mitigation programs. Single-family rental property owners and other homeowners without a mortgage will also need assistance to avoid losing their homes due to foreclosures. The HAF would be able to help with other housing costs beyond mortgage payments, and can be used for things like principal reduction that are not offered through loss mitigation for federal mortgage programs but can provide deeper payment reductions for homeowners who need it.

Administered through the Department of the Treasury (Treasury), the HAF would provide nearly $10 billion for states, territories, and tribal governments to address the ongoing needs of homeowners struggling to afford their housing because they have experienced a financial hardship associated with the coronavirus pandemic. Designed to work alongside CARES Act mortgage forbearance relief and federal loss mitigation programs, the HAF will prevent foreclosures by providing homeowners direct assistance with their mortgage payments, property taxes, property insurance, utilities, and other housing related costs. The funding would be administered similar to the Hardest Hit Fund (HHF), which was a homeowner relief program created in the aftermath of the 2008 crisis that was administered primarily through State Housing Finance Agencies. While HHF funding was available to select states, the HAF has been calibrated to be available to all states, territories, and tribes, and to account for significantly higher rates of unemployment today as compared to 2008.

Of the nearly $10 billion dollars provided through the HAF, 60 percent of funds are required to serve homeowners making at or below 100 percent of the area median income or the national median income, whichever is higher. The flexibility in income determination between AMI and national median income is intended to ensure resources reach localities where the area median income may be too low to adequately serve struggling tribal homeowners and other homeowners living in rural areas. The remaining 40 percent of funds are not income limited and must be targeted to socially disadvantaged individuals, which the Committee expects will capture homeowners of color, including Black, Latinx, Asian, and Native American homeowners across the income spectrum who have been shown to be at disproportionate risk of being delinquent on their mortgages and at risk of foreclosure due to having lower savings and less wealth on average compared to White homeowners. According to the U.S. Census Bureau's weekly Pulse Survey data, Black, Latinx, and Asian homeowners have consistently been more than twice as likely as White homeowners, despite age, sex, income, and geography, to be behind on their mortgage payments. Similarly, a survey conducted by Fannie Mae found that 51 percent of Black homeowners and 65 percent of Latinx homeowners were not familiar with forbearance relief options provided through the CARES Act, despite being the populations with the greatest need.

The Committee expects that Treasury's implementation and administration of the Fund will include proper oversight and reporting requirements to monitor and ensure HAF funding properly reaches and serves the populations that have been documented to be experiencing disproportionate need during the current crisis. Adequate reporting should be made publicly available on a quarterly basis and include the types and amount of assistance provided, the terms of such assistance, with the data disaggregated by locality, race, ethnicity, sex, and other factors that provide transparency and oversight in accordance with the law. Such reporting will also be essential in Treasury's ability to implement the HAF Reallocation provision.

While the Department of Housing and Urban Development, in coordination with the Department of Justice, is responsible for the enforcement of the Fair Housing Act (FHAct), the FHAct requires that all federal housing programs and funds be administered in ways that affirmatively further fair housing and do not perpetuate historically inequitable distribution of housing funds. Therefore, both Treasury and eligible entities have a legal responsibility to affirmatively further fair housing through HAF, and to ensure that the administration of housing relief funds do not have a disparate impact on protected classes under the FHAct. The federal government must avoid its mistakes of the past that have resulted in the lopsided, inequitable provision of housing relief that fails to meet the needs of hardest hit communities that are often the lowest income communities and communities of color. In support of these efforts, Section 3208 provides $20 million for HUD's Fair Housing Initiatives Program to support housing discrimination complaint intake and on-the-ground fair housing investigations.

Additionally, Treasury must provide eligible entities with clear and standard guidance early on in its administration of HAF to facilitate proper and expeditious implementation. The Committee expects Treasury to clarify that assistance provided through HAF should not be considered income for a homeowner receiving relief. Additionally, Treasury should make sure it is made clear as early on as possible that eligible entities can utilize a portion of their HAF funds to establish and administer their programs, similar to what was allowed through HHF. The Committee also expects that the Treasury will allow eligible entities that overestimate funding needs for administrative purposes to transfer and use such funds in the provision of assistance to homeowners.

Following the 2008 financial crisis and Great Recession, Congress established the State Small Business Credit Initiative (SSBCI) that provided $1.5 billion to the Department of the

Treasury (Treasury) to fund various state, territory, and local small business loan and investment programs. This program was leveraged to support $10.7 billion in new financing to small businesses, helping to create or save more than 240,000 jobs. The median small business size supported by SSBCI had 3 full time employees, and the median loan or investment amount was $33,000. Approximately 41 percent of SSBCI supported transactions went to women or minority-owned businesses. This successful program expired in 2017.

In light of the widespread challenges small businesses, especially minority-owned businesses, have faced during the COVID–19 pandemic, Section 3301 would effectively reauthorize the SSBCI, providing $10 billion in federal funds to support up to $100 billion in new loans and investments for small businesses through state, territory, tribal, and local small business programs. This amount includes up to $2.5 billion in federal funds to support business enterprises owned and controlled by socially and economically disadvantaged individuals, including minority-owned businesses. This amount also includes up to $500 million for tribal government programs, and $500 million to provide technical assistance to small businesses that need legal, accounting, financial and other kinds of advice in applying for small business support programs.

As the renewed SSBCI is stood up, the Treasury should provide adequate support to small businesses, especially very small businesses and those owned by socially and economically disadvantaged individuals. Socially and economically disadvantaged individuals may include racial and ethnic minorities, women, indigenous people, veterans, or others who have been marginalized by their social or economic conditions. Additionally, through the program requirements Treasury is authorized to establish and through other means, the Committee expects Treasury to closely oversee states' expenditure of $2.5 billion funds that are to directly support businesses owned by socially and economically disadvantaged individuals, including establishing a minimum level of support states and other jurisdictions receiving funds provide to these businesses.

In addition, the Treasury should require states to provide a specific plan to engage minority depository institutions (MDIs), community development financial institutions (CDFIs) and other mission-driven lenders who have a strong track record of supporting small and minority-owned businesses. Treasury should also require states to a COVID–19 pandemic response plan with their application, describing how the state will expeditiously utilize funds to support small businesses, including business enterprises owned and controlled by socially and economically disadvantaged individuals, in responding to and recovering from the economic effects of the COVID–19 pandemic. Moreover, Treasury should also require states to agree that no lending activity supported by SSBCI funds would result in predatory lending, including charging interest rates in excess of 36 percent annual percentage rate under the Military Lending Act.

With respect to the technical assistance funds made available under Section 3301, Treasury should maximize the ability to deploy these funds to the Minority Business Development Agency (MBDA) at the Department of Commerce, which could expedite support to a network of business counselors, minority chambers of commerce and non-profit organizations that are already providing such services in their communities. Further, given research demonstrating that increasing employee ownership is one way to help narrow gender and racial wealth gaps, the Committee encourages Treasury to provide funds to states that use the funds to support state employee ownership centers that provide technical assistance to businesses, including providing resources on how small businesses can offer workers employee stock ownership plans.

Furthermore, the Committee expects that the Treasury will provide timely information regarding the use of these funds. The Treasury should require the gathering of data on program implementation, including but not limited to, demographics on program participants and interest rates assessed by lenders and investors. This data should be reported to the public and the appropriate congressional committees of jurisdiction, as well as shared with appropriate federal audit agencies, such as the Inspector General's office and the Government Accountability Office, for review.

The CARES Act, signed into law on March 27, 2020, established the Payroll Support Program (PSP), which provided $32 billion in payroll support for workers employed by airlines, cargo air carriers, and contractors servicing air carriers at airports. Through the Consolidated Appropriations Act of 2021, Congress approved the Payroll Support Program Extension (PSP2), which provided short-term relief to the same class of workers as PSP until March 31, 2021. According to some estimates, major U.S. airlines lost over $35 billion in 2020, and require additional assistance to support their workforce. Therefore, Section 7301 would provide $15 billion to further extend the Payroll Support Program (PSP3) through at least September 30, 2021, to provide payroll support for airline workers and related contract workers. Specifically, PSP3 would provide $14 billion to support workers of eligible air carriers, and $1 billion would be available to support workers of eligible contractors. Given the budget reconciliation process and the need to rely on the PSP2 distribution framework, the Committee urges Treasury to implement this program in a robust and fair manner so that all entities eligible for PSP2 and PSP3 are able to access the program and provide ongoing support for its workforce.

Like other businesses, airports and airport concessions have been hit hard during the pandemic. To help ensure those businesses and their workers get the support they need until the public health emergency is over and normal activity resumes, Section 7102 provides $8 billion in relief for airports, including at least $800 million to support airport concessions. In administering the program, the Federal Aviation Administration (FAA) should implement this program along with the relief program Congress enacted into law through the Coronavirus Response and Relief Supplemental Appropriation Act on December 27, 2020, holistically and prioritize support for minority-owned businesses, including Airport Concession Disadvantaged Business Enterprises (ACDBEs). Moreover, Section 7102 recognizes the interconnected ecosystem that many airport concessions operate in, including through joint ventures and other partnerships with large airport concessions they receive indirect support from. As such, the FAA should support the full ecosystem while taking all necessary steps to ensure small and minority-owned concessions, regardless of the contractual arrangements those entities are a party to as an airport concession (e.g. joint venture, sub-tenant under a master lease or master developer, etc.), receive robust rent and fee abatement as expeditiously as possible. While Section 7102 provides airports with critical funding to support airport concessionaires, the amount appropriated is less than what stakeholders have indicated is necessary to support workers and promote stability during this difficult time. Given the key role concessionaires of all types provide to the traveling public and to airport finances, I encourage the FAA and other federal agencies to find ways to provide additional financial and other support to the airport concessions ecosystem during this challenging time.

Mr. Speaker, individuals, families and small businesses are in urgent need of assistance. This legislation delivers robust relief to communities across the country during this pandemic crisis. Colleagues, please join me and vote yes for H.R. 1319.

Mr. GALLEGO. Mr. Speaker, I rise today on behalf of tribal nations in Arizona and across the nation that are struggling to protect the health and welfare of their citizens.

As Chairman of the Subcommittee for Indigenous Peoples of the U.S. last Congress, I heard from countless leaders about how this pandemic has impacted them. We heard their stories about the loss of elders, the challenges their children face trying to engage in distance learning without access to broadband internet, and the near total collapse of on-reservation economies that provide critical jobs for tribal members and funds for government services.

While the CARES Act funding passed last year for Tribes was a lifeline, it was not nearly enough to address the disparate impact of this pandemic on Indigenous people and communities across the country. That is why I fought so hard to ensure that Tribes would not be short-changed in further COVID–19 relief efforts and why I am so proud that House and Senate Democratic leadership has approved the largest one-time investment in Native communities in our history.

The American Rescue Plan includes more than $28 billion for tribal governments. This is a real, meaningful investment that will allow Native communities to respond to the wide-ranging effects of the virus on their communities and that will begin to address the shameful federal history of ignoring the needs of Native communities.

The package specifically includes $20 billion in direct relief for Tribal governments. Importantly, these funds will be able to be used more flexibly by Tribes than CARES Act relief dollars, enabling Tribes to help struggling businesses cover the cost of employees, develop 21st century infrastructure, and address the health and economic barriers that worsened the pandemic in Tribal nations. Additionally, many tribal communities have lost elders who are the keepers of their languages, history, and cultural teachings at an alarming rate—the loss of this knowledge exacerbating the existing crisis of Native language loss. American Rescue Plan funding will be critical for Tribes to cover government programs that will help preserve Native languages and culture.

Last Congress, the Subcommittee for Indigenous Peoples heard from Tribes about inadequacies in the distribution of Coronavirus Relief Funds to Tribes under the CARES Act. The decision to solely rely on Indian Housing Block Grant formula for the calculation of tribal population resulted in dramatically inaccurate counts for many Tribes. I have been very encouraged by this administration's renewed commitment to Tribal consultation, and I urge the administration to continue to make good on that commitment by consulting with and deferring to Tribes on the fairest and most accurate way to determine Tribal enrollment population for the purposes of the American Rescue Plan.

Finally, in order to maximize the effectiveness of this historic investment in Native communities, the American Rescue Plan relief funding must be distributed on an equitable basis. That is why I am proud of the American Rescue Plan's establishment of a minimum payment to ensure every Tribe receives a strong baseline of support. We also heard from Tribes that equitable distribution should include the utilization of both Tribal population and economic and employment data. Once again, it is my hope that the Biden Administration will rely on Tribal consultation in this area when deciding how best to distribute this desperately needed relief in an equitable, timely, and effective manner.

Mr. Speaker, thank you for the opportunity to highlight this important and historic investment in Tribal Nations, who have showed leadership and resilience even as COVID–19 devastated their communities. I look forward to working with my colleagues and with this Administration to ensure quick and effective implementation of this bill in the coming weeks.

Ms. MOORE of Wisconsin. Mr. Speaker, I rise in strong support of the American Rescue Plan. This bill provides needed relief for our communities.

Since Congress acted on the last COVID–19 package in December, over 100,000 Americans have died from this deadly disease. Economic growth remains stagnant, millions of Americans remain unemployed, and many worry that their jobs may have disappeared forever. And, even as vaccine distribution efforts ramp up, it is clear that our nation is not out of the woods yet. Metrics of housing insecurity, hunger, poverty are all trending in the wrong direction.

While I have concerns about some of the changes made in the Senate, overall, the package still delivers key aid to hurting communities, individuals, and businesses that continues to be needed. This package helps support child care, a key employment enabler—without which so many women have dropped out of the workforce during this pandemic, according to a growing body of evidence. It provides rental and housing relief to prevent a wave of evictions and resulting hardships in our community. In the long run, it costs the government less to keep people housed than dealing with the consequences that follow eviction.

The American Rescue Plan gives critical support for our state and local governments, which have been on the front lines of this fight while their revenues have fallen. As a result, they have shed public employees at high rates in the last year—a disturbing consequence that must be reversed.

The bill helps put money in the pocket of hurting families, with another round of stimulus checks which if the past is any precedent, will be spent to meet immediate needs. It extends UI, funds SNAP, provides additional help to get health insurance which is even more critical during a public health emergency. It refills FEMA's disaster assistance fund, provides funding so that schools can reopen safely or continue to do virtual learning effectively, provides assistance to public transit systems, and provides pension relief, among many other provisions.

Does this bill do all the things I would want? No. I would love to have gone further to deliver greater relief. But it is a good enough start and helps address some key challenges and will help expedite recovery in our communities on the long and challenging road ahead.

I thank the President for his leadership, as well as the Speaker, and Chairman NEAL.

Ms. JOHNSON of Texas. Mr. Speaker, I rise today in strong support of The American Rescue Plan Act of 2021.

The legislation will provide much needed relief to both individuals and communities.

The COVID–19 pandemic will leave an indelible scar on our nation.

It will also be remembered as a time of remarkable achievement.

I rise today specifically to talk about the achievements of scientists and engineers across the nation who jumped into action from the earliest days of the pandemic.

Biologists, physicists, computer scientists, engineers, social scientists . . . there were few fields that did not contribute.

The vaccines would not have been possible without expertise from many fields.

While they achieved so much, many scientific and technological questions remain that will be essential to our long-term recovery.

I am proud that this legislation includes $750 million in funding through the National Science Foundation and the National Institute of Standards and Technology for additional research related to COVID–19.

I also acknowledge that this is not enough, and I will continue to advocate for research recovery funding to ensure we do not suffer irreversible loss to our science and innovation capacity.

Mr. BRADY. Mr. Speaker, the American people deserve better.

They've been told that this bill is about Covid, but less than a dime of every dollar goes to Covid vaccines and defeating the virus.

They've been told that this is a stimulus, but it doesn't do anything to stimulate the economy—in fact, it could make it even worse, especially paired with President Biden's war on energy jobs, and Democrats' looming efforts to raise your taxes.

The White House refuses to tell the American people how many jobs it will create because they know it won't create jobs. It won't even secure the jobs most Americans have.

The February jobs report shows that, although we are far behind where we were prior to the pandemic, jobs are picking up.

We could help Black Americans, Asian Americans, women, and those without college degrees get a stronger foothold in the workforce.

But Democrats are leaving them behind today. This won't lift people out of poverty, it will only create more barriers out of it.

The only jobs this bill is intended to secure are those of political friends. It's a political payoff.

The list of things Democrats left out of the House bill was bad enough.

They preferred to pay people more to stay at home than go to work.

They left behind poor kids in West Virginia in order to give preference to Democrat states.

They left behind kids who want to go to school by sending money to schools that will stay closed.

They left behind front-line health-care workers without protections from frivolous lawsuits.

They left behind the millions of Americans whose identities were stolen during acts of unemployment insurance fraud.

They left behind the #JoeJobless—the victims of President Biden's war on energy.

They left behind special-needs kids and their parents who need help saving for their therapies.

They left behind families who worry about losing the doubled child tax credit.

They left behind the unborn by allowing health care dollars to be used for abortions.

They left behind the families of the victims of Governor Cuomo's mismanagement by refusing to require governors to report accurate data on their nursing home deaths.

They even rejected more fixes offered by colleagues in the Senate.

Republicans wanted to provide more support for resident and employee safety in nursing facilities. Democrats said no.

Republicans said let's target stimulus checks towards those who have lost jobs, people who don't need to pay rent, or buy groceries. Democrats said no, let's send checks to prisoners.

Republicans said let's make sure stimulus checks go to Americans who need them. Democrats said no, let's allow them to go to people in this country illegally because they've overstayed their visas. During a crisis on the border? Really?

Just one year ago, Democrats said it was not possible that we would have a vaccine in a year. Our own President and Vice President said they would not trust such a vaccine.

Today, we have several vaccines. And, unless I'm mistaken, every member in this Chamber has had an opportunity to receive one.

Every American that we serve, however, has not. And yet the Democrats' Covid bill is 1 percent about the vaccines they didn't believe would exist.

Democrats are today saying that there is nothing they could have done to make a $1.9 trillion bill more targeted, while admitting there's plenty of waste, and yet still defending funding for museums.

We did better when we worked together. Through December, over five Covid aid bills, Republicans and Democrats, we worked tirelessly to deliver over $3.5 trillion, the largest amount of relief in American history.

Instead, we have this political payoff, which leaves Americans behind, while Democrats demand they foot the bill for it.

I urge my colleagues to vote no.

Mr. SABAN. Mr. Speaker, One year ago, the bottom fell out for the people of the Northern Mariana Islands. Our tourism-dependent economy suddenly had no tourists. Businesses began closing. People were laid off. Schools closed. And government revenues plunged.

We were fortunate that, as islands with few access points, we could keep the coronavirus

at bay and remain healthy by screening every arrival.

And we were fortunate to receive the economic help we needed from the federal government and from our fellow Americans. We will be forever grateful.

Now vaccinations have begun. We are rolling up our sleeves to take the shot and to get back to work. But when will tourists feel safe to travel to our islands? And when will we feel safe allowing tourists to return? Like so much of what has happened over this last year, we cannot predict.

That is why passage of the American Rescue Plan today is so important. The Rescue Plan will keep us healthy and economically sound as we make our way forward in this unpredictable future caused by the coronavirus.

Those who remain laid off will continue to receive Pandemic Unemployment Assistance and Federal Pandemic Unemployment Compensation, as they have since we passed the CARES Act last March.

Taxpayers will receive another economic impact payment, $1,400, and more dependent children will qualify for additional aid.

Our K–12 schools, which have managed to reopen on a limited basis, will remain open, because the Rescue Plan has $160 million to make sure teachers and staff can be paid. And the Northern Marians College and its students will also get the help needed to continue studies.

Childcare providers, another critical small business, get an assist to stay open, benefiting working parents who depend on these services. Working families will, also, see their Child Tax Credit increase. And because we were able to amend the Rescue Plan to make Marianas' taxpayers eligible for the advance monthly payment of CTC, just like Americans nationwide, island parents will be getting that money when it is most useful: to meet the immediate needs of growing children.

Working families in the Marianas will also now—for the first time in twenty-five years—receive the Earned Income Tax Credit that is key to keeping Americans who work out of poverty.

And for those who still cannot work or whose incomes are insufficient, we have included $30 million to provide food assistance in the Marianas and funds for housing, so no one need lose the roof over their head.

Last but not least, I want to recognize the importance of the Coronavirus State and Local Fiscal Recovery Fund included in the American Rescue Plan. I know this money was kept out of the relief measure we enacted in December, in part because of criticism this was a ''blue state bailout.'' Believe me, the Marianas is neither blue nor a state. We are simply a community of Americans, who have been crushed economically by this pandemic; and this fiscal aid to our state and municipal governments will fund police and keep other public servants employed, providing the services every community needs.

Without the help of the federal government and the caring support of our fellow Americans the people of the Marianas would have suffered terribly over this last year. Instead, we remain healthy. Our children are in school. And we are ready to build back better, once this pandemic is finally behind us.

Ms. DAVIDS of Kansas. Mr. Speaker, I rise today to highlight the importance of the $31 billion allocated to tribal governments under the American Rescue Plan (ARP), which includes a critical investment of $20 billion for direct relief for the 574 federally recognized tribal nations across the United States.

As you know, this funding is a lifeline to Native communities, who have suffered the most devastating and disproportionate impact of the public health and economic crises of the COVID–19 pandemic. This $20 billion fund is critical for tribal governments to address the economic losses and health disparities that were left unaddressed through funding dedicated under the CARES Act, and I applaud your leadership to prioritize tribal nations in the ARP since the federal government's trust responsibility has largely been ignored throughout history.

In an effort to strengthen the intended goal of investing these funds into Indian Country, I first and foremost would like to stress that the federal government's trust responsibility to our tribal nations is of upmost importance. It is absolutely essential that in its implementation of the American Rescue Plan Act and in its distribution of funding allocations, the Department of the Treasury fully and properly consults with tribal leaders across the country, as required by law. Additionally, in my conversations with tribal leaders over the last year, I have heard three main concerns about relief fund allocations for Native communities that are addressed in turn below.

First, I respectfully suggest clarification of the ARP language of Section 9901, indicating how the $19 of the $20 billion direct relief for tribal governments is to be allocated by Treasury to ensure economic recovery funds can be used in a flexible manner, which was left unaddressed under the CARES Act. The availability of flexible spending is of grave importance since tribal governments faced significant impacts from COVID–19 and, as a result, lost critical government revenue. It is estimated that tribal nations sustained 35 percent revenue loss in 2020 since they lack traditional tax bases enjoyed by state and local governments. Thus, tribal enterprise revenues supply a majority of funding for basic government services to make up for these losses.

As it stands, the language in this bill allows the Department of the Treasury to implement this Fund such that tribes are able to meet their individual and unique needs, whether it be addressing employment costs, providing health care or education, or investing in much-needed infrastructure. That flexibility is owed as a measure of tribal sovereignty, and I will work with the Department of the Treasury to ensure that the bill is implemented as such.

Second, the Department of the Treasury must conduct robust tribal consultation with tribal nations to determine the most effective and fair ways of measuring tribal population figures. Again, this issue was left largely unaddressed under the language of the CARES Act, and the past administration's decision to utilize the Indian Housing Block Grant formula for its tribal population calculation resulted in inaccurate funding distributions across the country. I urge the Department to ask tribal governments to submit comments on their preferred population metrics, and actually take those comments into account in an effort to strengthen our government-to-government relationship with tribal nations.

Finally, Congress's intent for the tribal set-aside in the Fund is to provide an equitable allocation between economic and population-based factors. The Department of the Treasury must provide a strong baseline of support for all tribal governments, ensuring that no tribes are excluded from these funds, in addition to considerations for revenue losses and cost increases.

I thank the Speaker for the opportunity to speak to this historic investment in Indian County, and for continued work to uphold the Federal trust responsibility to the 574 federally recognized tribal nations in the United States. I look forward to working with the Department of the Treasury on swift implementation of this landmark legislation.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 198, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. YARMUTH).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RICE of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 220, nays 211, not voting 1, as follows:

[Roll No. 72]

YEAS—220

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel, Lois
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hastings
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Pelosi
Perlmutter
Peters
Phillips

Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—211

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Donalds
Duncan
Dunn
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gimenez
Gohmert
Golden
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Malliotakis
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reed
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—1

Tiffany

□ 1408

Mr. KATKO changed his vote from ''yea'' to ''nay.''

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Davids (KS))
Babin (Norman)
Baird (Walorski)
Barragán (Beyer)
Bush (Ocasio-Cortez)
Cárdenas (Gomez)
Cleaver (Davids (KS))
Cohen (Beyer)
DeFazio (Davids (KS))
Fudge (Kaptur)
Grijalva (García (IL))
Hastings (Wasserman Schultz)
Johnson (TX) (Jeffries)
Kirkpatrick (Stanton)
Langevin (Lynch)
Lawson (FL) (Evans)
Lieu (Beyer)
Lofgren (Jeffries)
Lowenthal (Beyer)
McEachin (Wexton)
McHenry (Banks)
Meng (Clark (MA))
Moore (WI) (Beyer)
Morelle (Tonko)
Moulton (Rice (NY))
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Kuster)
Porter (Wexton)
Roybal-Allard (Leger Fernandez)
Ruiz (Aguilar)
Rush (Underwood)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Thompson (MS) (Butterfield)
Watson Coleman (Pallone)
Wilson (FL) (Hayes)

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore (Mr. VEASEY) laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 10, 2021.

Hon. NANCY PELOSI,
Speaker of the House,
Washington, DC.

DEAR SPEAKER PELOSI: It has been my honor and privilege to serve the people of the 11th Congressional District of Ohio since November 2008. My appreciation for their support as I sought to represent their interests and those of many Americans for whom I could be a voice is boundless.

I will always remember my colleagues and friends who have become a part of my family during the last twelve years. I am fortunate to have been selected by President Joe Biden to continue to serve the public good as Secretary of Housing and Urban Development.

Therefore, please accept this correspondence as notice of my resignation from the U.S. House of Representatives, 11th Congressional District of Ohio, effective immediately upon delivery on March 10, 2021. Thank you for your leadership and support during my tenure.

Sincerely,

MARCIA L. FUDGE.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 10, 2021.

Hon. MIKE DEWINE,
Governor of Ohio,
Columbus, OH.

DEAR GOVERNOR DEWINE: Effective March 10, 2021, I have resigned my seat in the U.S. House of Representatives representing the 11th Congressional District of Ohio. Enclosed is a copy of my letter of resignation to the Speaker of the House, Nancy Pelosi, which was hand delivered to her this afternoon.

An Ohioan born and bred, serving the people of the 11th Congressional District has been an honor. My selection by President Joe Biden as Secretary of Housing and Urban Development and confirmation by the Senate will allow me to continue to serve the public good.

Thank you for your leadership of our great State.

Sincerely,

MARCIA L. FUDGE.

COMMUNICATION FROM LEGISLATIVE CORRESPONDENT, THE HONORABLE MARILYN STRICKLAND, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Elizabeth Beltran, legislative correspondent, the Honorable MARILYN STRICKLAND, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, March 5, 2021.

Hon. NANCY PELOSI.
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Elizabeth Beltran, have been served with subpoenas for testimony issued by the United States District Court for the Middle District of Florida. The testimony sought relates to events witnessed while I was employed by the Speaker's office as a Staff Assistant.

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

Sincerely,

ELIZABETH BELTRAN,
Legislative Correspondent.

BIPARTISAN BACKGROUND CHECKS ACT OF 2021

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 188, I call up the bill (H.R. 8) to require a background check for every firearm sale, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 188, the bill is considered read.

The text of the bill is as follows:

H.R. 8

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 ''Bipartisan Background Checks Act of 2021''.

SEC. 2. PURPOSE.

The purpose of this Act is to utilize the current background checks process in the United States to ensure individuals prohibited from gun possession are not able to obtain firearms.

SEC. 3. FIREARMS TRANSFERS.

(a) IN GENERAL.—Section 922 of title 18, United States Code, is amended by adding at the end the following:

''(aa)(1)(A) It shall be unlawful for any person who is not a licensed importer, licensed manufacturer, or licensed dealer to transfer a firearm to any other person who is not so licensed, unless a licensed importer, licensed manufacturer, or licensed dealer has first taken possession of the firearm for the purpose of complying with subsection (t).

''(B) Upon taking possession of a firearm under subparagraph (A), a licensee shall comply with all requirements of this chapter as if the licensee were transferring the firearm from the inventory of the licensee to the unlicensed transferee.

''(C) If a transfer of a firearm described in subparagraph (A) will not be completed for any reason after a licensee takes possession of the firearm (including because the transfer of the firearm to, or receipt of the firearm by, the transferee would violate this chapter), the return of the firearm to the transferor by the licensee shall not constitute the transfer of a firearm for purposes of this chapter.

''(2) Paragraph (1) shall not apply to—

''(A) a law enforcement agency or any law enforcement officer, armed private security professional, or member of the armed forces, to the extent the officer, professional, or member is acting within the course and scope of employment and official duties;

''(B) a transfer that is a loan or bona fide gift between spouses, between domestic partners, between parents and their children, including step-parents and their step-children, between siblings, between aunts or uncles and their nieces or nephews, or between grandparents and their grandchildren, if the transferor has no reason to believe that the transferee will use or intends to use the firearm in a crime or is prohibited from possessing firearms under State or Federal law;

''(C) a transfer to an executor, administrator, trustee, or personal representative of an estate or a trust that occurs by operation of law upon the death of another person;

''(D) a temporary transfer that is necessary to prevent imminent death or great bodily harm, including harm to self, family, household members, or others, if the possession by the transferee lasts only as long as immediately necessary to prevent the imminent death or great bodily harm, including the harm of domestic violence, dating partner violence, sexual assault, stalking, and domestic abuse;

''(E) a transfer that is approved by the Attorney General under section 5812 of the Internal Revenue Code of 1986; or

''(F) a temporary transfer if the transferor has no reason to believe that the transferee will use or intends to use the firearm in a crime or is prohibited from possessing firearms under State or Federal law, and the transfer takes place and the transferee's possession of the firearm is exclusively—

''(i) at a shooting range or in a shooting gallery or other area designated for the purpose of target shooting;

''(ii) while reasonably necessary for the purposes of hunting, trapping, or fishing, if the transferor—

''(I) has no reason to believe that the transferee intends to use the firearm in a place where it is illegal; and

''(II) has reason to believe that the transferee will comply with all licensing and permit requirements for such hunting, trapping, or fishing; or

''(iii) while in the presence of the transferor.

''(3) It shall be unlawful for a licensed importer, licensed manufacturer, or licensed dealer to transfer possession of, or title to, a firearm to another person who is not so licensed unless the importer, manufacturer, or dealer has provided such other person with a notice of the prohibition under paragraph (1), and such other person has certified that such other person has been provided with this notice on a form prescribed by the Attorney General.''.

(b) AMENDMENT TO SECTION 924(a).—Section 924(a)(5) of title 18, United States Code, is amended by striking ''(s) or (t)'' and inserting ''(s), (t), or (aa)''.

(c) RULES OF INTERPRETATION.—Nothing in this Act, or any amendment made by this Act, shall be construed to—

(1) authorize the establishment, directly or indirectly, of a national firearms registry; or

(2) interfere with the authority of a State, under section 927 of title 18, United States Code, to enact a law on the same subject matter as this Act.

(d) EFFECTIVE DATE.—The amendment made by subsections (a) and (b) shall take effect 180 days after the date of enactment of this Act.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

□ 1415

GENERAL LEAVE

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 8.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, gun violence impacts all of our communities, and no place is immune from its reach, including our homes, our streets, our schools, and even our places of worship. That is why we must take swift and decisive action to reduce the daily toll of gun violence that afflicts our Nation. H.R. 8, the Bipartisan Background Checks Act of 2021 is sensible and effective legislation to do just that.

Under current law, gun sales conducted by licensed firearms dealers may only be completed if the buyers clear background checks. This bill would simply extend that requirement, with limited exceptions, to guns transferred by unlicensed individuals as well. That simple change to close a gaping loophole in the law is one of the most effective steps we can take to address the scourge of gun violence in this country.

According to one study, 22 percent of gun owners in the U.S. acquired their most recent firearm without a background check. We do not know if they were felons, fugitives, domestic abusers, or otherwise prohibited under the law from possessing firearms. A huge volume of guns was sold with no questions asked. It is time to close this dangerous loophole.

There is no reason to continue to make it easy for people who are legally prohibited from possessing firearms to acquire them. The evidence clearly shows that background checks work and significantly curb gun violence. One study found that a Connecticut law requiring background checks was associated with a 40 percent decline in gun homicides and a 15 percent drop in suicides. On the other hand, when Missouri repealed its background check law, the State's gun homicides increased by 23 percent and suicides increased by 16 percent.

Gun violence of this magnitude is a distinctly American problem. A recent study in the American Journal of Medicine found that compared to 29 other high-income countries, the gun-related murder rate in the United States is 25 times higher. Even when you adjust for population differences, Americans are disproportionately killed by gun violence. This is a disparity that we can remedy by passing this bill.

With the exception of certain limited transfers, such as gifts to family members and transfers for hunting, target shooting, and self-defense, H.R. 8 would extend the current Federal background check requirement—which applies now only to licensed gun dealers—and would require virtually all transactions to undergo a background check to help ensure that firearms do not end up in the wrong hands.

I thank Representative MIKE THOMPSON of California for drafting this important legislation and for being a champion of gun violence prevention in Congress.

Simply put, H.R. 8 will save lives. I urge my colleagues to support this legislation and to support safer streets, safer schools, and safer communities.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Kentucky (Mr. MASSIE), the co-chair of the Second Amendment Caucus.

Mr. MASSIE. Mr. Speaker, Democrats today want to introduce gun control legislation that they say is going to make you safer. They want to expand background checks.

But what do background checks accomplish?

Well, the DOJ said there were 112,000 denials in a year.

Who were those 112,000 people?

Well, my colleagues on the other side of the aisle would have you think those were felons, they saved you from those felons.

But how many of those 112,000 were prosecuted for that crime of trying to acquire that gun?

According to the DOJ, 12—1–2—12 in a year.

Who were the other 100,000?

Imagine, just imagine now that you are the victim of an abusive relationship and after 5 years you have summoned the courage and the resources to separate from that relationship, but things have escalated and now you have decided that it is time to acquire the means to protect you and your children. So you go to the gun store and you try to buy a gun. The clerk presses the computer button, and it says ''denied.''

You ask the clerk, ''Why was it denied?''

The clerk says, ''I don't know. This happens sometimes. Maybe you had a similar name to somebody else in the database.''

You can't buy a gun today, tomorrow, next week. Not ever. You have

been denied. So you go to a friend you have known for a long time. Your friend says, ''I would like to help you.''

You say, ''Well, I don't know if I am going to make it through the night.''

Your friend says, ''I would like to help you, but don't you know H.R. 8 passed and it was signed by the President. I can't spend a year in a cage. Good luck tonight.''

Mr. Speaker, now, I am not going to ask you to imagine what happens next because the Democrats saw fit to put into this bill a requirement that you have an imminent threat of death. The threat has to be right there upon you or great bodily harm.

What do they say?

Well, if you are just expecting a few bruises and maybe a punch, put some ice on it.

Mr. Speaker, I am going to ask my colleagues here today and I am going to challenge the sponsors of this bill and those of them who might think they would vote for this bill to consider whether it is fair.

Is it fair to surround yourself with armed guards, with Capitol Hill Police who have guns, with personal details, bodyguards, and ask the people to pay for it when you make it harder for those same people to protect themselves?

I don't think that is fair.

And for the fact checkers who are already hard at work on this speech, I include in the RECORD this GAO report on the DOJ statistics on background checks.

[From the United States Government Accountability Office, Sept. 2018]

Report to the Ranking Member, Subcommittee on Commerce, Justice, Science, and Related Agencies, Committee on Appropriations, House of Representatives

LAW ENFORCEMENT—FEW INDIVIDUALS DENIED FIREARMS PURCHASES ARE PROSECUTED AND ATF SHOULD ASSESS USE OF WARNING NOTICES IN LIEU OF PROSECUTIONS

WHY GAO DID THIS STUDY

In 2017, approximately 25.6 million firearm-related background checks were processed through NICS, and about 181,000 of the attempted purchases at the federal and state levels combined were denied because the individual was prohibited from possessing a firearm under federal or state law. Individuals who certify that they are not prohibited from purchasing or receiving a firearm and are subsequently determined to be prohibited could be subject to investigation, and if prosecuted, a fine, imprisonment, or both.

GAO was asked to examine firearms denials. This report (1) describes the extent to which federal and selected state law enforcement agencies investigate and prosecute firearms denial cases; (2) examines related challenges faced by these agencies; and (3) describes the circumstances that lead to investigations and prosecutions. GAO reviewed laws and regulations; analyzed federal and state data from 2011 through 2017; and interviewed officials from ATF headquarters, 6 of 25 ATF field divisions (the 6 that investigated the most cases), and the 13 states that process all NICS checks within their state. Results from state interviews are not generalizable but provide insights on state practices.

WHAT GAO RECOMMENDS

GAO recommends that ATF assess the extent to which ATF field divisions use warning notifications as an enforcement tool, which would inform whether changes to policy are needed. DOJ concurred with GAO's recommendation.

WHAT GAO FOUND

Investigations and prosecutions. Federal and selected state law enforcement agencies that process firearm-related background checks through the National Instant Criminal Background Check System (NICS) collectively investigate and prosecute a small percentage of individuals who falsify information on a firearms form (e.g., do not disclose a felony conviction) and are denied a purchase. Federal NICS checks resulted in about 112,000 denied transactions in fiscal year) 2017, of which the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) referred about 12,700 to its field divisions for further investigation. U.S. Attorney's Offices (USAO) had prosecuted 12 of these cases as of June 2018.

