

116TH CONGRESS  
2D SESSION

# S. 4112

To support education and child care during the COVID–19 public health emergency, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 30, 2020

Mrs. MURRAY (for herself, Mr. SCHUMER, Mr. LEAHY, Ms. ROSEN, Mr. KAINE, Ms. BALDWIN, Mr. MERKLEY, Mr. VAN HOLLEN, Mr. SANDERS, Mr. MURPHY, Ms. SMITH, Mr. CASEY, Ms. STABENOW, Mr. MARKEY, Ms. WARREN, Mr. REED, Ms. HASSAN, Mrs. FEINSTEIN, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To support education and child care during the COVID–19 public health emergency, 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 “Coronavirus Child  
5 Care and Education Relief Act”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definition of qualifying emergency.

TITLE I—SUPPORT FOR CHILDREN AND FAMILIES

- Sec. 101. Child Abuse Prevention and Treatment Act.
- Sec. 102. Child Care Stabilization Fund.

TITLE II—SUPPORT FOR STUDENTS AND SCHOOLS

Subtitle A— Education Stabilization Fund Improvements

- Sec. 211. Increase in appropriations.
- Sec. 212. Education stabilization funds.

Subtitle B—Additional Appropriations for Elementary Education, Secondary Education, and Special Education

- Sec. 221. Elementary and secondary education appropriations.
- Sec. 222. Individuals with Disabilities Education Act appropriations.

Subtitle C—Higher Education

CHAPTER 1—HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

- Sec. 231. HBCU endowment challenge grants.
- Sec. 232. Funding for HBCU capital financing.

CHAPTER 2—ADDITIONAL APPROPRIATIONS FOR TRIO PROGRAMS

- Sec. 235. Additional TRIO appropriations.

Subtitle D—Increased Funding for Adult Education and Career and Technical Education

CHAPTER 1—ADULT EDUCATION AND LITERACY QUALIFYING EMERGENCY RESPONSE

- Sec. 241. Definitions.
- Sec. 242. Adult education and literacy response activities.
- Sec. 243. Distribution of funds.

CHAPTER 2—CAREER AND TECHNICAL EDUCATION

- Sec. 245. Definitions and Perkins CTE requirements.
- Sec. 246. COVID–19 career and technical education response flexibility.
- Sec. 247. Perkins career and technical education.

Subtitle E—Community College and Industry Partnership Grants

- Sec. 251. Community college and industry partnership grants.

Subtitle F—E-Rate

- Sec. 255. E-Rate support for Wi-Fi hotspots, other equipment, and connected devices during emergency periods relating to COVID–19.

TITLE III—GENERAL PROVISIONS

- Sec. 301. Protections for children with disabilities.
- Sec. 302. Rule of construction relating to registered apprenticeship programs.

Sec. 303. General Education Provisions Act requirements relating to COVID-19.

Sec. 304. Emergency designation.

1 **SEC. 3. DEFINITION OF QUALIFYING EMERGENCY.**

2 In this Act, the term “qualifying emergency” has the  
3 meaning given the term in section 3502 of division A of  
4 the Coronavirus Aid, Relief, and Economic Security Act  
5 (Public Law 116–136).

6 **TITLE I—SUPPORT FOR**  
7 **CHILDREN AND FAMILIES**

8 **SEC. 101. CHILD ABUSE PREVENTION AND TREATMENT**  
9 **ACT.**

10 (a) TITLE I APPROPRIATIONS.—

11 (1) IN GENERAL.—There is appropriated to the  
12 Secretary of Health and Human Services (referred  
13 to in this section as the “Secretary”), out of  
14 amounts in the Treasury not otherwise appropriated,  
15 \$500,000,000 for fiscal year 2020, for the purpose  
16 of providing additional funding for the State grant  
17 program under section 106 of the Child Abuse Pre-  
18 vention and Treatment Act (42 U.S.C. 5106a).

19 (2) ALLOTMENTS.—The Secretary shall make  
20 allotments out of the amounts appropriated under  
21 paragraph (1) to each State and territory receiving  
22 an allotment under section 106(f) of the Child Abuse  
23 Prevention and Treatment Act (42 U.S.C. 5106a(f))  
24 for fiscal year 2019, in the same manner that

1 amounts appropriated under section 112 of such Act  
2 (42 U.S.C. 5106f) are allotted to States in accord-  
3 ance with section 106(f)(2) of such Act.

4 (3) CHILDREN, FAMILIES, AND CHILD WELFARE  
5 WORKERS' HEALTH AND SAFETY.—The Secretary  
6 shall allow each State to use amounts appropriated  
7 under paragraph (1) and allocated under paragraph  
8 (2) to cover costs that the State determines nec-  
9 essary to support child welfare workers in pre-  
10 venting, investigating, and treating child abuse and  
11 neglect in response to a qualifying emergency, in-  
12 cluding for the purchase of personal protective  
13 equipment and sanitation supplies, consistent with  
14 section 106 of the Child Abuse Prevention and  
15 Treatment Act (42 U.S.C. 5106a).

16 (b) CHILD ABUSE PREVENTION APPROPRIATION.—

17 (1) IN GENERAL.—There is appropriated to the  
18 Secretary, out of amounts in the Treasury not other-  
19 wise appropriated, \$1,000,000,000 for fiscal year  
20 2020, for the purpose of providing additional fund-  
21 ing for the community-based grants for the preven-  
22 tion of child abuse and neglect under title II of the  
23 Child Abuse Prevention and Treatment Act (42  
24 U.S.C. 5116 et seq.).

1           (2) ALLOTMENTS.—The Secretary shall make  
2 allotments out of the amounts appropriated under  
3 paragraph (1) to each State receiving an allotment  
4 under section 203 of the Child Abuse Prevention  
5 and Treatment Act (42 U.S.C. 5116b) for fiscal  
6 year 2019, in the same manner that amounts appro-  
7 priated under section 209 of such Act (42 U.S.C.  
8 5116i) are allotted to States in accordance with sec-  
9 tion 203 of such Act, except that, in allotting  
10 amounts under this subsection—

11                   (A) in subsection (a) of such section 203,  
12           “1 percent” shall be deemed to be “5 percent”;

13                   (B) in subsection (b)(1)(A) of such section  
14           203, “70 percent” shall be deemed to be “100  
15           percent”; and

16                   (C) subsections (b)(1)(B) and (c) of such  
17           section 203 shall not apply.

18           (3) COMMUNITY-BASED PROGRAMS AND ACTIVI-  
19           TIES HEALTH AND SAFETY.—The Secretary shall  
20           allow each State lead entity to use amounts appro-  
21           priated under paragraph (1) and allocated to the  
22           State under paragraph (2) to cover costs that the  
23           lead entity determines necessary to maintain the op-  
24           eration of community-based and prevention-focused  
25           programs and activities in the State in response to

1 a qualifying emergency, including for the purchase  
2 of personal protective equipment and sanitation sup-  
3 plies, consistent with title II of Child Abuse Preven-  
4 tion and Treatment Act (42 U.S.C. 5116 et seq.).

5 (4) NO STATE MATCHING REQUIREMENT.—Not-  
6 withstanding section 204(4) of the Child Abuse Pre-  
7 vention and Treatment Act (42 U.S.C. 5116d(4)), a  
8 State shall not be required to provide any additional  
9 funding for the program under title II of the Child  
10 Abuse Prevention and Treatment Act (42 U.S.C.  
11 5116 et seq.) as a condition for receiving an alloca-  
12 tion under paragraph (1).

13 (c) IN GENERAL.—Any amount appropriated or  
14 made available under this section is in addition to other  
15 amounts appropriated or made available for the applicable  
16 purpose, and shall remain available until expended.

17 **SEC. 102. CHILD CARE STABILIZATION FUND.**

18 (a) DEFINITIONS.—In this section, the terms “eligi-  
19 ble child care provider”, “Indian tribe”, “lead agency”,  
20 “tribal organization”, “Secretary”, and “State” have the  
21 meanings given the terms in section 658P of the Child  
22 Care and Development Block Grant Act of 1990 (42  
23 U.S.C. 9858n) except as otherwise provided in this sec-  
24 tion.

1 (b) GRANTS.—From funds appropriated to carry out  
2 this section and under the authority of section 6580 of  
3 the Child Care and Development Block Grant Act of 1990  
4 (42 U.S.C. 9858m) and this section, the Secretary shall  
5 establish a Child Care Stabilization Fund grants program,  
6 through which the Secretary shall award child care sta-  
7 bilization grants to the lead agency of each State (as de-  
8 fined in that section 6580), territory described in sub-  
9 section (a)(1) of such section, Indian tribe, and tribal or-  
10 ganization from allotments and payments made under  
11 subsection (c)(2), not later than 30 days after the date  
12 of enactment of this Act.

13 (c) SECRETARIAL RESERVATION AND ALLOT-  
14 MENTS.—

15 (1) RESERVATION.—The Secretary shall reserve  
16 not more than 1 percent of the funds appropriated  
17 to carry out this section for the Federal administra-  
18 tion of grants described in subsection (b).

19 (2) ALLOTMENTS.—The Secretary shall use the  
20 remainder of the funds appropriated to carry out  
21 this section to award allotments to States, as defined  
22 in section 6580 of the Child Care Development  
23 Block Grant Act of 1990 (42 U.S.C. 9858m), and  
24 payments to territories, Indian tribes, and tribal or-  
25 ganizations in accordance with paragraphs (1) and

1 (2) of subsection (a), and subsection (b), of section  
2 6580 of the Child Care and Development Block  
3 Grant Act of 1990 (42 U.S.C. 9858m).

4 (d) STATE RESERVATIONS AND SUBGRANTS.—

5 (1) RESERVATION.—A lead agency for a State  
6 that receives a child care stabilization grant pursu-  
7 ant to subsection (b) shall reserve not more than 10  
8 percent of such grant funds—

9 (A) to administer subgrants made to quali-  
10 fied child care providers under paragraph (2),  
11 including to carry out data systems building  
12 and other activities that enable the disburse-  
13 ment of payments of such subgrants;

14 (B) to provide technical assistance and  
15 support in applying for and accessing the  
16 subgrant opportunity under paragraph (2), to  
17 eligible child care providers (including to family  
18 child care providers, group home child care pro-  
19 viders, and other non-center-based child care  
20 providers and providers with limited administra-  
21 tive capacity), either directly or through re-  
22 source and referral agencies or staffed family  
23 child care networks;

24 (C) to publicize the availability of sub-  
25 grants under this section and conduct wide-



1 spread outreach to eligible child care providers,  
2 including family child care providers, group  
3 home child care providers, and other non-cen-  
4 ter-based child care providers and providers  
5 with limited administrative capacity, either di-  
6 rectly or through resource and referral agencies  
7 or staffed family child care networks, to ensure  
8 eligible child care providers are aware of the  
9 subgrants available under this section;

10 (D) to carry out the reporting require-  
11 ments described in subsection (f); and

12 (E) to carry out activities to improve the  
13 supply and quality of child care during and  
14 after the qualifying emergency, such as con-  
15 ducting community needs assessments, carrying  
16 out child care cost modeling, making improve-  
17 ments to child care facilities, increasing access  
18 to licensure or participation in the State's  
19 tiered quality rating system, and carrying out  
20 other activities described in section 658G(b) of  
21 the Child Care and Development Block Grant  
22 Act of 1990 (42 U.S.C. 9858e(b)), to the extent  
23 that the lead agency can carry out activities de-  
24 scribed in this subparagraph without preventing  
25 the lead agency from fully conducting the ac-

1           activities described in subparagraphs (A) through  
2           (D).

3           (2) SUBGRANTS TO QUALIFIED CHILD CARE  
4           PROVIDERS.—

5                   (A) IN GENERAL.—The lead agency shall  
6           use the remainder of the grant funds awarded  
7           pursuant to subsection (b) to make subgrants  
8           to qualified child care providers described in  
9           subparagraph (B), to support the stability of  
10          the child care sector during and after the quali-  
11          fying emergency. The lead agency shall provide  
12          the subgrant funds in advance of provider ex-  
13          penditures for costs described in subsection (e),  
14          except as provided in subsection (e)(2).

15                   (B) QUALIFIED CHILD CARE PROVIDER.—  
16          To be qualified to receive a subgrant under this  
17          paragraph, a provider shall be an eligible child  
18          care provider that—

19                           (i) was providing child care services  
20                           on or before March 1, 2020; and

21                           (ii) on the date of submission of an  
22                           application for the subgrant, was either—

23                                   (I) open and available to provide  
24                                   child care services; or

1 (II) closed due to the qualifying  
2 emergency.

3 (C) SUBGRANT AMOUNT.—The lead agency  
4 shall make subgrants, from amounts awarded  
5 pursuant to subsection (b), to qualified child  
6 care providers, and the amount of such a  
7 subgrant to such a provider shall—

8 (i)(I) be based on the provider’s stat-  
9 ed average operating expenses during the  
10 period (of not longer than 6 months) be-  
11 fore March 1, 2020, or, for a provider that  
12 operates seasonally, during a period (of not  
13 longer than 6 months) before the pro-  
14 vider’s last day of operation; and

15 (II) at minimum cover such operating  
16 expenses for the intended length of the  
17 subgrant;

18 (ii) account for increased costs of pro-  
19 viding or preparing to provide child care as  
20 a result of the qualifying emergency, such  
21 as provider and employee compensation  
22 and existing benefits (existing as of March  
23 1, 2020) and the implementation of new  
24 practices related to sanitization, group size  
25 limits, and social distancing;

1 (iii) be adjusted for payments or reim-  
2 bursements made to an eligible child care  
3 provider to carry out the Child Care and  
4 Development Block Grant Act of 1990 (42  
5 U.S.C. 9857 et seq.) or the Head Start  
6 Act (42 U.S.C. 9831 et seq.); and

7 (iv) be adjusted for payments or reim-  
8 bursements made to an eligible child care  
9 provider through the Paycheck Protection  
10 Program set forth in section 7(a)(36) of  
11 the Small Business Act (15 U.S.C.  
12 636(a)(36)), as added by section 1102 of  
13 the Coronavirus Aid, Relief, and Economic  
14 Security Act (Public Law 116–136).

15 (D) APPLICATION.—

16 (i) ELIGIBILITY.—To be eligible to re-  
17 ceive a subgrant under this paragraph, a  
18 child care provider shall submit an applica-  
19 tion to a lead agency at such time and in  
20 such manner as the lead agency may re-  
21 quire. Such application shall include—

22 (I) a good-faith certification that  
23 the ongoing operations of the child  
24 care provider have been impacted as a  
25 result of the qualifying emergency;

1 (II) for a provider described in  
2 subparagraph (B)(ii)(I), an assurance  
3 that, for the duration of the qualifying  
4 emergency—

5 (aa) the provider will give  
6 priority for available slots (in-  
7 cluding slots that are only tempo-  
8 rarily available) to—

9 (AA) children of essen-  
10 tial workers (such as health  
11 care sector employees, emer-  
12 gency responders, sanitation  
13 workers, farmworkers, child  
14 care employees, and other  
15 workers determined to be es-  
16 sential during the response  
17 to COVID-19 by public offi-  
18 cials), children of workers  
19 whose places of employment  
20 require their attendance,  
21 children experiencing home-  
22 lessness, children with dis-  
23 abilities, children at risk of  
24 child abuse or neglect, and  
25 children in foster care, in

1 States, tribal communities,  
2 or localities where stay-at-  
3 home or related orders are  
4 in effect; or

5 (BB) children of work-  
6 ers whose places of employ-  
7 ment require their attend-  
8 ance, children experiencing  
9 homelessness, children with  
10 disabilities, children at risk  
11 of child abuse or neglect,  
12 children in foster care, and  
13 children whose parents are  
14 in school or a training pro-  
15 gram, in States, tribal com-  
16 munities, or localities where  
17 stay-at-home or related or-  
18 ders are not in effect;

19 (bb) the provider will imple-  
20 ment policies in line with guid-  
21 ance from the Centers for Dis-  
22 ease Control and Prevention and  
23 the State, tribal, and local health  
24 authorities, and in accordance  
25 with State, tribal, and local or-

1 ders, for child care providers that  
2 remain open, including guidance  
3 on sanitization practices, group  
4 size limits, and social distancing;

5 (cc) for each employee, the  
6 provider will pay the full com-  
7 pensation described in subsection  
8 (e)(1)(C), including any benefits,  
9 that was provided to the em-  
10 ployee as of March 1, 2020 (re-  
11 ferred to in this clause as “full  
12 compensation”), and will not take  
13 any action that reduces the week-  
14 ly amount of the employee’s com-  
15 pensation below the weekly  
16 amount of full compensation, or  
17 that reduces the employee’s rate  
18 of compensation below the rate of  
19 full compensation; and

20 (dd) the provider will pro-  
21 vide relief from copayments and  
22 tuition payments for the families  
23 enrolled in the provider’s pro-  
24 gram and prioritize such relief

1 for families struggling to make  
2 either type of payment;

3 (III) for a provider described in  
4 subparagraph (B)(ii)(II), an assur-  
5 ance that—

6 (aa) for the duration of the  
7 provider’s closure due to the  
8 qualifying emergency, for each  
9 employee, the provider will pay  
10 full compensation, and will not  
11 take any action that reduces the  
12 weekly amount of the employee’s  
13 compensation below the weekly  
14 amount of full compensation, or  
15 that reduces the employee’s rate  
16 of compensation below the rate of  
17 full compensation;

18 (bb) children enrolled as of  
19 March 1, 2020, will maintain  
20 their slots, unless their families  
21 choose to disenroll the children;

22 (cc) for the duration of the  
23 provider’s closure due to the  
24 qualifying emergency, the pro-  
25 vider will provide relief from co-



1 payments and tuition payments  
2 for the families enrolled in the  
3 provider’s program and prioritize  
4 such relief for families struggling  
5 to make either type of payment;  
6 and

7 (dd) the provider will re-  
8 sume operations when the pro-  
9 vider is able to safely implement  
10 policies in line with guidance  
11 from the Centers for Disease  
12 Control and Prevention and the  
13 State, tribal, and local health au-  
14 thorities, and in accordance with  
15 State, tribal, and local orders;

16 (IV) information about the child  
17 care provider’s—

18 (aa) program characteristics  
19 sufficient to allow the lead agen-  
20 cy to establish the child care pro-  
21 vider’s priority status, as de-  
22 scribed in subparagraph (F);

23 (bb) program operational  
24 status on the date of submission  
25 of the application;

1 (cc) type of program, includ-  
2 ing whether the program is a  
3 center-based child care, family  
4 child care, group home child care,  
5 or other non-center-based child  
6 care type program;

7 (dd) total enrollment on the  
8 date of submission of the applica-  
9 tion and total capacity as allowed  
10 by the State and tribal and local  
11 authorities; and

12 (ee) receipt of assistance,  
13 and amount of assistance,  
14 through a payment or reimburse-  
15 ment described in subparagraph  
16 (C)(iv), and the time period for  
17 which the assistance was made;

18 (V) information necessary to de-  
19 termine the amount of the subgrant,  
20 such as information about the pro-  
21 vider's stated average operating ex-  
22 penses over the appropriate period de-  
23 scribed in subparagraph (C)(i); and

24 (VI) such other limited informa-  
25 tion as the lead agency shall deter-

1           mine to be necessary to make sub-  
2           grants to qualified child care pro-  
3           viders.

