

116TH CONGRESS  
2D SESSION

# H. R. 6914

Making emergency supplemental appropriations for the fiscal year ending  
September 30, 2020, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2020

Mr. SMITH of New Jersey (for himself and Mr. KING of New York) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

Making emergency supplemental appropriations for the fiscal  
year ending September 30, 2020, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “New Jersey, New  
5       York, and Highly Impacted States COVID–19 Relief  
6       Fund Act”.

1 **SEC. 2. CORONAVIRUS STATE AND LOCAL FISCAL RELIEF**  
2 **FUNDS.**

3 The following sums are hereby appropriated, out of  
4 any money in the Treasury not otherwise appropriated,  
5 for the fiscal year ending September 30, 2020, and for  
6 other purposes, namely:

7 DEPARTMENT OF THE TREASURY  
8 OFFICE OF INSPECTOR GENERAL  
9 SALARIES AND EXPENSES

10 For an additional amount for “Salaries and Ex-  
11 penses”, \$15,000,000, to remain available until expended,  
12 to conduct monitoring and oversight of the receipt, dis-  
13 bursement, and use of funds made available under the  
14 “Coronavirus State Fiscal Relief Fund” and the  
15 “Coronavirus Local Fiscal Relief Fund” (collectively,  
16 “Fiscal Relief Funds”): *Provided*, That, if the Inspector  
17 General of the Department of the Treasury determines  
18 that an entity receiving a payment from amounts provided  
19 by the Fiscal Relief Funds has failed to comply with the  
20 provisions governing the use of such funding, the Inspec-  
21 tor General shall transmit any relevant information re-  
22 lated to such determination to the Committees on Appro-  
23 priations of the House of Representatives and the Senate  
24 not later than 5 days after any such determination is  
25 made: *Provided further*, That such amount is designated  
26 by the Congress as being for an emergency requirement

1 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-  
2 et and Emergency Deficit Control Act of 1985.

3 CORONAVIRUS STATE FISCAL RELIEF FUND

4 For making payments to States, territories, and Trib-  
5 al governments to mitigate the fiscal effects stemming  
6 from the public health emergency with respect to the  
7 Coronavirus Disease (COVID–19), \$300,000,000,000 to  
8 remain available until expended, which shall be in addition  
9 to any other amounts available for making payments to  
10 States, territories, and Tribal governments for any pur-  
11 pose (including payments made under section 601 of the  
12 Social Security Act), of which:

13 (1) \$10,000,000,000 shall be for making pay-  
14 ments to the District of Columbia, Commonwealth of  
15 Puerto Rico, United States Virgin Islands, Guam,  
16 Commonwealth of the Northern Mariana Islands,  
17 and American Samoa: *Provided*, That of the amount  
18 made available in this paragraph, half shall be allo-  
19 cated equally among each entity specified in this  
20 paragraph, and half shall be allocated as an addi-  
21 tional amount to each such entity in an amount  
22 which bears the same proportion to half of the total  
23 amount provided under this paragraph as the rel-  
24 ative population of each such entity bears to the  
25 total population of all such entities;

1           (2) \$10,000,000,000 shall be for making pay-  
2           ments to Tribal governments: *Provided*, That pay-  
3           ments of amounts made available in this paragraph  
4           shall be made to each Tribal Government in an  
5           amount determined by the Secretary of the Treas-  
6           ury, in consultation with the Secretary of the Inte-  
7           rior and Indian Tribes, that is based on increased  
8           aggregate expenditures of each such Tribal govern-  
9           ment (or a tribally owned entity of such Tribal gov-  
10          ernment) in fiscal year 2020 relative to aggregate  
11          expenditures in fiscal year 2019 by the Tribal gov-  
12          ernment (or tribally owned entity) and determined in  
13          such manner as the Secretary determines appro-  
14          priate to ensure that all amounts available pursuant  
15          to the preceding proviso for fiscal year 2020 are dis-  
16          tributed to Tribal governments;

17          (3) \$280,000,000,000 shall be for making pay-  
18          ments to each of the 50 States, of which—

19                  (A) \$40,000,000,000 shall be allocated  
20                  equally between each of the 50 States;

21                  (B) \$140,000,000,000 shall be allocated as  
22                  an additional amount to each such entity in an  
23                  amount which bears the same proportion to the  
24                  total amount provided under this subparagraph

1 as the relative population of each such entity  
2 bears to the total population of all such entities;

