THE CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY ACT

Section by Section Summary

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Coronavirus Aid, Relief, and Economic Security Act

Section-by-section summary

DIVISION A – KEEPING WORKERS PAID AND EMPLOYED, HEALTH CARE SYSTEM ENHANCEMENTS, AND ECONOMIC STABILIZATION

Title I - Keeping American Workers Paid and Employed Act

Sec. 1101. Definitions

Sec. 1102. Paycheck Protection Program

- Sets the government guarantee of loans made for the Payment Protection Program under section 7(a) of the Small Business Act to 100 percent. This does not apply to other 7(a) loans.
- Outlines the terms in this section, such as defining eligible payroll costs.
- Provides the authority for the Administrator of the U.S. Small Business Administration (SBA) to make loans under the Paycheck Protection Program.
- Requires the Administrator to register each loan using the taxpayer TIN, as defined by the Internal Revenue Service, within 15 days.
- Defines eligibility for loans as a small business, 501(c)(3) nonprofit, a 501(c)(19) veteran's organization, or Tribal business concern described in section 31(b)(2)(C) of the Small Business Act with not more than 500 employees, or the applicable size standard in number of employees for the industry as provided by SBA, if higher.
- Applies current SBA affiliation rules to eligible nonprofits and veterans organizations for purposes of determining size.
- Includes sole-proprietors, independent contractors, and other self-employed individuals as eligible for loans.
- Makes eligible businesses with more than one physical location, as long as it has no more than 500 employees per physical location in certain industries.
- Waives affiliation rules for businesses in the hospitality and restaurant industries, franchises that are approved on the SBA's Franchise Directory, and small businesses that receive financing through the Small Business Investment Company (SBIC) program.
- Defines the covered loan period as beginning on February 15, 2020 and ending on June 30, 2020.
- Sets the maximum Paycheck Protection loan amount at $10 million, with each borrower's loan size based on a formula regarding their payroll costs.
- Defines the allowable uses of the loan proceeds to payroll support – such as employee salaries, paid sick and medical leave, and insurance premiums – as well as mortgage interest, rent, and utility payments.
- Extends delegated authority, which is the ability for lenders to make determinations on borrower eligibility and creditworthiness without going through SBA's channels, to all current 7(a) lenders, and extends that same authority to new lenders that join the program.
- For eligibility purposes, instead of requiring lenders to determine repayment ability, which is not possible during this crisis, lenders will only need to determine whether a business was

operational on February 15, 2020 and if it had employees for whom it paid salaries and payroll taxes, or if the borrower is a paid independent contractor.

- Provides the U.S. Department of Treasury temporary authority to approve new lenders to make Paycheck Protection loans through the 7(a) loans.
- Allows a borrower who has an EIDL loan related to COVID-19 and made on or after January 31, 2020 to apply for a Paycheck Protection loan, with an option to refinance that loan into a PPP loan up until the end of the covered period for PPP loans (June 30, 2020). However, the emergency EIDL grant award of up to $10,000 would be subtracted from the amount forgiven under the Paycheck Protection Program. Existing EIDL borrowers not related to COVID-19 are also eligible to apply for Paycheck Protection loans for payroll assistance, but they may not refinance into a Paycheck Protection loans.
- Requires eligible borrowers to make a good faith certification that the loan is necessary due to the uncertainty of current economic conditions caused by COVID-19; they will use the funds to retain workers and maintain payroll, lease, and utility payments; and that the borrower does has not have an application pending for another 7(a) loan for the same purpose and is duplicative of amounts applied for or received under a Paycheck Protection loan, and that between February 15, 2020 and December 31, 2020, the borrower is not receiving funding from another 7(a) loan for the same purpose.
- Waives both borrower and lender fees for Paycheck Protection loans that typically apply for regular 7(a) loans.
- Waives the credit elsewhere test for borrowers seeking a loan under this program.
- Waives collateral and personal guarantee requirements for borrowers under this program.
- Outlines the treatment of any portion of a loan that is not used for forgiveness purposes. The remaining loan balance will have a maturity of not more than 10 years, and the guarantee for that portion of the loan will remain intact.
- Sets the maximum interest rate for Paycheck Protection loans at 4 percent, whether the loan is made by an SBA lender or Treasury-approved lender.
- Prohibits any prepayment fees charged to borrowers.
- Mandates that SBA require all Paycheck Protection lenders to defer payments for at least six months and not more than a year. If a Paycheck Protection loan that has been sold on the secondary market, and the investor will not defer payments, SBA is required to purchase the loan and provide deferment of payments for at least six months and not more than a year. Requires SBA to disseminate guidance to lenders on this deferment process within 30 days.
- Allows Paycheck Protection loans to be sold on the secondary market and prohibits SBA from collecting a fee.
- Provides the regulatory capital risk weight of loans made under this program, and temporary relief from troubled debt restructuring (TDR) disclosures for loans that are deferred under this program.
- Requires the Administrator to provide a lender with a process fee for servicing the loan. Sets lender compensation fees at 5 percent for loans of not more than $350,000; 3 percent for loans of more than $350,000 and less than $2,000,000; and 1 percent for loans of not less than $2,000,000.

- Further, it includes a sense of the Senate for the Administrator to issue guidance to lenders and agents to ensure that the processing and disbursement of covered loans prioritizes small business concerns and entities in underserved and rural markets, including veterans and members of the military community, small business concerns owned and controlled by socially and economically disadvantaged individuals.
- Provides an authorization level of $349 billion for the Paycheck Protection program through December 31, 2020.
- Increases the maximum loan for a SBA Express loan from $350,000 to $1 million through December 31, 2020, after which point the Express loan will have a maximum of $350,000.
- Requires Veteran's fee waivers for the 7(a) Express loan program to be permanently waived.
- Permanently rescinds the interim final rule entitled, "Express Loan Programs: Affiliation Standards" (85 Fed. Reg. 7622 (February 10, 2020)).

Sec. 1103. Entrepreneurial Development

- Authorizes SBA to provide additional financial awards to resource partners (Small Business Development Centers and Women's Business Centers) to provide counseling, training, and education on SBA resources and business resiliency to small business owners affected by COVID-19.
- Authorizes SBA to provide an association or associations representing resource partners with grants to establish:
    - One online platform that consolidates resources and information available across multiple Federal agencies for small business concerns related to COVID–19; and
    - A training program to educate Small Business Development Center, Women's Business Center, Service Corps of Retired Executives, and Veteran's Business Outreach Center counselors on the various federal resources available to ensure counselors are directing small businesses appropriately.

Sec. 1104. State Trade Expansion Program

- Supports small business trade and exporting by allowing states to carry over STEP funds from FY18 and FY19 into FY21 to ensure that they still have access to that money once normal business resumes.
- Directs the Administrator to reimburse STEP recipients for financial losses related to the cancelation of a foreign trade mission or trade show exhibition due to COVID-19, provided that the reimbursement is not greater than the recipient's grant funding

Sec. 1105. Waiver of Matching Funds Requirement under the Women's Business Center Program

- Eliminates the non-federal match requirement for Women's Business Centers (WBC) for a period of three months.

Sec. 1106. Loan Forgiveness

- Establishes that the borrower shall be eligible for loan forgiveness equal to the amount spent by the borrower during an 8-week period after the origination date of the loan on payroll costs, interest payment on any mortgage in force prior to February 15, 2020, payment of rent on any lease in force prior to February 15, 2020, and payment on any utility for which service began before February 15, 2020.
- Amounts forgiven may not exceed the principal amount of the loan. Eligible payroll costs do not include compensation above $100,000 in wages. Forgiveness on a covered loan is equal to the sum of the payroll costs incurred and payments made on a covered mortgage obligation (not including prepayment or payment of principal), a covered rent obligation, or covered utilities during the covered 8 week period, proportionate to maintaining employees and wages.
- Any loan amount not forgiven is carried forward as an ongoing loan with a maximum term of 10 years, at a maximum interest rate of four percent.
- The amount forgiven will be reduced proportionally by any reduction in employees or reduction in salaries. To encourage employers to rehire employees who have already been laid off due to the COVID--19 crisis, borrowers will not be penalized for having a reduced payroll at the beginning of the period so long as the employer eliminates the reduction in the number of employees and/or salary levels by June 30, 2020.
- Allows forgiveness for additional wages paid to tipped workers
- Borrowers will verify to lenders their payments during the period, with documentation such payroll tax filings and proof of lease payments. Lenders that receive the required documentation will not be subject to an enforcement action or penalties by the Administrator relating to loan forgiveness for eligible uses.
- Upon a lender's report of an expected loan forgiveness amount for a loan or pool of loans, the SBA will purchase such amount of the loan from the lender.
- Canceled indebtedness resulting from this section will not be included in the borrower's taxable income.

Sec. 1107. Direct Appropriations

This section appropriates funds for the following uses:

- $349 billion for loan guarantees,
- $675 million for Small Business Administration salaries and expenses,
- $25 million for the Office of Inspector General
- $240 million for small business development centers and women's business centers for technical assistance for businesses
- $25 million for resource partner associations to provide online information and training
- $10 million for minority business centers for technical assistance for businesses
- $10 billion for emergency EIDL grants
- $17 billion for loan subsidies
- $25 million for Department of Treasury salaries and expenses

- The cap for guarantees of trust certificates is set at $100 billion in principal for secondary market guarantee sales.
- Mandates a report from SBA within 180 days to the Committees on Appropriations in the House and Senate with a detailed expenditure plan for using the appropriated amounts

Sec. 1108. Minority Business Development Agency

- Authorizes $10 million for the Minority Business Development Agency within the Department of Commerce to provide grants to Minority Business Centers and Minority Chambers of Commerce for the purpose of providing counseling, training, and education on federal resources and business response to COVID-19 for small businesses.
- Eliminates the Minority Business Center program's non-federal match requirement for a period of three months and allows for centers to waive fee-for-service requirements through September 2021.
- Mandates a report within 6 months from MBDA on the grant program.

Sec. 1109. United States Treasury Program Management Authority

- Establishes the authority of the U.S. Department of Treasury, the Farm Credit Administration, and other federal financial regulatory agencies to authorize bank and nonbank lenders to participate, including insured credit unions in loans made under the Paycheck Protection Program.
- For financial institutions admitted under this section, gives Treasury the authority to issue regulations and guidance for terms concerning lender compensation, underwriting standards, interest rates, and maturity. Interest rates set under this authority may not exceed the maximum permissible rate of interest set on loans made under Section 1102 of this Act.
- Requires that Treasury ensure that terms and conditions provided by this section are the same as the terms established for loans under Section 1102 of this Act for borrower eligibility, maximum loan amount, allowable uses, fee waivers, deferment, guarantee percentage, and loan forgiveness.
- Allows Treasury to issue regulations and guidance as necessary, including to allow additional lenders to originate loans and establish terms.
- Prohibits borrowers from applying for this loan if that borrower has a previously pending application for a 7(a) loan for the same purpose.
- Establishes that the SBA will administer the program, including purchasing and guaranteeing loans, with guidance from Treasury.
- All 7(a) lenders can opt-in to participate in the Paycheck Protection Program.

Sec. 1110. Emergency EIDL Grants

- Expands eligibility for access to Economic Injury Disaster Loans (EIDL) to include Tribal businesses, cooperatives, and ESOPs with fewer than 500 employees or any individual operating as a sole proprietor or an independent contractor during the covered period (January 31, 2020 to December 31, 2020). Private non-profits are also eligible for both grants and EIDLs.

- Requires that for any SBA EIDL loans made in response to COVID-19 before December 31, 2020, the SBA shall waive any personal guarantee on advances and loans below $200,000, the requirement that an applicant needs to have been in business for the 1-year period before the disaster, and the credit elsewhere requirement.
- During the covered period, allows SBA to approve and offer EIDL loans based solely on an applicant's credit score, or use an alternative appropriate alternative method for determining applicant's ability to repay.
- Establishes an Emergency Grant to allow an eligible entity who has applied for an EIDL loan due to COVID-19 to request an advance on that loan, of not more than $10,000, which the SBA must distribute within 3 days.
- Establishes that applicants shall not be required to repay advance payments, even if subsequently denied for an EIDL loan.
- Outlines that the emergency grant may be used for providing paid sick leave to employees, maintaining payroll, meeting increased costs to obtain materials, making rent or mortgage payments, and repaying obligations that cannot be met due to revenue losses.
- In advance of disbursing the advance payment, the SBA must verify that the entity is an eligible applicant for an EIDL loan. This approval shall take the form of a certification under penalty of perjury by the applicant that they are eligible.
- Requires that the emergency grant be considered when determining loan forgiveness, if the applicant refinances into a Paycheck Protection Program loan.
- Terminates the authority to carry out Emergency EIDL Grants on December 30, 2020.
- Establishes that an emergency involving Federal primary responsibility determined to exist by the President under Section 501(b) of the Stafford Disaster Relief and Emergency Assistance Act qualifies as a new trigger for EIDL loans and, in such circumstances, the SBA Administrator shall deem that each State or subdivision has sufficient economic damage to small business concerns to qualify for assistance under this paragraph and the Administrator shall accept applications for such assistance immediately.
- Adds "emergency" explicitly into other existing EIDL trigger language under Section 7(b)(2) of the Small Business Act.

Sec. 1111. Resources and Services Languages other than English

- Directs $25 million for the SBA to offer resources and services in the 10 most commonly spoken languages, other than English.

Sec. 1112. Subsidy for Certain Loan Payments

- Defines a covered loan as an existing 7(a) (including Community Advantage), 504, or microloan product. Paycheck Protection Program (PPP) loans are not covered.
- Requires the SBA to pay the principal, interest, and any associated fees that are owed on the covered loans for a six month period starting on the next payment due. Loans that are already on deferment will receive six months of payment by the SBA beginning with the first payment after the deferral period. Loans made up until six months after enactment will also receive a full 6 months of loan payments by the SBA.

- SBA must make payments no later than 30 days after the date on which the first payment is due. Requires the SBA to still make payments even if the loan was sold on the secondary market.
- Requires SBA to encourage lenders to provide deferments and allows lenders, up until one year after enactment, to extend the maturity of SBA loans in deferment beyond existing statutory limits.
- Allows the SBA to extend lender site visit requirements due to higher volumes, travel restrictions, or the inability to access some properties during the COVID–19 pandemic.

Sec. 1113. Bankruptcy

- Amends the Small Business Reorganization Act to increase the eligibility threshold to file under subchapter V of chapter 11 of the U.S. Bankruptcy Code to businesses with less than $7,500,000 of debt. The increase sunsets after one year and the eligibility threshold returns to $2,725,625.
- Amends the definition of income in the Bankruptcy Code for chapters 7 and 13 to exclude coronavirus-related payments from the federal government from being treated as "income" for purposes of filing bankruptcy. Sunsets after one year.
- Clarifies that the calculation of disposable income for purposes of confirming a chapter 13 plan shall not include coronavirus-related payments. Sunsets after one year.
- Explicitly permits individuals and families currently in chapter 13 to seek payment plan modifications if they are experiencing a material financial hardship due to the coronavirus pandemic, including extending their payments for up to seven years after their initial plan payment was due. Sunsets after one year.

Sec. 1114. Emergency Rulemaking Authority

- SBA is required to establish regulations no later than 15 days after enactment of this title.

Title II – Assistance for American Workers, Families, and Businesses

Subtitle A – Unemployment Insurance

Sec. 2101. Short Title.