TABLE.—FEDERAL NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM (NICS) FIREARMS DENIAL CASES INVESTIGATED AND PROSECUTED, FISCAL YEAR 2017

Federal NICS Transactions	Denials	ATF Field Division Investigations	United States Attorney's Offices Prosecutions
8,606,286	112,090	12,710	12

At the state level, officials from 10 of 13 selected states said they did not investigate or prosecute firearm denials, some citing competing resource demands and the lack of statutes with which states prosecute as reasons. The remaining 3 states investigated a high proportion of firearms denials. One of the 3 states reported about 1,900 referrals for prosecution in 2017 and about 470 convictions.

Challenges. ATF and selected states reported challenges in investigating and prosecuting firearms denials. Officials from six selected ATF field divisions said that investigating the increasing number of denial cases referred to field divisions—which increased from about 5,200 in fiscal year 2011 to about 12,700 in fiscal year 2017—has been time intensive and required use of their limited resources. ATF policy provides that field divisions may send ''warning notices'' to denied persons in lieu of prosecution, but ATF has not assessed field divisions' use of these notices, which could provide greater awareness of their deterrence value and inform whether any policy changes are needed. Officials from the Executive Office for United States Attorneys said that prosecuting denial cases can require significant effort and may offer little value to public safety compared to other cases involving gun violence. Selected state officials said that denial investigations can take law enforcement officials away from their core duties. State prosecutors said gathering evidence to prove individuals knew they were prohibited was a challenge.

Types of cases. ATF field divisions investigate denial cases based on USAO criteria and generally only refer cases to USAOs for prosecution when aggravating circumstances exist, such as violent felonies or multiple serious offenses over a short period of time. Officials from two of three selected states refer all denial cases for investigation, while one state uses risk-based criteria for selecting cases that include conditions such as felony convictions and misdemeanor crimes of domestic violence. Prosecutors from these three states said they generally pursue cases that involve indications of violence, though individual prosecutors had differing priorities based on public safety concerns.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. HOYER), the distinguished majority leader of the House.

Mr. HOYER. Mr. Speaker, well, that is an interesting speech to follow. Mr. MASSIE was very energized. I haven't seen, of course, that which he submitted for the RECORD, but 90 percent of America thinks this bill makes sense, 90 percent. Take your own polls. Poll after poll after poll shows overwhelming support of this legislation because it is common sense. It is common sense that you want to assure the community that those who buy weapons that can be used with deadly force, as the gentleman just indicated, are not a danger to themselves or to others.

Mr. Speaker, according to the database from the Associated Press, USA Today, and Northeastern University that tracks mass shootings, which they define as four or more victims, not including the shooter, 2020 was a standout year. After years of setting new records for mass shootings, 2019 had the highest number recorded, 33 mass shootings in one year. But in 2020, there were only two mass shootings: one in February and another in early March.

Of course, Mr. Speaker, those numbers don't count the hundreds of shootings each year in which there are fewer than four victims, with tens of thousands killed or maimed by gun violence annually. The contrast in the number of mass shootings from 2019 to 2020 is stark.

Mr. Speaker, I don't have to explain to my colleagues why mass shootings suddenly came to a halt last year, but it shouldn't take a deadly viral pandemic—which took us out of group meetings, which took us off the streets, which kept us at home—to stop a deadly epidemic of gun violence.

With the arrival of vaccines and passage of President Biden's plan to help make it safe to reopen businesses and schools, we will soon be gathering in groups once more, but nobody wants to see a return to mass shootings, Mr. Speaker. Nobody wants to see a return to deadly school shootings that terrorize America's students.

We shouldn't need a pandemic to reduce gun violence in this country. The way to do that ought to be through passing commonsense gun safety legislation through Congress to make it harder for deadly firearms to get into the hands of those who cannot bear them responsibly. That is what H.R. 8,

the Bipartisan Background Checks Act, would do.

Nine out of 10 Americans support the reforms in this bill. Now, I know I have seen some people, Mr. Speaker, shake their head, no, no, that is not the case. Show me a poll that has less than 80 percent of Americans thinking that terrorists should not be able to buy guns, that felons should not be able to buy guns, that domestic abusers should not buy guns, particularly in an accelerated way. You get mad at a partner, you get mad at a girlfriend, a boyfriend, whatever, go down to the store, boy, get a gun, bang.

It is one thing to have a thoughtful purchase: I want to have a hunting gun; I want to have a handgun for target practice; I want a handgun for safety in my home, in my business, in my car. But if you are a person who has shown that you are not somebody who is a responsible person—sort of like driving a car, if you are not responsible, you are a reckless driver and you have been guilty of manslaughter by automobile or something of that nature—people have a right to know that what you do is going to be not a danger to them.

This is one of the greatest examples of legislation that truly reflects the will of the American people. That is why I hope we can come together to pass it with bipartisan support. I don't know that that is going to be the case. But if it is not the case, it will not reflect the will of the American people who would like to see this on a bipartisan basis. Republicans and Democrats polled support this legislation.

Now, if somebody wants to show me a poll that says, no, that is not the case, that is one thing, but I haven't seen a poll that doesn't reflect that. Just as I believe we ought to do this week with Representative CLYBURN's bill as well, which could close the loophole that contributed to the reprehensible and racially motivated mass shooting at the Mother Emanuel AME Church in Charleston, South Carolina, in 2015. Nine people in church slain by somebody who got a gun; who, if the report had come back in a timely fashion, wouldn't have been able to get that gun.

I hope that Senate Republicans will not filibuster this bill. At some point in time the majority ought to rule.

Now, the Second Amendment correctly protects gun ownership. I don't have an argument with that. But the Supreme Court itself said that there could be responsible restraints and items for protection consistent with that amendment. That is what this bill does.

I hope our friends will listen to the voices of parents, children, siblings, spouses, neighbors, and friends of those who were killed by gun violence in recent years; and I hope they will remember the names that bring tears to many eyes and pain in so many hearts. Parkland. Some believe Parkland didn't happen. They are wrong, of course. Sandy Hook; Charleston; Las Vegas; Orlando; Pittsburgh; Annapolis; San Bernardino; Washington Navy Yard, just a few blocks from here; Oak Creek; Tucson; Virginia Tech; and the list could go on and on and on.

I say to the ladies and gentlemen of the House, let's not add more names to this register of grief. Let's not rely on a pandemic to do what we ought to have done so long ago. Let's pass these bills and reduce gun violence the right way, with our votes.

Is this a perfect bill? Will it establish or accomplish the absolute safety?

It will not, but what 90 percent of Americans say is that it is a step in the right direction.

Mr. Speaker, let us take that step.

Mr. JORDAN. Mr. Speaker, no, it doesn't. The previous speaker said when this bill becomes law, it will stop some of the mass shootings—all of the mass shootings that happen in this country. No, it won't. Nothing in this bill would prohibit, would have stopped any of those terrible things that took place.

What this bill does is stop law-abiding citizens from exercising their Second Amendment liberties, just as the gentleman from Kentucky mentioned a few minutes ago.

Mr. Speaker, I yield 1 minute to the gentlewoman from Indiana (Mrs. SPARTZ).

□ 1430

Mrs. SPARTZ. Mr. Speaker, I rise in opposition to H.R. 8. A major reason our Founding Fathers drafted the Second Amendment is to have a check and balance for the people against the tyranny of government. It is the Second Amendment for a reason, not the Ninth or the Tenth. You must have the Second to protect the First.

The first action by history's dictators—and we know all of them—was to take guns from law-abiding citizens. We must remember that there is no law that stops criminals from getting guns and committing crimes. We would have empty prisons otherwise.

As someone who grew up under a tyrannical government, I value these rights tremendously, and I encourage my colleagues to be vigilant and protect these rights for all law-abiding citizens.

I urge my colleagues to oppose this bill.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mr. THOMPSON), the sponsor of this bill.

Mr. THOMPSON of California. Mr. Speaker, every day 30 people are killed by someone using a gun. That number jumps to 100 if you factor in accidents and suicides involving guns. The steady stream of gun violence devastates families, communities, and schools.

Gun violence costs our country $280 billion every year. This status quo is not okay.

Our constituents know it, and they support H.R. 8 overwhelmingly.

The Special Order last night on H.R. 8 was another low point for decorum in the House. To be generous, it was an embarrassing display and a complete misrepresentation of the facts.

Viewers were told that the bill would create a Federal gun registry. Wrong. Read page 5, line 18. H.R. 8 prohibits any registry.

They were told you can't give a gun to a family member. Wrong. Read page 3, line 7. You can.

They were told that you can't transfer a gun if someone was suicidal or needed it for protection to address a self-defense situation. Wrong. Read page 3, line 21. You can.

They were told that you can't lend a gun to a friend to go hunting. Wrong. Read page 4, line 16. You can.

What the bill does do is close the private gun sale loophole, which has made it easy for felons and other prohibited purchasers to buy a gun online, at gun shows, or in person-to-person sales.

We know universal background checks work. Every day they stop some 160 felons and some 50 domestic abusers from buying a gun. Every day.

But without universal background checks, these people can take their business elsewhere, to someone without a Federal firearms license and buy the same gun.

I have personally filled out the 4473 form required to buy a gun from a licensed dealer. I have done it many times. It is something that every responsible gun owner should be able to live with. Heck, they should welcome it because it helps stop dangerous individuals from getting a gun.

In 90 percent of the cases, background checks are completed within minutes.

Mr. Speaker, I ask that these letters that I have from dozens of gun violence prevention groups, healthcare workers, law enforcement, and others be included in the RECORD.

MARCH 5, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER SCHUMER, LEADER MCCONNELL, SPEAKER PELOSI, AND LEADER MCCARTHY: We write to you in support of H.R. 8/S. 529 the Bipartisan Background Checks Act and H.R. 1446/S. 591 the Enhanced Background Checks Act. As gun owners, we understand that responsible gun ownership starts with background check. Loopholes in federal law have perpetuated the gun violence crisis in our country, including those in our background checks system. Congress must enact meaningful legislation to reduce gun violence. The Bipartisan Background Checks Act would close one such loophole by ensuring that a background check happens on every firearms sale.

Since 1993, the National Instant Criminal Background Check System (NICS) has conducted firearm background checks on gun

purchasers. Federally licensed dealers must run a check through NICS to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS shows that a person is indeed prohibited, the dealer must deny the sale.

However, no background check is required for sales at gun shows, through online marketplaces, or between private individuals. Individuals who would otherwise be prohibited from purchasing or possessing a gun can easily buy guns through such unregulated sales. And the frequency of these unregulated sales is growing: recent studies indicate that approximately 22 percent of firearms are purchased without a background check, up to 80% of firearms used in crimes are obtained without a background check.

H.R. 8/S.B. 529 the Bipartisan Background Checks Act/Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed private seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

Additionally, H.R. 1446/S. 591 the Enhanced Background Checks Act/Background Check Completion Act would provide the FBI more time to complete background checks and ensure that people prohibited from possessing firearms are not able to obtain them by default because of an incomplete background check. This deadly loophole in existing law was exploited by a white supremacist who killed nine people at the Mother Emanuel AME Church in Charleston, South Carolina.

As responsible gun owners, we urge you to consider this legislation which would help keep our communities safe. Our support for universal background checks stems from our desire to protect the Second Amendment rights of law abiding citizens while maintaining checks and balances to keep communities safe.

We urge you to pass H.R. 8/S. 529 the Bipartisan Background Checks Act/Background Check Expansion Act and H.R. 1446/S. 591 the Enhanced Background Checks Act/Background Check Completion Act, as soon as possible.

Sincerely,

GIFFORDS GUN OWNERS FOR SAFETY.

GUN OWNERS FOR RESPONSIBLE OWNERSHIP,
Lake Grove, OR, March 5, 2021.

Hon. CHUCK SCHUMER,
Majority Leader,
U.S. Senate, Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader,
U.S. Senate, Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader,
House of Representatives, Washington, DC.

DEAR MAJORITY LEADER SCHUMER, LEADER MCCONNELL, SPEAKER PELOSI, AND LEADER MCCARTHY: We are gun owners, outdoors enthusiasts, and veterans who seek reasonable and responsible solutions to preventing gun violence. We believe our Second Amendment rights come with responsibilities. We also believe in common-sense efforts to reduce gun violence and promote gun safety across the country, including universal background checks and safe and secure storage of firearms.

H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, on line, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

Additionally, H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act would provide the FBI more time to complete background checks and ensure that people prohibited from possessing firearms are not able to obtain them by default because of an incomplete background check. This deadly loophole in existing law was exploited by a white supremacist who killed nine people at the Mother Emanuel AME Church in Charleston, South Carolina.

Oregon adopted universal background checks in 2015 which we strongly supported. However, our citizens are still vulnerable to the importation of firearms from states with less stringent laws. We need federal legislation that will apply to all.

We urge you to pass H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act and H.R.1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act, as soon as possible.

Sincerely,

PAUL KEMP,
President.

STATES UNITED TO PREVENT GUN VIOLENCE,
March 5, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader,
House of Representatives, Washington, DC.

DEAR MAJORITY LEADER SCHUMER, LEADER MCCONNELL, SPEAKER PELOSI, AND LEADER MCCARTHY: States United to Prevent Gun Violence is a group of 32 state affiliates across the United States that work on Gun Violence Prevention. We come from all areas of this country. Urban, rural, and, suburban. We believe that gun violence is a public health problem, and, that the legislation proposed will prevent many communities from suffering the trauma of gun violence.

Since 1993, the National Instant Criminal Background Check System (NICS) has conducted firearm background checks on gun purchasers. Federally licensed dealers must run a check through NICS to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS shows that a person is indeed prohibited, the dealer must deny the sale.

However, there is a loophole in federal law and no background check is required for sales at gun shows, through online marketplaces, or between private individuals. Individuals who would otherwise be prohibited from purchasing or possessing a gun can easily buy guns through such unregulated sales. And the frequency of these unregulated sales is concerning: recent studies indicate that approximately 22 percent of firearms are purchased without a background check, and up to 80% of firearms used in crimes are obtained without a background check.

H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

Additionally, H.R. 1446 / S. S. 591 the Enhanced Background Checks Act / Background Check Completion Act would provide the FBI more time to complete background checks and ensure that people prohibited from possessing firearms are not able to obtain them by default because of an incomplete background check. This deadly loophole in existing law was exploited by a white supremacist who killed nine people at the Mother Emanuel AME Church in Charleston, South Carolina.

We know that in many of our states we have not been able to pass any form of gun Violence Prevention Bills. If passed these Bills would bring immediate relief to all Americans from most forms of gun Violence.

We urge you to pass H.R. 8 / S. 529 the Bipartisan Background Checks Act / Background Check Expansion Act and H.R. 1446 / S. 591 the Enhanced Background Checks Act / Background Check Completion Act, as soon as possible.

Sincerely,

CLAI LASHER-SOMMERS,
Executive Director,
States United to Prevent Gun Violence.

MAJOR CITIES CHIEFS ASSOCIATION,
March 5, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER SCHUMER, MINORITY LEADER MCCONNELL, SPEAKER PELOSI, and REPUBLICAN LEADER MCCARTHY: I'm writing on behalf of the Major Cities Chiefs Association (MCCA), a professional organization of police executives representing the largest cities in the United States and Canada. The MCCA strongly supports H.R. 8/S.B. 529, the Bipartisan Background Checks Act of 2021/Background Check Expansion Act. The Association has been a strong advocate for sensible gun policy for many years. Instituting universal background checks is a core tenant of the MCCA's Firearms Violence Policy, which our membership approved in 2018.

Since 1993, the National Instant Criminal Background Check System (NICS) has conducted firearm background checks on gun purchasers. Federally licensed dealers must run a check through NICS to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS shows that a person is indeed prohibited, the dealer must deny the sale. However, there is a loophole in federal law, and no background check is required for sales at gun shows, through online marketplaces, or between private individuals. Individuals who would otherwise be prohibited from purchasing or possessing a gun can easily buy guns through such unregulated sales.

H.R. 8/S.B. 529 would require a background check on every sale, ensuring that people

prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

Many MCCA members are experiencing a significant uptick in gun violence in their cities. The MCCA's most recent Violent Crime Survey, which showed a nationwide rise in both homicides and aggravated assaults in 2020, supports these reports. Ensuring background checks for all gun sales and transfers will save lives by helping keep firearms out of the hands of those who are not permitted to have them under the law. It will also be a critical step in combatting the epidemic of gun violence currently plaguing our country.

Gun violence is more than just a public safety issue; it's an officer safety issue as well. MCCA members, and law enforcement agencies all across the country, have had far too many officers killed or wounded in the line of duty by individuals who should have been prohibited from purchasing a firearm. We must enact policies at the national level to help ensure these brave men and women return home safely after their shifts.

The MCCA urges Congress to pass H.R. 8/S.B. 529, the Bipartisan Background Checks Act of 2021 /Background Check Expansion Act, as soon as possible. Please do not hesitate to contact me if the MCCA can be of any assistance.

Sincerely,

CHIEF ART ACEVEDO,
Chief, Houston Police Department,
President, Major Cities Chiefs Association.

MARCH 3, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER SCHUMER, LEADER MCCONNELL, SPEAKER PELOSI, AND LEADER MCCARTHY: We write to you in support of H.R. 8/S. 529 the Bipartisan Background Checks Act. As physicians, we believe that gun violence and its associated traumas are a public health crisis, and that Congress must enact meaningful legislation to help reduce gun violence in our communities. In 2019, 39,707 people died from gun violence. Tragically, the pandemic and resulting economic fallout may further exacerbate this public health crisis. Experts have suggested that the pandemic may drive increases in suicides, domestic violence, and community violence in the coming years. Several loopholes in federal law—and the background check system in particular—are not sufficient to prevent individuals who are ineligible to own a firearm from purchasing one. The Bipartisan Background Checks Act would enact universal background checks, closing these dangerous loopholes by ensuring that a background check happens on every firearms sale.

The American Medical Women's Association has been the voice and vision of women in medicine since 1915. Time and time again, AMWA, as an organization, stands to decrease the burden of gun related fatalities and violence. AMWA acknowledges gun violence for what it really is: a deadly epidemic resulting in substantial morbidity and mortality for our patients.

Since 1993, the National Instant Criminal Background Check System (NICS) has conducted firearm background checks on gun purchasers. Federally licensed dealers must run a check through NICS to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS shows that a person is indeed prohibited, the dealer must deny the sale.

However, no background check is required for sales at gun shows, through online marketplaces, or between private individuals. Individuals who would otherwise be prohibited from purchasing or possessing a gun can easily buy guns through such unregulated sales. And the frequency of these unregulated sales is concerning: recent studies indicate that approximately 22 percent of firearms are purchased without a background check, up to 80% of firearms used in crimes are obtained without a background check.

H.R. 8/S. 529 the Bipartisan Background Checks Act/Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks.

Too often, our patients and our communities bear witness to the terrible tragedies that occur when people use guns to harm themselves or others. Gun violence is a complex public health issue that will require a comprehensive solution; enacting universal background checks is an important first step. Our support for universal background checks comes from our desire to save lives and protect our patients.

We urge you to pass H.R. 8/S. 529 the Bipartisan Background Checks Act/Background Check Expansion Act, as soon as possible.

Sincerely,

THERESA ROHR-KIRCHGRABER, MD,
FACP, FAMWA,
Chair, Advocacy Committee AMWA.

MEMBERS OF THE 117TH CONGRESS: We, the undersigned organizations, strongly urge you to cosponsor and quickly pass H.R. 8, the Bipartisan Background Check Act, and S. 529, the Background Check Expansion Act, to expand Brady Background Checks to cover all firearm transactions, as well as H.R. 1446, the Enhanced Background Checks Act of 2021, to close a dangerous gap in law that allows thousands of prohibited individuals to purchase firearms every year.

Since the Brady Law was enacted in 1994, more than 3.5 million prohibited firearm transactions have been prevented. In 2015 alone, an average of 619 individuals per day were deemed by law to be too dangerous to possess a firearm and were blocked by the system.

Background checks are conclusively effective and have saved countless lives. However, because only federally licensed firearms dealers are required to conduct these checks, an estimated one in five gun sales or transfers—those conducted by private sellers, including sales online and at gun shows—are completed without a background check. Without background checks it is almost impossible to keep guns out of the hands of prohibited individuals or to hold illegal gun dealers accountable.

H.R. 8 and S. 529 will make us all safer by requiring a background check for virtually every firearm sale and transfer. The bills include narrow, reasonable exceptions like transfers among close family members and short-term gun loans among hunters and sport shooters. The legislation does nothing to impede lawful gun purchases, while closing off a wide and well-known avenue for illegal transactions by prohibited, and often dangerous, buyers. It is past time to expand lifesaving background checks to every gun sale, and the public agrees: more than 90 percent of Americans, including large majorities of gun owners, support universal background checks.

Likewise, it has been over five years since a prohibited person massacred nine parishioners at the Emanuel AME Church in Charleston, South Carolina, with a gun purchased at a licensed firearms dealer and it is far past time for Congress to take action to fix this gap in law.

Under current law, a licensed dealer may transfer a gun to a buyer after three business days even if the background check has yet to determine whether that buyer is legally eligible to purchase a gun, now known commonly as the ''Charleston Loophole.'' According to FBI data, thousands of guns are sold each year through this loophole to individuals who are prohibited from possessing firearms—over 43,000 since 2008. In the last decade an average of 10 prohibited individuals have been able to purchase guns at licensed firearms dealers through the Charleston Loophole every single day.

H.R. 1446 will prevent the sale of firearms to prohibited individuals by providing the FBI with additional time to complete background checks—allowing the system to better focus its resources and efforts, and provide accurate dispositions to federally licensed firearms dealers. This legislation will have a tremendous impact on public safety while ensuring that lawful gun owners are not subject to indefinite bureaucratic delay.

We urge you to act quickly to pass these life-saving pieces of legislation.

Sincerely,

American Federation of Teachers (AFT), American Medical Student Association (AMSA), American Public Health Association (APHA), Amnesty International, Bishops United Against Gun Violence, Brady, Children's Defense Fund (CDF), Docs Demand Action, Doctors for America (DFA), End Citizens United (ECU), Friends Committee on National Legislation (FCNL), Major Cities Chiefs Association (MCCA), MomsRising.

National Association of Social Workers (NASW), National Education Association (NEA), National Network of Public Health Institutes (NNPHI), National Organization of Black Law, Enforcement Executives (NOBLE), National PTA, Physicians for Social Responsibility (PSR), Public Citizen, Team Enough, The King Center, This Is Our Lane, Union for Reform Judaism (URJ), U.S. Conference of Mayors, VoteVets.

NATIONAL POLICE FOUNDATION,
March 5, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader. U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL, LEADER SCHUMER, SPEAKER PELOSI, AND LEADER MCCARTHY: The National Police Foundation is an independent and nonpartisan 501(c)(3) organization dedicated to advancing American policing through science and innovation. For many years, the Foundation has

advocated strongly for and continues to support common sense responses to America's gun violence problem. Addressing and strengthening our system of background checks is long overdue and it is my belief that H.R. 8/S.B. 529 can address these issues and is worthy of full consideration.

Since 1993, the National Instant Criminal Background Check System (NICS) has conducted firearm background checks on gun purchasers. Federally licensed dealers must run a check through NICS to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS shows that a person is indeed prohibited, the dealer must deny the sale.

However, there is a loophole in federal law and no background check is required for sales at gun shows, through online marketplaces, or between private individuals. Individuals who would otherwise be prohibited from purchasing or possessing a gun can easily buy guns through such unregulated sales. And the frequency of these unregulated sales is concerning: recent studies indicate that approximately 22 percent of firearms are purchased without a background check, and up to 80 of firearms used in crimes are obtained without a background check.

H.R. 8/S.B. 529 the Bipartisan Background Checks Act/Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

The women and men serving on America's front lines deserve the support that these bills will provide. Beyond data and research, common sense tells us that the solutions offered in H.R. 8/S.B. 529 are needed and will make a difference. We urge you to pass H.R. 8/S.B. 529 the Bipartisan Background Checks Act /Background Check Expansion Act, as soon as possible.

Sincerely,

JAMES H. BURCH, II,
President.

MARCH 4, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER SCHUMER, LEADER MCCONNELL, SPEAKER PELOSI, AND LEADER MCCARTHY: March for Our Lives Colorado (MFOL CO) has been pushing for commonsense gun laws for our state since 2019. MFOL CO's mission is to prevent gun violence in Colorado by engaging youth in the legislative process to further safety measures to protect ourselves and our fellow classmates. As such, we strongly endorse H.R. 8 for its potential to prevent gun-related violence. In 2013, Colorado passed House Bill 13–1229, resulting in the passage of universal background checks for firearm sales through unlicensed sellers in response to devastating events of gun violence in both Colorado and across the nation. According to the Colorado Bureau of Investigation, 2019 alone resulted in the rejection of 2.11% of sales (3,477 firearm sales) through unlicensed sellers due to indicators on background checks that suggest the guns would potentially be misused, showing that UBC laws have the empirical ability to keep guns from individuals who might misuse them.

Since 1993, the National Instant Criminal Background Check System (NICS) has conducted firearm background checks on gun purchasers. Federally licensed dealers must run a check through NICS to determine whether a potential buyer is prohibited from purchasing firearms. If information in NICS shows that a person is indeed prohibited, the dealer must deny the sale.

However, there is a loophole in federal law and no background check is required for sales at gun shows, through online marketplaces, or between private individuals. Individuals who would otherwise be prohibited from purchasing or possessing a gun can easily buy guns through such unregulated sales. And the frequency of these unregulated sales is concerning: recent studies indicate that approximately 22 percent of firearms are purchased without a background check, and up to 80% of firearms used in crimes are obtained without a background check.

H.R. 8/S. 529 the Bipartisan Background Checks Act/Background Check Expansion Act would require a background check on every sale, ensuring that people prohibited from purchasing firearms cannot exploit loopholes and purchase guns through an unregulated sale at a gun show, online, or from an unlicensed seller. In addition, individuals would no longer be able to cross state lines solely to purchase a firearm in a state with less stringent background checks. Closing these background check loopholes is critical to reducing gun violence throughout the United States.

Additionally, H.R. 1446/S. 529 the Enhanced Background Checks Act/ Background Check Completion Act would provide the FBI more time to complete background checks and ensure that people prohibited from possessing firearms are not able to obtain them by default because of an incomplete background check. This deadly loophole in existing law was exploited by a white supremacist who killed nine people at the Mother Emanuel AME Church in Charleston, South Carolina.

H.R. 8 will save lives through increased background checks for unlicensed sales in the United States. Our organization's firsthand experience with gun violence in our youths brings a grave brevity to our support of H.R. 8. March For Our Lives was forged to call for action against the violence that has plagued our nation. We call on you now to pass these bills to protect millions of student lives across the United States.

We urge you to pass H.R. 8/S. 529 the Bipartisan Background Checks Act/Background Check Expansion Act and H.R. 1446/S. 529 the Enhanced Background Checks Act/Background Check Completion Act, as soon as possible.

Sincerely,

MARCH FOR OUR LIVES COLORADO.

AMERICAN PSYCHOLOGICAL ASSOCIATION SERVICES, INC.,
March 8, 2021.

Hon. CHUCK SCHUMER,
Majority Leader, U.S. Senate,
Washington, DC.
Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate,
Washington, DC.
Hon. KEVIN MCCARTHY,
Republican Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER SCHUMER, LEADER MCCONNELL, SPEAKER PELOSI, AND LEADER MCCARTHY: On behalf of the American Psychological Association (APA), I write to express our support of H.R. 8/S. 529 the Bipartisan Background Checks Act of 2021. This important legislation would address our nation's gun violence public health crisis by closing pre-existing loopholes that allow for unlicensed gun sellers to avoid comprehensive background checks on firearms sales.

APA is the largest scientific and professional organization representing psychology in the United States with nearly 122,000 researchers, educators, clinicians, consultants, and students. Our mission is to advance the creation, communication, and application of psychological knowledge to benefit society and improve people's lives. APA advocates for a public health approach to gun violence prevention, supporting evidence-based programs and policies that can reduce the occurrence and impact of firearm-related violence in the United States.

Research demonstrates almost 80% of all firearms acquired for criminal purposes are obtained through transfers from unlicensed sellers and 96% of persons incarcerated for gun offenses who were already prohibited from possessing a firearm at the time of the offense obtained their firearm from an unlicensed seller. Moreover, states that only require background checks on sales through federally licensed firearms dealers showed higher rates of adolescents who carry guns than states that require universal background checks on all prospective gun buyers.

Thank you for your work to prevent gun violence tragedies.

Sincerely,

BRIAN D. SMEDLEY, PH.D.,
Chief of Psychology in the Public Interest,
American Psychological Association.

AMERICAN COLLEGE OF PHYSICIANS,
March 4, 2021.

Hon. MICHAEL THOMPSON,
House of Representatives,
Washington, DC.

DEAR REP. THOMPSON: On behalf of the American College of Physicians (ACP), I am writing to offer our strong support for the Bipartisan Background Checks Act of 2021 (H.R. 8), legislation introduced in the 117th Congress to expand and enhance the National Instant Criminal Background Check System (NICS). We applaud your continued efforts to reduce firearms-related violence through common sense legislation. As an organization representing physicians who have first-hand experience with the devastating impact on the health of their patients resulting from firearms-related injuries and deaths, we have a responsibility to be part of the solution in trying to mitigate firearms-related tragedies. We stand ready to work with you to advance this important legislation.

The American College of Physicians is the largest medical specialty organization and the second-largest physician membership society in the United States. ACP members include 163,000 internal medicine physicians (internists), related subspecialists, and medical students. Internal medicine physicians are specialists who apply scientific knowledge and clinical expertise to the diagnosis, treatment, and compassionate care of adults across the spectrum from health to complex illness.

We remain alarmed by the tragic toll of firearms violence in our neighborhoods, homes, workplaces, and public spaces. Deaths and injuries from firearms are not just a result of mass shootings, they are a daily occurrence; in 2019, 39,707 Americans lost their lives to firearms, according to the Centers for Disease Control and Prevention. This issue represents an urgent public health

crisis and now is the time to act, on a bipartisan basis, on measures to improve the safety of all Americans.

The Bipartisan Background Checks Act would strengthen the accuracy and reporting of the National Instant Criminal Background Check System (NICS) as well as expand Brady background checks to cover all firearm sales, including unlicensed firearms sellers currently not required to use background checks. Examples of gun sales not requiring background checks through NICS include those at gun shows, through the internet, and between private individuals or classified ads. With some exceptions, the legislation would expand background checks to cover all private and commercial firearm transfers and sales. In addition, because gun sellers would now be required to perform background checks for all sales and transfers, gun purchasers would no longer be able to cross state lines to buy firearms in a state with less rigorous background check laws.

In conclusion, for more than 20 years, we ACP has urged the adoption of policies to reduce deaths and injuries related to firearms violence. A brief summary of ACP's updated position paper on this issue can be found here. We remain committed to this endeavor and we call on Congress to pass H.R. 8 as a necessary first step in addressing the public health crisis created by firearms violence.

Sincerely,

JACQUELINE W. FINCHER, MD, MACP,
President.

Mr. THOMPSON of California. On this bill we have coauthors who are Democrats and Republicans, cops, hunters, gun owners, district attorneys, a former FBI agent, and veterans, who have served in combat and put their lives on the line to protect our Second Amendment.

There is bipartisan support for universal background checks in Congress and near universal support for background checks from the American people.

I urge my colleagues to vote ''yes'' on H.R. 8.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. HICE).

Mr. HICE of Georgia. Mr. Speaker, I thank my good friend from Ohio for yielding.

Look, bottom line is, we all know that by definition criminals don't abide by the law. And that applies also when they are purchasing firearms. Nothing in this bill prohibits this type of individual from obtaining firearms.

In fact, the majority of individuals in prison for committing crimes with firearms obtain their firearms through theft, the underground market, family members, and the like.

But what this bill does is threaten everyday American citizens with up to a year in prison and a $100,000 fine for exercising their Second Amendment right in doing common practices.

To say that this does not create a national gun registry, you cannot accomplish what is in this bill without a gun registry.

The reality is universal background checks do not stop mass shootings. We do not have mass shootings because of lack of background checks. This bill will not make our communities safer. In fact, what it will do is cause law-abiding citizens to lose more of their Second Amendment rights.

We shouldn't be focused here in Congress in taking those rights away. We actually should be strengthening the enforcement of laws we already have to make our communities safer.

I stand with the Constitution and urge my colleagues to vote against H.R. 8.

Mr. NADLER. Mr. Speaker, the fact is that 160 families every day buy guns. All this bill does is to say that people who obtain guns from unlicensed dealers, as well as licensed dealers, must be subject to the background check, and that will save a heck of a lot of lives.

Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman for yielding.

You know, our friends on the other side of the aisle are deadly wrong. That is the tragedy of their argument, because the Second Amendment does not prohibit regulation. It never did. And our Founding Fathers regulated guns as early as the beginning of this Nation.

And so I rise in support of H.R. 8, and indicate while the COVID–19 pandemic dominated news headlines in 2020, the number of shootings surged in many communities across America.

Our public health and emergency resources have been straining to recover from the coronavirus, and budgets are crunched nationwide, and, as well, gun violence is rising. It is important to note because approximately 80 percent of firearms used for criminal purposes are obtained without a background check.

We must strengthen our firearms background checks and close dangerous gaps, such as the online sale and gun show loopholes.

In the data that we were able to secure, there was nearly one mass shooting per day in the United States: 355 mass shootings in 2018. We realize that since December 2012 there have been at least 1,518 mass shootings with at least 1,715 people killed.

Each day an average of 92 Americans are victims of gun violence, resulting in more than 33,000 deaths. And I wonder why our friends could not feel the pain of the loss of guns being transferred illegally or improperly?

I was here for Columbine. That happened on April 20, 1999. High school students losing their lives. I was here when babies were killed in Newtown, Connecticut, on December 12, 2012. I was here in the United States Congress each moment we tried to pass sensible gun legislation like H.R. 8.

Mr. Speaker, I thank Chairman THOMPSON for his leadership and Chairman NADLER.

On February 14, 2018 I was here for Parkland and looked at these photographs. And as well I was here on May 18 when in San Jose, Texas, people died. It is time to pass H.R. 8. Stop seeing our children die.

Mr. Speaker, I rise in strong support of H.R. 8, the ''Bipartisan Background Checks Act of 2021'' and H.R. 1446, the ''Enhanced Background Check Act of 2021,'' which would make it illegal for any person who is not a licensed firearm importer, manufacturer, or dealer to transfer a firearm to any other person who is not so licensed without a background check.

A 2013 study found that approximately 80 percent of all firearms acquired for criminal purposes were obtained from sources who were not required to run a background check, and that 96 percent of inmates who were not prohibited from possessing a firearm at the time they committed their crime obtained their gun this way.

This loophole exists largely because unlicensed sellers need not conduct any background check under current law, even if the seller sells a large number of guns.

Under H.R. 8, the ''Bipartisan Background Checks Act of 2021,'' individuals seeking to transfer a firearm under this measure would be required to visit a licensed firearms dealer to run the necessary background check before the transfer could be finalized.

H.R. 8 is intended to provide an accurate and speedy manner to ensure firearms do not end up in the wrong hands.

An internal assessment by the Federal Bureau of Investigation (FBI) demonstrated that NICS background checks are approximately 99.3 percent to 99.8 percent accurate, and in 90 percent of cases, are processed within 90 seconds.

I am particularly pleased that the rule reported by Rules Committee makes in order Jackson Lee Amendment No. 12 to H.R. 8, which makes clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else, if the risk is imminent, without a background check to prevent self-harm.

The Jackson Lee Amendment will help ensure that no person who is experiencing a suicidal crisis will feel compelled to retain their gun when it would be better for them to temporarily transfer it to someone else.

Mr. Speaker, the American people are demanding effective action to reduce, if not prevent altogether, the countless mass shootings and gun violence in our country that continue to claim so many innocent lives.

Newly released data from the Centers for Disease Control (CDC) and Prevention found firearm-related deaths rose for the second-straight year in 2016, largely due to spikes in gun violence.

In 2016, the new CDC report on preliminary mortality data shows that there were more than 38,000 gun-related deaths in the U.S.—4,000 more than 2015.

An Associated Press analysis of FBI data shows there were about 11,000 gun-related homicides in 2016, up from 9,600 in 2015.

Congress must act to keep our country safe through gun safety and violence deterrence.

There is nearly one mass shooting per day in the United States—355 mass shootings in 2018.

In December 2012, a gunman walked into Sandy Hook Elementary School in Newtown, Connecticut, and killed 20 children, 6 adults, and himself.

Since December 2012, there have been at least 1,518 mass shootings, with at least 1,715 people killed and 6,089 wounded.

On the night of October 1, 2017, a gunman opened fire on a large crowd of concertgoers at the Route 91 Harvest music festival on the Las Vegas Strip, leaving 58 people dead and 527 injured.

And on November 5, 2017, a mass shooting occurred at the First Baptist Church in Sutherland Springs, Texas, where the gunman, 26-year-old Devin Patrick Kelley, killed 26 and injured 20 others.

Every day, on average, 92 Americans are victims of gun violence, resulting in more than 33,000 deaths annually.

States with higher gun ownership rates have higher gun murder rates—as much as 114 percent higher than other States.

A recent study by the Centers for Disease Control and Prevention, looking at 30 years of homicide data, found that for every 1 percent increase in a State's gun ownership rate, there is a nearly 1 percent increase in its firearm homicide rate.

Gun death rates are generally lower in States with restrictions such as safe storage requirements or assault weapons bans.

Mass shootings stopped by armed civilians in the past 33 years: 0.

Because more than 75 percent of the weapons used in mass shootings between 1982 and 2012 were obtained legally, stronger legislation is needed to prevent guns from getting into the wrong hands.

