The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. Wexton).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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


I hereby appoint the Honorable Jennifer Wexton to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Reverend Robert W. Fisher, Saint John’s Church, Washington, D.C., offered the following prayer:

Lord of all, this moment is not a moment that any of us would have chosen, but You have chosen us for this moment.

Bless those who have been given great responsibility with great compassion for all who will be affected by their decisions, with great wisdom to see beyond what is merely in the short term, with great courage to do what is right even when it is difficult or unpopular, with great magnanimity in how they treat one another, and with the gift of grace and love which carries us all when we put our trust and faith in You.

I pray Your blessing upon each one of us as we seek to do Your will this day, that our works may be pleasing in Your sight.

In Your name we pray.

Amen.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to section 7(a) of House Resolution 891, the Journal of the last day’s proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 7(b) of House Resolution 891, the House stands adjourned until 11 a.m. tomorrow.

Thereupon (at 10 o’clock and 2 minutes a.m.), under its previous order, the House adjourned until Thursday, March 26, 2020, at 11 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2019 and the first quarter of 2020, pursuant to Public Law 95–384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO GERMANY AND BELGIUM, EXPENDED BETWEEN FEB. 13 AND FEB. 17, 2020

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hon. Nancy Pelosi</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Adam Schiff</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Susan Davis</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Stephen Lynch</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Gerry Connolly</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Jim Himes</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Bill Keating</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Ro Khanna</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Adam Schiff</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Steven Lynch</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
<tr>
<td>Hon. Jeff Blaylock</td>
<td>2/13</td>
<td>Germany</td>
<td>1,661.80</td>
<td></td>
<td></td>
<td>1,661.80</td>
</tr>
</tbody>
</table>

This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.
<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Per diem (^1)</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Foreign currency</td>
<td>U.S. dollar</td>
<td>Foreign currency</td>
<td>U.S. dollar</td>
<td>U.S. dollar</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>or U.S.</td>
<td></td>
<td>or U.S.</td>
<td>or U.S.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>currency</td>
<td></td>
<td>currency</td>
<td>currency</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(^2)</td>
<td></td>
<td>(^2)</td>
<td>(^2)</td>
</tr>
<tr>
<td><strong>Committee total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>32,139.40</td>
</tr>
</tbody>
</table>

\(^1\) Per diem constitutes lodging and meals.
\(^2\) If foreign currency is used, enter U.S. dollar equivalent, if U.S. currency is used, enter amount expended.

**Report of Expenditures for Official Foreign Travel, Permanent Select Committee on Intelligence, House of Representatives, Expended Between Oct. 1 and Dec. 31, 2019**

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker’s table and referred as follows:

4168. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Air Quality National Ambient Air Quality Standard for Particulate Matter — Final Standards; to the Committee on Energy and Commerce.

4169. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency’s final rule — Clearinghouse for Hazardous Waste Information; to the Committee on Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CURTIS:

H.R. 6385. A bill to provide temporary relief from troubled debt restructuring disclosures, to delay the implementation of certain accounting standards for depositary institutions substantially affected by COVID-19, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GAETZ:

H.R. 6386. A bill to restrict the use of funds made available in appropriations Acts for fiscal year 2020 for the benefit of any United States or foreign person subject to the control of the People’s Republic of China; to the Committee on Foreign Affairs.

By Mr. GONZÁLEZ of Texas:

H.R. 6387. A bill to correct technical omissions relating to international financial cooperation, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOULahan (for herself and Mr. WEster of Texas):

H.R. 6388. A bill to direct the National Space Council to develop a strategy to ensure the United States remains the pre-eminent space power in the face of growing global competition; to the Committee on Science, Space, and Technology.

By Mr. RUSH:

H.R. 6389. A bill to amend the Communications Act of 1934 to ensure just and reasonable charges for confinement facility communications services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RYAN (for himself, Ms. SLOTKIN, Mr. KATKO, Mr. SCHNEIDER, Mrs. TORES of California, Mr. ROSE of New York, Mr. RUPPERSBERGER, Mr. DAVID SCOTT of Georgia, Mr. RUSH, Mr. LUSKIN, Mr. SOTO, Mr. MALINSKOW, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HIMES, Mr. KRANNA, Ms. PRESSLEY, Mr. LAMB, Mr. THAIRAN, Mr. BROWN of Maryland, Ms. PINOKE, Mr. PHILLIPS, Mr. GARCIA of Illinois, Mr. PAYNE, Mr. GALLIKO, Ms. KAPTUR, Ms. FUDGE, Mr. LYNCH, Ms. LAGE of California, Ms. SPEICHER, Mr. RASKIN, Mr. CHISHOLM, Ms. BARRAGÁN, Mr. KILDEE, Ms. STEWART, Ms. HOULAHAN, Ms. WEXON, Mr. ALLRED, Ms. SHEHID, Mr. ESPIGA, Mr. DeFAZIO, Ms. GABARD, Ms. SPANBERGER, Mr. COURTNEY, Mr. LOHMAN, Mr. GOTTTHIEB, Mr. SCHIFF, Mr. HASTINGS, Mrs. WATSON COLEMAN, Miss RICK of New York, Mr. NORTCORS, Mr. KILMER, Ms. CRAIG, Mr. THOMPSON of Mississippi, Ms. BONHAM, Ms. SCALONI, Mr. NORTON, Mr. BEYER, Ms. KUSTER of New Hampshire, Mr. LARSON of Connecticut, Mr. YARMUTH, Ms. ESCOBAR, Mr. SIBS, Mr. PEELMUTTER, Mr. KIM, Mr. BALDERSON, and Mr. NEUHUSB):

H.R. 6390. A bill to require the President to use authorities under the Defense Production Act of 1950 to require emergency production of medical equipment to address the COVID-19 outbreak; to the Committee on Financial Services.

By Mr. SCHNEIDER:

H.R. 6391. A bill to amend the Internal Revenue Code of 1986 to allow for a 5-year carryback of operating losses of small businesses, and for other purposes; to the Committee on Ways and Means.
CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CURTIS:

H.R. 6385. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8

By Mr. GAETZ:

H.R. 6386. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, clauses 1 and 3 of the Constitution.

By Mr. GONZALEZ of Texas:

H.R. 6387. Congress has the power to enact this legislation pursuant to the following: Article I, Section 8 of the United States Constitution

By Ms. HOULAHAN:

H.R. 6388. Congress has the power to enact this legislation pursuant to the following: U.S. Constitution, Article I, section 8

By Mr. RUSH:

H.R. 6389. Congress has the power to enact this legislation pursuant to the following:

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1156: Mr. STEURE.
H.R. 6001: Ms. CLARKE of New York.
H.R. 4982: Mr. GALLAGHER and Mr. GONZALEZ of Ohio.
H.R. 5249: Mr. LANGHEIN.
H.R. 5603: Mr. PHILLIPS.
H.R. 5621: Mr. TRONE.
H.R. 6237: Ms. CHENEY.
H.R. 6365: Mr. WENSTRUP, Mr. BERGMAN, Ms. STEFANIK, and Mr. MCKINLEY.
H.R. 6376: Ms. NORTON, Mr. POCAN, Mr. TONKO, Ms. SCHARSKOWSKY, Mr. SOTO, Mrs. MCBATH, and Mr. GRIJALVA.
H.R. 6377: Mr. TRONE, Mr. ALLRED, Mr. SCHNEIDER, Ms. CINNERS, Mr. GRIJALVA, and Mrs. LURIA.
H.Res. 907: Mr. BARN, Mr. CRENSHAW, Mr. ARMSTRONG, Mr. AUSTIN SCOTT of Georgia, Mr. STEURE, Mr. RUDD, Mrs. HARTZLER, Mr. GIBBS, Mr. RICK of South Carolina, Mr. HARRIS, Mr. SPANO, Mrs. WAGNER, Mr. HICK of Georgia, and Mr. WRIGHT.
The Senate met at 12 noon and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER
The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, our Father, we lift up our hearts in prayer because we trust in You. Lord, we know well the weakness and the insecurity of our hold upon this life.

Comfort those who have lost loved ones during this global health crisis. When we wrestle with sad memories of mortal loss, give us the glorious hope of life eternal.

Lord, provide our lawmakers with the confidence that Your all-sufficient grace and power will enable them to become more than conquerors during this time of trouble. Remind them that no one who trusts in You will ultimately be disgraced.

Mighty God, our forebears trusted in You, and You delivered them. Be not far from us, for You are the source of our hope.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE
The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mr. LANKFORD). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak in morning business for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORONAVIRUS
Mr. GRASSLEY. Mr. President, as the chairman of the Finance Committee and the head of the Tax Task Force, I want to highlight a few areas of the bipartisan economic relief bill we will be voting on today.

Recovery checks to give Americans needed cash to provide for their families and get through our current health crisis look like this: $1,200 for individuals, $2,400 for married couples, and $500 for each child. There is no minimum, no phase-in. It starts out at the lowest level.

Anyone with a Social Security number who is not a dependent of anyone else should be eligible for a check under the income caps.

We also have very strong unemployment compensation additions to the present program in this bill. We also have incentives to help charities because they play a very important role in this recovery.

My colleagues across the aisle said last week that the business tax issues were corporate bailouts. That couldn’t be further from the truth, and I think my Democratic colleagues now agree. This is about helping our workers keep their jobs.

Our economic relief package to recover this economy has provisions to help businesses so that they have the cash to keep the doors open and keep making payroll. We all worked hard, along with the administration, to get this job done.

Now it is time to vote on this bill and deliver relief for the American people and to recover this economy—get the strong economy back that we had. I yield the floor.

RECOGNITION OF THE MAJORITY LEADER
The PRESIDING OFFICER. The majority leader is recognized.

CORONAVIRUS
Mr. McCONNELL. Mr. President, it has only been 65 days since the first American tested positive with the new coronavirus on our soil. In barely 2 months, this pandemic has upended our Nation. As of this morning, more than 175 million Americans have been advised to remain in their homes. More than half of our people are effectively sheltering in place.

Hospitals in major cities are pushing capacity. Doctors and nurses are exhausting crucial supplies.

And, if it were not enough for Americans to fight to stay healthy, they are also fighting to keep their paychecks, to keep supporting their families. Combating this disease has forced our country to put huge parts of our national life on pause and triggered layoffs at a breathtaking pace.

This strange new reality has forced our Nation onto something like a wartime footing. A fight has arrived at our shores. We did not seek it. We did not want it. But, now, we are going to win it.

Ten days ago, I laid out four urgent priorities for new Senate legislation to help our Nation through this crisis. We had to get direct—direct—financial assistance to the American people. We had to get historic aid to small businesses to keep paychecks flowing, stabilize key industries to prevent mass layoffs, and, of course, flood more resources into the frontline healthcare battle itself.

One week ago, Senate Republicans laid down an initial proposal that tackled each—each—of these emergency missions. Our Members put forward a bold plan to send cash to households, stand up historic emergency loans for Main Street, stabilize key sectors, and put the full might of Congress behind our doctors, nurses, hospitals, healthcare providers, and the race for treatments and vaccines.

I couldn’t be more proud of our colleagues. Our Nation needed us to go big and go fast, and they did. The creative policies our chairmen crafted in just a couple of days’ time remain the central...
building blocks of the proposal we will pass today. But Republicans knew the Nation had no time—no time—for conventional political gamesmanship, so the instant we released our first draft, I created an even stronger and bipartisan working group. I asked Republicans and Democrats to work together around the clock—literally, around the clock—to make the bill even better.

By Sunday, we had an updated proposal. We had stronger and more ideas, literally, from both sides—both sides. Republicans and Democrats have worked together to dramatically strengthen and rework unemployment insurance during this crisis. We have worked together to make sure lower income families could receive the full cash assistance, and on and on.

I will leave it to others to compare the bipartisan Sunday bill to the final version we will pass today and determine how the last few changes really required or merited 3 days of delay—3 days of delay—in the face of this worsening crisis. But that Washington drama does not matter any more. The Senate is going to stand together, and pass this historic relief package today.

Struggling Americans are going to go to their mailboxes and find four-figure checks to help with their bills. Why? Because the Senate stepped up.

Many families who have poured everything into a restaurant or a shop or a small manufacturer are going to keep making payroll and keep their businesses alive because this Senate stepped up.

Hundreds of thousands of workers in key sectors who might well have been laid off through no fault of their own will, instead, get to keep their job and continue their career because this Senate stepped up.

And for the healthcare heroes who leave their own sleeping children and drive to the hospital for an all-night shift, who spend hour after hour healing the sick, comforting strangers, and literally battling this disease, there will be more masks in their supply closet, more funding for their hospitals, and, soon, more new treatments to administer to their patients because this Senate stepped up.

So, today, the Senate will act to help the people of this country weather this storm. Nobody thinks legislation can end this. We cannot outlaw the virus. No economic policy could fully end the hardship so long as the public health requires that we put so much of our Nation’s commerce on ice. This is not even a stimulus package. It is emergency relief—emergency relief. That is what this is.

No, this fight is not going to be won or lost in Washington. It is the American people who will beat this virus. Americans will keep making sacrifices to slow down the spread. Americans will keep pitching in and looking after each other. Americans will keep finding creative ways to stand united, even if they have to stand 6 feet apart.

We will win this fight because of people like Amy Jean Tyler, a stay-at-home mom in Oldham County, KY, who is leading a drive to sew cotton masks for a local hospital. We will win this fight because of people like Pastor Grant Hasty in Stearns, KY, who is gathering volunteers to distribute more than 550 home-cooked meals.

We will win this fight because of people like Peg Hays, who runs a distillery in Christian County, KY, and is temporarily converting her bourbon-making facilities to churn out hand sanitizer. We will win this fight because national companies are switching production lines to make medical supplies because our largest high-tech companies are partnering with the government to throw supercomputing power right into the race for vaccines.

We will win this fight because of families, neighbors, and church communities that cannot even worship together in person and because of small businesses, big businesses, public health Ph.D.s, and local entrepreneurs. It has been 18 years since every American was united in amazement and prayer as firefighters and first responders rushed into burning buildings on September 11, 2001.

In the coming days and weeks, our Nation is going to meet new heroes. Firefighters, police officers, nurses, and EMTs once again. Many others will be truckdrivers, grocery store clerks, and pharmacists, who literally keep our supply chains running; utility workers and delivery drivers, who leave their homes so everyone else can remain in theirs; teachers, who somehow manage to keep educating their students over the Internet while looking after their own kids at the very same time. And, most of all, we are going to meet a whole lot of American heroes who wear scrubs and masks and gloves—heroes who rush toward the sick and wash their hands until they bleed and work around the clock to heal our friends and our families.

When our Nation comes through this and takes flight again on the other side, it will be because American heroes won this fight. All the Senate can do is to give them the resources to do it, and that is exactly what we are going to do today.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the last item in the Senate agenda be deferred, first, for a moment to consider a motion to proceed to H.R. 748. I will report.

The PRESIDENT pro tempore. The senior assistant legislative clerk will call the roll.

The PRESIDENT pro tempore. The senior assistant legislative clerk will call the roll.

The PRESIDENT pro tempore. The senior assistant legislative clerk will call the roll.

The PRESIDENT pro tempore. The senior assistant legislative clerk will call the roll.

The PRESIDENT pro tempore. The senior assistant legislative clerk will call the roll.

Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

LEGISLATIVE SESSION

MIDDLE CLASS HEALTH BENEFITS TAX REPEAL ACT OF 2019—Motion to Proceed—Resumed

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 748, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 748) to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

The PRESIDENT pro tempore. The Senator from Illinois.

CORONAVIRUS

Mr. DURBIN. Mr. President, America has never seen anything like this before. To think that half of the people who live in the United States are under order to either stay home or at least avoid contact with others is unheard of. This is an enemy—this virus—the likes of which we have never faced.

As strong and determined as our Nation is when it comes to these challenges, this is unique, and it calls for unique leadership. There are a lot of critics of the U.S. Congress—for good reason—but I think what we have demonstrated in the last several weeks since we have addressed this coronavirus is that there is a capacity for common sense, bipartisan work, and a timeliness that is essential.

The first two measures were passed in record time—one for $8 billion, which opened the door for more medical resources; the second, for $100 billion, which tried to guarantee to people they would never have to pay to be tested for coronavirus, that there would be adequate food supplies during this calamitous time, that we would have resources sent to the States for Medicaid reimbursement at new levels, that we would also engage people with family leave, as necessary, so that they could stay out of the workplace if they
felt badly, and that we would also have an idea that we would come together as a nation to move unemployment insurance with dispatch. That passed, again, in a timely way with a bipartisan vote.

And then, we came to the third challenge. Because we knew that the magnitudes of these challenges were not something that we had ever seen in my time in Congress, and I don’t imagine anyone else has. We decided in a span of about 7 days to come up with a package of authorizations and appropriations, which is larger than the annual Federal budget for discretionary spending in America. In 7 days we did what usually takes 12 months or longer, but we knew we had to because the need is that great and America was watching and wondering if we could rise to that challenge.

There were some bumps in the road, and it is no surprise. An undertaking of that magnitude with this kind of pressure to get the job done quickly and properly is bound to create differences of opinion, and it did.

There were moments of anxiety on the floor of the Senate. Those who have followed C-SPAN have watched many speeches that reflected the emotional levels that were reached in this Chamber. The emotions in the Chamber were not that different than the emotions in most homes across America as people worry about whether this illness will touch their families and, if so, will they be able to conquer it?

The assertion on the Senate floor led us to further negotiations in an effort to try to make a bill presented to us on Sunday better 3 days later.

And that brings us to this moment. History will judge, as the Senator from Kentucky noted earlier, as to whether there is an improvement that has been made to this bill over the last 72 hours. I will stand up and tell you I would testify definitely—definitely. Just consider the first priority. We have to make sure that hospitals and clinics and healthcare providers at every level in America are prepared to rise to this challenge. And we know this is a challenge the likes of which we have never seen.

When the Governor of New York suggests that the hospitals of that great State expand their capacity by 50 percent as quickly as possible to take the number of beds, bringing in retired medical personnel—as the Governor from Illinois, J.B. Pritzker, is doing—while in most States, it was providing them the resources to go to work to fight this challenge we face at every corner of the United States.

The second thing that we set out to do when the President on Sunday was to expand the opportunity for unemployment insurance. Some have criticized us on the floor and said: Don’t get into structural changes. Well, you couldn’t expand unemployment insurance without getting into a structural change because the system, which affects only a small percentage of Americans, is not adequate in most cases to keep a family together. If you lose your job and try to live on that, People lose their homes over that and their cars. They can’t pay their utility bills.

So what we have done has been described as putting unemployment benefits on the budget without money that is going to be sent to families who were furloughed, laid off, or unemployed is dramatically bigger than it would have been if we hadn’t restructured unemployment compensation. At the same time, the President and the White House suggested direct cash payments. We never argued against those but said it is just a down payment. It is just a single check. We believe unemployment insurance is going to be a guarantee of payments in months to come.

Since Sunday, we expanded the period of additional unemployment compensation from 3 months to 4 months. There is a big ‘that’ there, of course, but we think it is reasonable to give people peace of mind that for 4 months they will be able to keep their families together as we work our way through these medical challenges and, God willing, see our feet on its feet. I hope that happens. I hope it is even sooner, but we are prepared for 4 months.

The third thing we set out to do is one that is near and dear to me in my heart and I will bet, in most other States. We set out to compensate the States and some localities, counties, and cities that are spending substantial sums of money because of the COVID-19 threat they are facing. Let’s face it. For the most part, our Governors have been on the frontline of defense over the last several weeks when it has come to America’s healthcare. They have done exceptional things. They have been called on to spend money in ways they never dreamed of. For example, unemployment benefits, which involve State payments in many respects, have mushroomed and skyrocketed—sometimes 10 times the number they were just last year at the same time.

My Governor and others—mayors and the leaders of county government—have come forward and asked: Are you going to help us? We are spending a lot of money because of this COVID-19.

This bill does it. It was not an easy task. We had to convince the other side that it was money well spent, and I am happy to report that, on a bipartisan basis, we reached that agreement. As it should, some $150 million will be going to these States and local governments. Those are things that I believe will move us down the path toward resolutely tackling the challenge and doing it in the proper way—always keeping in mind that the welfare of workers and their families is of paramount concern.

First is the investment on the medical side to stop the onslaught. Second is the support for families and workers across America.

There are some items that are still being debated on the floor here. You have changed this package so that it is by the majority leader, and they relate to the benefits to be given to businesses in order to keep them moving forward.

We all understand the aviation industry as the heartbeat of the American economy—an engine to move it, in one respect, and a reflection of its activity in another respect. That aviation industry is flat on its back. Some 80 to 90 percent of the passenger load has disappeared. Hundreds of thousands of employees in the airline industry have come to us and asked for help. We are prepared to do that, and it is part of the package that will come before us.

The administration also asked for resources to be loaned to other businesses that need a helping hand. I am not opposed to that. Some are, but I am not. Yet I do believe that accountability and transparency are essential. Since Sunday, we have dramatically changed this package so that there will be transparency and accountability on a timely basis as decisions are made by this administration to allocate these taxpayer funds to help these companies. And, indeed, the lesson in the past when benefits were given to corporations, and they were misused for stock buybacks and dividends and profiteering at a time of great national need. We don’t want to repeat that story. We want to make certain that the taxpayer dollars being invested in these corporations are really designed to get them back on their feet and the economy moving forward for the benefit of everyone who lives in this country. Accountability and transparency are essential, and I believe this new agreement—some 3 days after the original one was proposed—is an improvement.

Credit should be given to both sides for the support that they have given to the effort. The Senate—will be a dramatic improvement over the last 72 hours. I give credit to both sides. We believe some of
these ideas were essential, and that is why we voted as we did on the floor. Yet to reach this agreement and bring it forward, it took both sides.

I salute my colleagues, starting, of course, with the Democratic leader. Senator Schumer has put in an exceptional amount of work. We have to—because this is life and death for the American people. This is about the future. It is about our economy. It is about the healthcare of every single person in this country, and we have to do it.

Senator Portman, the Republican from Ohio, and his staff, to all of my colleagues, and to the ranking members who pitched in with their committees of jurisdiction to try to come up with good ideas and to sell them in a bipartisan agreement, that was an exceptional amount of work. To Senator Klobuchar, who has really been one of the leaders in this effort; and Senator Schatz, who I know is a cosponsor. We are now up to close to 20 cosponsors on a bipartisan basis, to move forward in this change in the Senate rules. I hope we can have conference calls during the time that we are physically away from the Capitol and move this idea forward.

The House is considering the same legislation. We have to do both. We have to do both. We have to do both. We have to do both...

I yield the floor.

Mr. BARRASSO. Mr. President, for the record, I do not think they will hold us up.

The PRESIDENT. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, for the record, I do not think they will hold us up. I believe that today we can report there is good news.

The resolve and determination of this Senate, working in a bipartisan way and working with the White House, has delivered a rescue plan—a rescue plan for the American people and for American healthcare workers.

We are also giving new authorities, new resources, and new programs today to deal with two crises that we as a nation are facing. One is the medical crisis, the coronavirus, and the other is the economic crisis. They are made whole.

This Senate is providing an overwhelming and massive healthcare and economic response package. We are doing both. We have to do both at the same time, first because we have to keep America alive. We have to cut the number of cases, but also we have to save lives, to cure the sick, and to prevent disease.

For all of those men and women who are working in this profession, I will tell you that this will be their finest hour. We are hearing about heroes all across this country, and that is going to continue. America is in this crisis in effect because that is what we are asking them to do every day—to save lives, heal the sick, and prevent disease.

We see that with our public health officials who are going to prevent disease. We see it in communities. Day and night, we see people trying to heal the sick and to save lives in the hospitals. What they are asking from us are resources, and that is now going to be provided in the bill that we are going to pass today that will hopefully soon be on the President's desk.

We are also surging dollars to individuals, to families, to businesses, and to distressed parts of our economy—$2 trillion, $1,200 per individual—take a look at that—and $500 billion in bridge loans and grants to small and medium-sized businesses.

We are providing unemployment insurance to workers—who were working and were going to work the next day—but were not able to because of the medical crisis affecting us. So this will be to make sure that workers who are not able to work right now are made whole.

We held the line against so many of the ideological issues that the Democrats and specifically the Speaker of the House tried to put into this legislation. We made it clear that lives were at stake. Those are debates for another day. The crisis is upon us, and the rescue work needs to be done.