Relief for Workers Affected By Coronavirus Act

Sec. 2102. Pandemic Unemployment Assistance

- This provision would create a new program modeled on Disaster Unemployment Assistance that would provide unemployment benefits to individuals who do not qualify for regular unemployment compensation and are unable to work because of the COVID-19 public health emergency. Pandemic Unemployment Assistance will cover self-employed workers (including gig workers and independent contractors), part-time workers, and those with limited work histories. The changes made in sections 2104 and 2107 to increase the size of regular unemployment benefits and make them available for additional weeks will also apply to benefits received through the Pandemic Unemployment Assistance program. Pandemic Unemployment Assistance will be state-administered but fully federally funded. Except as otherwise provided in this section, federal regulations for Disaster Unemployment Assistance will apply to Pandemic Unemployment Assistance. The program is effective through December 31, 2020.

Sec. 2103. Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations

- This provision would reduce the amount by which nonprofits, Indian Tribes, and governmental entities are required to reimburse states for benefits paid to their workers who claim unemployment insurance by 50 percent through December 31, 2020. This provision would also allow the Secretary of Labor to issue guidance to states to provide flexibility for employers in making reimbursement payments.

Sec. 2104. Emergency Increase in Unemployment Compensation

- This provision would add an additional $600 in Federal Pandemic Unemployment Compensation to every weekly unemployment benefit, effective until July 31, 2020. This $600 benefit will be taxable (like regular unemployment benefits), but it will be disregarded in determining Medicaid or CHIP eligibility.

Sec. 2105. Temporary Full Federal Funding of the First Week of Compensable Regular Unemployment for States with No Waiting Week

- This provision would allow states to enter into an agreement with the federal government to receive full reimbursement for the total amount of unemployment compensation paid to individuals for their first week of unemployment, provided that the state does not have a waiting week between applying for and receiving benefits, effective until December 31, 2020.

Sec. 2106. Emergency State Staffing Flexibility.

- This provision would allow states to waive personnel standards through December 31, 2020 to expedite hiring of new staff to process unemployment claims, including by allowing the hiring of independent contractors to process claims.

Sec. 2107. Pandemic Emergency Unemployment Compensation

- This provision would make an additional 13 weeks of federally-funded unemployment compensation for individuals who have exhausted their state unemployment benefits available immediately through December 31, 2020.

Sec. 2108. Temporary Financing of Short-Time Compensation in States with Programs in Law

- This provision would provide 100 percent federal reimbursement to states for payments made under qualifying short-time compensation programs (also known as work sharing programs) through December 31, 2020.

Sec. 2109. Temporary Financing of Short-Time Compensation Agreements

- This provision would permit states without formal short-time compensation laws to enter into agreements with the Department of Labor to enact a short-time compensation plan and receive a 50 percent federal reimbursement for payments through December 31, 2020.

Sec. 2110. Grants for Short-Time Compensation Programs

- This provision would create a grant program through which the federal government can provide grants to states for the purpose of implementing or improving a short-time compensation program.

Sec. 2111. Assistance and Guidance in Implementing Programs

- This provision would direct the Department of Labor to build on existing guidance to assist states in developing their work sharing programs.

Sec. 2112. Waiver of the 7-Day Waiting Period for Benefits Under the Railroad Unemployment Insurance Act

- This provision would eliminate the waiting week between applying for and receiving Railroad Unemployment Insurance benefits through December 31, 2020.

Sec. 2113. Enhanced Benefits under the Railroad Unemployment Insurance Act

- This provision would provide an additional $1200 payment to individuals receiving railroad unemployment benefits for each two-week registration period during which the individual receives benefits through July 31, 2020.

Sec. 2114. Extended Unemployment Benefits under the Railroad Unemployment Insurance Act

- The provision would extend the availability of Railroad Unemployment Insurance benefits by 13 weeks through December 31, 2020.

Sec. 2115. Funding for the DOL Office of the Inspector General for Oversight of Unemployment Provisions

- The provision would provide $25,000,000 for the DOL Office of the Inspector General to oversee programs authorized in the subtitle.

Sec. 2116. Implementation

- The Paperwork Reduction Act will not apply to the provisions of this subtitle. The Secretary of Labor may issue guidance necessary to carry out the provisions of this subtitle.

Subtitle B – Rebates and Other Individual Provisions

Sec. 2201. 2020 Recovery Rebates for Individuals

- This provision would provide $1,200 for singles and heads of households ($2,400 for married couples filing joints returns). The provision also provides $500 per qualifying child dependent under age 17 (using the rules under the Child Tax Credit). A family of four would receive $3,400.
- Rebates phase out at a 5% rate above adjusted gross incomes of $75,000 (single)/ $122,500 (head of household)/ $150,000 (joint). There is no income floor or phase-in – all recipients will receive the same amounts, provided they are under the phaseout threshold.
- Tax filers must provide Social Security Numbers (SSN) for each family member claiming a rebate (adoption taxpayer identification numbers accepted for adopted children). An exception on SSN is made for spouses of active military members. The rebates are fully available to residents of U.S. Territories, including Puerto Rico.
- The rebates will be paid out as advance refunds (in the form of checks or direct deposit) on the basis of taxpayers' filed tax year 2019 returns (or tax year 2018, if a 2019 return has not yet been filed). Nonfilers generally need to file a tax return in order to claim a rebate, although IRS may coordinate with other federal agencies in some instances to get checks out.
- *The provision is estimated to reduce revenues by $292.4 billion over 10 years.*

Sec. 2202. Special Rules for Use of Retirement Funds

- This provision would waive the additional 10 percent tax on early distributions from IRAs and defined contribution plans (such as 401(k) plans) in the case of coronavirus-related distributions. A coronavirus-related distribution may be made between January 1 and December 31, 2020, by an individual who is (or whose family) is infected with the coronavirus or who is economically harmed by the coronavirus. Distributions are limited to $100,000, and may be re-contributed to the plan or IRA. Employers are permitted to amend defined contribution plans to provide for these distributions. Additionally, defined contribution plans are permitted to allow plan loans up to $100,000 and repayment of existing plan loans is extended for employees who are affected by the coronavirus.
- *This provision is estimated to reduce revenues by $2.6 billion over 10 years.*

Sec. 2203. Temporary Waiver of Required Minimum Distribution Rules for Certain Retirement Plans and Accounts

- This provision would waive required minimum distributions that are required to be made in 2020 from defined contribution plans (such as 401(k) plans) and IRAs. The waiver includes required minimum distributions that are due by April 1, 2020, because the account owner turned 70 ½ in 2019.
- *This provision is estimated to reduce revenues by $4.5 billion over 10 years.*

Sec. 2204. Allowance of Partial Above-the-line Deduction for Charitable Contributions

- This provision would provide a $300 above-the-line deduction for cash contributions generally to public charities in 2020.
- *This provision is estimated to reduce revenues by $1.5 billion over 10 years.*

Sec. 2205. Modification of Limitations on Charitable Contributions During 2020

- This provision would increase the limitation on charitable deductions from 60% to 100% of modified income for cash contributions generally to public charities in 2020. It would also increase the limitation for food contributions by corporations from 15% to 25% of modified income.
- *This provision is estimated to reduce revenues by $1.1 billion over 10 years.*

Sec. 2206. Exclusion for Certain Employer Payments of Student Loans

- Under current law, an employee may exclude $5,250 from income for an employer sponsored educational assistance program. The provision would expand the definition of expenses to include an employer paying student loan debt. The provision is effective for student loan payment made before January 1, 2021.

Subtitle C – Business Provisions

Sec. 2301. Employee Retention Credit for Employers Subject to Closure Due to COVID-19

- This provision would provide a refundable payroll tax credit for 50 percent of wages paid by eligible employers to certain employees during the COVID-19 crisis. The credit is available to employers, including non-profits, whose operations have been fully or partially suspended as a result of a government order limiting commerce, travel or group meetings. The credit is also provided to employers who have experienced a greater than 50 percent reduction in quarterly receipts, measured on a year-over-year basis.
- Wages of employees who are furloughed or face reduced hours as a result of their employers' closure or economic hardship are eligible for the credit. For employers with 100 or fewer full-time employees, all employee wages are eligible, regardless of whether an employee is furloughed. The credit is provided for wages and compensation, including health benefits, and is provided for the first $10,000 in wages and compensation paid by the employer to an eligible employee. Wages do not include those taken into account for purposes of the payroll credits for required paid sick leave or required paid family leave, nor for wages taken into account for the employer credit for paid family and medical leave (IRC sec. 45S).
- The Secretary of the Treasury is granted authority to advance payments to eligible employers and to waive applicable penalties for employers who do not deposit applicable payroll taxes in anticipation of receiving the credit. The credit is not available to employers receiving Small Business Interruption Loans.
- The credit is provided through December 31, 2020.
- *This provision is estimated to reduce revenues by $54.6 billion over 10 years.*

Sec. 2302. Delay of Payment of Employer Payroll Taxes

- This provision would allow taxpayers to defer paying the employer portion of certain payroll taxes through the end of 2020, with all 2020 deferred amounts due in two equal installments, one at the end of 2021, the other at the end of 2022. Deferral is not provided to employers that avail themselves of SBA 7(a) loans designated for payroll.
- Payroll taxes that can be deferred include the employer portion of FICA taxes, the employer and employee representative portion of Railroad Retirement taxes (that are attributable to the employer FICA rate), and half of SECA tax liability.
- *This provision is estimated to reduce revenues by $12.3 billion over 10 years.*

Sec. 2303. Modification of Net Operating Losses

- The 2017 Tax Law limited net operating losses (NOLs) arising after 2017 to 80 percent of taxable income and eliminated the ability to carry NOLs back to prior taxable years.
- First, this provision would modify the treatment of NOL carrybacks. In the case of taxable years beginning before 2021, taxpayers will be eligible to carry back NOLs to the prior five taxable years. Effectively, this delays the 80 percent taxable income limitation until 2021 and temporarily extends the carryback period from zero to five years. The provision also temporarily disregards NOL carrybacks for the section 965 transition tax. C corporations may elect to file for an accelerated refund to claim the carryback benefit.
- Second, this provision would modify the treatment of NOL carryforwards. In the case of taxable years beginning before 2021, taxpayers will be entitled to an NOL deduction equal to 100% of taxable income (rather than the 80 percent limitation in present law). In the case of taxable years beginning after 2021, taxpayers will be eligible for. (1) a 100 percent deduction of NOLs arising in tax years prior to 2018, and (2) a deduction limited to 80 percent of modified taxable income for NOLs arising in tax years after 2017.
- The provision would also include a technical correction to the 2017 Tax Law, relating to the effective date of the NOL carryback repeal.
- *This provision is estimated to reduce revenues by $25.5 billion over 10 years.*

Sec. 2304. Modification of Limitation on Losses for Taxpayers other than Corporations

- This provision would retroactively turn off the excess active business loss limitation rule implemented with 2017 Tax Law by amending the provision to apply to tax years beginning after December 31, 2020 (rather than December 31, 2017). It also turns off active farming loss rules for tax years beginning after December 31, 2017 and before December 31, 2020.
- An active business loss is defined as deductions in excess of income and gain attributable to a trade or business in which the taxpayer actively participates plus $250,000 ($500,000 for joint filers) (i.e. active business losses in excess of $250,000 ($500,000 for joint filers) were disallowed by the 2017 Tax Law and treated as NOL carryforwards in the following tax year).
- The provision includes technical corrections to 2017 Tax Law. The provision clarifies that excess business losses do not include any deduction under 172 or 199A or any deductions related to performing services as an employee. The provision also clarifies that, because capital losses cannot offset ordinary income under the NOL rules, capital loss deductions are

not taken into account in computing the section 461(l) limitation, and that the amount of capital gain taken into account in calculating the section 461(l) limitation cannot exceed the lesser of capital gain net income from a trade or business or capital gain net income.
- *This provision is estimated to reduce revenues by $169.6 billion over 10 years.*

Sec. 2305. Modification of Credit for Prior Year Minimum Tax Liability of Corporations

- The 2017 Tax Law repealed the corporate alternative minimum tax (AMT) and allowed corporations to claim outstanding AMT credits subject to certain limits for tax years prior to 2021, at which time any remaining AMT credit may be claimed as fully-refundable. This provision allows corporations to claim 100% of AMT credits in 2019 as fully-refundable and provides an election to accelerate claims to 2018, with eligibility for accelerated refunds.
- *This provision is estimated to have no revenue effect over 10 years.*

Sec. 2306. Modification of Limitation on Business Interest

- The 2017 Tax Law generally limited the amount of business interest allowed as a deduction to 30% of adjusted taxable income (ATI). This provision generally allows businesses to elect to increase the interest limitation from 30% of ATI to 50% of ATI for 2019 and 2020, and allows businesses to elect to use 2019 ATI in calculating their 2020 limitation.
- A special rule for partnerships allows 50% of any excess business interest allocated to a partner in 2019 to be deductible in 2020 and not subject to the 50% (formerly 30%) ATI limitation. The remaining 50% of excess business interest from 2019 is subject to the ATI limitation. The 2019 ATI limitation remains at 30% of partnership ATI rather than 50% of ATI. The ATI limitation for 2020 is 50% of partnership ATI and partnerships may elect to use 2019 partnership ATI in calculating their 2020 limitation.
- *This provision is estimated to reduce revenues by $13.4 billion over 10 years.*

Sec. 2307. Technical amendments regarding qualified improvement property

- This provision is a technical correction to the 2017 Tax Law that would allow the interior improvements of buildings to be (1) immediately expensed in the case of restaurant, retail, and most other property (classified as 15-year property), or (2) depreciated over 20 years in the case of a real property trade or business.
- *This provision is estimated to have no revenue effect over 10 years.*

Sec. 2308. Temporary exception from excise tax for alcohol used to produce hand sanitizer

- Under present law, distilled spirits are generally subject to an excise tax of between $2.70 and $13.50 per proof gallon upon removal from the premises of a distilled spirits plant (DSP), however, denatured spirits for non-beverage use may be removed free of tax. Denaturing requires the spirits be mixed with an unappetizing or emetic ingredient to prevent improper or accidental ingestion.
- Hand sanitizer is classified as an over-the-counter drug regulated by the Food and Drug Administration (FDA) under the Federal Food, Drug, and Cosmetic Act. FDA has issued guidance on March 14, 20, and 24, on the emergency production of hand sanitizer in

connection with the COVID-19 outbreak, which taken together, provides that undenatured spirits may be produced by a DSP for use in the production of hand sanitizer, provided such spirits are later denatured prior to use in such production. In the case that undenatured spirits are removed from a DSP and later denatured off-premises, such spirits may be subject to excise tax liability as a beverage alcohol product. This provision would exempt from tax spirits removed during 2020 and used for the production of hand sanitizer in compliance with all FDA guidance.

Title III - Supporting America's Health System in the Fight Against the Coronavirus

Part I – Addressing Supply Shortages

Subpart A – Medical Product Supplies

Sec. 3101. National Academies report on America's medical product supply chain security.

- Directs the National Academies to study the manufacturing supply chain of drugs and medical devices and provide Congress with recommendations to strengthen the U.S. manufacturing supply chain.

Sec. 3102. Requiring the strategic national stockpile to include certain types of medical supplies

- Clarifies the Strategic National Stockpile can stockpile personal protective equipment and other medical supplies, including supplies required for testing and the administration of drugs and vaccines.