4           (ii) FREQUENCY.—The lead agency  
5           shall accept and process applications sub-  
6           mitted under this subparagraph on a roll-  
7           ing basis.

8           (iii) UPDATES.—The lead agency  
9           shall—

10                   (I) at least once a month, verify  
11                   by obtaining a self-attestation from  
12                   each qualified child care provider that  
13                   received such a subgrant from the  
14                   agency, whether the provider is open  
15                   and available to provide child care  
16                   services or is closed due to the quali-  
17                   fying emergency;

18                   (II) allow the qualified child care  
19                   provider to update the information  
20                   provided in a prior application; and

21                   (III) adjust the qualified child  
22                   care provider's subgrant award as  
23                   necessary, based on changes to the  
24                   application information, including

1 changes to the provider's operational  
2 status.

3 (iv) EXISTING APPLICATIONS.—If a  
4 lead agency has established and imple-  
5 mented a grant program for child care pro-  
6 viders that is in effect on the date of en-  
7 actment of this Act, and an eligible child  
8 care provider has already submitted an ap-  
9 plication for such a grant to the lead agen-  
10 cy containing the information specified in  
11 clause (i), the lead agency shall treat that  
12 application as an application submitted  
13 under this subparagraph. If an eligible  
14 child care provider has already submitted  
15 such an application containing part of the  
16 information specified in clause (i), the pro-  
17 vider may submit to the lead agency an ab-  
18 breviated application that contains the re-  
19 maining information, and the lead agency  
20 shall treat the 2 applications as an applica-  
21 tion submitted under this subparagraph.

22 (E) MATERIALS.—

23 (i) IN GENERAL.—The lead agency  
24 shall provide the materials and other re-  
25 sources related to such subgrants, includ-

1 ing a notification of subgrant opportunities  
2 and application materials, to qualified child  
3 care providers in the most commonly spo-  
4 ken languages in the State.

5 (ii) APPLICATION.—The application  
6 shall be accessible on the website of the  
7 lead agency within 30 days after the lead  
8 agency receives grant funds awarded pur-  
9 suant to subsection (b) and shall be acces-  
10 sible to all eligible child care providers, in-  
11 cluding family child care providers, group  
12 home child care providers, and other non-  
13 center-based child care providers and pro-  
14 viders with limited administrative capacity.

15 (F) PRIORITY.—In making subgrants  
16 under this section, the lead agency shall give  
17 priority to qualified child care providers that,  
18 prior to or on March 1, 2020—

19 (i) provided child care during non-  
20 traditional hours;

21 (ii) served dual language learners,  
22 children with disabilities, children experi-  
23 encing homelessness, children in foster  
24 care, children from low-income families, or  
25 infants and toddlers;

1 (iii) served a high proportion of chil-  
2 dren whose families received subsidies  
3 under the Child Care and Development  
4 Block Grant Act of 1990 (42 U.S.C. 9857  
5 et seq.) for the child care; or

6 (iv) operated in localities, including  
7 rural localities, with a low supply of child  
8 care.

9 (G) PROVIDERS RECEIVING OTHER ASSIST-  
10 ANCE.—The lead agency, in determining wheth-  
11 er a provider is a qualified child care provider,  
12 shall not take into consideration receipt of a  
13 payment or reimbursement described in clause  
14 (iii) or (iv) of subparagraph (C).

15 (H) AWARDS.—The lead agency shall equi-  
16 tably make subgrants under this paragraph to  
17 center-based child care providers, family child  
18 care providers, group home child care providers,  
19 and other non-center-based child care providers,  
20 such that qualified child care providers are able  
21 to access the subgrant opportunity under this  
22 paragraph regardless of the providers' setting,  
23 size, or administrative capacity.

24 (I) OBLIGATION.—The lead agency shall  
25 obligate at least 50 percent of funds available

1 to carry out this section for subgrants described  
2 in this paragraph, by December 31, 2020.

3 (e) USES OF FUNDS.—

4 (1) IN GENERAL.—A qualified child care pro-  
5 vider that receives funds through such a subgrant  
6 may use the funds for the costs of—

7 (A) payroll;

8 (B) employee benefits, including group  
9 health plan benefits during periods of paid sick,  
10 medical, or family leave, and insurance pre-  
11 miums;

12 (C) employee salaries or similar compensa-  
13 tion, including any income or other compensa-  
14 tion to a sole proprietor or independent con-  
15 tractor that is a wage, commission, income, net  
16 earnings from self-employment, or similar com-  
17 pensation;

18 (D) payment on any mortgage obligation;

19 (E) rent (including rent under a lease  
20 agreement);

21 (F) utilities;

22 (G) insurance;

23 (H) providing premium pay for child care  
24 providers and other employees who provide  
25 services during the qualifying emergency;

1 (I) sanitization and other costs associated  
2 with cleaning;

3 (J) personal protective equipment and  
4 other equipment necessary to carry out the  
5 functions of the child care provider;

6 (K) training and professional development  
7 related to health and safety practices, including  
8 the proper implementation of policies in line  
9 with guidance from the Centers for Disease  
10 Control and Prevention and the State, tribal,  
11 and local health authorities, and in accordance  
12 with State, tribal, and local orders;

13 (L) modifications to child care services as  
14 a result of the qualifying emergency, such as  
15 limiting group sizes, adjusting staff-to-child ra-  
16 tios, and implementing other heightened health  
17 and safety measures;

18 (M) mental health services and supports  
19 for children and employees; and

20 (N) other goods and services necessary to  
21 maintain or resume operation of the child care  
22 program, or to maintain the viability of the  
23 child care provider as a going concern during  
24 and after the qualifying emergency.



1           (2) REIMBURSEMENT.—The qualified child care  
2 provider may use the subgrant funds to reimburse  
3 the provider for sums obligated or expended before  
4 the date of enactment of this Act for the cost of a  
5 good or service described in paragraph (1) to re-  
6 spond to the qualifying emergency.

7           (f) REPORTING.—

8           (1) INITIAL REPORT.—A lead agency receiving  
9 a grant under this section shall, within 60 days after  
10 making the agency’s first subgrant under subsection  
11 (d)(2) to a qualified child care provider, submit a re-  
12 port to the Secretary that includes—

13           (A) data on qualified child care providers  
14 that applied for subgrants and qualified child  
15 care providers that received such subgrants, in-  
16 cluding—

17           (i) the number of such applicants and  
18 the number of such recipients;

19           (ii) the number and proportion of  
20 such applicants and recipients that re-  
21 ceived priority and the characteristic or  
22 characteristics of such applicants and re-  
23 cipients associated with the priority;

24           (iii) the number and proportion of  
25 such applicants and recipients that are—

- 1 (I) center-based child care pro-  
2 viders;
- 3 (II) family child care providers;
- 4 (III) group home child care pro-  
5 viders; or
- 6 (IV) other non-center-based child  
7 care providers; and
- 8 (iv) within each of the groups listed in  
9 clause (iii), the number of such applicants  
10 and recipients that are, on the date of sub-  
11 mission of the application—
  - 12 (I) open and available to provide  
13 child care services; or
  - 14 (II) closed due to the qualifying  
15 emergency;
- 16 (B) the total capacity of child care pro-  
17 viders that are licensed, regulated, or registered  
18 in the State on the date of the submission of  
19 the report;
- 20 (C) a description of—
  - 21 (i) the efforts of the lead agency to  
22 publicize the availability of subgrants  
23 under this section and conduct widespread  
24 outreach to eligible child care providers  
25 about such subgrants, including efforts to

1 make materials available in languages  
2 other than English;

3 (ii) the lead agency's methodology for  
4 determining amounts of subgrants under  
5 subsection (d)(2);

6 (iii) the lead agency's timeline for dis-  
7 bursing the subgrant funds; and

8 (iv) the lead agency's plan for ensur-  
9 ing that qualified child care providers that  
10 receive funding through such a subgrant  
11 comply with assurances described in sub-  
12 section (d)(2)(D) and use funds in compli-  
13 ance with subsection (e); and

14 (D) such other limited information as the  
15 Secretary may require.

16 (2) QUARTERLY REPORT.—The lead agency  
17 shall, following the submission of such initial report,  
18 submit to the Secretary a report that contains the  
19 information described in subparagraphs (A), (B),  
20 and (D) of paragraph (1) once a quarter until all  
21 funds allotted for activities authorized under this  
22 section are expended.

23 (3) FINAL REPORT.—Not later than 60 days  
24 after a lead agency receiving a grant under this sec-  
25 tion has obligated all of the grant funds (including

1 funds received under subsection (h)), the lead agency  
2 shall submit a report to the Secretary, in such  
3 manner as the Secretary may require, that includes—  
4

5 (A) the total number of eligible child care  
6 providers who were providing child care services  
7 on or before March 1, 2020, in the State and  
8 the number of such providers that submitted an  
9 application under subsection (d)(2)(D);

10 (B) the number of qualified child care pro-  
11 viders in the State that received funds through  
12 the grant;

13 (C) the lead agency's methodology for de-  
14 termining amounts of subgrants under sub-  
15 section (d)(2);

16 (D) the average and range of the subgrant  
17 amounts by provider type (center-based child  
18 care, family child care, group home child care,  
19 or other non-center-based child care provider);

20 (E) the percentages, of the child care pro-  
21 viders that received such a subgrant, that, on or  
22 before March 1, 2020—

23 (i) provided child care during non-  
24 traditional hours;

1 (ii) served dual language learners,  
2 children with disabilities, children experi-  
3 encing homelessness, children in foster  
4 care, children from low-income families, or  
5 infants and toddlers;

6 (iii) served a high percentage of chil-  
7 dren whose families received subsidies  
8 under the Child Care and Development  
9 Block Grant Act of 1990 (42 U.S.C. 9857  
10 et seq.) for the child care; and

11 (iv) operated in localities, including  
12 rural localities, with a low supply of child  
13 care;

14 (F) the number of children served by the  
15 child care providers that received such a  
16 subgrant, for the duration of the subgrant;

17 (G) the percentages, of the child care pro-  
18 viders that received such a subgrant, that are—

19 (i) center-based child care providers;

20 (ii) family child care providers;

21 (iii) group home child care providers;

22 or

23 (iv) other non-center-based child care  
24 providers;

1 (H) the percentages, of the child care pro-  
2 viders listed in subparagraph (G) that are, on  
3 the date of submission of the application—

4 (i) open and available to provide child  
5 care services; or

6 (ii) closed due to the qualifying emer-  
7 gency;

8 (I) information about how child care pro-  
9 viders used the funds received under such a  
10 subgrant;

11 (J) information about how the lead agency  
12 used funds reserved under subsection (d)(1);  
13 and

14 (K) information about how the subgrants  
15 helped to stabilize the child care sector.

16 (4) REPORTS TO CONGRESS.—

17 (A) FINDINGS FROM INITIAL REPORTS.—

18 Not later than 60 days after receiving all re-  
19 ports required to be submitted under paragraph  
20 (1), the Secretary shall provide a report to the  
21 Committee on Education and Labor and the  
22 Committee on Appropriations of the House of  
23 Representatives and to the Committee on  
24 Health, Education, Labor, and Pensions and  
25 the Committee on Appropriations of the Senate,

1 summarizing the findings from the reports re-  
2 ceived under paragraph (1).

3 (B) FINDINGS FROM FINAL REPORTS.—

4 Not later than 36 months after the date of en-  
5 actment of this Act, the Secretary shall provide  
6 a report to the Committee on Education and  
7 Labor and the Committee on Appropriations of  
8 the House of Representatives and to the Com-  
9 mittee on Health, Education, Labor, and Pen-  
10 sions and the Committee on Appropriations of  
11 the Senate, summarizing the findings from the  
12 reports received under paragraph (3).

13 (g) SUPPLEMENT NOT SUPPLANT.—Amounts made  
14 available to carry out this section shall be used to supple-  
15 ment and not supplant other Federal, State, and local  
16 public funds expended to provide child care services for  
17 eligible individuals, including funds provided under the  
18 Child Care and Development Block Grant Act of 1990 (42  
19 U.S.C. 9857 et seq.) and State child care programs.

20 (h) REALLOTMENT OF UNOBLIGATED FUNDS.—

21 (1) UNOBLIGATED FUNDS.—A State, Indian  
22 tribe, or tribal organization shall return to the Sec-  
23 retary any grant funds received under this section  
24 that the State, Indian tribe, or tribal organization  
25 does not obligate by September 30, 2021.

1           (2) REALLOTMENT.—The Secretary shall award  
2           new allotments and payments, in accordance with  
3           subsection (c)(2), to covered States, Indian tribes, or  
4           tribal organizations from funds that are returned  
5           under paragraph (1) within 60 days of receiving  
6           such funds. Funds made available through the new  
7           allotments and payments shall remain available to  
8           each such covered State, Indian tribe, or tribal orga-  
9           nization until September 30, 2022.

10           (3) COVERED STATE, INDIAN TRIBE, OR TRIBAL  
11           ORGANIZATION.—For purposes of paragraph (2), a  
12           covered State, Indian tribe, or tribal organization is  
13           a State, Indian tribe, or tribal organization that re-  
14           ceived an allotment or payment under this section  
15           and was not required to return grant funds under  
16           paragraph (1).

17           (i) EXCEPTIONS.—The Child Care and Development  
18           Block Grant Act of 1990 (42 U.S.C. 9857 et seq.), exclud-  
19           ing requirements in subparagraphs (C) through (E) of sec-  
20           tion 658E(c)(3), section 658G, and section 658J(c) of  
21           such Act (42 U.S.C. 9858e(c)(3), 9858e, 9858h(c)), shall  
22           apply to child care services provided under this section to  
23           the extent the application of such Act does not conflict  
24           with the provisions of this section. Nothing in this section  
25           shall be construed to require a State, Indian tribe, or trib-



1 al organization to submit an application, other than the  
2 application described in section 658E or 658O(c) of the  
3 Child Care and Development Block Grant Act of 1990 (42  
4 U.S.C. 9858e, 9858m(c)), to receive a grant under this  
5 section.

6 (j) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) IN GENERAL.—There is authorized to be  
8 appropriated, and there is appropriated, out of any  
9 money in the Treasury not already appropriated, to  
10 carry out this section \$50,000,000,000 for fiscal  
11 year 2020, to remain available until expended.

12 (2) APPLICATION.—In carrying out the Child  
13 Care and Development Block Grant Act of 1990  
14 with funds other than the funds appropriated under  
15 paragraph (1), the Secretary shall calculate the  
16 amounts of appropriated funds described in sub-  
17 sections (a) and (b) of section 658O of such Act (42  
18 U.S.C. 9858m) by excluding funds appropriated  
19 under paragraph (1).