I believe time was wasted. We should have passed this last Sunday. Time was wasted, and it was time the American people didn't have, but we are working on this action plan.

Pass the Senate bill today to stabilize American jobs and to surge healthcare resources to the frontlines. The House cannot delay. The House needs to get this passed today and sent to the President of the United States for his signature today. America should not wake up tomorrow and have to watch and wait and worry to see if the House is going to pass this bill. The House needs to act today. The American people need that reassurance today.

Everyone—families, young people—has committed to slowing the spread for the remainder of the 15-day window. There is about a week longer to go. And people are doing it all around the country. People are going to continue to ramp up the manufacturing of medical equipment—masks, ventilators, respirators, tests—to save lives. People are going to keep cutting reitape and pressing on scientific and medical breakthroughs for treatments and vaccines.

Going forward—and I see the minority leader on the floor—we need to take
March 25, 2020

**CONGRESSIONAL RECORD — SENATE**

a long, hard look at our supply chain. China has been exposed. We cannot allow ourselves ever again to be in any way dependent on China for medicines, for materials, or for minerals.

My focus, along with what I know to be the President's focus, is to bring America back stronger than ever before. We are a strong and resilient nation. We will get through this. Our country's healthcare infrastructure and our economic resolve are today being tested. We will defeat the virus, and we will be back stronger than ever.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I come to the floor to thank my colleagues for all of their hard work on this legislation and to urge my colleagues to move forward today because the State of Washington desperately needs this help.

What I think about this package that has been crafted literally since Saturday starting at about 10 o'clock and when I think about the people who had run to collaborate—yes, there were many challenges to that collaboration—I also think about the people who are on the frontlines in the State of Washington who have paid such a heavy price—from the factory worker we just lost in Everett, WA, to the COVID-19 disease; to the grocer at the Leschi Market, who was just trying to help deliver groceries to a需要 a public; to the pathologist at the University of Washington who was a leader in this field but who also lost his life. Real sacrifice and real, crushing blows have been dealt since December.

But today we are responding with more help for our States. We are giving them more money for hospitals, more money for the frontline with protective gear, more money for testing, and more money to support them as they continue the effort to try to stop this disease.

It is so important that we give State and local governments and Tribes the resources they need to be on the frontlines in fighting this disease, and I thank our Governor, Governor Inslee, for leading that charge every single day in trying to focus our response on this disease.

Because we were the site of the first COVID-19 case, we have been at this since the beginning and the sadness we have all felt over the Kirkland nursing home, where we lost so many patients, we hope will be a lesson for the rest of the Nation to pay attention to the seriousness of this virus.

We are also here today, though—besides giving this frontline support to States, to cities, to counties, and to our healthcare delivery system—to say that we want to try to lessen the economic impacts of a shelter-in-place or social distancing.

Our restaurants, small businesses, have been hit hard. Our restaurants, our other businesses that have shut down, that don't have the same resources to come to Washington, DC, and to lobby for aid and support, are counting on us to create a program that small businesses can get both grants and loans. So the $360 billion in this program I hope SBA will help distribute. It will be a boost for people who are unemployed, and the expansion of that definition to cover those who are part of a gig economy who may not have been covered in the past is important to give people the security to make it through this process.

I wish we would have come to terms on even allowing for COBRA enhancements, particularly for the aerospace sector. I will be filing a bill today to make sure that as we continue to move through this crisis, we think about those who are going to have a shift— are laid off, as we have seen in recent days in Everett, WA—so that they, too, would not have to go beyond just a month of a COBRA health plan. It is so important in fighting this disease that we not only take care of unemployment benefits, but we also make sure people in unemployment have access to healthcare. We are in the midst of a pandemic and not give people affordable access to healthcare.

I also thank my colleagues for other provisions of this package that are helping in giving individual taxpayers relief in the small form of a rebate check. Not only will individuals get a rebate check of $1,200, but families will get a rebate check of $2,400 that should help those who have been hit hardest by this disease in these days in which we are sheltering in place in the State of Washington.

There are so many more things we need to do, and while I support the elements of supporting the aviation industry in this bill, I wish we would have gotten more requirements on the airline industries for the grant section of this bill. I personally believe that in the future in a healthier airline industry, they should pay money back to the Federal Government.

We certainly should be protecting the workforce during this time period, and that is what is most important—to make sure that an airline doesn't take money from the Federal Government or from Washington and shortchange the workers and the workforce, as has been done in previous packages for them.

I fully support, though, the loan guarantee program and the loan guarantees that are so important and so qualified in this package to have very specific requirements to them.

I also want to thank my colleagues from the Banking Committee who worked hard on provisions in this legislation to make sure there was more transparency in the process for who got access to the loans in this package.

While we think of the processes we have been through before on TARP and the processes we have been through before on other lending, our colleagues here on this side of the aisle made sure that there were better requirements for oversight, inspector generals' accounting and more resources, sure that we knew exactly where these dollars were being spent.

I know Treasury will have its hands full, but because of Democrats, we will have more transparency in exactly how those dollars get out.

So I want to thank Leader SCHUMER and his staff for working so diligently on this package. It has been a very hectic couple of days.

And I would say a special thanks to the Commerce Committee staff, to David Strickland, Melissa Porter, David Martin, Ronce Almond, who literally have been camped out for—probably since last Saturday, working and perfecting the language in these sections related to aviation.

As I said, there is more work to do, and we all know there is more work to do. I know I want to continue the fight for the aviation supply chain, to make sure that when we come out of this crisis, we not only have a healthy aviation sector, but that we continue to move forward because the United States is well positioned to return the supply chain workforce to building one of America's best products—airplanes. One of America's greatest—actually, America's single greatest export—and if we do that, we are going to have to get through this crisis and protect what we think needs to be continued healthcare access for those laid-off workers.

So let's get these dollars to the frontline, to our hospitals, to our States, for better equipment, for more supplies. Let's support them in doing what they do best, helping to fight this disease and seeing this through to the other side of America's challenge.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I want to thank the Senator from Washington for her hard and diligent work. No one—no one—fought harder for the State of Washington, which, like my State of New York, is in such crisis, than the two Senators from Washington, and I thank Senator CANTWELL for her great work up and down the line. Whether it's the government, the companies, the people of Washington State, she was there.

Now, I say to the American people: Help is on the way—big help, quick help. I say to the American people: Because Democrats insisted on making this bill better, we can now call it a bill that puts workers first, not corporations; that has a Marshall plan for hospitals; and that has accountability, transparency, and watchdogs over much of the lending that is in this bill.

Now, in 6 days of shuttle diplomacy and here, in these mostly now-empty corridors, we have shaped a bipartisan
agreement on the largest rescue package in American history, which was sealed late last night a few minutes after 1 in the morning, when Leader MCCONNELL and I came to the floor to announce we had an agreement.

It was 8 minutes of celebration but, rather, one of necessity. Facing an unprecedented crisis, it was the duty of the Senate to produce bipartisan legislation to send an immediate infusion of resources to our public health systems, State and local governments, small businesses and American workers.

As I said, from the start, Democrats had two main goals: a Marshall Plan for public health workers and hospitals on the frontline and putting workers first, not corporations.

Had we not asked for the Republican Party to recognize us by not going forward on these first two votes, this bill would have been much worse. Our actions made it better—not everything we wanted but much, much better. And as a proviso, this legislation was worth taking an extra day or two, improving it after the Republican leader just put it down without consulting us and tried to say take it or leave it.

Like all compromises, this bill is far from perfect, but we believe this legislation has improved sufficiently to warrant its quick consideration and passage. Because many Democrats and Republicans were willing to do the serious and hard work, the bill is much better than when we started, and starting yesterday morning, we all came together to get this bill done. We worked in a bipartisan way, as this body should have worked and should work, and here we are.

Once the language is ready, Democrats are ready to speed up the consideration of the bill as much as possible. We believe the legislation has been improved sufficiently to warrant its quick consideration and passage. I expect the Senate can get the job done in the next few hours.

Now, the American people watching should know what is in this bill, which has undergone many revisions over the past 48 hours.

Many of the programs and funding authorities that are being finalized as we speak will go to them directly, the American people, and could make the difference in the next few months between putting food on the table and going hungry, between surviving this period of unemployment and financial ruin.

So let me briefly run through the major components of the bill. First, as I mentioned, a Marshall Plan for the American medical system is now underway. This agreement will inject $150 billion into our hospitals and health system, headlined by a new $100 billion fund to provide our health system with whatever it needs to fight back. The grants in that fund will be available to everyone who is fighting coronavirus—hospitals, nursing homes, community health centers, and all types of Medicaid providers and safety net providers.

It includes funding for personal protective equipment, testing supplies, a surge in our healthcare workforce, additional Medicare funding, research into coronavirus treatments and more. Together, these funds will give us a lifeline as the number of COVID-19 cases continues to climb.

So as I said, a Marshall Plan for the American medical system is now underway.

Second, workers first. Millions of workers, through no fault of their own, are losing paychecks, with no way to cover their daily expenses and monthly bills. Coming to their rescue is a program to keep workers on the payroll.

This new unemployment program will provide up to 16 weeks of unemployment insurance, twice the amount currently allowed. It includes a $600-per-week supplement, ensuring no one who loses a job will fall below $1,000 a week.

Workers will get their full pay for 4 months.

These benefits will be much easier to access and will be expanded to include part-time, self-employed, freelancers, and gig economy workers.

And the new program has a second—the first job of this program: Get money into the pockets of people who are losing their jobs through no fault of their own, and it will come quickly and generously. But it has a second purpose. It will also allow companies to furlough workers so that they can stay on as employees, so when, God willing, this crisis abates, they can quickly resume work with their employer and businesses can reassemble.

When this crisis is over, we don’t want every worker who is losing their job to scatter to the winds, and so many good businesses, through no fault of their own. By keeping them on furlough, paying them, the businesses can reassemble quickly.

This proposal, unemployment insurance on steroids, will be the greatest expansion of unemployment benefits in decades—a social safety net wide enough to catch the millions of American workers who became unemployed virtually overnight, woken with fiber strong enough to hold them through the worst of this crisis.

As I said, we are going to pass unemployment insurance on steroids.

Third, oversight, transparency, and accountability of all loans made to corporations. The Republican bill initially put the focus on rescuing industry and did not do enough to protect the hundreds upon hundreds of thousands of workers those industries employ. But as a result of our negotiations, Democrats have secured crucial worker protections throughout the bill as conditions for any loan, including incentives for businesses to keep workers on the payroll during the crisis.

For the nearly 2 million airline employees, Democrats have also secured direct payroll payments to keep you on the job. Your collective bargaining rights will be protected, and airlines will not be allowed to spend any grant money on stock buybacks or CEO bonus pay for the life of the grant plus 1 year.

Democrats also secured tough new requirements on Federal grants and loans to any industry: no stock buybacks for the length of any loan provided by the Treasury, plus 1 additional year; restrictions on any increases to executive compensation; a requirement to protect collective bargaining agreements; Democrats secured a prohibition on any Trump Organization business or any business controlled by any other government leaders from receiving a loan from this bill.

We compelled the creation of Treasury Department Special Inspector General to provide oversight of all Treasury loans and investments, an accountability commission to protect taxpayer dollars, and a congressional oversight Commission as well.

There will be much needed transparency in these requirements as well. The Treasury Secretary must, by law, make public quickly the names and terms of loans or other assistance to corporate borrowers. I believe it was Justice Brandeis, who said: Sunlight is the great disinfectant. If any of these loans look untoward, if any of these loans don’t look right, or if any of these loans are going where they shouldn’t be going, the Congress and government will know quickly, and that will put pressure on the Treasury Secretary not to do them and certainly not to repeat them.

Fourth, resources for State, local, and Tribal governments that are carrying the weight of their overburdened networks of health care providers is there. This came down to the wire. My Republican friends didn’t want to do it, but I am glad they acceded to our wishes here because local governments are hurting. They are spending more money than they have ever spent and at the same time their tax revenues have declined. So we must help our local governments, and we will in this legislation. It will be distributed between both the local governments, and the government will provide it. In the end, State and local governments will now get $150 billion, with $8 billion set aside for Tribal governments. The relief is desperately needed because State revenues have dried up almost overnight, leaving them with untenable choices about how to allocate their healthcare and other resources.

Fifth, urgent help for small businesses. My dad was a small businessman, an exterminator. He used to pace the floor Sunday nights at 2 a.m. because he didn’t want to go to work. I know small businesspeople suffer under normal times, let alone these difficult times. This bill offers $350 billion in
Mr. GARDNER. Mr. President, it is great to be back on the floor of the U.S. Senate at this heavy obligation that we have before us.

On March 17, I was contacted by the Tri-County Health Department to notify me that on March 11 I had been in a meeting with a Coloradan who later tested positive for COVID–19, and at the advice of the Tri-County Health Department and the attending physician in the Capitol, I entered self-quarantine to protect my colleagues, our community, and our family. That time has now expired as of this morning.

I certainly regret the fact that I missed a vote that passed 90 to 8 to complete phase 2 of our help to address COVID–19. I wish I had been here because the vote would have been 91 to 8. Throughout this crisis, I had an opportunity to visit with thousands and thousands of Coloradans through telephone townhalls in every congressional district to hear from individuals who have lost their jobs, those who are out of school, and those who were terrified about what happens next, to hear from parents who are at home with their kids who are out of school, not knowing if they go back at all to school; how to figure out how Zoom works, how to figure out how technology works to teach their kids at home.

Throughout this process I adopted a three-pronged approach to what we must do as a country to get through the crisis at hand. No. 1, we have to address the immediate epistemotic: what we are doing to, as the experts say, “flatten the curve” to stop the spread; to provide the resources, the tests, the protective equipment that we need through our States to make sure that they can fight this invisible virus; what we can be doing to give them the tools and the skills they need for the heroic efforts of our frontline healthcare providers—the doctors, nurses, clerical staff, janitors, classified workers—all of the people who have been so heroic to provide healthcare to our people. That is phase 1, making sure we stop this epidemic and address the needs of the American people.

Prong 2 of this three-pronged approach is about making sure that we provide individuals with immediate assistance: people who are terrified about what happens to their job, how they are going to make ends meet, what they are going to do to put food on the table, how they are going to pay their rent, how they are going to pay their mortgage, will they have a restaurant to go back to. That is prong 2 of this approach.

Prong 3, of course, is to get our businesses up and running again to make sure that when this health epidemic is over—this health emergency is over, we can make sure we have an economy that snaps back and runs strong. We will do that because we as a country will rise together. We will do it united. We will do it because we in this country know how to overcome great challenges.

We are taking these measures to quarantine and self-isolate not because we are fearful of the virus, not because we are afraid of what will happen if we don’t, but rather because doing it out of love for each other. We are doing it out of love for our neighbors, community, our parents, our grandparents, and our children.
We take the guidance of health experts and public policy experts seriously because we want to share that love with people to stop the spread so that we can avoid the surge that can overwhelm our healthcare systems because we know, under the best-case scenarios, we are looking at a situation that can utilize 95 percent of every hospital bed in this country for the next year. We do this out of love for each other and for our community and to protect one another.

In that way, we have roughly 1,000-plus confirmed COVID-19 patients. We have lost 12, perhaps more by the time I am giving this speech today, in Colorado. These lives, those who have tested positive, their loved ones are all in my prayers today.

The Governor of Colorado obviously is issuing the emergency declarations. I spoke with the Governor a few minutes ago to talk about how we can continue to provide the resources that Coloradans need. The resources that I have worked on, the resources that I have spoken with Governor Jared Polis about, the resources that I have worked on across the Denver metro area are now in some kind of a shelter-in-place order, ordered to stay at home.

Our Nation is uneasy, our future is uncertain, and the level of anxiety that our country has seen is on the highest I have ever seen it, but we don't need to have uneasiness about our future because we will rise together; we will come together as a nation to overcome this.

We know that our future, the future of the best will be prosperous again; that our economy will be thriving again; that our communities will be able to celebrate what we have overcome because that is what we do in this great Nation. We rise. We rise together. We stand together.

Coloradans have stepped up in every way possible. In a uniquely Colorado way, you have hemp businesses that are now producing cotton swabs for medical needs; you have whiskey distilleries who produce sanitizers for hospitals and for home healthcare; we have protective equipment that is being donated by the Denver Broncos and by the marijuana industry and by so many other businesses across the State of Colorado which are stepping up in ways that make all of us proud. They are checking on their neighbors. They are checking on their friends. They are making sure that elder people in their church whom they have met are OK, making sure that we check with our loved ones and those around us.

We have been able to get successful tests up and running in different places across Colorado, helping different organizations and different healthcare facilities find new ways to process this overwhelming burden.

As this place has passed phase 1, which gave millions of dollars to the State of Colorado and so many States around the country, and as we passed phase 2, we are prepared to add additional testing and nutrition programs and other ways to meet this challenge, we now turn to phase 3.

Phase 3 addresses all three prongs of my approach and addresses the health emergency. It addresses assistance to individuals, and it addresses the ability of our economy and businesses to snap back when we address this health emergency. It needs to pass now. It should not be held up.

I don't think the American people give a hoot whether this idea was a Republican idea or a Democratic idea. I can tell you that on my tele-townhalls I did and I have been in the fray with American people around the State of Colorado, they haven't once said to me ‘Well, we hope the Republican-only version passes’ or ‘We hope the Democratic-only version passes.’ That is not what they are saying. They are saying ‘Do your doggone job because we are scared about what happens next’.

So pass the relief that we need to get them back on their feet, to make sure they know they are going to be able to have a place to live, a place to work. And I can't imagine what somebody who for 50 years built a small business must be going through every hour we delay, wondering if that 50-year dream is going to stand and survive.

Sharon came around here who said ‘You know what, let’s have 1 more day of delay, 1 more hour of delay’ because a Republican could get their way, or a Democrat could get their way. When I was at home, not once did I hear the words ‘Could it be that you stall a little bit more for partisan purposes?’

The American people are rising above the fray. They are meeting this challenge in the spirit that I hear in every conversation I have. They are donating blood. They are sharing that love I talked about with their neighbors and their communities. They are figuring out new ways to be together even when we are supposed to stand apart. That is hard, that is doing things we have never done before, and we are bickering about phase 3.

We will have phase 4 and phase 5, but do you know what we have done? Instead of patting ourselves on the back, do you know what we have done? We have managed to get back, I hope, to the starting line. We didn’t run through the tape. We haven’t finished the job. We have made it, I hope, to a place where we can now know we are back at the line and we can run together to fix what will be tremendous needs and to address the tremendous needs of this country and to answer the anxiety every single one of our constituents has. That is what Congress should do. That is what Congress must do. I am glad and I will be proud to vote for this bill today because we have to get this job done, and there is more work to do.

We have to make sure people understand that the recovery benefits they are going to be receiving will help answer that anxiety, to hopefully give them hope, and that the new categories of unemployment insurance that have been created under this will also give them the ability to know it is going to be OK, to know that the small business loans that are being made available will help that restaurant stay in business.

You know, I talked to Eve in Aurora, and she didn't know how she was going to survive because, yes, she converted her whole business to takeout, but she didn't know how successful that would be.

To Roberta in Pueblo, who had the same questions about how her restaurant was going to survive, this small business loan will be able to help people pay payroll, to bring those back onto payroll whom they may have let go because they didn't know how they were going to make ends meet, to pay them, to pay their utilities, to pay their rent, to pay their mortgages, and to have that loan forgiven to keep this economy in a place where it will be vibrant again because that is what we do in this country. We don't look back; we look up. And I look up at that great Rocky Mountain horizon, and we don't look down. We look up, and we see the next horizon, and we strive for that optimistic next day. That is what we do in Colorado, and I know this country can do that.

You know, I talked to a 70-year-old Coloradan in Weld County, CO, who, on a tele-townhall—you could hear it in her voice. She didn't know what she was supposed to do because she was older than the experts say should be out and not following guidance, but, she said: I can't find the disinfectants and the cleaners that I need. How do I find that? So we were able to find her relief.

The grocery stores have stepped up, and they have provided special hours for people. They are delivering to people like the woman I spoke to. They are providing information to their communities. They have clerks, they have people stocking the shelves who are on the frontlines of this fight as well, keeping our communities safe. So to all of them, I say thank you for the work you are doing each and every day.

It is important to recognize in this country that we have seen great challenges. I remember my grandmother, who passed away this past year, talk to me about how she passed away this past year, talked about her experiences in the Great Depression. This country has been through the Great Depression. We have come through the Great Recession. We will make it through the great infection. That is what we do as a country. That is who we are as a people.

The Senate will approve this bill today, and the House must approve it without delay—no excuses, no delay; pass the doggone bill now. The American people have expected this for a long time. It shouldn't have taken this long. Do your job. Do our job. Get this done.

This will act out of love for our communities. We will act out of compassion, and we will rise to the spirit that has made this country great.
I have heard so many of my colleagues come together and talk about wartime footing, or they have talked about how we have mobilized in a way that maybe the people have never seen in their lifetimes. It has reminded me, though, of what Thomas Paine said in "The Crisis" during our Revolution, which, actually, George Washington read to his troops. Here is what Thomas Paine said:

I call not upon a few but upon all; not on this state or that state, but on every state; up and down our whole Republic; on the wheel; better have too much force than too little, when so great an object is at stake.

Let us all stretch forth our hands to the future world, that in the depth of winter, when nothing but hope and virtue could survive, that the city and the country, alarmed at one common danger, came forth to meet and repulse it.

We were taught in Sunday school that our struggles lead to perseverance, that perseverance leads to character, and that character gives us hope. We will get through this, America. We will start with this bill. We have a lot more work to do, but to my colleagues: Do our jobs. Get it done. No excuses.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. LOEFFLER). Without objection, it is so ordered.

Mr. CARDIN. Madam President, the people in this Nation are hurting. We know that. They are very concerned about their own health. They are worried that they may be carrying the virus and may take it home to their elderly parent, who could come down with the virus. They are worried about how long this social distancing and confinement is going to last. And staying at home are going to be required in order to control the spread of the virus. They are worried about their economic circumstances, whether they are going to get a paycheck.

I am pleased that, today, we have an agreement with our leaders to move forward on the third stimulus package to deal with this crisis of COVID-19.

I, first, want to express my appreciation to our leadership. I have been in daily, almost hourly communication with Senator SCHUMER, and I know how hard he has worked to make sure that this package really deals with the medical emergency we have and deals with the workers, to make sure they are protected and they are protected in whatever we do; that it provides the help for State and local governments; that it provides the much needed attention to these particular issues; and that we have accountability for any of the monies that are going particularly to our largest companies in this country.

So I want to express my appreciation. I am very pleased that our first priority—our very first priority—is to deal with the public health challenge. This is including what is happening in my State of Maryland and what is happening in every State in our Nation.

I am pleased that in our State it is ..."
banking arrangements that large companies have. They don’t have the flexibility that large companies have. So we have to provide special attention to small businesses, and this package does that in a very, very robust way.

I already mentioned Senator RUBIO. I thank him for his leadership. The two of us were working together well before this week, and that is why we were probably further along in helping small businesses than the other parts of this package dealing with the various economic areas.

Senator SHAHEEN was a valuable Member of our team. I have worked with Senator SHAHEEN on small business issues for a long time. She was a key player in putting together the package that we have to present to our colleagues here in the U.S. Senate.

I also want to acknowledge Senator COLLINS. It was the four of us who were meeting regularly and communicating regularly and then recommended this package that we will shortly be voting on as it relates to small business.

Also, if I could, I would like to acknowledge members of my own staff who have worked literally 24/7. I have talked to them various times the night and day. It has been very stressful for all of us, but our staffs get no rest whatsoever.

So to Sean Moore and the entire staff on the Democratic side of the Small Business Committee, thank you on behalf of America’s small businesses and workers and on behalf of our country.

And to Ron Storhaug on my staff, who has been working on a lot of these provisions in regard to the tax issues and in regard to a lot of these issues, I thank him for all of his work.

And to Lauren Lee, who is our health person, who has not only helped us put together this small business package, but she has been available to help Mary Lang and providers and patients to try to get through where we are today. All of that is reflected in the bill we will be voting on later.

I know on the Republican side, there has been dedicated staff who have done equal work to ensure that we have a bill that we can present today.

