

116TH CONGRESS
2D SESSION

H. R. 7290

To modify the cost-sharing requirement of the Defense Community Infrastructure Program and to temporarily expand eligibility for Department of Defense impact aid and authorize additional amounts to provide such aid, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 2020

Mr. HECK (for himself, Mr. CROW, Mr. KIM, and Mr. KILMER) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Financial Services, and Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To modify the cost-sharing requirement of the Defense Community Infrastructure Program and to temporarily expand eligibility for Department of Defense impact aid and authorize additional amounts to provide such aid, 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 “Defense Communities
5 Coronavirus Relief Act of 2020”.

1 **SEC. 2. MODIFICATION OF COST-SHARING REQUIREMENT**
2 **OF THE DEFENSE COMMUNITY INFRASTRUC-**
3 **TURE PROGRAM.**

4 Paragraph (2) of section 2391(d) of title 10, United
5 States Code, is amended to read as follows:

6 “(2)(A) The Secretary of Defense shall establish cri-
7 teria for the selection of community infrastructure
8 projects to receive assistance under paragraph (1). The
9 criteria shall include a cost-sharing requirement under
10 which the State government, local government, or not-for-
11 profit, member-owned utility service proposing the com-
12 munity infrastructure project shall be required to cover
13 a percentage of the cost of the community infrastructure
14 project, as specified for the fiscal year involved in subpara-
15 graph (B) or (C).

16 “(B) In the case of a community infrastructure
17 project that receives funds during the fiscal year 2021 ap-
18 plication cycle, the State government, local government,
19 or not-for-profit, member-owned utility service shall agree
20 to contribute five percent of the funding for the commu-
21 nity infrastructure project, unless a national security waiv-
22 er is approved by the Secretary of Defense.

23 “(C) In the case of a community infrastructure
24 project that receives funds during the fiscal year 2022 or
25 a subsequent application cycle:

1 “(i) If the community infrastructure project will
2 be carried out in a non-rural area, the State govern-
3 ment, local government, or not-for-profit, member-
4 owned utility service shall agree to contribute 30
5 percent of the funding for the community infrastruc-
6 ture project, unless a national security waiver is ap-
7 proved by the Secretary of Defense.

8 “(ii) If the community infrastructure project
9 will be carried out in a rural area, the State govern-
10 ment, local government, or not-for-profit, member-
11 owned utility service shall agree to contribute 20
12 percent of the funding for the community infrastruc-
13 ture project, unless a national security waiver is ap-
14 proved by the Secretary of Defense.”.

15 **SEC. 3. EXPANSION OF ELIGIBILITY FOR ASSISTANCE TO**
16 **SCHOOLS WITH SIGNIFICANT NUMBERS OF**
17 **MILITARY DEPENDENT CHILDREN.**

18 (a) TEMPORARY EXPANSION OF ELIGIBILITY FOR
19 DOD ASSISTANCE.—Notwithstanding paragraph (2) of
20 section 572(a) of the National Defense Authorization Act
21 for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C.
22 7703b), a qualified local educational agency shall be eligi-
23 ble to receive assistance under such section for fiscal years
24 2021 and 2022 if at least five percent (as rounded to the
25 nearest whole percent) of the students in average daily at-

1 tendance in the schools of such agency during the pre-
2 ceding school year were military dependent students
3 counted under section 7003(a)(1) of the Elementary and
4 Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)).

5 (b) INCREASE IN FUNDING FOR DOD ASSIST-
6 ANCE.—There are authorized to be appropriated
7 \$150,000,000 for fiscal year 2021 for the purpose of pro-
8 viding assistance to local educational agencies under sub-
9 section (a) of section 572 of the National Defense Author-
10 ization Act for Fiscal Year 2006 (Public Law 109–163;
11 20 U.S.C. 7703b).

12 (c) QUALIFIED LOCAL EDUCATIONAL AGENCY DE-
13 FINED.—In this section, the term “qualified local edu-
14 cational agency” means a local educational agency (as de-
15 fined in section 7013(9) of the Elementary and Secondary
16 Education Act of 1965 (20 U.S.C. 7713(9))) that is lo-
17 cated in an area covered by a declaration of a major dis-
18 aster or emergency (as those terms are defined in section
19 102 of the Robert T. Stafford Disaster Relief and Emer-
20 gency Assistance Act (42 U.S.C. 5122)) at any time dur-
21 ing the period beginning on March 1, 2020, and ending
22 on July 31, 2020.

1 **SEC. 4. SUPPORT FOR BUSINESSES SERVING MILITARY IN-**
2 **STALLATIONS.**

3 (a) IN GENERAL.—The President shall exercise the
4 authorities provided under title III of the Defense Produc-
5 tion Act of 1950 to provide direct loans to small busi-
6 nesses identified under subsection (b).

7 (b) IDENTIFICATION OF BUSINESSES.—

8 (1) IN GENERAL.—The Secretary of Defense
9 shall establish a process under which commanders of
10 military installations may each identify up to 10
11 small businesses that—

12 (A) provide mission essential products and
13 services to the applicable military installation;
14 and

15 (B) have been negatively impacted due to
16 COVID–19 and the resulting economic down-
17 turn.

18 (2) NON-DUPLICATION.—A small business may
19 not be identified under paragraph (1) by more than
20 one commander of a military installation.

21 (c) LIMITATION ON EXPENDITURES.—In carrying
22 out subsection (a), the President may not expend more
23 than \$100,000 with respect to a single small business.

24 (d) DETERMINATION.—For purposes of title III of
25 the Defense Production Act of 1950 (50 U.S.C. 4531 et
26 seq.), products and services provided by small businesses

1 identified under subsection (b) to military installations
2 shall be deemed an industrial resource, critical technology
3 item, or material that is essential for national defense pur-
4 poses.

5 (e) FUNDING.—There is appropriated, out of
6 amounts in the Treasury not otherwise appropriated,
7 \$50,000,000 to exercise the authorities described under
8 subsection (a).

9 (f) REPORT.—Not later than the end of the 365-day
10 period beginning on the date of enactment of this Act, the
11 President shall issue a report to the Congress detailing
12 the use of the authorities provided by this Act.

13 (g) DEFINITIONS.—In this section:

14 (1) MILITARY INSTALLATION.—The term “mili-
15 tary installation” has the meaning given that term
16 under section 2687 of title 10, United States Code.

17 (2) MISSION ESSENTIAL PRODUCTS AND SERV-
18 ICES.—The term “mission essential products and
19 services” means—

20 (A) products or services essential to—

21 (i) physical security;

22 (ii) ensuring a regular supply of food,
23 water, and medical supplies;

1 (iii) maintenance and upkeep of mili-
2 tary installation facilities, grounds, and ve-
3 hicles; or

4 (iv) ensuring a regular supply of utili-
5 ties (including water, electricity, and nat-
6 ural gas); or

7 (B) any products or services not described
8 under subparagraph (A) with respect to which
9 the commander of a military installation deter-
10 mines that a gap in the availability of such
11 products or services would disrupt normal oper-
12 ations of the military installation.

13 (3) SMALL BUSINESS.—The term “small busi-
14 ness” has the meaning given the term “small busi-
15 ness concern” under section 3 of the Small Business
16 Act.

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