1           **TITLE II—SUPPORT FOR**  
2           **STUDENTS AND SCHOOLS**  
3       **Subtitle A—Education Stabilization**  
4           **Fund Improvements**

5       **SEC. 211. INCREASE IN APPROPRIATIONS.**

6           There is appropriated, out of amounts in the Treas-  
7       ury not otherwise appropriated, for an additional amount  
8       for the Education Stabilization Fund, as established under  
9       division B of the Coronavirus Aid, Relief, and Economic  
10      Security Act (Public Law 116–136), \$345,000,000,000,  
11      to remain available through fiscal year 2021, to prevent,  
12      prepare for, and respond to COVID–19, domestically or  
13      internationally.

14      **SEC. 212. EDUCATION STABILIZATION FUNDS.**

15           (a) EDUCATION STABILIZATION FUNDS.—Section  
16      18001 of division B of the Coronavirus Aid, Relief, and  
17      Economic Security Act (Public Law 116–136) is amended  
18      to read as follows:

19                   “EDUCATION STABILIZATION FUND

20                   “SEC. 18001. (a) ALLOCATIONS.—

21                           “(1) IN GENERAL.—From any amounts made  
22                           available for this heading to carry out the Education  
23                           Stabilization Fund, the Secretary shall first allo-  
24                           cate—

1           “(A) not more than one-half of 1 percent  
2           to the outlying areas on the basis of their re-  
3           spective needs, as determined by the Secretary,  
4           in consultation with the Secretary of the Inte-  
5           rior; and

6           “(B) one-half of 1 percent for the Sec-  
7           retary of Interior, in consultation with the Sec-  
8           retary of Education, for programs operated or  
9           funded by the Bureau of Indian Education and  
10          Tribal Colleges or Universities.

11          “(2) TIMING REQUIREMENT.—By not later  
12          than 30 days after the date of enactment of an Act  
13          appropriating or otherwise making available  
14          amounts to carry out the Education Stabilization  
15          Fund, the Secretary shall make the allocations re-  
16          quired under paragraph (1).

17          “(b) RESERVATIONS.—After carrying out subsection  
18          (a), the Secretary shall reserve the remaining funds made  
19          available as follows:

20                 “(1) 9.8 percent to carry out section 18002 of  
21                 this title.

22                 “(2) 51.3 percent to carry out section 18003 of  
23                 this title.

24                 “(3) 38.9 percent to carry out section 18004 of  
25                 this title.”.

1 (b) GOVERNOR’S EMERGENCY EDUCATION RELIEF  
2 FUND.—Section 18002(c) of the Coronavirus Aid, Relief,  
3 and Economic Security Act (Public Law 116–136) is  
4 amended—

5 (1) in paragraph (2), by striking “and”; and

6 (2) by striking paragraph (3) and inserting the  
7 following:

8 “(3) provide support to early childhood edu-  
9 cation programs, as defined in section 103 of the  
10 Higher Education Act of 1965 (20 U.S.C. 1003), in-  
11 cluding State and local prekindergarten programs,  
12 within the State that the Governor deems essential  
13 for promoting continuity of care and educational  
14 services for children; and

15 “(4) provide support to any other institution of  
16 higher education, local educational agency, edu-  
17 cational service agency, area career and technical  
18 education school (as defined in section 3 of the Carl  
19 D. Perkins Career and Technical Education Act of  
20 2006 (20 U.S.C. 2302)), or eligible provider of adult  
21 education and literacy activities (as such terms are  
22 defined in section 203 of the Workforce Innovation  
23 and Opportunity Act (29 U.S.C. 3272)) within the  
24 State that the Governor deems essential for carrying  
25 out emergency educational services to students for

1 authorized activities described in section  
2 18003(d)(1)(A) of this title or the Higher Education  
3 Act of 1965 (20 U.S.C. 1001 et seq.), the provision  
4 of child care and early childhood education, social  
5 and emotional support, and the protection of edu-  
6 cation-related jobs.”.

7 (c) ELEMENTARY AND SECONDARY SCHOOL EMER-  
8 GENCY RELIEF FUND.—Subsections (d) and (e) of section  
9 18003 of division B of the Coronavirus Aid, Relief, and  
10 Economic Security Act are amended to read as follows:

11 “(d) USES OF FUNDS.—

12 “(1) IN GENERAL.—A local educational agency  
13 that receives funds under this title may, subject to  
14 paragraph (2), use the funds for any of the fol-  
15 lowing:

16 “(A) Any activity authorized by the Ele-  
17 mentary and Secondary Education Act of 1965,  
18 including the Native Hawaiian Education Act  
19 and the Alaska Native Educational Equity,  
20 Support, and Assistance Act (20 U.S.C. 6301  
21 et seq.), the Individuals with Disabilities Edu-  
22 cation Act (29 U.S.C. 3271 et seq.), the Adult  
23 Education and Family Literacy Act (29 U.S.C.  
24 3271 et seq.), the Carl D. Perkins Career and  
25 Technical Education Act of 2006 (20 U.S.C.

1           2301 et seq.), or subtitle B of title VII of the  
2           McKinney-Vento Homeless Assistance Act (42  
3           U.S.C. 11431 et seq.).

4           “(B) Coordination of preparedness and re-  
5           sponse efforts of local educational agencies with  
6           State, local, Tribal, and territorial public health  
7           departments, and other relevant agencies, to  
8           improve coordinated responses among such enti-  
9           ties to prevent, prepare for, respond to, and  
10          mitigate the spread of COVID–19, including—

11                 “(i) developing strategies and imple-  
12                 menting public health protocols for the re-  
13                 opening and operation of school facilities to  
14                 effectively maintain the health and safety  
15                 of students, educators, and other staff; and

16                 “(ii) addressing school management  
17                 and operation issues due to social  
18                 distancing and the COVID–19 pandemic,  
19                 including issues related to transportation  
20                 services, school schedules, food services,  
21                 the health and safety of students, edu-  
22                 cators, and other staff, environmental  
23                 management, and cleaning, sanitizing and  
24                 disinfecting educational facilities.

1           “(C) Providing principals and other school  
2 leaders with the resources necessary to address  
3 the needs of their individual schools, including  
4 effectively communicating with families and  
5 staff, improving instruction provided to stu-  
6 dents through distance education, and sup-  
7 porting the social and emotional wellbeing of  
8 students, educators, and other staff.

9           “(D) Activities to address the needs of low-  
10 income students, children with disabilities,  
11 English learners, students of color, students ex-  
12 periencing homelessness, migrant children, chil-  
13 dren and youth in foster care, and students in-  
14 volved with the juvenile justice system, includ-  
15 ing outreach and service delivery to meet the  
16 needs of each population.

17           “(E) Developing and implementing proce-  
18 dures and systems to improve the preparedness  
19 and response efforts of local educational agen-  
20 cies.

21           “(F) Meeting the social, emotional, and  
22 academic needs of students and educators dur-  
23 ing a qualifying emergency, including—

24                   “(i) providing mental health services  
25                   and trauma-informed supports, including

1 universal screening and other evidence-  
2 based prevention practices;

3 “(ii) measuring students’ current aca-  
4 demic progress and addressing learning  
5 loss, including using diagnostic assess-  
6 ments to identify students’ needs;

7 “(iii) providing professional develop-  
8 ment for educators, paraprofessionals,  
9 principals, other school leaders, specialized  
10 instructional support personnel, and other  
11 staff to respond to students’ needs, includ-  
12 ing professional development on the use of  
13 diagnostic assessments described in para-  
14 graph (2)(A); and

15 “(iv) supporting access to school-age  
16 child care and services provided by commu-  
17 nity learning centers.

18 “(G)(i) Purchasing supplies to sanitize and  
19 clean the facilities of a local educational agency,  
20 including buildings operated by such agency,  
21 and purchasing personal protective equipment  
22 for educators and other staff and students.

23 “(ii) Providing training or professional de-  
24 velopment to educators, principals, other school  
25 leaders, and other staff of the local educational



1 agency on sanitation, the use of personal pro-  
2 tective equipment, and minimizing the spread of  
3 infectious diseases.

4 “(H) Planning, coordinating, and imple-  
5 menting activities during long-term and short-  
6 term school closures and staggered school  
7 schedules, including—

8 “(i) providing meals to eligible stu-  
9 dents;

10 “(ii) providing technology and  
11 connectivity for online learning to all stu-  
12 dents;

13 “(iii) coordinating with child care pro-  
14 viders and community learning centers to  
15 provide child care and after-school care;

16 “(iv) providing guidance for carrying  
17 out requirements under the Individuals  
18 with Disabilities Education Act (20 U.S.C.  
19 1401 et seq.); and

20 “(v) ensuring other educational serv-  
21 ices can continue to be provided consistent  
22 with all Federal, State, and local require-  
23 ments.

24 “(I) Purchasing educational technology  
25 (including hardware, software, and connectivity)

1 for students who are served by the local edu-  
2 cational agency that aids in regular and sub-  
3 stantive educational interaction between stu-  
4 dents and their classroom instructors, including  
5 low-income students and children with disabil-  
6 ities, which may include assistive technology or  
7 adaptive equipment.

8 “(J) Improving academic instruction pro-  
9 vided to students during a qualifying emer-  
10 gency, including—

11 “(i) providing professional develop-  
12 ment to educators, paraprofessionals, prin-  
13 cipals, other school leaders, specialized in-  
14 structional support personnel, and other  
15 staff on—

16 “(I) effective high-quality and  
17 standards-based instruction through  
18 distance education, including—

19 “(aa) how to effectively de-  
20 liver online and blended learning  
21 as a long-term instructional  
22 strategy and for supplemental in-  
23 struction to address learning loss;  
24 and

1                   “(bb) how to ensure instruc-  
2                   tion is accessible to all students,  
3                   including children with disabili-  
4                   ties and English learners;

5                   “(ii) managing online tools and plat-  
6                   forms;

7                   “(iii) providing students with real-  
8                   time instruction, progress monitoring, and  
9                   feedback;

10                  “(iv) administering diagnostic assess-  
11                  ments and using such data to improve in-  
12                  struction;

13                  “(v) tracking student attendance and  
14                  improving student engagement in distance  
15                  education; and

16                  “(vi) providing resources and assist-  
17                  ance to parents to support students en-  
18                  gagement with distance education, includ-  
19                  ing in online or blended learning environ-  
20                  ments.

21                  “(K) Planning and implementing activities  
22                  related to summer learning, supplemental after-  
23                  school programs, and extending the school day  
24                  or school year, including providing classroom  
25                  instruction or distance education during the

1 summer months and addressing the needs of  
2 low-income students, children with disabilities,  
3 English learners, migrant children, students ex-  
4 perencing homelessness, children and youth in  
5 foster care, and students involved with the juve-  
6 nile justice system.

7 “(L) Supporting secondary school students  
8 in transitioning from high school to postsec-  
9 ondary education, including by—

10 “(i) coordinating with institutions of  
11 higher education;

12 “(ii) advising such students on dual  
13 enrollment or early college opportunities,  
14 and providing such opportunities to such  
15 students; and

16 “(iii) advising such students on col-  
17 lege enrollment options and policies, the  
18 availability of need-based financial aid, and  
19 completing the Free Application for Fed-  
20 eral Student Aid.

21 “(M) Other activities that are necessary to  
22 maintain the operation of and continuity of  
23 services in local educational agencies and con-  
24 tinuing to employ existing staff of the local edu-  
25 cational agency.

1           “(2) ADDRESSING LEARNING LOSS.—A local  
2 educational agency that receives funds under this  
3 section shall use not less than 20 percent of such  
4 funds to measure academic progress and address  
5 learning loss among students, including low-income  
6 students, students of color, children with disabilities,  
7 English learners, migrant children, students experi-  
8 encing homelessness, children and youth in foster  
9 care, and students involved with the juvenile justice  
10 system, of the local educational agency, including  
11 by—

12                   “(A) administering and using high-quality  
13 diagnostic assessments that are valid and reli-  
14 able, to accurately assess students’ academic  
15 progress and assist educators in meeting stu-  
16 dents’ academic needs, including through dif-  
17 ferentiating instruction;

18                   “(B) implementing evidence-based activi-  
19 ties to meet the comprehensive needs of stu-  
20 dents, which may include—

21                           “(i) implementing any program or ac-  
22 tivity described in section 4108 of the Ele-  
23 mentary and Secondary Education Act of  
24 1965 (20 U.S.C. 7118);

1                   “(ii) supporting social-emotional  
2 learning;

3                   “(iii) implementing universal  
4 screenings for adverse childhood experi-  
5 ences and trauma and implementing inter-  
6 ventions in response to such screenings;

7                   “(iv) implementing culturally respon-  
8 sive practices; and

9                   “(v) extending instructional time,  
10 which may include high-quality distance in-  
11 struction, during non-traditional school  
12 days and hours (including during the sum-  
13 mer);

14                   “(C) providing professional development to  
15 educators and other staff on how to—

16                   “(i) address students’ social, emo-  
17 tional, and academic needs;

18                   “(ii) modify instruction and sched-  
19 uling to accelerate students’ academic  
20 progress;

21                   “(iii) effectively implement distance  
22 learning, including strategies for address  
23 the learning needs of low-income students,  
24 students of color, children with disabilities,  
25 English learners, migrant children, stu-

1           dents experiencing homelessness, children  
2           and youth in foster care, and students in-  
3           volved in the juvenile justice system; and

4                   “(iv) use diagnostic assessments to in-  
5           dividualize academic instruction; and

6                   “(D) providing information and assistance  
7           to parents and families on how they can effec-  
8           tively support students, including in a distance  
9           learning environment.

10          “(e) STATE FUNDING.—A State receiving a grant  
11 under this section—

12                   “(1) shall reserve not less than 5 percent of the  
13          grant for activities related to addressing learning  
14          loss, which—

15                   “(A) shall include determining students’  
16          academic, social, and emotional needs,  
17          through—

18                   “(i) ensuring local educational agen-  
19          cies implement high-quality diagnostic as-  
20          sessments that are valid and reliable;

21                   “(ii) developing and implementing  
22          methods to periodically measure student  
23          academic progress and student engagement  
24          and well-being; and

1           “(iii) reporting on the academic  
2 progress, engagement, and well-being of  
3 students, in accordance with the require-  
4 ments under section 444 of the General  
5 Education Provisions Act (20 U.S.C.  
6 1232g) (commonly known as the ‘Family  
7 Educational Rights and Privacy Act of  
8 1974’) and in a way that protects stu-  
9 dents’ personally identifiable information;  
10 and

11           “(B) may include—

12           “(i) implementing policies to support  
13 extending instructional time;

14           “(ii) providing professional develop-  
15 ment to educators and other staff on how  
16 to—

17           “(I) address students’ social,  
18 emotional, and academic needs;

19           “(II) modify instruction and  
20 scheduling to accelerate students’ aca-  
21 demic progress;

22           “(III) effectively implement dis-  
23 tance learning, including strategies to  
24 address the learning needs of low-in-  
25 come students, students of color, chil-



1           dren with disabilities, English learn-  
 2           ers, migrant children, students experi-  
 3           encing homelessness, children and  
 4           youth in foster care, and students in-  
 5           volved with the juvenile justice sys-  
 6           tem; and

7                       “(IV) use diagnostic assessments  
 8                       to individualize academic instruction;  
 9                       and

10                      “(iii) implementing activities to im-  
 11                      prove the quality of distance learning dur-  
 12                      ing a qualifying emergency; and

13           “(2) may reserve—

14                      “(A) not more than one-half of 1 percent  
 15                      of the grant for administrative costs; and

16                      “(B) the remainder for emergency needs as  
 17                      determined by the State educational agency to  
 18                      address issues responding to COVID–19, which  
 19                      may be addressed through the use of grants or  
 20                      contracts.”.

21           (d) HIGHER EDUCATION EMERGENCY RELIEF  
 22 FUND.—

23                      (1) IN GENERAL.—Section 18004 of division B  
 24                      of the Coronavirus Aid, Relief, and Economic Secu-  
 25                      rity Act (Public Law 116–136) is amended—

- 1 (A) in subsection (a)—
- 2 (i) in paragraph (1)—
- 3 (I) in the matter preceding sub-
- 4 paragraph (A)—
- 5 (aa) by inserting “(defined
- 6 as an institution described in sec-
- 7 tion 101 or section 102(c) of the
- 8 Higher Education Act of 1965
- 9 (20 U.S.C. 1001, 1002(c))” after
- 10 “higher education”; and
- 11 (bb) by striking
- 12 “coronavirus” and inserting “a
- 13 qualifying emergency”; and
- 14 (II) in each of subparagraphs (A)
- 15 and (B)—
- 16 (aa) by striking “full-time
- 17 equivalent” and inserting “the
- 18 total”;
- 19 (bb) by striking “are” and
- 20 inserting “were”; and
- 21 (cc) by striking
- 22 “coronavirus” and inserting
- 23 “qualifying”;
- 24 (ii) in paragraph (2)—

1 (I) by striking “coronavirus” and  
2 inserting “the qualifying emergency”;

3 (II) by inserting “mandatory  
4 funding and” after “the relative share  
5 of”; and

6 (III) by striking “(as defined  
7 under” and all that follows through  
8 “child care”; and

9 (iii) by striking paragraph (3) and in-  
10 sserting the following:

11 “(3) 1 percent, to be distributed among each in-  
12 stitution of higher education, as defined by section  
13 102 of the Higher Education Act of 1965 (20  
14 U.S.C. 1002), that enrolled 100 percent of students  
15 of the institution exclusively in distance education  
16 prior to the qualifying emergency, by apportioning  
17 it—

18 “(A) 75 percent according to the relative  
19 share of the total enrollment of Federal Pell  
20 Grant recipients who were exclusively enrolled  
21 in distance education courses prior to the quali-  
22 fying emergency; and

23 “(B) 25 percent according to the relative  
24 share of the total enrollment of students who  
25 were not Federal Pell Grant recipients and who

1           were exclusively enrolled in distance education  
2           courses prior to the qualifying emergency.