Let me go over, if I might, some of the provisions we have in here for small businesses. We have three new programs—three new programs—to help small businesses in our community. They will have different titles, but every one of them provides grant help to small businesses. I want to repeat that. You might hear this is a loan. No, these are going to be funds that go to small businesses that do not have to be repaid. These are grant monies. Why? Because a small business owner can’t incur more debt today when they have no idea how they are going to be able to survive in the future. We have to provide immediate help—immediate help. It has to be substantial, and it has to be in a way that they know that they are not encumbering their future. And that is what we do. We want to get the message out that this is going to be immediate help to help America’s small businesses.

One program provides $350 billion of relief to small companies under 500 employees—$50 billion. It is triggered by going to your financial institution and getting what is known as a 7(a) loan. But let me caution you, it is going to be forgiven if you follow the rules here.

You go to a bank or a financial institution; you do a 7(a) loan; it is 100 percent guaranteed by the Federal Government, so the bank has no risk factor here. There are no payments due for a year. So, even getting into this loan, there is no obligation for cash outlays on behalf of the borrower. The fees have been waived, so this is a cost-free opportunity to get the cash you need to keep your small business open. That is the purpose of this new program under the Small Business Administration.

The amount of the loan: You take your average payroll before the coronavirus was here—you take your monthly average payroll and multiply it by 2.5. Basically, what you are getting is money for your plus workers plus an extra—it comes out to an extra 25 percent of your payroll because it is 2 months of that.

Now, what are the eligible expenses? What can you use this for? Well, you can use the 2 months of payroll for payroll. Pay your workers. Keep them employed. It saves you the cost of rehiring if you had to furlough or lay off workers. You can keep them employed.

You can use it to cover the expenses that you have on their healthcare or related expenses. You can use the extra 25 percent for rent or mortgage payments or utility bills. So it gives you cash to conduct your business for the next 2 months. It gives you the ability to keep afloat so that you are ready to rebound when the economy rebounds.

Who is eligible? As I said, companies under 500, beyond the traditional 7(a) eligibilities. For the first time under 7(a), we are also allowing nonprofits to be able to get into this program so that they will also be able to stay afloat because we know the important work that nonprofits do for our community. They are also eligible.

And we gave some relaxation to the 500 rule for locations—for restaurants or hotels that have multiple locations. This is a program that is aimed at keeping business and ready small businesses—for when we get through this coronavirus. Then this amount of money that you borrow is totally forgiven—totally forgiven—if you maintain your workforce to the precoronavirus level or bring your workforce to the precoronavirus level during the stated period of time of this bill.

So, if you keep your workforce or bring back your workforce, the government is going to help you maintain your ability and make sure your workers get paid and their benefits are maintained.

It works very well with the other provisions that are in other parts of this bill, such as the unemployment insurance benefits. Yes, if you furlough workers, you can collect unemployment benefits at basically full salary for the next 4 months, so that is also going to go to small business workers that we want you to also know that you can keep your employees employed—there, ready for the business to rebound—as we hope it will shortly.

So that is just one program. We have other programs available. We have a new program which is labeled as a grant, a $10 billion grant program for emergency cash availability for small businesses.

There are many small businesses that have a hard time going to a bank and getting a commercial loan. There are many small businesses that need cash today; they can’t wait for that process to work its way through to get that check from the Small Business Administration or any of their financial institutions. It is going to take a little bit longer for them to be able to get that done.

So we have emergency disaster relief loans in the first supplemental. We made it clear, those that qualify for emergency disaster relief loans if they have been adversely impacted by the coronavirus. These are direct loans coming out of the Small Business Administration. These are not programs that are from financial institutions.

We have included that in the first supplemental. We now allow you to make that application, and with that application, if you need to get cash immediately, the SBA can write you a check for up to $10,000. And we want that done within 3 days. We want that money out in days, not weeks. We hear that all the time from small businesses: We need help now.

I was pleased to work on this program. I filed legislation on it. This is a need that is out there today and will be available to small business owners.

Now, we have a third program. Those are two programs where you can get this, basically, 2-month help from the Federal Government to pay your payroll and related expenses. You can get a $10,000 immediate cash advancement on that through applying for a disaster relief loan and showing a need at this time.

Then, there is a third program. There are many small businesses today that have existing loans under the Small Business Administration. These are 7(a) loans or 504 loans. The 7(a) is the traditional loan. The 504 are the larger loans.

What this bill does is provide $17 billion of relief so that those who have these existing loans do not need to make any payments on those loans. They are forgiven for the next 6 months.

I particularly want to acknowledge Senator COONS’ work on this. This is a bill that we have been working on, and
Senator WYDEN. The two of us worked on these provisions. I was very pleased to work with Senator LANKFORD on what is known as a retention credit, which allows companies that have laid off their workers, to bring those workers back and get a credit up to 50 percent of that wage, up to $10,000, as a tax credit in order to bring back those workers.

Well, for some small businesses, that may be a better option than what I have outlined before in regard to the 2½ months of aid based upon payroll.

You have a choice. If you can do better under the retention credit—it is a new credit—use that credit; if not, use the other. Small businesses are given more flexibility.

Thank you, Senator WYDEN, for helping us. I also want to acknowledge Senator WARNER, who was very instrumental in getting that provision adopted.

So you see that there are a whole range of tools in here to keep small businesses operating—paying their workers—so that they don't have to re-invent their employees after this crisis is over, so that they can keep qualified people employed, they get the paychecks, and our economy is ready to get back into shape.

Now, there are many other provisions in this bill, including the cash payments under the IRS—$1,200 per taxpayer—that will help in this regard. When you put this all together, this is a robust package to hold our economy in a high volume level that it is ready to take off again without the dire consequences of people not having income in order to pay their bills.

Through these small business provisions, small business owners can keep their businesses intact. Through unemployment insurance, those who are laid off or furloughed can get their salaries. Through the IRS checks, people will have some cash. Through some of these other programs, we are providing relief, like delaying the time of paying the employer share of the FICA taxes.

You put that all together, there is a lot of help out here to keep our economy going during this crisis, with particular focus on the workers and on small businesses.

The last point I should point out, the self-employed, the gig economy, are fully covered under the small business provisions. They are fully covered under the UI provisions. We are trying to make sure that we preserve our economy; that we preserve workers and their families and their abilities to pay their bills.

I think, when you take a look at this whole package, the challenge will be to get the information out to our constituents, to these businesses, to these workers, so they know what is in this package so that they can act now because, quite frankly, people are desperate, companies are desperate.

The night of the attack, there was a truck launcher that fired off 30 Katyusha rockets at their camp as folks were sleeping. Eighteen of those rockets landed inside the camp facility.

As the noise happened around them, Sergeant Roberts told his fellow airmen to get up, get going, and get their body armor on. As he stepped away to go warn other people to do the same, the rocket came. But he saved the lives of the people standing right there whom he had told to get their body armor on.

He was posthumously promoted to technical sergeant.

He was born January 29, 1992, in Tulsa, OK. Marshall's parents, Sally and Randy, raised him in Owasso, OK, where he graduated from Owasso High School.

He has a beautiful daughter, Paityn, who has been the love of his life. On November 15, 2018, Marshall was married to Krissey Harris. She was also in the 138th. They met and started dating, both being part of the Air National Guard.

Their deep love for God, their deep love for their country, and their obvious love for each other was a significant part of the 138th. Everyone who knew them, knew what they were like and were glad to be called their friends.

The night of the attack, there was a truck launcher that fired off 30 Katyusha rockets at their camp as folks were sleeping. Eighteen of those rockets landed inside the camp facility.

As the noise happened around them, Sergeant Roberts told his fellow airmen to get up, get going, and get their body armor on. As he stepped away to go warn other people to do the same, the rocket came. But he saved the lives of the people standing right there whom he had told to get their body armor on.

He was posthumously promoted to technical sergeant.

He was born January 29, 1992, in Tulsa, OK. Marshall's parents, Sally and Randy, raised him in Owasso, OK, where he graduated from Owasso High School.

He has a beautiful daughter, Paityn, who has been the love of his life. On November 15, 2018, Marshall was married to Krissey Harris. She was also in the 138th. They met and started dating, both being part of the Air National Guard.

Their deep love for God, their deep love for their country, and their obvious love for each other was a significant part of the 138th. Everyone who knew them, knew what they were like and were glad to be called their friends.

The night of the attack, there was a truck launcher that fired off 30 Katyusha rockets at their camp as folks were sleeping. Eighteen of those rockets landed inside the camp facility.

As the noise happened around them, Sergeant Roberts told his fellow airmen to get up, get going, and get their body armor on. As he stepped away to go warn other people to do the same, the rocket came. But he saved the lives of the people standing right there whom he had told to get their body armor on.

He was posthumously promoted to technical sergeant.
It has a grant program for larger businesses that is designed to say: if you are a very large company, you are not going to get a grant; you are going to get a loan in this process. At the moment you get a loan and, if you don’t have access to it right now because of all that is going on, you could get that.

This also has a feature built in where individuals will receive a check for $1,000. Every $1,000 that is built in to get immediate economic support to all those folks across the country. All of those features were already in the bill through Sunday night. There have been some tweaks that some folks have brought up that some of our Democratic colleagues wanted to engage in. Many of those changes have been heard and been added, and to some we have said: Absolutely not, it is not connected to COVID–19 at all. There are things that some of our Democratic colleagues wanted to make sure got in. Through all the negotiations, some of these things were changed. For instance, they wanted to make sure energy companies couldn’t get any support. So they fought hard to make sure there is no additional money for the President buying additional oil to put in the strategic petroleum reserve at this lowest price ever. So it will actually cost us more money in the future. But it was their intention to say that we don’t want oil companies to get any support in this downturn.

They also wanted to make sure there was great backing that they didn’t trust the Trump administration. So they built in an inspector general for the Treasury through the process. They put in a neat little feature they demanded, which was that no son or daughter or family member or any individual that works with the President, Vice President, or the Congress could get any of—not the grant programs—the loan programs. In fact, the language that we added was interesting: No son-in-law could get that. I wonder: Who could that be targeted toward? A particular son-in-law that might be there.

Literally, a lot of this fight we have had over the last 3 days is because they were demanding that there was no way the President or any of his family could get any kind of loan or benefit from this program at all. We spent 3 days—3 days of delay—because they had some additional demands for some things they wanted to do, significantly targeted to a lot of the President and his family. I understand they don’t like the President. I get that. We want to do everything to protect the workers. That is why we had all of these programs in place already and why we had done a lot of bipartisan work to get it done. It is done now. Let’s get it going.

Our encouragement is to have the House finish this up as quickly as possible and to get the support to the American people.

What has been interesting, though, is in the speeches that I have heard on the floor today from my colleagues and from many individuals in releases I have seen, folks have mentioned their prayer. They have mentioned: With God’s help, we are going to get through this. They have mentioned: We are going through as a nation and how we are praying for each other.

It keeps reminding me of something. It is a very old psalm of ascent, Psalm 121. When the Jews would come into Jerusalem for the different feasts, they would sing these psalms of ascent as they came off the eastern hills and would start rising up toward Jerusalem. The song they would sing, I think, is pertinent for our time right now. Psalm 121 reads:

I lift up my eyes to the mountains. Where does my help come from?

Remember that the mountains here are the capital city Jerusalem. It is the seat of government for them and the center of worship. But it is the seat of government for them.

They would sing:

I lift up my eyes to the mountains. Where does my help come from? My help comes from the Lord, the Maker of Heaven and Earth.

He will not let your foot slip. He who watches over you will not slumber.

The Lord watches over you. The Lord is your shade at your right hand. The sun will not harm you by day, nor the moon by night.

The Lord will keep you from harm. He will watch over your life.

The Lord will watch over your coming and going both now and forevermore.

It is interesting to me that the people would come in marching into Jerusalem, the seat of government, singing the song:

I lift up my eyes to the mountains. (But) where does my help come from? My help comes from the Lord.

Of all the things that are going on in Washington, DC, right now, you will hear people repeating over and over: Our hope is not in government; our hope is not in how much money we can spend.

We understand full well, when we lift up our eyes to the mountain—to this hill. We understand full well where our help comes from, and it is not from all the folks in this room. Our help comes from the Lord, and we are grateful that He neither slumbers nor sleeps.

With that, I yield the floor.

The PRESIDING OFFICIAL. The Senator from Arkansas.

Mr. COTTON. Mr. President, the deadly coronavirus that emerged from China late last year has now spread across the globe. The Chinese Communist Party deceived the world, even their own people, and unleashed the worst pandemic in a century on us all. Now, it fails to us to defeat it.

Here at home, a strange and unsettling hush has fallen over much of the country, as businesses close and millions of Americans brace for what is to
come. In New York, Seattle, New Orleans, and elsewhere, preparation for the virus has ended. The virus has arrived in force. The urgent battle to suppress it has begun.

In emergency rooms and ICUs, courageous nurses are locked in a battle to save the lives of their patients. Protective gear is in short supply, but their regard for safety and even family come second to their duty. The days ahead will be a close-run thing in those cities, as they struggle to keep their hospitals open and functioning. But make no mistake. The China virus will spare none of us—from the high-rises of the big cities to the hills of the Ozarks.

Soon, the Senate will finally pass desperately needed emergency legislation for our Nation, including a massive infusion of funds to our healthcare system. But this legislation isn’t about stimulus. It is about survival.

With this legislation behind us, Americans are being asked to ask: What is next? Yes, the virus is testing us already, and it has already touched most of us by closing our churches, shuttering our businesses, and threatening the jobs and retirement savings of millions and, of course, threatening our lives. It is only natural that so many are wondering anxiously when and how this unprecedented crisis will end. And when it ends, will their jobs still there be? How will they put food on their table? How will they pay the bills?

Americans want to know the plans so they can do their part. More fundamentally, they want to know that there is a plan. Upended routines combined with worry about the future naturally breed frustration. We are citizens, after all, not passive carriers of a deadly pathogen. This frustration has given rise to a new and growing argument that Americans want any other long, that we ought to open back up and take our chances with this virus. After all, we can’t stay inside forever. We can’t, as the saying goes, let the cure be worse than the disease. The urgency to stave off economic collapse is, of course, understandable. It is also tempting to think that we face a simple choice between shutting down to fight the virus and opening up to save the economy, but the choice is not so simple.

Some observers note that the seasonal flu and automobile accidents kill more Americans annually than has this virus. That is true as far as it goes, but we are just at the beginning of this pandemic. I have to add that the Javits Center in New York City has never been converted into a field hospital for the flu or car wrecks.

Granting that, some say, perhaps we can reopen in a few days since our elderly are most at risk from this virus. Quarantine them. Keep them safe, the argument goes, while the rest of us get back to work. Yet there are 72 million Americans who are over the age of 60 in this country. Many of them raise chil-

The supposed choice between saving the economy and fighting the virus is a false choice at all. We can’t yet stop the strong measures that are in place because we have no better option in the short run, but neither can we continue them forever, for the American people can only hold out for so long. So we must come up with a better plan and fast. That plan starts with this big pause as we protect ourselves and each other. We simply don’t have the resources today to fight any other way, but it will not end with this approach.

We must use the precious days and weeks ahead to lay the groundwork for a new strategy to fight the virus—a strategy that will allow all of us to gradually get back to work. For that to happen, we will need to scale up our ability to rapidly test for the virus, as they have in South Korea, so that we have a sense of where the virus is and where we must keep it contained.

In America’s biotech laboratories and companies are rising to the challenge by processing tens of thousands of tests, but our ability to test must grow even faster, and it is. We do not need masks, too—billions of them. We will also need local personnel who are trained and prepared to do widespread contact tracing for those who test positive. We will have to develop procedures for the strict quarantines of those who test positive or for those who have been exposed to the virus—with zero tolerance for breaking quarantine and endangering our fellow citizens.

Once these elements are in place and the first wave of this virus has passed, then we will be prepared to reopen our cities and communities while remaining vigilant about new outbreaks. These preparations will ensure we are ready to sustain our way of life until our scientists can save so desperately need—therapeutic drugs and, ultimately, a vaccine. A vaccine may take a year or more before it is available, but these other intermediate precautions must go into effect much, much faster.

America must, indeed, reopen. When we do, these decisions must be based on local conditions, not an arbitrary nationwide timeline. Our Governors and mayors understand our local conditions. They can make gradual, rolling, calibrated decisions in a way that is responsible when the tools to effectively fight this virus are ready and available.

What I have outlined may seem like a daunting and even impossible challenge, but our Nation has overcome far greater challenges before. Already, America is rising to take on the China virus. The giant of American industry is awakening and retooling our factories to join this fight just as we did during World War II. Never bet against America’s workers and American ingenuity. All across this country, Americans are springing into action. We know the vital role our doctors and nurses will play in the coming months alongside our first responders, our factory workers, our farmers, our grocers, and on down the list.

Ask yourself now how you can help. Can you keep your distance from those who are most at risk, realizing that the China virus preys on our most earnest desires for society and companionship? Can you offer your charity to a friend in need? Can you pick up groceries for your neighbor? Can you keep your workers on payroll and benefits for just a little longer until our legislation kicks in? Can you postpone your tenant’s rent for a month? Can you pray for the deliverance of our Nation and the world?

These are just a few of the things we must do as a country to make reopening possible and life bearable in the
months ahead. We are all in this together, so we will need to have each other’s best interests at heart.

Many years of comfort and ease have, perhaps, conditioned us to ask only what we are free to do, not what we are called to do. Disciplines of peril and privation threaten to return, and we will need old notions of duty to maintain order in the face of them. The darkest days of this coronavirus are, in all likelihood, still ahead of us. Let us face up to them bravely. Let us acknowledge that we are not alone, and let us devote our whole energy to winning this battle quickly so that the normal life of our Nation can resume.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, during times of disaster, crisis, or hardship, I never fail to be inspired by the generosity of Americans, including the folks of my home State of Texas. I think about how we came together in the wake of Hurricane Harvey to lead search and rescue operations, clear debris, and rebuild communities and lives. We saw strangers forming human chains to rescue a driver who was trapped in a car; restaurants offering free meals to first responders; and a Houston legend, known affectionately as Mattress Mack, opening his furniture stores for those who needed shelter.

One volunteer said: I have met more of my neighbors in the last 24 hours than I have in the last 20 years.

While these heartwarming stories of Texans’ lending a hand to one another are a source of comfort even during the toughest of times, right now, when extending a physical hand is one of the worst things you can do because it violates social distancing rules, there are still plenty of neighbors who are helping their neighbors. Folks in Texas, like around the country, are staying home to keep themselves and their neighbors safe, and we are seeing new and creative means of supporting one another.

For example, a number of distilleries across the State have switched their productions from making vodka or whiskey to making hand sanitizer. With demand surging and hand sanitizer in short supply, more and more hospitals are struggling to keep it in stock. So local distilleries are stepping up to fill the void.

Jonathan Likarish is the head distiller and co-founder of the Ironroot Republic Distillery in Denison, TX. He said they received a call from the Texoma Medical Center and was asked if he could help. Of course, he said yes. Businesses like his aren’t alone.

Beloved Texas grocery chain H-E-B has taken steps to make shopping easier for seniors who are the most at risk if they contract the coronavirus. H-E-B has partnered with Favor Delivery to take grocery delivery—a service many Americans already utilize—and has made it more accessible to seniors.

They can pick up the phone, place their orders, and have everything they need delivered to their front doors within a few hours—all without having to leave home.

We have also seen other organizations respond to meet the challenging circumstances. The Boys & Girls Club of Greater Houston has partnered with the Houston Food Bank to open a drive-through pantry. Families can get a whole week’s worth of healthy meals without ever having to step out of their vehicle.

Of course, it is not just the businesses and organizations that are helping out. People are helping other people. People are donating blood to alleviate the critical shortages that hospitals are facing. All of us, if we can, should consider donating blood.

People are leaving notes in neighbors’ mailboxes, offering to run errands and pick up supplies. On social media, schoolteachers who are at home are offering to help parents with their children’s math, science, or other subjects they may be struggling to teach their kids while the kids are at home and not at school.

There are neighbors helping neighbors, friends helping strangers, and co-workers helping their peers: Texans helping Texans. That is one thing I love about this great country. Our communities always jump into action to help in any way they can. They do what it takes to survive a crisis and to keep everyone safe and healthy until we emerge on the other side.

It is time for the Senate to do its part. There has been no event in my lifetime that has had this big of an impact on the physical and economic health of our country. Every day, we learn about more new cases, rising unemployment, and unprecedented market volatility. We have a responsibility to act and to act quickly in response to these dueling crises.

Already we were able to work and send two bills to the President’s desk for signature. The first sent vital support to healthcare professionals and first responders, who are doing everything they can to treat patients and prepare for more cases.

We also provided initial funding for development of a vaccine, clinical trials, and more diagnostic tests.

The second bill we passed focused more on the small businesses and the stock market, which have been impacted economically. It included changes in unemployment insurance so that those who find themselves out of a job can promptly take advantage of these benefits, and it made paid sick and family leave available for workers impacted by the virus. That is what we did in these first two bills.

Were they perfect? Well, no. The second bill, in particular, fell short in a number of areas. It was largely negotiated by the Senate Minority Leader, Harry Reid, and Speaker Pelosi, but we decided that, in the interest of the greater good and the country and the people who were hurting during this crisis, we in the Senate would pass it expeditiously. As the saying goes, you can’t let the perfect be the enemy of the good.

We acted quickly to get both bills to the President’s desk because the circumstances demanded it. Over the last few days, our colleagues on the other side of the aisle have been oblivious to the sense of urgency that every other American seems to understand.

After the original, intense, bipartisan negotiations, we worked to finalize a third relief bill, which included by definition, ideas from both Republicans and Democrats. We were optimistic that we would be able to take up and pass the bill on Sunday or at least get it started and pass the bill on Monday, but, clearly, that didn’t happen.

Our Democratic colleagues blocked us from even debating the bill, not once but twice. The minority leader said the bill, which his Members had helped write, wasn’t good enough. He threatened to spend the next 3 days trying to change the bill to include provisions that he thought were more important priorities during a national emergency—things like tax credits for solar panels and tighter emissions standards for air pollution. None of these have absolutely nothing to do with this crisis.

After a few incredulous days, America woke up to the news today that our Democratic colleagues are finally ready to stop this posturing and obstruction and get this job done.

After blocking this bill twice and holding up this emergency lifeline, here is what the minority leader claims as a victory: He says that Democrats expanded unemployment insurance to help laid-off workers and those who are self-employed. But as we all know, that was already part of the bill that had been negotiated between Democrats and Republicans.

Then the minority leader said that Americans will get direct aid, but we have been talking about that for weeks. That was part of the bill that Democrats blocked twice.

Let’s be clear about this. Here we are, Members of the U.S. Congress, getting a paycheck, and they have the temerity to block, two times, emergency aid to people who have no income at all through no fault of their own? It is outrageous.

The then minority leader said that he wanted unprecedented aid for America’s hospitals, but as it turns out, that was part of the bill Democrats blocked twice. It was the subject of bipartisan negotiations and, we thought, consensus.

Well, the bill that Democrats blocked twice was a bipartisan bill to begin with. Democrats and Republicans worked together and agreed to each of these points before the first votes were cast. The minority leader’s Members had spent countless hours negotiating with Republicans—that is how you get things done—but then he singlehandedly tries to take credit for the work that they have done.
For days Democrats needlessly blocked a bill that would have bolstered our fight to defeat this virus and protected our economy in the process. I am absolutely angry that they chose to waste so much valuable time when there are so many different people in need. But I am relieved that they finally agreed to quit playing their partisan games so that we could vote on this legislation today.

This bill sends desperately needed funding to hospitals that are struggling to manage an influx of patients and helps fight the shortage of masks and other personal protective equipment—one of the priorities my Governor had mentioned to me.

It provides the direct financial assistance that was already in the two bills that our Democratic colleagues blocked. A family of four will receive up to $3,400 under this legislation, which will go a long way in throwing that lifeline to them and cover their rent, electricity bills, and other expenses until they can make other arrangements, like apply for unemployment insurance under our beheaded-up provisions.

This legislation will also provide relief for small businesses that are struggling to stay afloat. Many of these businesses have had to shut down because they have been ordered by the government to do so, and now they need some help to make sure that the jobs they currently provide will still be available when we get to the other side of this crisis, and particularly we need to make sure that the employees they depend on and will depend on in the future will still be there when they reopen their doors.

With both the physical and economic health of our country in crisis, this bold legislation is our best path forward. I appreciate the work that has been done by so many around the clock for the better part of the past week to get this bill finally to the floor, and I look forward to supporting it so that my constituents—the 29 million people who call Texas home—will get help as soon as possible.