Sec. 3103. Treatment of respiratory protective devices as covered countermeasures.

- Provides permanent liability protection for manufacturers of certain personal respiratory protective equipment that have been cleared by NIOSH, such as masks and respirators, in the event of a public health emergency.

Subpart B – Mitigating Emergency Drug Shortages

Sec. 3111. Prioritize reviews of drug applications; incentives.

- Requires the Food and Drug Administration (FDA) to prioritize inspections and the review of supplements to drug applications that could help prevent or mitigate a drug shortage. FDA is required under current law to expedite such inspections and review of supplements.

Sec. 3112. Additional manufacturer reporting requirements in response to drug shortages.

- Requires drug manufacturers to submit additional information six months prior to the date of discontinuance or interruption of manufacture of a drug that is likely to lead to a meaningful disruption in supply, including information about active pharmaceutical ingredients. Requires manufacturers to maintain risk management plans that identify and evaluate risks to the drug supply. Requires manufacturers to report annually to the Food and Drug Administration the amount of each drug manufactured at each manufacturing establishment.

Subpart C – Preventing Medical Devices Shortages

Sec. 3121. Discontinuance or interruption in the production of medical devices.

- Requires device manufacturers to notify the Food and Drug Administration, during or in advance of a public health emergency, six months prior to the date of a discontinuance or interruption of manufacture of a drug that is likely to lead to a meaningful disruption in supply, and the reasons for the discontinuance or interruption. Requires the FDA to prioritize and expedite inspections and the review of submissions that could help prevent or mitigate a drug shortage.

Part II – Access to Health Care for COVID-19 Patients

Subpart A – Coverage of Testing and Preventive Services

Sec. 3201. Coverage of diagnostic testing for COVID-19.

- Makes a technical correction to section 6001 of the Families First Coronavirus Act which required testing for COVID-19 to be covered by private insurance plans without cost sharing.

Sec. 3202. Pricing of diagnostic testing.

- For COVID-19 testing covered with no cost to patients, requires an insurer to pay either the rate specified in a contract between the provider and the insurer, or, if there is no contract, a cash price posted by the provider. Insurers may negotiate a lower price than the cash price.

Sec. 3203. Rapid coverage of preventive services and vaccines for coronavirus.

- Provides free coverage without cost-sharing of a preventive service or vaccine related to COVID-19 within 15 days of the preventive service or vaccine receiving a rating of “A” or “B” from the United States Preventive Services Task Force or a recommendation from the Advisory Committee on Immunization Practices (ACIP).

Subpart B – Support for Heath Care Providers

Sec. 3211. Supplemental awards for health centers.

- Provides $1.32 billion in supplemental funding for FY2020 to community health centers on the front lines of testing and treating patients for COVID-19.

Sec. 3212. Telehealth network and telehealth resource centers grant programs.

- Reauthorizes Health Resources and Services Administration (HRSA) grant programs that promote the use of telehealth technologies for health care delivery, education, and health information services. Telehealth offers flexibility for patients with, or at risk of contracting, COVID-19 to access screening or monitor symptoms and care while avoiding exposure to others.

Sec. 3213. Rural health care services outreach, rural health network development, and small health care provider quality improvement grant programs.

- Reauthorizes HRSA grant programs to strengthen rural community health by focusing on quality improvement, increasing health care access, coordination of care, and integration of services. Rural residents are disproportionately older and more likely to have a chronic disease, which could increase their risk for more severe illness if they contract COVID-19.

Sec. 3214. United States Public Health Service Modernization.

- Establishes a Ready Reserve Corps to help ensure the nation has enough trained doctors and nurses to respond to COVID-19 and other public health emergencies.

Sec. 3215. Limitation on liability for volunteer health care professionals during COVID-19 emergency response.

- Makes clear health care providers who provide volunteer medical services during the public health emergency related to COVID-19 have liability protections under specified conditions.

Sec. 3216. Flexibility for members of National Health Service Corps during emergency period.

- Allows the Secretary of Health and Human Services to reassign members of the National Health Service Corps (NHSC) to sites close to the one to which they were originally assigned, with the Corps member's voluntary agreement, in order to respond to the COVID-19 public health emergency.

Subpart C – Miscellaneous Provisions

Sec. 3221. Confidentiality and disclosure of records relating to substance use disorder.

- Aligns the 42 CFR Part 2 regulations, which govern the confidentiality and sharing of substance use disorder treatment records, with the requirements of the Health Insurance Portability and Accountability Act (HIPAA), following an initial opportunity for patients to give, or withhold, consent. Establishes new protections against the use of such records for discriminatory purpose or in legal and administrative settings. Violation of these provisions would be enforced through civil monetary penalties

Sec. 3222. Nutrition services.

- Allows for 100 percent transfer authority between Older Americans Act (OAA) homedelivered and congregate meal program funding for the duration of the COVID-19 public health emergency. Clarifies the meaning of "homebound" to include individuals who are practicing social distancing due to COVID-19. Waives nutrition requirements for OAA meal programs during the public health emergency related to COVID-19 to ensure seniors can get meals in case certain food options are not available.

Sec. 3223. Continuity of service and opportunities for participants in community service activities under title V of the Older Americans Act of 1965

- Allows the Secretary of Labor to extend older adults' participation in community service projects under OAA and make administrative adjustments to facilitate their continued employment under the program.

Sec. 3224. Guidance on protected health information.

- Requires the Department of Health and Human Services (HHS) to issue guidance, within 180 days, on what protected health information can be shared during the public health emergency related to COVID-19, under current law.

Sec. 3225. Reauthorization of Healthy Start program.

- Reauthorizes the Healthy Start program for five years (FY2021 through FY2025), which aims to reduce the national infant mortality rate and provides grants to improve access to services for women and their families, who may need additional support during the public health emergency related to COVID-19. Encourages coordination with the community in which grantees are located; Expands the criteria used to evaluate Healthy Start projects, including how projects have impacted infant mortality rates and perinatal and infant health outcomes; and Instructs the Government Accountability Office (GAO) to issue a report detailing the allocation of the Healthy Start grants, progress in meeting the evaluation criteria, and improvements in health outcomes for program participants.

Sec. 3226. Importance of the blood supply.

- Directs the Secretary of HHS to carry out an initiative to improve awareness of the importance and safety of blood donation and the continued need for blood donations during the COVID-19 public health emergency.

Part III - Innovation

Sec. 3301. Removing the cap on OTA for public health emergencies.

- Amends the authority of the Biomedical Advanced Research and Development Authority (BARDA) regarding the use of other transaction authority (OTA) during a public health emergency.

Sec. 3302. Priority zoonotic animal drugs.

- Provides breakthrough therapy designations for drugs that have the potential to prevent or treat disease in animals that have the potential to cause serious or life threatening diseases or health consequences in humans.

Part IV – Health Care Workforce

Sec. 3401. Reauthorization of health professions workforce programs.

- Reauthorizes and updates Title VII of the Public Health Service Act (PHSA), which pertains to programs to support clinician training and faculty development, including the training of practitioners in family medicine, general internal medicine, geriatrics, pediatrics, and other medical specialties.

Sec. 3402. Health workforce coordination.

- Directs the Secretary of HHS to develop a comprehensive and coordinated plan for health workforce programs, which may include performance measures and the identification of gaps between the outcomes of such programs and relevant workforce projection needs.

Sec. 3403. Education and training relating to geriatrics.

- Title VII programs strengthen the health professions workforce to better meet the health care needs of certain populations, such as older individuals and those with chronic diseases, who could be at increased risk of contracting COVID-19.

Sec. 3404. Nursing workforce development.

- Reauthorizes and updates Title VIII of the PHSA, which pertains to nurse workforce training programs. Updates reporting requirements to include information on the extent to which Title VIII programs meet the goals and performance measures for such activities, and the extent to which HHS coordinates with other Federal departments on related programs. Permits Nurse Corps loan repayment beneficiaries to serve at private institutions under certain circumstances. Title VIII programs help to address current and emerging health care challenges by supporting the development of a robust nursing workforce, which is critical in responding to the COVID-19 pandemic and future public health emergencies.

Subtitle B – Education Provisions

Sec. 3502. Definitions

- Sets definitions for terms including “coronavirus,” “foreign institution,” “institution of higher education,” “qualifying emergency,” and “Secretary.”

Sec. 3503. Campus-Based Aid Waivers

- Waives the institutional matching requirement for higher education campus-based aid programs and allows institutions to transfer unused work-study funds to be used for supplemental grants.

Sec. 3504. Use of Supplemental Educational Opportunity Grants for Emergency Aid

- Allows institutions of higher education to award additional SEOG funds as emergency grant aid to students impacted by COVID-19.

Sec. 3505. Continuing Federal Work Study to Continue During a Qualifying Emergency

- Allows institutions of higher education to issue work-study payments to students who are unable to work due to work-place closures as a lump sum or in payments similar to paychecks.

Sec. 3506. Adjustments of Subsidized Loan Limits

- For students who dropped out of school as a result of COVID-19, excludes the term from counting toward lifetime subsidized loan eligibility.

Sec. 3507. Exclusion from Federal Pell Grant Duration Limit

- For students who dropped out of school as a result of COVID-19, excludes the term from counting toward lifetime Pell eligibility.

Sec. 3508. Institutional Refunds and Federal Student Loan Flexibility.

- For students who dropped out of school as a result of COVID-19, allows those students to not be required to return unused Pell Grants or federal student loans to the Secretary. In addition, waives the requirement that institutions calculate the amount of grant or loan assistance the institution must return to the Secretary in the case of students who dropped out of school as a result of COVID-19. Cancels the portion of the student's loan taken out for the semester (or equivalent) if a student withdrew due to COVID-19.

Sec. 3509. Satisfactory Academic Progress

- For students who dropped out of school as a result of COVID -19, allows for those students' grades to not affect a student's federal academic requirements to continue to receive Pell Grants or student loans.

Sec. 3510. Continuing Education at Affected Foreign Institutions

- Permits foreign institutions to offer distance education or enter into written arrangements with U.S. institutions of higher education to allow U.S. students to continue receiving student loans for the duration of the COVID-19 declaration of disaster.

Sec. 3511 National Emergency Educational Waivers

- Overhauls the original CARES Act proposal to substantially narrow the authority provided to the Secretary of Education to waive certain federal education laws, including the Elementary and Secondary Education Act (ESEA), the Individuals with Disabilities Act (IDEA), and the Higher Education Act (HEA). The revised waiver authority is limited to the ESEA only and largely restates the waiver authority that already exists under the ESEA. Section 3511 directs the Secretary of Education to create a streamlined process for waiver applications of certain ESEA topics including assessments, school identification, and reporting requirements linked to those assessments, for this academic year only. This section also provides the Secretary of Education with the authority to issue targeted waivers of other requirements, including the ability for federal education grantees to spend their federal dollars over longer periods of time, for this academic year only. Requires the Department of Education to issue a report with any recommendations for additional waivers that may be needed under the ESEA, the Carl Perkins Career and Technical Education Act, IDEA, and the Rehabilitation Act of 1973.

Sec. 3512. HBCU Capital Financing Program

- Authorizes the Secretary of Education to defer payments on current HBCU Capital Financing loans during the national emergency period to allow HBCUs to devote financial resources to COVID-19 efforts.

Sec. 3513 Temporary Relief for Federal Student Loan Borrowers

- Cancels payments for all federal student loan borrowers with federally-held loans with Direct Loans and FFEL loans that are held by the U.S. Department of Education through September 30, 2020, meaning such borrowers will not be required to make any payments toward outstanding interest or principal. Suspends interest accrual for such loans for 6 months. Prohibits forced collections such as garnishment of wages, tax refunds, and Social Security benefits; and negative credit reporting during this time period. Student borrowers continue to receive credit toward Public Service Loan Forgiveness, Income-Driven Repayment forgiveness, and loan rehabilitation. Starting in August, requires student loan borrowers to receive notices to help inform them that their regular loan payments will resume at the end of September. These notices are intended to provide a transition period to help borrowers stay on track as regular loan payments begin again and to enroll in other relief options (such as income-driven repayment) at such time.

Sec. 3514. Provisions Related to the Corporation for National and Community Service

- Provides additional flexibilities to the Corporation for National and Community Services (CNCS). It provides CNCS with the ability to waive the required number of volunteer hours so that members may still receive a full Segal Education Award even if their service was interrupted as a result of COVID-19. It extends the age limits and the terms of service to allow individuals serving in national service programs to continue participating in programs after the COVID-19 declaration of disaster ends. Permits fixed-amount grant recipients to maintain a pro rata amount of grant funds for participants who exited or are serving in a limited capacity due to COVID-19. Permits CNCS to carry over funds that have not been expended till September 30, 2021.

Sec. 3515. Workforce Response Activities.

- Provides local workforce boards with additional flexibility to use funds received under the Workforce Innovation and Opportunity Act for increased administrative costs in response to COVID-19 by raising the existing cap from 10 percent to 20 percent. Allows Governors to use reserved workforce funds on rapid response activities in response to COVID-19.

Sec. 3516 Technical Amendments

- Makes technical corrections to the FUTURE Act (Public Law No: 116-91) to better ensure implementation by institutions of higher education, state agencies, and certain scholarship-granting organizations.

Sec. 3517. Waiver Authority and Reporting Requirements for Institutional Aid

- Authorizes the Secretary of Education to waive certain data and allotment requirements for FY2020 and FY2021 grant programs for HBCUs, tribal colleges and other Minority Serving Institutions, and under-resourced colleges under the Strengthening Institutions Program to ensure those colleges' funding streams are not adversely affected by COVID-19. Grants institutions flexibility to carry over unexpended funds.

Sec. 3518 Authorized Uses and Other Modifications for Grants

- Authorizes the Secretary to modify current allowable uses of funds for institutional grant programs (TRIO, GEAR UP, and HBCU and MSI programs in Titles III, V, and VII), upon the institution's request, to allow colleges the flexibility to re-deploy resources and services to COVID-19 efforts. Permits institutions to request from the Secretary waivers for financial matching requirements in competitive grant programs and other MSI grant programs in the Higher Education Act to allow colleges to devote institutional resources to COVID-19 efforts.

Sec. 3519. Service Obligation to Teachers

- For teachers who could not finish a full year of teaching service due to COVID-19, allows their partial year of service to be counted as a full year of service toward TEACH Grant obligations or Teacher Loan Forgiveness. Waives a requirement that teachers must serve consecutively for Teacher Loan Forgiveness, if a teacher's service is interrupted as a result of COVID-19.

Subtitle C – Labor Provisions

Sec. 3601. Limitation on Paid Leave

- Clarifies the limitation on compensation during paid leave, stating an employer shall not be required to pay more than $200 per day and $10,000 in the aggregate for each employee under this section.

Sec. 3602. Emergency Paid Sick Leave Limitation

- Clarifies the limitation on compensation during paid sick days, stating an employer shall not be required to pay more than $511 per day and $5,110 in the aggregate for sick leave or more than $200 per day and $2,000 in the aggregate to care for family under this section.

Sec. 3603. Unemployment Insurance

- Amends the provision in CV2 that required for state unemployment insurance applications to be in at least one of two forms (in person, by phone, or online), to say that such requirement is to be met "to the extent practicable".

Sec. 3604. OMB Waiver of Paid Family and Paid Sick Leave

- Allows the Director of the Office of Management and Budget to exclude for good cause certain Executive Branch employees from the Paid Family Leave mandate. Allows the Director of the Office of Management and Budget to exclude for good cause certain Executive Branch employees from the Paid Sick Leave mandate.