3           “(4) 1.5 percent to be distributed among each  
4           institution described in section 102(b) of the Higher  
5           Education Act of 1965 (20 U.S.C. 1002(b)) to pre-  
6           vent, prepare for, and respond to the qualifying  
7           emergency, by apportioning it—

8                   “(A) 75 percent according to the relative  
9                   share of the total enrollment of Federal Pell  
10                  Grant recipients who were not exclusively en-  
11                  rolled in distance education courses prior to the  
12                  qualifying emergency; and

13                   “(B) 25 percent according to the relative  
14                   share of the total enrollment of students who  
15                   were not Federal Pell Grant recipients who  
16                   were not exclusively enrolled in distance edu-  
17                   cation courses prior to the qualifying emer-  
18                   gency.”;

19                   (B) by striking subsections (b) and (c) and  
20                   inserting the following:

21           “(b) MINORITY SERVING INSTITUTIONS AND PART A  
22           OF TITLE III INSTITUTIONS.—

23                   “(1) IN GENERAL.—The funds made available  
24                   under subsection (a)(2) for awards under part A  
25                   (other than sections 316 through 320) of title III,

1 sections 317, 318, 319, and 320, and parts A and  
2 B of title V, of the Higher Education Act of 1965,  
3 shall be distributed by the Secretary through an ap-  
4 plication process as described in paragraph (4).

5 “(2) ELIGIBILITY REQUIREMENTS.—The insti-  
6 tutions that are eligible to submit an applications for  
7 funds made available under subsection (a)(2) are as  
8 follows:

9 “(A) An eligible institution that received a  
10 ‘5’ or ‘6’ code in the Secretary’s fiscal year  
11 2020 Eligibility Matrix.

12 “(B) An eligible institution that success-  
13 fully applied for eligibility under part A (other  
14 than sections 316 through 320) of title III, sec-  
15 tion 317, 318, 319, or 320, or part A or B of  
16 title V, of the Higher Education Act of 1965,  
17 based on an application submitted—

18 “(i) not later than January 31, 2020;

19 “(ii) after the date of enactment of  
20 this Act and before the date of enactment  
21 of the Coronavirus Child Care and Edu-  
22 cation Relief Act; or

23 “(iii) not later than 45 days after the  
24 date of enactment of the Coronavirus Child  
25 Care and Education Relief Act.

1           “(3) APPLICATIONS FOR ELIGIBILITY.—The  
2 Secretary shall—

3           “(A) make available an application to insti-  
4 tutions to apply for eligibility in accordance  
5 with paragraph (2)(B)(iii); and

6           “(B) make a determination of eligibility for  
7 an institution that applies under paragraph  
8 (2)(B)(iii) not later than 10 days after the date  
9 of receipt of such application.

10          “(4) ALLOTMENTS.—

11          “(A) IN GENERAL.—In determining the al-  
12 lotments for awards under this section for part  
13 A (other than sections 316 through 320) of title  
14 III, sections 317, 318, 319, and 320, and parts  
15 A and B of title V, of the Higher Education  
16 Act of 1965, the Secretary shall carry out the  
17 following:

18           “(i) Notwithstanding any application  
19 requirements under section 318(f), 391, or  
20 521 of the Higher Education Act of 1965  
21 (20 U.S.C. 1059e(f), 20 U.S.C. 1068, 20  
22 U.S.C. 1103), the Secretary shall issue a  
23 streamlined common application for all in-  
24 stitutions eligible under paragraph (1) to  
25 use to—

1                   “(I) demonstrate unmet needs as  
2                   described in subparagraph (B); and

3                   “(II) the ways that the institu-  
4                   tion will use the funds to ameliorate  
5                   such needs.

6                   “(ii) In the case of an institution eligi-  
7                   ble for an award under section 318 of the  
8                   Higher Education Act of 1965 (20 U.S.C.  
9                   1059e) that submits an application under  
10                  clause (i), the Secretary shall allot funding  
11                  according to the formula under section  
12                  318(e) of such Act.

13                  “(iii) The Secretary may allow cumu-  
14                  lative awards to an institution that dem-  
15                  onstrates significant unmet needs and is  
16                  eligible for an award under 2 or more of  
17                  the following: Sections 317, 318, 319, and  
18                  320, and part A and part B of title V of  
19                  such Act.

20                  “(iv) In the case of an institution that  
21                  is eligible for 1 or more awards under sec-  
22                  tion 317, 318, 319, or 320, or part A or  
23                  B of title V, of such Act, and is eligible for  
24                  an award under part A (other than sec-  
25                  tions 316 through 320) of title III of such

1 Act, the Secretary shall award such insti-  
2 tution the greater of—

3 “(I) the 1 or more awards under  
4 section 317, 318, 319, or 320, or part  
5 A or B of title V, of such Act (in ac-  
6 cordance with clause (iii)); or

7 “(II) the award under part A  
8 (other than sections 316 through 320)  
9 of title III of such Act.

10 “(B) UNMET NEEDS.—

11 “(i) IN GENERAL.—In demonstrating  
12 unmet needs for purposes of subparagraph  
13 (A), an eligible institution shall describe—

14 “(I) the decline in revenues at  
15 the institution, on a dollar and per-  
16 centage basis;

17 “(II) any exceptional costs or  
18 challenges implementing distance edu-  
19 cation due to a lack of technological  
20 infrastructure, including due to stu-  
21 dents who lack access to adequate  
22 technology to move to distance edu-  
23 cation; and

24 “(III) the outstanding need to  
25 provide additional grants for any com-



1                   ponent of the student's cost of attend-  
2                   ance.

3                   “(ii) CONSIDERATION BY SEC-  
4                   RETARY.—Except for institutions eligible  
5                   for an award under section 318 of the  
6                   Higher Education Act of 1965, the Sec-  
7                   retary shall make competitive awards to el-  
8                   igible institutions under this paragraph  
9                   based on the criteria described in clause  
10                  (i).

11                  “(5) ALLOTMENTS TO ELIGIBLE INSTITUTIONS  
12                  UNDER PART B OF TITLE III AND SUBPART 4 OF  
13                  PART A OF TITLE VII OF THE HIGHER EDUCATION  
14                  ACT OF 1965.—Notwithstanding the application re-  
15                  quirements under sections 325, 326(d), and 723(c)  
16                  of the Higher Education Act of 1965 (20 U.S.C.  
17                  1063a, 1063b(d), 1136a(c)), from the funds made  
18                  available under subsection (a)(2) for awards under  
19                  part B of title III and subpart 4 of part A of title  
20                  VII of the Higher Education Act of 1965 for a fiscal  
21                  year, the Secretary shall allot to each institution eli-  
22                  gible for assistance under any of the programs au-  
23                  thorized under such provisions an amount from the  
24                  funds using the following formula:

1           “(A) 70 percent according to a ratio equiv-  
2           alent to the number of Federal Pell Grant re-  
3           cipients in attendance at such institution at the  
4           end of the school year preceding the beginning  
5           of that fiscal year and the total number of Fed-  
6           eral Pell Grant recipients at all such institu-  
7           tions at the end of such school year.

8           “(B) 20 percent according to a ratio equiv-  
9           alent to the number of students enrolled at  
10          such institution at the end of the school year  
11          preceding the beginning of that fiscal year and  
12          the total number of students enrolled at all  
13          such institutions at the end of such school year.

14          “(C) 10 percent, divided proportionately  
15          among all such institutions based on the ratio  
16          of the total endowment size at all such institu-  
17          tions at the end of the school year preceding  
18          the beginning of that fiscal year and the endow-  
19          ment size at each such institution.

20          “(6) ALLOTMENTS FOR ELIGIBLE INSTITU-  
21          TIONS UNDER SECTION 316 OF HIGHER EDUCATION  
22          ACT.—Notwithstanding the application requirement  
23          under section 316(d)(2) of the Higher Education  
24          Act of 1965 (20 U.S.C. 1059c(d)(2)), from the  
25          funds made available under subsection (a)(2) for

1 awards under section 316 of such Act, the Secretary  
2 shall allot funding to eligible institutions according  
3 to the formula in section 316(d)(3)(B) of such Act.

4 “(7) BRIEFING.—The Secretary shall brief the  
5 authorizing committees (as defined in section 103 of  
6 the Higher Education Act of 1965 (20 U.S.C.  
7 1003)) and the Committee on Appropriations of the  
8 Senate and the Committee on Appropriations of the  
9 House of Representatives not later than 10 days be-  
10 fore the date the applications under paragraphs (3)  
11 and (4) are made available and not later than 10  
12 days before the date the Secretary announces  
13 awards under paragraphs (4), (5), and (6).

14 “(c) USES OF FUNDS.—Except as otherwise specified  
15 in subsection (a):

16 “(1) An institution of higher education receiv-  
17 ing funds under paragraphs (1) and (2) of sub-  
18 section (a)—

19 “(A) may use the funds received to defray  
20 expenses (including lost revenue, reimbursement  
21 for expenses already incurred, technology costs  
22 associated with a transition to distance edu-  
23 cation, faculty and staff trainings, and payroll)  
24 incurred by institutions of higher education due  
25 to the qualifying emergency; and

1           “(B) notwithstanding any other provision  
2 of law, shall use not less than 50 percent of  
3 such funds to provide emergency financial aid  
4 grants to students—

5                   “(i) for any component of the stu-  
6 dent’s cost of attendance; and

7                   “(ii) with the institution solely deter-  
8 mining which students receive such grants,  
9 which may include any student enrolled in  
10 the institution (including students exclu-  
11 sively enrolled in distance education).

12           “(2) An institution of higher education receiv-  
13 ing funds under subsection (a)(3) shall, notwith-  
14 standing any other provision of law, use all such  
15 funds to provide emergency financial aid grants to  
16 students for any component of the student’s cost of  
17 attendance, with the institution solely determining  
18 which students receive such grants, which may in-  
19 clude any student enrolled in the institution.

20           “(3) An institution of higher education receiv-  
21 ing funds under subsection (a)(4) shall, notwith-  
22 standing any other provision of law, use all such  
23 funds to provide emergency financial aid grants to  
24 students—

1           “(A) for any component of the student’s  
2 cost of attendance; and

3           “(B) with the institution solely deter-  
4 mining which students receive such grants,  
5 which may include any student enrolled in the  
6 institution (including students exclusively en-  
7 rolled in distance education).

8           “(4) A Historically Black College or University  
9 or a Minority Serving Institution may use prior  
10 awards provided under titles III, V, and VII of the  
11 Higher Education Act of 1965 to prevent, prepare  
12 for, and respond to the qualifying emergency.

13           “(5) An institution of higher education shall  
14 not use funds awarded under this title for—

15           “(A) payment to contractors for the provi-  
16 sion of pre-enrollment recruitment activities;

17           “(B) endowments;

18           “(C) senior administrator or executive sal-  
19 aries, benefits, bonuses, contracts, incentives,  
20 stock buybacks, shareholder dividends, capital  
21 distributions, stock options; or any other cash  
22 or other benefit for a senior administrator or  
23 executive; or

24           “(D) athletics, sectarian instruction, or re-  
25 ligious worship.”;

1 (C) by striking subsection (d); and

2 (D) by inserting after subsection (c) the  
3 following:

4 “(d) REALLOCATION.—

5 “(1) INITIAL REALLOCATION.—The Secretary  
6 shall reallocate funds remaining under this section  
7 within 90 days of making initial allocations available  
8 to institutions and receiving applications for funds  
9 under this section in accordance with the formula  
10 specified in subsection (a)(1).

11 “(2) RETURN AND REALLOCATION.—An institu-  
12 tion shall return to the Secretary any funds received  
13 under this section that the institution does not  
14 award within 1 year of receiving such funds and the  
15 Secretary shall reallocate such funds to the remain-  
16 ing institutions in accordance with subsection  
17 (a)(1).”.

18 (2) INCLUSION OF CARES ACT FUNDS IN 90/10  
19 CALCULATION.—For purposes of subsections (a)(24)  
20 and (d) of section 487 of the Higher Education Act  
21 of 1965 (20 U.S.C. 1094), amounts provided to an  
22 institution of higher education under title XVIII of  
23 division B of the Coronavirus Aid, Relief, and Eco-  
24 nomic Security Act (Public Law 116–136) shall be  
25 deemed to be amounts provided under title IV of the

1 Higher Education Act of 1965 (20 U.S.C. 1070 et  
2 seq.).

3 (e) **EQUITABLE SERVICES**.—Section 18005 of divi-  
4 sion B of the Coronavirus Aid, Relief, and Economic Secu-  
5 rity Act (Public Law 116–136) is amended—

6 (1) by striking the section heading and insert-  
7 ing “**EQUITABLE SERVICES FOR STUDENTS IN NON-**  
8 **PUBLIC SCHOOLS**”; and

9 (2) in subsection (a)—

10 (A) by inserting “(1)” after “**IN GEN-**  
11 **ERAL**.—”;

12 (B) by inserting “(including the specific re-  
13 quirements of subsections (a)(4)(A)(i) and (c)  
14 of such section and subject to paragraph (2))”  
15 after “in non-public schools”; and

16 (C) by adding at the end the following:

17 “(2) In determining the proportional share of expend-  
18 itures for the equitable services described in paragraph  
19 (1), a local educational agency shall use the proportion  
20 determined under section 1117(a)(4)(A)(i) of the Elemen-  
21 tary and Secondary Education Act of 1965 (20 U.S.C.  
22 6317(a)(4)(A)(i)) for the purposes of part A of title I of  
23 such Act for fiscal year 2019.

24 “(3) A local educational agency required to provide  
25 equitable services under paragraph (1) shall provide such

1 services to students and teachers at non-public schools  
2 who were eligible to receive equitable services from such  
3 local educational agency during fiscal year 2019 under  
4 section 1117 of the Elementary and Secondary Education  
5 Act of 1965 (20 U.S.C. 6317).”.

6 (f) DEFINITIONS.—Section 18007 of division B of the  
7 Coronavirus Aid, Relief, and Economic Security Act (Pub-  
8 lic Law 116–136) is amended to read as follows:

9 “DEFINITIONS

10 “SEC. 18007. Except as otherwise provided in sec-  
11 tions 18001–18006 of this title, as used in such sections—

12 “(1) the term ‘cost of attendance’ has the  
13 meaning given such term in section 472 of the High-  
14 er Education Act of 1965;

15 “(2) the term ‘community learning center’ has  
16 the meaning given the term in section 4201(b) of  
17 the Elementary and Secondary Education Act of  
18 1965 (20 U.S.C.7171(b));

19 “(3) the terms ‘elementary education’ and ‘sec-  
20 ondary education’ have the meanings given such  
21 terms under State law;

22 “(4) the term ‘institution of higher education’  
23 means an institution defined under title I of the  
24 Higher Education Act of 1965 (20 U.S.C. 1001 et  
25 seq.);



1           “(5) the term ‘non-public school’ means a non-  
2 public elementary and secondary school that (A) is  
3 accredited, licensed, or otherwise operates in accord-  
4 ance with State law; and (B) was in existence prior  
5 to the date of the qualifying emergency for which  
6 grants are awarded under this section;

7           “(6) the term ‘outlying areas’ includes the Fed-  
8 erated States of Micronesia, the Republic of the  
9 Marshall Islands, and the Republic of Palau and  
10 notwithstanding section 105(f)(1)(B)(v) of the Com-  
11 pact of Free Association Amendments Act of 2003  
12 (48 U.S.C. 1921d(f)(1)(B)(v)) or any other law;

13           “(7) the term ‘public school’ means a public ele-  
14 mentary school or secondary school;

15           “(8) the term ‘qualifying emergency’ has the  
16 meaning given the term in section 3502(a)(4) of di-  
17 vision A of this Act;

18           “(9) the term ‘Secretary’ means the Secretary  
19 of Education;

20           “(10) the term ‘State’ means each of the 50  
21 States, the District of Columbia, and the Common-  
22 wealth of Puerto Rico;

23           “(11) the term ‘Tribal College or University’  
24 has the meaning given such term in section

1 316(b)(3) of the Higher Education Act of 1965 (20  
2 U.S.C. 1059c(b)(3)); and

3 “(12) any other term used that is defined in  
4 section 8101 of the Elementary and Secondary Edu-  
5 cation Act of 1965 (20 U.S.C. 7801) shall have the  
6 meaning given the term in such section.”.