As we prepare to pass this legislation and send it to the House, I urge them to act quickly. But you may recall it was Speaker Pelosi who flew back into town after a weeklong recess, dropped an 1,100-page bill, and made all these outrageous new demands, clearing out their personal or ideological out-box or wish list.

Well, incredibly, now that there has been an agreement here in the Senate with the administration, Speaker Pelosi hasn’t even called the House, she may well have to call back into session the entire House of Representatives. With restricted flights because of a lack of demand and the cost cutting that airlines are going through with the concerns about people sheltering in place, maintaining social distance and good hygiene to stop the spread of this virus, Speaker Pelosi has created a terrible problem for herself. But, importantly, she has created even more of a problem for the rest of the country because we need to get this passed out of the Senate today and out of the House and to the President as soon as possible.

The American people are depending on us to respond responsibly in a bipartisan way during an emergency like this, and we cannot let them down.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, you know, I have to say that last night was an unusually late night here in Washington, and we were all impatient and our staffs were impatient. The press was impatient, and the public was impatient. As we talked to people across the State, what we realized was they long have been running out of patience, and I talked about that some on this floor. But for every factory worker and hourly worker and small business owner and service worker—they have all been telling me that they are running out of time, and they have really just been very anxious about what was going to come out of this Chamber.

I know that in the days and weeks ahead, as we work through getting relief to communities and individuals and small business owners and large companies, there is going to be a lot of blame that is going to be thrown around. There is going to be some who are going to blame politicians. There are others who are going to blame the way the economy is structured. There are others still who are going to blame the healthcare system. But I will tell you, for the record, I don’t have a need to have a discussion about why we do have this current crisis, and it is because of the leadership of the Chinese Government. The People’s Republic of China, that leadership in Beijing.

I know that the days and weeks ahead, as we work through getting relief to communities and individuals and small business owners and large companies, there is going to be a lot of blame that is going to be thrown around. There is going to be some who are going to blame politicians. There are others who are going to blame the way the economy is structured. There are others still who are going to blame the healthcare system. But I will tell you, for the record, I don’t have a need to have a discussion about why we do have this current crisis, and it is because of the leadership of the Chinese Government. The People’s Republic of China, that leadership in Beijing.

We have gone around and around with activists and media on the point, and I shouldn’t have to point out that when I say China is to blame for the spread of the novel coronavirus that we call COVID-19, we do not mean the Chinese people as a whole. Yet we have to say that is where it came from. I think we should stop that, and we should move forward with decisions based on fact and with decisions that are based on data.

We need to begin to collect those facts and data, as they pertain to this disease. That is how we get to the antivirals. That is how we get to having a vaccine. That is how we look at lessons learned so that we don’t go through this again, so we plan to tackle some of the unexpected occurrences that will come our way.

As we talk about facts, we do know that COVID–19 originated in Wuhan, China. From there, it spread rapidly, and it has had devastating consequences. The economy is crumbling. We are working desperately to shore it up. Innocent people have been in the hospital or sick.

Then I spoke to one Tennessean this morning who said: I am happy to report my husband is coming back around. He has been suffering for the last many days with COVID–19. We have the world’s healthcare professionals, and what are they doing? They are working to the point of exhaustion.

What we have is Beijing’s reckless Communist dogma, and they are trying to blame everybody else.

Today we are going to move forward with the rescue package. This is the phase 3 package. It is the fourth tranche of money. I am including in that the President’s emergency declaration, which put about $50 billion toward fighting this virus and as we find our way forward on addressing this, what we have to do is realize that our relationship with China is going to need to change and change for the better. There is no denying that the way they have conducted themselves put that relationship on dangerous ground.

Today, I invite my colleagues to support the bicameral S. Res. 553 and acknowledge that Beijing intentionally spread misinformation to downplay the severity of COVID–19 and baselessly denied the risk of person-to-person transmission of the disease. They refused to cooperate with international health authorities, including the CDC. During the early days of the outbreak, they censored doctors and journalists. We all remember what happened with the late Dr. Li when he tried to give us the warnings. On top of everything else, they maliciously ignored the health and safety of ethnic minorities.

This is the easy part. The facts are there. All we have to do is acknowledge the facts that are there and use this as a beginning, because this resolution is, as I said, bicameral and bipartisan in the House. We have no reason to not push it forward and send the message that we realize what happened to cause a global pandemic.

After we acknowledge Beijing’s gross malfeasance, we are going to adjust the way we think about China in the context of the economy, the military, defense, technology, human rights, and pharmaceutical manufacturing.

When you think about it—the fact that Beijing intentionally downplayed the deadly nature of COVID–19—it should come as no surprise. For decades, China has made all a business. It has been their business to search out our vulnerabilities, exploit those vulnerabilities, and then what do they try to do? They try to use that as leverage against us. It is time for us to say: No more.

Another component I have talked about this week on the floor is our pharmaceutical supply chain.
On February 27, 2020, the FDA announced the shortage of a drug used to treat victims of COVID–19. Imagine that. There was a drug shortage. They attributed the shortage to difficulties obtaining the active ingredient in this pharmaceutical. The active ingredients are often made in China and the factory that produces it from the site in China that manufactured it because that site had been affected by COVID–19. So here we are. We need this component to go into a pharmaceutical, and we cannot get it because the factory that produces it has been affected by COVID–19.

This is not the first time this has happened. In 2016, we saw a shortage of an important antibiotic when the sole source of its production—the only place on the globe that produced this antibiotic—was in China. That factory was shut down. We couldn’t get it.

Our vulnerability is not limited to one drug or even just a handful of drugs. In 2007 and 2008, 246 people died after they were infected with a thinner that came directly from a factory in China. They died—246 people—just like that. Routine inspections didn’t catch the contaminant, and the drugs flowed right into our medicine cabinets.

In 2010, regulators have also found serious problems with batches of thyroid medication, muscle relaxers, and antibiotics. This week I got an email from a Tennessean, and he said: I saw what you said about that. I have a heart medication, and I want to let you know. I take a heart medication, and it was just recalled because it contained a carcinogen, and it was made in China.

Think about this. These are the pharmaceuticals we take to return ourselves to health and wellness and to manage chronic conditions. Here we have example after example of things that are contaminated and are not what they are intended to be. These are basic medications.

In 2018, the FDA recalled several blood pressure medications made in China that were contaminated with cancer-causing toxins. Now, I would imagine there are a few people who come to work every day in this building, who take a blood pressure medication. What if you had been taking one for a period of time, and it contained the cancer-causing toxins?

Americans deserve better than this from their pharmaceutical supply chain. If we allow this to continue, we are going to do so at our own peril. I encourage my colleagues to support the bipartisan Securing America’s Medicine Cabinet, or SAM–C Act. Senator MENENDEZ has worked on this legislation with me, and I am grateful to him for his support.

The Presiding Officer is working on legislation that would address some of these issues. Bring this pharmaceutical manufacturing back into the United States is the goal. We need to get rid of Chinese control over our health and wellness in this pharmaceutical supply chain.

This may seem like something that is too large or too risky an undertaking, but we have already paid dearly for our reliance on Chinese drug manufacturers, and it is not going to stop, because that vulnerability is leveraged in the hands of madmen in Beijing and Russia to lever up and will go to any lengths to acquire that power. They don’t care whom they hurt. That is clear with this global pandemic. They don’t care if it is innocent people who are sick or maybe even lose their lives. They defy us—when we try to stop them. It is time that we rise to the challenge and that we return the supply chain.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BRAUN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRAUN. Mr. President, I have been here a little over a year. I keep mentioning what a year it has been. In that stretch, there has not been a period of time when I think there has been so much urgency for us as a Senate and for the other Chamber to do our job to deliver for the American people.

We are in the midst of a crisis. In building a business over 37, 38 years, you constantly have hurdles to jump. You never really know the clear outcome. You try to have a great strategy with good implementation and good tactics that will be your salvation through thick or thin.

When it comes to the coronavirus, it is not as though we haven’t had other recent issues but nothing quite like this. It started in another country. It has gone across the world, and it now looks like that vector in our country—we may be dealing with it on a broader scale.

I am a guy who believes in free enterprise. I don’t like it when government has to step in, but I don’t know what we would have done otherwise in this case. Until we tamp the disease down until we get that curve flattened, no one is going to be at ease. We have invested 3, 4 weeks of actual guidelines. We are the ones that have done that. I am hopeful that we have been doing a lot of the right things even before we were required to do them. We can’t relent on that course.

On the other hand, never in my wildest dreams would I have imagined an economy could be affected as it has. I get stories from my home State of Indiana all the time, and not only from the places like hotels, restaurants, bars, and airlines. I think our senior Senator, who actually either went or came out here, might have been the only person on the plane. That is a graphic example of how this is impacting commerce. The hotel owner I talked to had 2 percent occupancy in the week before.

So, we have come together. This past weekend, we worked through it. I think that is the first time since I have been here that on a legislative matter we have done that. We had Democrats and Republicans at the table working to deliver what I think is a good package. It focuses on, No. 1, who needs it the most—workers who have been displaced and small business owners. It also has stuff in it for the broader aspect of the economy, and that is the key. We are working through, right now, some short-term corrections, and I hope that doesn’t thwart the process.

We should have had this across the finish line Sunday evening to where it could have been delivered on Monday morning, and we wouldn’t still have the Nation on high alert about what we are going to do here. And it can only come from here in this case.

I am going to segue into what need to get done today, and I am going to be for it. Each State, each Senator, and each Representative is going to have to deliver to the small business owners, the individuals who have been displaced by this. I have a team back in Indiana that is working through the spectrum of casework. I invite you, when this legislation gets across the finish line, to make sure you reach out to our office.

Many of our cases, regrettably, have been along the lines of helping folks interface with the VA. Sadly, I wish there were fewer of them, but we have had really good luck. We interfaced when a cruise ship had Hoosiers stranded, and we were able to follow up on the process to make sure they came back. We are currently dealing with cases where people are stranded overseas. Whatever it is, come to our Senate office. We have a great team, and they have helped out a lot of Hoosiers and others.

I want to end on a positive note. I think this has the country down because everything you see is in the context of negativity. I like the fact that, aspirationally, many are already talking about what we are going to do when we come out of it, and through prayers and through all the stuff Americans and Hoosiers have done, I think we are going to see that curve start to flatten.

I like the approach we have taken to put emphasis on the American people, because, until those numbers go down, no one is going to be at ease. So, as we look to the future—Monday was that first threshold, 15 days—we need to re-center, take all the information we have gained and gathered, and map the right decisions going forward. I trust our Governors and our local governments across the country to do the same thing.

We will come out ahead. We are going to flatten the curve and make sure that we are taking care of the most important thing first, and I think that is going to be here, hopefully, sooner rather than later. And then we also...
need to be aspirational about what is going to really get this country back to business as usual, and that is when we can have Main Street going back to the way it was a month or two ago so that we can recapture the best economy we have probably ever had in history.

I know Hoosiers will do their job. They will be aspirational, and Americans across the country will do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PERDUE. Mr. President, we are on the historic bill today—a bipartisan bill—that we took a different approach on, thanks to Republican leadership. We asked the leaders of each of the committees, both Democrats and Republicans, to focus on their portion of the needs behind this COVID–19 crisis.

Before I get into my remarks today, though, I want to remind my colleagues here today that we have sponsored a resolution recognizing and thanking all the people in America who are working outside, as others have said, putting their own health and their families’ health at risk to make sure that their neighbors and friends and patients and business partners are taken care of. I am talking about supply chain people, healthcare workers, transportation workers, ag industry—all the people in the country who are keeping the essential needs of our population going.

While restaurants are closed, they have takeout services, even here in Washington, DC. That is not an easy thing to do for those folks. It is a loss. They are losing money right now.

I want to make sure that we recognize, in the midst of this crisis, how Americans are responding. Americans always respond to crisis in a better way than anybody else in the history of the world, in my opinion. Sometimes we are not always the quickest to recognize that we are in a crisis, but, right now, we are responding to this one right here before us.

As a matter of fact, I believe we have two crises today. One is obviously the medical crisis—the healthcare crisis that we now are characterizing as the COVID–19 virus. We know how it originated, and we know now what other countries that were ahead of us in the cycle are learning from that. But because of that, we have a connecting economic crisis that we are trying to deal with in this piece of legislation today.

I hope we can get this done tonight. I don’t see any reason why we can’t. We have a deal. There are some questions here in the last hour, but I think we will get those done and hopefully get this vote going tonight.

As we deal with these two crises, it is my suggestion that we look at how we address dealing with this crisis in three phases. One is we are in the middle of the first phase right now, and I would characterize it as mobilization, where we are identifying the severity of the disease; we are identifying who is the most vulnerable, identifying what we need to do to deal with it; and we are mobilizing behind it.

We have seen a dramatic increase in the number of tests, thanks to Vice President PENCE. We still have shortages of test kits, swabs, and reagents, and even testing machines. But we have things, like in my State, where one of our major hospitals, Emory University Hospital, has their own testing. They can do it in a number of hours and 96 hours, and they are making that available to other hospitals in the State. This is all hands on deck. And they will probably lose money doing that, but they are willing to do that.

We have an apparel company in Georgia that has shut down their business in apparel. They have good orders, profitable orders. They are putting those aside to make masks to try to help fill the need there and those shortages.

But the mobilization phase is where we are today. Based on the experiences of other countries, we are identifying what we might expect here. We have hot spots like, you know, like other countries have had. We saw what happened in Wuhan and Hubei Province in China. I have been there. It is a very old population—older population. They were late getting to the identification, to treatment, and we see the repercussions of that. But what we can learn from them is that they are ahead of us in the cycle. However they dealt with that in the early days, we see now how they have dealt with that crisis and working with the numbers, and we can learn from that. I will talk about that in a second.

The second phase, though, is transition. This is one that I am not sure we are in it yet, but we are about to go into it partly because of this package; that is, to make sure that we protect the parts of the economy that we can so that when we do start to come out of this, just like every other country ahead of us in the cycle has done and is doing right now, we will have our businesses in a position to reconnect with the employees they have worked so hard to develop.

Of course, the third phase is full-on recovery. We are doing right now, we will have our businesses in a position to reconnect with the employees they have worked so hard to develop.

That recovery will take some time, but at the same time, as America always responds to these sorts of things, I believe we can respond very quickly if we get the transition phase correct, and that is what I want to talk about today. As we look at the medical crisis, though, we understand now, through a lot of data outside of the United States—and I will caveat this by saying that each country’s experience is a little bit different. I would also comment that there is a lot of noise in the data that I see around the world right now. The medical community is doing a great job of trying to aggregate this data to see how it applies to our needs here at home.

I give our doctors and nurses and caregivers the highest thank-you I can for what they are doing here and all over the world, for that matter. But the experience in Italy might not be the same as it is here. The experience in South Korea might be no more or less the same as it is here. So we have to look at those and be very careful that we don’t try to extrapolate either the severity or lack of severity as being applicable here.

Before I get to the bill, what we do know, though, is that just this week, the World Health Organization published an update to their numbers. They are characterizing this disease this way—and every country has a little different transmission rate and a little different mortality rate. I believe in the United States, because we haven’t tested as broadly as some of the other countries have—like South Korea—we don’t know what the denominator is yet, so we really don’t know what the mortality rate is, or the infection rate, for that matter.

But just to put this into perspective, this is from the World Health Organization: About 80 percent of the people infected with this COVID–19 virus will probably have a mild—that is the way they characterize it—experience with this disease. Fifteen percent will be serious enough to go to a hospital, and then of that, 5 percent will be critical patients, typically generally toward the more vulnerable patients—the elderly, people with respiratory preexisting diseases or who have potentially immune deficiencies.

As we deal with that medical crisis and as we pour a lot of money toward that in the first two phases of help, in addition to what the President did with his $50 billion allocation earlier—in this bill, almost $2 trillion of aid, as we see it, goes toward businesses and communities and States to make sure that we can weather this transition rate and a little different mortality rate. I believe in the United States, because we haven’t tested as broadly as some of the other countries have—like South Korea—we don’t know what the denominator is yet, so we really don’t know what the mortality rate is, or the infection rate, for that matter.

As we deal with that medical crisis and the economic crisis, we can weather this transition rate and a little different mortality rate. I believe in the United States, because we haven’t tested as broadly as some of the other countries have—like South Korea—we don’t know what the denominator is yet, so we really don’t know what the mortality rate is, or the infection rate, for that matter.

Let’s be very clear about this. This is not about companies. This is about employees. This is about the people who work for employers, either in their own business or in somebody else’s business. This is all about employees. It is merely a financial bridge to get through this period of time, to get into that recovery phase that I was trying
to describe here a little earlier. It is about the employer-employee relationship and to make sure we keep that relationship intact.

In the last 3 years, we created 7.5 million new jobs. Prior to this coronavirus crisis, we had an economy that was just booming. It created 7.5 million new jobs. We had 7.5 million job openings, as a matter of fact, and only 5 million people looking for work. So we had a situation where we had the economy moving in the right direction, and then this hits. We want to make sure we don’t lose any of those jobs, and for that reason, we focused on the employer-employee relationship.

Yes, we plussed up unemployment benefits for the States so that they are not overwhelmed, but we made sure the employer had the liquidity to keep these people employed. In that vein, we did not want to have a liquidity crisis, which we could very well have right now because of shutting down these businesses didn’t want that liquidity crisis to turn into an insolvency crisis. We can deal with a liquidity issue. It is very difficult to come back and deal with companies that have gone insolvent and are now in bankruptcy. That is a very long and difficult process. It is difficult to come back from. We do not want to do that. And that was the primary purpose of most of the facets of this bill—some $2 trillion.

I will say this about that. There are two major components to do that. One is a small business contingency. A little over 50 percent of the people who work in America work for companies that have 500 employees or fewer. That is a new learning for me. That has changed dramatically. But it is the engine—this is not new news—this is the engine of new job growth in the last 3 years. We know that.

Well, we have $350 billion directly targeted toward those small businesses, which could then, by the way, go to their existing local bank and get this contingency, a government-backed loan guarantee.

In addition to that, there is $454 billion directed at other businesses, plus another $58 billion toward strategically important industries, like our airline industry and so forth. Again, most of this money is in the form of loan guarantees to provide liquidity to keep the employees employed with their employers. It is no more difficult than that.

But there is one other thing that is not being discussed, and I want to highlight this, and that is, $454 billion is historic. That is a lot of money. But it has the ability—through the Treasury, they can actually lever that up in terms of the way the money goes out to banks. It can be levered up to $3 or $4 trillion. So what we are talking about here is the potential of up to $3 trillion into the United States economy. This is historic, and it should be enough to shock the system to say: OK, there is going to be liquidity here.

There may be some growing pains in the early days, but the liquidity is going to be there to weather this storm, to bridge this crisis.

I want to look at what is next. I will talk about this transition phase and may be even the recovery phase for a second.

The first thing we have to do is we have to really learn from other countries that are ahead of us in the cycle. For example, it took about 6 to 8 weeks for China to go from zero to their maximum number. We know the disease has a life cycle. If somebody is infected with it, if they survive, they come on the backside. So far, there are over 70,000 people who have had the disease in China and are healthy now.

We know from anecdotal evidence on the ground that about 80 percent of the employed workers in China are beginning to go back to work in almost 90 percent of the factories. This is outside of Wuhan Province. They are going back to work.

In South Korea, the learning there is testing, testing, testing, but more than that, they also track contacts. There are 50 million people in South Korea. We do not know what that little difference is. But in certain cities and States, they can certainly look at doing that.

So we have to learn from countries like South Korea, Japan, Singapore, Hong Kong, Australia, and even China because they are ahead of us in this cycle.

In the first few weeks of this cycle, we should be going from zero to whatever our maximum number is. But it is the number of active cases that is the most important, not the number of total cases.

The mortality rate is yet to be determined because we don’t really know the denominator. But I believe, if we can keep moving with their mistakes, to go from zero to their maximum number. We have hot spots. With the Ebola crisis in Africa, what we learned from the medical community was that if they could put a full court press on the areas of flaring, where they had the disease flare up, and isolate it so they didn’t have people traveling outside of those areas—isolation by geography and demographic are unfortunately called for if we are going to do everything we have to do to control this disease in the timeframe that we should.

The third thing I will highlight briefly is that I believe right now this shows that we were behind in terms of our preparation for a pandemic like this—there is no question about it—in the country and the world. We can point fingers and blame. That is not my purpose today. What I want to say about this is that in America, if we can bring the world’s resources of data—this is the big thing. We have limited data in the United States. Other countries have a lot of data. I believe that if we aggregate that data and create a Manhattan Project-type effort to go toward vaccines and treatments, we can absolutely be ready for flu season next year if, in fact, this particular COVID-19 virus has a seasonality. We don’t know that yet.

In conclusion, there is no question that this is a moment of challenge in America. I will say this: President Trump, for all his distractors, early on stepped up and was a strong leader. I said this several years ago—he reminded me of Winston Churchill: irascible but effective in getting results. That is what we had early on.

Right now, we need a steady hand to make sure we don’t kill the economy while we kill this disease. And my only point is that in this transition period—and nobody has all the answers yet—we need to start asking a question of what we can do in this transition period to find a balance between protecting life and protecting the economy long term so that when people get well, they will have a job to go back to and have an economy that can help the world prepare for the next pandemic that we are talking about here.

The American people have the best spirit. I believe, in the history of the world when it comes to dealing with this crisis. I have talked about a couple of examples in my State.

The airlines right now are another one. We know that the life of the primary airline carriers we have in the country. They are keeping some flights on. I know I have a reservation on a commercial flight later this week, and I asked my assistant: Are you sure I can get a seat on that plane?

She said: Yes. There are only five people who have booked seats on that plane.

So it shows that people are trying to do the right thing, neighbors, people going to their grocery stores for their neighbors, taking care of picking up the mail, doing anything they can to protect the people who are at risk. In small communities, we know how to do that. In major cities, it is difficult, but it is even possible there.

I will conclude with this: There is a day coming—and it is not that far off—that we will be behind the top end of this curve in America. We will have lost some lives. We will have that. We all regret that. But what we have to do now is to make sure we prepare ourselves for this transition phase, that we are still dealing with people who are getting the disease, the disease is on the wane, and the economic needs to be addressed. It needs to be addressed. We can make sure that we can prepare this country for the next round that we may or may not see in the future.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I received a call a few hours ago from someone I
have known for a long time, a gentleman who I would say is in his early- to mid-nineties. He wanted me to stop saying that what we are facing is an unprecedented challenge. I was taken aback. I mean, none of us have ever lived through anything like this or confronted that. I think to say: You know—everybody is comparing this to—the last time we had something like this, it required the Nation to react like we did in World War II. So it caused me to go back and look a little bit at the years before that great and bloody conflict.

It is interesting. In the years leading up to 1941, President Roosevelt had an effort to pack the Supreme Court. It was incredibly controversial and ended up falling apart actually because members of his own party turned against him, and it actually weakened him in the tail end of the second deal.

President Roosevelt was so upset about members of his own party had done to him that in 1938, he did something unprecedented at the time. He got involved in Democratic primaries and tried to defeat—take out—members of his own party who had opposed him. Not only did he lose badly in that effort—I think he won only 1 of those seats that he went after—as a result of what he did, his party lost 6 seats in the Senate and 71 seats in the House. Ultimately, in this very Chamber, a Republican, Robert Taft, was able to put together a coalition with conservative Democrats and basically block President Roosevelt’s agenda leading into in 1940.

Then, in 1940, Roosevelt did something else that was unprecedented and highly controversial. He announced, although it was legal, that he was running for a third term. He was, at that point, defying a long precedent that had been set by the Nation’s first President.

Then, to make matters even more interesting, his own Vice President, who had turned on him on the Court issue, he had to kick off the ballot. In fact, he told them: If you nominate him as Vice President, all of it will be gone. Yet, in the blink of an eye, this Nation was confronted with an enemy and the third bloodiest day of that very bloody conflict.

America was not ready for war. They had started a draft by a one-vote margin. They were able to vote it into place. They had begun some basic rations, but we had lost a significant percentage of our Pacific fleet.

Frankly, to this day, there are legitimate questions not about whether the Roosevelt administration knew in advance that this was happening and allowed the attack to happen—no, those are conspiracy theories—but that they should have known. This was a massive intelligence failure. It was, up to 30 minutes before that attack, the Ambassador to Japan was here negotiating with the United States over an oil embargo.