Sec. 3605. Paid Leave for Rehired Employees

- Allows an employee who was laid off by an employer March 1, 2020, or later to have access to paid family leave in certain instances if they are rehired by the employer. The employee would have had to work for the employer at least 30 days prior to being laid off.

Sec. 3606. Advance Refunding of Credits

- This provision would authorize Treasury to provide advance payment of tax credits that are available to private sector employers that are required to provide up to 12 weeks of coronavirus-related paid leave to their employees.
- *This provision is estimated to have no revenue effect.*

Sec. 3607. Expansion of DOL Authority to Postpone Certain Deadlines

- Section 518 of ERISA provides the Department of Labor limited ability to postpone certain ERISA filing deadlines for a period of up to one year. This provision would allow the Secretary of Labor to delay filings by notice or otherwise in the case of a public health emergency declared by the Secretary of Health and Human Services pursuant to section 319 of the Public Health Service Act.

Sec. 3608. Single-Employer Plan Funding Rules

- Provides funding relief for single-employer defined benefit pension plans. Specifically, provides companies with more time to meet funding obligations by delaying the due date for any contribution otherwise due during 2020 until January 1, 2021. At that time, contributions due earlier would be due with interest. Provides that a plan's status for benefit restrictions as of December 31, 2019 will apply throughout 2020.

Sec. 3609. Application of Cooperative and Small Employer Charity Pension Plan Rules to Certain Charitable Employers whose Primary Exempt Purpose is Providing Services with Respect to Mothers and Children.

- The legislation provides that a pension plan sponsored by a non-profit employer meeting certain conditions will be subject to the pension funding rules applicable to "Cooperative and Small Employer Charity Pension Plans" (CSEC Plans). Specifically, it amends the definition of CSEC Plans to provide that a pension plan will be a CSEC plan if, as of January 1, 2000, the plan was sponsored by an employer that (i) is exempt from taxation under Code section 501(c)(3), (ii) has been in existence since 1938, (iii) conducts medical research directly or indirectly through grant making, and (iv) has as its primary exempt purpose providing services with respect to mothers and children. This section is effective for plan years beginning after December 31, 2018.

Sec. 3610. Federal Contractor Authority

- Allows federal agencies to reimburse federal contractors and subcontractors for paid leave and paid sick days provided to their employees when the contractors are unable to fulfill the work under their contracts because they are unable to access a federal facility or are otherwise restricted due to COVID-19.

Sec. 3611. Technical Corrections

- Makes a series of corrections to inadvertent drafting errors in the Families First Coronavirus Response Act. Gives DOL the authority to issue regulations, including to ensure consistency between paid family leave and paid sick leave. Gives DOL authority to investigate and gather data in order to enforce the requirements.

Subtitle D—Finance Committee

Sec. 3701. Exemption for telehealth services

- This section would allow a high-deductible health plan (HDHP) with a health savings account (HSA) to cover telehealth services prior to a patient reaching the deductible, increasing access for patients who may have the COVID-19 virus and protecting other patients from potential exposure for those plan years beginning on or before December 31, 2021.

Sec. 3702. Inclusion of certain over-the-counter medical products as qualified medical expenses.

- This section would allow patients to use funds in HSAs and Flexible Spending Accounts for the purchase of over-the-counter medical products, including those needed in quarantine and social distancing and menstrual products, that don't require a prescription from a physician.

Sec. 3703. Increasing Medicare telehealth flexibilities during emergency period

- This section would broaden the authority of the Secretary of Health and Human Services (HHS) to waive the telehealth requirements of section 1834(m) of the Social Security Act during the COVID-19 emergency period. This would enable Medicare beneficiaries to access telehealth, including in their home, from a broader range of providers, reducing COVID-19 exposure.

Sec. 3704. Enhancing Medicare telehealth services for Federally qualified health centers and rural health clinics during emergency period.

- This section would allow, during the COVID-19 emergency period, Federally Qualified Health Centers (FQHCs) (including Community Health Centers (CHCs)) and Rural Health Clinics (RHCs) to furnish telehealth services to Medicare beneficiaries, including in the beneficiaries' homes to avoid potential exposure to COVID-19. Medicare would be required to pay FQHCs and RHCs for these telehealth services based on payment rates similar to the national average payment rates for comparable telehealth services under the Medicare Physician Fee Schedule. This section would also exclude the costs associated with these telehealth services from both the FQHC prospective payment system and the RHC all-inclusive rate calculations.

Sec. 3705. Temporary waiver of requirement for face-to-face visits between home dialysis patients and physicians

- This section would eliminate a requirement during the COVID-19 emergency period that a nephrologist conduct some of the required periodic evaluations of a patient on home dialysis face-to-face, allowing these vulnerable beneficiaries to get more care in the safety of their home.

Sec. 3706. Use of telehealth to conduct face-to-face encounter prior to recertification of eligibility for hospice care during emergency period

- Under current law, hospice physicians and nurse practitioners cannot conduct recertification encounters using telehealth. This section would allow, during the COVID-19 emergency period, qualified providers to use telehealth technologies in order to fulfill the hospice face-to-face recertification requirement.

Sec. 3707. Encouraging use of telecommunications systems for home health services furnished during emergency period

- This section would require the Secretary of HHS to issue clarifying guidance encouraging the use of telecommunications systems, including remote patient monitoring, to furnish home health services consistent with the beneficiary care plan during the COVID-19 emergency period.

Sec. 3708. Improving care planning for Medicare home health services

- Under current law, only physicians are able to certify the need for home health services. This section would allow physician assistants, nurse practitioners, and clinical nurse specialists to order home health services for beneficiaries, reducing delays and increasing beneficiary access to care in the safety of their home.

Sec. 3709. Adjustment of sequestration

- This section would provide prompt economic assistance to health care providers on the front lines fighting the COVID-19 virus, helping them to furnish needed care to affected patients. Specifically, this section would temporarily lift the Medicare sequester, which reduces payments to providers by 2 percent, from May 1 through December 31, 2020, boosting payments for hospital, physician, nursing home, home health, and other care. The Medicare sequester would be extended by one year beyond current law to provide immediate relief without worsening Medicare's long-term financial outlook.

Sec. 3710. Medicare hospital inpatient prospective payment system add-on payment for COVID–19 patients during emergency period

- This section would increase the payment that would otherwise be made to a hospital for treating a patient admitted with COVID-19 by 20 percent. Specifically, it increases the weighting factor of diagnosis-related groups (DRGs) for patients diagnosed with COVID-19 by 20 percent. This recognizes that COVID-19 cases can be resource intensive and provides higher payment for these complex patients. This add-on payment would be available through the duration of the COVID-19 emergency period.

Sec. 3711. Increasing access to post-acute care during emergency period

- This section would provide acute care hospitals flexibility, during the COVID-19 emergency period, to transfer patients out of their facilities and into alternative care settings in order to prioritize resources needed to treat COVID-19 cases. Specifically, this section would waive the inpatient rehabilitation facility (IRF) three-hour rule, which requires that a beneficiary be expected to participate in at least three hours of intensive rehabilitation at least five days per week to be admitted to an IRF. It would also waive clinical criteria for long-term care hospital (LTCH) admissions and payments, allowing LTCHs to receive Medicare LTCH payments even if more than 50 percent of its cases do not meet such criteria. It would also temporarily pause the LTCH site-neutral payment methodology, therefore reimbursing LTCHs at the LTCH PPS rate for all admissions

Sec. 3712. Revising payment rates for durable medical equipment under the Medicare program through duration of emergency period

- This section would prevent scheduled reductions in Medicare payments for durable medical equipment, which helps patients transition from hospital to home and remain in their home, through the length of COVID-19 emergency period.

Sec. 3713. Coverage of the COVID-19 vaccine under part B of the Medicare program without any cost-sharing

- This section would enable beneficiaries to receive a COVID-19 vaccine in Medicare Part B and Medicare Advantage with no cost-sharing.

Sec. 3714. Requiring Medicare prescription drug plans and MA–PD plans to allow during the COVID-19 emergency period for fills and refills of covered part D drugs for up to a 3-month supply

- This section would require that Medicare Part D plans provide up to a 90-day supply of a prescription medication if requested by a beneficiary during the COVID-19 emergency period.

Sec. 3715. Providing home and community-based services in acute care hospitals

- This section would allow state Medicaid programs to pay for direct support professionals, caregivers trained to help with activities of daily living, to assist individuals with disabilities in the hospital and acute care settings to help reduce length of stay, free up beds, and ensure individuals with disabilities receive appropriate care.

Sec. 3716. Clarification Regarding Uninsured Individuals

- This section would clarify a section of the Families First Coronavirus Response Act of 2020 (Public Law 116-127) by ensuring that certain uninsured individuals can receive a COVID-19 test and related service with no cost-sharing in any state Medicaid program that elects to offer such options.

Sec. 3717. Clarification regarding coverage of COVID-19 testing products

- This section would clarify a section of the Families First Coronavirus Response Act of 2020 (Public Law 116-127) by ensuring that beneficiaries can receive all tests for COVID-19 in Medicaid with no cost-sharing.

Sec. 3718. Amendments relating to reporting requirements with respect to clinical diagnostic laboratory tests

- This section would prevent scheduled reductions in Medicare payments for clinical diagnostic laboratory tests furnished to beneficiaries in 2021. It would also delay by one year the upcoming reporting period during which laboratories are required to report private payor data.

Sec. 3719. Expansion of the Medicare hospital accelerated payment program during the COVID-19 public health emergency.

- This section would expand, for the duration of the COVID-19 emergency period, an existing Medicare accelerated payment program. Hospitals, especially those facilities in rural and frontier areas, need reliable and stable cash flow to help them maintain and support an adequate workforce, buy essential supplies, create additional infrastructure, and keep their doors open to care for patients. Specifically, qualified facilities would be able to request up to a six month lump sum or periodic payment. This accelerated payment would be based on net reimbursement represented by unbilled discharges or unpaid bills. Most hospital types could elect to receive up to 100 percent of the prior period payments, with CAHs able to receive up to 125 percent. Finally, a qualifying hospital would not be required to start paying Medicare back for four months after receiving the first payment. Hospitals would have at least 12 months to complete repayment without paying interest.

Sec. 3720. Delaying requirements for enhanced Federal Medical Assistance Percentage (FMAP) to enable State legislation necessary for compliance.

- This section would provide a limited 30 day period for a State to meet certain requirements related to the enhanced FMAP under the Families First Coronavirus Response Act to ensure compliance.

Subtitle E – Health and Human Services Extenders

Part I - Medicare Provisions

Sec. 3801. Extension of the work geographic index floor under the Medicare program

- This section would increase payments for the work component of physician fees in areas where labor cost is determined to be lower than the national average through December 1, 2020.

Sec. 3802. Extension of funding for quality measure endorsement, input, and selection

- This section would provide funding for HHS to contract with a consensus-based entity, e.g., the National Quality Forum (NQF), to carry out duties related to quality measurement and performance improvement through November 30, 2020.

Sec. 3803. Extension of funding outreach and assistance for low-income programs

- This section would extend funding for beneficiary outreach and counseling related to low-income programs through November 30, 2020.

Part II - Medicaid Provisions

Sec. 3811. Extension of Money Follows the Person rebalancing Demonstration Program

- This section would extend the Medicaid Money Follows the Person demonstration that helps patients transition from institutional settings such as nursing home to home and community-based settings through November 30, 2020.

Sec. 3812. Extension of Spousal Impoverishment Protections

- This section would extend the Medicaid spousal impoverishment protections program through November 30, 2020 to help a spouse of an individual who qualifies for community-based care to live at home in the community.

Sec. 3813. Delay of DSH Reductions

- This section would delay scheduled reductions in Medicaid disproportionate share hospital payments through November 30, 2020.

Sec. 3814. Extension and Expansion of Community Mental Health Services Demonstration program

- This section would extend the Medicaid Community Mental Health Services demonstration that provides coordinated care to patients with mental health and substance use disorders, through November 30, 2020. It would also expand the demonstration to two additional states.

Part III - Human Services and Other Health Programs

Sec. 3821. Extension of Sexual Risk Avoidance Education program

- This section extends the Sexual Risk Avoidance Education (SRAE) program through November 30, 2020 at current funding levels. This program provides funds to states to provide education exclusively focused on sexual risk avoidance.

Sec. 3822. Extension of Personal Responsibility Education program

- This section extends the Personal Responsibility Education Program (PREP) through November 30, 2020 at current funding levels. PREP provides states, community groups, tribes, and tribal organizations with grants to implement evidence-based, or evidence-informed, innovative strategies for teen pregnancy and HIV/STD prevention, youth development, and adulthood preparation for young people.

Sec. 3823. Extension of Demonstration Projects to Address Health Professions Workforce Needs.

- This section extends the Health Professions Opportunity Grants (HPOG) program through November 30, 2020 at current funding levels. This program provides funding to help low-income individuals obtain education and training in high-demand, well-paid, health care jobs.

Sec. 3824. Extension of the Temporary Assistance for Needy Families Program and Related Programs

- This section extends the Temporary Assistance for Needy Families (TANF) program and related programs at current funding levels through November 30, 2020.

Part IV – Public Health Provisions

Sec. 3831. Extension for community health centers, the National Health Service Corps, and teaching health centers that operate GME programs.

- Extends community health centers, the National Health Service Corps, and teaching health centers that operate GME programs (THCGME) at current funding levels through November 30, 2020.

Sec. 3832. Diabetes programs.

- Extends the Special Diabetes Program (SDP) and the Special Diabetes Program for Indians (SDPI) at current funding levels through November 30, 2020.

Part V – Miscellaneous Provisions

Sec. 3841. Prevention of Duplicate Appropriations for Fiscal year 2020

- Any provisions of law amended in this title shall be charged to the applicable appropriation or authorization provided by the amendments made by this title.

Subtitle F – Over-the-Counter Drugs

Part I – OTC Drug Review

Sec.3851 Regulation of certain nonprescription drugs that are marketed without an approved drug application

- Reforms the regulatory process for over-the-counter (OTC) drug monographs by allowing the Food and Drug Administration (FDA) to approve changes to those monographs administratively, rather than going through a full notice and comment rulemaking. Currently, FDA can approve all other drugs without going through a full notice and comment rulemaking, and this legislation makes sure OTC medicines receive the same treatment as other drugs. Incentivizes companies to create more innovative products by providing an 18-month market-exclusivity component that rewards a return on investment for new OTC drugs.

Sec.3852 Misbranding

- Clarifies that an OTC drug that does not comply with the monograph requirements is misbranded.

Sec.3853. Drugs excluded from over-the-counter drug review

- Clarifies that nothing in the CARES Act will apply to drugs previously excluded by the FDA from the Over-the-Counter Drug Review under a specified Federal Register document.

Sec.3854. Treatment of Sunscreen Innovation Act

- Clarifies that sponsors of sunscreen ingredients with orders pending with FDA have the option to be reviewed in accordance with the Sunscreen Innovation act or under the new monograph review process.

Sec.3855. Annual update to Congress on appropriate pediatric indication for certain OTC cough and cold drugs

- Requires an annual update to Congress regarding FDA's progress in evaluating pediatric indications for certain cough and cold monograph drugs for children under age six.