7 (g) CONFORMING AMENDMENT.—Section 18006 of  
8 division B of the Coronavirus Aid, Relief, and Economic  
9 Security Act (Public Law 116–136) is amended by strik-  
10 ing “coronavirus” and inserting “a qualifying emergency”.

11 (h) MAINTENANCE OF EFFORT; SUPPLEMENT NOT  
12 SUPPLANT.—Section 18008 of the Coronavirus Aid, Re-  
13 lief, and Economic Security Act (Public Law 116–136) is  
14 amended to read as follows:

15 “MAINTENANCE OF EFFORT; SUPPLEMENT NOT

16 SUPPLANT

17 “SEC. 18008. (a) MAINTENANCE OF EFFORT.—A  
18 State’s application for funds under 18002 or 18003 of this  
19 title shall include assurances that the State will—

20 “(1) maintain support for elementary and sec-  
21 ondary education in fiscal years 2020, 2021, and  
22 2022, at least at the levels of such State’s support  
23 for elementary and secondary education provided in  
24 the State’s fiscal year 2019 or fiscal year 2020,  
25 whichever is greater; and

1           “(2) maintain support for higher education  
2           (which shall include State funding to institutions of  
3           higher education and State financial aid, and shall  
4           not include support for capital projects, research and  
5           development, or tuition and fees paid by students) in  
6           fiscal years 2020, 2021, and 2022, at least at the  
7           levels of such State’s support for higher education  
8           provided in the State’s fiscal year 2019 or fiscal  
9           year 2020, whichever is greater.

10          “(b) SUPPLEMENT, NOT SUPPLANT.—Funds made  
11          available to States under this title shall be used to supple-  
12          ment, and not supplant, non-Federal funds that would  
13          otherwise be used for activities authorized under this  
14          title.”.

15          (i) REPORTING AND DISCLOSURE REQUIREMENTS.—  
16          Title XVIII of division B of the Coronavirus Aid, Relief,  
17          and Economic Security Act (Public Law 116–136) is  
18          amended by inserting after section 18008 the following:

19                “REPORTING AND DISCLOSURE REQUIREMENTS

20                “SEC. 18009. (a) IN GENERAL.—

21                   “(1) ALLOCATIONS.—Not later than 30 days  
22                   after the date of enactment of the Coronavirus Child  
23                   Care and Education Relief Act, the Secretary shall  
24                   announce allocations to entities under sections  
25                   18001 through 18006 on a publicly accessible

1 website, including allocations made before such date  
2 of enactment.

3 “(2) REPORT FROM SECRETARY.—The Sec-  
4 retary shall submit a report to the Committee on  
5 Health, Education, Labor, and Pensions of the Sen-  
6 ate, the Committee on Appropriations of the Senate,  
7 the Committee on Education and Labor of the  
8 House of Representatives, and the Committee on  
9 Appropriations of the House of Representatives—

10 “(A) not later than 180 days after the date  
11 of enactment of the Coronavirus Child Care and  
12 Education Relief Act and quarterly thereafter  
13 until all funds allocated under section 18001(a)  
14 are expended, which shall include for all alloca-  
15 tions under section 18001(a)(1)—

16 “(i) the outlying areas to which the  
17 Secretary allocated funds;

18 “(ii) the outlying areas to which the  
19 Department did not allocate funds;

20 “(iii) the allocation amounts, by each  
21 outlying area; and

22 “(iv) the Secretary’s rationale for de-  
23 termining the allocation amount;

24 “(B) not later than 10 days after the date  
25 of enactment of the Coronavirus Child Care and

1 Education Relief Act and quarterly thereafter  
2 until all funds allocated under section 18001(a)  
3 are expended, which shall include for all alloca-  
4 tions under section 18001(a)(2)—

5 “(i) the programs operated or funded  
6 by the Bureau of Indian Education and  
7 Tribal Colleges or Universities to which the  
8 Secretary of the Interior, in consultation  
9 with the Secretary of Education, allocated  
10 funds;

11 “(ii) the programs operated or funded  
12 by the Bureau of Indian Education and  
13 Tribal Colleges or Universities to which the  
14 Secretary of the Interior, in consultation  
15 with the Secretary of Education, did not  
16 allocate funds;

17 “(iii) the allocation amounts by each  
18 program; and

19 “(iv) the methodology and rationale  
20 for determining the allocation amounts;  
21 and

22 “(C) not later than 180 days after the date  
23 of enactment of the Coronavirus Child Care and  
24 Education Relief Act and quarterly thereafter  
25 until all funds allocated under section 18001(a)

1 are expended, which shall include for all grants  
2 under section 18001(a)(3)—

3 “(i) the Secretary’s methodology and  
4 rationale for distributing such grants, in-  
5 cluding how the Secretary determined  
6 which States have the highest COVID–19  
7 burden;

8 “(ii) the name of any grantee;

9 “(iii) a summary of the grantee’s ap-  
10 plication;

11 “(iv) the award amount per grantee,  
12 the allowable uses of funds, and any limi-  
13 tations on such uses of funds; and

14 “(v) for all for all service providers  
15 and subgrantees selected by the grantee  
16 under section 18001(a)(3), the following  
17 information, which shall be collected by the  
18 grantee and made publicly available on the  
19 grantee’s website and reported to the Sec-  
20 retary for inclusion in the Secretary’s re-  
21 port:

22 “(I) The name of any service  
23 providers or subgrantees.

24 “(II) A summary of the service  
25 provider or subgrantee’s application.

1                   “(III) How much funding was  
2 distributed to public and non-public  
3 entities, further disaggregated by  
4 funding to private nonprofit and pri-  
5 vate for-profit entities.

6                   “(IV) How much funding was re-  
7 served for State-level activities.

8                   “(V) A summary of the use of  
9 funds provided to service providers or  
10 subgrantees.

11                   “(VI) The methodology adopted  
12 by grantees in selecting and reviewing  
13 service providers and course offerings  
14 and ensuring funded activities are  
15 high-quality.

16                   “(VII) the percentage of funds  
17 spent serving low-income students by  
18 each service provider or subgrantee.

19                   “(3) GRANTEE REPORTING.—Not later than  
20 120 days after receiving a grant under section  
21 18001(a)(3), each grantee shall submit a report to  
22 the Secretary containing the information described  
23 in paragraph (2)(C)(v) and make such information  
24 publicly available on the grantee’s website.

1           “(4) BUREAU OF INDIAN EDUCATION.—Not  
2 later than 120 days after receiving an allocation  
3 under section 18001(a)(2), the Director of the Bu-  
4 reau of Indian Education shall—

5                   “(A) submit a report to the Secretary con-  
6 taining information about which programs were  
7 funded with such allocation and a summary of  
8 the uses of funds by such programs; and

9                   “(B) make such report publicly available  
10 on the website of the Bureau of Indian Edu-  
11 cation.

12           “(b) GOVERNOR’S EMERGENCY RELIEF FUND RE-  
13 PORTS.—

14                   “(1) INITIAL REPORT.—Each Governor that re-  
15 ceives a grant under section 18002(a) shall, not  
16 later than 90 days after the date of the disbursement of  
17 the Governor’s first grant under section 18002(c) if  
18 such first grant is made after the date of enactment  
19 of the Coronavirus Child Care and Education Relief  
20 Act or not later than 90 days after such date of en-  
21 actment if such first grant was made before such  
22 date of enactment, submit a report to the Secretary  
23 that includes the methodology the State used to dis-  
24 tribute grants under paragraphs (1) through (3) of  
25 section 18002(c), and—



1           “(A) for each such grant made by Gov-  
2 ernor—

3           “(i) a summary of the grant applica-  
4 tion and whether the Governor provided  
5 the grant under paragraph (1), (2), or (3)  
6 of section 18002(c);

7           “(ii) the name of the grantee, the  
8 amount of the grant, the allowable uses of  
9 grant funds, and any limitations to such  
10 uses of funds;

11           “(iii) whether the grantee is a public  
12 or non-public entity, further disaggregated  
13 by private nonprofit and private for-profit  
14 entities; and

15           “(iv) what percentage of grant funds  
16 were spent serving low-income students;

17           “(B) a summary of how the State grant  
18 funds were distributed within the State to enti-  
19 ties serving high-poverty areas; and

20           “(C) a summary of how the Governor used  
21 funds to meet the academic and social and emo-  
22 tional needs of low-income students, first-gen-  
23 eration college students, children and students  
24 with disabilities, English learners, students of  
25 color, students experiencing homelessness, chil-

1           dren or youth in foster care, migrant children,  
2           and students involved with the juvenile justice  
3           system.

4           “(2) QUARTERLY GOVERNOR’S EMERGENCY RE-  
5           LIEF FUNDS REPORT.—Each Governor that receives  
6           a grant under section 18002(a) shall, following the  
7           submission of the report described in paragraph (1),  
8           submit to the Secretary a report that contains the  
9           information described in paragraph (1), once a quar-  
10          ter until all funds allocated under section 18002 are  
11          expended.

12          “(3) GRANTEE REPORTING.—Each grantee that  
13          receives a grant from a Governor under section  
14          18002(c) shall submit a report to the Governor, not  
15          later than 30 days after receiving the grant, con-  
16          taining the information described in paragraph  
17          (1)(A).

18          “(4) PUBLICATION OF REPORTS.—The Sec-  
19          retary shall publish each report under paragraphs  
20          (1) and (2) on a publicly accessible website not later  
21          than 30 days after the date of receipt of the report.

22          “(5) FINDINGS FROM GOVERNOR’S EMERGENCY  
23          RELIEF FUNDS REPORTING.—Not later than 12  
24          months after the date of enactment of the  
25          Coronavirus Child Care and Education Relief Act,

1 the Secretary shall provide a report to the Com-  
2 mittee on Health, Education, Labor, and Pensions  
3 of the Senate, the Committee on Appropriations of  
4 the Senate, the Committee on Education and Labor  
5 of the House of Representatives, and the Committee  
6 on Appropriations of the House of Representatives  
7 summarizing the findings from the reports received  
8 under this subsection.

9 “(c) ELEMENTARY AND SECONDARY SCHOOL EMER-  
10 GENCY RELIEF FUND REPORTS.—

11 “(1) INITIAL STATE REPORTING.—Each State  
12 educational agency that receives a grant under sec-  
13 tion 18003 shall, not later than 180 days after the  
14 making the State educational agency’s first subgrant  
15 under section 18003(c) if such first subgrant is  
16 made after the date of enactment of the Coronavirus  
17 Child Care and Education Relief Act or not later  
18 than 90 days after such date of enactment if such  
19 first subgrant was made before such date of enact-  
20 ment, submit a report to the Secretary that in-  
21 cludes—

22 “(A) the number of subgrants awarded  
23 and the amount of funding awarded to each  
24 subgrantee;

1           “(B) a summary of the activities that sub-  
2 grantees will carry out using subgrant funds,  
3 including for any focus areas identified by the  
4 State educational agency;

5           “(C) the percentage of funds the State  
6 educational agency is retaining at the State-  
7 level and what the State educational agency in-  
8 tends to spend such reservation on;

9           “(D) a summary of how the State edu-  
10 cational agency intends to ensure that local  
11 educational agencies that received funds en-  
12 sured higher-poverty schools served by the local  
13 educational agency received access to the funds  
14 and how the local educational agency is meeting  
15 the educational needs of low-income students,  
16 children with disabilities, English learners, stu-  
17 dents of color, students experiencing homeless,  
18 children and youth in foster care, migrant chil-  
19 dren, and students involved with the juvenile  
20 justice system;

21           “(E) what percentage allocation of the  
22 State-set-aside the State is using to address  
23 learning loss as required under section  
24 18003(e) and a summary of what the funds  
25 were spent on;

1           “(F) how the State is prioritizing serving  
2 high concentrations of students from families  
3 with low-incomes and students who have been  
4 disproportionately affected by COVID–19 and  
5 school closures, including students of color, chil-  
6 dren with disabilities, English learners, migrant  
7 children, students experiencing homelessness,  
8 children and youth in foster care, and students  
9 involved with the juvenile justice system in the  
10 funds set aside under section 18003(e); and

11           “(G) a summary of reports submitted by  
12 subgrantees in accordance with paragraph (2).

13           “(2) LOCAL EDUCATIONAL AGENCY REPORT-  
14 ING.—Each local educational agency receiving a  
15 subgrant under section 18003 shall submit a report  
16 to its State educational agency, not later than 90  
17 days after receiving such subgrant, that includes—

18           “(A) a summary of the activities or serv-  
19 ices that the local educational agency carried  
20 out using subgrant funds, including for any  
21 focus areas identified by the State educational  
22 agency;

23           “(B) the percentage of funds being spent  
24 on each activity described in section 18003(d),  
25 including the percentage of funds spent on

1 maintaining current staffing levels as provided  
2 under section 18003(d)(1)(M);

3 “(C) a description of how the local edu-  
4 cational agency distributed funds, including any  
5 formula or methodology that was used, to  
6 schools within their boundaries to meet the aca-  
7 demic and social and emotional needs of low-in-  
8 come students, children with disabilities,  
9 English learners, students of color, students ex-  
10 perienceing homelessness, children and youth in  
11 foster care, migrant children, and students in-  
12 volved with the juvenile justice system;

13 “(D) a summary of how the local edu-  
14 cational agency used funds to ensure all stu-  
15 dents, including low-income students, children  
16 with disabilities, English learners, students of  
17 color, students experiencing homelessness, chil-  
18 dren and youth in foster care, migrant children,  
19 and students involved with the juvenile justice  
20 system, have access to learning opportunities  
21 during in-person, distance, and hybrid learning  
22 options, including access to technology, high-  
23 quality instructional materials, and high-quality  
24 instruction;

1           “(E) the per-pupil expenditure data for  
2 each school served by the local educational  
3 agency for the 2020–2021 school year,  
4 disaggregated by Federal, State, and local ex-  
5 penditures, with funds provided under sections  
6 18002 and 18003 included under Federal ex-  
7 penditures;

8           “(F) the dollar amount and percentage of  
9 subgrant funds that were spent on equitable  
10 services from funds available under sections  
11 18002 and 18003;

12           “(G) the percentage of funds used to ad-  
13 dress learning loss;

14           “(H) how the local educational agency im-  
15 plemented the requirement described under sec-  
16 tion 18003(d)(2), including serving low-income  
17 students, students of color, children with dis-  
18 abilities, English learners, migrant children,  
19 students experiencing homelessness, children  
20 and youth in foster care, and students involved  
21 in the juvenile justice system; and

22           “(I) how much instructional time was in-  
23 creased as a result of activities implemented  
24 under the subgrant.

1           “(3) QUARTERLY ELEMENTARY AND SEC-  
2           ONDARY SCHOOL EMERGENCY RELIEF FUND RE-  
3           PORTS.—

4           “(A) STATE REPORT.—Each State edu-  
5           cational agency that receives a grant under sec-  
6           tion 18003 shall, following the submission of  
7           the initial report described in paragraph (1),  
8           submit to the Secretary a report that contains  
9           the information described in paragraph (1) once  
10          a quarter until all funds allocated to the State  
11          under section 18003 are expended.

12          “(B) LOCAL EDUCATIONAL AGENCY RE-  
13          PORT.—Each local educational agency receiving  
14          a subgrant under section 18003 shall, following  
15          the submission of the initial report described in  
16          paragraph (2), submit to the Secretary a report  
17          that contains the information described in para-  
18          graph (2) once a quarter until all subgrant  
19          funds are expended.

20          “(4) PUBLICATION OF REPORTS.—The Sec-  
21          retary shall publish each report under paragraphs  
22          (1) and (2) on a publicly accessible website not later  
23          than 30 days after the date of receipt of the report.

24          “(5) FINDINGS FROM ELEMENTARY AND SEC-  
25          ONDARY SCHOOL EMERGENCY RELIEF FUND.—Not



1 later than 12 months after the date of enactment of  
2 the Coronavirus Child Care and Education Relief  
3 Act, the Secretary shall provide a report to the Com-  
4 mittee on Health, Education, Labor, and Pensions  
5 of the Senate, the Committee on Appropriations of  
6 the Senate, the Committee on Education and Labor  
7 of the House of Representatives, and the Committee  
8 on Appropriations of the House of Representatives  
9 summarizing the findings from the reports received  
10 under this subsection.