America, by the way, was not a society of peace. This was a nation deeply divided, a segregated nation that discriminated against citizens of color. There were very serious labor disputes going on throughout the country. Many still suffering from the deep and painful economic depression.

Yet, in the blink of an eye, this Nation was confronted with an enemy and had no choice but to put aside all that had happened to that point—everything. Everything that had with the President, all the problems they had with each other. Even those Americans who had been discriminated against were willing to do that, which is a tremendous testament to the contribution they made to the effort to win that conflict.

In the blink of an eye, literally every aspect of American life was changed overnight. Think about it. One minute you are a student demanding that we stay out of war, and the next you are volunteering for service. One minute you are a housewife, you are a retiree, and the next minute you are back at work for the first time in your life at a factory making munitions or something else needed for the war effort.

Schoolkids, children were put to work on farms because so many people had left farming to move and fulfill the Great American desire to send the son who would have otherwise filled those jobs were now wearing a uniform and dying by the hundreds every day and then by the thousands, all over the world.

We rationed food. We had food rationing. You could only eat so much. A family only got so much. Gasoline was rationed. I think it was 3 gallons a week, if I am not mistaken. Cloths were rationed.

The government stepped in and said: You can’t build kitchen appliances—no refrigerators, no ovens, no vacuum cleaners—none of it. We need all of our industrial capacity to fight and win a war.

People on the coasts—and you still see old pictures of this to this day—off Miami Beach, off New York, had to turn their lights off at night and close the shades of their windows because there were German U-boats just off our east coast.

Those were asked to make tremendous sacrifices—not for 3 months, not for 6 weeks, but for over 3 years and longer. The sacrifice that was ultimately, perhaps, the greatest of all was that they sent their sons and fathers off to die in defense of this country and of our freedoms.

I do not mean to diminish the challenges that are being asked of us now. There aren’t 5 minutes that go by that I don’t get a call, a text, an email from someone small business who just 2 weeks ago, was having its best year ever, talking about hiring new people, and now they are bankrupt. They are done. They are finished, and they may never reopen again.

From a young couple I talked about earlier today in the video that I made, 2 weeks ago, they were recently married and planning to start a family. Both had good careers. The next minute, they were both out of a job, not sure if the place they were working will ever exist again, not knowing where to go.

One minute you are the father in a family or the mother in a family who has never had a day in your life where you were not employed by someone, and the next you are being told: Go to a website. Call this number. You need to go get unemployment. They don’t know how to do it. They have never done it before.

And I do not mean to diminish the sacrifices that our people are already making. I simply mean to put it in perspective and also to give a little bit of clarity as to what will be required of us.
to win this war because, in the end, our enemy is not a nation-state. It doesn’t wear a uniform. But it has invaded our Nation in a way that has required us to do things we have not been asked to do, or anything close to it, since late 1941. So what are the lessons to be taken by that era in our history, by the call I got today saying: Stop saying this is unprecedented.

The lesson to be taken is, No. 1, in moments like this, government action matters. It is important that we have a functioning government that can address problems in the space in which government must act. That is what is being asked of us here today. What is being asked of us is not to pass a perfect bill or to pass legislation that will cure the virus or to pass a law that has everything we have ever wanted. What is being asked of us is this: Can you function as a government? Can you do things you have never done? You can outdo—or, a part is the easiest one. Our sweet time to do our part. And our leaders do their job and are willing to do their part and provide people what is expected of them, they know they must.

The second thing it teaches us is that you cannot confront a challenge such as this with just government. That war was not just won because of political leadership. It was a whole-of-society effort. Every day, Americans were being asked to do things they had never done before, in places they had never been—not just to make sacrifices from what they could, but to make sacrifices in what they were asked to do affirmatively.

It will require the same of us now. I want to tell you, there are people already doing that, as we speak. The examples are too long to mention, but all over this country, there are people who are doing extraordinary things—stepping up, doing more than they have ever done—because they have to. They know they must.

I hope we will understand that if our government leaders do their job and are willing to do their part and provide people transparent, clear, truthful guidelines about what we face and what lies ahead and what is expected of them, they may not be happy and people may not be excited about it, but they will do it. I know they will do it. They are already doing it.

The third lesson is the awesome power of our country when a decent population of good people—the most creative people to have ever walked the Earth—put aside their differences to confront a threat they face in common.

Again, that is not possible, you can’t ask that of a society, you can’t ask people to put aside their differences, to put aside the trivial, to put aside the things they don’t agree on and to focus on the one thing that threatens us all—you can’t ask them to do that if you are not willing to do it yourself. And it appears to me that this may be a lesson that we have failed to do it. I hope today is a difference in that regard. We shall see.

But it takes me back to the point I made originally: What is our job in this?

Well, let me say that we—when I say “we,” those of us in government at every level—are asking of our people to do some very difficult things. We are asking high school seniors, including one who lives in my home, to be the first in I don’t know how many generations that will not have a prom, will not have a senior trip, will not have a graduation. Those things may seem trivial and may pale in comparison to World War II, but for a 17-year-old, these are rites of passage, and there are many high school seniors in this country who will not get that this year.

We are going to ask small businesses and have asked them already: You need to close your doors. You can’t open. You can’t work. You can’t make money. You can’t allow customers to come in.

We have asked people not to go to work. In fact, we have told them not to leave their homes. Over half this country is on an order: Don’t leave your house unless you are going to the doctor, the pharmacy, the gas station, or the grocery store.

We are asking nurses and doctors to confront a virus that can infect them and their families and kill them and their families, just like anybody else—to do so, on double shifts, oftentimes without the gear and the equipment to protect them.

We are asking truckdrivers to drive all night—also vulnerable to the virus, also worried about all the other things all of us are worried about—to drive all night because tomorrow those shelves need to be stocked with all the things that people are buying because they are afraid it is going to run out.

How can we ask that of our society if, for 3½ days, we can’t even vote on a law, we can’t even walk to the front of this place and lift our finger up or down and say yes or no? We can’t even do that—a ¾ voting the taxpayers’ money, on behalf of the taxpayers, in a moment of critical crisis?

I don’t mean to be negative, because, frankly, I hope that today is the day we will get this solved but there are still other people who have to weigh in here—in the House, outside commentators, people still emailing and texting: Can we change this? Can we change that?

I just don’t know how we can ask people to do all these things we need to ask them to do and, in return, tell them, by the way, we are going to take our sweet time to do our part. And our part is the easiest one.

You can just imagine this. Extrapolate what we are facing now and take it back to 1941. Imagine if, back then, people would have been saying: Boy, this is a great chance. This is a good opportunity to get back at PDB. This is a moment to build our ship, to build it in my State.

Or there is the reverse. If he would have said: Boy, this is a good opportunity to use the war powers the President has to steamroll my political opponents and put in place whatever I want and run them over.

So here we are, insisting that we need to build a lot of ships, but I am not going to vote to build it unless you are building it in my State.

I don’t want to go any deeper into that because I don’t mean to say that some of the issues that are building it in my State. They are, but sometimes the legitimacy of the issue—the importance of the issue—has to be weighed on a scale against the gravity of the moment.

I would say to you: If we were dealing with permanent policy in the normal course of business or even in a moment of a cyclical economic downturn, we would have some weeks to make some of these decisions. We have already taken too long.

People got laid off today. People will be laid off tonight—and tomorrow and the day after and for days to come—even if we pass this bill. Imagine if we don’t.

What we are facing is the toughest thing this generation has ever faced. There is no doubt about it. There is no doubt about it. Perhaps with the exception of the gentleman that called me this morning, it will be the toughest thing we ever face. Our Vietnam War was terrible. This virus is terrible, but it will not last as long or kill as many people as that war did, but it will kill far too many people and last far too long. It will last longer and kill more if we don’t take action now. That requires everyone to finally wake up and realize this virus does not care whom you voted for in the last election. It doesn’t care what you write on Twitter or what snarky remarks you come up with in your commentator moments on cable news care about any of that stuff. It doesn’t care whom you plan to vote for in the next election. It will infect you. It will kill you. It will kill people you love. It will kill members of your family. It will disrupt your community and your economy. It doesn’t care about any of this other stuff.

It really is important for us to realize—not just for this bill but moving forward—that there is no such thing as a win some here that is good for half of us and bad for the other half. There is no possible political victory here—none. There is no outcome here in which half of us are going to be able to go back and say: Boy, we really looked good, and we support our guys. All guys look really bad, and people are going to reward us for it. They are not.

I promise you, when someone has lost their job and does not know where they are going to go, is stuck in their home and their life has been turned upside down, they are going to vote for whomever they think is in intensive care, and they wind up at a hospital that has been overwhelmed and can’t care for them, the last thing
March 25, 2020

CONGRESSIONAL RECORD — SENATE

S2041

on their mind is going to be partisan politics or preexisting differences.

If you don’t believe it, we are about to find that out, unfortunately. There is no outcome here which half of us are happy and the other half are upset.

If it goes in their favor all the time, I can’t think of a better example than this one: We are truly all in this together. The carnage, the damage that this will do to our country is extraordinary. It will know no geographic boundaries, no demographic differences. This is a virus that can infect the heir to the Crown in Britain just as easily as it can a 92-year-old retiree in a Florida nursing home.

I have the gravity of the moment finally sinks in and that we take the necessary actions quickly. If there is something in this bill you really don’t like—I don’t mean to diminish it—if we can fix it, we should. But at this point, I am going to tell you that there is nothing wrong in this bill. There is nothing in this bill that will damage our country more than our inability to act. No matter how bad you think some provision in this bill may be—and I say this to both sides—there is nothing in this bill that will damage us more than doing nothing. By far, the most damaging thing that can happen is not any provision of this legislation. It is our inability to act and to send a message to the American people that their leaders can’t function, that their government can’t work—not just on a day-to-day basis but in a moment of crisis.

I hope that whatever differences may still exist at this moment—and I am trying to be fair because I know a lot of people have finally seen the full text of it in the last few hours—and if you have caught something that can be fixed, it should be fixed. But I plead— I don’t know what other word to use—that we not leave here tonight without having passed this bill because I honestly don’t know how this Nation and our people can afford one more day of this.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. UDALL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. BLACKBURN). Without objection, it is so ordered.

Mr. UDALL. Madam President, today New Mexico and the Nation face a pandemic, the likes of which we have not seen in over 100 years, and today the Senate must act to pass the largest relief package for the American people in our history.

First, I would like to extend my thoughts and prayers to everyone who is personally affected by this coronavirus pandemic. I thank the healthcare workers for working long hours and risking their own health to save lives. They are performing a national service.

The numbers of infected individuals and the rapidly rising death toll are staggering. If we do not follow public health expert advice, the tolls could be truly horrifying.

In New Mexico, we have over 100 diagnosed cases, and today the first death in our State was reported. A senior citizen from Eddy County in the southeastern part of our State passed away on Sunday.

All New Mexicans are facing new challenges—a threat to our health, a threat to our economy. My top priority is easing this hardship and making sure New Mexicans have what they need to stay healthy and to stay economically afloat.

With that in mind, I rise today to tell New Mexicans: Relief is on the way: relief to American workers who have been put out of work and to small businesses and nonprofit organizations that will be able to keep their employees on their payroll, to help our states to cover the costs of keeping our healthcare systems alive, and to help New Mexico face this mounting effort.

We need to pass this bill as quickly as possible and without delay.

It is our inability to act and to send a message to the American people that their leaders can’t function, that their government can’t work—not just on a day-to-day basis but in a moment of crisis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. UDALL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. BLACKBURN). Without objection, it is so ordered.

Mr. UDALL. Madam President, today New Mexico and the Nation face a pandemic: the likes of which we have not seen in over 100 years, and today the Senate must act to pass the largest relief package for the American people in our history.

First, I would like to extend my thoughts and prayers to everyone who is personally affected by this coronavirus pandemic. I thank the healthcare workers for working long
Education, and the HUD Office of Native American Programs. These funds will assist Tribal governments as they make their way through this crisis and support their members—support BIE schools and Tribal colleges and universities so that students continue with their education and provide housing for those most in need who are impacted by this terrible virus.

These are key victories, but we are not yet upholding our trust and treaty responsibilities to all American Indians and Alaska Natives.

So Congress must do more to respond to the unique COVID-19-related public health and economic crises in Indian Country. Tribes are some of the most vulnerable populations with the least robust healthcare systems. We have a very scary outbreak on the Navajo Nation, and I am sure that we need to monitor this closely and in all likelihood will be back here again—we must make sure Indian Country has equal access to critical coronavirus resources. Senator Heinrich and I fought hard for New Mexico priorities. We are working hard on issues that have to do with our National Labs, one of our very, very top employers—in fact, probably the biggest.

New Mexico's creative economy can't be left behind. Sitting as the lead Democrat on the Appropriations Subcommittee that funds the national endowments, I pushed for an additional $75 million for both the National Endowment for the Arts and the National Endowment for the Humanities. These funds will support local artists and art programs through this tough economic time. When arts and cultural venues are shuttered and artists and all others are out of work, there is no doubt that these are exceedingly difficult times, but together we can get through this. I would like to remind everyone to follow the health recommendations of the experts. Staying at home is the best thing we can do to slow the spread of this virus and ensure our healthcare systems are not overrun. These measures are a firebreak that cuts off the fuel for this virus and prevents a catastrophe that overruns our hospitals. Social distance, washing your hands for 20 seconds—we all have an important part to play in containing COVID-19, keeping ourselves and our neighbors and our communities safe.

The State of New Mexico is under a stay-at-home order. I commend Governor Lujan Grisham for the quick and decisive action that she has taken. She is focused and determined, like a laser beam. I know these measures are difficult and a hardship for many, but we will only be able to revive our economy once this public health crisis is abated. If we just let the virus run its course, we could lose over 1 million people. Some estimates are 2 million—1 to 2 million people. That would be totally unacceptable and devastating.

Because of the frontline healthcare workers—the doctors, nurses, and technicians and all those who support that work, hospital janitors, cafeteria workers, and so many others—this public health crisis will see an end. Thank you to everyone who is risking their own safety every day. Thanks to all the Senate staff who are here on the floor and the people who work here.

In the days, weeks, and months ahead, we must continue to closely monitor all aspects of the impact of the virus and the health and economic and continue to decisively and aggressively respond to the needs of American people. I am confident that, in working together as one Nation and one people, we will meet and beat this crisis and come out on the other end stronger.

To conclude, we must pass this bill without delay. This is a good compromise, and we must act now.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Madam President, the President pro tempore of the United States Senate is working very hard to respond to the crisis that is facing our whole Nation. One of our States is unique, but we also are here for all of America. All of America is suffering.

I know my staff in Vermont, my staff down here, the appropriators, and the Appropriations staff have been working every day and every night till midnight or later. Nobody has had any time off. I am proud to work with them, even though we have set up the capability to telework, as I would hope all would do, so we can work.

Earlier this week, we were faced with the prospect of a bill that was very one-sided. Republicans and Democrats had not done what we do best, sitting down and reaching a bipartisan agreement. We were given almost a take-it-or-leave-it bill. I applauded Senator Schumer who said we should come back together. Let's not pass a bill that leaves out so much of America and so many of the people we represent. Both Republicans and Democrats, and find a way.

Now, late last night—actually it was close to this morning—agreement was reached, in principle, on such a bill. The appropriators do only part of it, but Senator Shelby and I tried to work together to have something the vast majority of the Appropriations Committee, Republicans and Democrats, would agree on, and we did that, and that is what we have before us.

Both parties have worked so hard to put together something we can all agree on. We should be able to vote. I agree with the discussions that Senator Schumer had this morning. We all know that none of us got every single thing we want, just as I am sure my Republican friends did not get every single thing they want. And is any bill perfect, especially something of this unprecedented magnitude? Of course not. But we are at a point where reality has to overcome rhetoric. We have to stand up and be the conscience of the Nation, as we have been in the past and we can be today. It is time for Senators to come together and vote. I know that on our side, under the leadership of Senator Schumer and others, we are ready to do that.

I am the dean of the Senate. I have been here the longest. I am not going to get everything I want, neither is the President. We are going to get the bill before us. It is time to go ahead and vote.

I commend those Senators in the Republican Party and those Senators in the Democratic Party who have worked so closely with each other. I know we have in Appropriations. It is time to say: OK. Let's vote.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Cramer). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO NORMAN BORLAUG

Mr. GRASSLEY. Mr. President, I know we have a very important piece of legislation before us to turn this economy around and help in our battle against the virus. While we are waiting to vote on that, I have come to the floor for a couple of points that I would like to make.

The first one is to honor a famous Iowan. This month is Iowa History Month, so I have come to the floor to speak about one of Iowa's favorite sons, Dr. Norman Borlaug, whose birthday is today.

He is considered the father of the Green Revolution. Raised on a farm near Cresco, IA, Borlaug is credited with saving more lives than anyone in history with his breakthroughs in crop science. It took him several years to accomplish what a lot of scientists do now in a laboratory in regard to fighting diseases in plants. He did this in Mexico and India.

His work helped to overcome malnutrition and famine across the world, saving over 1 billion lives in the process.

His achievements won him the Nobel Peace Prize—not only that famous prize but also the Presidential Medal of Freedom and the Congressional Gold Medal. I think there are only five or six people who fall into the category of winning all three of those prizes.
His achievements also prompted the State of Iowa to honor him with one of Iowa's two statues in Statuary Hall here in the U.S. Capitol.

**CORONAVIRUS**

Mr. President, on another subject, some pundits, and even Members of this body, have asserted that it is inappropriate to criticize the Chinese Communist Party for its mishandling of the coronavirus that originated in Wuhan, China, because it distracts from bashing the President. We went from mainstream media outlets routinely reporting the virus by its origin to this being totally politically incorrect.

There is an excellent timetable published by Axios that lays out the Chinese coverup that prevented early action to contain the virus. The Chinese pro-democracy activist, Wei Jingsheng, warned that General Secretary Xi is ordering people back to work prematurely, risking another massive outbreak of what he called Wuhan pneumonia.

Telling the truth about the Communist Party’s misdeeds does not preclude talking about how we can improve our own response. We can learn from free countries like South Korea, which managed to contain a widespread outbreak, and Taiwan and Japan, which appear to have been able to prevent widespread outbreaks.

So this is not the time for political correctness or political point-scoring to get in the way of telling the truth or working together in a clear-eyed way to address the challenges at hand.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The senior assistant legislative clerk will call the roll.

The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the question be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I came to this building, this Capitol, about 12 hours ago today and, first thing this morning, recorded a video to share on social media with the folks back home, today and yesterday and as I have waited today and yesterday and as I have waited.

My message has been simple.

After days of disagreement—of tussling and finger wagging and of crafting—we have a deal, and I am ready to vote. Let’s move forward. Twelve hours later, I stand in a largely empty Chamber and have an odd sense of foreboding, as I have all day and as have many of my colleagues, wondering: What is taking so long? What is the delay? What are the remaining issues? I am hopeful, prayerfully, that we will resolve what is left, move to this Chamber, take up the text, vote it out, send it to the House, send it to the President, and send $2 trillion in support to our Nation.

Let me tell you, as I have waited today and yesterday and as I have taken phone calls for whatever reason from the folks from Delaware, they have all asked: When will the Senate act?

We have faced a challenge over the last couple of days between our moving swiftly in putting together a package of this size. With no hearings, no committee proceedings, and no detailed legislative process, it means that there will be rough edges, and it means there will be mistakes in this bill. Is it perfect? No. As a fact, something, as we will discover as it unfolds, are far from it.

But across the country, just as in this Chamber, there is that sense of anxiousness, of anxiety, of when will it happen.

Just a few weeks ago, the vast majority of our country was reading about coronavirus—about COVID–19—as something happening in distant countries on far shores. They read about sort of concerns about its alarming and rapid growth in Asia and then Europe.

Things started changing as the stories got more dire and more grave, as public health officials began to predict a global pandemic, as the World Health Organization announced it is a global pandemic, and leaders began to say that the United States would inevitably be touched by it, as our colleagues from the Pacific Northwest told us about how their communities were being affected, as extended contacts and quarantines on social media and then on the press shared how they are or members of their community had become infected.

As it began to move across our country, it began to impact a remarkable range of institutions, from baseball to Broadway, the closures of all sorts of treasured American institutions—every major sports league, every major public gathering.

And as now State after State has issued edicts as city and county alike all over our country have asked people to close their restaurants and their bars, their small businesses, as hotels have no occupants, as airplanes fly with no passengers, it has become haunting, eerie—the sense of an immignt disaster.

Just before coming over here I read an article in the New York Times about how in my region, in the mid-Atlantic, it has hit. In the borough of Manhattan in New York City, in a public hospital known as Elmhurst, yesterday, 13 patients died, and in a riveting account, the nurses and the doctors describe a catastrophic situation.

Public health officials, trained health aids stretched to their limits, tested as they hadn’t been before, struggling to get personal protective equipment, to have enough ventilators, to have enough ICU units—and I will tell you, as, over the last couple of days, I have talked with the heads of each of our major hospitals, folks who run skilled nursing facilities, non-profits, community health centers, as I have heard from nurses and doctors, I know the level of alarm and concern has steadily risen in recent days.

So, folks, tonight, as I stand here on the floor of the Senate, I am mindful that our Nation is suffering; that there are people all over the world, particularly here in the United States, in the States that we represent, who are anxious, who are unemployed, who are uncertain, in some cases now, too many who are infected, who are hospitalized.

It has come home to this Chamber, as one of our colleagues has tested positive and one of our dear colleague’s husband, her spouse, is hospitalized.

We know Members of the House and the Senate, of our staff, and our immediate community have been touched by this dread disease.

And we are now at a critical moment in our modern history—simultaneously a public health crisis and an economic crisis.

I have heard too many people say it is unprecedented. It is not unprecedented. The United States and our Nation have faced it through tougher times than this. To say that the Great Depression and the Second World War, the Civil War, and the Revolution, the hard work of labor organizing, and the desperate work of throwing off the shackles of segregation and of Jim Crow—to say that those weren’t tough and difficult struggles misses the significance of our history and the things we have overcome.

But for most of us, for most of our families, for most of our communities, this wave, this pandemic, this virus, and the combined health and economic disaster that is upon us may be the greatest test we have faced.

So how have we answered thousands of businesses already closed, millions of people already unemployed, and a nation fearful of a pandemic swamping the resources of our hospitals and our health system?

Let me just speak briefly in broad strokes to what is in this bill, which we have, finally, ultimately, hammered out after days of disagreement and in advance of our getting the final official text.

In the broadest strokes, the help that will be delivered to the American people by this bill starts with individual assistance—something the President has championed and the Democrats have supported in different versions of it, but we have roughly agreed on $1,200 to every adult citizen making below $75,000, and it phases out to those making below $100,000. With $500 per child, your average family might well see $5,000 to $4,000. These checks will come out in weeks, delivered directly, for those with direct deposit through the IRS, or by check to those harder to find who haven’t filed recently but are eligible.

This is a remarkable direct support to 50% of all Americans have cash in their family checkbook to get through the unexpected hardship of these next few months.
There is more than $100 billion in this bill to support our health workers on the frontline and the hospitals that make our public health possible—possible.

You heard that story about Elmhurst Hospital. In my own home State, there are hospitals rural and urban, large and small, that without this support will struggle to make it through this period.

The heroes of this period are the folks who are working—the folks who are cleaning offices, trains, hospital rooms, often without enough protective equipment, often without healthcare themselves, often without adequate pay: the folks who labor at night here in this Capitol in our offices to make sure they are clean and safe from this virus we can’t see; the folks who work in public hospitals, work long hours. They are orderlies, they are nurses. They are the paramedics who pull the gurneys, who deliver the sick, and they are the surgeons and the doctors who direct their care.

And one of the things I am proudest of is that in this now that was not in this year is $150 billion to States and counties and cities.

In the 10 years I spent in county government, I came to deeply respect the men and women who help keep our county government afloat and our communities stronger, safer, and healthy. This direct support to the States and the counties on the frontlines of this pandemic will help them get through.

The $350 billion fund—the subject of much discussion and debate—that, as initially written and proposed, would help sustain some of our iconic industries like the airlines, but with almost no transparency, in terms of the terms of the loans or the grants that would be given, and almost no restrictions on how the companies to receive them might use them, for what purposes.

Broadly speaking, after days of fighting, we have come to agreements that I support and embrace—restrictions on buybacks and dividends and executive compensation, guarantees against lay-offs and against the destruction of collective bargaining agreements, and, broadly speaking, transparency and accountability.