Sec.3856. Technical corrections

- Includes technical corrections to the Food and Drug Administration Reauthorization Act of 2017 and existing law.

Part II – User Fees

S.3861. Finding

- Declares the fees paid pursuant to this section will be dedicated to FDA review of over-the-counter monograph drugs.

S.3862. Fees relating to over-the-counter drugs

- Establishes a new FDA user fee to allow the agency to hire additional staff members to ensure there is adequate agency oversight to approve changes to OTC drugs.

Title IV -- Economic Stabilization and Assistance to Severely Distressed Sectors of the United States Economy

Subtitle A – Coronavirus Economic Stabilization Act of 2020

Sec. 4001. Short Title. "Coronavirus Economic Stabilization Act of 2020".

Sec. 4002. Definitions

Sec. 4003. Emergency Relief and Taxpayer Protections

- Provides $500 billion in loans, loan guarantees, and other transactions divided into four categories:

  (1) $25 billion for passenger airlines;

  (2) $4 billion for cargo air carriers;

  (3) $17 billion for businesses critical to maintaining national security ("Critical Businesses"); and

  (4) $454 billion for use in loan or loan guarantees established by the Federal Reserve for eligible businesses as well as states or municipalities. Lending facilities for states and municipalities, as well as the medium-sized business and non-profit lending program, are authorized but not required to be established by the Secretary.

- Loan and Loan Guarantees may be made available if: (1) credit is not reasonably available, (2) intended obligation is prudently incurred, (3) the loan is reasonably secured, (4) term no longer than 5 years, (5) stock buybacks are barred for the life of the loan, plus one year – excepting current contractual obligations, (6) dividends and other capital distributions are barred for the life of the loan, plus one year, (7) to the extent practicable, eligible businesses shall maintain employment at March 24, 2020 levels and shall not reduce employment levels by more than 10% as of that date, (8) eligible businesses must certify that they are "created or organized in the U.S. or under U.S. law and have "significant operations and employees base in the U.S., and (9) pursuant to Secretarial determination, eligible businesses must have losses that would jeopardized continued business operations.

- This bill would provide Treasury direct lending authority of $25 Billion to passenger airlines and other related companies, $8 Billion in Treasury direct lending to cargo air carriers and $17 billion in Treasury direct lending for other industries critical to national. Funds under this section can be designated at the discretion of the Secretary of the Treasury.
- Lending under Federal reserve programs or facilities will require: (1) stock buybacks are barred for the life of the loan, plus one year – excepting current contractual obligations, 2) dividends and other capital distributions are barred for the life of the loan, plus one year, 3) compensation levels set in Sec. 4004 are followed, but the Treasury Secretary may waive any of these if "necessary to protect the interests of the Federal Government." The Secretary may be called to appear at a hearing before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives regarding the reasons for the waiver. Lending under 13(3) programs will be funded by Treasury investments in Federal Reserve facilities that will allow the funds to be leveraged no more than ten times, providing a maximum $4.54 trillion in lending.
- Loans or other interests only available "businesses that are created or organized in the United States or under the laws of the United States and that have significant operations in and employees based in the United States."
- The Secretary shall seek to provide a facility which helps finance banks providing direct loans to eligible businesses including, to the extent practicable, nonprofit organizations, with between 500 and 10,000 employees, capped at 2% annual interest. It provides any business between 500 and 10,000 employees with a government guaranteed low interest loan that can be used to pay employees and keep operations in place through the crisis.
- Any eligible borrower applying for a direct loan under this program for small and medium-sized businesses and non-profits shall make a good-faith certification that: (1) they are applying due to economic uncertainty and the need to funded ongoing operations, (2) funds will be used to retain at least 90 percent of the recipient's March 24, 2020 employment levels, at full compensation and benefits, until September 30, 2020, (3) intends to restore not less than 90 percent of the workforce as of February 1, 2020, and to restore all compensation and benefits to the workers of the recipient no later than 4 months after the termination date of the March 13, 2020 Stafford Act emergency declaration, (4) is created or organized in the U.S. or under the laws of the U.S. and has significant operations in and employees based in the United States; (5) it is not a debtor in a bankruptcy proceeding; (6) it will not provide senior executive bonuses or enhanced compensation during the term of the loan; (7) ban on dividends/other capital and stock buybacks, from a national exchange, during the life of the loan, barring preexisting stock repurchase contracts, (8) it will not outsource or offshore jobs for the term of the loan and 2 years after completing repayment of the loan, (9) it will not abrogate existing collective bargaining agreements for the term of the loan and 2 years after

completing repayment of the loan; and (10) it will remain neutral in any union organizing effort for the term of the loan.

- These programs do not limit the discretion of the Board of Governors of the Federal Reserve System to establish a Main Street Business Lending Program that supports lending to small and mid-sized businesses that do not have the above requirements.
- The Secretary must seek to endeavor to implement a facility that provides liquidity to the financial system that supports lending to States and municipalities.
- The Secretary may only provide assistance if it obtains financial protection for taxpayers through warrants or equity interests in companies that receive loans or loan guarantees directly from Treasury.
- Loans or loan guarantees shall not be reduced through loan forgiveness.
- Amounts collected under this title shall be deposited in the following order of priority: after paying back Treasury, proceeds go into the Social Security Trust Fund.
- Allocation of $100,000,000 for the Secretary to contract with third parties to aid execution of the loans, loan guarantees, and facilities under the title.
- The Secretary is authorized to designate financial institutions, including but not limited to, depositories, brokers, dealers, and other institutions, as financial agents of the United States to be paid for helping respond to coronavirus.

Sec. 4004. Limitation on certain employee compensation.

- During the term of the loan plus one year, salaries for critical businesses are limited such that—Officers Making Over $425,000: (1) no officer or employee whose total compensation exceeded $425,000 in calendar year 2019 will receive: (A) compensation greater than what they received calendar year 2019; or (B) a severance package twice their 2019 pay; and
- Officers Making Over $3 million: (2) no officer or employee of the eligible business whose total compensation exceeded $3 million in calendar year 2019 may receive during any 12 consecutive months of such period total compensation in excess of the sum of: $3 million plus half of any total over $3 million.

Sec. 4005. Continuation of Certain Air Service

- The bill authorizes the Transportation Secretary to require, to the extent reasonable and practicable, air carrier recipients to maintain scheduled air transportation service deemed necessary to ensure services to points served prior to March 22, 2020. In so doing, the Transportation Secretary must take into account the needs of small and remote communities and the health care and pharmaceutical supply chains. The authority under this section terminates on March 1, 2022.

Sec. 4006. Coordination with Secretary of Transportation

- In implementing the loan program, the bill requires coordination by the Treasury Secretary with the Transportation Secretary.

Sec. 4007. Suspension of Aviation Excise Taxes

- Under current law, there are several taxes related to aviation, including the 7.5 percent ticket tax and domestic and international segment taxes paid by passengers, as well as the 6.25 percent tax on the transportation of air cargo and the per gallon aviation fuel excise taxes, which range from 4.3 to 21.8 cents per gallon.
- This provision would suspend the collection of these taxes from the date of enactment through January 1, 2021.

Sec. 4008. Debt Guarantee Authority

- This section allows the FDIC to guarantee a certain amount of outstanding bank issued debt. It also allows the FDIC and NCUA to provide unlimited deposit and share insurance of noninterest-bearing transaction accounts.

Sec. 4009. Temporary Government in the Sunshine Act relief.

- Temporarily permits the Board of Governors of the Federal Reserve System to hold meetings during the pending COVID-19 crisis without being required to comply with certain Government in the Sunshine Act requirements. The provision was requested by the Federal Reserve to enable members of the Board to participate in conference calls and other discussions while teleworking during the national emergency without such discussions being deemed formal "meetings" of the Board. The provision expires on the earlier of the date when the national emergency declared by the president terminates, or on December 31, 2020. The provision maintains the requirement that the Board keep a record of all votes and reasons for such votes during the emergency period.

Sec. 4010. Temporary hiring flexibility.

- Temporarily permits the Department of Housing and Urban Development, the Securities and Exchange Commission, and the Commodity Futures Trading Commission flexibility to use expedited hiring procedures to fill temporary and term appointments in order to enable the agencies to prepare for or respond to COVID-19. The provision expires whenever the national emergency declared by the president is terminated, or on December 31, 2020.

Sec. 4011. Temporary lending limit waiver.

- This section eliminates counterparty lending limits, allowing a bank to make unsecured loans to any single counterparty without limit at the discretion of the OCC.

Sec. 4012. Temporary relief for community banks.

- This section requires the federal banking agencies to issue a rule lowering the Community Bank Leverage Ratio to 8% and provide a grace period to community banks that falls below the ratio during the national emergency related to the COVID-19 outbreak or December 31, 2020, whichever is sooner.

Sec. 4013. Temporary relief from troubled debt restructurings.

- Suspends the accounting requirements for loan modifications related to the COVID-19 pandemic. Banks and credit unions would not be required to categorize these loan modifications as troubled debt restructurings. This section would require the federal banking agencies to defer to the financial institution's judgment in making these determinations.

Sec. 4014. Optional temporary relief from current expected credit losses.

- This section suspends the Current Expected Credit Losses or "CECL" accounting standards for banks and credit unions and their affiliates until the end of the national emergency related to the COVID-19 outbreak or December 31, 2020, whichever is sooner.

Sec. 4015. Non-applicability of restrictions on ESF during national emergency.

- Eliminates the Dodd-Frank requirement that Exchange Stabilization Funds (ESF) will not be used to bail out Money Market Mutual Funds, then reinstates the ban on bailouts after the COVID-19 crisis.

Sec. 4016. Temporary credit union provisions.

- Temporary Credit Union Provisions. Sec. 4016 allows the NCUA to establish a Central Liquidity Facility to which credit unions could apply for extensions of credit. To fund the facility, the NCUA may borrow from any source, as long as the total face value of the obligations do not exceed sixteen times the capital stock and surplus of the facility, up from twelve times currently.

Sec. 4017. Increasing access to materials necessary for national security and pandemic recovery.

- Authorizes the Department of Defense to move more quickly in implementing Defense Production Act efforts to increase access to materials necessary for national security and pandemic recovery, such as medical equipment and supplies. It waives for two years from date of enactment a provision requiring congressional approval for projects in excess of $50 million and another provision requiring the return of unobligated funds in excess of $750 million to Treasury. It also waives for one year from date of enactment provisions requiring a 30-day delay in projects over $50 million.

Sec. 4018. Special Inspector General for Pandemic Recovery

- Temporarily permits the Department of Housing and Urban Development, the Securities and Exchange Commission, and the Commodity Futures Trading Commission flexibility to use expedited hiring procedures to fill temporary and term appointments in order to enable the agencies to prepare for or respond to COVID-19. The provision expires whenever the national emergency declared by the president is terminated, or on December 31, 2020. Similar to the SIGTARP, the special inspector general will conduct audits of the Treasury Secretary's activity under the Act.
- Reports will summarize description of loans, loan guarantees, and other investments, the eligible businesses receiving assistance, explanation for each transaction and its pricing, information about outside service providers of to the loan programs, and data on the

transactions under the Act, including completed transactions, interest and fees earned, and any losses and gains.

- Special IG will issue reports quarterly and testify before Congress. The IG will be funded at $25 million.

Sec. 4019. Conflicts of Interest

- Prohibits any funds from the $500 billion Treasury loan, loan guarantee, and investment program from going to a business in which the President, Vice President, head of an executive department, or a member of Congress holds a controlling interest (defined as holding 20% or more equity interest). Includes a provision to prevent evasion of the prohibition by an official who holds fractional interests in a business entity with other family members.

Sec. 4020. Congressional Oversight Commission

- Establishes a Congressional Oversight Commission to provide additional public accountability over the Administration's implementation of programs under the Act. Expires in 2025. The Commission will oversee implementation of economic relief provisions, holding hearings, and submit monthly reports to Congress. Five member panel selected by Senate and House majority and minority leaders. Panel will report on activities of the Treasury Secretary, impact of the Act on the economy and markets, and effectiveness of measures under the Act. Reports will include the use by the Secretary of authority under the Act, the impact of purchases made under the Act on Americans finances, the U.S. economy, financial markets, and financial institutions, the effectiveness of the implementation of the Act on growth, while considering cos to taxpayers.

Sec. 4021. Credit protection during COVID-19

- The section amends the Fair Credit Reporting Act requirements for how furnishers (*e.g.*, creditors) report information about consumers who have received a forbearance or some other accommodation for making payments. This section does not require that creditors make any accommodations for consumers, but that if they do, they can report the account as current if the consumer is making payments and no longer delinquent.

Sec. 4022. Foreclosure moratorium and consumer right to request forbearance.

- Provides relief for homeowners with FHA, USDA, VA, or Section 184 or 184A mortgages and those with mortgages backed by Fannie Mae or Freddie Mac from falling behind on payments. These borrowers will have the ability to request forbearance on their payments for up to 6 months, with a possible extension for another 6 months without fees, penalties, or extra interest. Homeowners with FHA, USDA, VA, or Section 184 or 184A mortgages, or mortgages backed by Fannie Mae and Freddie Mac, who are facing foreclosure will also have 60-day relief from foreclosure or being forced to relocate as we address the COVID-19 pandemic

Sec. 4023. Forbearance of residential mortgage loan payments for multifamily properties with federally backed loans.

- Section 4023 provides owners of multifamily properties with federally backed loans having a financial hardship with up to 90 days forbearance on their loan payments. Property owners would have to request the forbearance and document their hardship in order to qualify in 30-day increments. During a forbearance period, the property owner may not evict or initiate the eviction of a tenant for nonpayment of rent and may not charge the tenant any fees or penalties for nonpayment of rent. This protection applies to loans issued or backed by federal agencies (including FHA and USDA) or Fannie Mae and Freddie Mac.

Sec. 4024. Temporary moratorium on eviction filings.

- Section 4024 prevents a property owner that receives a federal subsidy or has a federally backed mortgage loan from filing for eviction against or charging penalties or fees to a tenant who cannot pay rent for a period of 120 days after enactment of this Act... The provision also prohibits a property owner from issuing a notice to vacate a property to a tenant for an additional 30 days after the moratorium. This protection covers properties that receive federal subsidies such as public housing, Section 8 assistance, USDA rural housing programs, and Low Income Housing Tax Credits, as well as properties that have a mortgage issued or guaranteed by a federal agency (including FHA and USDA) or Fannie Mae or Freddie Mac.

Sec. 4025. Protection of collective bargaining agreement.

- The loans and loan guarantees provided to air carriers, air cargo carriers, and businesses critical to maintaining national security under 4003(b)(1), (2), and (3) shall not be conditioned on renegotiating collective bargaining agreements. Specifically, the bill provides protection for collective bargaining agreements by prohibiting the Treasury Secretary from requiring the loan recipient from entering into collective bargaining negotiations under Railway Labor Act (45 U.S.C. 151 et seq.) or the National Labor Relations Act (29 U.S.C. 151 et seq.) during the period of the loan and 1 year following.

Sec. 4026. Reports.

- The bill mandates that the Secretary of the Treasury and the Chairman of the Federal Reserve provide public detailed reporting of transactions entered into under this title. The Treasury Secretary is required to provide transaction disclosures on the Treasury Department website within 72 hours and provide weekly and monthly reports to Congress. The Federal Reserve is required to provide weekly transaction reporting to Congress within 7 days of transactions and to make such reporting public on its website within 14 days of transactions. In addition, the Treasury Secretary and the Federal Reserve Chairman will be required to testify quarterly before the oversight committees on transactions under the Act, and the Government Accountability Office will conduct a study nine months after enactment, and annually thereafter, and submit reports to the oversight committees on the loans, loan guarantees, and other investments made under the Act.