11 “(d) HIGHER EDUCATION EMERGENCY RELIEF  
12 FUND REPORTS.—

13 “(1) INITIAL SECRETARY REPORT.—Not later  
14 than 120 days after the Secretary announces alloca-  
15 tions under section 18004, the Secretary shall sub-  
16 mit to the authorizing committees (as defined in sec-  
17 tion 103 of the Higher Education Act of 1965 (20  
18 U.S.C. 1003)) a summary of applications from, and  
19 disbursements made to, institutions of higher edu-  
20 cation, which shall include—

21 “(A) for emergency financial aid grant  
22 funding provided in accordance with section  
23 18004(c)—

24 “(i) the institutions that applied for  
25 such funds;

1           “(ii) the institutions that received  
2 such funds;

3           “(iii) the institutions that did not  
4 apply for such funds;

5           “(iv) the institutions that applied for,  
6 but did not receive, such funds;

7           “(v) the institutions that returned  
8 such funds to the Department, including  
9 the amount returned;

10          “(vi) the actual or projected number  
11 of students the Department estimates re-  
12 ceived emergency financial aid grants in  
13 accordance with such section;

14          “(vii) the actual or projected number  
15 of students the Department estimates did  
16 not receive emergency financial aid grants  
17 in accordance with such section; and

18          “(viii) the actual or projected number  
19 of students that received emergency finan-  
20 cial aid grants in accordance with such  
21 section; and

22          “(B) for institutional funds (not including  
23 emergency financial aid) provided in accordance  
24 with section 18004(c)—

1           “(i) the institutions that applied for  
2           such funds;

3           “(ii) the institutions that received  
4           such funds;

5           “(iii) the institutions that did not  
6           apply for such funds;

7           “(iv) the institutions that applied for,  
8           but did not receive, such funds; and

9           “(v) the institutions that returned  
10          such funds to the Department, including  
11          the amount returned.

12          “(2) INSTITUTIONAL REPORTS.—Each institu-  
13          tion of higher education receiving a grant under sec-  
14          tion 18004 shall submit a report to the Secretary,  
15          not later than 90 days after receiving the grant, that  
16          includes, in addition to the requirements of the Sec-  
17          retary under section 18004(e)—

18                 “(A) a summary of how the institution of  
19                 higher education allocated emergency financial  
20                 aid grants to students in accordance with sec-  
21                 tion 18004(c) for any component of a student’s  
22                 cost of attendance, including—

23                         “(i) whether the institution required  
24                         an application for emergency financial aid  
25                         grants and, if the institution required an

1 application for emergency financial aid  
2 grants, how many students applied, how  
3 many students had applications that were  
4 approved, and how many students had ap-  
5 plications that were denied;

6 “(ii) the minimum and maximum  
7 amount of grants made available to stu-  
8 dents, including any minimum or max-  
9 imum grant levels made to any specific  
10 subgroups of students, including the sub-  
11 groups listed in clause (iii);

12 “(iii) a description of any specific sub-  
13 groups of students that were prioritized for  
14 the emergency financial aid grants, includ-  
15 ing students of color, low-income students,  
16 first-generation college students, students  
17 with disabilities, English learners, students  
18 experiencing homelessness, former foster  
19 youth, or student parents;

20 “(iv) the total number of enrolled stu-  
21 dents that received emergency financial aid  
22 grants;

23 “(v) the total number of enrolled stu-  
24 dents that did not receive emergency finan-  
25 cial aid grants;

1           “(vi) the average amount of the emer-  
2           gency financial aid grants provided to stu-  
3           dents;

4           “(vii) a description of how the institu-  
5           tion of higher education will ensure that  
6           funds received under such section reduce  
7           unmet need for students; and

8           “(viii) a description and amount of  
9           any institutional funds used to supplement  
10          emergency financial aid grants provided in  
11          accordance with section 18004(e);

12          “(B) a summary of how the institution of  
13          higher education spent the institutional share of  
14          funds to cover any costs or lost revenue in-  
15          curred by the institution due to the qualifying  
16          emergency, including how such spending pre-  
17          vented or minimized any increase in the cost of  
18          attendance for students;

19          “(C) a description of tuition and fees  
20          charged to students enrolled at the institution,  
21          including—

22                  “(i) such tuition and fees for the  
23                  2019–2020 school year;

24                  “(ii) such tuition and fees planned or  
25                  enacted for the 2020–2021 school year;

1                   “(iii) such tuition and fees planned or  
2                   enacted for the 2021–2022 school year;  
3                   and

4                   “(iv) such tuition and fees planned or  
5                   enacted for the 2022–2023 school year;  
6                   and

7                   “(D) a summary of how the institution en-  
8                   sured funds received under section 18004 did  
9                   not go to prohibited uses of funds specified in  
10                  section 18004(c)(5).

11                  “(3) PUBLICATION OF REPORTS.—The Sec-  
12                  retary shall publish each report under paragraphs  
13                  (1) and (2) on a publicly accessible website not later  
14                  than 30 days after the date of receipt of the report.

15                  “(e) MAINTENANCE OF EFFORT.—Not later than  
16                  120 days after the date of the award of a grant to a State  
17                  under section 18002 or 18003, the Secretary shall publish  
18                  a report for the State describing how the State has com-  
19                  plied with the maintenance of effort requirement under  
20                  section 18008, including—

21                         “(1) the amount of support for higher edu-  
22                         cation provided by such State for fiscal years 2017,  
23                         2018, 2019, and 2020, respectively;

24                         “(2) the amount of support for elementary and  
25                         secondary education provided by such State for fis-

1 cal years 2017, 2018, 2019, and 2020, respectively;  
2 and

3 “(3) enforcement actions taken by the Sec-  
4 retary for any violation of section 18008.”.

5 (j) EFFECTIVE DATES.—

6 (1) IN GENERAL.—Except as otherwise pro-  
7 vided, the amendments made by this section shall  
8 take effect with respect to amounts made available  
9 for title XVIII of division B of the Coronavirus Aid,  
10 Relief, and Economic Security Act (Public Law  
11 116–136) on or after the date of enactment of this  
12 Act.

13 (2) EQUITABLE SERVICES.—The amendment  
14 made by subsection (e) shall take effect on the date  
15 of enactment of the Coronavirus Aid, Relief, and  
16 Economic Security Act (Public Law 116–136) as if  
17 such amendment was incorporated in section  
18 18005(a) of division B of such Act.

19 (3) REPORTING AND DISCLOSURE REQUIRE-  
20 MENTS.—The amendment made by subsection (i)  
21 shall take effect on the date of enactment of the  
22 Coronavirus Aid, Relief, and Economic Security Act  
23 (Public Law 116–136) as if such amendment was  
24 incorporated in title XVIII of division B of such Act,  
25 except that any report due before the date of enact-

1       ment of this Act or the 90-day period following the  
2       date of enactment shall instead be due on the last  
3       day of such 90-day period.

4               (4) FIPSE AND SPECIAL PROVISIONS.—Not-  
5       withstanding paragraph (1) or any other provision of  
6       law, if any amounts are available and not obligated  
7       under section 18004(a)(3) of division B of the  
8       Coronavirus Aid, Relief, and Economic Security Act  
9       (Public Law 116–136) as of the day before the date  
10      of enactment of this Act—

11              (A) such amounts shall be deemed to be  
12              amounts made available under section  
13              18004(a)(2) of division B of the Coronavirus  
14              Aid, Relief, and Economic Security Act (Public  
15              Law 116–136) after the date of enactment of  
16              this Act; and

17              (B) the Secretary shall use all such  
18              amounts for grants in accordance with section  
19              18004(b) of division B of the Coronavirus Aid,  
20              Relief, and Economic Security Act (Public Law  
21              116–136), as amended by this Act.

22              (5) USES OF FUNDS.—The authority and re-  
23              quirements of paragraphs (1) and (5) of section  
24              18004(c) of division B of the Coronavirus Aid, Re-  
25              lief, and Economic Security Act (Public Law 116–



1 136), as amended by this Act, shall apply to funds  
2 made available to institutions under such section  
3 18004 on and after the date of enactment of the  
4 Coronavirus Aid, Relief, and Economic Security Act.

5 **Subtitle B—Additional Appropriations for Elementary Education,**  
6 **Secondary Education, and Special Education**

9 **SEC. 221. ELEMENTARY AND SECONDARY EDUCATION AP-**  
10 **PROPRIATIONS.**

11 (a) TITLE I—A.—There are appropriated to the Sec-  
12 retary of Education, out of amounts in the Treasury not  
13 otherwise appropriated, for fiscal year 2020,  
14 \$11,000,000,000 for grants to local educational agencies  
15 under part A of title I of the Elementary and Secondary  
16 Education Act of 1965 (20 U.S.C. 6311 et seq.). All terms  
17 and conditions that apply to grants under part A of such  
18 title shall apply to grants made with funds made available  
19 under this subsection.

20 (b) MIGRANT EDUCATION.—There are appropriated  
21 to the Secretary of Education, out of amounts in the  
22 Treasury not otherwise appropriated, for fiscal year 2020,  
23 \$300,000,000 for the program under part C of title I of  
24 the Elementary and Secondary Education Act of 1965 (20  
25 U.S.C. 6391 et seq.). All terms and conditions that apply

1 to the program under part C of such title shall apply with  
2 respect to support provided through funds made available  
3 under this subsection.

4 (c) TITLE I–D.—There are appropriated to the Sec-  
5 retary of Education, out of amounts in the Treasury not  
6 otherwise appropriated, for fiscal year 2020,  
7 \$100,000,000 for programs under part D of title I of the  
8 Elementary and Secondary Education Act of 1965 (20  
9 U.S.C. 6421 et seq.). All terms and conditions that apply  
10 to programs under part D of such title shall apply with  
11 respect to support provided through funds made available  
12 under this subsection.

13 (d) ENGLISH LANGUAGE ACQUISITION.—There are  
14 appropriated to the Secretary of Education, out of  
15 amounts in the Treasury not otherwise appropriated, for  
16 fiscal year 2020, \$1,000,000,000 for programs under part  
17 A of title III of the Elementary and Secondary Education  
18 Act of 1965 (20 U.S.C. 6811 et seq.). All terms and condi-  
19 tions that apply to programs under part A of such title  
20 shall apply with respect to support provided through funds  
21 made available under this subsection.

22 (e) SUPPORTS FOR STUDENTS EXPERIENCING  
23 HOMELESSNESS.—There are appropriated to the Sec-  
24 retary of Education, out of amounts in the Treasury not  
25 otherwise appropriated, for fiscal year 2020,

1 \$500,000,000 for the program under subtitle B of title  
2 VII of the McKinney-Vento Homeless Assistance Act (42  
3 U.S.C. 11431 et seq.). All terms and conditions that apply  
4 to the program under subtitle B of such title shall apply  
5 with respect to support provided through funds made  
6 available under this subsection.

7 (f) GENERAL PROVISIONS.—Any amount appro-  
8 priated under this section is in addition to other amounts  
9 appropriated or made available for the applicable purpose.

10 **SEC. 222. INDIVIDUALS WITH DISABILITIES EDUCATION**  
11 **ACT APPROPRIATIONS.**

12 (a) IN GENERAL.—There are appropriated to the  
13 Secretary of Education, out of any amount in the Treas-  
14 ury not otherwise appropriated, for fiscal year 2020—

15 (1) \$11,000,000,000 for grants to States under  
16 part B of the Individuals with Disabilities Education  
17 Act (20 U.S.C. 1411 et seq.); and

18 (2) for early childhood education programs—

19 (A) \$500,000,000 for programs for infants  
20 and toddlers under part C of the Individuals  
21 with Disabilities Education Act (20 U.S.C.  
22 1431 et seq.); and

23 (B) \$400,000,000 for preschool grants  
24 under section 619 of the Individuals with Dis-  
25 abilities Education Act (20 U.S.C. 1419).

1 (b) APPLICABILITY OF ALL TERMS AND CONDI-  
 2 TIONS.—All terms and conditions that apply to a program  
 3 under the Individuals with Disabilities Education Act (20  
 4 U.S.C. 1400 et seq.) shall apply with respect to support  
 5 provided for the program through funds made available  
 6 under subsection (a).

7 (c) GENERAL PROVISIONS.—Any amount appro-  
 8 priated under this section is in addition to other amounts  
 9 appropriated or made available for the applicable purpose.

## 10 **Subtitle C—Higher Education**

### 11 **CHAPTER 1—HISTORICALLY BLACK**

#### 12 **COLLEGES AND UNIVERSITIES**

##### 13 **SEC. 231. HBCU ENDOWMENT CHALLENGE GRANTS.**

14 Notwithstanding any restrictions and repayment pro-  
 15 visions placed on an institution that is still in its grant  
 16 period in accordance with subsection (b)(3), (c)(3)(B), and  
 17 (d) of section 331 of the Higher Education Act of 1965  
 18 (20 U.S.C. 1065), the institution may use the endowment  
 19 fund corpus plus any endowment fund income for any edu-  
 20 cational purpose or to defray any expenses necessary to  
 21 the operation of the institution, including expenses of op-  
 22 erations and maintenance, administration, academic and  
 23 support personnel, construction and renovation, commu-  
 24 nity and student services programs, and technical assist-  
 25 ance.

1 **SEC. 232. FUNDING FOR HBCU CAPITAL FINANCING.**

2 (a) IN GENERAL.—Section 3512 of division A of the  
3 Coronavirus Aid, Relief, and Economic Security Act (Pub-  
4 lic Law 116–136) is amended—

5 (1) in subsection (a)(1), by striking “may” and  
6 inserting “shall”; and

7 (2) in subsection (d), by striking  
8 “\$62,000,000” and inserting “such sums as may be  
9 necessary”.

10 (b) EFFECTIVE DATE.—The amendments made by  
11 subsection (a) shall take effect as if included in the enact-  
12 ment of the Coronavirus Aid, Relief, and Economic Secu-  
13 rity Act (Public Law 116–136).

14 **CHAPTER 2—ADDITIONAL**

15 **APPROPRIATIONS FOR TRIO PROGRAMS**

16 **SEC. 235. ADDITIONAL TRIO APPROPRIATIONS.**

17 (a) IN GENERAL.—

18 (1) AMOUNTS APPROPRIATED.—There is appro-  
19 priated to the Secretary of Education, out of  
20 amounts in the Treasury not otherwise appropriated,  
21 \$450,000,000 for fiscal year 2020, for grants and  
22 contracts under chapter 1 of subpart 2 of part A of  
23 title IV of the Higher Education Act of 1965 (20  
24 U.S.C. 1070a–11 et seq.), for the purpose of ex-  
25 panding program capacity to serve more low-income,  
26 first-generation students, students with disabilities,

1 veterans, unemployed adults, and other qualified in-  
2 dividuals, and to provide such students technology  
3 support.

4 (2) ALLOCATION OF FUNDS.—From the  
5 amounts appropriated under paragraph (1), the Sec-  
6 retary shall allot—

7 (A) \$250,000,000 for grants to each re-  
8 cipient receiving funding under such chapter for  
9 fiscal year 2020 to expand program capacity to  
10 serve more qualified individuals, of which—

11 (i) \$32,000,000 shall be for Edu-  
12 cational Opportunity Centers programs  
13 under section 402F of the Higher Edu-  
14 cation Act of 1965 (20 U.S.C. 1070a–16);

15 (ii) \$54,000,000 shall be for Talent  
16 Search programs under section 402B of  
17 the Higher Education Act of 1965 (20  
18 U.S.C. 1070a–12); and

19 (iii) the remainder of such funds shall  
20 be for all programs under chapter 1 of  
21 subpart 2 of part A of title IV of the High-  
22 er Education Act of 1965 (20 U.S.C.  
23 1070a–11 et seq.); and

24 (B) notwithstanding any other provision of  
25 law, \$200,000,000 for grants to each recipient

1 receiving funding under such chapter for fiscal  
 2 year 2020 to allow those recipients to provide  
 3 technology support to students, which may in-  
 4 clude support for broadband access and com-  
 5 puter hardware and software.

6 (b) **APPLICABILITY OF TERMS AND CONDITIONS.**—  
 7 Except as specified in subsection (a)(2)(B), the terms and  
 8 conditions that apply to grants under chapter 1 of subpart  
 9 2 of part A of title IV of the Higher Education Act of  
 10 1965 (20 U.S.C. 1070a–11 et seq.) shall apply to grants  
 11 made with funds made available under subsection (a).

12 (c) **GENERAL PROVISIONS.**—Any amount appro-  
 13 priated under this section is in addition to other amounts  
 14 appropriated or made available for the applicable purpose.

15 **Subtitle D—Increased Funding for**  
 16 **Adult Education and Career and**  
 17 **Technical Education**

18 **CHAPTER 1—ADULT EDUCATION AND LIT-**  
 19 **ERACY QUALIFYING EMERGENCY RE-**  
 20 **SPONSE**

21 **SEC. 241. DEFINITIONS.**

22 In this chapter, the terms “adult education”, “adult  
 23 education and literacy activities”, “eligible agency”, “eligi-  
 24 ble provider”, and “integrated education and training”  
 25 have the meanings given the terms in section 203 of the

1 Workforce Innovation and Opportunity Act (29 U.S.C.  
2 3272).

3 **SEC. 242. ADULT EDUCATION AND LITERACY RESPONSE AC-**  
4 **TIVITIES.**

5 (a) **ONLINE SERVICE DELIVERY OF ADULT EDU-**  
6 **CATION AND LITERACY ACTIVITIES.**—During the quali-  
7 fying emergency, an eligible agency may use funds avail-  
8 able to such agency under paragraphs (2) and (3) of sec-  
9 tion 222(a) of the Workforce Innovation and Opportunity  
10 Act (20 U.S.C. 3302(a)), for the administrative expenses  
11 of the eligible agency related to transitions to online serv-  
12 ice delivery of adult education and literacy activities.