Mr. Speaker, enhancing the gun transfer background check system has consistently garnered broad public support, as high as 92 percent, because the American people know that the status quo is simply intolerable and action must be taken to reduce gun violence by keeping dangerous persons from obtaining deadly weapons.

That begins with passing H.R. 8, the Bipartisan Background Checks Act of 2021,'' and H.R. 1446, the ''Enhanced Background Check Act of 2021,'' and I urge all members to join me in voting for its passage.

Mr. Speaker, I rise in strong support of H.R. 8, the ''Bipartisan Background Checks Act of 2021,'' and urge its quick adoption.

While the COVID–19 pandemic dominated news headlines in 2020, the number of shootings surged in many communities across America.

Our public health and emergency resources have been straining to respond to the coronavirus crisis. Budgets are being crunched nationwide. Across the country, cities and states are struggling to find the resources to simultaneously address the pandemic and rising rates of gun violence.

We must take the steps that we know will make us safer.

Because approximately 80 percent of firearms used for criminal purposes are obtained without a background check, we must strengthen our firearms background check system and close dangerous gaps, such as the online sale and gun show loopholes.

Reducing gun violence starts with making sure that individuals who may not lawfully possess guns do not get their hands on them.

Our citizens overwhelmingly support this measure, and it is critical we pass it today and enact it into law.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Utah (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I rise today in opposition to H.R. 8 and H.R. 1446.

In this last week I received over 1,000 emails from constituents in strong opposition to these antigun bills. Here is a sample:

''H.R. 8 will make it impossible to sell or loan guns to my relatives and trusted friends.''

''These bills appear designed to impose restrictions on natural rights guaranteed by the U.S. Constitution.''

And finally, ''Stand for our rights and oppose these measures with every tool in your grasp.''

I absolutely will fight these measures with every tool in my grasp. These rights protect my life, liberty, and property granted to me by God and cannot be taken away from me by D.C. bureaucrats.

I grew up in the Deep South at a time when Black Americans were unable to defend themselves. After the Civil War, Black Codes and Jim Crow laws prohibited people of color from owning firearms.

In the mid-1950s, Martin Luther King, Jr., kept firearms for self-protection, but his application for a concealed weapon permit was denied because of racist gun control laws in his State.

As a child, my dad witnessed an altercation between his father and a southern White man who thought my grandfather was being disrespectful and threatened to teach him a lesson. Later that night he drove up to my grandfather's home with a bunch of his friends standing on the forerunner of a Model T Ford.

My grandfather was prepared. He and his brothers had hidden around his front porch. As these bullies and cowards approached the house, they heard the click of rifles and left just as fast as they came.

Without ever firing his gun on another human being, my grandfather's right to own a firearm ensured his rights to protect his life, liberty, and property.

I urge my colleagues to vote against these anti-Second Amendment bills.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. SWALWELL).

Mr. SWALWELL. Mr. Speaker, I thank Mr. THOMPSON for this legislation because it takes the most dangerous weapons out of the hands of the most dangerous people.

I have heard from my colleagues on the other side of the aisle about rights. Let's talk about some other rights in this country, like the right to pray in church, the right to dance at a party, the right to come home from a concert, the right to come back home safely and alive. Those are rights that matter, too.

And I am for this because I think about a mother who told me a couple years ago to keep fighting on this issue because every day when she puts her children in the car and sends them off to school, before they get out the car, she closes her eyes to remember what they were wearing because she was afraid that one day she may have to identify them.

This bill says we don't have to live that way anymore. The right to come home alive is greater than any right that is being put forward by the other side.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, we have been told that 90 percent of Americans support this bill. Well, that is because 99.99 percent of Americans have not read this bill.

And we are told, yet again, that this will save lives. And, yet, there is not one single mass killing that has been brought up here today that would have been prevented by this bill.

And yet over and over we have people come in here, usually they mean well; look, this will protect people when the fact is that they can't point to any of these mass killings they talk about that would have been prevented.

So let's talk about lives that would be saved. Think about the people that are shot every day and would their situation be different if they were not finding it so difficult to legally get a gun?

I mean, we had thousands of felony cases that came through my court, and we tried a lot of those cases. Over and over you hear, the criminals are not obeying the law. They are not going to follow the law. They got their guns illegally. And this will not change at all any of those people we tried and convicted for getting guns. They steal them. They buy them from other people that stole them. They don't obey the law. That is why they are criminals. So quit penalizing the American people.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, Americans are 25 more times more likely to die from gun violence than people who live in other developed countries, and on that point our perpetually outraged and indignant colleagues have absolutely nothing to say.

We lose 38,000 people a year, more than 100 people a day. From Newtown, Connecticut, to El Paso, Texas, gun violence is ripping the heart out of our social contract, making life for more Americans nasty, poor, solitary, brutish; in short, a Hobbesian state of war.

H.R. 8 will close three gaping loopholes in the law; the gun shows loophole, the internet loophole, and the private sale loophole, cutting down precisely on the traffic in illegal guns, which our colleagues cite as the source of criminal gun violence.

In opposing the American Rescue Plan, they voted against science. In opposing H.R. 1, they voted against democracy. And now in opposing H.R. 8, they are voting against public safety and the social contract itself. What a moral collapse for a once-great party.

□ 1445

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the last 2 weeks, the majority has attacked the First Amendment, and now they are attacking the Second Amendment.

H.R. 8 will not save lives. As Justice Scalia noted in his decision in Heller, the Second Amendment does not give Americans a right; it protects a preexisting right, and that right shall not be infringed.

H.R. 8 would not have prevented recent shootings. In Parkland, the shooter acquired the firearm legally from an FFL after undergoing a NICS check. The same thing in Sutherland Springs, Texas; the same in Las Vegas, Nevada; and the same in Orlando. I could go on because the list would produce the same result. They got their guns after a background check, including in El Paso.

Criminals who seek to do harm get guns regardless of the new restrictions imposed by H.R. 8. And with very limited exceptions, H.R. 8 makes it illegal for Americans to get a gun if a nonlicensed importer, manufacturer, or dealer is not involved. How will the government know if an illegal transfer occurs? Without a registry, this bill is unenforceable.

Mr. Speaker, I have heard supporters of this bill say that other countries have similar restrictions so we should, too. I counter with the fact that other countries do not have the Second Amendment. The Second Amendment was included to ensure that the United States would be different than other countries.

Mr. Speaker, I oppose this bill, and I urge my colleagues to do the same.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I rise in strong support of H.R. 8, the Bipartisan Background Checks Act. This bill is among the most commonsense gun violence prevention reforms, requiring background checks for unlicensed sellers.

Mr. Speaker, this is not complicated. This is simple. Under H.R. 8, people who wish to transfer a firearm would have to visit a licensed firearm dealer to run a background check before the transfer could be finalized.

Most of these checks take 90 seconds, 90 seconds to prevent firearms from ending up in the wrong hands, 90 seconds to prevent more of our loved ones from being killed by gun violence.

I am proud to be from Washington State, where voters have consistently tackled gun violence with commonsense reforms, passing one of the first, most comprehensive background check laws in 2014 and raising the legal age to purchase a semiautomatic rifle to 21 in 2018.

Mr. Speaker, let's do this. To save lives, vote ''aye.''

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, H.R. 8 is brought to us by the same organizations and politicians who have made no secret of their intention ultimately to strip law-abiding citizens of their right to defend themselves. Now, they know they can't do it outright, so they do it through cynical measures like this, which weave a web of laws so intricate that, sooner or later, everyone can be caught up in them.

This law affects not only sales but any transfer of a weapon for any period of time. A couple of years ago, a 10-year study by Johns Hopkins and UC Davis concluded that California's background check law had no effect on gun homicides or suicides. None.

The purpose of this bill is not public safety. That is its deceptive facade. Its purpose is to make gun ownership so legally hazardous, so fraught with legal boobytraps and draconian penalties, that no honest and law-abiding citizen would ever want to take the risk.

Most criminals already get their guns illegally. They are unconstrained by laws like this. This bill is aimed squarely at law-abiding citizens, moving us closer to a society where decent people are defenseless and armed criminals are kings.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Georgia (Mrs. MCBATH).

Mrs. MCBATH. Mr. Speaker, 2 years ago, I came to Congress, and one of my first actions as a Member was cosponsoring this bipartisan legislation that will save lives.

Mr. Speaker, I know the pain of gun violence firsthand. Eight years ago, I lost my son, Jordan, a victim of a gun in the wrong hands.

With this legislation, we empower law enforcement to keep guns from those who might do harm by simply requiring a background check whenever a gun is sold. This is commonsense legislation that will prevent more families from knowing the pain of losing a loved one to gun violence.

Just like 2 years ago, our vote today is a beginning, and it is definitely not the end. In again passing this commonsense bipartisan legislation, we call on our colleagues in the Senate to do what is right to keep America's families safe.

Mr. Speaker, I am proud once again to stand in support of this legislation as a survivor of gun violence myself.

Mr. Speaker, Congress refusing to pass this vital legislation would be America's shame and burden for generations to come.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Mrs. BOEBERT), the co-chair of the Second Amendment Caucus.

Mrs. BOEBERT. Mr. Speaker, I thank the ranking member, JIM JORDAN, for yielding.

Mr. Speaker, I was raised in a Democrat home, so I understand how these policies are deceiving. I understand that we are told guns are scary. That is what we were told, and that is what we believed, because we trusted the people who we voted for. But just as with most things in life, I grew up and learned that there is a better way to live. I was ignorant to firearms and the proper use of them.

Mr. Speaker, when I became a business owner, I needed to protect myself. There was an altercation outside of my restaurant, where a man was physically beat to death. There were no weapons involved. He was beaten to death by another man's hands.

I have a lot of young girls who work in my restaurant, and we needed an equalizer. I am 5 feet tall. I weigh barely 100 pounds. I need something against a stronger potential aggressor to defend myself with.

Talk about women's rights. Don't take my right away to protect myself.

I mean, seriously, what are we doing here? I ask the supporters of this legislation, who do you think you are to disarm Americans and leave them vulnerable without help?

You want to defund our police and yet leave us without a way to protect ourselves.

Our Founding Fathers gave us a list of items. They said don't touch these things. And I am telling you, keep your hands off of our Second Amendment.

The SPEAKER pro tempore (Mr. BUTTERFIELD). Members are reminded to address their remarks to the Chair.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Pennsylvania (Ms. DEAN).

Ms. DEAN. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, I am assuming our colleague on the other side of the aisle can pass a background check, so she will have no inability to have a gun.

Mr. Speaker, I rise in support of H.R. 8, the Bipartisan Background Checks Act, because even as we manage a deadly pandemic, gun violence continues to plague our Nation.

Every year, more than 130,000 people in this Nation are victims of gun violence. Some 38,000 dead, another 100,000 caught in the crossfire. In my home region in Philadelphia, 2,244 people were victims of gun violence in the year 2020.

Mr. Speaker, death by guns doesn't mean only murders. Sadly, it also means death by suicide using a firearm, which was the case in 62 percent of Pennsylvania's gun deaths last year. This is a public health crisis.

The Bipartisan Background Checks Act requires a background check for all gun sales, no loopholes, no backdoors, a commonsense solution supported by a majority of Americans, including 89 percent of Republicans and 87 percent of gun owners.

Mr. Speaker, let's find the courage to address the crisis. Let's save lives. Let's pass the bill.

Mr. JORDAN. Mr. Speaker, the previous speaker talked about the increase in violent crime in her neighborhood last year. Maybe if Democrats actively supported our police and not

supported defund the police, maybe that wouldn't be the case.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Arizona (Mrs. LESKO).

Mrs. LESKO. Mr. Speaker, I thank the gentleman, Mr. JORDAN, for yielding. Mr. Speaker, I rise in opposition to this bill.

H.R. 8 is an assault on our Second Amendment right to keep and bear arms. The bill turns law-abiding citizens into criminals by subjecting them to criminal penalties for simply lending a friend or a neighbor a gun on a temporary basis.

Additionally, the bill would inevitably lead to a national gun registry because, without a registry, the government has no way to implement this legislation. This bill is certainly a slippery slope.

Most alarmingly, this bill does nothing, absolutely nothing, to stop criminals from obtaining firearms. According to the Department of Justice, less than 1 percent of criminals in prison who possessed a firearm during their offense obtained the firearm from a licensed dealer, meaning criminals would still have access to firearms under this law.

Mr. Speaker, this bill is just the first of many steps to take away our Second Amendment rights. I urge my colleagues to vote against this bill.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Colorado (Mr. NEGUSE).

Mr. NEGUSE. Mr. Speaker, I thank the chair for yielding.

Mr. Speaker, I rise today for the more than 100,000 Americans who every year are impacted by gun violence, and I rise today to give voice to the overwhelming majority of the American people who support universal background checks.

Communities in Colorado have experienced the tragedy and the grief of gun violence far too many times—Columbine, Aurora, Highlands Ranch.

Mr. Speaker, enough is enough. We have lost too many parents, friends, neighbors, students, and children to gun violence.

This Congress must act, which is why I support H.R. 8. We must act on gun violence. We must pass H.R. 8, and we must send it to President Biden's desk.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Mr. Speaker, enough is enough, which is why I rise in strong opposition to H.R. 8 and to offer a motion to recommit the bill.

This bill is nothing more than a coordinated effort by the authoritarian left to strip away the constitutional rights guaranteed to Americans by the Second Amendment.

Instead of criminalizing the innocent actions of law-abiding gun owners, American citizens, we should be focused on stopping real crime in our local communities and enforcing the laws that are already on the books.

One way we can do that is by ensuring that ICE is notified when unlawful aliens attempt to purchase a firearm illegally. The FBI reported just last month that NICS had over 10 million people listed as an illegal alien. In fact, this ranks as the number one prohibited category in the FBI's NICS Indices.

Since 1998, over 28,000 illegal aliens have been denied a firearm after failing a NICS check. With over 2,700 in 2019 alone, this means over 28,000 criminals have been allowed to stay in the United States when ICE should have been alerted about their criminal act but were not.

Mr. Speaker, H.R. 8 fails to do anything to prevent crime, which is why I am offering this motion to recommit, so our Nation's laws are enforced. And if you will recall, this MTR passed in 2019 with a strong bipartisan majority.

Mr. Speaker, if we adopt the motion to recommit, we will instruct the Committee on the Judiciary to consider my amendment to H.R. 8 to ensure that the FBI alerts ICE anytime an illegal alien is denied a firearm because of NICS.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Massachusetts (Ms. CLARK).

Ms. CLARK of Massachusetts. Mr. Speaker, in 2016, after the tragic Pulse nightclub shooting, I, with my colleagues, sat in protest on this very floor with our friend, the late Congressman John Lewis. On that day, Congressman Lewis told us: ''We have turned deaf ears to the blood of the innocent and the concern of our Nation. We are blind to a crisis.''

Mr. Speaker, nearly 5 years later, we have endured thousands of mass shootings. We have mourned the loss of 100 people every single day to suicide and homicide with guns.

Today's vote will improve the safety of our schools, our communities, and our streets. It is a vote for kids, parents, veterans, and our neighbors. I stand here today thinking of the many survivors and families who have been waiting for this moment, and I think of my friend, John, who told us to always speak out for the voiceless and act boldly for justice.

Today, with this bill, we will do just that.

□ 1500

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Speaker, I rise to stand against H.R. 8.

This bill would make it a crime to transfer a firearm from one individual to another without a Federal firearms licensee overseeing the transfer and conducting a background check on the prospective buyer. While there are limited exceptions to this bill, in this bill it does nothing to address how violent criminals actually obtain firearms, nor does the bill make it harder for them to obtain a firearm. That is because criminals don't follow the law. That is why they are called criminals.

So by making these types of changes to the law, the bill does nothing to prohibit guns from ending up in the hands of criminals. Instead, it does everything possible to make it harder for law-abiding citizens to exercise their Second Amendment rights.

Mr. Speaker, I urge a ''no'' vote on H.R. 8.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Mrs. TRAHAN).

Mrs. TRAHAN. Mr. Speaker, there is a rampaging public health emergency that has been with us for far too long. And there have been countless chilling examples of what happens when we fail to act, or only take half measures, anodyne placebos. Each time, more lives are lost.

Moreover, we have seen a particular community unjustly suffer scorn for this emergency. They have been scapegoated rather than recognized as the fellow victims of this crisis. But there is no question that the harms of this crisis haven't fallen evenly, and the disparate harm offers all the more reason for actual solutions, not mere talk. By now, my colleagues know that I am not talking about COVID. I am referring to gun violence.

Today, the most commonsense, broadly popular, and impactful thing that we can do is pass H.R. 8, and bolster our pitifully weak background check system in the United States. Keeping deadly weapons out of the hands of those fueled by hate is as common sense as it gets.

Mr. Speaker, I urge my colleagues to vote for H.R. 8.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. ROY).

Mr. ROY. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Mr. Speaker, right now in south Texas there are American citizens whose lives are in danger because of wide open borders as a direct result of Biden's border crisis and the policies of the Democratic leadership of this body and the Senate. American citizens are unsafe. I am not making that up.

For the last 2 years, I have heard my Democratic colleagues talking about a fake crisis at our border. There is nothing fake about 100,000 people coming across our border; or high-speed chases through Uvalde, Texas; or high-speed chases in Real County, which I represent. There is nothing fake about break-ins putting lives in danger.

People own ranches, and now my Democratic colleagues, after defunding the police and opening up our borders,

want to take away our God-given right—yes, God-given right—to defend ourselves under the Second Amendment. That is what this is about. This is about creating a gun registry to track guns of the American people. There is no way to implement what the Democrats are trying to implement without doing that.

I can just tell you straight up, Texans, Americans, the Government is never going to know what weapons I own. Let me be clear about that. It is not going to happen. We have a God-given right to defend our families, defend our State, and defend ourselves against tyranny; and we will do that regardless of the errant policies that this Democratic Congress is trying to jam through.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker, soon we will take a bipartisan vote on the Background Checks Act, a bill which could save lives in every district of our Nation. Expanding background checks will help prevent guns from getting into the hands of those who may be a danger to themselves or others. This is a simple commonsense solution to a worsening problem in our Nation.

Even in 2020, when many people were at home during the raging COVID–19 pandemic, we lost more than 41,000 people to gun violence. That number includes nearly 300 children under the age of 11. My heart breaks for their parents. But heartbreak will do little to comfort those mourning families, and we know well enough by now it will do nothing to prevent any future tragedies.

It is time for us to step up to say enough is enough. It is time for our families to be able to play in the park, drive a car on the expressway, or on a bus, or other things we take for granted without fear of gun violence. We need to pass legislation that will save precious lives.

I ask: How many funerals have you attended?

Mr. Speaker, I urge my colleagues to vote in favor of H.R. 8, expand background checks, and make our Nation safer.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. MURPHY).

Mr. MURPHY of North Carolina. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Mr. Speaker, I rise today in opposition to H.R. 8 as well as H.R. 1446.

There is not a single Member in this Chamber who does not mourn the innocent lives lost to gun violence, but I solemnly believe that my Democratic colleagues lack a fundamental understanding of this issue.

I have worked as a surgeon who has done pelvic trauma for close to 30 years. In fact, I will submit that I am the only Member of this Chamber who has ever operated on a gunshot victim. The infinite majority of gunshot victims are shot by criminals who have obtained their guns illegally. They did not apply for permits. They are not a member of the NRA. They are criminals. These bills would do nothing to keep the guns out of their hands.

In all my years as a surgeon, I have yet to see a gun jump up by itself and injure someone. It is either from a crime, a mental illness, or tragically from an accident. Where I live in eastern North Carolina, it is certainly different from New York City, the gun haven of Chicago, or Oakland, but we still have our share of drug-related and gang-related crime.

On the other hand, we have a lot of wilderness that people back home, adults and children, still enjoy hunting. These law-abiding citizens should not have their rights trampled upon. We are all saddened by the loss of life from mass shootings, but, Mr. Speaker, the issue is not the gun itself, but the mental illness borne by the gun holder. A mentally stable person does not shoot innocent people.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JORDAN. Mr. Speaker, I yield the gentleman from North Carolina (Mr. MURPHY) an additional 30 seconds.

Mr. MURPHY of North Carolina. Mr. Speaker, H.R. 8 and H.R. 1446 absurdly hamper people's ability to exercise their constitutional right to defend themselves. This sort of broad government overreach does not save lives, but treats everyday law-abiding citizens like criminals.

Mr. Speaker, I urge my colleagues to vote ''no'' on these bills. We should not support bills that place the rights of violent criminals above those law-abiding American citizens.

Mr. NADLER. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from New York has 11½ minutes remaining, and the gentleman from Ohio has 10 minutes remaining.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. LEVIN).

Mr. LEVIN of California. Mr. Speaker, I rise today as a proud cosponsor of H.R. 8, the Bipartisan Background Checks Act.

This legislation has one simple goal: keep guns out of the hands of people who are dangerous.

More than 90 percent of the American people support universal background checks on every firearm sale or transfer, and that is what this bill does.

Our constituents expect us to find common ground to finally end the gun violence epidemic in this country. They expect us to pass this bipartisan bill. The era of offering only thoughts and prayers is over. It is over. The American people demand action. H.R. 8 is the action they are calling for.

Mr. Speaker, I urge my colleagues to stand with the American people and vote ''yes.'' Let's get this done.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. BUDD).

Mr. BUDD. Mr. Speaker, I thank my friend from Ohio for yielding.

Mr. Speaker, the fundamental truth is that the Second Amendment guarantees the right of law-abiding citizens to keep and bear arms to protect themselves and their loved ones.

America's Founders spoke on this issue extensively. Benjamin Franklin warned that those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety. Benjamin Franklin was right. The American tradition of self-reliance, self-determination, and self-defense has been fierce. It has been what makes this country so exceptional and so great.

Today, the House will vote on legislation that would undermine that very right. What is worse is that both of these bills would not have prevented mass shootings or tragedies across this Nation. Those are awful events. We all agree that those events are awful. But in those cases, the criminal either passed a background check or they stole their weapons.

We cannot sacrifice our rights by passing laws that will make our families less safe and laws that criminals will simply ignore. We must always protect and preserve our God-given Second Amendment right.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, I will remind my friend on the other side of the aisle, the God-given right every one of us has, according to the Declaration of Independence, is life, and that is what we are arguing about here today.

Are we going to take protective measures that save lives?

This bill does that. I talk about the ABCs of gun control. A, reinstate the Assault Weapons Ban; B, universal background checks; and C, closing the gun show loophole.

Those three practical measures will save lives. And because I support ABC, I get an F every year from the NRA, and I am proud of that grade every year.

POINT OF ORDER

Mr. BUDD. Mr. Speaker, point of order. I would request that the colleague from Virginia direct his remarks to you and not to other colleagues.

The SPEAKER pro tempore. The Chair reminds all Members to address their remarks to the Chair.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, it is no secret that I have been a committed defender of the Second Amendment since being elected to Congress back in 1994. For me, that means that I will do everything that I possibly can to ensure that the rights of Americans, as they relate to the Second Amendment, are protected, while at the same time

working to keep firearms out of the hands of criminals and mentally unstable individuals.

H.R. 8, unfortunately, doesn't accomplish either of those goals. It is overburdensome, unreasonable, and, if passed, would instead keep firearms out of the hands of some hardworking and law-abiding citizens.

Yesterday, at the Rules Committee, I offered an amendment which would allow for the transfer of a firearm to museums or historical displays without going through the burdensome requirements of this measure, but that eminently reasonable amendment and others offered by my colleagues were flatly rejected by the majority.

During this afternoon's debate, we have again expressed several concerns which will not be addressed or considered by the majority. Instead of focusing on improving the National Instant Criminal Background Checks System, or NICS, providing resources to assist those with mental illnesses or hardening soft targets like schools and places of worship, the majority will pass this legislation and attempt to further infringe on the Second Amendment rights of our constituents. That is very, very unfortunate.

Mr. Speaker, for those reasons, I stand in opposition to this deeply flawed legislation.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise as both a mom and a Member of Congress in strong support of H.R. 8.

Last month, my community marked the 3-year anniversary of the Marjory Stoneman Douglas shooting that stole 17 innocent lives.

The anxiety and terror that came that day has never left us. Yet, too many communities witness horrific gun violence every day. Commonsense reform can end this agony and keep us safer mainly by requiring background checks for gun sales. Yet, loopholes allow up to 80 percent of firearms to be sold without background checks.

□ 1515

We must mandate universal background checks for firearm sales by passing H.R. 8 and then pass Jaime's Law, my legislation that expands that same mandate to ammunition purchases.

The pandemic made gun proliferation worse, and inaction is not an option. We must do all we can to ensure guns and bullets don't end up in the wrong hands.

Mr. Speaker, the outliers on this issue are Republicans whose fealty to the NRA results in more people dying from gun violence. Enough is enough.

Mr. JORDAN. I reserve the balance of my time, Mr. Speaker.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, this morning I walked by an elementary school, and I saw parents dropping off their kids. I thought of parents around the country sending their kids back to school after months of virtual learning. They want their children to be safe.

But it has been 8 years after Sandy Hook and 3 years after the shooting at Marjory Stoneman Douglas High School in my district, we should be ashamed that we have waited so long and wasted so much time when we could be saving lives.

We cannot have safe communities until we fix the crumbling foundation of our gun laws. That is the background check system. Universal background checks will help keep guns out of dangerous hands. They will save lives in our schools, they will save lives in our homes, and they will save lives on our streets.

Mr. Speaker, I urge my colleagues to stand with survivors, with gun owners, and with Americans of both Democratic and Republican Parties who support universal background checks by voting to pass H.R. 8.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this bill simply requires that the background check for a purchase that occurs within a gun shop applies outside a gun shop. That doesn't take away anyone's right, but it does protect us from convicted criminals, fugitives, and family abusers who are prevented from evading the law to buy a weapon of war online or at a gun show. Texas Gun Sense knows the gap in safety makes no sense.

Unfortunately, NRA has come to stand for ''No Republican Action.'' They offer us only moments of silence for mass murder, but they always come up short with one very important type of ammunition—courage. Students in March for Our Lives have that courage. Moms Demand Action are steadfast in demanding meaningful action.

As these gun lobbies continue to oppose reasonable action, we must speak up for gun safety. We must listen to the victims of violence before their number is increased by another El Paso shooting, another school shooting, or another concert interrupted by gunfire.

We must act now to save lives.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. MASSIE).

Mr. MASSIE. Mr. Speaker, I have a brief point to make. I wonder how my colleagues on the other side of the aisle hold two thoughts in contradiction simultaneously in their minds. They say that photo IDs and excessive registration paperwork and whatnot disenfranchises disproportionately minorities and the poor when they go to exercise their right to vote. But today with H.R. 8 and the next bill that is coming up, they are doing exactly that. They are causing there to be increased fees, increased paperwork, and more photo IDs.

How does that not disenfranchise not just all Americans but disproportionately minorities and the poor?

Mr. Speaker, I leave that to my colleagues to answer today.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. BOWMAN).

Mr. BOWMAN. Mr. Speaker, I have had the privilege of working in public education for 20 years. I started my career in 1999. That was the same year of the Columbine High School shooting. Throughout my career, unfortunately, we have had to continually deal with school shootings.

In our schools we have to prepare children as young as 4 years old for the possibility of a school shooting. We have Columbine, we have Parkland, we have Virginia Tech, and we have Sandy Hook.

I thought 9 years ago when Sandy Hood occurred that the country would stop, pause, and reflect on what is happening in our Nation. It was a mass shooting of our 6-year-old children—our babies. This law will begin the process of protecting our most vulnerable and protecting our babies.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, it is an honor for me to be here today with my colleagues, Mr. THOMPSON and Mrs. MCBATH.

Mr. Speaker, Lucy's courage is an inspiration to me.

This has been a priority for me in the quarter century I have been in Congress. I have supported every single reform that has advanced. But we have a change today because we have never had in 10 years the alignment with a House leadership and a Senate leadership that will not bury it and a President who will enthusiastically sign it into law.

This is a landmark legislation that many of us have been working on literally for decades, and this is one more example of what difference it makes to have Democrats in charge and being able to advance meaningful gun safety.

Mr. Speaker, I thank my colleagues for their hard work, and I am proud to stand with them.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, may I ask how much time remains.

The SPEAKER pro tempore. The gentleman from New York has 4½ minutes remaining. The gentleman from Ohio has 6½ minutes remaining.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. JEFFRIES).

Mr. JEFFRIES. Mr. Speaker, I thank the distinguished chair for yielding.

Mr. Speaker, the right to bear arms is an important part of the constitutional fabric of this country, but it is

not without limits. And the notion that America has 4 percent of the world's population but 40 percent of the world's guns and a disproportionately high amount of homicides and suicides by guns should shock the conscience of every single person in this Chamber.

Mass shooting after mass shooting after mass shooting, and yet we haven't acted to protect the health, safety, and well-being of the American people.

That is why H.R. 8 is so significant. Universal criminal background check legislation is reasonable under the circumstances given the tragedies that we confront.

House Democrats will not just talk about it. We are about it. That is why we will pass H.R. 8, and now we have a Senate and a President who will ultimately get it over the finish line. Vote ''yes'' on this lifesaving legislation.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Texas (Ms. VAN DUYNE).

Ms. VAN DUYNE. Mr. Speaker, I rise in opposition to the legislation we are considering today.

In cities across America, violent crime has increased; and in cities across America, laws already exist to severely punish violent criminals. But despite this, we are seeing local elected officials, district attorneys, and prosecutors refuse to enforce existing laws and police who are continuously held back from doing their jobs.

Instead of offering real solutions to improve public safety, it seems the majority is determined to punish law-abiding citizens while doing nothing to actually close loopholes in the system.

If the bills we are considering were really stopping gun crimes and violent offenders from owning guns, then my amendment would be one we are discussing today, to prevent minors aged 15 to 17 who have committed violent crimes from having their records expunged and thereby able to purchase a firearm.

But rather than take up my amendment to prevent felons from sidestepping our laws, the majority felt it more critical for public safety to expand background checks to ranchers and farmers with pest control issues. This is absurd.

Nothing in H.R. 1446 or H.R. 8 would prevent those seeking to harm others from acquiring firearms. The people of my district deserve better than this, which is why I will be introducing legislation that will actually prevent violent criminals from clearing their record.

Mr. Speaker, I urge my colleagues to oppose this bill and side with law-abiding Americans and side with those of us who want to take guns out of the hands of violent criminals.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Illinois (Mr. GARCÍA).

Mr. GARCÍA of Illinois. Mr. Speaker, I thank Chair NADLER and my colleagues for their leadership on this issue.

Mr. Speaker, I rise today in strong support of H.R. 8 and H.R. 1446, two gun violence protection bills that would help keep our communities safe.

Mr. Speaker, I am from Chicago, and we are no strangers to gun violence. In 2020 alone the city recorded 3,261 shootings and 769 murders.

Some of my colleagues might point out that Illinois has some of the strictest gun laws in the country. That is true. But studies tracking the guns show that guns often come from neighboring States with weaker gun laws. People drive one or two States over, and they come back with deadly weapons.

The reality is that State laws aren't enough. We need stronger Federal laws, too.

Mr. Speaker, I urge my colleagues to pass these critical laws that have bipartisan support among voters across the country that would help keep guns off the streets.

Mr. JORDAN. Mr. Speaker, the previous speaker talked about Chicago's strictest gun laws in the country, but yet there was a record number of shootings and crime last year.

What could be the cause of that?

Maybe it is the fact they defunded their police, something we have talked about now, well, since the Democrats started doing it.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, one more time we see people uncomfortable with our Constitution. Our forefathers gave us the right to bear arms because they wanted law-abiding people to have the right to defend themselves.

Until Ferguson and the rise of the antipolice movement about 5 years ago, the murder rate in this country fell by over one-half between the early 1990s and around 2014.

What happened at that time?

We whipped up some antipolice hysteria, and since that time things have gone wildly up. Now the majority party introduces a cache of bills designed to make it more difficult for law-abiding people to access a weapon while not having any impact on people who wouldn't obey the laws anyway.

They don't like the idea of private transfers. They don't like the idea of being able to get a gun in less than 10 days. They don't like the idea that if the government doesn't give the proper information over—well, apparently, they like the idea that they want to keep people from getting guns if the government, for whatever reason, is slow in turning things over.

In any event, let's go back to the things that worked for 25 years before the rise of the antipolice movement if we really want to see improvement.

Mr. NADLER. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. MEUSER).

Mr. MEUSER. Mr. Speaker, I thank my good friend from Ohio for yielding.

Mr. Speaker, once again, Democratic leadership is proposing legislation that would do nothing to prevent criminals from accessing firearms while greatly restricting the Second Amendment rights of law-abiding citizens.

These bills are being sold to the public as an effort to pass universal background checks. But House Democrats fail to recognize that every commercial gun sale in the United States already has a background check.

Mr. Speaker, ending gun violence in America is a goal we all share, but H.R. 8 will subject law-abiding gun owners to criminal penalties for simply handing a firearm to another person.

For instance, if you loaned a friend a rifle to go hunting, they could face a year in prison or a $100,000 fine. This is simply ridiculous.

The same would be true, Mr. Speaker, if you loaned an abuse victim a firearm for self-defense. H.R. 1446 would create arbitrary delays for firearm purchases and could allow the FBI to delay a firearm transfer indefinitely.

These bills would do nothing to keep Americans safer and, in fact, threaten the public safety and our constitutional right to bear arms.

□ 1530

Mr. NADLER. Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. GOODEN).

Mr. GOODEN of Texas. Mr. Speaker, in what alternative reality does it make sense for this Congress to take away people's rights to defend themselves and, at the same time, defund the police? That makes no sense.

What we have seen in the last few days and the last week in this Congress is an effort to punish the law-abiders in this Nation. We have to stop doing this.

If we take away guns from law-abiding citizens, we are doing nothing to reduce crime. Look at Chicago. The law-abiding citizens there do not live in a safe environment. They are able to follow these procedures that you are passing, but it is not going to do anything to stop the violence.

We have to get away from this. We have to stop these laws that do not represent the will of the American people.

Let's stop punishing the law-abiding citizens of the United States and get back to what they sent us here to do.

Mr. JORDAN. Mr. Speaker, can I inquire how much time we have remaining?

The SPEAKER pro tempore. The gentleman from Ohio has 1½ minutes remaining. The gentleman from New York has 2½ minutes remaining.

Mr. NADLER. Mr. Speaker, I am prepared to close. I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield the balance of my time to the gentleman from Florida (Mr. DONALDS).

Mr. DONALDS. Mr. Speaker, gun crime in the United States is a tragedy for us all. I heard the talk about Sandy Hook, about Columbine, and, yes, about Parkland, which happened in my State. It is a tragedy that we all face.

But the one thing, Mr. Speaker, we all have to remember is that, in each one of these instances, the person who acquired the firearm that committed this tragedy acquired it lawfully, or they stole the weapons from somebody else. This bill would not change any of those tragedies.

If anything, what this bill does, it puts more burden on law-abiding Americans and does whittle away and strip their constitutional right to bear arms. You see, the issue is much more about mental health than it is about the ability to acquire firearms.

For this body to unilaterally make it significantly more difficult for a law-abiding citizen to acquire a firearm, which is their constitutional, God-given right, is this body acting outside of its authority under the United States Constitution.

Mr. Speaker, in short, this bill will not fix the tragedies that we face. Unfortunately, laws don't fix most of the tragedies that we face as Americans. What fixes them is dealing with the human condition that, unfortunately, inhabits people in our country. We should be working on that, not stripping the constitutional rights from our fellow citizens.

Mr. JORDAN. Mr. Speaker, I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, since the House passed H.R. 8 more than 2 years ago, an estimated 80,000 people have lost their lives to gun violence. We have had too many moments of silence and too many expressions of sympathy. Too many families are grieving the loss of a loved one.

Expanding background checks is overwhelmingly supported by the American public because they know that it will make a meaningful difference in reducing gun violence and saving lives. It is time to enact this important legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. WILLIAMS of Georgia. Mr. Speaker, I rise today in support of H.R. 8, the Bipartisan Background Checks Act of 2021. This common-sense legislation would save lives in every state, every congressional district, and every community, by preventing guns from being sold to people who are dangers to themselves or others.

If this is truly "The People's House" then we MUST pass H.R. 8 for the safety and protection of all people. Enough is enough. Too many times innocent lives have been lost to guns in the hands of people wishing to do harm. That's why 93 percent of Americans support requiring universal background checks on all gun sales. The people know: background checks work.

By preventing guns from falling into the hands of people with mental illness or criminal history. Last year was a particularly tragic year for the Fifth District, with 177 lives ended at the barrel of a gun. My heart breaks knowing there have already been 25 gun-related deaths in my District this year. As I speak today, I am remembering Kennedy Maxie. A sweet, seven-year-old Black girl shot and killed in Atlanta while Christmas shopping with her family last December. She was an innocent victim, killed by someone who had no business with a gun.

The tragedies are too many, and the gun violence too frequent. It's past time we did something.

The SPEAKER pro tempore. All time for debate has expired.

Each further amendment printed in part C of House Report 117–10 not earlier considered as part of amendments en bloc pursuant to section 6 of House Resolution 188, shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time after debate for the chair of the Committee on the Judiciary or his designee to offer amendments en bloc consisting of further amendments printed in part C of House Report 117–10, not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

The Chair understands that amendments Nos. 1 and 2 will not be offered; is that correct?

Mr. NADLER. Mr. Speaker, that is correct.

AMENDMENTS EN BLOC OFFERED BY MR. NADLER OF NEW YORK

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 188, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendment Nos. 3, 4, 5, 6 and 8, printed in part C of House Report 117–10, offered by Mr. NADLER of New York:

AMENDMENT NO. 3 OFFERED BY MR. CROW OF COLORADO

Page 4, line 17, insert "pest control on a farm or ranch," before "or fishing".