Sec. 4027. Direct appropriation.

- The bill appropriates $500,000,000,000 to carry out this title.

Sec. 4028. Rule of construction.

- Nothing in this title shall be construed to allow the Secretary to provide relief to eligible businesses, States, and municipalities except in the form of loans, loan guarantees, and other investments as provided in this title and under terms and conditions that are in the interest of the Federal Government.

Sec. 4029. Termination of authority

- Loans, loan guarantees, or other investments outstanding may be modified, restructured, or otherwise amended, but may not be forgiven. The duration of any loan or loan guarantee shall not be extended beyond 5 years from the initial origination date.

Subtitle B – Air Carrier Worker Support

Sec. 4111. Definitions

- The bill incorporates by reference the definition of "air carrier" and other terms from 40102(a) meaning that various types of air carriers – scheduled airlines, charter, and other types of operations are covered. The bill also incorporates airline catering services and airline contractors and subcontractors involved in aviation support service providers (e.g., security, check-in/ticketing functions, ground-handling of aircraft).

Sec. 4112. Pandemic Relief For Aviation Workers

- The bill provides for immediate financial assistance to support employee wages, salaries, and benefits. The bill allocates $25,000,000,000 for passenger air carriers, $4,000,000,000 for cargo air carriers, and $3,000,000,000 for airline contractors, like catering service providers. $100,000,000 for administrative costs is allocated as a take down from the full $32,000,000,000 funds.

Sec. 4113. Procedures For Providing Payroll Support.

- The bill sets forth procedures and guidelines for payroll financial assistance.
- For air carriers, financial assistance is by DOT reported salaries and benefits for 2019 2Q and 3Q, or sworn financial statements of the same. For contractors, financial assistance measured by sworn financial statements of reported salaries and benefits for 2019 2Q and 3Q. The Treasury Secretary must issue procedures within 5 days and issue initial financial assistance within 10 days.
- In addition there is enforcement, as the bill provides for the clawback of any financial assistance based on non-compliance with assurances for financial assistance. Any financial assistance subject to audits by Treasury Inspector General. And the Treasury Secretary may

require the air carriers or contractors comply with terms and conditions that the Secretary determines are appropriate.

- The Treasury Secretary may reduce, on a pro rata basis, the amounts due to air carriers and contractors in order to address any shortfall in assistance (i.e., should the payrolls costs submitted exceed the allocated funds for passenger air carriers, cargo carriers, and airline contractors, the Secretary can proportionally reduce grants for entities eligible under each section.) Should there be funds left over after the initial distribution of funds, the Secretary must develop a method for timely distributing those funds to air carriers and contractors.

Sec. 4114. Required Assurances.

- In order to lock-in assurances linked to the financial assistance, air carriers or contactors must enter into agreement with Treasury Secretary that requires carriers or contractors to: (1) refrain from involuntary furloughs or reduction in pay/benefits through September 30, 2020; (2) prohibit stock buy backs through September 30, 2021; prohibit dividends through September 30, 2021; (3) protect collective bargaining agreements through September 30, 2020; and limit executive compensation.
- The bill also authorizes the Transportation Secretary to require "to the extent reasonable and practicable" that air carriers receiving financial assistance maintain scheduled air transportation service to points, deemed necessary, served prior to March 1, 2020. In so doing, the Transportation Secretary must take into consideration needs of small and remote communities and health care and pharmaceutical supply chains.
- On March 1, 2022, authority for this financial program ends.

Sec. 4115. Protection Of Collective Bargaining Agreement.

- The bill provides protection for collective bargaining agreements (CBA) by prohibiting the Treasury Secretary from conditioning for financial assistance to enter into collective bargaining negotiations under Railway Labor Act (45 U.S.C. 151 et seq.) or the National Labor Relations Act (29 U.S.C. 151 et seq.), from receipt of financial assistance to September 30, 2020.

Sec. 4116. Limitation On Certain Employee Compensation.

- The bill also provides important limitations compensation for a 2-year period beginning March 24, 2020, officers or employees, officers or employees of air carrier or contractor recipients of financial assistance. Employees whose compensation exceeded $425,000 in 2019 (other than covered under a collective bargaining agreement) are capped at 2019 levels and any severance package cannot exceed twice the maximum total compensation received in 2019.
- If an employee's salary exceeded $3,000,000 in 2019, total compensation cannot be in excess of the sum of $3,000,000 and 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee in 2019.

- Total compensation includes salary, bonuses, awards of stock, and other financial benefits provided by an air carrier or contractor to an officer or employee of the air carrier or contractor.

Sec. 4117. Reports.

- The Secretary is required to submit by November 1, 2020 to Congressional Committees a report on the financial assistance to air carriers and contractors. The Secretary is required to update that report one year after the date of enactment of this Act.

Sec. 4118. Coordination.

- In implementing the financial assistance programs, the bill requires coordination by the Treasury Secretary with the Transportation Secretary.

Sec. 4119. Direct Appropriation.

- $32,000,000,000 is appropriated from the Treasury to carry out this subtitle.

Sec.4120. Tax Payer Protection.

- The Secretary may receive warrants, options, preferred stock, debt securities, notes, or other financial instruments issued by recipients of financial assistance under this subtitle which, in the sole determination of the Secretary, provide appropriate compensation to the Government for the provision of the financial assistance.

Title V - Coronavirus Relief Funds

Sec. 5001. Coronavirus Relief Fund

- The relief fund provides $150 billion to states for necessary expenditures incurred in responding to the coronavirus outbreak (unlike the federal government, states must balance their budgets each year). The funds apply to expenditures incurred between March 1, 2020 and December 30, 2020. The U.S. Treasury must allocate funds to states (within 30 days) based on a state's population (provided by the Census Bureau), although every state will be guaranteed at least $1.25 billion. The bill reserves 45 percent of the state's total allotment for localities of 500,000 or more. These localities may apply directly to the Treasury for their relative share by population of this amount. It would not be administratively feasible for every locality to apply to the Treasury directly for funds, although localities can work with their states to access funding. For the $8 billion reserved for a Tribal relief fund, Indian Tribal governments and the Tribally-owned entities of those governments are eligible to receive funding. The Treasury Secretary is required to develop a funding distribution model in consultation with the Secretary of the Interior and Indian Tribes.
- *This provision is estimated to reduce revenues by $150 billion over 10 years.*

Title VI – Miscellaneous Provisions

Sec. 6001. Borrowing authority for the USPS

- The package includes a compromise that allows the Postal Service (USPS) to borrow up to $10 billion from the Treasury if USPS determines that, due to the COVID-19 emergency, it will not be able to fund operating expenses without borrowing money. This financial relief is necessary for USPS to continue operating through Fiscal Year 2020.

Sec. 6002. Emergency designation

- This package also includes policy changes to allow the Postal Service to prioritize the delivery of medical supplies during the COVID-19 emergency, as well as to establish alternate delivery points during the emergency, if it is unable to reach all addresses due to outbreaks.

DIVISION B – EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS

Title I – Department of Agriculture

Includes $34.9 billion for Department of Agriculture agencies and the Food and Drug Administration to continue to respond to the coronavirus pandemic. These funds will provide nutrition assistance to ensure the most vulnerable citizens can still receive food when needed. The bill also includes assistance for food banks, which are under increased demand during this public health crisis. Highlights include:

- **Supplemental Nutrition Assistance Program** – The bill includes $15.5 billion in additional funding to provide for projected increased SNAP enrollment due job loss and business closure and fund health emergency SNAP established by the Families First Coronavirus Response Act
- **Child Nutrition Programs** – The bill includes $8.8 billion in additional funding for Child Nutrition Programs and flexibilities provided in the Families First Coronavirus Response Act to ensure children receive meals while school is not in session.
- **Food Distribution Program on Indian Reservations** – The bill provides $100 million to ensure that tribal communities receive much needed food and will ensure the facilities have the equipment and capacity to meet increased needs.
- **Nutrition assistance to Puerto Rico and the territories** – The bill provides $200 million for food assistance is provided to Puerto Rico and the territories to ensure these citizens receive more support during this COVID crisis.
- **The Emergency Food Assistance Program (TEFAP)** – The bill provides $450 million for the TEFAP program. With many communities suffering from job losses, food banks have seen increased needs. These funds are critical so food banks can continue to assist those Americans most in need.

- **Food and Drug Administration** – The bill provides $80 million for the Food and Drug Administration to continue the agencies important work of responding to COVID-19. Funding will be used to continue efforts related to shortages of critical medicines, enforcement work on counterfeit and misbranded products, emergency use authorizations and pre and post market work on medical countermeasures, therapies, vaccines, and research.
- **Rural Development** – The bill provides $25 million to support the Distance Learning and Telemedicine program. This increase will help improve distance learning and telemedicine in rural areas of America. Additionally, $100 million is provided to the ReConnect program to help ensure rural Americans have access to broadband, the need for which is increasingly apparent as millions of Americans work from home across the country. The bill also includes $20.5 million to support$1 billion in Business and Industry loans.
- **Commodity Credit Corporation** – The bill increases borrowing authority for the Commodity Credit Corporation by $14 billion.
- **Additional Assistance to Producers** – The bill includes $9.5 billion to assist agriculture producers impacted by the coronavirus, including specialty crop producers; producers who supply local food systems such as farmers markets, schools, and restaurants; and livestock producers, including dairy.

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

Includes $3.079 billion in funding to support economic development, invest in basic science and provide resources for Federal, state and local law enforcement and prisons to respond to this public health crisis. Highlights include:

- **Economic Development Administration (EDA)** – The bill provides $1.5 billion for economic adjustment assistance to help revitalize local communities after the pandemic. EDA assistance can be used to help rebuild impacted industries such as tourism or manufacturing supply chains, capitalize local funds to provide low-interest loans to businesses of all sizes, and support other locally-identified priorities for economic recovery. Based on the impact of prior funding packages, EDA disaster assistance will leverage an additional $20 billion in local and private investment and support more than 100,000 American jobs.
- **Support for Manufacturing** – $50 million is provided for the Hollings Manufacturing Extension Partnership to help small- and medium-sized manufacturers recover by finding value within the supply chain and expanding markets. For every one dollar of federal investment, MEP generates $27.20 in new sales growth for manufacturers. The bill also includes an additional $10 million for the National Institute for Innovation in Manufacturing Biopharmaceuticals to support the development and manufacture of new medical countermeasures and biomedical supplies to combat the coronavirus.
- **Assistance for Fishermen** – The bill provides $300 million to help fishermen around the country struggling due to disappearing economic markets caused by the novel coronavirus pandemic. Tribal, subsistence, commercial, and charter fishermen, as well as aquaculture

farmers and fishery related businesses such as processors, are all eligible for the disaster assistance.

- **Resources for Federal, State and Local Law Enforcement** – The bill includes $850 million for the Byrne-Justice Assistance Grant Program (Byrne-JAG). Byrne-JAG is the most flexible federal law enforcement grant program and will allow state and local police departments and jails to meet local needs, including purchase of personal protective equipment and other needed medical items and to support overtime for officers on the front lines. Language is included to ensure these resources go out to states and localities quickly in order to immediately respond to this crisis while avoiding unnecessary Trump Administration-imposed roadblocks intended to punish so-called sanctuary cities.
- The bill also includes $100 million for the Federal Bureau of Prisons to respond to the coronavirus pandemic with resources that can be used to meet urgent needs such as purchase of personal protective equipment and other medical equipment, funding overtime, and cleaning facilities. The bill also includes a total of $55 million for the Federal Bureau of Investigation, Drug Enforcement Administration, U.S. Marshals Service, and U.S. Attorneys to respond to the coronavirus crisis and for information technology improvements and security needed for telework at the Department of Justice.
- **Basic Science Related to Coronavirus** – The bill includes $6 million for the National Institute of Standards and Technology to provide continuity of operations and to conduct research and measurement science to support testing and treatment of coronavirus and $75 million for the National Science Foundation (NSF) to support research at molecular, cellular, physiological and ecological levels to better understand coronavirus genetics, modes of action, transmission, virulence and population dynamics. NSF supports research activities at more than 2,000 research institutions across the United States and is ready to mobilize the full force of the academic community including through Rapid Response Research (RAPID) proposals.
- **Support for Legal Services** – $50 million is provided for the Legal Services Corporation (LSC) to meet civil legal aid needs for low-income Americans. This funding can help LSC clients facing job losses, eviction, domestic violence and consumer scams resulting from the coronavirus crisis.
- **Video Teleconferencing for Criminal Proceedings (Division B, Sec. 15002) -** In-person court proceedings present a risk of exposure and spread of the coronavirus to court personnel, the parties, and their lawyers, which also creates a broader public health risk as these individuals interact in their larger communities. This provision allows courts to limit in-person proceedings in order to help stop the spread of the coronavirus. It authorizes the courts to conduct certain criminal proceedings by videoconference or telephonically, provided that the defendant consents after consultation with counsel.
- **PTO Regulatory Flexibility Provision (Division B, Sec. 12004) -** This provision helps ensure that inventors and businesses do not lose their rights to patents or trademarks because of an inability to comply with statutory deadlines during the COVID-19 pandemic. It grants the Director of the Patent and Trademark Office (PTO) the authority to toll deadlines related to the filing, application, or registration of patents and trademarks, or other proceedings before the Office, if the Director determines that the current COVID-19 emergency

materially affects either the PTO's operations or the rights of patent/trademark applicants, registrants, owners, or others appearing before the Office.

- **Copyright Regulatory Flexibility Provision (Division B, Sec. 19011) -** This provision helps ensure that, in the event of an emergency, affected industries do not lose valuable rights by an inability to meet deadlines contained in the Copyright Act related to the registration of copyrights and licensing regimes administered by the Copyright Office. The provision gives the Register the much-needed ability to change deadlines if a national emergency threatens the function of the copyright system. This provision will help safeguard the rights of a broad range of creators and artists across a broad range of industries who might not be in a position to meet the formalities of obtaining copyright registrations while sheltering in place, running the risk that these innovators and workers will lose valuable rights.
- **Bureau of Prisons (Division B, Sec. 12003**) –This provision instructs the Department of Health and Human Services (HHS) to give consideration to the needs of the Bureau of Prisons (BOP) with regard to personal protective equipment and testing for COVID-19. It also gives the BOP Director more authority to release prisoners to home confinement, providing an alternative to keeping certain inmates in prison facilities. Finally, it instructs the BOP Director to promulgate rules to enhance the use of video visitation, free of charge to inmates, to mitigate restrictions on in-person visits.

Title III – Department of Defense

Includes $10.5 billion for the Department of Defense, primarily for the protection of members of the Armed Forces, their families, and military retirees from coronavirus. The bill also includes funding for specific efforts which leverage unique capabilities of the Department of Defense to contribute to a whole-of-government response to the pandemic. Highlights include:

- **$1.4 billion for deployments of the National Guard** – This level of funding will sustain up to 20,000 members of the National Guard, under the direction of the governors of each state, for the next six months in order to support state and local response efforts.
- **$1 billion for the Defense Production Act** – This funding allows the Department of Defense to invest in manufacturing capabilities that are key to increasing the production rate of personal protective equipment and medical equipment to meet the demand of healthcare workers all across the nation.
- **$415 million for research and development** – Military medical research programs have developed promising vaccines and anti-viral pharmaceuticals, which require additional investment for testing.
- **$1.5 billion for expansion of military hospitals and expeditionary hospital packages** – To alleviate the anticipated strain on both the military and civilian healthcare systems, these funds will nearly triple the 4,300 beds available in military treatment facilities today.
- **Transfer Limitation** - Includes a general provision to prevent funds in this title from being diverted to build a wall on the southern border.