13 (b) **SECRETARIAL RESPONSIBILITIES.**—Not later  
14 than 30 days after the date of enactment of this Act, the  
15 Secretary of Labor shall, in carrying out section  
16 242(c)(2)(G) of the Workforce Innovation Opportunity  
17 Act (29 U.S.C. 3332(c)(2)(G)), identify and disseminate  
18 to States strategies and virtual proctoring tools to—

19 (1) assess the progress of learners in programs  
20 of adult education and literacy activities, on the  
21 basis of valid research, as appropriate; and

22 (2) measure the performance of such programs  
23 in a manner consistent with section 243(d).



1 **SEC. 243. DISTRIBUTION OF FUNDS.**

2 (a) RESERVATION OF FUNDS; GRANTS TO ELIGIBLE  
3 AGENCIES.—From the amounts appropriated under sub-  
4 section (e), the Secretary of Labor shall—

5 (1) reserve and use funds in accordance with  
6 section 211(a) of the Workforce Innovation and Op-  
7 portunity Act (29 U.S.C. 3291); and

8 (2) award grants to eligible agencies in accord-  
9 ance with section 211(b) of the Workforce Innova-  
10 tion and Opportunity Act (29 U.S.C. 3291), ensur-  
11 ing that not less than 10 percent of the total funds  
12 awarded through those grants shall be used to pro-  
13 vide adult education and literacy activities in correc-  
14 tional facilities.

15 (b) USES OF FUNDS.—Each eligible agency or eligi-  
16 ble provider shall use the funds received through sub-  
17 section (a)(2) to expand the capacity of adult education  
18 providers to prioritize serving adults with low literacy or  
19 numeracy levels negatively impacted by the economic con-  
20 sequences of the qualifying emergency, which may in-  
21 clude—

22 (1) expanding the infrastructure needed for the  
23 provision of services and educational resources on-  
24 line or through digital means, including the provi-  
25 sion of technology or internet access to students and

1 instructional staff to enable virtual or distance learn-  
2 ing;

3 (2) creating or expanding digital literacy cur-  
4 ricula and resources, including professional develop-  
5 ment activities to aid instructional and program  
6 staff in providing online or digital training to stu-  
7 dents; and

8 (3) equipping adult education providers to part-  
9 ner more closely with partners in workforce develop-  
10 ment systems on implementation strategies such as  
11 provision of integrated education and training to  
12 prepare adult learners on an accelerated timeline for  
13 high-skill, high-wage, or in-demand industry sectors  
14 and occupations.

15 (c) SUPPLEMENT, NOT SUPPLANT.—Any Federal  
16 funds made available under this chapter shall be used only  
17 to supplement and not supplant the funds that would, in  
18 the absence of such Federal funds, be made available from  
19 State or local public funds for adult education and literacy  
20 activities.

21 (d) EVALUATIONS.—The Secretary of Labor shall  
22 measure the performance of any activity or program car-  
23 ried out with funds made available under this chapter  
24 using indicators of performance applicable to adult edu-  
25 cation and literacy activities in accordance with section

1 116(b)(2) of the Workforce Innovation and Opportunity  
 2 Act (29 U.S.C. 3141(b)(2)).

3 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
 4 authorized to be appropriated, and there is appropriated,  
 5 out of any money in the Treasury not otherwise appro-  
 6 priated, to carry out this section \$1,000,000,000 for fiscal  
 7 year 2020, to remain available until expended.

8 **CHAPTER 2—CAREER AND TECHNICAL**  
 9 **EDUCATION**

10 **SEC. 245. DEFINITIONS AND PERKINS CTE REQUIREMENTS.**

11 Except as otherwise provided, in this subtitle—

12 (1) the terms have the meanings given the  
 13 terms in section 3 of the Carl D. Perkins Career and  
 14 Technical Education Act of 2006 (20 U.S.C. 2302);  
 15 and

16 (2) an allotment, allocation, or other provision  
 17 of funds made under this subtitle in accordance with  
 18 a provision of the Carl D. Perkins Career and Tech-  
 19 nical Education Act of 2006 (20 U.S.C. 2301 et  
 20 seq.) shall be made in compliance with the applicable  
 21 requirements of such Act (20 U.S.C. 2301 et seq.).

22 **SEC. 246. COVID-19 CAREER AND TECHNICAL EDUCATION**  
 23 **RESPONSE FLEXIBILITY.**

24 (a) RETENTION OF FUNDS.—Notwithstanding sec-  
 25 tion 133(b)(1) of the Carl D. Perkins Career and Tech-

1 nical Education Act of 2006 (29 U.S.C. 2353(b)(1)), with  
2 respect to an eligible recipient that, due to a qualifying  
3 emergency, does not expend all of the amounts that the  
4 eligible recipient is allocated for academic year 2019–2020  
5 under section 131 or 132 of the Carl D. Perkins Career  
6 and Technical Education Act of 2006 (20 U.S.C. 2351;  
7 2352), the eligible agency that allocated such funds to the  
8 eligible recipient may authorize the eligible recipient to re-  
9 tain such amounts to carry out, during academic year  
10 2020–2021, any activities described in the application of  
11 the eligible recipient submitted under 134(b) of such Act  
12 (29 U.S.C. 2354(b)) that such eligible recipient had in-  
13 tended to carry out during academic year 2019–2020.

14 (b) POOLING OF FUNDS.—An eligible recipient may,  
15 in accordance with section 135(c) of the Carl D. Perkins  
16 Career and Technical Education Act of 2006 (20 U.S.C.  
17 2355(c)), pool a portion of funds received under such Act  
18 with a portion of funds received under such Act available  
19 to one or more eligible recipients to support the transition  
20 from secondary education to postsecondary education or  
21 employment for CTE participants whose academic year  
22 was interrupted by a qualifying emergency.

23 (c) PROFESSIONAL DEVELOPMENT.—During a quali-  
24 fying emergency, section 3(40)(B) of the Carl D. Perkins  
25 Career and Technical Education Act of 2006 (20 U.S.C.

1 2302(40)(B)) shall apply as if “sustained (not stand-  
2 alone, 1-day, or short-term workshops), intensive, collabo-  
3 rative, job-embedded, data-driven, and classroom-fo-  
4 cused,” were struck.

5 **SEC. 247. PERKINS CAREER AND TECHNICAL EDUCATION.**

6 (a) DISTRIBUTION OF FUNDS.—

7 (1) STATES.—From the amounts appropriated  
8 under subsection (d), the Secretary shall make allot-  
9 ments to eligible agencies in accordance with section  
10 111(a)(3) of the Carl D. Perkins Career and Tech-  
11 nical Education Act of 2006 (20 U.S.C. 2321(a)(3)).

12 (2) LOCAL AREAS.—

13 (A) IN GENERAL.—Not later than 30 days  
14 after an eligible agency receives an allotment  
15 under paragraph (1), the eligible agency shall  
16 make available such funds in accordance with  
17 section 112(a) of the Carl D. Perkins Career  
18 and Technical Education Act of 2006 (20  
19 U.S.C. 2322(a)), including making such funds  
20 available for distribution to eligible recipients in  
21 accordance with sections 131 and 132 of such  
22 Act.

23 (B) RESERVED FUNDS.—An eligible agen-  
24 cy that reserves funds in accordance with sec-  
25 tion 112(a)(1) of the Carl D. Perkins Career

1           and Technical Education Act of 2006 (20  
2           U.S.C. 2322(a)) to be used in accordance with  
3           section 112(c) of such Act, may also use such  
4           reserved funds for digital, physical, or tech-  
5           nology infrastructure related projects to im-  
6           prove career and technical education offerings  
7           within the State.

8           (b) USES OF FUNDS.—Each eligible agency and eligi-  
9           ble recipient shall use the funds received under this section  
10          to carry out activities improving or expanding career and  
11          technical education programs and programs of study to  
12          adequately respond to State and local needs as a result  
13          of a qualifying emergency, including—

14                (1) expanding and modernizing digital, physical,  
15                or technology infrastructure to deliver in-person, on-  
16                line, virtual, and simulated educational and work-  
17                based learning experiences;

18                (2) acquiring appropriate equipment, tech-  
19                nology, supplies, and instructional materials aligned  
20                with business and industry needs, including machin-  
21                ery, testing equipment, tools, hardware, software,  
22                and other new and emerging instructional materials;

23                (3) providing incentives to employers and CTE  
24                participants facing economic hardships due to a

1       qualifying emergency to participate in work-based  
2       learning programs;

3               (4) expanding or adapting program offerings or  
4       supports based on an updated comprehensive needs  
5       assessment to systemically respond to employers'  
6       and CTE participants' changing needs as a result of  
7       a qualifying emergency; or

8               (5) providing for professional development and  
9       training activities for career and technical education  
10      teachers, faculty, school leaders, administrators, spe-  
11      cialized instructional support personnel, career guid-  
12      ance and academic counselors, and paraprofessionals  
13      to support activities carried out under this section.

14      (c) SUPPLEMENT, NOT SUPPLANT.—Any Federal  
15      funds provided under this subtitle shall be used only to  
16      supplement the funds that would, in the absence of such  
17      Federal funds, be made available from non-Federal  
18      sources for career and technical education programs or  
19      other activities carried out under the Carl D. Perkins Ca-  
20      reer and Technical Education Act of 2006 (20 U.S.C.  
21      2301 et seq.), and not to supplant such funds.

22      (d) AUTHORIZATION OF APPROPRIATIONS.—There is  
23      authorized to be appropriated, and there is appropriated,  
24      out of any money in the Treasury not otherwise appro-

1 priated, to carry out this section \$1,000,000,000 for fiscal  
 2 year 2020, to remain available until expended.

3 **Subtitle E—Community College**  
 4 **and Industry Partnership Grants**

5 **SEC. 251. COMMUNITY COLLEGE AND INDUSTRY PARTNER-**  
 6 **SHIP GRANTS.**

7 (a) DEFINITIONS.—In this section:

8 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
 9 ty” means an eligible institution or a consortium of  
 10 such eligible institutions, which may include a  
 11 multistate consortium of such eligible institutions.

12 (2) ELIGIBLE INSTITUTION.—The term “eligi-  
 13 ble institution” means a public institution of higher  
 14 education (as defined in section 101(a) of the High-  
 15 er Education Act of 1965 (20 U.S.C. 1001(a)) at  
 16 which the highest degree that is predominantly  
 17 awarded to students is an associate degree, including  
 18 a 2-year Tribal College or University (as defined in  
 19 section 316 of such Act (20 U.S.C. 1059c)).

20 (3) PERKINS CTE DEFINITIONS.—The terms  
 21 “career and technical education”, “dual or concu-  
 22 rent enrollment program”, and “work-based learn-  
 23 ing” have the meanings given the in terms in section  
 24 3 of the Carl D. Perkins Career and Technical Edu-  
 25 cation Act of 2006 (20 U.S.C. 2302).



1           (4) SECRETARY.—The term “Secretary” means  
2 the Secretary of Labor.

3           (b) GRANT AUTHORITY.—

4           (1) IN GENERAL.—From the funds appro-  
5 priated under subsection (h) and not reserved under  
6 subsection (f), the Secretary, in collaboration with  
7 the Secretary of Education (acting through the Of-  
8 fice of Career, Technical, and Adult Education) shall  
9 award, on a competitive basis, grants, contracts, or  
10 cooperative agreements, in accordance with section  
11 169(b)(5) of the Workforce Innovation and Oppor-  
12 tunity Act (29 U.S.C. 3224(b)(5)), to eligible enti-  
13 ties to assist such eligible entities in—

14                   (A) establishing and scaling career training  
15 programs, including career and technical edu-  
16 cation programs, and industry and sector part-  
17 nerships to inform such programs; and

18                   (B) providing necessary student supports.

19           (2) AWARD AMOUNTS.—The total amount of  
20 funds awarded under this section to an eligible enti-  
21 ty shall not exceed—

22                   (A) in the case of an eligible entity that is  
23 eligible institution, \$2,500,000; and

24                   (B) in the case of an eligible entity that is  
25 a consortium, \$15,000,000.

1           (3) AWARD PERIOD.—A grant, contract, or co-  
2           operative agreement awarded under this section shall  
3           be for a period of not more than 4 years, except that  
4           the Secretary may extend such a grant, contract, or  
5           agreement for an additional 2-year period.

6           (4) EQUITABLE DISTRIBUTION.—In awarding  
7           grants under this section, the Secretary shall ensure,  
8           to the extent practicable, the equitable distribution  
9           of grants, based on—

10                   (A) geography (such as urban and rural  
11                   distribution); and

12                   (B) States and local areas significantly im-  
13                   pacted by a qualifying emergency.

14           (c) PRIORITY.—In awarding funds under this section,  
15           the Secretary shall give priority to eligible entities that  
16           will use such funds to serve individuals impacted by a  
17           qualifying emergency, as demonstrated by providing an as-  
18           surance in the application submitted under subsection (d)  
19           that the eligible entity will use such funds to—

20                   (1) serve such individuals with barriers to em-  
21                   ployment, veterans, spouses of members of the  
22                   Armed Forces, Native Americans, Alaska Natives,  
23                   Native Hawaiians, or incumbent workers who are  
24                   low-skilled and who need to increase their employ-  
25                   ability skills;

1           (2) serve such individuals from each major ra-  
2           cial and ethnic group or gender with lower than av-  
3           erage educational attainment in the State or employ-  
4           ment in the in-demand industry sector or occupation  
5           that such award will support; or

6           (3) serve areas with high unemployment rates  
7           or high levels of poverty, including rural areas.

8           (d) APPLICATION.—An eligible entity seeking an  
9           award of funds under this section shall submit to the Sec-  
10          retary an application containing a grant proposal at such  
11          time and in such manner, and containing such informa-  
12          tion, as required by the Secretary, including a detailed de-  
13          scription of the following:

14               (1) Each entity (and the roles and responsibil-  
15               ities of each entity) with which the eligible entity will  
16               partner to carry out activities under this section, in-  
17               cluding each of the following:

18                       (A) An industry or sector partnership rep-  
19                       resenting a high-skill, high-wage, or in-demand  
20                       industry sector or occupation.

21                       (B) A State higher education agency or a  
22                       State workforce agency.

23                       (C) To the extent practicable—

24                               (i) State or local workforce develop-  
25                               ment systems;

- 1 (ii) economic development and other  
2 relevant State or local agencies;
- 3 (iii) 1 or more community-based orga-  
4 nizations;
- 5 (iv) 1 or more institutions of higher  
6 education that primarily award 4-year de-  
7 grees with which the eligible institution has  
8 developed or will develop articulation  
9 agreements for programs created or ex-  
10 panded using funds under this section;
- 11 (v) 1 or more providers of adult edu-  
12 cation; and
- 13 (vi) 1 or more labor organizations or  
14 joint labor-management partnerships.
- 15 (2) The programs that will be supported with  
16 such award, including a description of—
- 17 (A) each program that will developed or  
18 expanded, and how the program will be respon-  
19 sive to the high-skill, high-wage, or in-demand  
20 industry sectors or occupations in the geo-  
21 graphic region served by the eligible entity  
22 under this section, including—
- 23 (i) how the eligible entity will collabo-  
24 rate with employers to ensure each such  
25 program will provide the skills and com-

1           petencies necessary to meet future employ-  
2           ment demand; and

3                   (ii) the quantitative data and evidence  
4           that demonstrates the extent to which each  
5           such program will meet the needs of em-  
6           ployers in the geographic area served by  
7           the eligible entity under this section;

8           (B) the recognized postsecondary creden-  
9           tials to be awarded under each program de-  
10          scribed in subparagraph (A);

11          (C) how each such program will facilitate  
12          cooperation between representatives of workers  
13          and employers in the local areas to ensure a  
14          fair and engaging workplace that balances the  
15          priorities and well-being of workers with the  
16          needs of businesses;

17          (D) the extent to which each such program  
18          aligns with a statewide or regional workforce  
19          development strategy, including such strategies  
20          established under section 102(b)(1) of the  
21          Workforce Innovation and Opportunity Act (29  
22          U.S.C. 3112(b)(1)); and

23          (E) how the eligible entity will ensure the  
24          quality of each such program, the career path-  
25          ways within such programs, and the jobs in the

1 industry sectors or occupations to which the  
2 program is aligned.

3 (3) The extent to which the eligible entity can  
4 leverage additional resources, and demonstration of  
5 the future sustainability of each such program.

6 (4) How each such program and activities car-  
7 ried out under the grant will include evidence-based  
8 practices, including a description of such practices.

9 (5) The student populations that will be served  
10 by the eligible entity, including—

11 (A) an analysis of any barriers to employ-  
12 ment or barriers to postsecondary education  
13 that such populations face, and an analysis of  
14 how the services to be provided by the eligible  
15 entity under this section will address such bar-  
16 riers; and

17 (B) how the eligible entity will support  
18 such populations to establish a work history,  
19 demonstrate success in the workplace, and de-  
20 velop the skills and competencies that lead to  
21 entry into and retention in unsubsidized em-  
22 ployment.