Page 4, line 25, insert "pest control on a farm or ranch," before "or fishing".

AMENDMENT NO. 4 OFFERED BY MS. GARCIA OF TEXAS

Page 5, line 11, strike the close quotation marks and the following period.

Page 5, after line 11, insert the following:

"(4) The Attorney General shall make available to any person licensed under this chapter both Spanish and English versions of the form required for the conduct of a background check under subsection (t) and this subsection, and the notice and form required under paragraph (3) of this subsection.".

AMENDMENT NO. 5 OFFERED BY MS. JACKSON LEE OF TEXAS

Page 4, line 1, after "including" insert "harm to self, and".

AMENDMENT NO. 6 OFFERED BY MR. LAMB OF PENNSYLVANIA

Page 3, line 7, after "transfer" insert "or exchange (which, for purposes of this subsection, means an in-kind transfer of a firearm of the same type or value)".

AMENDMENT NO. 8 OFFERED BY MR. TORRES OF NEW YORK

Page 1, line 9, insert "purchase or" before "possession".

The SPEAKER pro tempore. Pursuant to House Resolution 188, the gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 10 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Speaker, I yield myself 45 seconds.

Mr. Speaker, this en bloc amendment includes several amendments that strengthen the bill and that thoughtfully modify it to account for practical considerations surrounding the use and misuse of firearms.

Among this group are a provision that clarifies the exchange of firearms between family members, a measure to protect more expansive State firearm laws, an amendment that would ensure ATF background check forms are available in Spanish, and a proposal that would allow for temporary transfers for pest control.

Representative JACKSON LEE's amendment concerning suicide is particularly important as it highlights the tragic consequences that access to firearms can have on those who intend to harm themselves.

Mr. Speaker, I urge my colleagues to vote in favor of the en bloc amendment, and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. PFLUGER).

Mr. PFLUGER. Mr. Speaker, I rise today as a Texan, a constitutional conservative, and in strong opposition not only to the amendments but to H.R. 8, a bill that would impose so-called universal background checks and gut the Second Amendment rights of law-abiding gun owners throughout this country.

We all mourn the loss of innocent lives from gun violence that has happened in my district and in those around the country. No family should ever have to endure such tragic and terrible unnecessary loss.

But the truth is that this legislation does nothing to address the root causes of gun violence and may do little to actually prevent criminals from obtaining guns, as has previously been said during this debate.

What will be prevented, though? Your ability to lend your neighbor a

firearm if there are reports of break-ins; the ability of your suicidal friend or family member to ask you to remove their firearms from their home; or if a colleague comes to you and says that they are trapped in an abusive relationship and scared for their life, you could face a $100,000 fine or prison time for lending out your gun for self-defense.

If we are going to effect real change, we don't need to tack additional restrictions on law-abiding citizens. We need to look at the root causes and have a transparent and open debate here to talk about mental health and the proper enforcement of laws that we already have.

This is yet another example of Federal overreach, another example of the erosion of our rights, and a slippery slope that will strip all Americans of our Second Amendment rights as outlined in the Constitution.

Mr. Speaker, I urge my colleagues to vote ''no'' on the amendment and the bill.

Ms. JACKSON LEE. Mr. Speaker, I yield myself 1 minute.

As indicated, the Jackson Lee amendment is a simple, important, and straightforward amendment, and it is, frankly, to save lives.

Specifically, the amendment makes clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else if the risk is imminent, without a background check, to prevent self-harm.

This amendment will help ensure that no person who is experiencing a suicidal crisis will feel compelled to retain their gun when it would be better for them to temporarily transfer it to someone else.

Contrary to what my friends on the other side have said, H.R. 8 does already exempt from the requirement of a background check ''a temporary transfer that is necessary to prevent imminent death or great bodily harm, including harm to self, family, household members, or others, if the possession by the transferee lasts only as long as immediately necessary to prevent the imminent death or great bodily harm, including the harm of domestic violence, dating partner violence, sexual assault, stalking, and domestic abuse.''

This amendment, however, clarifies that this last option is available to someone who is at risk for suicide.

I ask my colleagues to support the Jackson Lee amendment to protect those who may be a danger to themselves.

Mr. Speaker, I rise in support of Jackson Lee Amendment No. 9 included in the Chairman En Bloc Amendment to H.R. 8, the ''Bipartisan Background Checks Act of 2021,'' which would require a background check on every gun sale or transfer with limited exceptions, such as gifts to family members and transfers for hunting, target shooting, and self-defense.

The Jackson Lee Amendment No. 9 makes a simple common-sense improvement to the bill.

Specifically, the amendment makes clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else, if the risk is imminent, without a background check to prevent self-harm.

This amendment will help ensure that no person who is experiencing a suicidal crisis will feel compelled to retain their gun when it would be better for them to temporarily transfer it to someone else.

H.R. 8 already exempts from the requirement of a background check ''a temporary transfer that is necessary to prevent imminent death or great bodily harm, including harm to self, family, household members, or others, if the possession by the transferee lasts only as long as immediately necessary to prevent the imminent death or great bodily harm, including the harm of domestic violence, dating partner violence, sexual assault, stalking, and domestic abuse.''

A gun owner who realizes that they are at risk of suicide would have several options under this bill.

They may loan the gun to a family member pursuant to the family member exception.

They may ask a gun dealer to store the gun temporarily.

And if the risk is imminent, they may transfer it to someone else, pursuant to this exception.

This amendment clarifies that this last option is available to someone who is at risk for suicide.

As Chair of the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security, I urge all members to join me in supporting Jackson Lee Amendment No. 9 by voting for the En Bloc Amendment to H.R. 8, the Bipartisan Background Checks Act of 2021.

Mr. Speaker, H.R. 8 is a strong bill to expand the federal firearms background check requirement as our citizens have demanded. To make the bill even stronger, I offer an amendment that will help save even more lives.

My amendment would make clear that a gun owner who realizes that he or she is at risk of suicide may transfer the gun to someone else, without a background check—if the risk is imminent to prevent self-harm.

The largest number of gun deaths each year are suicides. Studies have shown that the prevalence of suicide in the United States is directly linked to the easy availability of guns.

Roughly sixty percent of gun deaths are suicides. Tragically, an average of 63 people, die by gun suicide every day in the U.S.

The notion that suicides are inevitable, that people will just find another way, is wrong.

Suicide attempts are often impulsive acts, and forty-eight percent of people harm themselves within 10 minutes of deciding to attempt suicide. Seventy-one percent do so within one hour.

But those who reach for a gun during suicidal crises rarely have a second chance. Eighty-four percent of suicide attempts with a firearm are fatal. Think about this sad fact.

Temporarily reducing access to guns significantly increases the likelihood of surviving a suicide attempt.

That is why I urge my colleagues to vote in favor of the bloc of amendments that includes my proposed revision to H.R. 8.

Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, just yesterday afternoon at 3 o'clock in Atlanta, an armed robber walked into Chick-fil-A to rob the place.

Now, think about that. You are in there with your children, getting a meal in the middle of the day, and somebody comes in with a gun, puts your life at risk. Everybody in the place is at risk.

Did that guy get a background check to get his firearm? We don't know yet, but odds are he didn't because most of these crimes that are committed with a gun are with people who don't—guess what? I have a news flash—they don't follow the law.

Robbing the Chick-fil-A at 3 o'clock in the afternoon in Atlanta is not in accordance with the law. But I will tell you what happened. An armed citizen stopped the robbery using his firearm, a legally obtained firearm, and saved everybody in the place.

Do you know who is happy? The people in the Chick-fil-A are happy that the guy who bought the gun legally was there to save them and their children. That is who is happy.

This legislation, Mr. Speaker, disarms that person who operated his firearm legally. That is what this legislation does. It disarms America. It says to the criminal: Keep on not abiding by the law. You got your weapon illegally. You are going to keep doing it.

It doesn't stop them from doing anything. What it does do is it stops the guy who is going to get his firearm legally and end the crime in his community. That is who it stops.

No charges are pending on that individual in Atlanta who stopped that crime. No charges are pending. He followed the law.

This bill, Mr. Speaker, seeks to punish people who want to follow the law, and that is what is going to happen.

Do you know what is going to happen when we do this? There are going to be more crimes. There are going to be more unauthorized weapons out there, and there are going to be less people out there defending themselves and our community. That is what is happening.

Mr. Speaker, I urge a ''no'' vote on this.

Ms. JACKSON LEE. Mr. Speaker, I am delighted to yield 1 minute to the distinguished gentleman from California (Mr. THOMPSON), the chairman of our task force.

Mr. THOMPSON of California. Mr. Speaker, that is nonsense. What was just said on the floor is not accurate.

The only thing this bill does is require a background check. If someone has legally purchased a firearm and passed a background check, nobody is going to take that gun away from them. They legally purchased it. They passed the background check.

To come out with that kind of nonsense, that type of scare tactic, is not complementary to the decorum of this

House, and it does not speak to this bill.

□ 1545

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think part of the point of the gentleman from Pennsylvania was this system is a mess. Over 110,000 people were denied access to a firearm when they went through the background check, but only 12 were prosecuted. Mr. MASSIE led off our debate by talking about this one. That tells you one or two things.

I think the main takeaway is, how many people were falsely denied? Or if they weren't, why weren't more people prosecuted?

If the focus is to make sure the bad guy doesn't get the gun, holy cow, over 110,000 were denied access to a firearm, not given a clearance. Yet only 12 prosecuted?

If you guys want to work with us on that issue, we are happy to do that. In fact, we have supported that and talked about that, but you don't want to do that.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GARCIA), a member of the Judiciary Committee.

Ms. GARCIA of Texas. Mr. Speaker, I rise in strong support of H.R. 8, the Bipartisan Background Checks Act.

Mr. Speaker, I grew up on a farm. I was taught at an early age how to handle a .22 and shotgun. We used them for hunting, to put food on the table.

But this bill is just simply a background check for every gun sale or transfer, with commonsense exceptions. As the previous speaker noted, this has nothing to do with keeping someone who legally obtained a gun from getting one.

When my niece got her first buck over the holidays at the family farm, my brother-in-law gave her his favorite shotgun as a present. They were all so excited. That would be exempted from any paperwork, and that just makes sense.

My amendment also makes sense. It simply codifies the practice of ensuring that the background check forms and notifications used to purchase or transfer a firearm remain available in Spanish, as well as in English.

Our country is blessed with a diverse population. Language diversity is part of that diversity that we should celebrate.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. CRIST).

Mr. CRIST. Mr. Speaker, I rise in support of the Bipartisan Background Checks Act.

I also rise for my constituent, Mohammed Haitham. Mo was a young sailor who followed his mother's footsteps into the Navy, with the dream of becoming a pilot.

When a Saudi terrorist started shooting, Mo sacrificed himself to protect others. That is who he was.

Service, selflessness, sacrifice, Mo represented the very best in all of us. The great State of Florida is proud of him and proud to call him one of our own.

The attack at Naval Air Station Pensacola killed three young sailors and wounded eight more.

The terrorist bought the gun legally, using a hunting license to get it. Al-Qaida and ISIS know about this loophole, and until we close it, the American people will remain vulnerable.

That is why my bipartisan bill to close the Pensacola loophole has the support of the Brady Campaign, the Giffords, Major County Sheriffs, and the Fraternal Order of Police.

I look forward to working with the chairman and my colleagues on both sides of the aisle to pass this bill.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Mr. Speaker, we lament the death of our good friend, Mr. CRIST's constituent, Mo. We lament it. We especially lament it because when you are in the military and you are on base and you are in uniform, you are prohibited from carrying a firearm. Think about that. Those in our country most well trained to use a firearm lose their lives because they cannot defend themselves, as a regulation by the DOD that says they cannot carry a firearm on base. That is why Mo is not here.

Sure, there is a Saudi terrorist in town that is killing people, but Mo could have stopped that if Mo were allowed to use his skills provided by the taxpayers and desired by him. He wanted to serve his country, he wanted to serve his community, and he should have been allowed to.

This bill is more of the same thing, disallowing American citizens to defend themselves. Unfortunately, Mo is a prime example.

Ms. JACKSON LEE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. LAMB).

Mr. LAMB. Mr. Speaker, I rise in support of my amendment, to make perfectly clear that transfers of firearms between family members do not require a background check, are not subject to the strictures of this bill. We should make that clear in order to confirm what we have all said here today, that this is a bill that targets those who break the law, not those who abide by it.

My amendment shows respect for the important tradition within many families in western Pennsylvania and elsewhere of passing down a shotgun or a hunting rifle from a father to a son. That is allowed under our bill.

And a further and more important sign of respect will come when we vote for final passage tomorrow to strengthen the right of those who obey the law by keeping those who break it away from your right to own a firearm.

Mr. JORDAN. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield myself the balance of my time.

In closing, we can say we are opposed to the en bloc amendments for all of the reasons we have cited now in the last hour and a half on this legislation.

Mr. Speaker, I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, as has been said over and over again on the floor of the House, H.R. 8 provides for the legal access to guns. It does not take away guns from any American.

In addition, the Second Amendment is truly preserved with H.R. 8, and it is in compliance with the law which allows the regulation of guns, even with the Second Amendment.

We ask our colleagues to support H.R. 8 and the en bloc amendments included therein.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 188, the previous question is ordered on the amendments en bloc offered by the gentleman from New York (Mr. NADLER).

The question is on the amendments en bloc.

The en bloc amendments were agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair understands that amendment No. 7 will not be offered.

The previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill, as amended.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. JORDAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Jordan moves to recommit the bill H.R. 8 to the Committee on the Judiciary.

The material previously referred to by Mr. CLINE is as follows:

At the end of the bill, add the following:

(e) The Attorney General shall promulgate a regulation that shall, in the case of a background check conducted by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act in response to a contact from an importer, a manufacturer, or a dealer, licensed under chapter 44 of title 18, United States Code, which background check indicates that the receipt of a firearm by a person would violate section 922(g)(5) of title 18, United States Code, a requirement that the system notify U.S. Immigration and Customs Enforcement.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

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

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 8 is postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentlewoman from Ohio (Ms. FUDGE), the whole number of the House is 431.

ENHANCED BACKGROUND CHECKS ACT OF 2021

Mr. NADLER. Mr. Speaker, pursuant to House Resolution 188, I call up the bill (H.R. 1446) to amend chapter 44 of title 18, United States Code, to strengthen the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 188, the bill is considered read.

The text of the bill is as follows:

H.R. 1446

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 ''Enhanced Background Checks Act of 2021''.

SEC. 2. STRENGTHENING OF BACKGROUND CHECK PROCEDURES TO BE FOLLOWED BEFORE A FEDERAL FIREARMS LICENSEE MAY TRANSFER A FIREARM TO A PERSON WHO IS NOT SUCH A LICENSEE.

Section 922(t) of title 18, United States Code is amended—

(1) in paragraph (1)(B), by striking clause (ii) and inserting the following:

''(ii) in the event the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section—

''(I) not fewer than 10 business days (meaning a day on which State offices are open) has elapsed since the licensee contacted the system, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section, and the other person has submitted, electronically through a website established by the Attorney General or by first-class mail, a petition for review which—

''(aa) certifies that such other person has no reason to believe that such other person is prohibited by Federal, State, or local law from purchasing or possessing a firearm; and

''(bb) requests that the system respond to the contact referred to in subparagraph (A) within 10 business days after the date the petition was submitted (or, if the petition is submitted by first-class mail, the date the letter containing the petition is postmarked); and

''(II) 10 business days have elapsed since the other person so submitted the petition, and the system has not notified the licensee that the receipt of a firearm by such other person would violate subsection (g) or (n) of this section; and''; and

(2) by adding at the end the following:

''(7) The Attorney General shall—

''(A) prescribe the form on which a petition shall be submitted pursuant to paragraph (1)(B)(ii);

''(B) make the form available electronically, and provide a copy of the form to all licensees referred to in paragraph (1);

''(C) provide the petitioner and the licensee involved written notice of receipt of the petition, either electronically or by first-class mail; and

''(D) respond on an expedited basis to any such petition received by the Attorney General.

''(8)(A) If, after 3 business days have elapsed since the licensee initially contacted the system about a firearm transaction, the system notifies the licensee that the receipt of a firearm by such other person would not violate subsection (g) or (n), the licensee may continue to rely on that notification for the longer of—

''(i) an additional 25 calendar days after the licensee receives the notification; or

''(ii) 30 calendar days after the date of the initial contact.

''(B) If such other person has met the requirements of paragraph (1)(B)(ii) before the system destroys the records related to the firearm transaction, the licensee may continue to rely on such other person having met the requirements for an additional 25 calendar days after the date such other person first met the requirements.''.

SEC. 3. GAO REPORTS.

Within 90 days after the end of each of the 1-year, 3-year, and 5-year periods that begin with the effective date of this Act, the Comptroller General of the United States shall prepare and submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a written report analyzing the extent to which, during the respective period, paragraphs (1)(B)(ii) and (7) of section 922(t) of title 18, United States Code, have prevented firearms from being transferred to prohibited persons, which report shall include but not be limited to the following—

(1) an assessment of the overall implementation of such subsections, including a description of the challenges faced in implementing such paragraphs; and

(2) an aggregate description of firearm purchase delays and denials, and an aggregate analysis of the petitions submitted pursuant to such paragraph (1)(B)(ii).

SEC. 4. REPORTS ON PETITIONS SUPPORTING FIREARM TRANSFERS NOT IMMEDIATELY APPROVED BY NICS SYSTEM, THAT WERE NOT RESPONDED TO IN A TIMELY MANNER.

The Director of the Federal Bureau of Investigation shall make an annual report to the public on the number of petitions received by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act that were submitted pursuant to subclause (I) of section 922(t)(1)(B)(ii) of title 18, United States Code, with respect to which a determination was not made within the 10-day period referred to in subclause (II) of such section.

SEC. 5. REPORT TO THE CONGRESS.

Within 150 days after the date of the enactment of this Act, the Attorney General, in consultation with the National Resource Center on Domestic Violence and Firearms, shall submit to the Congress a report analyzing the effect, if any, of this Act on the safety of victims of domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking, and whether any further amendments to the background check process, including amendments to the conditions that must be met under this Act for a firearm to be transferred when the system has not notified the licensee that such transfer would not violate subsection (g) or (n) of section 922 of title 18, United States Code, would likely result in a reduction in the risk of death or great bodily harm to victims of domestic violence, domestic abuse, dating partner violence, sexual assault, and stalking.

SEC. 6. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 210 days after the date of the enactment of this Act.

The SPEAKER pro tempore. The bill is debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. NADLER).

GENERAL LEAVE

Mr. NADLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 1446.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1446, the Enhanced Background Checks Act of 2021, is a critical bill to provide law enforcement the necessary time to keep firearms out of the hands of those who are not legally eligible to own them.

The 2015 massacre at Emanuel AME Church in Charleston, which killed nine innocent people, stands as a tragic reminder of how current background check laws sometimes fall short.

Under current law, a licensed gun dealer conducting a background check on a prospective purchaser is permitted to sell the firearm to the purchaser if there has been no determination from the background check system, commonly called NICS, after 3 business days.

This is the case even if the system has not indicated that the person has actually passed the background check. Often, we refer to this as a default proceed transaction.

While 96 percent of background checks are processed within 3 business days, an analysis of FBI data showed that over 35,000 guns were transferred to prohibited purchasers between 2008

and 2017 because of the default proceed rule.

On average, over the course of the last decade, 10 prohibited individuals have been able to purchase guns at licensed firearms dealers through the default proceed rule every single day.

The cases in which there is a delay are the very cases that ought to be carefully investigated.

If NICS is unable to return an instant determination—and especially if there is no report after 3 days—there is cause for concern. There may be a good reason that these individuals should not own firearms, but the current system allows the transfer nonetheless.

Under this legislation, as under current law, a sale may proceed immediately once a background check clears a purchaser, which is the case in the vast majority of instances.

This bill provides, however, that for checks taking longer to complete, the FBI will have 10 business days for the initial background check investigation period. If the check is not completed during this time, an individual may submit a petition for expedited review. If a petition is submitted, unless NICS provides an answer within the next 10 business days, either clearing the transaction or stopping it, a gun dealer has the discretion to complete the sale and transfer the firearm.

We must ensure that firearms transfers are lawful, and in some instances, that requires additional time. That is why H.R. 1446 is needed, to prevent the sale of firearms to prohibited individuals by providing the FBI with additional time to complete background checks.

H.R. 1446 is a sensible and necessary approach to closing a dangerous loophole, and I commend our colleague, Congressman JIM CLYBURN, the distinguished Democratic whip, for introducing this bill.

Mr. Speaker, I strongly support this legislation, and I reserve the balance of my time.

□ 1600

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. STAUBER).

Mr. STAUBER. Mr. Speaker, I stand here today a retired law enforcement officer and the victim of two violent gun crimes.

While off duty, a repeat offender shot me through my car window while I was with my wife, Jodi. While on duty, another violent criminal pointed his gun at me and pulled the trigger. By the grace of God, his gun malfunctioned. Mr. Speaker, I was fighting for my life. I am lucky to be here today to speak to this body.

Criminals who are willing to take someone's life don't care about the gun legislation we debate in Congress. And the bills we are debating this week would not have prevented those two criminals from attempting to take my life.

So let's talk about who is going to be impacted by these bills. The law-abiding citizens who are looking to protect themselves, their families, and their communities from death or great bodily harm. They will be the ones who are penalized for and prevented from exercising their Second Amendment rights.

Defending my constituents' constitutional rights will be something I do until my very last day in office, and I implore my colleagues on the other side of the aisle to do the same.

Mr. Speaker, I urge a ''no'' vote.

Mr. NADLER. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. CLYBURN), the sponsor of this legislation, and the distinguished majority whip.

Mr. CLYBURN. Mr. Speaker, I listened to my colleague on the other side. I still think about the night of June 17, 2015, when at about 9:00 in the evening, I received a phone call informing me that something had happened at Mother Emanuel AME Church in Charleston, South Carolina, a church that I know very well and the members I know very well.

Much to my dismay, I learned later in the evening that a Bible study that was taking place at that church had welcomed in a stranger.

I grew up in a parsonage, and I grew up learning that which we find there in the book of Hebrew, the 11th chapter: Faith is the substance of things hoped for, the evidence of things unseen.

These people were practicing their faith, a faith that taught them to welcome in a stranger. A stranger came to their door, and they welcomed him into their Bible study. They sat down, and he sat with them for an hour. In the further practice of their faith, as they concluded their Bible study, they rose to pray, and with bowed heads, only to open their eyes to the sound of gunfire. The stranger that they had welcomed in opened fire and killed nine of them, one of whom was the pastor, a former intern of mine.

Now, we later found out that the gentleman who perpetrated this crime was a white supremacist that studied the history of that church; and because it was the most historic African-American church in South Carolina, he targeted that church and its worshippers. However, he should not have had the gun.

The reason he had the gun is because when he went to purchase it, and the 3 days expired, as current law allows, they had not been able to verify the information he had given them and, therefore, could not complete the background check. But under the law, they had to sell him the gun after the 3 days, only to find out several days later that the wrong information had been put into the record.

I sincerely believe that this gentleman's sophistication, he knew he was not to have a gun. Now, I ask: Did he give the wrong information intentionally?

I think so. When they found the error, it was too late. Nine souls had perished.

Now, the gentleman said that he is lucky that the gun didn't go off, and these laws would not have prevented that. This law would have prevented that gentleman from getting a gun.

Now, I don't know why the other side continues to misrepresent what we are trying to do here. All we are saying is if at the end of the 3 days, it ought to move to 10 days. And if the 10 days expire, you can ask for expedited search. And if that expires, you still have 10 days. The maximum is 30 days. Nobody is keeping a gun away. Everybody should be able to wait 30 days.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from South Carolina.

Mr. CLYBURN. I ask the other side: Is a wait of 30 days worth the death of nine unsuspecting souls?

That alone ought to instruct them on legislation like this.

Mr. JORDAN. Mr. Speaker, the previous speaker indicated that you have to ask the government to exercise your constitutional right. That is the problem. What happened in Charleston was terrible, it was wrong, and wrong as wrong can be. But this bill is not going to stop—the FBI had 2 months. It didn't do it. It didn't stop this guy. They had 2 months.

What this bill does is shift the burden. It takes it from 3 days to 10 days, and the burden now becomes on the American citizen to be able to exercise their constitutional right. That is not what the Second Amendment is supposed to be about. Unfortunately, it is where the Democrats want to take our country.

Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. CAWTHORN).

Mr. CAWTHORN. Mr. Speaker, if we lose the Second Amendment, then the First will fall. I want to remind my colleagues of a simple fact that is far too often swept under the rug by the left. Americans have a right to obtain a firearm for lawful purposes.

I will say it again louder for those on the left, sleeping in the back. Americans have a right to obtain firearms. This is my right. And, Mr. Speaker, this is your right. But let me be clear to everyone in this Chamber: You will not take this right away from us.

I know it is easy to be sucked into the D.C. bubble, but outside of here, in real America, when we say, ''Come and take it,'' we damn well mean it.

This bill would unconstitutionally place the burden of proof for firearms purchases and transfers on American citizens instead of placing the burden firmly where it belongs, on the shoulders of the government.

But let us be clear. The left is not here today to debate this bill, nor are they here to legislate in the best interests of the American people. They are here to shove it down our throats. My colleagues and I on the right have been called here to defend one of our most

sacred rights because you, Mr. Speaker, think that the Constitution is just another piece of paper to tear down the middle of and toss aside.

I speak for millions of Americans. I specifically speak for 700,000-plus Americans in my district when I say that if you think this bastardization of the Constitution will be met with silence, then you know nothing of the America I know. You want my guns; I know it. We all know it. Well, Mr. Speaker, you can come and take them.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Speaker of the House.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding and for his great leadership of the Judiciary Committee. Thank you for bringing this important legislation to the floor, Mr. NADLER.

And, again, as an authority on the Constitution, you and I know that we do respect the right of the gentleman to have a gun. We just want to make sure that we are keeping people safe.

Mr. Speaker, the gun violence crisis in America is a challenge to the conscience of our country, one that demands that we act. We know what must be done. The solutions are clear. They have overwhelming bipartisan support across the country. These solutions will save lives.

That is why I am so pleased to rise on the floor to support Mr. CLYBURN's legislation, H.R. 1446, the Enhanced Background Checks Act to ensure that universal background checks do save lives. He explained so clearly the purpose of his legislation. I associate myself with his remarks. I know how painful it is because he had friends in that church whom we have met families of since then.

I also rise to support H.R. 8, the Bipartisan Background Checks Act of Mr. MIKE THOMPSON. Mr. THOMPSON is a gun owner. He is a veteran. He respects the Second Amendment, and he is the chair of the Gun Violence Prevention Task Force. I thank him for his decades of leadership on background checks and for the perspective he brings, again, as a gun owner and a veteran and a hunter.

We all salute the extraordinary work of Mr. CLYBURN, the leader of the Enhanced Background Checks Act, to close the Charleston loophole, and we respect him for the work he has done in his community to turn their agony into action, their pain into saving other people's lives.

I thank all the Members who have helped raise a drumbeat on these priorities, including our colleague, Representative LUCY MCBATH, who has been such an inspiration to all of us, bringing her great generosity of spirit in telling her story, sharing that story of Jordan with us.

Now, we also have a debt of gratitude to our former colleague, Gabby Giffords, who when she was having a neighborhood meeting, there was an attempt on her life. Her courage is an inspiration to the country. Her leadership to end gun violence is something that is so remarkable. Under her leadership and that of the Bradys, we were able to meet with survivors over time to try to pass legislation to make gun laws clear and better and really adjusting to the realities of technology.

Another colleague, BOBBY RUSH, lost his son to gun violence as well. So, again, we hear about the big events that take place, and they are horrible, but every day people lose their lives.

In fact, let me just see what the statistics are. Since 1994, when background checks were first created, I had the privilege of being here at that time and actually serving as a whip for the legislation. Our leader on the bill was Senator SCHUMER. Well, right then he was a Member of Congress, CHUCK SCHUMER, on this legislation. Since 1994, when background checks were first created, the system has stopped more than 3 million dangerous people from getting firearms.

Every day, when background checks are used, they stop an estimated 170 felons, 50 domestic abusers, and nearly 20 fugitives from buying a gun. Every day, Mr. Speaker.

□ 1615

Yet, over the years, people have exploited and circumvented the system. Today, someone with a violent criminal record or a history of abuse can go to a gun show or go online or even to a stranger in person to purchase a firearm. No background check, no questions asked, all perfectly legal. It might be legal, but it is not perfect.

Even when a background check has been initiated, it is not always completed. That is what this legislation before us, Mr. CLYBURN's bill, is about; the horrific case that enabled a hate crime at Mother Emanuel Church in Charleston in which nine innocent people were murdered while peacefully worshipping.

Eighty percent of firearms—because of gun shows, online sales and the rest—80 percent of firearms are sold or transferred without completed background checks.

So it is in that spirit that I come to the floor, but when I come to the floor, I bring with me the thoughts of the survivors who we meet with regularly. We have said to them, We are not stopping until the job is done.

We respect our Constitution, but we also say that the Constitution talks about well-regulated.

Again, these bills that we are talking about have bipartisan support by a vast majority of the American people; over 90 percent of the public, including more than 90 percent of gun-owning households. Most of these folks who own guns have passed background checks, they support background checks, and they are supported by dozens of leading law enforcement, veterans, local government, public health, and other groups.

For example, Mr. Speaker, the Major Cities Chiefs Association, representing the Nation's largest metropolitan law enforcement agencies writes: ''The lack of a background check for private sales and gun shows completely contradicts the purpose for which NICS was established—to keep guns out of the hands of those who do harm.''

For the benefit of those who don't know what NICS is, it is an important program. Mr. THOMPSON has been a champion in the funding of NICS. NICS is the National Instant Criminal Background Check System.

Next, the Association of Prosecuting Attorneys states: ''H.R. 8 will help the background check system catch up with changes in technology and ensure that individuals who are prohibited from purchasing or possessing a gun cannot easily buy guns online.''

And the U.S. Conference of Mayors writes that H.R. 8 will ''make our cities safer and in no way compromise gun owners' rights.''

H.R. 8 is very important to us, and it is legislation that has broad support. It is called the Bipartisan Background Checks Act. That is Mr. THOMPSON's bill.

And this bill, H.R. 1446, Mr. CLYBURN's bill is the Enhanced Background Checks Act. So everything I say about one bill applies to the other in terms of its purpose, in terms of its urgency, and in terms of its honoring our promise to the survivors and the families who have lost their loved ones to gun violence, that we are not going away until this legislation passes and that we will meet the challenge of the conscience of the country when it comes to the gun violence crisis in our country.

And I say that with gratitude to Representative MIKE THOMPSON and our distinguished whip Mr. CLYBURN for their leadership, their determination, their persistence, and soon, hopefully, their success in turning their legislation into law, so that we can keep our promises to the survivors, and also, that we can make the world safer for all children and all people in our country and throughout the world, as we are an example to the world.

I urge an ''aye'' vote on both of these bills.

Mr. JORDAN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Mrs. CAMMACK).

Mrs. CAMMACK. Mr. Speaker, I rise today in opposition to H.R. 1446 and H.R. 8, a/k/a the gun-grabber bills.

Madam Speaker PELOSI, you were elected in 1987, and I was born in 1988. During that time, you say that background checks have saved millions of lives. But what about the more than 50 million babies that have been murdered through abortion? So I am just going to leave that there as we talk about the value of life.

These bills are not about gun safety, and they certainly aren't about reducing crime. These bills are about control.

Two weeks ago, Democrats voted to strip religious freedom. Last week, they voted to defund our police. Today, they are now taking our guns.

In reality, these bills do nothing to improve background checks, as noted by an Obama official in 2013: ''The effectiveness of universal background checks depends on requiring gun registration.''

Instead, it would increase our wait times and allow for endless delays for law-abiding citizens to purchase firearms.

Our communities have seen too many tragedies perpetuated by sick people intent on committing violence, no matter the weapon.

H.R. 1446 puts the onus on individuals to contact the government if their background check hasn't been completed in 10 days.

You know who cannot afford to wait? The single mom looking to protect herself and her children from a violent ex who has just been released from jail. You think this situation isn't real? It happened last month in Orlando. And there are thousands more like them.

You know that the more garbage that we find in these bills, the more I believe that the motto of these Chambers is changing from ''We the People'' to let's screw the people.

H.R. 8 and H.R. 1446 does nothing but make it more difficult for law-abiding citizens to protect themselves and their families. Under this legislation, criminals will do what they do best: Break the law and perpetuate crime.

So I ask my colleagues considering supporting these bills: Do you honestly think that punishing law-abiding constituents in your districts, stripping them of their constitutional rights will make them safer? Will you be able to look them in the eye as they are the next victim of crime?

As Members of Congress we swore an oath to defend the Constitution, and that includes the Second Amendment.

Shall not be infringed.

You and I both took that oath, Mr. Speaker.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Members are reminded to address their remarks to the Chair and not to other Members in the second person.

Mr. NADLER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Georgia (Mrs. MCBATH).

Mrs. MCBATH. Mr. Speaker, I thank Chairman NADLER for yielding, and I also thank Representative CLYBURN, the author of this legislation, H.R. 1446, for this bill.

Mr. Speaker, domestic violence claims the lives of far too many, and it is especially deadly when it occurs in a household with a gun. Women, as we know, bear most of this violence.

In the United States there are one million women alive today who have reported being shot or shot at by an intimate partner, and there are many more who have been threatened or killed with a gun. And we haven't even yet discussed what the additional stressors of COVID–19 have done exponentially around the country in households when there is a gun in the household.

Closing the Charleston loophole is a critical step to prevent abusers from obtaining a weapon. This is not about infringing upon anyone's Second Amendment rights. Law-abiding gun owners who are duly licensed and permitted, this is not about preventing them from being able to have a gun.

This is a critical step to prevent abusers from obtaining a weapon, a weapon that will likely be used to escalate their abuse and a weapon that may have deadly consequences. And as a survivor of gun violence, I know what I am talking about.

With this bill and with this amendment we can help prevent abuse, protect our families, and gather data to inform further steps to keep every American safe. That is our right. That is not a privilege.

In the next months, we will continue to remember those that we have lost to gun violence in Charleston and all across America.

Mr. JORDAN. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. HUDSON).

Mr. HUDSON. Mr. Speaker, Newtown, Parkland, Las Vegas, Sutherland Springs, Charleston, the attack on our former colleague, Gabrielle Giffords, these are all tragedies that would not have been prevented by H.R. 8 or H.R. 1446.

My colleagues across the aisle don't want to admit it, but every commercial gun sale in America already requires a background check.

In Charleston, there was no loophole. The problem was information sharing. If the FBI had checked all available databases, then Dylan Roof wouldn't have been allowed to purchase a firearm. Congressman TOM RICE of South Carolina has a bill to fix that.

Republicans are serious about ending gun violence and have brought forward policies that protect public safety without eroding our Second Amendment rights.

That is why in recent years we have passed measures like the STOP School Violence Act, the Fix NICS Act, and 21st Century Cures Act.

The bills before us this week would not build upon this progress but strips away from law-abiding citizens their rights.

H.R. 8 would turn law-abiding citizens into criminals if you store a gun for a friend or loan a firearm to a neighbor with an abusive ex who wanted to borrow it for self-protection.

Even worse, H.R. 1446 would extend the waiting period for a firearms sale from 3 to 10 business days and allow the government to delay a transfer indefinitely. Indefinitely, as in forever, if a government bureaucrat says so.

Instead of these gun-grabbing bills, House Republicans are bringing forward targeted solutions. That is why I introduced the STOP II: Classrooms Over Conference Rooms Act to double funding for the STOP School Violence Act to harden schools, to get more mental health resources in schools, and increase active-shooter training for law enforcement. And we pay for it by taking money set aside for the Department of Education to rent conference rooms in Washington, D.C.

However, the left is determined to take away your rights, after voting to defund the police just last week.

It is no wonder gun sales and concealed carry permits are at all-time highs. These law-abiding Americans deserve to have their rights protected.

That is why today, I am calling on my colleagues across the aisle to stand up for law-abiding citizens and adopt H.R. 38, the Concealed Carry Reciprocity Act.

H.R. 38 is a bipartisan and commonsense bill that ensures people like Shaneen Allen, a single mother from south Philly, don't become criminals for carrying a legally owned firearm across an invisible State line.

We need H.R. 38 more than ever. And if my colleagues are determined to pass gun legislation, then let's help people protect themselves.

Mr. Speaker, if we adopt the motion to recommit today, we will instruct the Judiciary Committee to consider my amendment to H.R. 1446 to include my bill, H.R. 38, the Concealed Carry Reciprocity Act.

I ask unanimous consent to insert the text of the amendment in the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, in 2015, a white supremacist with a criminal record was allowed to purchase a gun which he used to kill nine parishioners at Mother Emanuel AME Church in South Carolina.

That shooter, who was prohibited under Federal law from owning a gun, was able to purchase one because of a loophole that allows the sale of a gun to proceed if Federal investigators do not complete a background check within 3 days.

Through November of last year there were more than 5,800 incidents where people who are legally prohibited—criminals—legally prohibited from purchasing a firearm still obtained one because of this dangerous provision, which has come to be known as the ''Charleston loophole.''

H.R. 1446, the Enhanced Background Checks Act, closes the Charleston loophole. It strengthens background check procedures to ensure that Federal investigators have enough time to complete background checks before a gun is transferred to the buyer. Common sense.

But closing the Charleston loophole is not enough. Current Federal law only requires a background check for the sale of guns from licensed gun dealers.