Title IV – Energy and Water Development, and Related Agencies

Includes $221 million for agencies to respond to coronavirus impacts on operations, including equipment and IT support to improve teleworking capabilities vital to continued operations, as well as supporting research into the coronavirus by the Department of Energy. Highlights include:

- **Army Corps of Engineers** – $70 million to the U.S. Army Corps of Engineers (USACE) to prepare for and respond to the coronavirus by providing additional equipment, licenses, and IT support to improve teleworking capabilities and ensure secure remote access for Corps staff. Funding will also improve capacity for remote operations of USACE projects and activation of Emergency Operations Centers nationwide to support continued operations of USACE projects.
- **Bureau of Reclamation** – $20.6 million to the Bureau of Reclamation to prepare for and respond to the coronavirus by providing additional equipment, licenses, and IT support to improve teleworking capabilities and secure remote access
- **Department of Energy** – $28 million to the Department of Energy to prepare for and respond to the coronavirus.
- **Nuclear Regulatory Commission** – $3.3 million to the Nuclear Regulatory Commission to prepare for and respond to the coronavirus.
- **Department of Energy's Office of Science** – $99.5 million is provided to the Department of Energy's Office of Science for costs related to equipment, personnel, and operations to support research on the coronavirus. Specific COVID-19-related capabilities at the National Laboratories include genetics and microbiology, supercomputing, advanced imaging, analytics and modeling.
- **Delay of Mandated Strategic Petroleum Reserve (SPR) Oil Sales** – Provides flexibility for DOE to delay the sale of oil from the SPR required by Section 404 of the Bipartisan Budget Act of 2015 from 2020 to 2022. The price of crude oil has fallen to its lowest level in nearly two decades, so selling oil from the SPR now would result in a significant loss of value to the taxpayer.

Title V – Financial Services And General Government

Includes $1.82 billion for Financial Services and General Government agencies to provide resources to support small businesses, protect our elections, provide the IRS with funds to carry out their new responsibilities, and provide oversight of federal spending during this global crisis. Highlights include:

- **Small Business Administration (SBA)** – The bill provides $562 million to ensure that SBA has the resources to provide Economic Injury Disaster Loans (EIDL) to businesses that need financial support during this difficult time. These loans will help businesses keep their doors open and pay their employees. SBA has signed emergency declarations for all 50 states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands, so the EIDL program will be available to assist small businesses across the country that have been adversely impacted by COVID-19.

- This funding is in addition to the significant assistance provided in the Keeping American Workers Employed and Paid Act, which authorizes $350 billion worth of 100 percent guaranteed SBA loans, a portion of which SBA will forgive based on allowable expenses for the borrower. This small business package also includes $10 billion in direct grants for businesses that do not qualify for the EIDL program, and $17 billion to have SBA step in and make six months of principle and interest payments for all SBA backed business loans. All these measures combined will relieve financial stress from struggling businesses and inject much needed capital into the economy.
- **Election Grants** – The bill provides $400 million to the Election Assistance Commission for states to help prepare for the 2020 elections. Coronavirus is already resulting in the postponement of some primaries and this funding can help states make voting safer for individuals. Funding can be used, for example, to increase the ability to vote by mail, expand early voting and online registration, and increase the safety of voting in-person by providing additional voting facilities and more poll-workers.
- **Accountability** – The bill provides $80 million to support a new Pandemic Response Accountability Committee to conduct and coordinate oversight and provide transparency over the federal government's coronavirus response and management of pandemic response spending.
- **Federal Communications Commission (FCC) –** The bill provides $200 million for the FCC Connected Care Pilot Program. This program will support efforts of health care providers to address COVID-19 by using telehealth to connect with patients.
- **Internal Revenue Service (IRS)** – The bill provides $250 million in additional funding to the IRS to administer the new tax credits for paid leave. This funding will also address IRS costs associated with delaying the filing season and expanded telework.
- **Judiciary** – The bill provides $7.5 million for three accounts in the Judicial Branch. For the Supreme Court, it provides $500,000 to continue mission critical activities. For the Courts of Appeals, District Courts, and other Judicial Services, the bill provides $6 million for funding for increased treatment and drug testing costs, and provides funding to expand capacity for staff to continue mission critical activities at appellate, district, and bankruptcy courts, and in probation and pretrial services offices. For Defender Services, it provides $1 million to continue representing clients without disruption.

Title VI – Department of Homeland Security

Includes a total of $45.873 billion in funding with a focus on helping people, communities, and frontline personnel prepare for and recover from COVID-19. Highlights include:

- **Disaster Relief Fund**– $45 billion to provide for the immediate needs of state, local, tribal, and territorial governments to protect citizens and help them recovery from the overwhelming effects of COVID-19. Reimbursable activities may include medical response, personal protective equipment, National Guard deployment, coordination of logistics, safety measures, and community services nationwide.

- **Emergency Food and Shelter Program** – $200 million for shelter, food and supportive services to individuals and families in sudden economic crisis.
- **Assistance to Firefighter Grants** – $100 million for personal protective equipment for our nation's first responders.
- **Emergency Management Performance Grants** – $100 million for state, local, territorial, and tribal governments to support coordination, communications, and logistics.
- **Personal Protective Equipment** – $178 million for the Department of Homeland Security to ensure front line federal employees have personal protective equipment.
- **Transportation Security Administration** – $100 million for enhanced sanitation at airport security checkpoints, overtime and travel costs, and the purchase of explosives trace detection swabs.
- **Coast Guard** – $141 million to activate Coast Guard Reserve personnel and for building capacity and capability for information technology systems and infrastructure to support telework and remote access.
- **Federal Emergency Management Agency** – $45 million to expand information technology and communications capabilities and to build capacity in response coordination efforts.
- **Cybersecurity and Infrastructure Security Agency** – $9 million for supply chain and information analysis and for impacted critical infrastructure coordination.
- **Extends REAL ID Deadline for States** – Extends the deadline for states to meet the requirements of the REAL ID Act to not earlier than September 30, 2021.
- **Chemical Facility Anti-Terrorism Standards** – Extends the program through July 23, 2020.
- **FEMA Personnel Pay** – Allows FEMA to continue paying personnel who reach normal overtime and premium pay caps while working on the coronavirus response.
- **Transfer Limitation** – A general provision is included limiting the use of funds provided in this title from being used for any other purposes.

Title VII – Department of the Interior, Environment, and Related Agencies

Includes $2 billion in funding to provide necessary resources to assist Native communities and tribal governments in preparing for and responding to the threat of coronavirus; increase funding for health care services, equipment and staffing at tribal health care facilities; support tribal schools, colleges and universities; enhance response capacity for U.S. territories and Freely Associated States; provide response resources for Federal land management agencies; and assist the nation's arts and cultural institutions in weathering this public health crisis. Highlights include:

- **Indian Health Service (IHS)** – Provides $1.032 billion in critically needed resources to support the tribal health system during the pandemic, including expanded support for medical services, equipment, supplies and public health education for IHS direct service, tribally operated and urban Indian health care facilities; expanded funding for purchased/referred care; and new investments for telehealth services, electronic health records improvement, and expanded disease surveillance by tribal epidemiology centers.

- **Bureau of Indian Affairs (BIA)** – Includes $453 million to provide aid to tribal governments; support welfare assistance and social service programs, including assistance to tribal members affected by the coronavirus crisis; expand public safety and emergency response capabilities; increase BIA capacity for teleworking so the agency is better prepared to assist tribes; and meet increased staffing and overtime costs.
- **Bureau of Indian Education (BIE)** – Provides $69 million for response needs at BIE-funded schools, including staffing, transportation, telework, and cleaning activities and assistance for tribal colleges and universities across the country to help respond to the crisis.
- **Department of the Interior, Office of the Secretary** – Provides $158.4 million in centralized, flexible resources to allow the Secretary of the Interior to allocate resources to address coronavirus response needs for national parks, wildlife refuges, and other public lands and other bureaus. Includes funding for equipment and supplies for cleaning buildings and public areas; support for law enforcement and emergency personnel deployed to critical areas; support for scientific needs; increased telework capacity; and other prevention, mitigation, or recovery activities associated with the coronavirus outbreak.
- **Office of Insular Affairs** – Includes $55 million to assist U.S. Territories and Freely Associated States with needs related to prevention and mitigation of the coronavirus outbreak, including medical supplies and equipment, healthcare services, and facilities.
- **Environmental Protection Agency (EPA)** – Provides $7.2 million to support research efforts regarding coronavirus; staffing and associated costs for expediting registrations and other actions related to addressing coronavirus; cleaning and disinfecting of EPA's facilities; and enhancing EPA's telework infrastructure.
- **Forest Service** – Includes a total of $70.8 million across Forest Service programs for prevention, mitigation, or recovery activities associated with the coronavirus outbreak, including funding for equipment and supplies for cleaning buildings and public areas; support for law enforcement and emergency personnel deployed to critical areas; support for scientific needs; and increased telework capacity.
- **Agency for Toxic Substance and Disease Registry** – Includes a total of $12.5 million for critical research and disease surveillance activities associated with coronavirus.
- **Smithsonian Institution** – Provides $7.5 million to help the Institution respond to the coronavirus outbreak, including funds to clean and disinfect museums and facilities and to expand medical staff and animal care.
- **John F. Kennedy Center for the Performing Arts** – Includes $25 million to provide operating support to the national cultural center and Presidential memorial during the coronavirus crisis. Funding ensures that the Center, which employed more than 3,000 people last year, will be able to reopen its doors to the public once the crisis is over. The Center is currently closed until May.
- **National Endowment for the Art and Humanities** – Provides $150 million to state arts and humanities agencies to provide grants and support arts organizations, museums, libraries, and other organizations during the coronavirus crisis. The bill includes $75 million for the

National Endowment for the Arts and $75 million for the National Endowment of the Humanities.

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

Includes $172.1 billion to ensure that people on the front lines of the pandemic have the resources to prepare for, prevent and respond to the crisis, including funding that builds off of the initial Coronavirus Preparedness and Response Supplemental Appropriations Act by making additional investments in healthcare, vaccine development, support for state and local governments' prevention and response efforts, and the purchase of critical medical supplies. It also includes a substantial investment in education, child care and other social services programs to support schools and communities during the economic crisis resulting from the pandemic. Highlights include:

Centers for Disease Control and Prevention – $4.3 billion to support federal, state, and local public health agencies to prevent, prepare for, and respond to the coronavirus, including:

- $1.5 billion to support States, locals, territories, and tribes in their efforts to conduct public health activities, including:
  - Purchase of personal protective equipment;
  - surveillance for coronavirus;
  - laboratory testing to detect positive cases;
  - contact tracing to identify additional cases;
  - infection control and mitigation at the local level to prevent the spread of the virus; and
  - other public health preparedness and response activities.
- $1.5 billion in flexible funding to support CDC's continuing efforts to contain and combat the virus, including repatriation and quarantine efforts, purchase and distribution of diagnostic test kits (including for state and local public health agencies) and support for laboratory testing, workforce training programs, combating antimicrobial resistance and antibiotic resistant bacteria as a result of secondary infections related to COVID-19, and communicating with and informing public, state, local, and tribal governments and healthcare institutions.
- $500 million for global disease detection and emergency response;
- $500 million for public health data surveillance and analytics infrastructure modernization; and
- $300 million for the Infectious Diseases Rapid Response Reserve Fund, which supports immediate response activities during outbreaks.

National Institutes of Health – The bill includes $945 million to support research to expand on prior research plans, including developing an improved understanding of the prevalence of COVID-19, its transmission and the natural history of infection, and novel approaches to diagnosing the disease and past infection, and developing countermeasures for the prevention and treatment of its various stages.

Assistant Secretary for Preparedness and Response – $127 billion for medical response efforts, including:

- $100 billion for a new program to provide grants to hospitals, public entities, not-forprofit entities, and Medicare and Medicaid enrolled suppliers and institutional providers to cover unreimbursed health care related expenses or lost revenues attributable to the public health emergency resulting from the coronavirus.
- More than $27 billion for the Biomedical Advanced Research and Development Authority (BARDA) to support research and development of vaccines, therapeutics, and diagnostics to prevent or treat the effects of coronavirus, including:
    - $16 billion for the Strategic National Stockpile for critical medical supplies, personal protective equipment, and life-saving medicine;
    - At least $3.5 billion to advance construction, manufacturing, and purchase of vaccines and therapeutics to the American people. This is in addition to the major investments provided for these activities in the first supplemental.
    - At least $250 million for the Hospital Preparedness Program, including the National Ebola and Special Pathogens Training and Education Center (NETEC), regional, State and local special pathogens treatment centers, and hospital preparedness cooperative agreements;
    - Funding for innovations in manufacturing platforms to support a U.S.-sourced supply chain of vaccines, therapeutics, and small molecule active pharmaceutical ingredients;
    - Funding to support U.S.-based next generation manufacturing facilities;
    - Increased medical surge capacity at additional health facilities;
    - Enhancements to the U.S. Commissioned Corps;
    - Funding to support research related to antibiotic resistant secondary infections associated with coronavirus; and
    - Workforce modernization and increased telehealth access and infrastructure to increase access to digital healthcare delivery.

- **Health Resources and Services Administration (HRSA)** – The bill includes $275 million for HRSA, including $90 million for Ryan White HIV/AIDS programs and $185 to support rural critical access hospitals, rural tribal health and telehealth programs, and poison control centers.
- **Administration for Community Living (ACL)** – The bill includes $955 million for ACL to support nutrition programs, home and community based services, support for family caregivers, and expand oversight and protections for seniors and individuals with disabilities.
- **Centers for Medicare & Medicaid Services (CMS)** – The bill includes $200 million for CMS to assist nursing homes with infection control and support states' efforts to prevent the spread of coronavirus in nursing homes.

Department of Education – The bill includes $30.750 billion for an Education Stabilization Fund for states, school districts and institutions of higher education for costs related to coronavirus. With most elementary and secondary schools closed across the nation, states and school districts are facing increased costs as they deal with the safety and health issues related to coronavirus. At the same time, they must continue to help address the basic needs of students and develop plans for providing online learning for all students, including students with disabilities, English language learners and homeless students. In addition, college students facing closed campuses and the transition to distance education are dealing with increased costs and challenges meeting basic needs like housing and food. These flexible funds will be available to help address these needs. They include:

  - For **elementary and secondary education**, $13.5 billion is available for formula-grants to States, which will then distribute 90 percent of funds to local educational agencies to use for coronavirus-response activities, such as planning for and coordinating during long-term school closures; purchasing educational technology to support online learning for all students served by the local educational agency; and additional activities authorized by federal elementary and secondary education laws.
  - **Governors** in each state will receive a share of $3 billion to allocate at their discretion for emergency support grants to local educational agencies that the State educational agency deems have been most significantly impacted by coronavirus. These funds will support the ability of such local educational agencies to continue to provide educational services to their students and to support the on-going operations of the local educational agency; and provide emergency support through grants to institutions of higher education serving students within the State.
  - $14.250 billion will be available for **higher education emergency relief** for institutions of higher education to prevent, prepare for, and respond to coronavirus. Funds may be used to defray expenses for institutions of higher education, such as lost revenue, technology costs associated with a transition to distance education, and grants to students for food, housing, course materials, technology, health care, and child care.