3 (C) \$100,000,000,000 shall be allocated as  
4 additional amounts among each of the 50  
5 States, the District of Columbia, and the Five  
6 Territories in an amount which bears the same  
7 proportion to the total amount provided under  
8 this subparagraph as the relative prevalence of  
9 COVID–19 within each such entity bears to the  
10 total prevalence of COVID–19 within all such  
11 entities: *Provided*, That the relative prevalence  
12 of COVID–19 shall be calculated using the  
13 most recent data on the number of confirmed  
14 and probable cases as published on the internet  
15 by the Centers for Disease Control and Preven-  
16 tion for each entity specified in the preceding  
17 proviso;

18 *Provided further*, That any entity receiving a payment  
19 from funds made available under this heading in this Act  
20 shall only use such amounts to respond to, mitigate, cover  
21 costs or replace foregone revenues not projected on Janu-  
22 ary 31, 2020 stemming from the public health emergency,  
23 or its negative economic impacts, with respect to the  
24 Coronavirus Disease (COVID–19): *Provided further*, That  
25 if the Inspector General of the Department of the Treas-

1 ury determines that an entity receiving a payment from  
2 amounts provided under this heading has failed to comply  
3 with the preceding proviso, the amount equal to the  
4 amount of funds used in violation of such subsection shall  
5 be booked as a debt of such entity owed to the Federal  
6 Government, and any amounts recovered under this sub-  
7 section shall be deposited into the general fund of the  
8 Treasury as discretionary offsetting receipts: *Provided fur-*  
9 *ther*, That for purposes of the preceding provisos under  
10 this heading in this Act, the population of each entity de-  
11 scribed in any such proviso shall be determined based on  
12 the most recent year for which data are available from  
13 the Bureau of the Census, or in the case of an Indian  
14 tribe, shall be determined based on data certified by the  
15 Tribal government: *Provided further*, That as used under  
16 this heading in this Act, the terms “Tribal government”  
17 and “Indian Tribe” have the same meanings as specified  
18 in section 601(g) of the Social Security Act (42 U.S.C.  
19 601(g)), as added by section 5001 of the CARES Act  
20 (Public Law 116–136), and the term “State” means one  
21 of the 50 States: *Provided further*, That the Secretary of  
22 Treasury shall make all payments required pursuant to  
23 paragraphs (1), (2), and (3) not later than 30 days after  
24 the date of enactment of this Act. *Provided further*, That  
25 such amount is designated by the Congress as being for

1 an emergency requirement pursuant to section  
2 251(b)(2)(A)(i) of the Balanced Budget and Emergency  
3 Deficit Control Act of 1985.

4 CORONAVIRUS LOCAL FISCAL RELIEF FUND

5 For making payments to metropolitan cities, coun-  
6 ties, and other units of general local government to miti-  
7 gate the fiscal effects stemming from the public health  
8 emergency with respect to the Coronavirus Disease  
9 (COVID–19), \$200,000,000,000, to remain available until  
10 expended, which shall be in addition to any other amounts  
11 available for making payments to metropolitan cities,  
12 counties, and other units of general local government (in-  
13 cluding payments made under section 601 of the Social  
14 Security Act), of which—

15 (1) \$100,000,000,000 shall be for making pay-  
16 ments to metropolitan cities and other units of gen-  
17 eral local government (as those terms are defined in  
18 section 102 of the Housing and Community Devel-  
19 opment Act of 1974 (42 U.S.C. 5302)), of which—

20 (A) \$750,000,000 shall be allocated pursu-  
21 ant to the formula under section 106(b)(1) of  
22 the Housing and Community Development Act  
23 of 1974 (42 U.S.C. 5306(b)(1)) to metropolitan  
24 cities (as defined in section 102(a)(4) of such  
25 Act (42 U.S.C. 5302(a)(4)), including metro-

1           politan cities that have relinquished or deferred  
2           their status as a metropolitan city as of the  
3           date of enactment of this Act: *Provided*, That  
4           the funds provided under this subparagraph  
5           shall be paid not later than 30 days after the  
6           date of enactment of this Act; and

7           (B) \$250,000,000 shall be distributed to  
8           each State (as that term is defined in section  
9           102 of the Housing and Community Develop-  
10          ment Act of 1974 (42 U.S.C. 5302)) for use by  
11          units of general local government, other than  
12          counties or parishes, in nonentitlement areas  
13          (as defined in such section 102) of such States  
14          in an amount which bears the same proportion  
15          to the total amount provided under this sub-  
16          paragraph as the total population of such units  
17          of general local government within the State  
18          bears to the total population of all such units  
19          of general local government in all such States:  
20          *Provided*, That the funds provided under this  
21          subparagraph and allocated to each such unit of  
22          general local government shall be distributed to  
23          each such unit of general local government not  
24          later than 30 days after the date of enactment  
25          of this Act: *Provided further*, That if a State