Background checks work. Since the law was enacted, 3½ million gun sales were denied, which means 3½ million people who were prohibited under Federal law because of a criminal record or some other disqualifying information were denied the right to buy a gun. They work. The problem is more than 20 percent of gun sales or gun transfers happen without a background check.

And that is why H.R. 8, the Bipartisan Background Checks Act requires background checks on all gun sales, including guns sold by unlicensed dealers online or at trade shows.

Every day in this country more than 100 people in the United States are killed with guns. Gun violence is an epidemic that threatens the public safety in communities all across America. We must not wait for another tragedy to strike.

□ 1630

Requiring background checks on all gun sales is a commonsense gun violence prevention measure that serves as a first line of defense to keep guns out of the hands of dangerous people.

I think we can all agree that dangerous criminals should not be able to get guns. There has been a lot of discussion today about Second Amendment gun rights, and we all respect that. But what about my constituents' right to live a life free from gun violence, to take a walk in the park, to go to a movie theater, to go to church and pray, and to be able to do so without the fear of being gunned down and killed? There is a competing interest here of public safety and protecting the security of people to live a life free from gun violence.

Mr. Speaker, I urge my colleagues to vote ''yes'' on H.R. 1446 and H.R. 8. Join us in supporting legislation supported by over 90 percent of the American people who have good common sense. Vote ''yes.'' Help end the scourge of gun violence in this country.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Alabama (Mr. PALMER).

Mr. PALMER. Mr. Speaker, a bill trampling on the Second Amendment rights of the American people is a convenient distraction from the actual crisis in the United States. There are over almost 11,000 people killed by drunk drivers each year. There were more than 81,000 drug overdose deaths in the United States in the 12 months ending last May. But we are here today debating a bill to further restrict the rights of law-abiding citizens.

I just heard it mentioned about domestic violence. You could have a woman, threatened by an ex-boyfriend or a husband, who feels her life is being threatened, who would not be able to acquire a firearm once she needed it. She would have to wait at least 10 days.

The vast majority of illicit drugs, like heroin and fentanyl, leading to these 81,000 deaths are crossing our southern border. Instead of addressing these issues, President Biden has reinstituted catch and release, and now, we have an overwhelming surge of illegal crossings on our southern border.

According to the Immigration and Customs Enforcement agency, in 2018 alone, there were 1,641 illegal aliens convicted of homicide. How many more will it be now that the Democrats have signaled that our borders are wide open?

This bill reflects an obsession with gun restrictions by my Democrat colleagues. Meanwhile, in 2018, more than one in six homicides were committed without a firearm of any type: 1,500 were killed with knives or cutting instruments, more than 400 with blunt instruments, and more than 600 with hands and feet. Only 403 died as a result of a rifle of any kind.

Mr. Speaker, these numbers are dwarfed by the loss of life from the failure of the Democrats to enforce their laws.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Illinois (Ms. KELLY).

Ms. KELLY of Illinois. Mr. Speaker, experts estimate that the Charleston loophole has allowed more than 75,000 guns to fall into the hands of prohibited gun owners.

The Enhanced Background Checks Act is a necessary and straightforward fix to close this loophole and allow the FBI to investigate potentially dangerous individuals.

This bill would simply increase the time Federal investigators have to complete background checks on gun sales from 3 to 10 days, 1 week's time. That is all we are asking for, an additional week for investigators to ensure that there is no reason the person who is buying a gun should not have one. Think of the lives that could be saved or could have been saved by allowing that extra 7 days.

Mr. Speaker, I think we can agree that gun ownership is a serious responsibility. There is no need to rush through a background check with so much at stake. This bill is an urgently needed tool in gun violence prevention.

Mr. Speaker, I urge my colleagues to once again pass H.R. 1446 and close the Charleston loophole.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Mr. Speaker, I thank my colleagues for engaging in this debate today.

Mr. Speaker, there is a higher authority than the law of man. Above the Speaker's podium are the words, in this great Chamber, ''In God we trust.''

Do we? Do we recognize that the Biblical record is replete with the violence of man?

Shall my colleagues on the other side of the aisle admit that law designed to restrict Second Amendment rights and freedoms are but a veil to conceal the violence of man born since Adam? The firstborn son of Adam killed his brother in a violent rage. I am rather certain he did not use a firearm.

The Second Amendment protections that we have as American citizens shall not be infringed. Remember these words and that they are born of a nation that recognized our service to our Lord.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. ESPAILLAT).

Mr. ESPAILLAT. Mr. Speaker, improving background checks is common sense. Background checks simply make it harder for guns to end up in the hands of the wrong people—criminals.

Mr. Speaker, 75,000 guns have ended up in the hands of the wrong people. The Enhanced Background Checks Act gives the FBI more time to complete background checks. In doing so, it closes the loophole.

The Framers didn't think about carrying an AK–47 or a semiautomatic weapon. That is not what they thought about.

Mr. Speaker, these guns are dangerous. They leave a pool of blood on corners in cities across the United States of America, and having access to them too soon is a deadly decision. We must pass this legislation to ensure that communities are safe all over America.

Let me just end by saying that we have a new item, the ghost gun loopholes. Ghost guns are made to evade law enforcement. There are ghost guns. We should stop them now, dead in their tracks.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the FBI tells us, in a 4-year time period, 18,000 people who exercised their Second Amendment liberties to get a firearm who were denied got that reversed. Those are just the ones who went there and said, ''You know what, you guys screwed up. It is not really me.'' They had to work it out.

Mr. Speaker, 18,000 times, the system screwed up. In 2017, over 112,000 people were denied, but only 12 people were prosecuted, which means that, most likely, thousands of law-abiding people were falsely denied their right to exercise their Second Amendment liberty.

Now what do Democrats want to do? They want to say: Wait a minute. That all happened in a 3-day time period. We are going to extend that for 10 days because we know the government bureaucracy will get so much better in 10 days. We know it will work out if we just give them more time to screw up more things.

That is what is going to happen. Oh, by the way, that single lady who needs to protect herself, she is going to have to wait longer now for a system that had this many screwups to get the firearms she needs to exercise her Second Amendment liberties to protect herself and her family. That is what this legislation does.

Mr. Speaker, I yield 1 minute to the gentleman from Alaska (Mr. YOUNG), the dean of the House.

Mr. YOUNG. Mr. Speaker, I watched this debate. I have to say, we have an old saying: ''How do you eat an elephant? A bite at a time.'' We have had two bites today.

Mr. Speaker, this is not about what everybody is talking about. It is about the Second Amendment and—I won't call you Democrats. A lot of you are. Some of you are socialists that believe in taking the right to protect away—the Second Amendment—from the law-abiding citizens.

This is just a little step forward, the 10-day waiting period instead of the 3-day waiting period.

The FBI is controlled by the President. He, in fact, can say take 6 months or 6 years for a legal purchase of a weapon. That is what you are really saying.

Taking away the right to protect your home and your liberty, not just from criminals but those who would take away your rights as a government, the Second Amendment is what it is all about, to protect from the tyranny that could occur by the wrong leaders taking rights and freedoms away from you.

That is why I, as a board member, support this idea of the Second Amendment and ask for a ''no'' vote on both of these bills.

Mr. NADLER. Mr. Speaker, I yield to the distinguished gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, some of my colleagues are invoking the Second Amendment quite promiscuously today, but they obviously haven't read any of the relevant Supreme Court authority because Justice Scalia, in District of Columbia v. Heller, explicitly upheld reasonable, commonsense regulations to guarantee that violent criminals don't get guns.

So, everything that we are doing is perfectly in advance of, in pursuit of, Second Amendment rights that are exercised coextensively with the public safety and with the common good.

Here is a regulation that we need, that we have known we have needed ever since a violent white supremacist killed nine African-American Christian worshippers at a Bible class in Charleston, South Carolina. He should have been denied a gun, but he got it because the background check search wasn't completed in 3 days. He got it automatically, although he shouldn't have had it, and nine people are dead because of it.

We say, let's close that loophole. Just like with H.R. 8, let's make sure that the universal background check is universal.

Mr. Speaker, 90 percent of the American people support it.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NADLER. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Maryland.

Mr. RASKIN. Mr. Speaker, I thank the chairman very much for yielding.

Mr. Speaker, this is reasonable, commonsense gun safety legislation contemplated by Justice Scalia, by the Supreme Court, under the Second Amendment of the Constitution.

It is what America needs so that we don't have a rate of gun violence and gun deaths 25 times higher than everybody else in the industrialized world.

Yet, some people are so under the spell of the NRA, a deeply corrupt organization that is ripping off money from loyal gun owners around the country, that they are unwilling to stand with the common good.

Mr. JORDAN. Mr. Speaker, the previous speaker used the term ''reasonable.'' This legislation shifts the burden, so you are now telling an American citizen the burden is on you to exercise your Second Amendment liberties. They deny the background check, deny you your ability to purchase a firearm, and the burden is on you.

Mr. Speaker, I would think that a professor of law would understand that you don't shift the burden when you are talking about a fundamental liberty that we enjoy under the Constitution. It doesn't seem reasonable at all to me.

Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. GROTHMAN).

Mr. GROTHMAN. Mr. Speaker, I would like to, one more time, address what is going on here and the perceived problem.

Here in the United States, the number of murders from the beginning of the 1990s until Ferguson had fallen repeatedly, and the murder rate was half of what it once was with a tough law enforcement stance.

At that time, in the Ferguson shooting, when Officer Wilson, who was eventually found entirely innocent by the Obama Justice Department, when that person died, we whipped people into an antipolice frenzy. Because of the antipolice frenzy, we had the murder rate in this country go up by 20 percent.

It then began to drop again until last year when we had the horrible events in Minneapolis. One more time, we whipped people up into a frenzy, and the number of murders in 1 year in Minneapolis went up 70 percent; in New York, 40 percent; in Chicago, 55 percent; and in Milwaukee, 95 percent, with the same gun control laws in cities that are run by mayors who are as antigun as you will find.

The problem here is we whipped the people into an antipolice frenzy. The police became passive, and a lot of people died. The people who were whipped into the antipolice frenzy ought to stop and consider the huge increase in murders.

Mr. NADLER. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I rise in support of H.R. 1446.

This is a commonsense bill that would extend the time allowed for the completion of background checks for firearm sales from 3 to 10 days, giving time for a complete background check.

I want to be clear. I lived with a man who slept with a gun under his pillow until the day he died. He was a responsible gun owner. And I lived in a home with a man who shouldn't have had a gun, and I remember the fear that I could die any day and that my siblings would die. A gun in a household with someone emotionally unstable, angry, is plain and simply dangerous.

Mass shootings and tragic acts of gun violence have become far too common in the United States. I think my baby sister is not alive today because of the trauma of living with someone who should not have had a gun.

Yet, I don't want to take a gun away from a responsible gun owner. Every American deserves the right to live safely.

□ 1645

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. CLYDE).

Mr. CLYDE. Mr. Speaker, I rise today in opposition to H.R. 1446, and in defense of the constitutional right to bear arms.

This right does not come with caveats, asterisks, or exceptions. It exists to make sure that the freedom to keep and bear arms is not unjustly infringed upon by the government.

It is the government that has the legal burden of explaining why it is restricting the natural rights of the citizen. H.R. 1446 would reverse that burden and require the law-abiding American to petition for the right to bear arms if they don't hear back from government after 10 business days, 7 more than the current law provides.

In response to this unconstitutional action, I will introduce a bill to allow a Federal firearms licensee to transfer a purchased firearm to a legitimate buyer within 3 calendar days of contacting the National Instant Criminal Background Check System, as opposed to the current law, which requires 3 State government business days.

As a Federal firearms licensee myself, I saw firsthand during the pandemic how the closure of State government offices across the country easily infringed upon our right keep and bear arms. With these offices closed, or purported closed, 3 business days can turn into weeks and even months before a firearm transfer is allowed to be completed by government.

Mr. Speaker, I urge my colleagues to vote ''no'' on H.R. 1446.

Mr. NADLER. Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I want us to be very quiet in this Chamber, almost to the extent of hearing a pin drop. That is what happens when you are in prayer: Muslims, Catholics, those of the Jewish faith, Christians.

Prayer is the most sacred moment in many faiths, in all faiths.

Imagine that moment in Mother Emanuel African Methodist Episcopal Church, friends of ours across the Nation. That weekday prayer service for some is a lifeline for their survival. They are huddled in prayer, maybe taking care of what they call a broken heart, a bad day at the office, a need to take care of a wayward child, and in comes this young man that they saw only as a person in need of prayer.

That is a song we sing. That we are in need of prayer. Just imagine this pristine, white, old church symbolizing the freedom of slaves, just imagine these precious souls who were doing nothing but praying.

I want to acknowledge the pain that Whip CLYBURN experienced. I saw him in the aftermath of those days. These were not just his fellow Americans, they were his neighbors and his friends and interns.

How many remember when the commander in healing, the commander of bringing people together, President Obama, sang the song Amazing Grace?

That is what life in the midst of a storm is about, and that is what we are in, in the proliferation of guns.

And my friends on the other side keep throwing darts and bombs about undermining the Second Amendment. I say it again. From the early stages of the Founding Fathers in the Bill of Rights, gun usage in America was regulated. The Heller case does not deny regulation. In fact, there are aspects that allow it.

So this is a legitimate regulation for safety, not control. Because Dylann, who went to a gun store and manipulated a gun owner to go and give him the gun after 3 days because there was something funny about his information, this will save lives. Ten days is not too long to stop the loss of life and the bloodshed that was in Mother Emanuel.

Mr. Speaker, I ask my colleagues to support H.R. 1446 to save lives.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Speaker, what is the so-called Charleston Loophole?

It is a provision that gives the FBI 3 days to provide a background check for a citizen to buy a gun. Now, 3 days for a background check doesn't seem unreasonable since a credit card check takes about 3 seconds.

Now, if the FBI fails to give a clear ''yes'' or ''no'' in 3 days, the sale can proceed. That protects our Second Amendment right from arbitrary denial by inaction, and the clearance is good for 30 days from when you begin that transaction.

Now, this bill repeals the 3-day limit and replaces it with a multistage bureaucratic review process that can span up to 20 business days.

It is really quite clever. Your clearance is good for 30 calendar days from the day you begin the transaction, but the clearance can be delayed for up to 20 business days. So if you applied on January 15 of this year, 20 business days takes you to February 16. By then, your purchase window will have expired 2 days earlier, on February 14. You have to start the process over, applying for a new background check in a perpetual cycle. They never have to say ''approved.''

Would a government abuse its citizens like that?

I don't know. Maybe we should ask Lois Lerner or Andrew McCabe.

Mr. NADLER. Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1½ minutes to the gentleman from Virginia (Mr. CLINE).

Mr. CLINE. Mr. Speaker, I rise in strong opposition to H.R. 1446 and the last bill we spoke about, H.R. 8.

These bills continue the systematic and coordinated attempt by the Democratic Party to undermine our Second Amendment rights.

I was sent to Washington by my constituents to uphold and defend the Constitution. I will not stand by and allow our rights to be stripped away. My colleagues on the other side of the aisle claim that these bills will save lives. However, nothing in them would have stopped any of the recent mass casualty shootings that have occurred in our country.

Rather than go after criminals who break the law, Democrats want to create a false narrative that will criminalize private gun ownership. Democrats will tell you that these bills close loopholes, but the loophole they believe exists is that law-abiding Americans are even able to own guns in the first place.

The sole objective of this gun control package is to remove constitutional safeguards and put in place criminal penalties that would unjustly go after responsible gun owners.

The Second Amendment is crystal clear, the right to bear arms shall not be infringed. Our Founding Fathers wrote the Constitution to protect us from a tyrannical government, and wrote the Second Amendment to ensure that the rights of Americans to protect themselves was secured.

These outrageous proposals put government between the American people and their constitutional freedoms to protect themselves, protect their families, and protect their communities, and I vote ''no.''

Mr. NADLER. Mr. Speaker, I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I thank the gentleman from Ohio for yielding.

Mr. Speaker, there is no gun violence problem from legal gun owners. And this bill, as well as the prior bill, will do nothing to stop gun violence because it unnecessarily regulates law-abiding citizens. And we don't have to define that term, I would think, because they are not criminals.

The problem is with criminals. And because criminals could care less about the bills we are talking about today, innocent people will die.

I can think of neighbors of mine out in the country where I live, who have an ex who would want to cause violence to them. That lady could come to me and say: I can't get a gun because I have got to wait 10 days, but he could come this weekend. Would you loan me a gun?

Mr. Speaker, what we are doing today wouldn't allow that. This lady is put at severe risk.

Mr. Speaker, I urge my colleagues to consider what they are doing. This will not work. Vote against H.R. 1446 and support the Second Amendment made by people sometimes wiser than us.

Mr. NADLER. Mr. Speaker, I am prepared to close and I reserve the balance of my time.

Mr. JORDAN. Mr. Speaker, I yield myself such time as I may consume.

Earlier, we had a couple of the folks who spoke on our side. Earlier they said the Second Amendment is right next to the First because it is pretty darn important. I think some of our folks said that.

But it struck me that, you know what, I don't know that the other side actually cares all that much about the First Amendment.

Think about what has happened this past year. Democrats have told Americans they can't go to church, can't go to work, can't go to school, can't go to a loved one's funeral.

Of course, the rules never apply to them. We had a Governor of one of our largest States—a Governor of our largest State—out at a 5-star restaurant, having dinner with friends and lobbyists at the same time he is telling folks in his State that they can't even have Thanksgiving dinner with their family.

We see the attack on free speech. I mean, just to laugh at this whole cancel culture phenomena. First it was Kermit the Frog and the Muppets, then it was Dr. Seuss. I think yesterday it was cartoon characters from the Looney Tunes. Tack on your right to speak, specifically to speak in any type of political nature.

We have had Democrat Members of Congress, Mr. Speaker, send a letter to carriers, asking those carriers not to have certain news networks on their system. That is frightening. You talk about chilling speech. That is as scary as it gets—just because they don't like what is being said on certain news networks? Scary.

And now they are coming after your Second Amendment liberties as well. I mean, think about your First Amendment rights, your right to practice your faith, your right to assemble, your right to petition your government, freedom of the press, freedom of speech. And then the very next right the Founders mention, your Second Amendment liberties, they are coming after that, too.

It wasn't enough to go after your right to practice your faith. It wasn't enough to go after your right to assemble and be with people you wanted. Think about some of the things we saw this year. We had Democrat leaders in States telling Americans you had to be in your home at a certain time with curfews. You had to be in your home by 10.

We had another State say, when you are in your home, you have to wear a mask. And then we had States say, well, when you are in your home, you don't have to wear a mask because you are not allowed to have anybody over.

Government was limiting your First Amendment right to practice your religion, your First Amendment right to assemble. And now they are coming after your First Amendment right to speak and speak in a political nature. And here we are today, coming after your Second Amendment liberties.

The Democratic Party is the party that says defund the police, open the border, attack people's Second Amendment rights to defend themselves while they are defunding the police and opening the border, and all the while they are undermining American's First Amendment liberties as well.

This should frighten everyone.

□ 1700

This should frighten everyone. This should frighten everyone wherever they want to go. It is scary. I certainly hope we defeat both of these bills today when they are offered.

Mr. Speaker, I yield back the balance of my time.

Mr. NADLER. Mr. Speaker, I yield myself the balance of my time to close.

I have never heard such pernicious nonsense as we have heard today from our Republican friends.

They say that this legislation will violate gun rights. But all this legislation does is close a dangerous loophole that puts weapons in the hands of individuals who should not legally be permitted to purchase them merely because the FBI is not able to complete the background check in time.

The FBI under this legislation will have 10 days maybe instead of 3 days to complete the background check and decide whether someone is too dangerous to have access to guns. That is all this legislation does.

To say that it infringes on the Second Amendment, Mr. RASKIN pointed out that Justice Scalia in the Heller decision upheld this kind of legislation.

So stop with the nonsense, pass this legislation, and make the American people safe.

Madam Speaker, I yield back the balance of my time.

Mr. PALMER. Madam Speaker, I rise in opposition to this Amendment and to the underlying legislation which is another attack on our 2nd amendment rights. This bill trampling on the 2nd Amendment rights of the American people is a convenient distraction from the other actual crises in the United States.

There were almost 11,000 people killed by drunk drivers in 2018. There were more than 81,000 drug overdose deaths in the United States in the 12 months ending last May . . . but we are here today debating a bill to further restrict the rights of law-abiding citizens.

This bill endangers women threatened by domestic violence from an ex-boyfriend or ex-husband. A woman who feels her life is threatened would not be able to acquire a firearm when she needed one, under this bill she would have to wait at least 10 days.

The vast majority of the most deadly illicit drugs like heroin and fentanyl are smuggled across our southern border. Instead of addressing these issues President Biden has reinstituted catch and release and we now have an overwhelming surge of illegals crossing our southern border. According to a report from the Immigration and Customs Enforcement Agency, in 2018 there were 1,641 illegal aliens convicted of homicide. How many more will it be now that the Democrats have signaled that our borders are wide open?

Yet we are here debating a bill to take away the rights of law-abiding men and women to acquire firearms to protect themselves.

This bill reflects an obsession with gun restrictions by my Democrat colleagues. In terms of homicides, more than 1 in 6 do not involve a firearm of any type. According to the FBI, in 2017 over 1,500 people were killed with knives or cutting instruments, more than 400 were killed with blunt instruments and more than 600 killed with hands, fists and feet. There were only 403 homicides committed with a rifle of any type, including a semi-automatic AR–15 that is the target of many Democrat anti-gun activists.

I urge my colleagues to oppose this amendment and the underlying bill.

The SPEAKER pro tempore (Mrs. HAYES). All time for debate has expired.

Each further amendment printed in part D of House Report 117–10 not earlier considered as part of amendments en bloc pursuant to section 9 of House Resolution 188, shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, may be withdrawn by the proponent at any time before the question is put thereon, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It shall be in order at any time after debate for the chair of the Committee on the Judiciary or his designee to offer amendments en bloc consisting of further amendments printed in part D of House Report 117–10, not earlier disposed of. Amendments en bloc shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENTS EN BLOC OFFERED BY MR. NADLER OF NEW YORK

Mr. NADLER. Madam Speaker, pursuant to House Resolution 188, I offer amendments en bloc.

The SPEAKER pro tempore. The Clerk will designate the amendments en bloc.

Amendments en bloc consisting of amendment Nos. 1, 2, 3, and 4, printed in part D of House Report 117–10, offered by Mr. NADLER of New York:

AMENDMENT NO. 1 OFFERED BY MR. BURGESS OF TEXAS

At the end of the bill, add the following:

SEC. __. REPORT ON FIREARM TRANSFERS DENIED AS A RESULT OF A NICS CHECK.

Within 90 days after the date of the enactment of this Act, the Inspector General, Department of Justice, shall prepare and submit to the Congress a written report on the number of firearm transactions with respect to which the national instant criminal background check system established under the Brady Handgun Violence Prevention Act has determined that receipt of a firearm by the prospective firearm transferee would violate Federal or State law, and which have been referred to the Bureau of Alcohol, Tobacco, Firearms, and Explosives for investigation.

AMENDMENT NO. 2 OFFERED BY MR. LEVIN OF CALIFORNIA

Page 5, strike line 16.

Page 5, beginning on line 18, strike ''and an aggregate'' and all that follows through line 20 and insert '' with a description of denials, disaggregated by State and by the basis for the denial; and''.

Page 5, after line 20, insert the following:

(3) an aggregate analysis of the petitions submitted pursuant to such paragraph (1)(B)(ii).

AMENDMENT NO. 3 OFFERED BY MRS. MCBATH OF GEORGIA

Page 6, line 15, insert ''disaggregated by State,'' before ''and whether''.

AMENDMENT NO. 4 OFFERED BY MR. NEGUSE OF COLORADO

Page 5, strike line 21 and all that follows through page 6, line 7 and insert the following:

SEC. 4. REPORTS ON PETITIONS SUPPORTING FIREARMS TRANSFERS NOT IMMEDIATELY APPROVED BY NICS SYSTEM, THAT WERE NOT RESPONDED TO IN A TIMELY MANNER.

The Director of the Federal Bureau of Investigation shall make an annual report to the public on the number of petitions received by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act that were submitted pursuant to subclause (I) of section 922(t)(1)(B)(ii) of title 18, United States Code, with respect to which a determination was not made within the 10-day period referred to in subclause (II) of such section 922(t)(1)(B)(ii). The report shall include the following, which shall be disaggregated by State:

(1) The number of petitions submitted under such section that were received by the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act.

(2) The number of petitioners who were discovered to be ineligible under Federal or State law during that 10-day period.

(3) The number of petitioners who were discovered to be ineligible under Federal or State law after that 10-day period.

(4) The basis of the ineligibility of the petitioners discovered to be ineligible under Federal or State law during that 10-day period, and the basis of the ineligibility of the petitioners discovered to be ineligible under Federal or State law after that 10-day period.

(5) The number of the petitioners whose petitions were denied and who, within 12

months after the denial, were prosecuted under Federal, State, or local law for receiving or attempting to receive a firearm.

The SPEAKER pro tempore. Pursuant to House Resolution 188, the gentleman from New York (Mr. NADLER) and the gentleman from Ohio (Mr. JORDAN) each will control 10 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Madam Speaker, I yield myself 45 seconds.

Madam Speaker, the amendments contained in this en bloc amendment include important changes to the bill that will provide Congress additional information to inform our future decisionmaking.

Representative BURGESS' amendment would require reporting to Congress on the number of NICS denials referred for investigation after a firearm was sold to a person who was later found to be ineligible.

Representative LEVIN's amendment adds State-level data tracking which will facilitate our review of which State gun safety measures have been effective and which should be considered on the Federal level.

Representative MCBATH's amendment would require critical reporting on the impact of the bill on victims of domestic abuse.

Lastly, Representative NEGUSE's amendment makes data available to the public regarding NICS denials.

These are valuable additions to H.R. 1446.

Madam Speaker, I urge all Members to support them, and I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Madam Speaker, I am going to attempt to address the hearts and minds of some of my dear friends across the aisle, and I do have friends: I respect you, I love you, and I admire you.

I recognize that we have all lived different lives, but let me clarify that I have a very personal knowledge of the way the street works. Criminals are not going to follow these laws.

Madam Speaker, you are talking about 10 days—I can have a 10-minute override from right here and bring you back an illegal gun.

Do you want one?

A couple of hundred bucks, Madam Speaker, I can get you one.

Madam Speaker, it is not intellectually sound to actually believe in your heart that restricting the Second Amendment rights and freedoms to purchase, own, and bear firearms of Americans that will follow the laws you intend to pass is going to impact the decisions that are made by criminals on the streets. It is just not reality.

This realm is bizarre. Americans are watching this right now. They get it. They know the criminals are not going to follow the law. This is not going to impact the criminal realm.

We have deterioration of our society because of the failure to embrace core principles and American family values. This is what has happened over the course of a generation on my watch. I am 59. This has happened to America as I have matured. I am concerned about the future, but I am certainly recognizing the core freedoms and principled protections of the constitutional rights of my children and grandchildren.

We must not allow that to be deteriorated under the guise of protecting our citizens from crime. Criminals are not going to recognize these laws.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. LEVIN).

Mr. LEVIN of California. Madam Speaker, I rise in support of the Enhanced Background Checks Act.

In order to truly prevent bad actors from purchasing guns, we need more transparency. My amendment to this legislation demands transparency from government at both the State and Federal level and ensures that we have complete information about prohibited individuals attempting to get their hands on guns.

Right now, the background check system relies heavy on States uploading accurate records. And with this amendment we can better understand which States are doing a good job of uploading records to the system and which are not. Without good and reliable information and without transparency, background checks are much more likely to be delayed resulting in a higher risk of more tragedies like the one at Mother Emanuel Church.

With this amendment we can ensure that prohibited individuals won't be sold a gun before their background check is fully completed. If we truly want to keep guns out of the hands of violent individuals, my amendment will get it done.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PERRY).

Mr. PERRY. Madam Speaker, what we are saying here is that the American people have to beg their government to avail themselves of their rights: Oh, Federal Government, can I speak now?

Can I defend myself now, or should I wait a little longer?

That is what we are saying now.

The Constitution says, ''shall not be infringed.'' In Pennsylvania where I come from, our constitution says, ''shall not be questioned.''

Madam Speaker, we are questioning it today. We are putting our constituents and we are putting the American people who have the Constitution enshrining their rights on the defensive, begging their government to avail themselves of their rights.

Now, my colleagues and my good friends on the other side of the aisle keep on bringing up the horrific tragedy and the events that happened at the church. We can't bring that up and say that this is the solution when this doesn't fix that.

Madam Speaker, you can't say that the FBI couldn't check all the databases. It chose not to. It could have checked them in those 3 days, but it chose not to.

Now, those are tragic events for sure, but it is not the American people's fault that the FBI didn't do their job. Do not punish the American people. Do not abridge their rights because the FBI and because the government couldn't get it right. Let's fix the government and allow the people to be free and enjoy their constitutional rights and defend themselves when they want to defend themselves.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Madam Speaker, I thank the gentleman from New York for yielding.

Madam Speaker, I rise today in support of H.R. 1446, the Enhanced Background Checks Act of 2021.

Under current Federal law, unlicensed sellers can sell guns at gun shows, online, and person to person without conducting any background check on the purchaser. This loophole has dangerous consequences for our communities. In fact, up to 80 percent of firearms used for criminal purposes are obtained without a background check.

I am reminded of my time on the New York City Council where I witnessed the murder of my colleague and dear friend, Councilman James E. Davis.

Just earlier this week, a gunman opened fire on two police officers in my district, hitting one officer in the chest and another in the leg. Guns are not manufactured in Brooklyn, New York.

Time and time again we have been shaken to the core and heartbroken by the news of another shooting in our communities that we call home.

Mr. JORDAN. Madam Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Madam Speaker, I sit here and listen to my colleagues, and that is what I want to do; but I become more frustrated with the fact that I think, Madam Speaker, we are in parallel universes.

We are talking about gun crime. We all agree that gun crime is wrong. We all agree that the murders that go on with gun crime are horrendous and we don't want them to continue. But they are not happening as a result of law-abiding gun owners.

We have background checks now that work. I have gone through those myself. We have dealt with them.

I grew up on the south side of Chicago. I love Chicago. It pains me to see that become the murder center that it has become. And now I hear the report that the reason it is this is because people from Chicago can come to Michigan, buy illegal guns, and bring them back, that is the fault.

No, it is a heart problem.

It is a problem of criminals who are not being prosecuted.

We have FBI who don't follow the background checks and don't do it in a timely fashion. We have a Justice Department that doesn't prosecute gun crimes. And we blame it on law-abiding citizens.

What we will do today—as we have attempted other times—is to put law-abiding citizens under the gun—and I use that word specifically—further who will not commit a crime, but have to go through onerous legislation that allegedly makes more transparent gun laws that stomp on the Second Amendment liberties that we have.

Madam Speaker, that is wrong. That is wrong, and it will not end the gun problem. We have had a War on Poverty for years and poverty has increased. Government programs don't work.

Madam Speaker, I appeal to my friends on the other side of the aisle: I know your hearts are right, but this won't do the job.

Mr. NADLER. Madam Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. Madam Speaker, the gun violence epidemic has robbed us of our loved ones; our safety in schools, our places of worship and public spaces; and our children. It has ravaged our communities across America and touched the Halls of Congress.

It is also very personal to me. I am one of the few Members on this floor who has been a victim of gun violence, and we know what this is all about.

This is all about making sure felons don't get guns. It is making sure that those who are mentally ill don't get guns. And it is making sure that those who have committed domestic violence don't get guns. That is all this bill is doing.

But what my colleagues on the other side of the aisle are doing is bowing to the NRA that contributes to their campaigns and kissing the rings of those who are the gun manufacturers who contribute to the NRA anywhere from $10 to $60 million over the course of 5 years. That is what this is all about.

The American people want to be safe, and we are going to make them safe.

Mr. JORDAN. Madam Speaker, I reserve the balance of my time.

□ 1715

Mr. NADLER. Madam Speaker, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Madam Speaker, I thank the chairman for his leadership, and I thank Whip CLYBURN for letting us fix the problem of criminals getting guns.

Do my friends on the other side of the aisle not understand that Dylann Roof had a criminal background? What happened is that the storekeeper, in essence, violated the law. He viewed it as not violating the law because, after 3 days, there was no answer.

Dylann Roof took a gun and became a mass shooter in America. Yes, if he had not gotten a gun illegally, these souls would be alive today.

In 2018, there were 355 mass shootings. We have evidence that people with guns have not stopped a mass shooting. So if there was a person armed with a gun inside Mother Emanuel praying with a gun, I don't believe that lives could have been saved.

What I do know is that if this bill, H.R. 1446, had been in place, that would have allowed a 10-day window to be able to determine whether Dylann Roof needed to have a gun. It is a simple context, simple facts, and it should be done to save lives.

I rise in enthusiastic support of H.R. 1446. I thank Whip CLYBURN for his long years of persistence. And our sympathy goes to those who lost their lives at Mother Emanuel in 2015.

We have come now to be able to say no, criminals should not have guns, and we should have a NICS system that allowed the full review background check so that he could not have had a gun. What is wrong with that?

Are we interested in saving lives the right way?

Madam Speaker, I rise in strong support of H.R. 1446, the "Enhanced Background Check Act of 2021," which strengthens the background check procedures federal firearms licensees or dealers follow before selling or transferring a firearm.

Under current law, firearms dealers are required to run a background check on prospective buyers using the NICS.

Over 90 percent of checks are completed within 90 seconds so if the NICS system has not returned an answer to the licensed firearms dealer within ten days, the prospective firearms purchaser may file a petition with the Attorney General for review.

After another 10-day period has expired, the licensed firearms dealer may sell or transfer the firearm to the prospective purchaser if it has not received a response through the NICS system and the dealer has no reason to believe that the purchaser is prohibited from obtaining a firearm under Federal, state, or local law.

Thus, under this measure, licensed firearms dealers could not sell or transfer under the "default proceed" provision until at least 20 days have passed since the initial background check.

Madam Speaker, the American people are demanding effective action to reduce, if not prevent altogether, the countless mass shootings and gun violence in our country that continue to claim so many innocent lives.

Newly released data from the Centers for Disease Control (CDC) and Prevention found firearm-related deaths rose for the second-straight year in 2016, largely due to spikes in gun violence.

In 2016, the new CDC report on preliminary mortality data shows that there were more than 38,000 gun-related deaths in the U.S.—4,000 more than 2015.

An Associated Press analysis of FBI data shows there were about 11,000 gun-related homicides in 2016, up from 9,600 in 2015.

Congress must act to keep our country safe through gun safety and violence deterrence.

There was nearly one mass shooting per day in the United States—355 mass shootings in 2018.

In December 2012, a gunman walked into Sandy Hook Elementary School in Newtown, Connecticut, and killed 20 children, 6 adults, and himself.

Since December 2012, there have been at least 1,518 mass shootings, with at least 1,715 people killed and 6,089 wounded.

On the night of October 1, 2017, a gunman opened fire on a large crowd of concertgoers at the Route 91 Harvest music festival on the Las Vegas Strip, leaving 58 people dead and 527 injured.

And on November 5, 2017, a mass shooting occurred at the First Baptist Church in Sutherland Springs, Texas, where the gunman, 26-year-old Devin Patrick Kelley, killed 26 and injured 20 others.

Every day, on average, 92 Americans are victims of gun violence, resulting in more than 33,000 deaths annually.

States with higher gun ownership rates have higher gun murder rates—as much as 114 percent higher than other States.

A recent study by the Centers for Disease Control and Prevention looking at 30 years of homicide data found that for every 1 percent increase in a State's gun ownership rate, there is a nearly 1 percent increase in its firearm homicide rate.

Gun death rates are generally lower in States with restrictions such as safe storage requirements or assault weapons bans.

Mass shootings stopped by armed civilians in the past 33 years: 0.

Because more than 75 percent of the weapons used in mass shootings between 1982 and 2012 were obtained legally, stronger legislation is needed to prevent guns from getting into the wrong hands.

Madam Speaker, enhancing the gun transfer background check system has consistently garnered broad public support, as high as 92 percent, because the American people know that the status quo is simply intolerable and action must be taken to reduce gun violence by keeping dangerous persons from obtaining deadly weapons.

That begins with passing H.R. 1446, the "Enhanced Background Check Act of 2021," and I urge all members to join me in voting for its passage.

Mr. JORDAN. Madam Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Madam Speaker, let's save a life. I am going to share with my colleagues an actual story going on right now, because my citizens have my phone number. I have had the same phone number since 2004. They know they can reach out to me for help.

A young lady, right now, whose property, her yard, her garage, has been invaded night after night after night by a strange man. He moves fast. She is a single mom, a 30-year-old woman, hard-working woman, American.

Many, many years ago, she pled guilty to a minor drug charge. It is still on her record. She can't buy a gun, but, by God, she is going to get one. She is going to get one illegally to defend herself and her young child.

Your bill would make this story commonplace from sea to shining sea. I beg for you to stand for the people who we serve and recognize what you are attempting to do.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. NADLER. Madam Speaker, I am prepared to close. I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I yield myself the balance of my time.

I oppose both bills and the amendments for all the reasons we have stated today. I think my colleague from Pennsylvania said it best. We are now going to have to wait 10 days to exercise your Second Amendment rights.

One of the previous speakers, Madam Speaker, on the Democrat side said that felons don't get guns. They are felons. They are not going to follow the law.

We all know what this is. This is going to make it more difficult for law-abiding Americans to exercise a fundamental liberty guaranteed in the United States Constitution, the second right they have, the Second Amendment to the Constitution. It is going to make it more difficult for them to exercise their fundamental liberty. That is what this is about.