- **Department of Labor** – The bill includes $360 million for the Department of Labor to invest in programs that provide training and supportive services for dislocated workers, seniors, migrant farmworkers, and homeless veterans. This also includes funding for DOL agencies to ensure new Paid Leave and UI benefits are implemented swiftly and effectively.
- **Child Care Development Block Grant** – The bill supports child care and early education programs by including $3.5 billion for the Child Care Development Block Grant. This funding will allow child care programs to maintain critical operations, including meeting emergency staffing needs and ensuring first responders and health care workers can access child care while they respond to the pandemic.
- **Head Start** – The bill includes $750 million for Head Start to meet emergency staffing needs.
- **Community Services Block Grant (CSBG)** – The bill includes $1 billion for CSBG to help communities address the consequences of increasing unemployment and economic disruption.

- **Low Income Home Energy Assistance Program (LIHEAP)** – The bill includes $900 million to help lower income households heat and cool their homes.
- **Family Violence Prevention Services** – The bill provides $45 million to support families during this uncertain time, and to prevent and respond to family and domestic violence, including offering shelter and supportive services to those who need it.
- **Substance Abuse and Mental Health Services Administration** – The bill provides $425 million for SAMHSA to increase access to mental health services in our communities through Community Behavioral Health Clinics, suicide prevention programs, and emergency response spending that can target support where it is most needed, such as outreach to those experiencing homelessness.
- **Social Security Administration** – The bill includes $300 million to support essential telework, communication needs, and salaries and benefits of Federal employees impacted by office closures. This funding also provides the resources necessary for processing disability and retirement workloads and backlogs when SSA offices reopen to the public.
- **Institute for Museum and Library Services** – The bill includes $50 million for the Institute of Museum and Library Services to expand digital network access in areas of the country where such access is lacking, including the purchase of internet-enable devices and provisions for technical support services in response to the disruption of schooling and other community services during the COVID-19 emergency.
- **Corporation for Public Broadcasting** – The bill includes $75 million for the Corporation for Public Broadcasting to make fiscal stabilization grants to public television and radio stations facing declines in non-Federal revenues. These funds will help maintain programming and preserve small and rural stations threatened by declines in non-Federal revenues.
- **Indian Child Care Development Block Grant** – Provides between $70-96 million for Indian child care programs that serve low-income families to help defray the costs of COVID-19 response, including for continued payments to child care providers during center closures and to provide emergency child care for health care workers, emergency responders, and other COVID-19 “front line” workers

Title IX – Legislative Branch

Includes $93.1 million in critical funding to support the health, safety, and work capabilities of Legislative Branch agencies, including the United States Congress, Architect of the Capitol (AOC), Capitol Police, Government Accountability Office (GAO), and Office of the Attending Physician (OAP), during this public health crisis. Highlights include:

- **Senate** – The bill provides $10 million to support the Senate Sergeant at Arms to cover technology costs associated with teleworking and to support Senate offices and Committees, and for the Senate to cover costs associated with emergency needs related to coronavirus. Funding is also provided for reimbursement costs for the staff of the Senate Employees Child Care Center.

- **House of Representatives** – The bill provides $25 million to support the House's capability to telework, including for purchase of equipment and improvements to the network. Funding is also provided for the reimbursement costs for the staff of the House Child Care Center and covers costs for the House restaurant contracts.
- **Architect of the Capitol (AOC)** – The bill provides $25 million and gives the AOC authority to purchase in bulk and distribute cleaning supplies and provide access to its technical cleaning contracts across the Capitol campus. It also allows the AOC to continue service contract payments, such as for the contract costs for salaries of Senate and Capitol Visitor Center Restaurant Associates employees, should they be furloughed or face a reduction in contract hours due to facility closures.
- **U.S. Capitol Police** – The bill provides $12 million to maintain staffing levels to protect the Capitol complex. It also provides funding to cover expenses related to increased teleworking and contract support for a reduced on-site workforce.
- **Government Accountability Office** – The bill provides $20 million for GAO to conduct monitoring and oversight over federal agency coronavirus response and recovery efforts and agency management of coronavirus funds. Funding is also provided for the reimbursement costs for the staff of GAO's child care center.
- **Library of Congress** – The bill provides $700,000 for the reimbursement costs for the staff of the Library of Congress' child care center.
- **Office of the Attending Physician (OAP)** – The bill provides $400,000 for OAP to purchase medical supplies and protective equipment.

Title X – Veterans Affairs and Related Agencies

Includes $19.57 billion in funding to ensure the Department of Veterans Affairs (VA) has the equipment, tests, and support services necessary to provide veterans with the additional care they need at facilities nationwide. Highlights include:

- **Direct Medical Care** – The bill provides $15.85 billion in order to support an increase in demand for VA services specific to coronavirus. This covers treatment of veterans nationwide for coronavirus within VA hospitals as well as in community urgent care clinics and emergency rooms. These funds allow VA to cover overtime for their clinical staff, the purchase of personal protective equipment, test kits, and other necessary equipment to manage the impacts of this pandemic among the veteran population.
- **Vulnerable Veterans** – The bill provides $590 million for VA to devote to supporting veterans at an increased risk of contracting coronavirus. It includes funding for the Health Care for Homeless Veterans program, the Supportive Services for Veterans Families program, and the Grant and Per Diem program. This funding will help veterans get treatment, and provide support for those who are homeless or at risk of eviction. Funding is also included for keeping veterans within VA-run nursing homes and community living centers safe from coronavirus.

- **Facilities and IT Support for Telemedicine** – The bill provides $3.1 billion for VA to purchase, staff, and equip temporary sites of care and mobile treatment centers to deal with this pandemic. It allows for remodeling to VA facilities and state run veterans homes to address the needs of veterans being treated for coronavirus. The bill includes funding for VA to expand the capacity on existing IT networks to address the demand in services, and broadens VA's tele-ICU and teleradiology capabilities. It further enhances the capability for telehealth visits, allowing more veterans to receive care from home, and for providers at home to continue to treat patients through technology. Additionally, it facilitates VA employees working from home to ensure benefits can still be processed.
- **Armed Forces Retirement Homes (AFRH)** – The bill includes $2.8 million to provide staff treating veterans living at the AFRH with the personal protective equipment they need. The funding provides this and other necessary equipment and staffing support, which will help minimize the spread of coronavirus among residents.

Expanded Authorities – To strengthen VA's response to the coronavirus pandemic and enable them to best treat veterans across the country, the bill includes provisions which allow VA to:

- Pay providers for every hour they work in support of this pandemic, even if it means they go over salary caps;
- Consider veterans and their families eligible for pensions and other income-dependent benefits, even if an emergency benefit paid by the government would have put them over the threshold;
- Ensure that home health care workers have personal protective equipment and necessary equipment to protect veterans and themselves;
- Continue providing payment to State Veterans Homes when residents are transferred to acute care due to COVID-19, regardless of their occupancy rate; and allow VA to provide any available personal protective equipment to state homes;
- Provide flexibility for the Veteran Directed Care program, including telephone enrollment and renewals, and waivers for late paperwork and other limitations;
- Enhance health and housing initiatives for homeless veterans, including increased use of telehealth for programs with VA case managers, temporarily eliminating funding limits for programs providing direct support services to homeless veterans, and providing flexibility to serve veterans in those programs;
- Support veterans with limb loss by allowing veterans to seek prosthetic assistance at community providers rather than going to VA facilities during a pandemic; and
- Enter into agreements with telecommunications companies to provide broadband for veterans in support of providing telemental health care.

Title XI – Department of State

Includes $1.115 billion for the Department of State, U.S. Agency for International Development (USAID), and the Peace Corps, to support the repatriation of U.S. Government personnel and American citizens stranded overseas, strengthen the response at U.S. diplomatic facilities domestically and abroad, including by providing additional medical and personal protective equipment, and to prevent and respond to growing international humanitarian needs, among other purposes. In addition, the bill provides authorities for ongoing operations of the Department of State, USAID, and other agencies, including for U.S. participation in the replenishments of the international financial institutions to shore up the fragile economies of countries impacted by the coronavirus. Highlights include:

Department of State – $674 million for the Department of State, including:

- Diplomatic Programs: The bill provides $324 million for Diplomatic Programs to support the voluntary departure and curtailment on a global basis of vulnerable Department of State employees, evacuate American citizens overseas, ensure the ongoing operation of other consular and American citizen services amidst significant declines in visa revenue, and bolster the Bureau of Medical Services to respond to the coronavirus at diplomatic facilities domestically and abroad.
- Migration and Refugee Assistance: The bill provides $350 million for the Department of State to contribute to pending appeals from the UN High Commissioner for Refugees, International Committee of the Red Cross, and other partners to prepare for, and respond to, coronavirus among vulnerable refugee populations abroad.

United States Agency for International Development – The bill provides $353 million for USAID, including:

- Operating Expenses: The bill provides $95 million for operational needs of USAID, including support for evacuations and ordered departures of overseas staff, surge support, increased technical support for remote functions, and other needs.
- International Disaster Assistance: The bill provides $258 million for USAID to respond to the extraordinary needs in other countries that are underequipped to respond to the pandemic. The funding will prioritize populations affected by ongoing humanitarian crises, particularly displaced people, because of their heightened vulnerability, the elevated risk of severe outbreaks in camps and informal settlements, and anticipated disproportionate mortality in these populations.

Peace Corps – The bill provides $88 million for Peace Corps to support evacuations of all overseas volunteers, relocation of U.S. direct hires on authorized or ordered departure, and certain benefits for returned volunteers, including health care.

Department of the Treasury, International Affairs – The bill authorizes U.S. participation in the recapitalization and replenishment of international financial institutions, and extends and increases U.S. participation in the International Monetary Fund’s New Arrangements to Borrow, which will help shore up the fragile economies of developing countries ravaged by coronavirus.

Other Authorities – The bill includes several authorities to facilitate the operations of the Department of State and USAID, including to permit additional paid leave, provide medical services to private U.S. citizens, enhance certain hiring authorities, and increases the amount the Millennium Challenge Corporation can spend to cover additional costs due to staff evacuations.

Title XII – Department of Transportation and Housing

The bill includes a total of $48.5 billion for transportation and housing activities to address this unprecedented global public health pandemic. Targeted resources are directed to communities to help the 11 million low-income Americans living one paycheck away from homelessness by providing assistance to prevent eviction during what is likely to be the most severe economic crisis in nearly a century. The funding in this bill will also be used to help the over half a million homeless individuals living on the streets find shelter or temporary housing, and for the most vulnerable, to self-quarantine and gain access to supportive services in order to diminish the risk of exposure. For our transportation systems, massive Federal investment is provided to protect the livelihoods of the specialized transportation workforce in order to mitigate the potential furlough of 1.6 million employees, provide safe conditions for workers, and preserve these mobility assets for essential commuters, as well as the traveling public. Highlights include:

- **Airports** – $10 billion in Federal assistance is directed to help publically-owned, commercial airports to address the COVID-19 crisis as the aviation sector grapples with the most steep and potentially sustained decline in air travel in history. These funds will help airport operators meet ongoing needs and to manage current construction projects as operating expenses increase and revenues plummet. The magnitude of these challenges are significant given the aviation industry is experiencing an 80 percent system-wide decline in passenger traffic, while airports are expected to face even more severe operational and financial impacts in the months ahead.
- **Amtrak and Rail Safety** – $1.018 billion is available to Amtrak to meet its changing operational needs as a result of significantly reduced passenger rail service and ridership on the Northeast Corridor, state-supported, and long-distance routes related to COVID-19. This includes direct assistance to states to help them meet their obligations under the FAST Act in order to minimize service impacts on state-supported routes. The bill also provides $250,000 to the Federal Railroad Administration for safety equipment and assistance to inspectors to help them to rapidly respond to COVID-19 related demands.
- **Transit Systems** – $25 billion is provided to public transit operators to protect public health and safety while ensuring transportation access to jobs, medical treatment, food, and other essential services remain available during the COVID-19 response. As the revenues that sustain this essential service are severely impacted due to a reduction in fare box revenue and dedicated sales taxes, this increased Federal investment will help to sustain over 430,000 transit jobs and preserve access to our public service and critical workforce that are the backbone of our COVID19 prevention, response, and recovery efforts.
- **Community Development Block Grant** – $5 billion is provided for the Community Development Block Grant (CDBG) program to enable nearly 1,240 states, counties, and cities to rapidly respond to COVID-19 and the economic and housing impacts caused by it, including the expansion of community health facilities, child care centers, food banks, and senior services. Of the amounts provided, $2 billion will be allocated to states and units of local governments that received an allocation under the fiscal year 2020 CDBG formula, $1

billion will go directly to states to support a coordinated response across entitlement and non-entitlement communities, and $2 billion will be allocated to states and units of local government, cities and counties based on the prevalence and risk of COVID-19 and related economic and housing disruption.

- In order to ensure resources are quickly deployed and meet the unique response needs to COVID-19, the bill eliminates the cap on the amount of funds a grantee can spend on public services, removes the requirement to hold in-person public hearings in order to comply with national and local social gathering requirements, and allows grantees to be reimbursed for COVID-19 response activities regardless of the date the costs were incurred. This funding builds on $6.7 billion provided in fiscal years 2019 and 2020 by allowing grantees to combine prior year funds with new funding in order to prevent, prepare for, and respond to COVID-19.
- **Emergency Solutions Grants** – $4 billion is included to address the impact of COVID-19 among individuals and families who are homeless or at risk of homelessness, and to support additional homeless assistance, prevention, and eviction prevention assistance. Eviction prevention activities including rapid rehousing, housing counseling, and rental deposit assistance will mitigate the adverse impacts of the pandemic on working families.
- **Rental Assistance Protections for Low-Income Americans** – $3 billion is included for housing providers to help more than 4.5 million low-income households made up of more than 9.6 million individuals currently assisted by HUD to safely remain in their homes or access temporary housing assistance in response to economic and housing disruptions caused by COVID-19.
- This funding will help low-income and working class Americans avoid evictions and minimize any impacts caused by loss of employment, and child care, or other unforeseen circumstances related to COVID-19. This includes:
  - $1.935 billion to allow public housing agencies (PHAs) to keep over 3.2 million Section 8 voucher and public housing households stably housed;
  - $1 billion to allow the continuation of housing assistance contracts with private landlords for over 1.2 million Project-Based Section 8 households;
  - $65 million for housing for the elderly and persons with disabilities for rental assistance, service coordinators, and support services for the more than 114,000 affordable households for the elderly and over 30,000 affordable households for low-income persons with disabilities; and
  - $65 million for Housing Opportunities for Persons with AIDS in order to maintain rental assistance and expand operational and administrative flexibilities for housing and supportive service providers to assist nearly 61,000 households. Given that this population is particularly vulnerable, the bill includes temporary relocation services to contain and prevent the spread of COVID-19 for these at-risk households.
- **Indian Housing** – $300 million is secured for Native American Programs, which includes $200 million for the Indian Housing Block Grant program and $100 million for imminent threats to health and safety as a result of COVID-19.