One of the things I am most proud of is that there will be now an accountability board, a pandemic response accountability board—an independent inspector general, a special inspector general, and $80 million in this bill for the operation of that accountability committee.

Let me move, since I see I have a number of colleagues who have joined me on the floor, to just a few other points, if I could.

There is $350 billion in this bill for the Small Business Administration to disagree, small businesses and nonprofits all over our country, with an incentive structure to change it from a loan to a grant to those who would retain or rehire their workforce.

As I have heard from restaurant owners, from hotel owners, from those who work in bars and restaurants and hotels in my community, those are the folks who have been hit the first and the hardest by the closures. This provision will allow those small businesses to reopen quickly when we get on the other side of this pandemic.

And I look forward to working with my colleagues, with the SBA Administrator, with the SBA lenders in my State and around the country to make sure it is done well and that it is done quickly.

I wrote the bill that added $17 billion more so that 300,000 current small businesses, which are current SBA loanholders, get 6 months of relief, moves them off the agenda of the SBA staff and the SBA lenders to clear the decks for them to administer this $350 billion.

And I supported Senator Cardin in his initiative to add $10 billion for small, rapid grants to the most severely impacted businesses and nonprofits.

This section of the overall bill, where Senators Rubio and Collins, Cardin and Shaheen negotiated most of it, struck me as the most bipartisan and most productive.

There is so much more in this bill I could speak to—the ways in which the resources of the Federal Reserve are going to be used to help medium businesses and small businesses; the ways in which the private sector in my home State has stepped up to partner and to deliver critically needed resources, whether it is refurbishing ventilators or donating surplus PPE from the construction sector that they don’t need today, or it is the university that has closed its research labs but makes its resources available to our hospital.

There are some remarkable efforts in partnership and coordination in my community and around the country. But at the end of the day, we have a critical question: Is this bill perfect? No.

Could we improve it by more time here arguing with each other, offering more minutes, debating further? Yes. Is there something I badly wanted that did not get in this final bill? Absolutely.

We have had nine major States delay their elections, delay their Presidential primaries. And I thought with this pandemic, and I urged that a bill written by my colleagues Senator Klobuchar and Senator Wyden, that I joined, be added in text to require every State to have a plan to vote by mail during this pandemic. If our troops could vote from the frontlines in the Civil War and Second World War, by gosh, we should have a plan to vote even if this pandemic continues.

I was disappointed that text is ultimately not going in this bill. Four hundred million dollars will be in to help those States that want to vote by mail, to expand and strengthen vote by mail, and I will be back to insist on this provision in the next bill.

But as I have said to many colleagues in the last few days, we cannot all get everything we hope for and want and believe to be important in this bill. We must put down the tools with which we so often fight each other; and we must come together and take up the implements of national purpose, of compromise, of consensus, and deliver these resources to a nation anxious, concerned, and at times even angry at all of us in the Senate for what they see as too long a delay.

So with that, let me just say to my colleagues, it is time for us to take up this bill, rough-hewn as it is, pass it through this Chamber, send it to the House. I urge my colleagues in the House to pass it. I urge it to the President’s desk for signature, and then let us all get to the hard work of making sure we do the best we can for the people we represent with this historical stimulus package, a landmark coronavirus relief package that is going to deliver $2 trillion of assistance and support to communities all over our country.

I yield the floor. The PRESIDING OFFICER, Senator from Nevada.

Ms. Cortez Masto, Mr. President, I rise today to let all Nevadans know the important steps Congress is taking to respond to the pandemic we are facing right now.

The novel coronavirus represents a global challenge to the health and economic security of Nevada and the United States.

My thoughts today are with those in Nevada who are ill or suffering with the virus, and with the families of the six Nevadans who have died because of this disease.

I also want to thank the brave men and women on the frontlines of this crisis—the first responders and healthcare workers who are battling to save lives, putting their own health and the health of their families at risk.

I know there is a lot of fear and confusion in our communities right now. Please know this, though: I am working closely with Governor Sisolak and the Nevada delegation to ensure that our State gets the resources it needs to get to the other side of this pandemic, to treat those who need medical attention, and address the needs of struggling families and businesses.

I also know that we are Nevada strong. I have seen over and over again that when things get difficult, Nevadans come together. When a gunman attacked the Route 91 Harvest Festival in Las Vegas, I saw how Nevadans from all over the State worked heroically to help victims and support families.

I am proud to say that across the Silver State, people are doing their part to reduce the impact of COVID-19.
Our Governor, Steve Sisolak, has shown tremendous leadership in working to slow the spread of the coronavirus. As Governor Sisolak has pointed out, if “Home Means Nevada,” we need everyone who can to “stay home, stay safe, Nevada.”

Our nurses, doctors, and other health officials are working tirelessly to care for the sick and to increase our capacity to deal with the cases in the future. First responders, local health authorities, sanitation workers, and retail workers are on the job around the clock to make sure essential services are available to Nevadans. Our gaming, entertainment, and hospitality industry leaders took unprecedented steps to stop the spread of infection, including by closing their doors.

So many Nevadans are contributing by working from home when they can, caring for school-aged children, volunteering to help mask makers or buy groceries for elderly neighbors, and avoiding social interactions that could spread the virus.

Everyone—every single Nevadan and each and every American—has a role to play in this crisis. We need everyone to do their part by following the advice of the experts and practicing practical, commonsense steps such as washing hands and practicing social distancing.

My colleagues and I in Congress have done our part as well. The Senate has come together in a remarkable and bipartisan fashion to act on three bills to address key healthcare priorities and to protect workers and industry from the economic impacts of the public health crisis.

Earlier in March, we set aside $8.3 billion to support hospitals, community health centers, public health offices, medical suppliers, and researchers across the country.

Next, we passed the bipartisan Families First Coronavirus Response Act to provide coronavirus testing, expand food assistance, and mandate paid sick and family leave for workers.

I am proud to have fought alongside my colleagues in the Nevada congressional delegation, including my friend and colleague Senator Jacky Rosen, to pass today’s third relief bill. We must pass this today. It is quite simply the greatest single investment in our economy and healthcare system in modern American history, and we need it.

In Las Vegas, it was hit hard by the recession. Through tremendous effort, we came through it, but our economic recovery was slow. This time, we want to make sure that our economy springs back quickly after this crisis has passed and that workers have good jobs to return to when it does. That is why we need to pass these far-reaching measures to provide immediate relief to individuals, families, and businesses suffering from the economic impact of this pandemic.

Nevada’s hospitality industry generates nearly $68 billion annually and supports more than 450,000 jobs across the State. So I have been focused on standing up for our gaming, tourism, and hospitality workers. I also wanted to make sure that when we offered relief to big companies, there was oversight, transparency, accountability, and worker protections in place. This bill does that.

I am grateful to the many small businesses in my State that have taken the hard but necessary action and closed their doors to their customers at this critical time. This bill supports them as well by providing forgivable loans and grants so they can open their doors again as soon as it is safe for them to do so.

Most of all, I wanted to make sure we supported Nevada’s workers and their families, the hard-working people our industries employ. That is why I worked with my colleagues to ensure key protections for Nevadans and all Americans were included in this relief package. We fought to expand unemployment assistance so it includes part-time, self-employed, and seasonal and gig economy workers, who make up a key part of our workforce in the Silver State.

Whether you are a dishwasher at a hotel on the Strip or a hair stylist in Carson City, you will be eligible for up to 4 months of unemployment benefits. Yes, we locked down direct payments of $1,200 for each adult and $500 for each child, up to a certain income level, so our hard-working families would have money in their pockets to recover from this pandemic. We successfully pushed to shore up our hospitals and our healthcare infrastructure, to get them more money for protective gear, supplies, and tests so they can provide patients the best possible care, while at the same time protecting themselves.

We made sure that we also included our local, State, and Tribal communities. We set aside $150 billion for our governments that are bearing the brunt of the impacts for their local healthcare systems.

That is why I support this legislation, and that is why we have to pass this tonight.

I would be remiss if I did not say thank you to the incredible staff who worked so hard these past few days, 24/7, to put this relief package together in a bipartisan way—Leader Schumer’s staff and Leader Schumer, the negotiators from both sides, and my staff as well, who worked late nights to make sure that we were fighting on behalf of Nevadans.

I know this is a difficult time for everyone, but we are going to get through this just as we persevered before. We will do it by rallying around one another, as Nevadans always do. There will be moments of challenge ahead, and each of us has a responsibility to answer these questions.

Let’s listen to the experts, let’s take care of one another, and let’s be kind and understanding of what we are all going through. But let’s not lose sight of the beauty of our everyday lives, that familiar rhythm we are all eager to restore. In Nevada and across the country, we will be back at our workplaces again, solving our everyday problems. Our children will be back at school learning for themselves how to make the world a better place. Yes, we will begin the long task of grieving those we have lost, but we will also be celebrating marriages again and marking births with a newfound joy.

We will get through this together, and I promise everyone in the Silver State that I will be fighting in the Senate to make sure we rebound from this stronger than before so that Nevadans can get back to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I want to compliment my colleagues Senators Rick Scott, Tim Scott, and Senator Sasse.

Today, when we were getting briefed about the bill, something hit me like a ton of bricks. And there are a lot of good things in here. There is money for healthcare providers, nurses, doctors, and hospitals. There are so many good things.

The country is under siege. I was one of the first Republicans to join my Democratic colleagues. I think I talked to Senator Durbin.

We need to do something more on unemployment insurance than the Rubio-Collins construct. I think, will help, but some people are going to fall through the cracks.

Never in my wildest dreams, Senator Durbin, did I believe that what we have done is to pay people more not to work than to work. Under this bill, the $600 payment on top of State benefits actually allows people to have their income almost doubled in certain circumstances. I want to help people. I want to make sure that, if you lose your job, we cover your wages. But under this bill, you get $23.15 an hour based on a 40-hour workweek not to work.

If you are trying to hire somebody in South Carolina the next 4 months, you have got to compete with that wage. If you are working in a restaurant—probably not now—but if you are working anywhere for $15 an hour, somebody is making $23 an hour, and you are working in a restaurant is just not fair. It is going to hurt the Rubio-Collins construct.

For restaurants that are out of business, we want them to be able to borrow money to pay the payroll to keep people connected to their employer. Now, do you make $23 an hour being on unemployment? How do you keep that waitress or bartender at $15 or $17? You made it a tender at $15 or $17? You made it a $23 an hour being on unemployment? How do you keep that waitress or bartender at $15 or $17? You made it a tender at $23 an hour being on unemployment?
months for unemployment commissions at the State level to figure this out.

What are we asking you to do? To get unemployment, you have to tell us where you work and how much you make. We want to do that, but the difference between the State unemployment benefit and your actual wages and stop there. We don't do that under this bill. There are people getting paid more not to work than they were in the workforce. It is going to be hard to convince people leave their jobs. You can be unemployed at $23 an hour in South Carolina. That is a lot more than people make.

So I am urging my colleagues, we need to fix this now. No matter how well-intentioned, you are going to make the next 4 months impossible for small businesses to hire. I can promise you this: If you pay somebody $23 an hour not to work, they are probably going to find a way to get there rather than working in the workplace, where I am sure they would rather be. We have created a perverse incentive not to help the unemployed person but to destroy the ability to stay employed.

With that, I would just say to my colleagues, and I am sure you are trying to bring common sense back to this body. I am very much for this bill that does help a lot of people. But we have created a Pandora's box for our economy, and I wish we could fix it tonight, and if we don't, we need to keep trying and trying and trying.

With that, I will yield to my colleagues.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, under this bill as it is written now, the government will pay many Americans more to be on government assistance than they would make if they were working at their regular jobs. I support the unemployment insurance program. It is the best and quickest way to get money to people who need it most. But we should not create a system where unemployment insurance benefits are higher than their salary. We cannot pay people more to not work than to work. This is common sense. Most people will choose the bigger check, and I don't blame them at all.

No person who understands anything about business, economics, or human nature would create such a perverse and ridiculous system. This bill creates an incentive for people to be unemployed for the next 4 months—fact. Without workers, our economy cannot reopen—fact. If our economy remains essentially closed for 4 more months, we will be in a very deep recession—fact.

You may ask, how do I know all this? I grew up poor, in public housing. My parents worked three jobs. My parents did not want to do that. I know what it is like to skip Christmas and see the family car repossessed. On the other end of the spectrum, I have run businesses, small and large, and had great success. That is exactly how I know these things. This is not conjecture; these are facts.

There are many good things in this bill, and there are many provisions that wholeheartedly disagree with but the one thing that I can do right now is to create a disincentive to work. We can get our economy up and running again, we can recover from this, but it will take a lot longer if we don't amend this bill to eliminate these perverse incentives.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. SCOTT of South Carolina. Mr. President, let me be abundantly clear. I plan to support this legislation tonight, but I do want to fix it first.

Our amendment is a very simple amendment. First, it is our responsibility to every extent possible to take care of the American people. I want to provide 100 percent of the salary while you are unemployed because of COVID–19. It is not a raise for not working. It is not 200 percent of your income while on unemployment. The goal is simply to keep you whole while you are unemployed because of COVID–19.

I cannot imagine, as a former employer, and, frankly, as a former employee, the relationship between the employer and the employee is critical. Our Nation is built on the dignity of work.

What this bill does, without fixing it, is simply say: You can earn more money by being on unemployment than you can while working. That isn't an incentive. That is perverse. We cannot have intended to encourage people not to work and make more money than to go back to work and receive their normal pay.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. Sasse. Mr. President, as Senator TIM SCOTT just said and as Rick SCOTT and Lindsey GRAHAM just said, this amendment is really, really simple. All we are trying to say is that we should help everyone who needs to be helped, but not hurt by creating a disincentive to work. That is not good for anybody in the country or the country as a whole.

We are in the middle of two unprecedented crises right now. We have a public health crisis, and we have an economic crisis into which we are just entering. We don't know how long the valley of this recession is going to be, but I want to be sure that everyone who is watching tonight understands exactly what this debate has been about this afternoon. This debate is how you can be both pro-worker and pro-recovery, to be kind and charitable, and actually also, simultaneously, affirming the ongoing dignity of work and the necessity of work as our country battles through this virus and ultimately rebuilds our economy.

Nobody here is arguing about whether this bill would help. Everybody on both sides of the aisle tonight wants to help workers. This is a debate about whether we are going to let a poorly drafted bill knock this Nation still harder in the coming months by unintentionally increasing unemployment. This bill that this debate is about is going to exacerbate our problems, and we will be coming back here in a month or 2 months, trying to fix these problems.

These are the Americans who are going to get us through. They are the people who are going to keep our supply chains alive, and those supply chains are the lifeline for lots of American communities.

Here is what is wrong with the bill. As it is currently drafted, it threatens to cripple the supply chain for many different categories of workers—some in health sectors and some in food prep and food delivery. This bill, as currently drafted, creates a perverse incentive for men and women who are sidelined to then not leave the sidelines to come back to work. This bill creates a perverse incentive for many employers who should be wanting to maintain their mainstay—employing–employee relationship—it creates a perverse incentive for them to sever that employer-employee relationship.
Many other pieces of this bill tried to tackle this problem in a really constructive way. The $350 billion for the Small Business Administration—it is trying to build bridge loan programs that help employers and employees be connected to capital in a new and different way. The unemployment insurance piece of this should not work at cross purposes to what the bill is about in the overall argument.

Nobody has a problem with the generous unemployment benefits that are in the bill. Every country has a problem with the generous unemployment insurance benefits that are in this bill. They should be generous amid the national crisis we are in. But we don’t want this piece of the bill to create an incentive for folks to stop working and to have their employers push them away when the employer and employee should be trying to rally around and together to help us build through this crisis.

So we want to do something really simple. We want to fix what is broken here by saying that unemployment insurance benefits should be capped at 100 percent of the pay you had before you were unemployed. This isn’t just about people who have already been made unemployed. This is about people who are going to be made unemployed in the coming weeks.

All this amendment says—which we are voting on in a few minutes—is that we should cap the unemployment benefits at 100 percent of the wages you were just receiving while working. It should not be something the U.S. Congress does to create an incentive where you will get paid more by not working than you get by working. That is pro-recovery legislation that tries to keep our supply chains humming and tries to help us—325 million Americans come together to beat this thing.

We should vote for workers. We should vote for recovery, and we should vote by doing the thing and come out stronger on the other side.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I would like to address this issue because I think it is important that we explain where we are today and why we reached this point.

I can recall when Senator GRAHAM crossed the aisle a week or so ago, perhaps, thinking they had figured out unemployment insurance and his goals for unemployment insurance. It sounded consistent with the language and conversation I heard on our own side of the aisle, our own caucus, to use the unemployment insurance system as a way to make sure that people were able to really weather the storm when it came to the public health crisis we face.

The number of people who are filing for unemployment has gone up dramatically. There were 2 million new unemployment claims filed last week, compared to 218,000 nationwide in previous weeks. So we know that the number of people who have lost their jobs—laid off, furloughed, fired—is growing in a fashion we have never seen before. I have seen it reported in my State. I am sure each of you have seen the same.

But let’s get down to the bottom line. I ask my colleagues just to bear with me for a minute. What you were describing is what we initially set out to do. And then we met with the representatives of the U.S. Department of Labor. I was a member of the task force for the Senate Finance Committee, and I sat there as a representative from the U.S. Department of Labor came in and said: Senators, you don’t understand 50 different States computer systems when it comes to unemployment benefits. We can tell you point-blank that only 6 or 8 States out of the 50 could possibly do what you want to achieve.

They tell us it will take them months to reprogram their computers to make the simple calculation—what is the computation of 100 percent? We are told that says that you never get paid more in unemployment than you were making on the job. That was the reality. We didn’t make that up. This wasn’t a Democratic, dreamed-up idea. This was the administration’s. The administration’s Metropolitan: Do not be fooled. We were standing with these workers and their families, and I think you want to as well. But the way you want to calculate these benefits is wrong. It cannot be done in a fashion that brings relief to these families when they need it right now.

Mr. SCOTT of South Carolina. Will the Senator yield?

Mr. DURBIN. I will in just a minute. I am happy to yield as soon as I finish. I want to make this point as clearly as I can. I believe that this is not a windfall. Let’s assume that instead of $450 a week, you are successful; that makes it $450 a week. So $150 times 16 weeks—that is 4 months. How much is that going to come out to? $2,400? Is that going to mean that someone now becomes and just won’t go back to work? I don’t think so. I think a lot of people will use that money and need that money and are given a helping hand and will put it right back in the economy. That is what this is about—that these families can keep their homes, pay their utility bills, put food on the table, and put the money back into the economy. That is part of what we are trying to achieve here.

If we err on the side of giving a hard-working family an extra $1,000 or $2,000 because of our approach, so be it. No apologies. We didn’t design this system. We were told we had to work within the design of the system. We tried to do it. We think the $600 a week is a reasonable way to do it, and I will yield for a question.

Mr. SCOTT of South Carolina. I thank the Senator. The $600 a week, I think, if I do the math quickly, times 16, is about $9,600. Add on top of that the additional $1,200 per person, or $2,400 per family, and $500 per kid is an important number that we should—I think you have hit on the point that we should all be willing to agree upon that the systems of unemployment throughout our country, perhaps, are working on antiquated equipment that may need to be updated so that we can, in fact, put money back in the hands of their unemployment. I would love for us to work in a bipartisan fashion to try to figure out, through the Department of
Mr. SCOTT of South Carolina. My amendment if it is going to be offered err on the side of helping working families. I think it is the reasonable first effort? I think it is the reasonable term policy, but for the immediate phase—phase 4, phase 5, whatever it is—let's work together to try to upgrade these systems, to make them work the way we want them to work.

But in the meantime, wouldn't we want to err on the side of standing with working families and their employees? Wouldn't we want to do that in this first effort? I think it is the reasonable and thoughtful way to do it.

Mr. SCOTT of South Carolina. I am happy to answer that question, if the gentleman will yield.

Mr. DURBIN. I would be happy to yield for a question from my friend from South Carolina.

Mr. SCOTT of South Carolina. Thank you, sir.

I would say that, on both sides of the aisle, would you not agree that we are both trying to get to the place where we are, in fact, keeping the average person, especially the working-class people, whole as we ponder and discuss this and consider your position, Mr. SCOTT of South Carolina.

Mr. SCOTT of South Carolina. My final thought is that my goal isn't to come down here and have a disagreement, as much as it is to illuminate a very important part of the process that, if we can get it fixed throughout our country as we tackle these issues in the future, more folks on both sides of the aisle will have greater confidence in giving these resources to the States so that our people can be whole. That is all I wanted to say.

Mr. DURBIN. There is no disagreement. I say to my friend from South Carolina, there is no disagreement, but the U.S. Department of Labor says we cannot do that at this moment. And at this moment, when people are hurt so badly, when they have lost their jobs, been furloughed, laid off, and they are worried about paying their bills, the Trump administration says we are going to send them a cash payment.

We say—and I hope it is a bipartisan statement: We are with you too. It isn't going to end with that one cash payment. We are going to stick with you and work with you on unemployment insurance benefits are going to keep you and your family together. And if, by chance, you come out a little bit ahead in this process with the cash payment or with the calculation of this formula, you be it. So be it.

At this moment in history, facing this national emergency, we would rather err on the side of your being able to pay your bills and keep your family together. Future needs, we can discuss and work on that debate. We can see what we can do with the State systems. But for the time being, there are no apologies.

From where I am standing, $600 a week is exactly what Democrats are committed to—I hope Republicans are as well—because our belief is that this is the moment when we need to stand with these workers.

I might say that I support RUBIO and CARDIN in their efforts to help small businesses. It is the right thing to do. It was bipartisan from the start and really without much controversy. Have we asked any of those businesses to produce net worth statements before they receive those benefits? No, we are not doing that. We understand this is an extraordinary moment. And we may do something different if we are thinking about a long-term policy, but for the immediate term, let us do the right thing. Let us err on the side of helping working families who are out of work.

That is why I would oppose this amendment if it is going to be offered by the Senator from Nebraska. I came to the floor to explain how we reached this point, and I hope that others will consider my point of view.

Mr. SCOTT of South Carolina. Thank you.

Mr. DURBIN. Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SASSSE. Mr. President, I would say very briefly that I appreciate the comments from the Senator from Illinois explaining his position. It seems to me that from where he started, he should actually be supporting the amendment, and then we should figure out what we need to do to push on the Department of Labor to actually modernize their systems.

But I just want to say in public something that has been negotiated for the last 8 or 9 hours—and we haven't been able to get conversation partners, on that side, which is that you are absolutely right that the Department of Labor says that there are massive system problems in the States. So given that we are entering a recession at this moment, we are going to have lots and lots of needy Americans, and the calls on the State departments for unemployment insurance benefits are substantial right now. So I would just say, taking you in good faith that you would like to upgrade these systems so that we could do this thing, which doesn't accidentally stimulate unemployment by disincentivizing work, I have been trying all afternoon to get people on that side of the aisle to say we can't get this solved by day one of the new unemployment insurance benefits, but by week 8 or 9, maybe we should have been able to get to a place where the Department of Labor had the resources to help these departments of unemployment insurance deal with this.

So I will follow up with you offline because I would like to work with you on getting to upgrade these systems, to make them work the way we want them to work.

I have one more thing to say, but if you want to get in a word, please, go ahead.

Mr. DURBIN. I would, in the nature of a question through the Chair, which I believe is the appropriate procedure.

Mr. SASSSE. The Presiding Officer is very liberal on these things. He is very easy.

Mr. DURBIN. Well, this is actually turning out to be a debate on the floor of the Senate. It is almost historic.

But I would just say this. We disagree on one basic premise. I don't believe giving people $1,200 for each adult as the President suggested, or out of our approach, if they ended up with a net gain of $2,000, that we have now turned them into lazy people who will not go back to work, and that they will just wait for the next government check.

These aren't the people I know, and they aren't the people you know. By and large, these are hard-working people who, with an additional $1,000, may finally be able to buy that refrigerator, may finally be able to get that car fixed, and may finally be able to get some dental work done.

Mr. SASSSE. I would reclaim my time pretty soon.

Mr. DURBIN. So I don't think paying them a little extra here is going to change their lifestyle and attitude toward hard work.

Mr. SASSSE. We were agreeing for a while, but I think it is pretty important here to underscore that your math isn't real.
The reality is that in lots and lots and lots of States in the country, where people are earning $12 or $13 or $14 or $15 an hour right now, the unemployment option they are going to be offered is going to be more like $24 or $25 an hour, and $25 an hour of unemployment is not a livable wage.