23 (6) Assurances the eligible entity will partici-  
24 pate in and comply with third-party evaluations de-  
25 scribed in subsection (f)(3).

1 (e) USE OF FUNDS.—

2 (1) IN GENERAL.—An eligible entity shall use a  
3 grant awarded under this section to establish and  
4 scale career training programs, including career and  
5 technical education programs, and career pathways  
6 and supports for students participating in such pro-  
7 grams.

8 (2) STUDENT SUPPORT AND EMERGENCY SERV-  
9 ICES.—Not less than 15 percent of the grant award-  
10 ed to an eligible entity under this section shall be  
11 used to carry out student support services which  
12 may include the following:

13 (A) Supportive services, including  
14 childcare, transportation, mental health serv-  
15 ices, substance use disorder prevention and  
16 treatment, assistance in obtaining health insur-  
17 ance coverage, housing, and assistance in ac-  
18 cessing the supplemental nutrition assistance  
19 program established under the Food and Nutri-  
20 tion Act of 2008 (7 U.S.C. 2011 et seq.), the  
21 special supplemental nutrition program for  
22 women, infants, and children established by sec-  
23 tion 17 of the Child Nutrition Act of 1966 (42  
24 U.S.C. 1786), and other benefits, as appro-  
25 priate.

1 (B) Connecting students to State or Fed-  
2 eral means-tested benefits programs, including  
3 the means-tested Federal benefits programs de-  
4 scribed in subparagraphs (A) through (F) of  
5 section 479(d)(2) of the Higher Education Act  
6 of 1965 (20 U.S.C. 1087ss(d)(2)).

7 (C) The provision of direct financial assist-  
8 ance to help students facing financial hardships  
9 that may impact enrollment in or completion of  
10 a program assisted with such funds.

11 (D) Navigation, coaching, mentorship, and  
12 case management services, including providing  
13 information and outreach to populations de-  
14 scribed in subsection (c) to take part in a pro-  
15 gram supported with such funds.

16 (E) Providing access to necessary supplies,  
17 materials, or technological devices, and required  
18 equipment, and other supports necessary to  
19 participate in such programs.

20 (3) ADDITIONAL REQUIRED PROGRAM ACTIVI-  
21 TIES.—The funds awarded to an eligible entity  
22 under this section that remain after carrying out  
23 paragraph (2) shall be used to—

24 (A) create, develop, or expand articulation  
25 agreements (as defined in section 486A(a) of



1 the Higher Education Act of 1965 (20 U.S.C.  
2 1093a(a)), credit transfer agreements, policies  
3 to award credit for prior learning, corequisite  
4 remediation, dual or concurrent enrollment pro-  
5 grams, career pathways, and competency-based  
6 education;

7 (B) establish or expand industry or sector  
8 partnerships to develop or expand academic  
9 programs and curricula;

10 (C) establish or expand work-based learn-  
11 ing opportunities, including apprenticeship pro-  
12 grams or paid internships;

13 (D) establish or implement plans for pro-  
14 grams supported with funds under this section  
15 to be included on the eligible training provider,  
16 as described under section 122(d) of the Work-  
17 force Innovation and Opportunity Act (29  
18 U.S.C. 3152(d));

19 (E) award academic credit or provide for  
20 academic alignment towards credit pathways for  
21 programs assisted with such funds, including  
22 industry recognized credentials, competency-  
23 based education, or work-based learning;

24 (F) make available open, searchable, and  
25 comparable information on the recognized post-

1 secondary credentials awarded under such pro-  
2 grams, including the related skills or com-  
3 petencies, related employment, and earnings  
4 outcomes; or

5 (G) acquiring equipment necessary to sup-  
6 port activities permitted under this section.

7 (f) SECRETARIAL RESERVATIONS.—Not more than 5  
8 percent of the funds appropriated for a fiscal year may  
9 be used by the Secretary for—

10 (1) the administration of the program under  
11 this section, including providing technical assistance  
12 to eligible entities;

13 (2) targeted outreach to eligible institutions  
14 serving a high number or high percentage of low-in-  
15 come populations, and rural serving eligible institu-  
16 tions to provide guidance and assistance in the grant  
17 application process under this section; and

18 (3) a rigorous, third-party evaluation that uses  
19 experimental or quasi-experimental design or other  
20 research methodologies that allow for the strongest  
21 possible causal inferences to determine whether each  
22 eligible entity carrying out a program supported  
23 under this section has met the goals of such pro-  
24 gram as described in the application submitted by el-  
25 ible entity, including through a national assess-

1 ment of all such programs at the conclusion of each  
2 4-year grant period.

3 (g) REPORTS AND DISSEMINATION.—

4 (1) REPORTS.—Each eligible entity receiving  
5 funds under this section shall report to the Sec-  
6 retary annually on—

7 (A) a description of the programs sup-  
8 ported with such funds, including activities car-  
9 ried out directly by the eligible entity and ac-  
10 tivities carried out by each partner of the eligi-  
11 ble entity described in subsection (d)(1);

12 (B) data on the population served with the  
13 funds and labor market outcomes of popu-  
14 lations served by the funds;

15 (C) resources leveraged by the eligible enti-  
16 ty to support activities under this section; and

17 (D) the performance of each such program  
18 with respect to the indicators of performance  
19 under section 116(b)(2)(A)(i) of the Workforce  
20 Innovation and Opportunity Act (29 U.S.C.  
21 3141(b)(2)(A)(i)).

22 (2) DISSEMINATION.—Each eligible entity re-  
23 ceiving funds under this section shall—

1 (A) participate in activities regarding the  
 2 dissemination of related research, best prac-  
 3 tices, and technical assistance; and

4 (B) to the extent practicable, and as deter-  
 5 mined by the Secretary, make available to the  
 6 public any materials created under the grant.

7 (h) AUTHORIZATION OF APPROPRIATIONS.—There is  
 8 authorized to be appropriated, and there is appropriated,  
 9 out of any money in the Treasury not already appro-  
 10 priated, to carry out this section \$2,000,000,000 for fiscal  
 11 year 2020, to remain available through fiscal year 2024.

## 12 **Subtitle F—E-Rate**

### 13 **SEC. 255. E-RATE SUPPORT FOR WI-FI HOTSPOTS, OTHER** 14 **EQUIPMENT, AND CONNECTED DEVICES DUR-** 15 **ING EMERGENCY PERIODS RELATING TO** 16 **COVID-19.**

17 (a) DEFINITIONS.—In this section:

18 (1) ADVANCED TELECOMMUNICATIONS AND IN-  
 19 FORMATION SERVICES.—The term “advanced tele-  
 20 communications and information services” means  
 21 advanced telecommunications and information serv-  
 22 ices, as that term is used in section 254(h) of the  
 23 Communications Act of 1934 (47 U.S.C. 254(h)).

24 (2) COMMISSION.—The term “Commission”  
 25 means the Federal Communications Commission.

1           (3) CONNECTED DEVICE.—The term “con-  
2           nected device” means a laptop computer, tablet com-  
3           puter, or similar device that is capable of connecting  
4           to advanced telecommunications and information  
5           services.

6           (4) COVERED REGULATIONS.—The term “cov-  
7           ered regulations” means the regulations promul-  
8           gated under subsection (b).

9           (5) EMERGENCY CONNECTIVITY FUND.—The  
10          term “Emergency Connectivity Fund” means the  
11          fund established under subsection (h)(1).

12          (6) ELIGIBLE EQUIPMENT.—The term “eligible  
13          equipment” means the following:

14                 (A) Wi-Fi hotspots.

15                 (B) Modems.

16                 (C) Routers.

17                 (D) Devices that combine a modem and  
18          router.

19                 (E) Connected devices.

20          (7) LIBRARY.—The term “library” includes a  
21          library consortium.

22          (8) WI-FI.—The term “Wi-Fi” means a wire-  
23          less networking protocol based on Institute of Elec-  
24          trical and Electronics Engineers standard 802.11  
25          (or any successor standard).

1           (9) WI-FI HOTSPOT.—The term “Wi-Fi  
2           hotspot” means a device that is capable of—

3                   (A) receiving mobile advanced tele-  
4                   communications and information services; and

5                   (B) sharing such services with another de-  
6                   vice through the use of Wi-Fi.

7           (b) REGULATIONS REQUIRED.—Not later than 7  
8           days after the date of enactment of this Act, the Commis-  
9           sion shall promulgate regulations providing for the provi-  
10          sion, from amounts made available from the Emergency  
11          Connectivity Fund, of support under section 254(h)(1)(B)  
12          of the Communications Act of 1934 (47 U.S.C.  
13          254(h)(1)(B)) to an elementary school, secondary school,  
14          or library (including a Tribal elementary school, Tribal  
15          secondary school, or Tribal library) eligible for support  
16          under that section, during a qualifying emergency (includ-  
17          ing any portion of the qualifying emergency occurring be-  
18          fore the date of enactment of this Act) of eligible equip-  
19          ment or advanced telecommunications and information  
20          services, for use by—

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

1           (2) in the case of a library, patrons of the li-  
2           brary at locations that include locations other than  
3           the library.

4           (c) ELIGIBILITY OF TRIBAL LIBRARIES.—For pur-  
5           poses of determining the eligibility of a Tribal library for  
6           support under the covered regulations, the portion of para-  
7           graph (4) of section 254(h) of the Communications Act  
8           of 1934 (47 U.S.C. 254(h)) relating to eligibility for as-  
9           sistance from a State library administrative agency under  
10          the Library Services and Technology Act (20 U.S.C. 9121  
11          et seq.) shall not apply.

12          (d) PRIORITIZATION OF SUPPORT.—The Commission  
13          shall provide in the covered regulations for a mechanism  
14          to require a school or library to prioritize the provision  
15          of eligible equipment or advanced telecommunications and  
16          information services (or both), for which support is re-  
17          ceived under those regulations, to students and staff or  
18          patrons (as the case may be) that the school or library  
19          believes do not have access to eligible equipment or ad-  
20          vanced telecommunications and information services (or  
21          do not have access to either), respectively, at the resi-  
22          dences of the students and staff or patrons.

23          (e) TREATMENT OF EQUIPMENT AFTER QUALIFYING  
24          EMERGENCY.—The Commission shall provide in the cov-  
25          ered regulations that, in the case of a school or library

1 that purchases eligible equipment using support received  
2 under the covered regulations, the school or library—

3 (1) may, after the qualifying emergency with  
4 respect to which the support is received, use the  
5 equipment for any purposes that the school or li-  
6 brary considers appropriate, subject to any restric-  
7 tions provided in the covered regulations (or any  
8 successor regulation); and

9 (2) may not sell or otherwise transfer the equip-  
10 ment in exchange for any thing (including a service)  
11 of value, except that the school or library may ex-  
12 change the equipment for upgraded equipment of  
13 the same type.

14 (f) RULE OF CONSTRUCTION.—Nothing in this sec-  
15 tion shall be construed to affect any authority of the Com-  
16 mission under section 254(h)(1)(B) of the Communica-  
17 tions Act of 1934 (47 U.S.C. 254(h)(1)(B)) to allow sup-  
18 port under that section to be used for the purposes de-  
19 scribed in subsection (b) of this section other than as re-  
20 quired by that subsection.

21 (g) PROCEDURAL MATTERS.—

22 (1) PART 54 REGULATIONS.—Nothing in this  
23 section shall be construed to prevent the Commission  
24 from providing that the regulations in part 54 of  
25 title 47, Code of Federal Regulations—



1 (A) shall apply in whole or in part to sup-  
2 port provided under the covered regulations;

3 (B) shall not apply in whole or in part to  
4 support provided under the covered regulations;  
5 or

6 (C) shall be modified in whole or in part  
7 for purposes of application to support provided  
8 under the covered regulations.

9 (2) EXEMPTION FROM CERTAIN RULEMAKING  
10 REQUIREMENTS.—Subsections (b), (c), and (d) of  
11 section 553 of title 5, United States Code, shall not  
12 apply to the covered regulations or a rulemaking to  
13 promulgate the covered regulations.

14 (3) PAPERWORK REDUCTION ACT EXEMP-  
15 TION.—A collection of information conducted or  
16 sponsored under the covered regulations, or under  
17 section 254 of the Communications Act of 1934 (47  
18 U.S.C. 254) in connection with support provided  
19 under the covered regulations, shall not constitute a  
20 collection of information for the purposes of sub-  
21 chapter I of chapter 35 of title 44, United States  
22 Code (commonly referred to as the “Paperwork Re-  
23 duction Act”).

24 (h) EMERGENCY CONNECTIVITY FUND.—

1           (1) ESTABLISHMENT.—There is established in  
2 the Treasury of the United States a fund to be  
3 known as the “Emergency Connectivity Fund”.

4           (2) APPROPRIATION.—There is appropriated to  
5 the Emergency Connectivity Fund, out of any money  
6 in the Treasury not otherwise appropriated,  
7 \$4,000,000,000 for fiscal year 2020, to remain  
8 available through fiscal year 2021.

9           (3) USE OF FUNDS.—Amounts in the Emer-  
10 gency Connectivity Fund shall be available to the  
11 Commission to provide support under the covered  
12 regulations.

13           (4) RELATIONSHIP TO UNIVERSAL SERVICE  
14 CONTRIBUTIONS.—Support provided under the cov-  
15 ered regulations shall be provided from amounts  
16 made available under paragraph (3) and not from  
17 contributions under section 254(d) of the Commu-  
18 nications Act of 1934 (47 U.S.C. 254(d)).

## 19                   **TITLE III—GENERAL** 20                   **PROVISIONS**

### 21   **SEC. 301. PROTECTIONS FOR CHILDREN WITH DISABIL-** 22                   **ITIES.**

23           The Secretary of Education shall ensure that, in  
24 order for a State to receive any portion of amounts made  
25 available under this Act or the amendments made by this

1 Act for elementary education, secondary education, or  
2 early childhood education, the State shall provide an as-  
3 surance to the Secretary that all children with disabilities,  
4 as defined in section 602 of the Individuals with Disabil-  
5 ities Education Act (20 U.S.C. 1401), are afforded their  
6 full rights under—

7           (1) the Individuals with Disabilities Education  
8 Act, including all rights and services outlined in in-  
9 dividualized education programs (as defined in sec-  
10 tion 614(d) of such Act (20 U.S.C. 1414(d)) and in-  
11 dividualized family service plans (as described in sec-  
12 tion 636 of such Act (20 U.S.C. 1436)); and

13           (2) section 504 of the Rehabilitation Act of  
14 1973 (29 U.S.C. 794).

15 **SEC. 302. RULE OF CONSTRUCTION RELATING TO REG-**  
16 **ISTERED APPRENTICESHIP PROGRAMS.**

17       If funds awarded under this Act, including all funds  
18 awarded for the purposes of grants, contracts, or coopera-  
19 tive agreements, or the development, implementation, or  
20 administration of apprenticeship programs, are used to  
21 fund apprenticeship programs, those funds shall only be  
22 provided to apprenticeship programs that are registered  
23 by the Office of Apprenticeship or a State apprenticeship  
24 agency under the Act of August 16, 1937 (commonly  
25 known as the “National Apprenticeship Act”) (50 Stat.

1 664, chapter 663; 29 U.S.C. 50 et seq.), including, as in  
2 effect on December 30, 2019, any requirement, standard,  
3 or rule promulgated under that Act.

4 **SEC. 303. GENERAL EDUCATION PROVISIONS ACT RE-**  
5 **QUIREMENTS RELATING TO COVID-19.**

6 Notwithstanding any other provision of law, if deter-  
7 mined necessary and appropriate due to a qualifying emer-  
8 gency by the Secretary of Education, the Secretary may  
9 waive, for a period not to exceed academic year 2019–  
10 2020—

11 (1) upon the request of a State or Indian Tribe  
12 receiving funds under title I of the Carl D. Perkins  
13 Career and Technical Education Act of 2006 (20  
14 U.S.C. 2321 et seq.), the limited period for obliga-  
15 tions and expenditures under section 421(b)(1) of  
16 the General Education Provisions Act (20 U.S.C.  
17 1225(b(1)) for the State or Indian Tribe with re-  
18 spect to such funds; and

19 (2) upon the request of an eligible agency re-  
20 ceiving funds under the Adult Education and Family  
21 Literacy Act (29 U.S.C. 3271 et seq.), the limited  
22 period under section 421(b)(1) of the General Edu-  
23 cation Provisions Act (20 U.S.C. 1225(b)) for that  
24 eligible agency with respect to such funds.

1 **SEC. 304. EMERGENCY DESIGNATION.**

2 (a) IN GENERAL.—The amounts provided by this Act  
3 are designated as an emergency requirement pursuant to  
4 section 4(g) of the Statutory Pay-As-You-Go Act of 2010  
5 (2 U.S.C. 933(g)).

6 (b) DESIGNATION IN SENATE.—In the Senate, this  
7 Act is designated as an emergency requirement pursuant  
8 to section 4112(a) of H. Con. Res. 71 (115th Congress),  
9 the concurrent resolution on the budget for fiscal year  
10 2018.

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