The FBI had 2 months in the Charleston situation to get it right. They couldn't. Somehow we think now extending it from 3 days to 10 days, a system that messed up as much as it has, somehow that is going to help, and then shifting the burden so that if this system that has falsely denied people their right to purchase a firearm, time and time again, if the system does it again, the burden is on you.

Since when do we ever do that? When are you presumed guilty by the government? Only now. Only now are you presumed guilty. You are not going to be able to exercise your rights.

Those are our concerns with both of these bills and the amendments that are in front of us today.

Madam Speaker, I yield back the balance of my time.

Mr. NADLER. Madam Speaker, I yield myself the balance of my time.

Our Republican friends insist on misreading the bill. They insist on talking about things that aren't in the bill.

The bill takes away the rights of nobody except those who have threatened their wives, threatened their former wives, threatened other people in the community. Those are all the people who are affected.

Yes, we extend the NICS system from 3 days to 10 days. That means that if the NICS system hasn't reported back within 3 days, the FBI gets up to 10 days. At the end of 10 days, they can't stop you from getting a weapon unless the records show that you are not entitled to get the weapon because you are a danger to the community. That is what this bill does.

To misread it and say it gives any rights to felons, or to gun buyers, or to people who are criminals because they disobey the law, of course people who disobey the law are criminals. But that is not what the bill deals with.

The bill simply says that it effectuates a system that says that people who are threats to the community may not get guns. And it does not limit the time beyond 10 days to make that decision.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 188, the previous question is ordered on the amendments en bloc offered by the gentleman from New York (Mr. NADLER).

The question is on the amendments en bloc.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HIGGINS of Louisiana. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 225, nays 202, not voting 3, as follows:

[Roll No. 73]

YEAS—225

Adams
Aguilar
Allred
Auchincloss
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bourdeaux
Bowman
Boyle, Brendan F.
Brown
Brownley
Bush
Bustos
Butterfield
Carbajal
Cárdenas
Carson
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Craig
Crist
Crow
Cuellar
Davids (KS)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Escobar
Eshoo
Espaillat
Evans
Fitzpatrick
Fletcher
Foster
Frankel, Lois
Gallego
Garamendi
García (IL)
Garcia (TX)
Gimenez
Golden
Gomez
Gonzalez, Vicente
Gottheimer
Green, Al (TX)
Grijalva
Grothman
Haaland
Harder (CA)
Hastings
Hayes
Higgins (NY)
Himes
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jacobs (CA)
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Jones
Kahele
Kaptur
Katko
Keating
Kelly (IL)
Khanna
Kildee
Kilmer
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Levin (CA)
Levin (MI)
Lieu
Lofgren
Lowenthal
Luria
Lynch
Malinowski
Malliotakis
Maloney, Carolyn B.
Maloney, Sean
Manning
Matsui
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mfume
Moore (WI)
Morelle
Moulton
Mrvan
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Newman
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Reed
Rice (NY)
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Sewell
Sherman
Sherrill
Sires
Slotkin
Smith (NJ)
Smith (WA)
Soto
Spanberger
Speier
Stanton
Stevens
Strickland
Suozzi
Swalwell
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Wasserman Schultz
Watson Coleman
Welch
Wexton
Wild
Williams (GA)
Wilson (FL)
Yarmuth

NAYS—202

Aderholt
Allen
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bentz
Bergman
Bice (OK)
Biggs
Bilirakis
Bishop (NC)
Boebert
Bost
Brady
Brooks
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Calvert
Cammack
Carl
Carter (GA)
Carter (TX)
Cawthorn
Chabot
Cheney
Cline
Cloud
Clyde
Cole
Comer
Crawford
Crenshaw
Curtis
Davidson
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Fallon
Feenstra
Ferguson
Fischbach
Fitzgerald
Fleischmann
Fortenberry
Foxx
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Garbarino
Garcia (CA)
Gibbs
Gohmert
Gonzales, Tony
Gonzalez (OH)
Good (VA)
Gooden (TX)
Gosar
Granger
Graves (LA)
Graves (MO)
Green (TN)
Greene (GA)
Griffith
Guest
Guthrie
Hagedorn
Harris
Harshbarger
Hartzler
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Hill
Hinson
Hollingsworth
Hudson
Huizenga
Issa
Jackson
Jacobs (NY)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Keller
Kelly (MS)
Kelly (PA)
Kim (CA)
Kinzinger
Kustoff
LaHood
LaMalfa
Lamborn
Latta
LaTurner
Lesko
Long
Loudermilk
Lucas
Luetkemeyer
Mace
Mann
Massie
Mast
McCarthy
McCaul
McClain
McClintock
McHenry
McKinley
Meijer
Meuser
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Mullin
Murphy (NC)
Nehls
Newhouse
Norman
Nunes
Obernolte
Owens
Palazzo
Palmer
Pence
Perry
Pfluger
Posey
Reschenthaler
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Rouzer
Roy
Rutherford
Salazar
Scalise
Schweikert
Scott, Austin
Sessions
Simpson
Smith (MO)
Smith (NE)
Smucker
Spartz
Stauber
Steel
Stefanik
Steil
Steube
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Timmons
Turner
Upton
Valadao
Van Drew
Van Duyne
Wagner
Walberg
Walorski
Waltz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams (TX)
Wilson (SC)
Wittman
Womack
Young
Zeldin

NOT VOTING—3

Donalds
Tiffany
Waters

□ 1808

So the en bloc amendments were agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. WATERS. Madam Speaker, I was unavoidably delayed by a constituent on the phone. Had I been present, I would have voted "yea" on rollcall No. 73.

MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Allred (Davids (KS))
Amodei (Kelly (PA))
Babin (Norman)
Baird (Walorski)
Barragán (Beyer)
Beatty (Lawrence)
Bush (Ocasio-Cortez)
Cárdenas (Gomez)
Cleaver (Davids (KS))
Cohen (Beyer)
DeFazio (Davids (KS))
Grijalva (García (IL))
Hastings (Wasserman Schultz)
Johnson (TX) (Jeffries)
Kahele (Case)
Kirkpatrick (Stanton)
Langevin (Lynch)
Lawson (FL) (Evans)
Lieu (Beyer)
Lofgren (Jeffries)
Lowenthal (Beyer)
McEachin (Wexton)
McHenry (Banks)
Meng (Clark (MA))
Moore (WI) (Beyer)
Morelle (Tonko)
Moulton (Rice (NY))
Napolitano (Correa)
Payne (Wasserman Schultz)
Pingree (Kuster)
Porter (Wexton)
Roybal-Allard (Leger Fernandez)
Ruiz (Aguilar)
Rush (Underwood)
Steube (Franklin, C. Scott)
Strickland (DelBene)
Thompson (MS) (Butterfield)
Watson Coleman (Pallone)
Wilson (FL) (Hayes)

The SPEAKER pro tempore (Mrs. HAYES). The previous question is ordered on the bill, as amended.

The question is on engrossment and third reading of the bill, as amended.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HUDSON. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Hudson moves to recommit the bill H.R. 1446 to the Committee on the Judiciary.

The material previously referred to by Mr. HUDSON is as follows:

At the end of the bill, add the following:

SEC. _. RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.

(a) IN GENERAL.—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

"§ 926D. Reciprocity for the carrying of certain concealed firearms

''(a) Notwithstanding any provision of the law of any State or political subdivision thereof (except as provided in subsection (b)) and subject only to the requirements of this section, a person who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, who is carrying a valid identification document containing a photograph of the person, and who is carrying a valid license or permit which is issued pursuant to the law of a State and which permits the person to carry a concealed firearm or is entitled to carry a concealed firearm in the State in which the person resides, may possess or carry a concealed handgun (other than a machine gun or destructive device) that has been shipped or transported in interstate or foreign commerce, in any State that—

''(1) has a statute under which residents of the State may apply for a license or permit to carry a concealed firearm; or

''(2) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

''(b) This section shall not be construed to supersede or limit the laws of any State that—

''(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or

''(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

''(c)(1) A person who carries or possesses a concealed handgun in accordance with subsections (a) and (b) may not be arrested or otherwise detained for violation of any law or any rule or regulation of a State or any political subdivision thereof related to the possession, transportation, or carrying of firearms unless there is probable cause to believe that the person is doing so in a manner not provided for by this section. Presentation of facially valid documents as specified in subsection (a) is prima facie evidence that the individual has a license or permit as required by this section.

''(2) When a person asserts this section as a defense in a criminal proceeding, the prosecution shall bear the burden of proving, beyond a reasonable doubt, that the conduct of the person did not satisfy the conditions set forth in subsections (a) and (b).

''(3) When a person successfully asserts this section as a defense in a criminal proceeding, the court shall award the prevailing defendant a reasonable attorney's fee.

''(d)(1) A person who is deprived of any right, privilege, or immunity secured by this section, under color of any statute, ordinance, regulation, custom, or usage of any State or any political subdivision thereof, may bring an action in any appropriate court against any other person, including a State or political subdivision thereof, who causes the person to be subject to the deprivation, for damages or other appropriate relief.

''(2) The court shall award a plaintiff prevailing in an action brought under paragraph (1) damages and such other relief as the court deems appropriate, including a reasonable attorney's fee.

''(e) In subsection (a):

''(1) The term 'identification document' means a document made or issued by or under the authority of the United States Government, a State, or a political subdivision of a State which, when completed with information concerning a particular individual, is of a type intended or commonly accepted for the purpose of identification of individuals.

''(2) The term 'handgun' includes any magazine for use in a handgun and any ammunition loaded into the handgun or its magazine.

''(f)(1) A person who possesses or carries a concealed handgun under subsection (a) shall not be subject to the prohibitions of section 922(q) with respect to that handgun.

''(2) A person possessing or carrying a concealed handgun in a State under subsection (a) may do so in any of the following areas in the State that are open to the public:

''(A) A unit of the National Park System.

''(B) A unit of the National Wildlife Refuge System.

''(C) Public land under the jurisdiction of the Bureau of Land Management.

''(D) Land administered and managed by the Army Corps of Engineers.

''(E) Land administered and managed by the Bureau of Reclamation.

''(F) Land administered and managed by the Forest Service.''.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 926C the following:

''926D. Reciprocity for the carrying of certain concealed firearms.''.

(c) SEVERABILITY.—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 90 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HUDSON. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 1446 is postponed.

CONGRESS MUST CARE FOR ALL

(Mr. BOWMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOWMAN. Mr. Speaker, I am proud to rise today to discuss the introduction of our Care for All Agenda.

Just as our physical infrastructure is crumbling, we suffer from lack of care infrastructure. In America today, millions of people cannot get care for themselves or their loved ones. We are failing children, older adults, people with disabilities, and all Americans.

And we don't care for the people who take care of us. Millions of care and domestic workers, disproportionately women of color, are exploited and paid poverty wages.

With bold, holistic public investments in the care economy, we can heal these wounds. We can substantially raise wages and benefits for workers. We can create millions of new zero-carbon care jobs. And we can create universal programs to guarantee care to all people. These investments are a crucial part of the Green New Deal. We cannot have a truly just, sustainable America without a healthy foundation of care.

The Care for All Agenda, introduced with 30 of my colleagues, and with the support of over 90 movement partners, lays out how centering care can be the rebirth of our Nation.

Join us in building a care community and society based on care for people, communities and the planet we all share.

□ 1815

GUN CONTROL BILLS WOULD RESTRICT RIGHTS

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Mr. Speaker, I rise today in opposition to these firearms and background check bills that would not be effective in ending gun violence.

Instead, these bills would restrict the Second Amendment rights of law-abiding Americans. Simply increasing the number of laws and adding more hurdles to lawful gun ownership does not get to the core of reducing gun violence.

These changes to the background check system won't stop criminals from obtaining firearms. Why don't we focus our efforts on smart policies that would actually reduce the number of gun deaths?

Last year, more Americans bought more guns than ever. In fact, gun ownership has grown significantly over the last 20 years, but we have also seen our violent crime rate drop over that same period. Rather than going after law-abiding citizens, let's figure out where we can work together to address the real problems here. Let us invest in solving the real policy questions we can answer instead of restricting Americans' freedom.

Mr. Speaker, I urge my colleagues to oppose these bills.

DELIVERING ON COMMITMENT TO BUILD BACK BETTER

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Mr. Speaker, I rise to celebrate the critically needed support for northern Ohioans in the American Rescue Plan, which has just passed this House.

For months, we fought to provide direct support to people across our country who were suffering during the pandemic. I am thrilled that the bill provides vital support for families, communities, essential workers, and small businesses.

The bill provides $1,400 in stimulus payments to spur our economy and help families, funding for vaccine distribution, and a historical increase of the child tax credit from $2,000 to $3,000.

Let's be clear: The Republicans' opposition demonstrates their callousness during this time of great human need. They cite the deficit. Yet, I didn't hear a peep from the other side as the national debt ballooned under previous Republican administrations.

President Bush's ill-advised wars have cost us nearly $2 trillion, and the debt increased by $676 billion. President Trump's GOP tax scam increased the deficit by $1.8 trillion, helping to lead to an increase in national debt by $7.8 trillion.

Mr. Speaker, I am so thankful to President Biden for delivering on his commitment to Build Back Better. The American Rescue Plan now goes to the President's desk for signature. I can't wait.

Mr. Speaker, I thank the Democrats.

HONORING U.S. ARMY VETERAN DENNIS DAVIS

(Mr. MOONEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MOONEY. Mr. Speaker, today, I rise to honor a great West Virginia icon and U.S. Army veteran, Mr. Dennis Davis, who passed away on January 19, 2021.

Dennis was the cabinet secretary for the West Virginia Department of Veterans Assistance. He understood the needs of our veteran community.

Dennis had also been a member of the West Virginia State University ROTC program. I enjoyed our time together as we met with veterans all across West Virginia's Second District.

During his lifetime, Dennis was the much-admired director for West Virginia Workforce Development, an educator who helped guide citizens toward jobs, opportunities, and fulfillment in their lives.

We commemorate his leadership, his service as an Army veteran, and his dedication to our great State. May his legacy forever live on to inspire hard work, devotion, and service.

COMMEMORATING TIBETAN UPRISING DAY

(Ms. OCASIO-CORTEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. OCASIO-CORTEZ. Mr. Speaker, I rise today to commemorate the 62nd anniversary of Tibetan Uprising Day.

Mr. Speaker, I have the honor of representing an incredibly diverse community of individuals at home in New York 14, many of whom are Tibetan. In fact, one of the largest constituencies of Tibetans in the world makes its home in New York 14.

For decades, the Tibetan people have bravely fought for their freedom, including to seek and fight for the freedom to simply be Tibetan: to speak their language; to practice their Buddhist religion; to sustain their culture, their traditional medicine, and their land; and to live freely in their own country.

It is the responsibility of all those who value freedom of speech and expression to stand with them against gross human rights abuses.

Mr. Speaker, I am proud to stand with the Tibetan residents of New York 14 and all those across the country in their righteous fight against persecution.

DELIVERING RELIEF THROUGH AMERICAN RESCUE PLAN

(Mrs. LEE of Nevada asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LEE of Nevada. Mr. Speaker, I rise today on behalf of Nevada's Third District.

With the passage of the American Rescue Plan, we have delivered on our promise to provide the relief that is so desperately needed 1 year after the COVID–19 pandemic broke out.

The pandemic has been especially hard on my home State of Nevada. The primary pillar of our economy, travel and tourism, has been absolutely devastated. It is not just our casinos and our hotels that have been hit, but our restaurant and convention workers, our entertainment and stage workers, and our aviation workers.

With the passage of the American Rescue Plan, we will save lives and get our economy back on track. We will get vaccines into arms. We will get our kids safely back into schools with the $130 billion investment to get schools open and make up for lost time in the classroom. We will get people back in jobs with the expanded PPP loans, relief for restaurants and shuttered venues, and more. And, of course, we will get money into people's pockets immediately through the direct stimulus checks.

Mr. Speaker, in short, America, help is on its way, and it couldn't be more urgently needed.

GUN SAFETY MEANS MORE EQUITABLE FUTURE FOR ALL

(Ms. LEGER FERNANDEZ asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEGER FERNANDEZ. Mr. Speaker, I rise to add my voice to the passionate voices born of grief that we heard from today, to join my heart with their hearts.

Gun violence robs our communities and our families of innocent lives, innocent worshippers, innocent shoppers mowed down just because they are Latinos.

I rise for the children in too many schools who have lost their classmates, for the families who mourn their young, for the students who organized and petitioned us to act against gun violence with sensible laws. I am glad we passed the gun safety legislation to stem the epidemic of gun violence.

Mr. Speaker, New Mexico has the fourth-highest gun death rate in the country. Today, we took a commonsense, critical step to keep our New Mexican, our American, children, families, and communities safe, to drive us toward a more equitable, thriving future for all.

PEOPLE'S JUSTICE GUARANTEE

(Ms. PRESSLEY asked and was given permission to address the House for 1 minute.)

Ms. PRESSLEY. Mr. Speaker, I rise to reintroduce the People's Justice Guarantee, a bold, progressive vision to transform our criminal legal system from what it currently is to what it ought to be.

For far too long, Congress has enacted policies that failed millions of men, women, and children by expanding our carceral system and divesting from Black and Latinx communities.

Growing up with an incarcerated parent, these failures are personal to me. I worked with folks in communities that have been marginalized and ignored, like the incarcerated brothers of the AACC in the Massachusetts Seventh, to craft a resolution that confronts the systemic injustices that destabilized families and traumatized generations.

We should provide care for those in crisis, not confine them in solitary.

We should house our immigrant neighbors, not deport them from their communities.

We should counsel our kids, not lock them up in prison.

The People's Justice Guarantee offers these solutions and many others in a robust framework for a humane, equitable, and just legal system.

Mr. Speaker, I am proud to reintroduce the People's Justice Guarantee so America can finally fulfill its promise of justice for all.

BACKGROUND CHECKS WORK

(Ms. SCANLON asked and was given permission to address the House for 1 minute.)

Ms. SCANLON. Mr. Speaker, for too many communities in southeastern Pennsylvania, the steady toll of gun violence day in and day out is a horrifying reality.

Right now, my region is at the epicenter of a staggering uptick in gun violence taking place in the background of the COVID–19 pandemic. In the first 3 months of this year, over 300 people in the city of Philadelphia have been shot. Over 50 have been killed, and 5 of those were children.

Mr. Speaker, the gun violence measures we are voting on this week close major loopholes in our gun laws that have allowed people, who we all agree should not have guns, to purchase guns without completed background checks.

While our colleagues across the aisle claim these laws won't prevent gun violence, that is not true. Even with the loopholes, Federal background checks have prevented over 3 million sales to people we all agree should not have guns.

When required and enforced, background checks work, and they have the power to keep guns out of dangerous hands and off our streets.

Congressional complacency in addressing this issue has made our country less safe and put children and our most marginalized communities at risk.

Mr. Speaker, I urge all of my colleagues to support these bills.

RIGHTS COME WITH RESPONSIBILITIES

(Mr. CROW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROW. Mr. Speaker, I grew up a gun owner. I have been hunting since I was 12 years old. I became an Army Ranger and went to war for this country, where I led over 100 combat missions, carrying weapons of war at war in defense of our Nation.

But I am also a father, and I also represent a district that has been hit by some of the worst mass shootings in our Nation's history. I learned in the Army years ago that citizenship comes with duties and rights come with responsibility.

Mr. Speaker, we are failing each other in this country. It is time that we start fulfilling our duties and our responsibilities to each other. We have the opportunity to do that now and to save thousands of lives.

Mr. Speaker, I implore my colleagues to join with me and to pass the Bipartisan Background Checks Act.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON AGRICULTURE FOR THE 117TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, March 10, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: I am pleased to submit for printing in the Congressional Record, pursuant to Rule XI, clause 2(a) of the Rules of the House, a copy of the Rules of the Committee on Agriculture, which were adopted at the organizational meeting of the Committee on Agriculture on February 10, 2021.

Appendix A of the Committee Rules will include excerpts from the Rules of the House relevant to the operation of the Committee. Appendix B will include relevant excerpts from the Congressional Budget Act of 1974. In the interest of minimizing printing costs, Appendices A and B are omitted from this submission.

Sincerely,

DAVID SCOTT,
Chairman.

Enclosure.

(As adopted February 10, 2021)

RULE I.—GENERAL PROVISIONS

(a) Applicability of House Rules.—(1) The Rules of the House shall govern the procedure of the Committee and its subcommittees, and the Rules of the Committee on Agriculture so far as applicable shall be interpreted in accordance with the Rules of the House, except that a motion to recess from day to day, and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable privileged motions in the Committee and its subcommittees. (See Appendix A for the applicable Rules of the U.S. House of Representatives.)

(2) As provided in clause 1(a)(1) of House Rule XI, each Subcommittee is part of the Committee and is subject to the authority and direction of the Committee and its Rules so far as applicable. (See also Committee Rules III, IV, V, VI, VII, VIII and XI, infra.)

(b) Authority to Conduct Investigations.—The Committee and its subcommittees, after consultation with the Chairman of the Committee, may conduct such investigations and studies as they may consider necessary or appropriate in the exercise of their responsibilities under Rule X of the Rules of the House and in accordance with clause 2(m) of House Rule XI.

(c) Authority to Print.—The Committee is authorized by the Rules of the House to have printed and bound testimony and other data presented at hearings held by the Committee and its subcommittees. All costs of stenographic services and transcripts in connection with any meeting or hearing of the Committee and its subcommittees shall be paid from applicable accounts of the House described in clause 1(k)(1) of House Rule X in accordance with clause 1(c) of House Rule XI. (See also paragraphs (d), (e) and (f) of Committee Rule IX.)

(d) Vice Chairman.—The Member of the majority party on the Committee or Subcommittee designated by the Chairman of the full Committee shall be the vice chairman of the Committee or Subcommittee in accordance with clause 2(d) of House Rule XI.

(e) Presiding Member.—If the Chairman of the Committee or Subcommittee is not present at any Committee or Subcommittee meeting or hearing, the vice chairman shall preside. If the Chairman and vice chairman of the Committee or Subcommittee are not present at a Committee or Subcommittee meeting or hearing the ranking Member of the majority party who is present shall preside in accordance with clause 2(d) of House Rule XI.

(f) Publication of Rules.—The Committee's Rules shall be publicly available in electronic form and published in the Congressional Record not later than 60 days after the Chair is elected in each odd-numbered year as provided in clause 2(a) of House Rule XI.

(g) Joint Committee Reports of Investigation or Study.—A report of an investigation or study conducted jointly by more than one committee may be filed jointly, provided that each of the committees complies independently with all requirements for approval and filing of the report.

RULE II.—COMMITTEE BUSINESS MEETINGS—REGULAR, ADDITIONAL AND SPECIAL

(a) Regular Meetings.—Regular meetings of the Committee, in accordance with clause 2(b) of House Rule XI, shall be held on the first Wednesday of every month to transact its business if notice is given pursuant to clause 2(g)(3) of House Rule XI. The Chairman shall provide each Member of the Committee, as far in advance of the day of the regular meeting as practicable, a written agenda of such meeting. Items may be placed on the agenda by the Chairman or a majority of the Committee. (See paragraph (f) of Committee Rule XI for provisions that apply to meetings of subcommittees.)

(b) Additional Meetings.—(1) The Chairman may call and convene, as he or she considers necessary, which may not commence earlier than the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which Members have notice thereof after consultation with the Ranking Minority Member of the Committee or after concurrence with the Ranking Minority Member, additional meetings of the Committee

for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such additional meetings pursuant to the notice from the Chairman.

(2) A hearing or meeting may begin sooner than specified in clause (1) (in which case, the chair shall make the announcement specified at the earliest possible time) if the Committee so determines by majority vote in the presence of the number of Members required under the Rules of the Committee for the transaction of business.

(3) At least 24 hours prior to the commencement of a meeting for the markup of a measure or matter the Chair shall cause the text of such measure or matter to be made publicly available in electronic form.

(c) Special Meetings.—If at least three Members of the Committee desire that a special meeting of the Committee be called by the Chairman, those Members may file in the offices of the Committee their written request to the Chairman for such special meeting. Such request shall specify the measure or matters to be considered. Immediately upon the filing of the request, the Majority Staff Director (serving as the clerk of the Committee for such purpose) shall notify the Chairman of the filing of the request. If, within 3 calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within 7 calendar days after the filing of the request, a majority of the Members of the Committee may file in the offices of the Committee their written notice that a special meeting of the Committee will be held, specifying the date and hour thereof, and the measures or matter to be considered at that special meeting in accordance with clause 2(c)(2) of House Rule XI. The Committee shall meet on that date and hour. Immediately upon the filing of the notice, the Majority Staff Director (serving as the clerk) of the Committee shall notify all Members of the Committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered, and only the measure or matter specified in that notice may be considered at that special meeting.

RULE III.—OPEN MEETINGS AND HEARINGS; BROADCASTING

(a) Open Meetings and Hearings.—Each meeting for the transaction of business, including the markup of legislation, and each hearing by the Committee or a Subcommittee shall be open to the public unless closed in accordance with clause 2(g) of House Rule XI.

(b) Broadcasting and Photography.—Whenever a Committee or Subcommittee meeting for the transaction of business, including the markup of legislation, or a hearing is open to the public, the Committee shall:

(1) to the maximum extent practicable provide audio and video coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings and shall maintain the recordings of such coverage in a manner that is easily accessible to the public; and

(2) make each hearing or meeting for the transaction of business open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI. When such audio and visual coverage is conducted in the Committee or Subcommittee, written notice to that effect shall be provided to each Member. The Chairman of the Committee or Subcommittee shall not limit the number of television or still cameras permitted in a hearing or meeting room to fewer than two representatives from each medium (except for legitimate space or safety considerations, in which case pool coverage shall be authorized).

(c) Closed Meetings—Attendees.—No person other than Members of the Committee or Subcommittee and such congressional staff and departmental representatives as the Committee or Subcommittee may authorize shall be present at any business or markup session that has been closed to the public as provided in clause 2(g)(1) of House Rule XI.

(d) Addressing the Committee.—A Committee Member may address the Committee or a Subcommittee on any bill, motion, or other matter under consideration (See Committee Rule VIII(e) relating to questioning a witness at a hearing). The time a Member may address the Committee or Subcommittee for any such purpose shall be limited to 5 minutes, except that this time limit may be waived by unanimous consent. A Member shall also be limited in his or her remarks to the subject matter under consideration, unless the Member receives unanimous consent to extend his or her remarks beyond such subject.

(e) Meetings to Begin Promptly.—Subject to the presence of a quorum, each meeting or hearing of the Committee and its subcommittees shall begin promptly at the time so stipulated in the public announcement of the meeting or hearing.

(f) Prohibition on Proxy Voting.—No vote by any Member of the Committee or Subcommittee with respect to any measure or matter may be cast by proxy.

(g) Location of Persons at Meetings.—No person other than the Committee or Subcommittee Members and Committee or Subcommittee staff may be seated in the rostrum area during a meeting of the Committee or Subcommittee unless by unanimous consent of Committee or Subcommittee.

(h) Consideration of Amendments and Motions.—A Member, upon request, shall be recognized by the Chairman to address the Committee or Subcommittee at a meeting for a period limited to 5 minutes on behalf of an amendment or motion offered by the Member or another Member, or upon any other matter under consideration, unless the Member receives unanimous consent to extend the time limit. Every amendment or motion made in Committee or Subcommittee shall, upon the demand of any Member present, be reduced to writing, and a copy thereof shall be made available to all Members present. Such amendment or motion shall not be pending before the Committee or Subcommittee or voted on until the requirements of this paragraph have been met.

(i) Demanding Record Vote.—

(I) A record vote of the Committee or Subcommittee on a question or action shall be ordered on a demand by one-fifth of the Members present.

(2) The Chairman of the Committee or Subcommittee may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. If the Chairman postpones further proceedings:

(A) the Chairman may resume such postponed proceedings, after giving Members adequate notice, at a time chosen in consultation with the Ranking Minority Member; and

(B) notwithstanding any intervening order for the previous question, the underlying proposition on which proceedings were postponed shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(j) Submission of Motions or Amendments In Advance of Business Meetings.—The Committee and Subcommittee Chairman may request and Committee and Subcommittee Members should, insofar as practicable, cooperate in providing copies of proposed amendments or motions to the Chairman and the Ranking Minority Member of the Committee or the Subcommittee twenty-four hours before a Committee or Subcommittee business meeting.

(k) Points of Order.—No point of order against the hearing or meeting procedures of the Committee or Subcommittee shall be entertained unless it is made in a timely fashion.

(l) Limitation on Committee Sittings.—The Committee or subcommittees may not sit during a joint session of the House and Senate or during a recess when a joint meeting of the House and Senate is in progress.

(m) Prohibition of Wireless Telephones.—Use of wireless phones for vocal conversation during a Committee or Subcommittee hearing or meeting is prohibited.

RULE IV.—QUORUMS

(a) Working Quorum.—One-third of the Members of the Committee or Subcommittee shall constitute a quorum for taking any action, other than as noted in paragraphs (b) and (c).

(b) Majority Quorum.—A majority of the Members of the Committee or Subcommittee shall constitute a quorum for:

(1) the reporting of a bill, resolution, or other measure (See clause 2(h)(1) of House Rule XI, and Committee Rule IX);

(2) the closing of a meeting or hearing to the public pursuant to clauses 2(g), 2(k)(5), and 2(k)(7) of House Rule XI;

(3) the authorizing of a subpoena as provided in clause 2(m)(3) of House Rule XI (See also Committee Rule VII); and

(4) as where required by a Rule of the House.

(c) Quorum for Taking Testimony.—Two Members of the Committee or Subcommittee shall constitute a quorum for the purpose of taking testimony and receiving evidence.

RULE V.—RECORDS

(a) Maintenance of Records.—The Committee shall keep a complete record of all Committee and Subcommittee action which shall include:

(1) in the case of any meeting or hearing transcripts, a substantially verbatim account of remarks actually made during the proceedings, subject only to technical, grammatical, and typographical corrections authorized by the person making the remarks involved, and

(2) written minutes, which shall include a record of all Committee and Subcommittee action, a record of all votes on any question, and a tally on all record votes.

The result of each such record vote shall be made publicly available in electronic form within 48 hours of such record vote. Not later than 24 hours after adoption of an amendment, or 48 hours after the disposition or withdrawal of any other amendment, to a measure or matter, the chair of the Committee shall cause the text of such amendment adopted thereto to be made publicly available in electronic form. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition; the name of each Member voting for and each Member voting against such amendment, motion, order, or other proposition; and the names of those Members present but not voting.

(b) Access to and Correction of Records.—Any public witness, or person authorized by such witness, during Committee office hours in the Committee offices and within 10 calendar days of the close of hearings, may obtain a transcript copy of that public witness's testimony and make such technical, grammatical, and typographical corrections as authorized by the person making the remarks involved as will not alter the

nature of testimony given. There shall be prompt return of such corrected copy of the transcript to the Committee. Members of the Committee or Subcommittee shall receive copies of transcripts for their prompt review and correction and prompt return to the Committee. The Committee or Subcommittee may order the printing of a hearing record without the corrections of any Member or witness if it determines that such Member or witness has been afforded a reasonable time in which to make such corrections and further delay would seriously impede the consideration of the legislative action that is subject of the hearing. The record of a hearing shall be closed 10 calendar days after the last oral testimony, unless the Committee or Subcommittee determines otherwise. Any person requesting to file a statement for the record of a hearing must so request before the hearing concludes and must file the statement before the record is closed, unless the Committee or Subcommittee determines otherwise. The Committee or Subcommittee may reject any statement in light of its length or its tendency to defame, degrade, or incriminate any person.

(c) Property of the House.—All Committee and Subcommittee records (including hearings data, charts, and files) shall be kept separate and distinct from the congressional office records of the Members serving as Chairman. Such records shall be the property of the House, and all Members of the House shall have access thereto. The Majority Staff Director shall promptly notify the Chairman and the Ranking Minority Member of any request for access to such records.

(d) Availability of Archived Records.—The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with House Rule VII. The Chairman shall notify the Ranking Minority Member of the Committee of the need for a Committee order pursuant to clause 3(b)(3) or clause 4(b) of such House Rule, to withhold a record otherwise available.

(e) Special Rules for Certain Records and Proceedings.—A stenographic record of a business meeting of the Committee or Subcommittee may be kept, and thereafter may be published, if the Chairman of the Committee, after consultation with the Ranking Minority Member, determines there is need for such a record. The proceedings of the Committee or Subcommittee in a closed meeting, evidence or testimony in such meeting, shall not be divulged unless otherwise determined by a majority of the Committee or Subcommittee.

(f) Electronic Availability of Committee Publications.—To the maximum extent feasible, the Committee shall make its publications available in electronic form.

RULE VI.—POWER TO SIT AND ACT

For the purpose of carrying out any of its function and duties under House Rules X and XI, the Committee and each of its subcommittees is authorized to sit and act at such times and places within the United States whether the House is in session, has recessed, or has adjourned and to hold such hearings.

RULE VII.—SUBPOENAS, DEPOSITIONS, AND OATHS

(a) Issuance of Subpoenas.—In accordance with clause 2(m) of House Rule XI, a subpoena may be authorized and issued by a majority of the Committee or by the Chairman in consultation with the Ranking Minority Member. Such consultation shall occur at least 48 hours in advance of a subpoena being issued under such authority. Authorized subpoenas shall be signed by the Chairman of the Committee or by any Member designated by the Committee.

(b) Oaths.—The Chairman of the Committee, or any member of the Committee designated by the Chairman, may administer oaths to any witnesses.

(c) Deposition Authority.—

(1) The Chairman, upon consultation with the Ranking Minority Member, may order the taking of depositions, including pursuant to subpoena, by a Member or counsel of the Committee.

(2) Depositions taken under the authority prescribed in this subsection shall be subject to regulations issued by the chair of the Committee on Rules and printed in the Congressional Record.''

RULE VIII.—HEARING PROCEDURES

(a) Power to Hear.—For the purpose of carrying out any of its functions and duties under House Rules X and XI, the Committee and its subcommittees are authorized to sit and hold hearings at any time or place within the United States whether the House is in session, has recessed, or has adjourned. (See Committee Rule VI and paragraph (f) of Committee Rule XI for provisions relating to Subcommittee hearings and meetings.)

(b) Announcement.—The Chairman of the Committee shall, after consultation with the Ranking Minority Member of the Committee, make a public announcement of the date, place, and subject matter of any Committee hearing at least 1 week before the commencement of the hearing. The Chairman of a Subcommittee shall schedule a hearing only after consultation with the Chairman of the Committee and the Ranking Minority Member of the Subcommittee. After such consultation, the Chairman of the Subcommittee shall consult the Chairmen of the other subcommittees and shall request the Majority Staff Director to make a public announcement of the date, place, and subject matter of such hearing at least 1 week before the hearing. If the Chairman of the Committee or the Subcommittee, with concurrence of the Ranking Minority Member of the Committee or Subcommittee, determines there is good cause to begin the hearing sooner, or if the Committee or Subcommittee so determines by majority vote, a quorum being present for the transaction of business, the Chairman of the Committee or Subcommittee, as appropriate, shall request the Majority Staff Director to make such public announcement at the earliest possible date. The clerk of the Committee shall promptly notify the Daily Digest Clerk of the Congressional Record and shall promptly enter the appropriate information into the Committee scheduling service of the House information system as soon as possible after such public announcement is made.

(c) Scheduling of Witnesses.—Except as otherwise provided in this rule, the scheduling of witnesses and determination of the time allowed for the presentation of testimony at hearings shall be at the discretion of the Chairman of the Committee or Subcommittee, unless a majority of the Committee or Subcommittee determines otherwise.

(d) Written Statement; Oral Testimony.—(1) Each witness who is to appear before the Committee or a Subcommittee, shall insofar as practicable file with the Majority Staff Director of the Committee, at least 2 working days before the day of his or her appearance, a written statement of proposed testimony. Witnesses shall provide sufficient copies of their statement for distribution to Committee or Subcommittee Members, staff, and the news media. Insofar as practicable, the Committee or Subcommittee staff shall distribute such written statements to all Members of the Committee or Subcommittee as soon as they are received, as well as any official reports from departments and agencies on such subject matter. All witnesses may be limited in their oral presentations to brief summaries of their statements within the time allotted to them at the discretion of the Chairman of the Committee or Subcommittee, in light of the nature of the testimony and the length of time available.

(2) As noted in paragraph (b) of Committee Rule VII, the Chairman of the Committee, or any Member designated by the Chairman, may administer an oath to any witness.

''(3) In the case of a witness appearing in a non-governmental capacity, a written statement of proposed testimony shall include:

(i) a curriculum vitae;

(ii) a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the past 36 months by the witness or by an entity represented by the witness;

(iii) a disclosure of the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government received during the past 36 months by the witness or by an entity represented by the witness; and

(iv) a disclosure of whether the witness is a fiduciary (including, but not limited to, a director, officer, advisor, or resident agency) of any organization or entity that has an interest in the subject matter of the hearing.

Such statements, with appropriate redactions to protect the privacy of witnesses, shall be made publicly available in electronic form 24 hours before the witness appears to the extent practicable, but not later than 1 day after the witness appears.

(e) Questioning of Witnesses.—Committee or Subcommittee Members may question witnesses only when they have been recognized by the Chairman of the Committee or Subcommittee for that purpose. Each Member so recognized shall be limited to questioning a witness for 5 minutes until such time as each Member of the Committee or Subcommittee who so desires has had an opportunity to question the witness for 5 minutes; and thereafter the Chairman of the Committee or Subcommittee may limit the time of a further round of questioning after giving due consideration to the importance of the subject matter and the length of time available. All questions put to witnesses shall be germane to the measure or matter under consideration. Unless a majority of the Committee or Subcommittee determines otherwise, no Committee or Subcommittee staff shall interrogate witnesses.