We are not talking about $1,000 over the course of these months. We are talking about cases where people might have an annualized wage right now of $30,000 and be looking at an unemployment benefit of $1,000 a week, which is $50,000 annualized. So your math isn’t real.

The reality is, it isn’t $600 total. It is $600 on top of what the unemployment benefits already were in that State. So there are lots of people who are struggling to work hard and to love their neighbor. We have a lot of health aides in Nebraska who make 16 bucks an hour. That is a $32,000-a-year job. Their work is important. That is a vocation.

People need them.

There are sick people from COVID–19 and other diseases right now in Nebraska who need the benefit of those health aides, and you just told them in this bill—we just told them in this bill—yeah, your work is a little bit important, but look at this. You could make substantially more money if you didn’t do the hard thing of trying to figure out what do we do with our kids today when school is closing, and I don’t know how to do daycare, and my sister and we help take care of my kids, but do I really put the burden on her when I don’t actually have to go to work to get this same money? In fact, I can get substantially more money by going on the unemployment insurance program.

That is a disincentive to work that I don’t think you believe in, I know I don’t believe in, and I know nobody in my State believes in.

It is not a Republican versus a Democratic issue. This is an American issue. We believe in workers, and we believe in work, and we don’t believe government should come in and say: It is much better off to be a nonworker than a worker. You can make a lot more money being a nonworker than a worker.

We are not talking about people who suffered layoffs last week. We are talking about creating a system here which will incentivize more unemployment next week. That is a mistake by this Congress, and we could and we should be doing better than that tonight.

I know the Senator from Texas has been trying to get in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, this bill is going to pass overwhelmingly. It may pass unanimously tonight, but I think this amendment would make it substantially better. I expect we will see a party-line vote on this amendment, and I think that is unfortunate because the consequence of the system—the unemployment insurance system—in this bill right now is that we are going to substantially disincentivize work, and it is going to hurt workers. It is going to hurt small businesses.

Let me give you a concrete example. In Texas right now, the maximum unemployment insurance is $521 a week. After this bill passes, that will rise from $521 a week to $1,121 a week. That is nearly just over $58,000 a year. That means that, in the State of Texas, we are going to be paying people, offering them, basically, 28 bucks an hour not to work.

Now, listen, every one of us recognizes that people are hurting. The problem is the incentive. We are creating an incentive that will hurt small businesses.

If you have a waiter or a waitress who has lost their job for a few weeks, they are on unemployment, and they are making $25, $26, $28 an hour, suddenly, the prospect of going back to that job and seeing the money they are making substantially doesn’t seem too attractive. And, suddenly, the restaurant owner who is trying to make the small business work can’t attract those workers back. That is bad for everyone. Incentives matter.

We want them to work.

So I would ask the Senator from Illinois: You said the problem with implementing this principle—that we shouldn’t pay people more not to work than they make working—was administrative, that the Department of Labor and the States couldn’t do it. Would the Senator agree with this amendment, and would the Democratic Party agree with this amendment if it simply had language inserted “to the best extent practicable”?

So acknowledging that it may not be practicable, would you agree with the principle that in implementing this, the States and the Department of Labor should try to make sure we are not paying people more not to work than they would make if they were working?

Mr. DURBIN. Is that a question directed to me through the Chair?

Mr. CRUZ. I will yield to the Senator from Illinois.

Mr. DURBIN. All right. Let me just say at the outset that we are talking about people who did not voluntarily leave their jobs. These people did not voluntarily leave their jobs. They were terminated, laid off, furloughed. These are not people who were gaming a system. These are people who are victims of the system that is hurt by this national emergency.

Secondly, if we are erring on the side of giving struggling, hard-working families an additional $1,000 a month—$1,000 a month—for goodness’ sake, I am not going to apologize for a moment.

These people are living paycheck to paycheck, in many respects, if they are making $15 an hour. That is $30,000 a year. And for us to say: Well, they are going to end up with 1,000 bucks; now they will never go back to work, those people, I don’t believe that.

In this world of social media and such, we have been contacted by nurses who say: So you think we are going to quit our jobs so that we can take advantage of the unemployment benefits? No, we go to our jobs, and we do what we have to do, and the amount of money is secondary.

Mr. CRUZ. If I could reclaim my time?

Mr. DURBIN. I will be happy to, and I thank the Senator from Texas. But I would just say this: Yes, in this respect, I agree with you.

Take a look at the State systems of paying unemployment benefits. We are told by the U.S. Department of Labor that many of them are way behind the modern technology and cannot meet what you have stated as your goal here.

If we want to work toward that goal of improving those State systems, as Senator Scott said earlier, I will join you in that effort. But let’s not apologize for, perhaps, sending them an extra $1,000.

One last point, we are asking these people to stay home. We were asking them to help us defeat this virus by not working and to stay with their families. So one of the incentives here, if there is a good unemployment benefit coming in, is that they can keep their families together while they obey this directive, at least, from government, State and Federal.

Mr. CRUZ. These quarantines are going to end. The period of staying at home is going to end. But under the policy favored by the Democratic Senators, there is going to be an incentive that is going to end up with more people being unemployed.

Let’s say you are a restaurant. And if you keep your employees on, maybe through a small business loan, you can pay them, say, 10 bucks or 11 bucks or 15 bucks an hour, whatever you are doing, by your policy, you can go on unemployment and make a whole lot more money. You don’t think there are going to be a lot of small business owners who have their employees saying: Wait a second, I can make more money?

That is a bad incentive. We want to create incentives. I agree that people want to work, but government can mess that up if we make it more profitable.

Look, the checks we are sending, the $1,200 a person, don’t create an incentive. It is not $1,200 if you do x conduct. We want incentives that bring people back to work so that these small businesses that are closing their doors every day don’t stay closed—so that they open up again, and that they have opportunity again.

It is a perverse incentive to pay people more not to work than to work. Yes, we should help them, but we don’t want to trap them. That is what this policy does.

Mr. DURBIN. Will the Senator yield for a question?
Mr. CRUZ. Of course.

Mr. DURBIN. Senator, I am sure you are acutely aware that this is a 4-month program. We are not offering people this benefit indefinitely. I hope we don’t have to renew it, but to say that I am going to change my lifestyle and go to work immediately, or returning to the place where I have worked forever, where I was just laid off because they closed the restaurant because of a 4-month program, I don’t think so.

I think the more loyal to the workplace if they are treated fairly. And if we end up giving them an additional $1,000 a month, at the end of the day, I think it is the right thing to do.

Mr. CRUZ. The incentives matter. We don’t want to delay a recovery from this crisis by 4 months. Hopefully, we stop this global pandemic, and we stop it soon. You don’t know how soon that will be. I don’t know.

One of the benefits of this bill is that we are flooding more resources—and we should be—into ventilators, into personal gear, and into ventilators. There is a lot we need to do to stop this pandemic, but when it ends—and it will end, and we will get through this—we want people to go back to work—not 4 months. We want them to go back to work as soon as they are able to go back to work, and that is what our economy needs to be strong.

I would note, again, that I posed a question to the Senator from Illinois: Would he take the modification that acknowledges the administrative problems but said that this is the principle we should follow—that you shouldn’t be paid more not to work than you are paid to work. And the Senator from Illinois didn’t answer that.

Mr. DURBIN. Will the Senator yield for a question?

Mr. CRUZ. Absolutely.

Mr. DURBIN. Does the Senator support the Trump administration’s cash payment into the families, which comes to them whether they work or not?

Mr. CRUZ. I do. I am going to vote for it, but it doesn’t create an incentive. This is where too many in the Democratic Party don’t understand the incentives of trapping people out of work.

Incentives are future looking. In sending these checks right now, if you make $75,000 or less, you are going to get a $600 payment. But when you add it in the next couple of weeks. That is helping relief, but it doesn’t create an incentive for conduct tomorrow. What I don’t want is for people to be sitting there making a choice—making a very rational choice.

Look, if you are sitting there and saying, Well, gosh, I can make a lot more money staying at home with my kids and not working than if I go back to the job, that is not an irrational decision if you are making 28 bucks an hour to stay home. We are causing that problem exactly by the incentives in the law, not to work, and that is not, ultimately, in their interest or in the economy’s interest. This is hurting workers—to pay them more not to work than they would make if they were working.

Mr. DURBIN. If I may just comment and say this. I don’t think President Trump’s cash payment or an additional $1,000 is under the unemployment benefit is going to make a worker lazy and government dependent. These are not the people I know. These are people who get up and work hard every darn day, and if they get an extra helping hand out of this, so be it.

We are trying to deal with a health crisis and help these families get through it. That is where we started on this side of the aisle.

We may talk about something in the future and approach it a little differently, but I don’t think it makes them lazy to receive the President’s cash payment or to receive an extra payment from this unemployment benefit.

Mr. CRUZ. So, with respect, the Senator from Illinois is suggesting this is somehow some negative moral judgment that it makes them lazy. It is exactly the contrary. I am saying people behave according to rational incentives.

Look, our girls are 11 and 8 at home. We have incentives all the time: positive incentives and negative incentives. Incentives work.

We don’t want to create a system where someone, being perfectly rational and reasonable, says: Well, gosh, I can make a lot more money for my family staying here than I can going to work. If I go to work, my family makes less money. That is not a question of being lazy. That is a question of the government is putting me in a position where, if I want to care for my kids, I can do a better job of that by staying home. That is really foolish, and that, unfortunately, is the position right now of what I expect to be the Democratic Senators who will vote no on this.

That is a bad policy for workers. It is a bad policy for small businesses. It is a bad policy for the economy. We should support jobs, not paying people not to work. Give them a safety net, yes. Give them relief, yes. But don’t create incentives that make the problem worse, and that is what this Democratic policy will do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware spoke first and is recognized.

Mr. CARPER. Mr. President, replying to my colleagues, I think the Senators from Nebraska and South Carolina know that I have great affection and respect for them, and I have from the day they got here.

I used to be a State treasurer. I was elected at the tender age of 29. Delaware had the worst credit rating in the country. We were a last and least place. We didn’t have much of anything to save our budgets. We couldn’t save our budgets to save our souls, and we had pretty much no money in the unemployment insurance fund.

Over time, we straightened out our finances, elected a guy named Pete du Pont as our Governor. I was treasurer for a while, and we had a Democratic and a Republican legislature—split. We learned how to work together. It is something we call “the Delaware way.”

Governor du Pont was the lead Democratic Governor on welfare reform when I was a member of the National Governors Association.

I was raised in a coal mining town in West Virginia. Parents—not much money, deep faith, hard work. My dad used to say to my sister and me: I don’t care if you have to work three jobs to pay your bills, work three jobs.

That is really the way I was raised, and I suspect that most of us here were raised that way—a strong work ethic. When I was the lead Democratic Governor on welfare reform, I used to say people ought to be better off working than they are on welfare. Bill Clinton said that often. I really believe that.

The thing that was wrong with welfare—our welfare system—was that people were actually better off staying home than they were working. So kind of the same principle we are talking about here.

Delaware has its own unemployment insurance fund. We have one in Delaware. They have one in Nebraska, one in Texas, one in Illinois. They are different, and different benefits are calculated in different States.

I just got off the phone, colleagues, with a fellow named Cerron Cade, who used to be a member of my team when I was early in my time in the Senate. He is now secretary of labor.

I said, Cerron—Mr. Secretary—what does many people in the unemployment insurance? What is the replacement rate? He said it is somewhere between 25 and 50 percent of what people were earning. But he said there is a $400 cap per month—excuse me—per week. There is a $400 cap per week on the benefits that we will pay anybody, regardless of what they were making—$400 a week.

If you think about it, $400 a week for 4 weeks is like $1,600 a month. Add to that the $600 benefit, and we are talking about $2,200 per month.

If somebody is working full time—Mr. SASS. Six hundred per week.

Mr. CARPER. Excuse me. There you go. But if you add the numbers, I am not sure we end up with $24 per hour in Delaware.

Mr. SASS. Twenty-six.

Mr. CARPER. It might be the case, but I would have to see those numbers.

My secretary of labor said he thought that the number that we were looking at here was something like $13 an hour in Delaware, when you add it all in, as opposed to $24. So we will go back to do our math.
Mr. SASSE. Will the Senator yield?
Mr. CARPER. Happy to yield.

Mr. SASSE. I don’t think that any of us think that a math debate is the most productive way to spend our time in the Senate, but just so we are all talking on the same sheet: $400 a week, add $600, is $1,000 a week. Divided by a 40-hour week, that is $25 an hour.

I don’t know how you explain that to people who are making 15, 16 bucks an hour in Delaware, that you are now going to pay them $25 if they become unemployed.

The Senator from Illinois said this is the program only for people who are involuntarily separated. If that is the way the program worked, it would be great, but anybody who has ever spent any time with unemployment insurance programs in your States knows that is not how it works.

How it actually works is, once you create a disincentive to work, employ- ers now play off employees to say: I kind of would like to drive you off the system, and I think you should recognize this would be better for you, too, if you can casu- alize it. That is actually what happens.

I will yield the floor back to the Sen- ator.

Mr. CARPER. I thank the Senator very much. I will go back and will re-engage with our secretary and make sure we have the math right.

The other point that he made—I asked him: How hard would it be to ad- minister? Is it something we could stand up in a couple of weeks or are we talking about months or what? He said this would not be an easy thing, adminis- tratively, to do. And at a time where we are anxious to get the benefit out the door in a hurry, this would not be easy. I would just ask us to keep that in mind.

One of the people I talked to last week when I was trying to figure out, really, a kind of big package legisla- tive package No. 3 should be—Leon Panetta is one of the people I talked to. He told me about the three t’s: timely, targeted, and temporary. Those are the three that he talked about.

Timely means making sure we figure or calculate the right benefit but that we are able to turn around and pay it in a timely way.

What I gathered from my secretary of labor is we are not going to be able to implement them the way they are doing at the State level, feed into that the State and the Federal benefit, and do it in a timely way. I think, if we could do that, you would have, probably, a fair amount of bipartisan support. But it is that delay, and we just don’t know how long that delay would be.

Ted Kennedy used to sit behind me when I first came to the Senate. And I noticed that I knew some Senators. Dick DURBIN and I served in the House together, and other people, we had been Governor. I didn’t know Ted Kennedy. One day I said to him: I am new here in the Senate, and I don’t really know you very well.

What I was doing was going to have a cup of coffee with the Senators I didn’t know well, and I asked if I could maybe have a cup of coffee with him. He said: We will do better than that. Come to my hideaway, and we will have lunch together; I have some time.

I didn’t think we ever would, but it was a nice offer, a nice idea. Two weeks later, we had lunch together in his hideaway. It was like a Kennedy mu- seum. Some of you have been there be- fore. The Senator introduced an amendment. I remember I asked him: How is it that so many Republicans here want you, Ted Kennedy—the most liberal Senator?—in the Senate, and at the same time, those who are making 15, 16 bucks an hour in Delaware, that you are now going to pay them $25 if they become unemployed.

Governors together. I didn’t know Ted Kennedy and I served in the House when I first came to the Senate. And I long that delay would be.

John F. Kennedy was always about the State and the Federal benefit, and do it at the State level, feed into that the State and the Federal benefit, and do it in a timely way.

That is why I authored legislation that is included in this package before the Senate to expand unemployment assistance. We have never had unem- ployment benefits in response to a public health crisis, but we have never seen an emergency on the scale of what we are seeing right now. We must sup- port workers who are not receiving a paycheck or have been laid off due to coronavirus.

That is why I fought to create an un- employment compensation program to provide federally funded benefits to people who are unable to work during this pandemic. It would expand unem- ployment benefits to workers who have exhausted their State unemployment benefits, and it would make unem- ployment benefits available to people who do not usually qualify—including small business owners, freelance writers and workers, independent contractors, sea- sonal workers, and people who have re- cently started or were about to start a new job.

And it provides workers with ex- tended unemployment insurance so that hard-working families can have some certainty that they can stay afloat financially during this crisis that is likely to last awhile.

Our small businesses have been hit especially hard, and some are at risk of having to close their doors or lay off their employees. Our small businesses are the backbone of our economy, and that doesn’t happen—more than ever.

That is why I worked with my col- leagues on the Small Business Com- mittee to craft legislation to expand funding available for small business loans.

As a result of those efforts, this package now increases the funding for the popular and successful 7(a) small business loans to $350 billion.
I also pressed for additional funding—$2.3 billion—for small business development centers and women's business centers and an increase in funding for minority business centers as well. These funds will go a long way toward helping small businesses pay their rent and keep their doors open.

This legislation also includes significantly more funding that will go to our hospitals and healthcare system. This funding will ensure that our over-stretched hospitals can make up for lost revenue, keep their doors open, and pay for the dedicated nurses, doctors, and healthcare professionals who are on the frontlines fighting day in and day out to stop this pandemic.

I have been working closely with the hospitals and healthcare providers in Michigan, and they cannot stress how critical this funding is to their ability to continue providing care and comfort during this pandemic. I will keep fighting to ensure that they have the resources—the supplies, the gloves, the masks—and the medical equipment they need to protect themselves and their patients from coronavirus.

Finally, as the ranking member of the Homeland Security and Governmental Affairs committee, I worked closely with Chairman Ron Johnson to ensure that this legislation has strong oversight provisions in place. We must ensure that the funds we are authorizing are going to the people, the small businesses, and the healthcare providers who need them the most.

Our oversight provision creates a Pandemic Response Accountability Committee—a Board that is made up of agency watchdogs who will be charged with auditing and investigating the administration's coronavirus response efforts and how your hard-earned tax dollars are being used to address this serious crisis.

We are also requiring the Government Accountability Office to audit where these funds are going and keep Congress and the American people up to date through real-time, publicly available reports. This model was used to successfully track spending from the 2009 Recovery Act during the great recession, and I was proud to work with my Republican chairmen to get this important accountability measure included in this bill.

This is an important step forward to address this crisis head-on and ensure our Nation can get back on track once we have addressed the serious public health threat and the resulting economic crisis as well. It is an important step, but it is not the last action we will need to take before this pandemic is over.

I am going to do everything possible to continue working with my colleagues in a bipartisan manner to ensure Michigan communities and families have the resources and the support they desperately need. I will also continue working closely with Michigan Governor Gretchen Whitmer, local leaders, public health experts, and national security officials.

It will continue to take each and every one of us doing our part and working together to prevent the spread of this pandemic, protect public health, and continue economic recovery.

But together, I know that we will get through this, and we will come out stronger on the other side.

I yield the floor.

The PRESIDING OFFICER (Mr. Sanders of Vermont). The Senator from Vermont.

Mr. SANDERS. Mr. President, let me be very honest and tell you that there is much in this bill—and we have not yet seen the printout yet—that I am concerned about. I am especially concerned that the administration will be able to spend $500 billion in virtually any way they want—any corporation they want—with virtually no strings attached.

The American people, at a time of massive income and wealth and inequality, do not want more corporate welfare, and they do not want policies that will allow corporations in some cases to receive loans or grants and then do stock buybacks to enrich their stockholders, to provide dividends, or maybe raise the compensation benefits of their already wealthy CEOs.

What the American people want right now is for us to use our taxpayer dollars in every way we can to protect the health and wellbeing of this country, to protect the middle class, to protect the 50 percent of our people who are living paycheck to paycheck.

As we speak tonight, half of our people in this country—in the richest country in the history of the world—are living paycheck to paycheck. They wake up in the morning, and they are saying: Do you know what? I can barely make it on the paycheck I got because I am making 12, 13, 14 bucks an hour, and my paycheck has stopped. How am I going to pay my rent? How am I going to put food on the table for my kids? How am I going to make sure the lights remain on? How am I going to pay my student debt? How am I going to pay my credit card debt? If somebody in the family gets sick, how am I going to pay for that?

This bill has been worked on extensively in the last few days. There are elements in it that, in my view, are positive—don't go far enough by any means—but one of the things this bill does do is provide the largest expansion of unemployment benefits in history, expending about $250 billion of Federal funds. What it does, importantly, is the provision to make sure that for all kinds of absurd reasons having to do with the Republican attacks on workers for many years, fewer than 50 percent of American workers today are eligible for unemployment benefits.

What this bill does, rightly so, is say that in the midst of this terrible economic crisis where some people—nobody knows—where some economists are estimating that by June, the end of next quarter, unemployment could be 20 percent or 30 percent—and what this bill does say is that whether or not you are eligible for unemployment today, you are going to get unemployment compensation. And that means many of our workers will drive Uber cars—many of the waitresses and waiters who make starvation minimum wages, many so-called independent contractors will be eligible for the extended unemployment benefits. And they will exactly, by the right thing: survive.

The other thing this bill does, which is right, is say: OK, we are in the midst of a horrific crisis, unprecedented in modern American history. Not only are you going to get your regular unemployment benefits, we are going to add another $600 a week to it.

And now I find that some of my Republican colleagues are very distressed. They are very upset that somebody who is making 10, 12 bucks an hour might end up with a paycheck for 4 months that is more than they received last week. Oh, my God, the universe is collapsing. Imagine that. Somebody who is making 12 bucks an hour now faces, like the rest of us, an unprecedented economic crisis and, with the 600 bucks on top of their regular unemployment check, might be making a few bucks more for 4 months. Oh, my word, what is the universe survive? How absurd and wrong is that? What kind of value system is that?

Meanwhile, these very same folks had no problem a couple of years ago voting for $1 trillion in tax breaks for billionaires and large, profitable corporations—not a problem. But when it comes to low-income workers in the midst of a terrible crisis, maybe some of them earning or having more money than they previously made—oh, my word, we have to strip that out.

By the way, when the McConnell bill first came up, unbelievably—and I know many Republicans said to this—they were saying that we want to give—whatever it was—1,000 or 1,200 bucks, but poor people should get less. You said: Because poor people are down here, they don't deserve—they don't eat; they don't pay rent; they don't go to the doctor; they are somehow inferior. Because they are poor, we are going to give them less. That was addressed. Now everybody is going to get the $1,200.

Some of my Republican friends have not given up the need to punish the people working to keep our country going. They haven't raised the minimum wage in 10 years. Minimum wage should be at least 15 bucks an hour. You haven't done that. You have cut program after program, and now—horror of horrors—for 4 months, you aren't even going to put a few bucks more than they otherwise would.

Needless to say, this is an amendment that is coming up, but I don't think it is going to go very far. If it
Mr. SANDERS. No, not permanently but during the crisis, yes.
Mr. SANDERS. OK. That is a helpful clarification.

The Senator was saying a lot of different things, and I thought he was arguing for a UPI of $2,000. I just wanted to clarify that point.

The Senator believes a lot of things very differently than I do, but I appreciate the fact that he argues forcefully for his positions. I think this body would benefit from having more people who spoke as bluntly and directly as the Senator from Vermont. I hope his positions will be voted down again and again and again, but I appreciate the way in which he argues for his positions.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, several Senators on the other side have been arguing against the inclusion in this bill to supercharge unemployment insurance right now, which is something on which Senate Democrats have negotiated with the Trump administration, Secretary Mnuchin, and Chairman Grassley. Based on what I am hearing from Senators on the other side, you would think that this provision was pretty much going to end Western civilization.

Now, supercharging unemployment benefits has long been a priority for Senate Democrats, and we have been fighting for those improvements in unemployment since the process began. In our view, it is the key to getting help to where it is needed the most.

I think, colleagues, when you see the unemployment claim numbers tomorrow, if the numbers are accurate, this Chamber is going to see that the unemployment crisis will be exploding in America.

I don’t believe anybody in our great country should fall into destitution as a result of this pandemic, so I, obviously, disagree with my colleagues who oppose so strongly our amendment to improve unemployment benefits. I just want to make a few key points in response to their argument.

First, I start with an argument that just about knocked the wind out of me when I heard it earlier. It is the idea that nurses are going to quit their jobs as a result of this legislation. Nurses are not going to lose their jobs to get unemployment benefits because that is not how nurses think when they get up in the morning.

By now, everyone has seen the Herculean efforts of our nurses who have been fighting the pandemic. Nurses in America are brave, and they care. They are true professionals. From Portland, OR, to Portland, ME, they are on the frontlines of this fight and are putting themselves in harm’s way to save the lives of our neighbors, whether they be in New York City, Los Angeles, or anywhere else. They don’t cut and run.

Also, contrary to the suggestion of my colleague from Nebraska, retired
nurses have been coming out of retirement in droves to help treat patients who are suffering because of the coronavirus.