1           has not elected to distribute amounts allocated  
2           under this paragraph, the Secretary of the  
3           Treasury shall pay the applicable amounts  
4           under this subparagraph to such units of gen-  
5           eral local government in the State not later  
6           than 30 days after the date on which the State  
7           would otherwise have received the amounts  
8           from the Secretary; and

9           (2) \$100,000,000,000 shall be paid directly to  
10          counties within the 50 States, the District of Colum-  
11          bia, the Commonwealth of Puerto Rico, the United  
12          States Virgin Islands, Guam, the Commonwealth of  
13          the Northern Mariana Islands, and American Samoa  
14          in an amount which bears the same proportion to  
15          the total amount provided under this paragraph as  
16          the relative population of each such county bears to  
17          the total population of all such entities: *Provided*,  
18          That the funds provided under this paragraph and  
19          allocated to each such county shall be distributed to  
20          each such county not later than 30 days after the  
21          date of enactment of this Act: *Provided further*, That  
22          no county that is an “urban county” (as defined in  
23          section 102 of the Housing and Community Devel-  
24          opment Act of 1974 (42 U.S.C. 5302)) shall receive  
25          less than the amount the county would otherwise re-

1        ceive if the amount distributed under this paragraph  
2        were allocated to metropolitan cities and urban  
3        counties under section 106(b) of the Housing and  
4        Community Development Act of 1974 (42 U.S.C.  
5        5306(b)): *Provided further*, That in the case of an  
6        amount to be paid to a county that is not a unit of  
7        general local government, the amount shall instead  
8        be paid to the State in which such county is located,  
9        and such State shall distribute such amount to units  
10       of general local government within such county in an  
11       amounts that bear the same proportion as the popu-  
12       lation of such units of general local government bear  
13       to the total population of such county:

14 *Provided further*, That any entity receiving a payment  
15 from funds made available under this heading in this Act  
16 shall only use such amounts to respond to, mitigate, cover  
17 costs or replace foregone revenues not projected on Janu-  
18 ary 31, 2020 stemming from the public health emergency,  
19 or its negative economic impacts, with respect to the  
20 Coronavirus Disease (COVID–19): *Provided further*, That  
21 if the Inspector General of the Department of the Treas-  
22 ury determines that an entity receiving a payment from  
23 amounts provided under this heading has failed to comply  
24 with the preceding proviso, the amount equal to the  
25 amount of funds used in violation of such subsection shall

1 be booked as a debt of such entity owed to the Federal  
2 Government, and any amounts recovered under this sub-  
3 section shall be deposited into the general fund of the  
4 Treasury as discretionary offsetting receipts: *Provided fur-*  
5 *ther*, That nothing in paragraph (1) or (2) shall be con-  
6 strued as prohibiting a unit of general local government  
7 that has formed a consolidated government, or that is geo-  
8 graphically contained (in full or in part) within the bound-  
9 aries of another unit of general local government from re-  
10 ceiving a distribution under each of subparagraphs (A)  
11 and (B) under paragraph (1) or under paragraph (2), as  
12 applicable, based on the respective formulas specified con-  
13 tained therein: *Provided further*, That the amounts other-  
14 wise determined for distribution to units of local govern-  
15 ment under each of subparagraphs (A) and (B) under  
16 paragraph (1) and under paragraph (2) shall each be ad-  
17 justed by the Secretary of the Treasury on a pro rata basis  
18 to the extent necessary to comply with the amount appro-  
19 priated and the requirements specified in each paragraph  
20 and subparagraph, as applicable: *Provided further*, That  
21 as used under this heading in this Act, the term “county”  
22 means a county, parish, or other equivalent county divi-  
23 sion (as defined by the Bureau of the Census): *Provided*  
24 *further*, That for purposes of the preceding provisos under  
25 this heading in this Act, the population of an entity shall

1 be determined based on the most recent year for which  
2 data are available from the Bureau of the Census: *Pro-*  
3 *vided further*, That such amount is designated by Congress  
4 as being for an emergency requirement pursuant to sec-  
5 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-  
6 gency Deficit Control Act of 1985.

7 **SEC. 3. OTHER REQUIREMENTS.**

8       Amounts appropriated for fiscal year 2020 under this  
9 Act shall be subject to the requirements contained in Pub-  
10 lic Law 116–94 for funds for programs authorized under  
11 sections 330 through 340 of the Public Health Service Act  
12 (42 U.S.C. 254 through 256).

○