(f) Extended Questioning for Designated Members.—Notwithstanding paragraph (e), the Chairman and Ranking Minority Member may designate an equal number of Members from each party to question a witness for a period not longer than 60 minutes.

(g) Witnesses for the Minority.—When any hearing is conducted by the Committee or any Subcommittee upon any measure or matter, the minority party Members on the Committee or Subcommittee shall be entitled, upon request to the Chairman by a majority of those minority Members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least 1 day of hearing thereon as provided in clause 2(j)(1) of House Rule XI.

(h) Summary of Subject Matter.—Upon announcement of a hearing, to the extent practicable, the Committee shall make available immediately to all Members of the Committee a concise summary of the subject matter (including legislative reports and other material) under consideration. In addition, upon announcement of a hearing and subsequently as they are received, the Chairman of the Committee or Subcommittee

shall, to the extent practicable, make available to the Members of the Committee any official reports from departments and agencies on such matter. (See paragraph (f) of Committee Rule XI.)

(i) Open Hearings.—Each hearing conducted by the Committee or Subcommittee shall be open to the public, including radio, television, and still photography coverage, except as provided in clause 4 of House Rule XI (See also paragraph (b) of Committee Rule III.). In any event, no Member of the House may be excluded from nonparticipatory attendance at any hearing unless the House by majority vote shall authorize the Committee or Subcommittee, for purposes of a particular series of hearings on a particular bill or resolution or on a particular subject of investigation, to close its hearings to Members by means of the above procedure.

(j) Hearings and Reports.—(1)(i) The Chairman of the Committee or Subcommittee at a hearing shall announce in an opening statement the subject of the investigation. A copy of the Committee Rules (and the applicable provisions of clause 2 of House Rule XI, regarding hearing procedures, an excerpt of which appears in Appendix A thereto) shall be made available to each witness upon request. Witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. The Chairman of the Committee or Subcommittee may punish breaches of order and decorum, and of professional ethics on the part of counsel, by censure and exclusion from the hearings; but only the full Committee may cite the offender to the House for contempt.

(ii) Whenever it is asserted by a Member of the Committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness, such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (i) of this rule, if by a majority of those present, there being in attendance the requisite number required under the Rules of the Committee to be present for the purpose of taking testimony, the Committee or Subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person. The Committee or Subcommittee shall afford a person an opportunity to voluntarily appear as a witness; and the Committee or Subcommittee shall receive and shall dispose of requests from such person to subpoena additional witnesses.

(iii) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Committee or Subcommittee. In the discretion of the Committee or Subcommittee, witnesses may submit brief and pertinent statements in writing for inclusion in the record. The Committee or Subcommittee is the sole judge of the pertinence of testimony and evidence adduced at its hearings. A witness may obtain a transcribed copy of his or her testimony given at a public session. If given at an executive session, a transcribed copy of testimony may be obtained when authorized by the Committee or Subcommittee. (See paragraph (c) of Committee Rule V.)

(2) A proposed investigative or oversight report shall be considered as read if it has been available to the Members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such day) in advance of their consideration.

RULE IX.—THE REPORTING OF BILLS AND RESOLUTIONS

(a) Filing of Reports.—The Chairman shall report or cause to be reported promptly to the House any bill, resolution, or other measure approved by the Committee and shall take or cause to be taken all necessary steps to bring such bill, resolution, or other measure to a vote. No bill, resolution, or measure shall be reported from the Committee unless a majority of the Committee is actually present. A Committee report on any bill, resolution, or other measure approved by the Committee shall be filed within 7 calendar days (not counting days on which the House is not in session) after the day on which there has been filed with the Majority Staff Director of the Committee a written request, signed by a majority of the Committee, for the reporting of that bill or resolution. The Majority Staff Director of the Committee shall notify the Chairman immediately when such a request is filed.

(b) Content of Reports.—Each Committee report on any bill or resolution approved by the Committee shall include as separately identified sections:

(1) a statement of the intent or purpose of the bill or resolution;

(2) a statement describing the need for such bill or resolution;

(3) a statement of Committee and Subcommittee consideration of the measure, including a summary of amendments and motions offered and the actions taken thereon;

(4) the results of each record vote on any amendment in the Committee and Subcommittee and on the motion to report the measure or matter, including the total number of votes cast for and against, and the names of Members voting for and against such amendment or motion (See clause 3(b) of House Rule XIII);

(5) the oversight findings and recommendations of the Committee with respect to the subject matter of the bill or resolution, as required pursuant to clause 3(c)(1) of House Rule XIII and clause 2(b)(1) of House Rule X;

(6) the detailed statement described in House Rule XIII clause 3(c)(2) and section 308(a) of the Congressional Budget Act of 1974 if the bill or resolution provides new budget authority (other than continuing appropriations), new spending authority described in section 401(c)(2) of such Act, new credit authority, or an increase or decrease in revenues or tax expenditures, except that the estimates with respect to new budget authority shall include, when practicable, a comparison of the total estimated funding level for the relevant program (or programs) to the appropriate levels under current law;

(7) the estimate of costs and comparison of such estimates, if any, prepared by the Director of the Congressional Budget Office in connection with such bill or resolution pursuant to section 402 of the Congressional Budget Act of 1974 if submitted in timely fashion to the Committee;

(8) a statement of general performance goals and objectives, including outcome related goals and objectives, for which the measure authorizes funding;

(9) an estimate by the Committee of the costs that would be incurred in carrying out the bill or joint resolution in the fiscal year in which it is reported and in each of the five fiscal years following that fiscal year (or for the authorized duration of any program authorized by the bill or joint resolution if less than five years) (see clause 3(d)(1) of House Rule XIII), together with—(i) a comparison of these estimates with those made and submitted to the Committee by any Government agency when practicable and (ii) a comparison of the total estimated funding level for the relevant program (or programs) with appropriate levels under current law (The provisions of this clause do not apply if a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and included in the report);

(10) a list of congressional earmarks, limited tax benefits, and limited tariff benefits in the bill or in the report (and the name of any Member, Delegate, or Resident Commissioner who submitted a request to the Committee for each respective item included in such list) or a statement that the proposition contains no congressional earmarks, limited tax benefits, or limited tariff benefits;

(11) the changes in existing law (if any) shown in accordance with clause 3 of House Rule XIII;

(12) the determination required pursuant to section 5(b) of P.L. 92–463, if the legislation reported establishes or authorizes the establishment of an advisory committee;

(13) the information on Federal and intergovernmental mandates required by section 423(c) and (d) of the Congressional Budget Act of 1974, as added by the Unfunded Mandates Reform Act of 1995 (P.L. 104–4);

(14) a statement regarding the applicability of section 102(b)(3) of the Congressional Accountability Act (P.L. 104–1);

(15) a statement indicating whether any provision of the measure establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program. The Statement shall at a minimum explain whether—

(A) any such program was included in any report from the Government Accountability Office to Congress pursuant to section 21 of P.L. 111–139; or

(B) the most recent catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (P.L. 95–220, as amended by P.L. 98–169), identified other programs related to the program established or reauthorized by the measure; and

(16) a statement estimating the number of directed rule makings required by the measure.

(c) Supplemental, Minority, Additional, or Dissenting Views.—If, at the time of approval of any measure or matter by the Committee, any Member of the Committee gives notice of intention to file supplemental, minority, additional, or dissenting views (including in electronic form), all Members shall be entitled to not less than 2 subsequent calendar days (excluding Saturdays, Sundays, and legal holidays except when the House is in session on such date) in which to file such written and signed views with the Clerk of the Committee. When time guaranteed by this paragraph has expired (or, if sooner, when all separate views have been received), the Committee may arrange to file its report with the Clerk of the House not later than 1 hour after the expiration of such time. All such views (in accordance with clause 2(1) of House Rule XI and clause 3(a)(1) of House Rule XIII), as filed by one or more Members of the Committee, shall be included within and made a part of the report filed by the Committee with respect to that bill or resolution.

(d) Printing of Reports.—The report of the Committee on the measure or matter noted in paragraph (a) above shall be printed in a single volume, which shall:

(1) include all supplemental, minority, additional, or dissenting views that have been submitted by the time of the filing of the report; and

(2) bear on its cover a recital that any such supplemental, minority, additional, or dissenting views (and any material submitted

under clause 3(a)(1) of House Rule XII) are included as part of the report.

(e) Immediate Printing; Supplemental Reports.—Nothing in this rule shall preclude—

(1) the immediate filing or printing of a Committee report unless timely request for the opportunity to file supplemental, minority, additional, or dissenting views has been made as provided by paragraph (c); or

(2) the filing by the Committee of any supplemental report on any bill or resolution that may be required for the correction of any technical error in a previous report made by the Committee on that bill or resolution.

(f) Availability of Printed Hearing Records.—For hearings held related to any reported bill or resolution, the Committee shall make every reasonable effort to have the record of such hearings printed and available for distribution to the Members of the House prior to the consideration of such bill or resolution by the House. Each printed hearing of the Committee or any of its subcommittees shall include a record of the attendance of the Members.

(g) Committee Prints.—All Committee or Subcommittee prints or other Committee or Subcommittee documents, other than reports or prints of bills, that are prepared for public distribution shall be approved by the Chairman of the Committee or the Committee prior to public distribution.

(h) Post Adjournment Filing of Committee Reports.—(1) After an adjournment of the last regular session of a Congress sine die, an investigative or oversight report approved by the Committee may be filed with the Clerk at any time, provided that if a Member gives notice at the time of approval of intention to file supplemental, minority, additional, or dissenting views, that Member shall be entitled to not less than 7 calendar days in which to submit such views for inclusion with the report.

(2) After an adjournment of the last regular session of a Congress sine die, the Chairman of the Committee may file at any time with the Clerk the Committee's activity report for that Congress pursuant to clause 1 (d)(1) of House Rule XI without the approval of the Committee, provided that a copy of the report has been available to each Member of the Committee for at least 7 calendar days and the report includes any supplemental, minority, additional, or dissenting views submitted by a Member of the Committee.

(3) All reports of committees may be delivered to the Clerk in electronic form.

(i) Conference.—The Chairman is directed to offer a motion under clause I of House Rule XXII whenever the Chairman considers it appropriate.

RULE X.—OTHER COMMITTEE ACTIVITIES

(a) Oversight Plan.—

(1) Not later than March 1 of the first session of the 117th Congress, the Chairman shall prepare, in consultation with the Ranking Minority Member, an oversight plan; provide a copy of that plan to each Member of the Committee for at least seven calendar days before its submission; and submit such plan (including any supplemental, minority, additional, or dissenting views submitted by a Member of the Committee) simultaneously to the Committee on Oversight and Reform and the Committee on House Administration pursuant to clause 2(d) of House Rule X.

(2) In developing the plan, the Chairman shall, to the maximum extent feasible—

(A) consult with other committees that have jurisdiction over the same or related laws, programs, or agencies with the objective of ensuring maximum coordination and cooperation among committees when conducting reviews of such laws, programs, or agencies and include in the plan an explanation of steps that have been or will be taken to ensure such coordination and cooperation;

(B) review specific problems with Federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals;

(C) give priority consideration to including in the plan the review of those laws, programs, or agencies operating under permanent budget authority or permanent statutory authority;

(D) have a view toward ensuring that all significant laws, programs, or agencies within the committee's jurisdiction are subject to review every 10 years;

(E) have a view toward insuring against duplication of Federal programs; and

(F) give priority consideration to including in the plan a discussion of how the committee's work will address issues of inequities on the basis of race, color, ethnicity, religion, sex, sexual orientation, gender identity, disability, age, or national origin.

The Committee and its appropriate subcommittees shall review and study, on a continuing basis, the impact or probable impact of tax policies affecting subjects within its jurisdiction as provided in clause 2(c) of House Rule X. The Committee shall include in the report filed pursuant to clause 1(d) of House Rule XI separate sections summarizing the legislative and oversight activities of the Committee under House Rule X and House Rule XI, a summary of the authorization and oversight plan submitted by the Committee under clause 2(d) of House Rule X, a summary of actions taken and recommendations made with respect to the oversight and authorization plan, and a summary of any additional oversight activities undertaken by the Committee and any recommendations made or actions taken thereon.

(b) Annual Appropriations.—The Committee shall, in its consideration of all bills and joint resolutions of a public character within its jurisdiction, ensure that appropriations for continuing programs and activities of the Federal government and the District of Columbia government will be made annually to the maximum extent feasible and consistent with the nature, requirements, and objectives of the programs and activities involved. The Committee shall review, from time to time, each continuing program within its jurisdiction for which appropriations are not made annually in order to ascertain whether such program could be modified so that appropriations therefor would be made annually.

(c) Budget Act Compliance: Views and Estimates (See Appendix B).—Not later than 6 weeks after the President submits his budget under section 1105(a) of Title 31, United States Code, or at such time as the Committee on the Budget may request, the Committee shall, submit to the Committee on the Budget (1) its views and estimates with respect to all matters to be set forth in the concurrent resolution on the budget for the ensuing fiscal year (under section 301 of the Congressional Budget Act of 1974) that are within its jurisdiction or functions; and (2) an estimate of the total amounts of new budget authority, and budget outlays resulting therefrom, to be provided or authorized in all bills and resolutions within its jurisdiction that it intends to be effective during that fiscal year.

(d) Budget Act Compliance: Recommended Changes.—Whenever the Committee is directed in a concurrent resolution on the budget to determine and recommend changes in laws, bills, or resolutions under the reconciliation process, it shall promptly make such determination and recommendations and report a reconciliation bill or resolution (or both) to the House or submit such recommendations to the Committee on the Budget, in accordance with the Congressional Budget Act of 1974.

(e) Conference Committees.—Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman shall, after consultation with the Ranking Minority Member, determine the number of conferees the Chairman deems most suitable and then recommend to the Speaker as conferees, in keeping with the number to be appointed by the Speaker as provided in clause 11 of House Rule I, the names of those Members of the Committee of not less than a majority who generally supported the House position and who were primarily responsible for the legislation. The Chairman shall, to the fullest extent feasible, include those Members of the Committee who were the principal proponents of the major provisions of the bill as it passed the House and such other Committee Members of the majority party as the Chairman may designate in consultation with the Members of the majority party. Such recommendations shall provide a ratio of majority party Members to minority party Members no less favorable to the majority party than the ratio of majority party Members to minority party Members on the Committee. In making recommendations of Minority Party Members as conferees, the Chairman shall consult with the Ranking Minority Member of the Committee.

(f) Hearing on Waste, Fraud, and Abuse.—(1) The Committee, or a Subcommittee, shall hold at least one hearing during each 120-day period following the establishment of the Committee on the topic of waste, fraud, abuse, or mismanagement in Government programs which the Committee may authorize.

(2) A hearing described in subparagraph (1) shall include a focus on the most egregious instances of waste, fraud, abuse, or mismanagement as documented by any report the Committee has received from a Federal Office of the Inspector General or the Comptroller General of the United States.

(g) Hearing on Agency Financial Statements.—The Committee or a Subcommittee, shall hold at least one hearing in any session in which the Committee has received disclaimers of agency financial statements from auditors of any Federal agency that the Committee may authorize to hear testimony on such disclaimers from representatives of any such agency.

(h) Hearing on GAO High-Risk-List—The Committee or a Subcommittee, shall hold at least one hearing on issues raised by reports issued by the Comptroller General of the United States indicating that Federal programs or operations that the Committee may authorize are at high risk for waste, fraud, and mismanagement, known as the 'high-risk-list' or the 'high-risk series'.

(i) Member Day Hearing.— During the first session of a Congress, the Committee will hold a hearing at which it receives testimony from Members, Delegates, and the Resident Commissioner on proposed legislation within its jurisdiction.

(j) Activities Report.—(1) Not later than January 2 of each odd-numbered year, the Committee shall submit to the House a report on the activities of the Committee. After adjournment sine die of the last regular session of a Congress, or after December 15 of an even-numbered year, whichever occurs first, the Chair may file the report, a copy of which shall be made available to each Member of the Committee for at least 7 calendar days, with the Clerk of the House at any time.

(2) Such report shall include separate sections summarizing the legislative and oversight activities of the Committee during that Congress.

(3) The oversight section of such report shall include a summary of the oversight plans submitted by the Committee pursuant to clause 2(d) of House Rule X, a summary of the actions taken and recommendations made with respect to each such plan, and a summary of any additional oversight activities undertaken by the Committee, and any recommendations made or actions taken with respect thereto.

RULE XI.—SUBCOMMITTEES

(a) Number and Composition.—There shall be such subcommittees as specified in paragraph (c) of this rule. Each of such subcommittees shall be composed of the number of Members set forth in paragraph (c) of this rule, including ex officio Members. The Chairman may create additional subcommittees of an ad hoc nature as the Chairman determines to be appropriate, subject to any limitations provided for in the House Rules.

(b) Ratios.—On each Subcommittee, there shall be a ratio of majority party Members to minority party Members which shall be consistent with the ratio on the full Committee. In calculating the ratio of majority party Members to minority party Members, there shall be included the ex officio Members of the subcommittees and ratios below reflect that fact.

(c) Jurisdiction.—Each Subcommittee shall have the following general jurisdiction and number of Members:

General Farm Commodities and Risk Management (15 members, 8 majority and 7 minority)—Policies, statutes, and markets relating to commodities including barley, cotton, cottonseed, corn, grain sorghum, honey, mohair, oats, other oilseeds, peanuts, pulse crops, rice, soybeans, sugar, wheat, and wool; the Commodity Credit Corporation; risk management policies and statutes, including Federal Crop Insurance; producer data and privacy issues.

Commodity Exchanges, Energy, and Credit (21 members, 11 majority and 10 minority)—Policies, statutes, and markets relating to commodity exchanges; agricultural credit; rural development; energy; rural electrification.

Conservation and Forestry (17 members, 9 majority and 8 minority)—Policies and statutes relating to resource conservation, forestry, and all forests under the jurisdiction of the Committee on Agriculture.

Nutrition, Oversight, and Department Operations (21 members, 11 majority and 10 minority)—Policies and statutes relating to nutrition, including the Supplemental Nutrition Assistance Program and domestic commodity distribution and consumer initiative; departmental and agency oversight; and special investigations.

Biotechnology, Horticulture, and Research (23 members, 12 majority and 11 minority)—Policies, statutes, and markets relating to horticulture, including fruits, vegetables, nuts, and ornamentals; bees; and organic agriculture; policies and statutes relating to marketing and promotion orders; pest and disease management, including pesticides; bioterrorism; adulteration and quarantine matters; research, education, and extension; and biotechnology.

Livestock and Foreign Agriculture (25 members, 13 majority and 12 minority)—Policies, statutes, and markets relating to all livestock, poultry, dairy, and seafood, including all products thereof; the inspection, marketing, and promotion of such commodities and products; aquaculture; animal welfare; grazing; foreign agricultural assistance and trade promotion.

(d) Referral of Legislation.—

(1)(a) In General.—All bills, resolutions, and other matters referred to the Committee shall be referred to all subcommittees of appropriate jurisdiction within 2 weeks after being referred to the Committee. After consultation with the Ranking Minority Member, the Chairman may determine that the Committee will consider certain bills, resolutions, or other matters.

(b) Trade Matters.—Unless action is otherwise taken under subparagraph (3), bills, resolutions, and other matters referred to the Committee relating to foreign agriculture, foreign food or commodity assistance, and foreign trade and marketing issues will be considered by the Committee.

(2) The Chairman, by a majority vote of the Committee, may discharge a Subcommittee from further consideration of any bill, resolution, or other matter referred to the Subcommittee and have such bill, resolution, or other matter considered by the Committee. The Committee having referred a bill, resolution, or other matter to a Subcommittee in accordance with this rule may discharge such Subcommittee from further consideration thereof at any time by a vote of the majority Members of the Committee for the Committee's direct consideration or for reference to another Subcommittee.

(3) Unless the Committee, a quorum being present, decides otherwise by a majority vote, the Chairman may refer bills, resolutions, legislation, or other matters not specifically within the jurisdiction of a Subcommittee, or that is within the jurisdiction of more than one Subcommittee, jointly or exclusively as the Chairman deems appropriate, including concurrently to the subcommittees with jurisdiction, sequentially to the subcommittees with jurisdiction (subject to any time limits deemed appropriate), divided by subject matter among the subcommittees with jurisdiction, or to an ad hoc subcommittee appointed by the Chairman for the purpose of considering the matter and reporting to the Committee thereon, or make such other provisions deemed appropriate.

(e) Participation and Service of Committee Members on Subcommittees.—(1) The Chairman and the Ranking Minority Member shall serve as ex officio Members of all subcommittees and shall have the right to vote on all matters before the subcommittees. The Chairman and the Ranking Minority Member may not be counted for the purpose of establishing a quorum.

(2) Any Member of the Committee who is not a Member of the Subcommittee may have the privilege of sitting and nonparticipatory attendance at Subcommittee hearings or meetings in accordance with clause 2(g)(2) of House Rule XI. Such Member may not:

(i) vote on any matter;

(ii) be counted for the purpose of a establishing a quorum;

(iii) participate in questioning a witness under the 5-Minute Rule, unless permitted to do so by the Subcommittee Chairman in consultation with the Ranking Minority Member or a majority of the Subcommittee, a quorum being present;

(iv) raise points of order; or

(v) offer amendments or motions.

(f) Subcommittee Hearings and Meetings.—(1) Each Subcommittee is authorized to meet, hold hearings, receive evidence, and make recommendations to the Committee on all matters referred to it or under its jurisdiction after consultation by the Subcommittee Chairman with the Committee Chairman. (See Committee Rule VIII.)

(2) After consultation with the Committee Chairman, Subcommittee Chairmen shall set dates for hearings and meetings of their subcommittees and shall request the Majority Staff Director to make any announcement relating thereto. (See paragraph (b) of Committee Rule VIII.) In setting the dates, the Committee Chairman and Subcommittee Chairman shall consult with other Subcommittee Chairmen and relevant Committee and Subcommittee Ranking Minority Members in an effort to avoid simultaneously scheduling Committee and Subcommittee meetings or hearings to the extent practicable.

(3) Notice of all Subcommittee meetings shall be provided to the Chairman and the Ranking Minority Member of the Committee by the Majority Staff Director.

(4) Subcommittees may hold meetings or hearings outside of the House if the Chairman of the Committee and other Subcommittee Chairmen and the Ranking Minority Member of the Subcommittee is consulted in advance to ensure that there is no scheduling problem. However, the majority of the Committee may authorize such meeting or hearing.

(5) The provisions regarding notice and the agenda of Committee meetings under paragraph (a) of Committee Rule II and special or additional meetings under paragraph (b) of Committee Rule II shall apply to Subcommittee meetings.

(6) If a vacancy occurs in a Subcommittee chairmanship, the Chairman may set the dates for hearings and meetings of the Subcommittee during the period of vacancy. The Chairman may also appoint an acting Subcommittee Chairman until the vacancy is filled.

(g) Subcommittee Action.—(1) Any bill, resolution, recommendation, or other matter forwarded to the Committee by a Subcommittee shall be promptly forwarded by the Subcommittee Chairman or any Subcommittee Member authorized to do so by the Subcommittee.

(2) Upon receipt of such recommendation, the Majority Staff Director of the Committee shall promptly advise all Members of the Committee of the Subcommittee action.

(3) The Committee shall not consider any matters recommended by subcommittees until 2 calendar days have elapsed from the date of action, unless the Chairman or a majority of the Committee determines otherwise.

(h) Subcommittee Investigations.—No investigation shall be initiated by a Subcommittee without prior consultation with the Chairman of the Committee or a majority of the Committee.

RULE XII.—COMMITTEE BUDGET, STAFF, AND TRAVEL

(a) Committee Budget.—The Chairman, in consultation with the majority Members of the Committee and the minority Members of the Committee, shall prepare a preliminary budget for each session of the Congress. Such budget shall include necessary amounts for staff personnel, travel, investigation, and other expenses of the Committee and subcommittees. After consultation with the Ranking Minority Member, the Chairman shall include an amount budgeted to minority Members for staff under their direction and supervision. Thereafter, the Chairman shall combine such proposals into a consolidated Committee budget and shall take whatever action is necessary to have such budget duly authorized by the House.

(b) Committee Staff.—(1) The Chairman shall appoint and determine the remuneration of, and may remove, the professional and clerical employees of the Committee not assigned to the minority. The professional and clerical staff of the Committee not assigned to the minority shall be under the general supervision and direction of the

Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate such authority as he or she determines appropriate. (See clause 9 of House Rule X)

(2) The Ranking Minority Member of the Committee shall appoint and determine the remuneration of, and may remove, the professional and clerical staff assigned to the minority within the budget approved for such purposes. The professional and clerical staff assigned to the minority shall be under the general supervision and direction of the Ranking Minority Member of the Committee who may delegate such authority as he or she determines appropriate.

(3) From the funds made available for the appointment of Committee staff pursuant to any primary or additional expense resolution, the Chairman shall ensure that each Subcommittee is adequately funded and staffed to discharge its responsibilities and that the minority party is fairly treated in the appointment of such staff (See clause 6(d) of House Rule X).

(c) Committee Travel.—(1) Consistent with the primary expense resolution and such additional expense resolution as may have been approved, the provisions of this rule shall govern official travel of Committee Members and Committee staff regarding domestic and foreign travel (See clause 8 of House Rule X). Official travel for any Member or any Committee staff member shall be paid only upon the prior authorization of the Chairman. Official travel may be authorized by the Chairman for any Committee Member and any Committee staff member in connection with the attendance of hearings conducted by the Committee and its subcommittees and meetings, conferences, facility inspections, and investigations which involve activities or subject matter relevant to the general jurisdiction of the Committee. Before such authorization is given there shall be submitted to the Chairman in writing the following:

(i) The purpose of the official travel;

(ii) The dates during which the official travel is to be made and the date or dates of the event for which the official travel is being made;

(iii) The location of the event for which the official travel is to be made; and

(iv) The names of Members and Committee staff seeking authorization.

(2) In the case of official travel of Members and staff of a Subcommittee to hearings, meetings, conferences, facility inspections, and investigations involving activities or subject matter under the jurisdiction of such Subcommittee to be paid for out of funds allocated to the Committee, prior authorization must be obtained from the Subcommittee Chairman and the full Committee Chairman. Such prior authorization shall be given by the Chairman only upon the representation by the applicable Subcommittee Chairman in writing setting forth those items enumerated in clause (1).

(3) Within 60 days of the conclusion of any official travel authorized under this rule, there shall be submitted to the Committee Chairman a written report covering the information gained as a result of the hearing, meeting, conference, facility inspection, or investigation attended pursuant to such official travel.

(4) Local currencies owned by the United States shall be made available to the Committee and its employees engaged in carrying out their official duties outside the United States, its territories or possessions. No appropriated funds shall be expended for the purpose of defraying expenses of Members of the Committee or its employees in any country where local currencies are available for this purpose, and the following conditions shall apply with respect to their use of such currencies;

(i) No Member or employee of the Committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in applicable Federal law; and

(ii) Each Member or employee of the Committee shall make an itemized report to the Chairman within 60 days following the completion of travel showing the dates each country was visited, the amount of per diem furnished, the cost of transportation furnished, and any funds expended for any other official purpose, and shall summarize in these categories the total foreign currencies and appropriated funds expended. All such individual reports shall be filed by the Chairman with the Committee on House Administration and shall be open to public inspection.

RULE XIII.—AMENDMENT OF RULES

These Rules may be amended by a majority vote of the Committee. A proposed change in these Rules shall not be considered by the Committee as provided in clause 2 of House Rule XI, unless written notice of the proposed change has been provided to each Committee Member 2 legislative days in advance of the date on which the matter is to be considered. Any such change in the Rules of the Committee shall be published in the Congressional Record within 30 calendar days after its approval.

ENROLLED BILL SIGNED

Cheryl L. Johnson, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1319. An act to provide for reconciliation pursuant to title II of S. Con. Res. 5.

BILL PRESENTED TO THE PRESIDENT

Cheryl L. Johnson, Clerk of the House, reported that on March 10, 2021, she presented to the President of the United States for his approval, the following bill:

H.R. 1319. To provide for reconciliation pursuant to title II of S. Con. Res. 5.

ADJOURNMENT

The SPEAKER pro tempore (Mr. AUCHINCLOSS). Pursuant to section 5(a)(1)(B) of House Resolution 8, the House stands adjourned until 9 a.m. tomorrow.

Thereupon (at 6 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, March 11, 2021, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

EC-553. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Board's semiannual Monetary Policy Report to the Congress, pursuant to Public Law 106-569; to the Committee on Financial Services.

EC-554. A letter from the Regulatory Specialist, Chief Counsel's Office, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Role of Supervisory Guidance [Docket No.: OCC-2020-0005] (RIN: 1557-AE80) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

EC-555. A letter from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting the Department's final rule — Implementation of Executive Order on Access to Affordable Life-Saving Medications (RIN: 0906-AB25) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

EC-556. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

EC-557. A letter from the Chairman, Board of Governors, United States Postal Service, transmitting the Service's Office of Inspector General's Semiannual Report to Congress, covering the period April 1, 2020, through September 30, 2020; to the Committee on Oversight and Reform.

EC-558. A letter from the General Counsel, Executive Office of the President, transmitting six (6) notifications of a federal vacancy, designation of an acting officer, nomination, action on nomination, or change in previously submitted reported information, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

EC-559. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's 2020 Annual Report, pursuant to 12 U.S.C. 1827(a)(2); September 21, 1950, ch. 967, Sec. 2(17)(a) (as amended by Public Law 101-73, Sec. 220(a)); (103 Stat. 263) and 31 U.S.C. 1115(b); Public Law 111-352, Sec. 3; (124 Stat. 3867); to the Committee on Oversight and Reform.

EC-560. A letter from the Executive Secretary, United States Agency for International Development (USAID), transmitting nine (9) notifications of a designation of an acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, Sec. 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Reform.

EC-561. A letter from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Power Plant Demolition; Grand River, Grand Haven, MI [Docket Number: USCG-2021-0035] (RIN: 1625-AA00) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-562. A letter from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lower Mississippi River, Natchez, MS [Docket Number USCG-2020-0713] (RIN: 1625-AA00) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-563. A letter from the Legal Tech, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Middle River, near Discovery Bay, CA [Docket Number: USCG-2020-0137] (RIN: 1625-AA09) received February 25, 2021, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

EC-564. A letter from the United States Trade Representative, Executive Office of the President, transmitting the Office's 2021 Trade Policy Agenda and the 2020 Annual Report, pursuant to 19 U.S.C. 2213(c); Public Law 93-618, Sec. 163(c) (as amended by Public Law 100-418, Sec. 1641); (102 Stat. 1271); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BACON (for himself, Mr. TAYLOR, and Mr. MOULTON):

H.R. 1727. A bill to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes; to the Committee on the Judiciary.

By Mrs. AXNE:

H.R. 1728. A bill to provide rental assistance to low-income tenants in certain multifamily rural housing projects financed by the Rural Housing Service of the Department of Agriculture, and to develop and implement a plan for preserving the affordability of rural rental housing, and for other purposes; to the Committee on Financial Services.

By Mr. BARR (for himself, Mr. WILLIAMS of Texas, Mr. LAMBORN, Mr. DESJARLAIS, Mr. BACON, Mr. PERRY, Mr. KELLY of Mississippi, Mr. SMITH of Nebraska, Mr. ISSA, Mr. HUIZENGA, Mr. ARMSTRONG, Mrs. WALORSKI, Mr. CRAWFORD, Mr. GUEST, Ms. STEFANIK, Mr. FULCHER, Mr. ROUZER, Mrs. MILLER of West Virginia, Mr. YOUNG, Mr. ROSE, Mr. ROGERS of Kentucky, Mr. HICE of Georgia, Mr. RESCHENTHALER, Mr. MOORE of Utah, Mr. POSEY, Mr. GOSAR, Mr. HUDSON, and Mr. LATURNER):

H.R. 1729. A bill to amend the Federal Reserve Act to prohibit certain financial service providers who deny fair access to financial services from using taxpayer funded discount window lending programs, and for other purposes; to the Committee on Financial Services.

By Mr. BILIRAKIS (for himself and Mr. BUTTERFIELD):

H.R. 1730. A bill to amend the Federal Food, Drug, and Cosmetic Act to accelerate development of therapies across the spectrum of rare diseases and conditions and facilitate patient access to such therapies, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BROWNLEY (for herself, Mrs. AXNE, Mr. VARGAS, Mr. PANETTA, Mr. GRIJALVA, Mr. LANGEVIN, Mr. CARBAJAL, Mr. LOWENTHAL, Mr. PRICE of North Carolina, Ms. NORTON, Ms. TITUS, Ms. CHU, Ms. LEGER FERNANDEZ, Mrs. NAPOLITANO, Ms. JACKSON LEE, Mr. CÁRDENAS, Mr. SAN NICOLAS, and Mr. SOTO):

H.R. 1731. A bill to award grants to States to establish or improve, and carry out, Seal of Biliteracy programs to recognize high-level student proficiency in speaking, reading, and writing in both English and a second language; to the Committee on Education and Labor.

By Mrs. BUSTOS:

H.R. 1732. A bill to amend the Internal Revenue Code of 1986 to address the teacher and school leader shortage in early childhood, elementary, and secondary education, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT (for himself, Mr. ROGERS of Kentucky, Mr. BEYER, Mr. THOMPSON of Pennsylvania, Mr. FOSTER, Mr. BLUMENAUER, Mr. YARMUTH, Mr. GRIJALVA, Mr. FITZPATRICK, Ms. DEGETTE, Ms. BROWNLEY, Mr. LAMB, Ms. NORTON, Mr. GALLEGO, Mr. CONNOLLY, Mr. CASE, Ms. JACKSON LEE, Mr. MCKINLEY, Mrs. AXNE, Mrs. BUSTOS, Mr. LOWENTHAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. SCHAKOWSKY, Mr. JOHNSON of Ohio, Mr. QUIGLEY, Ms. WILD, Ms. HOULAHAN, Ms. SEWELL, Mr. HUFFMAN, Mr. SIRES, Mr. MEUSER, Mr. COHEN, Mr. BOWMAN, and Mr. KELLY of Pennsylvania):

H.R. 1733. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide funds to States and Indian tribes for the purpose of promoting economic revitalization, diversification, and development in economically distressed communities through the reclamation and restoration of land and water resources adversely affected by coal mining carried out before August 3, 1977, and for other purposes; to the Committee on Natural Resources.

By Mr. CARTWRIGHT (for himself, Mr. THOMPSON of Pennsylvania, Mr. MEUSER, Mr. LAMB, Mr. RESCHENTHALER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LOWENTHAL, Mr. MULLIN, Ms. HOULAHAN, Mr. GRIJALVA, Mr. HUFFMAN, and Mr. KELLY of Pennsylvania):

H.R. 1734. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to allow the Secretary of the Interior to delegate certain emergency reclamation activities to the States and Tribes, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Mr. BUCK, Mr. DESAULNIER, Mr. RASKIN, Mrs. SPARTZ, Ms. SCANLON, Ms. WILD, Mr. STEUBE, and Mr. GAETZ):

H.R. 1735. A bill to provide a temporary safe harbor for publishers of online content to collectively negotiate with dominant online platforms regarding the terms on which content may be distributed; to the Committee on the Judiciary.

By Mr. DESAULNIER:

H.R. 1736. A bill to direct the Secretary of Transportation to establish the Strengthening Mobility and Revolutionizing Transportation (SMART) Challenge Grant Program to promote technological innovation in our Nation's communities; to the Committee on Transportation and Infrastructure.

By Mr. DESJARLAIS (for himself, Mrs. HARSHBARGER, Mr. FLEISCHMANN, Mr. KUSTOFF, Mr. BURCHETT, Mr. GREEN of Tennessee, Mr. ROSE, Mr. COOPER, Mr. COHEN, and Mr. STEUBE):

H.R. 1737. A bill to designate the Mental Health Residential Rehabilitation Treatment Facility Expansion of the Department of Veterans Affairs Alvin C. York Medical Center in Murfreesboro, Tennessee, as the ''Sergeant John Toombs Residential Rehabilitation Treatment Facility''; to the Committee on Veterans' Affairs.

By Mrs. DINGELL (for herself and Mr. KATKO):

H.R. 1738. A bill to amend titles XIX and XXI of the Social Security Act to provide for 12-month continuous enrollment of individuals under the Medicaid program and Children's Health Insurance Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GARAMENDI:

H.R. 1739. A bill to amend title 10, United States Code, to provide for veterinary care for retired military working dogs, and for other purposes; to the Committee on Armed Services.

By Miss GONZÁLEZ-COLÓN:

H.R. 1740. A bill to designate all of Puerto Rico as an opportunity zone; to the Committee on Ways and Means.

By Miss GONZÁLEZ-COLÓN:

H.R. 1741. A bill to amend the Internal Revenue Code of 1986 to allow accelerated depreciation of certain qualified film and television and live theatrical productions in Puerto Rico; to the Committee on Ways and Means.

By Miss GONZÁLEZ-COLÓN:

H.R. 1742. A bill to amend the Internal Revenue Code of 1986 to treat Puerto Rico as part of the United States for purposes of determining whether real property qualifies for treatment as a like-kind exchange; to the Committee on Ways and Means.

By Mr. GREEN of Tennessee (for himself and Mr. CUELLAR):

H.R. 1743. A bill to require annual reports on allied contributions to the common defense, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HASTINGS (for himself, Mr. BUCHANAN, Mrs. BEATTY, Ms. ROYBAL-ALLARD, and Ms. BROWNLEY):

H.R. 1744. A bill to amend the Public Health Service Act to provide for the establishment of the National Center for Alternatives to Animals in Research and Testing, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HOLLINGSWORTH (for himself, Mr. CUELLAR, Ms. SLOTKIN, Mr. LAHOOD, Mr. WESTERMAN, Mr. COOPER, Mr. BALDERSON, Mr. GOLDEN, and Mrs. HINSON):

H.R. 1745. A bill to direct the Secretary of Transportation to issue regulations relating to commercial motor vehicle drivers under the age of 21, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUDSON:

H.R. 1746. A bill to facilitate the efficient licensing and deployment of advanced civilian nuclear technologies; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself and Mr. LAMALFA):

H.R. 1747. A bill to amend title 5, United States Code, to provide direct hire authority to appoint individuals to Federal firefighting and firefighting support positions in the Forest Service or the Department of the Interior, and for other purposes; to the Committee on Oversight and Reform.

By Mr. JOHNSON of Ohio (for himself and Mr. GONZALEZ of Ohio):

H.R. 1748. A bill to assess and improve the competitiveness of American civilian nuclear commerce, to expedite Department of Energy review of certain nuclear technology exports, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLER (for himself, Mr. KELLY of Pennsylvania, Mr. THOMPSON of Pennsylvania, Mr. GRIFFITH, Mr. LUCAS, and Mr. STEUBE):

H.R. 1749. A bill to amend title XVIII of the Social Security Act to direct the Secretary of Health and Human Services to conduct a study on potential disparities in incurred costs for rural and urban hospitals under the inpatient prospective payment system and to authorize appropriate payment adjustments; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania (for himself, Mr. TIMMONS, Mr. CLOUD, Mr. ALLEN, Mrs. LESKO, Mr. GAETZ, Mr. WEBER of Texas, Mr. RESCHENTHALER, Mr. GROTHMAN, and Mr. PALMER):

H.R. 1750. A bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children; to the Committee on Ways and Means.

By Mr. KILDEE:

H.R. 1751. A bill to provide for technical assistance under the health profession opportunity grant program under section 2008 of the Social Security Act; to the Committee on Ways and Means.

By Mr. KRISHNAMOORTHI (for himself, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Mr. BROWN, Mr. CARBAJAL, Mr. CARSON, Mr. CASE, Mr. CASTEN, Ms. CASTOR of Florida, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Ms. DEAN, Ms. DEGETTE, Ms. DELAURO, Mrs. DEMINGS, Mr. DESAULNIER, Mr. DEUTCH, Mr. DOGGETT, Ms. ESCOBAR, Ms. ESHOO, Mr. ESPAILLAT, Mr. EVANS, Mr. FOSTER, Mr. GARAMENDI, Mr. GREEN of Texas, Mr. GRIJALVA, Ms. HAALAND, Mr. HASTINGS, Mrs. HAYES, Mr. HIMES, Ms. JACKSON LEE, Ms. JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KEATING, Mr. KHANNA, Mr. LAWSON of Florida, Ms. LEE of California, Mr. LIEU, Mr. LOWENTHAL, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Ms. MENG, Ms. MOORE of Wisconsin, Mr. MORELLE, Mr. MOULTON, Ms. NORTON, Ms. OCASIO-CORTEZ, Ms. OMAR, Mr. PALLONE, Mr. PASCRELL, Mr. PAYNE, Mr. PERLMUTTER, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RASKIN, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. SABLAN, Ms. SCHAKOWSKY, Mr. SHERMAN, Mr. SIRES, Mr. SOTO, Ms. SPEIER, Mr. SUOZZI, Mr. TAKANO, Mr. THOMPSON of Mississippi, Ms. TLAIB, Mr. TONKO, Mr. VARGAS, Ms. WASSERMAN SCHULTZ, and Ms. WILSON of Florida):

H.R. 1752. A bill to provide for a 3-day waiting period before a person may receive a handgun, with exceptions; to the Committee on the Judiciary.

By Ms. LEE of California (for herself, Mr. KILMER, Mr. GRIJALVA, Mr. KHANNA, Mr. ESPAILLAT, Ms. BONAMICI, Mr. WELCH, Ms. PRESSLEY, Mr. GALLEGO, Mr. BLUMENAUER, Mr. SMITH of Washington, Ms. STRICKLAND, Ms. MOORE of Wisconsin, Ms. OMAR, Mrs. WATSON COLEMAN, Mr. DEUTCH, Mr. CÁRDENAS, Mr. RUSH, Mr. MCGOVERN, and Ms. MENG):

H.R. 1753. A bill to amend the Food and Nutrition Act of 2008 to repeal the particular work requirement that disqualifies able-bodied adults for eligibility to participate in the supplemental nutrition assistance program; to the Committee on Agriculture.

By Mr. LONG (for himself and Mr. VEASEY):

H.R. 1754. A bill to amend the Communications Act of 1934 to require the Federal Communications Commission to consider market entry barriers for socially disadvantaged individuals in the communications marketplace report under section 13 of such Act; to the Committee on Energy and Commerce.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BLUMENAUER, Ms. DEGETTE, Mr. RASKIN, Mr. WELCH, Ms. SCHAKOWSKY, Mr. CARBAJAL, Ms. NORTON, Mr. ESPAILLAT, Ms. JACKSON LEE, Mrs. NAPOLITANO, Mr. CLEAVER, Ms. MOORE of Wisconsin, Mr. SAN NICOLAS, Mr. SIRES, Mr. HASTINGS, Ms. BLUNT ROCHESTER, Mr. CASE, Ms. CASTOR of Florida, Mr. CICILLINE, Ms. CLARKE of New York, Mr. COHEN, Ms. DELAURO, Mr. DEUTCH, Mrs. DINGELL, Ms. ESHOO, Mr. GALLEGO, Mr. GRIJALVA, Ms. JOHNSON of Texas, Mr. KIND, Ms. LOFGREN, Ms. MATSUI, Mr. MCNERNEY, Ms. OCASIO-CORTEZ, Mr. PANETTA, Mr. PETERS, Mr. RYAN, Mr. SHERMAN, Mr. THOMPSON of California, Ms. VELÁZQUEZ, and Mr. YARMUTH):

H.R. 1755. A bill to designate certain National Forest System lands and certain public lands under the jurisdiction of the Secretary of the Interior in the States of Idaho, Montana, Oregon, Washington, and Wyoming as wilderness, wild and scenic rivers, wildland recovery areas, and biological connecting corridors, and for other purposes; to the Committee on Natural Resources.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. BEYER):

H.R. 1756. A bill to require the Bureau of Economic Analysis of the Department of Commerce to provide estimates relating to the distribution of aggregate economic growth across specific percentile groups of income; to the Committee on Oversight and Reform.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1757. A bill to permit shuttered venue operators to receive shuttered venue operator grants and paycheck protection program loans, and for other purposes; to the Committee on Small Business.

By Mr. MANN (for himself, Mr. HUDSON, Mr. PERRY, Mr. GAETZ, Mr. MOONEY, Mr. BUDD, Mr. YOUNG, Mr. JACKSON, Mr. LATURNER, Ms. HERRELL, Mr. MURPHY of North Carolina, Mr. ESTES, Mr. STEUBE, Mr. GROTHMAN, Mr. NORMAN, Mr. GUEST, Mr. CAWTHORN, Mr. BROOKS, and Mr. WEBSTER of Florida):

H.R. 1758. A bill to amend the Internal Revenue Code of 1986 to remove short-barreled rifles from the definition of firearms for purposes of the National Firearms Act, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY:

H.R. 1759. A bill to reauthorize the Blue Ridge National Heritage Area, and for other purposes; to the Committee on Natural Resources.

By Mr. MCKINLEY (for himself, Ms. SEWELL, Mr. ARMSTRONG, Ms. CHENEY, Mrs. MILLER of West Virginia, Mr. MOONEY, Mr. STAUBER, and Mr. VEASEY):

H.R. 1760. A bill to amend the Internal Revenue Code of 1986 to modify the qualifying advanced coal project credit, and for other purposes; to the Committee on Ways and Means.

By Mr. MCKINLEY (for himself, Mr. CURTIS, Ms. CHENEY, Mr. SCHWEIKERT, and Mr. GRAVES of Louisiana):

H.R. 1761. A bill to amend title XVII of the Energy Policy Act of 2005 relating to the eligibility for loan guarantees for carbon capture, utilization, and storage projects, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MULLIN (for himself and Mr. O'HALLERAN):

H.R. 1762. A bill to direct the Federal Trade Commission to submit to Congress a report on unfair or deceptive acts or practices targeted at Indian Tribes or members of Indian Tribes, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MURPHY of Florida:

H.R. 1763. A bill to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment benefits, and for other purposes; to the Committee on Ways and Means.

By Mr. NORCROSS (for himself and Mr. FITZPATRICK):

H.R. 1764. A bill to authorize the Attorney General to make grants to State attorneys general to provide identification kits for missing children, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 1765. A bill to prohibit the Secretary of the Army from implementing a proposed rule relating to restricted access to the Washington Channel in Washington, D.C., and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. O'HALLERAN (for himself and Mr. HUDSON):

H.R. 1766. A bill to enhance cooperation between the Federal Trade Commission and State Attorneys General to combat unfair and deceptive practices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PANETTA:

H.R. 1767. A bill to amend title 10, United States Code, to authorize the Defense Language Institute to award a Bachelor of Arts degree in a foreign language, and for other purposes; to the Committee on Armed Services.

By Ms. PLASKETT (for herself, Mr. FORTENBERRY, and Ms. ADAMS):

H.R. 1768. A bill to amend the Richard B. Russell National School Lunch Act to reauthorize the farm to school program, and for other purposes; to the Committee on Education and Labor.

By Mr. QUIGLEY (for himself, Mr. FITZPATRICK, Mr. SWALWELL, and Mr. DIAZ-BALART):

H.R. 1769. A bill to provide for the reporting to State and local law enforcement authorities of cases in which the national instant criminal background check system indicates that a firearm has been sought to be acquired by a prohibited person, so that authorities may pursue criminal charges under State law, and to ensure that the Department of Justice reports to Congress on prosecutions secured against prohibited persons who attempt to acquire a firearm; to the Committee on the Judiciary.

By Mr. ROY (for himself, Mr. LAMALFA, Mr. RICE of South Carolina, Mr. DAVIDSON, Mr. BIGGS, Mr. GOHMERT, Mr. HICE of Georgia, Mr. NORMAN, Mr. DONALDS, Ms. HERRELL, Mr. MAST, and Mr. HARRIS):

H.R. 1770. A bill to allow Federal funds appropriated for kindergarten through grade 12

education to follow the student; to the Committee on Education and Labor.

By Mr. ROY (for himself and Mr. BOST):

H.R. 1771. A bill to prohibit the Secretary of Veterans Affairs from transmitting certain information to the Department of Justice for use by the national instant criminal background check system; to the Committee on Veterans' Affairs.

By Mr. RYAN (for himself, Mr. RESCHENTHALER, Mr. KELLY of Mississippi, Mr. FITZPATRICK, Ms. STEFANIK, and Mrs. BUSTOS):

H.R. 1772. A bill to amend the Passport Act of 1920 to exempt from the collection of certain passport fees an individual who was awarded the Purple Heart, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SABLAN:

H.R. 1773. A bill to make the Commonwealth of the Northern Mariana Islands eligible for the program of block grants to States for temporary assistance for needy families, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHRADER:

H.R. 1774. A bill to reduce the annual rate of pay of Members of Congress if a Government shutdown occurs during a year, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself and Mr. VAN DREW):

H.R. 1775. A bill to provide justice for victims of State misrepresentation to the World Health Organization, and for other purposes; to the Committee on the Judiciary.

By Mrs. CAMMACK (for herself, Mr. JORDAN, Mr. ARMSTRONG, Mr. ARRINGTON, Mr. BABIN, Mr. BACON, Mr. BAIRD, Mr. BALDERSON, Mr. BANKS, Mr. BARR, Mr. BENTZ, Mr. BERGMAN, Mrs. BICE of Oklahoma, Mr. BIGGS, Mr. BILIRAKIS, Mr. BISHOP of North Carolina, Mrs. BOEBERT, Mr. BOST, Mr. BRADY, Mr. BUCHANAN, Mr. BUCK, Mr. BUCSHON, Mr. BUDD, Mr. BURCHETT, Mr. BURGESS, Mr. CARL, Mr. CARTER of Georgia, Mr. CAWTHORN, Mr. CHABOT, Mr. CLINE, Mr. CLOUD, Mr. CLYDE, Mr. CRENSHAW, Mr. DAVIDSON, Mr. RODNEY DAVIS of Illinois, Mr. DONALDS, Mr. DUNCAN, Mr. DUNN, Mr. EMMER, Mr. FALLON, Mr. FEENSTRA, Mrs. FISCHBACH, Mr. FULCHER, Mr. GAETZ, Mr. GARBARINO, Mr. GIBBS, Mr. GIMENEZ, Mr. GOODEN of Texas, Ms. GRANGER, Mr. GRAVES of Louisiana, Mrs. GREENE of Georgia, Mr. HAGEDORN, Mrs. HARSHBARGER, Mr. HERN, Ms. HERRELL, Mrs. HINSON, Mr. HUDSON, Mr. ISSA, Mr. JACKSON, Mr. JOHNSON of Louisiana, Mr. JOHNSON of South Dakota, Mr. JOYCE of Pennsylvania, Mr. KELLY of Mississippi, Mr. LAMALFA, Mr. LAMBORN, Mr. LATURNER, Mrs. LESKO, Ms. MACE, Mr. MANN, Mr. MASSIE, Mr. MAST, Mrs. MCCLAIN, Mr. MCCLINTOCK, Mr. MCKINLEY, Mrs. RODGERS of Washington, Mrs. MILLER of Illinois, Mrs. MILLER-MEEKS, Mr. MOONEY, Mr. MOORE of Alabama, Mr. MURPHY of North Carolina, Mr. NEHLS, Mr. NEWHOUSE, Mr. NORMAN, Mr. OWENS, Mr. PALMER, Mr. PERRY, Mr. PFLUGER, Mr. POSEY, Mr. RESCHENTHALER, Mr. ROGERS of Alabama, Mr. ROSENDALE, Mr. ROUZER, Mr. ROY, Mr. RUTHERFORD, Mr. AUSTIN SCOTT of Georgia, Mr. SMITH of Nebraska, Mr. SMUCKER, Mrs. SPARTZ, Mrs. STEEL, Mr. STEUBE, Mr. TAYLOR, Ms. TENNEY, Mr. THOMPSON of Pennsylvania, Mr. TIFFANY, Mr. VAN DREW, Ms. VAN DUYNE, Mr. WALBERG, Mrs. WALORSKI, Mr. WEBER of Texas, Mr. WILSON of South Carolina, Mr. WITTMAN, Mr. YOUNG, Mr. WILLIAMS of Texas, Mr. SCALISE, Mr. STEWART, and Mr. HICE of Georgia):

H.R. 1776. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; to the Committee on the Judiciary, and in addition to the Committees on Rules, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself, Mrs. HARTZLER, Mr. WALTZ, Mr. CRENSHAW, Mr. TURNER, Mr. STEUBE, Mr. GAETZ, and Mrs. STEEL):

H.R. 1777. A bill to address foreign threats to higher education in the United States; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEWART (for himself, Mr. ROSENDALE, Mr. OWENS, Mr. NEWHOUSE, Mr. GOSAR, and Ms. HERRELL):

H.R. 1778. A bill to improve the process for awarding grants under certain programs of the Department of Transportation to certain counties in which the majority of land is owned or managed by the Federal Government and to other units of local government and Tribal governments in those counties, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. STEWART (for himself, Mr. ROSENDALE, Mr. OWENS, Mr. NEWHOUSE, Mr. GOSAR, and Ms. HERRELL):

H.R. 1779. A bill to improve the process for awarding grants under certain programs of the Department of Agriculture to certain counties in which the majority of land is owned or managed by the Federal Government and to other units of local government and Tribal governments in those counties, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ:

H.R. 1780. A bill to amend the Securities Exchange Act of 1934 to require disclosures related to the Paris Climate Agreement, and for other purposes; to the Committee on Financial Services.

By Mr. WALBERG (for himself and Mr. RUSH):

H.R. 1781. A bill to amend the Children's Online Privacy Protection Act of 1998; to the Committee on Energy and Commerce.

By Ms. WEXTON (for herself, Mr. BEYER, Ms. CASTOR of Florida, Mr. CONNOLLY, Ms. NORTON, Mr. KHANNA, Mr. HASTINGS, Mr. NEGUSE, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 1782. A bill to amend the National Firearms Act to require that local chief law enforcement officers be notified of, and provided a 90-day period to deny, firearm transfers; to the Committee on Ways and Means.

By Mr. NEAL (for himself and Mr. BRADY):

H. Res. 213. A resolution providing amounts for the expenses of the Committee on Ways and Means in the One Hundred Seventeenth Congress; to the Committee on House Administration.

By Mrs. LURIA (for herself, Mr. SCHNEIDER, Ms. MANNING, Miss RICE of New York, Mr. GOTTHEIMER, and Mr. MEIJER):

H. Res. 214. A resolution expressing the sense of the House of Representatives that Iran must cease enriching uranium to 20 percent purity and abandon its pursuit of a nuclear weapon; to the Committee on Foreign Affairs.

By Ms. JACKSON LEE (for herself, Mr. JOHNSON of Georgia, Mrs. BEATTY, Mr. ESPAILLAT, Ms. WILSON of Florida, Ms. BASS, Ms. LEE of California, Mrs. WATSON COLEMAN, Mr. DAVID SCOTT of Georgia, Mr. BISHOP of Georgia, Ms. NORTON, Ms. PLASKETT, Ms. CASTOR of Florida, Ms. GARCIA of Texas, Mr. CÁRDENAS, Mr. MORELLE, Ms. JOHNSON of Texas, Mr. EVANS, Mrs. LAWRENCE, Mr. DANNY K. DAVIS of Illinois, Mr. SEAN PATRICK MALONEY of New York, Ms. WILLIAMS of Georgia, Ms. CLARK of Massachusetts, Ms. MCCOLLUM, Ms. TLAIB, Mr. KHANNA, Mrs. BUSTOS, Mr. CONNOLLY, Mr. VARGAS, Ms. MENG, Ms. NEWMAN, Ms. DEGETTE, Mr. LAWSON of Florida, Mr. BROWN, Mrs. DEMINGS, Mr. GRIJALVA, Mr. CARSON, Mr. DEUTCH, Mr. PAYNE, Ms. PINGREE, Ms. MOORE of Wisconsin, Mr. SCHRADER, Ms. SEWELL, Ms. SCHAKOWSKY, Mr. VELA, Mr. GALLEGO, Mr. HIGGINS of New York, Mr. HASTINGS, Ms. ROYBAL-ALLARD, Mr. RASKIN, Mr. LOWENTHAL, Mr. BOWMAN, Mr. MCGOVERN, Mr. JONES, Mr. STANTON, Ms. VELÁZQUEZ, Mrs. FLETCHER, Mr. NEGUSE, Mrs. HAYES, Mr. AUCHINCLOSS, Ms. BLUNT ROCHESTER, Ms. SPEIER, Ms. JAYAPAL, Mr. MEEKS, Mr. TORRES of New York, Ms. LOFGREN, Ms. BONAMICI, Mr. LYNCH, Ms. JACOBS of California, Mr. KAHELE, Mr. MCNERNEY, Mr. CLEAVER, Mr. PALLONE, Mrs. TRAHAN, Mr. GREEN of Texas, Mr. CROW, Mr. SCHNEIDER, Ms. STEVENS, Ms. BOURDEAUX, Mr. THOMPSON of California, Ms. OMAR, Mr. PRICE of North Carolina, Ms. KELLY of Illinois, Ms. ESHOO, Ms. DELBENE, Ms. CLARKE of New York, Mr. NADLER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CICILLINE, Mrs. LURIA, Mr. CRIST, Mr. COSTA, Mr. RUSH, and Mr. VEASEY):

H. Res. 215. A resolution recognizing the forthcoming centennial of the 1921 Tulsa Race Massacre; to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROY:

H. Res. 216. A resolution providing for the consideration of the bill (H.R. 471) to prohibit the Secretary of Health and Human Services from lessening the stringency of, and to prohibit the Secretary of Homeland Security from ceasing or lessening implementation of, the COVID-19 border health provisions through the end of the COVID-19 pandemic, and for other purposes; to the Committee on Rules.

By Mr. TAKANO:

H. Res. 217. A resolution providing amounts for the expenses of the Committee on Veterans' Affairs in the One Hundred Seventeenth Congress; to the Committee on House Administration.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BACON:
H.R. 1727.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1
Article I, Section 8, Clause 18
Article III, Section 2

By Mrs. AXNE:
H.R. 1728.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. BARR:
H.R. 1729.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

By Mr. BILIRAKIS:
H.R. 1730.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Article 1, Section 8, Clause 18 of the Constitution of the United States.

By Ms. BROWNLEY:
H.R. 1731.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mrs. BUSTOS:
H.R. 1732.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CARTWRIGHT:
H.R. 1733.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. CARTWRIGHT:
H.R. 1734.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 (relating to the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.)

By Mr. CICILLINE:
H.R. 1735.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8

By Mr. DeSAULNIER:
H.R. 1736.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.

By Mr. DESJARLAIS:
H.R. 1737.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the United States Constitution

By Mrs. DINGELL:
H.R. 1738.
Congress has the power to enact this legislation pursuant to the following:
The Constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution.

By Mr. GARAMENDI:
H.R. 1739.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the U.S. Constitution

By Miss GONZÁLEZ-COLÓN:
H.R. 1740.
Congress has the power to enact this legislation pursuant to the following:
The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1 and 18 of the U.S. Constitution, which provide as follows:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; [. . .]—And
To make laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
Moreover, the Congress has the power to enact this legislation pursuant to Article IV, Section 3, which provides, in relevant part, as follows:
The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Miss GONZÁLEZ-COLÓN:
H.R. 1741.
Congress has the power to enact this legislation pursuant to the following:
The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1 and 18 of the U.S. Constitution, which provide as follows:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; [. . .]—And
To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
Moreover, the Congress has the power to enact this legislation pursuant to Article IV, Section 3, which provides, in relevant part, as follows:
The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Miss GONZÁLEZ-COLÓN:
H.R. 1742.
Congress has the power to enact this legislation pursuant to the following:
The Congress has the power to enact this legislation pursuant to Article I, Section 8, Clauses 1 and 18 of the U.S. Constitution, which provide as follows:
The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; [. . .]—And
To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.
Moreover, the Congress has the power to enact this legislation pursuant to Article IV, Section 3, which provides, in relevant part, as follows:
The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. GREEN of Tennessee:
H.R. 1743.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution of the United States

By Mr. HASTINGS:
H.R. 1744.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution

By Mr. HOLLINGSWORTH:
H.R. 1745.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HUDSON:
H.R. 1746.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the U.S. Constitution.
To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. ISSA:
H.R. 1747.
Congress has the power to enact this legislation pursuant to the following:
This bill is enacted pursuant to Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. JOHNSON of Ohio:
H.R. 1748.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the US Constitution

By Mr. KELLER:
H.R. 1749.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mr. KELLY of Pennsylvania:
H.R. 1750.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the U.S. Constitution

By Mr. KILDEE:
H.R. 1751.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8.

By Mr. KRISHNAMOORTHI:
H.R. 1752.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section 8 of the U.S. Constitution

By Ms. LEE of California:
H.R. 1753.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the Constitution

By Mr. LONG:
H.R. 1754.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8, Clause 3 of the Constitution, Congress has the power to collect taxes and expend funds to provide for the general welfare of the United States. Congress may also make laws that are necessary and proper for carrying into execution their powers enumerated under Article I.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1755.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 1756.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1757.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MANN:

H.R. 1758.

Congress has the power to enact this legislation pursuant to the following:

Amendment II to the U.S. Constitution.

By Mr. MCHENRY:

H.R. 1759.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2 provides Congress with the power to ''dispose of and make all needful rules and Regulations respecting the Territory and other Property belonging to the United States.''

By Mr. MCKINLEY:

H.R. 1760.

Congress has the power to enact this legislation pursuant to the following:

Section 8—Powers of Congress. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCKINLEY:

H.R. 1761.

Congress has the power to enact this legislation pursuant to the following:

Section 8—Powers of Congress. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MULLIN:

H.R. 1762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mrs. MURPHY of Florida:

H.R. 1763.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. NORCROSS:

H.R. 1764.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. NORTON:

H.R. 1765.

Congress has the power to enact this legislation pursuant to the following:

clause 18 of section 8 of article I of the Constitution.

By Mr. O'HALLERAN:

H.R. 1766.

Congress has the power to enact this legislation pursuant to the following:

Clause 18, section 8 of article 1 of the Constitution

By Mr. PANETTA:

H.R. 1767.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. PLASKETT:

H.R. 1768.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mr. QUIGLEY:

H.R. 1769.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. ROY:

H.R. 1770.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the United States Constitution—to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof.

By Mr. ROY:

H.R. 1771.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. RYAN:

H.R. 1772.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution: ''The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.''

By Mr. SABLAN:

H.R. 1773.

Congress has the power to enact this legislation pursuant to the following:

Under Article 1, Section 8 of the Constitution.

By Mr. SCHRADER:

H.R. 1774.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. 1, §1;

U.S. Const. art. 4, §3;

By Mr. SMITH of New Jersey:

H.R. 1775.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the US Constitution

By Mrs. CAMMACK:

H.R. 1776.

Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution, including the power granted under Article I, Section 8, Clause 18, and the power granted to each House of Congress under Article I, Section 5, Clause 2

By Ms. STEFANIK:

H.R. 1777.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

By Mr. STEWART:

H.R. 1778.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. STEWART:

H.R. 1779.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Ms. VELÁZQUEZ:

H.R. 1780.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

By Mr. WALBERG:

H.R. 1781.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—Congress shall have the power to regulate commerce with foreign Nations, and among several States, and with the Indian tribes.

By Ms. WEXTON:

H.R. 1782.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 18: Mr. TURNER.

H.R. 38: Mr. TURNER.

H.R. 51: Ms. SCHRIER.

H.R. 97: Mr. GARAMENDI.

H.R. 144: Ms. BONAMICI, Mr. LAMB, Mr. GARCÍA of California, and Mrs. KIRKPATRICK.

H.R. 239: Mr. LAMB and Mr. STANTON.

H.R. 243: Mr. TURNER.

H.R. 303: Ms. CRAIG and Ms. BROWNLEY.

H.R. 333: Ms. BROWNLEY and Mr. TURNER.

H.R. 342: Mr. GARBARINO.

H.R. 366: Mr. VAN DREW, Mr. FITZPATRICK, and Ms. LEE of California.

H.R. 384: Mr. SIRES.

H.R. 431: Ms. ADAMS, Mr. CRAWFORD, Mrs. RODGERS of Washington, Mr. BOST, Mr. THOMPSON of Pennsylvania, Ms. HERRERA BEUTLER, Mr. SCHWEIKERT, Mr. RODNEY DAVIS of Illinois, Ms. BLUNT ROCHESTER, Mrs. MURPHY of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TRONE, Mr. GUEST, and Mr. LUETKEMEYER.

H.R. 432: Ms. PINGREE, Mr. HARDER of California, Mr. LOWENTHAL, Mr. VAN DREW, Mr. GRIFFITH, Mr. RUTHERFORD, and Mr. BUCHANAN.

H.R. 469: Mr. MEEKS.

H.R. 485: Mr. THOMPSON of Pennsylvania.

H.R. 543: Ms. FOXX.

H.R. 545: Ms. SPEIER.

H.R. 549: Mr. VAN DREW.

H.R. 550: Mr. BAIRD, Ms. WILLIAMS of Georgia, Mrs. DEMINGS, Ms. LOIS FRANKEL of Florida, Mr. BERA, Ms. UNDERWOOD, Mr. LEVIN of California, and Ms. SEWELL.

H.R. 551: Ms. SPANBERGER.

H.R. 556: Mr. BROWN, Ms. JACOBS of California, and Ms. WATERS.

H.R. 571: Mrs. KIM of California.

H.R. 586: Mr. VARGAS and Mr. GRIJALVA.

H.R. 603: Ms. KUSTER.

H.R. 634: Mrs. MCCLAIN and Mr. UPTON.

H.R. 638: Mr. NORMAN.

H.R. 671: Ms. KELLY of Illinois, Mr. COHEN, and Ms. NORTON.

H.R. 682: Mr. LUETKEMEYER, Mr. STEWART, Mr. FITZGERALD, Mr. JACOBS of New York, and Mr. CARTER of Georgia.

H.R. 684: Mr. TURNER.

H.R. 695: Mr. MRVAN.

H.R. 706: Mr. VAN DREW.

H.R. 707: Mr. MCCLINTOCK.

H.R. 713: Mr. NORMAN.

H.R. 714: Mr. NORMAN.

H.R. 715: Mr. NORMAN.

H.R. 716: Mr. NORMAN.

H.R. 717: Mr. NORMAN.

H.R. 718: Mr. NORMAN.

H.R. 725: Mr. CLINE and Mr. PALMER.
H.R. 748: Mr. RYAN, Ms. ROSS, and Mr. MFUME.
H.R. 790: Mr. NORMAN.
H.R. 793: Ms. SALAZAR.
H.R. 809: Ms. CRAIG.
H.R. 815: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. MORELLE, Mr. FOSTER, and Ms. LEE of California.
H.R. 848: Mr. LOWENTHAL, Mrs. HAYES, and Mr. MORELLE.
H.R. 869: Mrs. DINGELL, Mr. LARSEN of Washington, Mr. NEGUSE, and Mrs. KIM of California.
H.R. 890: Mr. PERLMUTTER, Mr. SCHNEIDER, Mr. KIM of New Jersey, Ms. ROSS, Mrs. NAPOLITANO, Mr. NORCROSS, Mr. LOWENTHAL, Mr. YOUNG, and Ms. SCHAKOWSKY.
H.R. 892: Mr. BARR.
H.R. 896: Mr. FULCHER.
H.R. 1012: Mr. KIM of New Jersey.
H.R. 1016: Mr. BUCHANAN.
H.R. 1020: Mr. KHANNA.
H.R. 1080: Mr. TURNER.
H.R. 1097: Mr. HICE of Georgia.
H.R. 1115: Mrs. AXNE, Mr. GUEST, Mr. HUIZENGA, Ms. SPEIER, Ms. TENNEY, Mr. GARBARINO, Mr. OBERNOLTE, and Mr. C. SCOTT FRANKLIN of Florida.
H.R. 1145: Mr. GROTHMAN.
H.R. 1193: Mr. LAMALFA and Mr. STEIL.
H.R. 1202: Mrs. AXNE and Mr. KEATING.
H.R. 1203: Mrs. LESKO.
H.R. 1210: Mr. TIMMONS.
H.R. 1275: Mr. WENSTRUP, Mr. JOYCE of Pennsylvania, Mr. JORDAN, and Mr. MCHENRY.
H.R. 1282: Mrs. HARSHBARGER.
H.R. 1285: Mr. GUEST.
H.R. 1289: Mr. GRIJALVA and Mr. CARSON.
H.R. 1379: Mr. SCHIFF and Mr. SAN NICOLAS.
H.R. 1439: Ms. DEGETTE.
H.R. 1442: Mr. SARBANES, Ms. NEWMAN, Mrs. KIM of California, Mrs. NAPOLITANO, Ms. ESHOO, Ms. SCHRIER, Ms. SPANBERGER, and Mr. LAMB.
H.R. 1446: Mr. AGUILAR, Mr. CORREA, Mrs. DINGELL, Mr. GOMEZ, Mr. GREEN of Texas, Ms. JOHNSON of Texas, Ms. KAPTUR, Mr. KEATING, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Mr. LIEU, Ms. LOFGREN, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Mrs. MURPHY of Florida, Mrs. NAPOLITANO, Mr. PASCRELL, Ms. PLASKETT, Ms. PORTER, Mr. PRICE of North Carolina, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Ms. TITUS, and Ms. WILSON of Florida.
H.R. 1466: Mr. ROUZER and Mr. BISHOP of North Carolina.
H.R. 1479: Mr. BUCSHON.
H.R. 1480: Ms. CHU and Mr. PAPPAS.
H.R. 1496: Mr. GOHMERT.
H.R. 1503: Mr. COHEN.
H.R. 1527: Mr. BILIRAKIS.
H.R. 1529: Mr. GUEST.
H.R. 1534: Mr. MEIJER, Mr. HIGGINS of Louisiana, Ms. TENNEY, Mr. BROOKS, and Mr. WEBER of Texas.
H.R. 1543: Mr. HICE of Georgia.
H.R. 1573: Ms. BARRAGÁN, Mr. BLUMENAUER, Ms. BONAMICI, Mr. CARSON, and Mr. GALLEGO.
H.R. 1576: Mr. FOSTER, Mr. PERLMUTTER, Ms. STEVENS, Mr. SHERMAN, Mr. KILDEE, Ms. ROSS, and Mr. TONKO.
H.R. 1577: Mr. BUTTERFIELD, Ms. DEGETTE, Mr. LARSON of Connecticut, Ms. SEWELL, Mr. LONG, Mr. CARBAJAL, Mr. PANETTA, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. GRIFFITH.
H.R. 1582: Ms. PINGREE and Mr. BOWMAN.
H.R. 1584: Mr. HILL, Mr. MOONEY, and Mr. EMMER.
H.R. 1585: Mr. EMMER.
H.R. 1603: Ms. SCHRIER and Miss GONZÁLEZ-COLÓN.
H.R. 1611: Mr. FITZPATRICK, Mr. VAN DREW, and Mr. RODNEY DAVIS of Illinois.
H.R. 1633: Ms. CRAIG.
H.R. 1636: Ms. PINGREE, Mr. COURTNEY, Mr. LOWENTHAL, and Mr. SAN NICOLAS.
H.R. 1642: Mr. BACON.
H.R. 1650: Mr. MANN and Mr. BENTZ.
H.R. 1652: Ms. ROSS and Mr. CONNOLLY.
H.R. 1657: Mr. MEEKS.
H.R. 1672: Ms. ESHOO.
H.R. 1673: Ms. ESHOO.
H.R. 1676: Mr. BISHOP of Georgia, Ms. WILD, and Mr. MORELLE.
H.R. 1679: Ms. CHENEY.
H.R. 1692: Mr. CLOUD.
H.R. 1695: Mr. WILSON of South Carolina, Ms. SPANBERGER, Mr. AUSTIN SCOTT of Georgia, Mr. TAYLOR, Ms. KUSTER, Mr. DUNCAN, Mr. WALTZ, Mr. COLE, Mrs. LURIA, Ms. HAALAND, Mr. BACON, Mr. BROWN, Ms. ESCOBAR, Mr. MULLIN, Mr. CARTER of Georgia, Mr. LUCAS, Mr. YARMUTH, Miss GONZÁLEZ-COLÓN, Mr. YOUNG, Mr. NORMAN, Mr. LUETKEMEYER, Mrs. NAPOLITANO, Mr. MCKINLEY, Mr. FORTENBERRY, Ms. SCHRIER, Ms. CHENEY, Mr. NEGUSE, Mr. WITTMAN, Mrs. AXNE, Mr. HASTINGS, Mr. HERN, Mr. TURNER, Mr. DELGADO, Mrs. HARTZLER, Mr. GRAVES of Louisiana, Mr. STAUBER, Mr. ROUZER, Mr. GOTTHEIMER, Mr. RUTHERFORD, Mr. CURTIS, Mr. MAST, Mr. ARMSTRONG, Mr. DESJARLAIS, Mr. GAETZ, Mr. HILL, Mr. JOYCE of Pennsylvania, Ms. CRAIG, Mr. GUEST, Mr. WESTERMAN, Mr. LATTA, Mr. STEWART, Mr. EMMER, Mr. GOLDEN, Mr. ALLEN, Mr. CALVERT, Mr. STIVERS, Mr. MURPHY of North Carolina, Mr. GRAVES of Missouri, Mr. POSEY, Mr. LAHOOD, Mr. RESCHENTHALER, Ms. MCCOLLUM, Ms. PINGREE, Mr. COURTNEY, Ms. KAPTUR, Mr. KILMER, Mr. PAPPAS, Ms. OMAR, Mr. TONKO, Mr. KIND, Mr. LIEU, Mr. GRIJALVA, Mr. HIMES, Mr. WELCH, Mr. O'HALLERAN, Mr. PALLONE, Mr. CARSON, Mr. PHILLIPS, Mr. POCAN, Mr. JOHNSON of Georgia, Mr. CROW, Mr. CASE, Ms. SLOTKIN, Mr. PERLMUTTER, Mr. HARDER of California, Ms. MOORE of Wisconsin, Mr. KIM of New Jersey, Ms. DELAURO, and Mr. LARSON of Connecticut.
H.R. 1699: Mr. HUDSON, Mr. WALTZ, and Mr. KUSTOFF.
H.R. 1707: Mr. GONZALEZ of Ohio and Mr. MAST.
H.R. 1709: Ms. KAPTUR.
H.R. 1726: Ms. HERRELL and Mr. FULCHER.
H. Res. 64: Mr. SOTO.
H. Res. 89: Mr. PASCRELL and Mrs. WATSON COLEMAN.
H. Res. 134: Mrs. BICE of Oklahoma.
H. Res. 162: Mr. GALLAGHER.
H. Res. 186: Mr. FITZPATRICK, Mr. WILSON of South Carolina, Mr. STEUBE, Mr. BURCHETT, Mr. PERRY, Mr. KINZINGER, Ms. TENNEY, and Mr. MEIJER.

PETITIONS, ETC.

Under clause 3 of rule XII,

PT-2. The SPEAKER presented a petition of North Carolina State University Student Senate, relative to Resolution 27, formally opposing the changes to Title IX regulations as outlined; which was referred to the Committee on Education and Labor.