Second, it is a head-scratcher to me that my colleague from Nebraska is raising this now. Just this week I learned about a middle-ranking Democrat on the Committee on Finance. I learned about his objection when I watched his press conference, and then I called him about it. The proposal has been out there for days, and I have known about it the whole time. It is not quite a drafting error, and it is not a last-minute surprise. What the Senator from Nebraska wants to drop now, in effect, was part of the bill.

The Presiding Officer is a member of our committee, and I enjoy working with him. What the Senator from Nebraska wants to drop now was, in fact, part of the bill that Republican Leader McConnell introduced on Saturday. He introduced it on Saturday because he knew the Senate Democrats insisted on its being part of the package, and as Secretary Mnuchin said this afternoon on national television—we all heard it—the Republicans agreed. I will have a little more to say about Secretary Mnuchin and his处 on unemployment as well.

For most Americans, the old unemployment rules would cover only a third to a half of their lost wages. That was it. It is pretty hard to pay the rent and put food on the table with that amount. Just today, Secretary Mnuchin said: "Most of these state systems have technology that is 30 years old or older. If we had the ability to customize this with much more specifics, we would have. This was the only way we could ensure states could get the money out quickly and in a fair way so people could $600 across the board. I don’t think it will create incentives, most Americans want what they want: they want to keep their jobs."

That is why we on our side feel so strongly and are so appreciative of the work of Senator Peters and Senator Menendez, who helped in the negotiations, and, of course, of the leader’s work. We all said we need an improved, supercharged unemployment benefit to replace people’s lost wages. These are people who lost their jobs because they didn’t have a choice between homelessness and hunger or bankruptcy because a virus has shut down our economy and cost them their jobs. This isn’t the fault of any workers in South Carolina or in Oregon or anywhere else.

While the consumer economy is shuttered, Congress has a responsibility to make sure that Americans can bounce back in a matter of weeks or months. Otherwise, millions will struggle and be slow to recover from the economic crisis, and many might not make it if the Senate doesn’t move to help them now, now, now. The panic people feel over the virus is already too much, and the least we can do as lawmakers is to have their backs when it comes to surviving this economic crisis.

All of my colleagues know we are on the third bill in the fight against the virus. Mitch McConnell’s first version of the bill was virtually nothing for those who lost their jobs. I read it carefully. Out of 247 pages in the Republican leader’s first bill, only 8 lines of text—not 8 pages but 8 lines—dealt with filing for unemployment online. That bill had an awful lot of corporate giveaways and loans for big corporations but just a few measly lines for people who were hurting—for workers who were hurting, for workers who were losing their jobs.

The Senate Democrats fought for and won the changes that make up this robust, expanding, supercharged program of unemployment insurance. It is based on a bill that I and my colleague Senator Peters introduced not long ago.

For the people in the service economy, we are looking at hard times ahead and who are those in the restaurants, salons, gyms—who you name it is all of those people who are being hit because their jobs and their businesses have been put on pause—we are going to bat for them. We are talking about millions and millions of Americans—people who are looking at hard times ahead and who need our help now.

The old unemployment insurance system wasn’t working, so the Senate Democrats said: We are going to come together, and we are going to go to bat for all of those independent contractors, those who are self-employed, the freelancers, and the gig workers.

Now I think that not only are we going to help them over the next 4 months, but I think we have developed some ideas that can be part of reforming the unemployment compensation system after those 4 months.

Now I want to turn to why this agreement raises benefits specifically for workers quickly. In the past week I have col-

Now I want to turn to why this agreement raises benefits specifically for workers quickly. In the past week I have colleagues and their strenuous objections to that amount. The reason it is $600 is because Labor Secretary Scali, after meeting with the Senate negotiators—myself, Senator Grassley, Secretary Mnuchin, Senator Menendez, Senator Portman—a big group of us—Secretary Scali, after meeting with Senate negotiators, left us with no other way to get benefits to workers quickly. Secretary Scali said that the States had no other way to get the benefits to workers in time.

We needed a simple solution. And I know my colleague, the distinguished President of the Senate, and others who are sponsoring this proposal to unravel what Senator McConnell with Secretary Mnuchin, the Trump administration, and Chairman Grassley may not believe me, but I want to share the words of Secretary Mnuchin himself, and specifically on this question of why we were focused on making sure that workers could get that extra $600 a week.

Just today, Secretary Mnuchin said: "Most of these state systems have technology that is 30 years old or older. If we had the ability to customize this with much more specifics, we would have. This was the only way we could ensure states could get the money out quickly and in a fair way so people could $600 across the board. I don’t think it will create incentives, most Americans want what they want: they want to keep their jobs."

That is what Secretary Mnuchin said today in defending the language that is in the bill as, in effect, the fastest, simplest way for workers to get their benefits and why we disagree so strongly with the amendment from the Senator from Nebraska to unravel that approach.

The math shows that standard payment of $600 is the simplest way to get to full wage replacement without causing, as of now, an administrative train wreck.

So I am going to close on this. I am sure that everybody here read that unemployment claims are expected to go up by 2.5 million in 1 week when the statistics are released tomorrow. Let’s talk about who that is and what it is that is almost as many jobs that were lost in the entire year of 2008 when the great recession hit our country so hard. It is the single largest rise in unemployment since that figure began to be tracked. Twelve entire months’ worth of great recession job losses that is how many unemployment claims economists expect to see in a single week.

This country has never faced anything like it. It is not a normal recession. This is a moment in time when I have a great deal of fiscal adrenaline. This is a
time when we face a shutdown of entire sectors of our economy. What the Congress needs to do is keep our economy alive and act now. We are not going to do that by shortchanging workers who are losing jobs, losing hours, or losing gigs.

I feel so strongly that Americans want to work. Businesses want to keep their employees on the job. Americans want the economy to spring back to life once the pandemic is under control, and that is what supercharging unemployment insurance eligibility is all about.

So here is the bottom line on the provision that Senate Democrats agreed with the Trump administration, Secretary Mnuchin, and Chairman Grassley on—our proposal was not a drafting error. It didn’t pop out at the last minute. It is not going to bring about the end of Western civilization.

I hope my colleagues on the other side of the aisle will review what Secretary Mnuchin had to say this afternoon on national television, suggesting what Senate Democrats negotiated with him and the administration, and join us in making millions and millions of Americans don’t fall into destitution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, America is at an inflection point. We are facing a public health crisis unlike any we have seen in generations. Governments at every level are racing to respond, react, and mitigate the crisis.

Communities and counties are fearful their hospital systems will be overrun, and needed supplies are unavailable. States are struggling to support local and state-wide economies that are increasingly hit with store closures and business suspensions. Unfortunately, the Federal Government—starting with the President—has failed to offer clear leadership despite this crisis.

But today marks a turning point, thanks to the leadership the Senate will show by acting on this bipartisan emergency relief package—today, without delay, and without hesitation.

The package before us includes three important pillars. First, it directs economic assistance for businesses and workers. Second, it provides emergency funding to support our overtaxed medical system, which is bracing for a surge as the coronavirus continues to spread. And finally, it provides critical oversight to ensure that the funding Congress provides goes to the people who need it—not to line the pockets of corporations and executives who continue to benefit from the most generous cuts in history.

We will provide a massive investment in the unemployment insurance program, ensuring that unemployed workers can receive a maximum benefit in this time of economic crisis. These reforms will also expand unemployment insurance eligibility for an additional 13 weeks and will allow part-time, self-employed, and gig economy workers—who are being hit hard in this crisis—to access benefits. Importantly, for Americans living paycheck to paycheck, this bill will deliver these benefits to workers sooner. To help the small businesses struggling to keep their doors open, to find a path to re-open, and to avoid the pandemic, this bill supports loan forgiveness to small businesses and some nonprofits, and provides critical funding to support payments of existing loans to small businesses through the Small Business Administration.

The bill provides $340 billion in emergency appropriations to give new resources to help strained State, local, and tribal governments as they combat this pandemic. These resources support hospitals and health care workers on the front lines of this public health crisis. They fund the purchase of personal protective equipment and much needed medical equipment. The bill supports our law enforcement and first responders; it includes $8.3 billion for scientists researching treatments and vaccines; support for small businesses; support for local schools and universities; and funding for affordable housing and homelessness assistance programs. The bill will provide critical relief to farmers in Vermont and across the country who continue to feed our communities during this emergency, with an emphasis on those farmers serving our local food systems. Importantly, the bill will not permit the transfer of emergency funding to non- COVID-19 related areas. The President’s misguided projects including the border wall.

On top of all this, the bill includes a $150 billion Coronavirus Relief Fund that will provide State local, and Tribal governments with additional resources to address this pandemic, all with an important small State minimum that will help states like Vermont.

I think of our own Governor, Republican Governor, who has worked so hard to help our State. This will give him some tools, as it will to our Speaker of the House and our President pro tempore of our legislature.

In Vermont, Governor Scott has made the difficult but prudent decision to restrict statewide activities only to essential services, we, too, are feeling the impact of the coronavirus. With over 120 confirmed cases, our small State is already reeling from the economic effects of this virus. The Coronavirus Relief Fund will support States and that it includes an important small State minimum that will have significant impact in Vermont.

Through formula grant funding, States will benefit from this package. In Vermont, that will mean $5.4 million through the CDC’s Public Health Emergency Preparedness program; $4.2 million for assistance through the Community Development Block Grant program; nearly $20 million for public transit; $3 million to provide child care assistance to those on the frontline of the coronavirus response, including health care workers and first responders; $4.6 million for housing assistance grants; $9.6 million to support the State’s airports; $4 million in LIHEAP assistance; $5 million in Community Services Block Grant funding; $2 million in Byrne-JAG assistance to law enforcement...
like to go first, I would want to give him that opportunity.

Mr. VAN HOLLEN. Mr. President, I am grateful. I thank the Senator from Maine, but I am happy to have her go first.

Ms. COLLINS. Mr. President, all across the country, Americans are stepping up in response to the coronavirus pandemic sweeping our Nation. Doctors and nurses are working endless hours and putting themselves at risk to save the sick and patients. Manufacturers, including many companies in my State, are working overtime and retooling their product lines to produce medical testing swabs, ventilators, and personal protective equipment, all of which are vitally needed. Truckers are going above and beyond, missing time with their families so that they can deliver goods needed to restock depleted grocery shelves. People are looking out for their neighbors in a safe way. They are checking on them. They are making personal sacrifices to help prevent the virus from spreading to the most vulnerable members of our society.

Help is on the horizon for small businesses and their employees who are facing immediate economic devastation through no fault of their own.

I have talked to small business owners all across our State, including small mom-and-pop operations like a third-generation diner operated and owned by the Simones family in Lewiston, ME. For the first time ever in three generations, they have had to close their doors. They had no choice. As Linda Simones told me in tears earlier this week: We have never been unemployed. Our son is unemployed. Our friends who have worked with us at this diner for years are unemployed.

The agreement finally reached today includes a $377 billion small business economic relief plan that Senators Ron Wyden and I authored as members of the Small Business Task Force. It is intended to help workers and small businesses just like the one owned by the Simones family in Lewiston. Our group worked day and night to get this bipartisan package included in the broader legislation.

I want to do a shout-out to our staff because I don’t think they have been to bed before 4 a.m. in the morning on any day in the last week. That is how hard they have been working.

Under our bipartisan approach, small businesses would be eligible for a 100 percent federally guaranteed emergency loan to cover 8 weeks of payroll, as well as certain expenses like rent, mortgage payments, and utilities. If these businesses keep their employees on the payroll—in other words, they keep issuing those paychecks—their loans would be completely forgiven.

Here is how it would work. Small employers with 300 employees or fewer would be eligible to apply for these federally guaranteed loans. The loans would be available immediately through existing Small Business Admin-

istration-certified lenders, including certain banks, credit unions, and other financial institutions, and a streamlined process would be created to bring other additional lenders into the program.

The interest rate of the loans would be tied to a formula based on the small business’s average monthly payroll, and that would go back to February 15 since that is when the coronavirus really started to come to our country and have an impact.

The maximum loan amount would be $10 million. As long as these small businesses retain their employees and issue those paychecks—which, keep in mind, also means in many cases that those employees will get their health insurance as well—the portion of the loan used to cover payroll and mortgage interest, rent, and utility payments would also be forgiven.

Furthermore—and this is important to States like those of the Presiding Officers but also large numbers of tourists coming each year—employers with tipped employees would receive forgiveness for the additional wages paid to such employees.

In addition, I want to point out that workers who already lost their jobs due to this crisis can be rehired and paid under our program, and that should be our goal.

Mr. President, this vital assistance cannot come too soon. There are so many small businesses that have already shut down or are on the verge of doing so. They are trying to hang on just a little longer to avoid laying off their employees, who are like members of their own family. In fact, in many cases, they were members of their own family.

Without this package, we face an unemployment tsunami that could reach as high as 20 percent, according to the Secretary of the Treasury. Not only will we cause tremendous harm to millions of families, but it would also take a massive toll on the Federal budget, far exceeding the $377 billion that we are using for this small business assistance program to keep workers paid and employed.

What we want is to make sure that those small businesses survive, that they are here when we transcend this crisis, and that their employees are still able to go back to work for them. We can see what happened in China, that lack of connection. We don’t want those small businesses to give up and shutter their doors forever, decimating our downtowns and causing permanent job loss for the workers who are so much a part of their businesses.

Large businesses that are facing cash flow issues would be eligible for certain loans so they can avoid laying off their workers. However, unlike the small business assistance program, the size of those loans forgiven at their workers employed, the larger businesses would be required to repay these loans in full.

I want to make clear that these large businesses would be barred from stock buybacks and increasing executive pay for the duration of the loan, and I fully support those restrictions.

Of course, many of those small businesses may not have stock to sell, so the idea of a stock buyback doesn’t exist. Some of them that are subchapter S may, but many of them do not.

I am also pleased to say that we would cover the sole proprietor, the mother-and-pop shop owners—those many individuals whom we rely upon to make our economy work.

Following my advocacy, along with Members from other coastal States, I am also pleased that the bill includes $300 million to assist workers and businesses in our Nation’s fisheries, which support thousands of jobs in the great State of Maine. With this legislation, harvesters, fishing communities, agriculture operations, and other fishery-related businesses would be eligible for this $300 million in assistance, which may include some direct relief payments. This helps protect our food supply chain. This targeted relief will help ensure that the families in coastal communities who depend on our fishing industry can thrive.

similar assistance is provided to our farmers as well.

This bill also provides more than $30 billion for States, school districts, colleges, and universities to help them maintain connections to their students. Following my advocacy, along with many other Members, $500 million was added to reimburse students and their families for shortened travel study programs. We also took steps—along with several presidents in Maine, and universities to help them maintain connections to their students. Following my advocacy, along with many other Members, $500 million was added to reimburse students and their families for shortened travel study programs. We also took steps—along with several presidents in Maine, and universities to help them maintain connections to their students. Following my advocacy, along with many other Members, $500 million was added to reimburse students and their families for shortened travel study programs. We also took steps—along with several presidents in Maine, and universities to help them maintain connections to their students. Following my advocacy, along with many other Members, $500 million was added to reimburse students and their families for shortened travel study programs. We also took steps—along with several presidents in Maine, and universities to help them maintain connections to their students. Following my advocacy, along with many other Members, $500 million was added to reimburse students and their families for shortened travel study programs. We also took steps—along with several presidents in Maine, and universities to help them maintain connections to their students. Following my advocacy, along with many other Members, $500 million was added to reimburse students and their families for shortened travel study programs. We also took steps—along with several presidents in Maine, and universities to help them maintain connections to their students. Following my advocacy, along with many other Members, $500 million was added to reimburse students and their families for shortened travel study programs. We also took steps—along with several presidents in Maine, and universities to help them maintain connections to their students. Following my advocacy, along with many other Members, $500 million was added to reimburse students and their families for shortened travel study programs. We also took steps—along with several presidents in Maine, and universities to help them maintain connections to their students.
facilities for emergency uses, if necessary. So the direct aid to colleges and universities is needed to help these institutions offset these sudden revenue losses and unexpected costs. There is also temporary flexibility applied to student aid and student loans that also will be very helpful.

This agreement is not only a lifeline for workers, small businesses, and schools, it builds on the previous two packages that Congress has passed to promote the health and safety of Americans. It makes substantial investment in our Nation’s health system, biomedical research, and education, including a $130 billion infusion for our hospitals and healthcare providers who are struggling to cope with this influx of patients.

It provides $20 billion for additional resources for veterans’ healthcare. It authorizes an $11 billion catalyst toward the development of an effective vaccine and therapeutics. It provides $1 billion for community services block grants to support critical social service programs for millions of low-income individuals. It is the Mitigating Emergency Drug Shortages, Planning Improvement Act. It will increase of $5 billion for community vaccines and therapeutics.

It assists communities responding to greater demands for services with an increase of $2 billion for community development block grants that comes from the subcommittee that I chair. It helps with transit systems. There is widespread help for those who are homeless or who are among the most vulnerable in our population.

It strengthens the low-income home heating assistance program. That is something Senator JACK REED and I the heating assistance program. That is the most vulnerable in our population. who are homeless or who are among from the subcommittee that I chair.

Increase of $5 billion for community

It provides $1 billion for community services block grants to support critical social service programs for millions of low-income individuals. It is the Mitigating Emergency Drug Shortages, Planning Improvement Act. It will increase of $5 billion for community vaccines and therapeutics.

It assists communities responding to greater demands for services with an increase of $2 billion for community development block grants that comes from the subcommittee that I chair. It helps with transit systems. There is widespread help for those who are homeless or who are among the most vulnerable in our population.

It strengthens the low-income home heating assistance program. That is something Senator JACK REED and I have long worked together on. We don’t want families and seniors making impossible choices between heating their homes and buying food or medicine.

This package also contains two additional pieces of legislation that I have introduced and championed. First, it contains provisions from the Mitigating Emergency Drug Shortages, or MEDS, Act—legislation I authored that would help prevent a shortage of vital medication. I was shocked to learn that 72 percent of the facilities that make vital active pharmaceutical ingredients for our medications Americans are located overseas. Thirteen percent of these facilities are in China. We just can’t have that. We need far greater visibility into that supply system.

It also contains a bill I have long advocated for—the Home Health Care Planning Improvement Act. It will allow nurse practitioners, physician assistants, and others to certify patients as needing home health services. Now it is just a physician who can do it even though the physician might not be the primary care provider, particularly in rural areas. That will remove needless delays in getting Medicare pa-

tients the home healthcare that they need. That is a critical improvement at a time when our healthcare system is being put to the test and when people are being told they need to stay in their own homes to avoid spreading the virus.

The list of benefits that will be felt in communities across the country goes on and on. It is imperative that we pass this bill tonight. Every day, more small businesses are forced to close their doors. Every day, Americans are losing their jobs and their income. Every day, medical professionals are increasingly overwhelmed by the exponential rise in cases.

(Mrs. LOEFFLER assumes the chair.) The package we are voting to advance tonight will bolster our healthcare system, infuse funds into biomedical research that will ultimately produce a vaccine and effective treatments, shore up our economy and our businesses, support those who are unemployed, strengthen the link between employers and their employees, save millions of jobs of those employed by small businesses, and help prevent a devastating recession, perhaps even a depression for this country. Let us not squander this momentum when we are so close to getting this done for the American people. I urge my colleagues to join me in passing this critical legislation. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Mr. VAN HOLLEN. Madam President, as other Senators have mentioned, we see our fellow Americans uniting around the country to fight the coronavirus and to help those in need. Most of all, we are grateful to the men and women in healthcare, the healthcare workers on the frontlines of this fight—the nurses, the doctors, all the other staff in community health centers and in clinics who are putting themselves and their own health at risk to help their fellow Americans.

In the Senate, like our fellow Americans, must come together to do the right thing for the country at this moment in time—to provide a surge of help to those on the frontlines of the coronavirus fight and to help those who are suffering from the economic fallout, workers and small businesses and midsize businesses and others who are absolutely getting clobbered as we all try to fight this virus together.

Congress must unite this evening, as we have on two prior occasions during this emergency when we came together to pass these two essential bills. Just as we did with the economic emergency but also dealing with the economic fallout, which is growing by the day. I am not going to go through all the provisions that do that. I will say that this bill is far from perfect. This is not a bill I would have written. I dare say it is probably not the bill that any Senator would have written. But with all its flaws, it does some very important things that are absolutely essential during this national emergency.

There has been a lot of talk tonight about the unemployment compensation provision. Those are absolutely essential as a lifeline to workers who each day are losing their jobs around the country in many industries. It is absolutely essential that in that process, people who are out of work through no fault of their own are still able to pay their bills, their rent or their mortgage, keep the lights on, get food, and that is why we are working to make sure they have real replacement income during this 4-month emergency period.

The provisions regarding small businesses and middle-size businesses are very important too. I am sure we are all hearing from folks who already had to close their doors because when there are no customers coming in the door, there are no sales, no income, and so if you are a small business, you can’t make your debt payments and you can’t make payroll. So this bill does have a lot of very important provisions in it with respect to small businesses.

I am really glad that we moved, with respect to small businesses, to loans only—to loans that would be forgiven so long as the small businesses spent those monies to, one, maintain payroll or rehire people if they have already had to let them go, and, two, to pay essential bills. Just adding more loans and debt onto small businesses would only be like an anchor around their necks at the end of a 4-month or whatever period it may be. They wouldn’t be able to dig themselves out of that hole. It was very important to have loans that will be forgiven so long as

cause we don’t want any American to say: I am not going to get tested even though I feel like I might have the symptoms. I am not going to get tested because I can’t afford it. It is putting both themselves and others in the community at risk. So we said we have to make sure these tests are free.

We also provided sick leave because we don’t want anybody going to work when they feel sick and they have the virus if going to work is the only way they can put food on the table, by getting a paycheck. So we said: Look, stay at home, and we will provide for paid leave.

There was a gap—a big gap—in that that still needs to be addressed. We took some important measures in phase 1 and phase 2, and now here we are this evening on phase 3, where we are not only providing additional dollars to fight the coronavirus and the health emergency but also dealing with the economic fallout, which is growing by the day. I am not going to go through all the provisions that do that. I will say that this bill is far from perfect. This is not a bill I would have written. I dare say it is probably not the bill that any Senator would have written. But with all its flaws, it does some very important things that are absolutely essential during this national emergency.

There has been a lot of talk tonight about the unemployment compensation provision. Those are absolutely essential as a lifeline to workers who each day are losing their jobs around the country in many industries. It is absolutely essential that in that process, people who are out of work through no fault of their own are still able to pay their bills, their rent or their mortgage, keep the lights on, get food, and that is why we are working to make sure they have real replacement income during this 4-month emergency period.

The provisions regarding small businesses and middle-size businesses are very important too. I am sure we are all hearing from folks who already had to close their doors because when there are no customers coming in the door, there are no sales, no income, and so if you are a small business, you can’t make your debt payments and you can’t make payroll. So this bill does have a lot of very important provisions in it with respect to small businesses.

I am really glad that we moved, with respect to small businesses, to loans only—to loans that would be forgiven so long as the small businesses spent those monies to, one, maintain payroll or rehire people if they have already had to let them go, and, two, to pay essential bills. Just adding more loans and debt onto small businesses would only be like an anchor around their necks at the end of a 4-month or whatever period it may be. They wouldn’t be able to dig themselves out of that hole. It was very important to have loans that will be forgiven so long as
the loans are used for the intended purposes.

We also made important provisions for nonprofits that hire millions of Americans and as well for midsize businesses.

With respect to some of the largest industries in the country that have been hard hit, it is appropriate to also give them help, but it is also important that as we do that, we safeguard the American taxpayer and the public interest.

When the proposal first arrived here in the Senate from the White House, we were looking at about a $500 billion slush fund with no strings attached, no real accountability, and no real transparency. So we tried to tie that down so that we will have an inspector general with subpoena power that will ensure that there will be no stock buybacks with these emergency funds. Now, we are not going to bring this at any fine print, but we have come a long way from the proposed blank check to the Secretary of the Treasury, which was in the bill as it arrived here as proposed by the administration.

There is another thing that is in the bill that is before us tonight that was not in the bill proposed by the administration, and that is badly needed help for States and cities and towns that are on the frontlines of this battle across the country. We heard about 5, 6 days ago from the majority leader: Oh, well, let's just wait. Maybe we can do that sometime down the road.

Well, we heard from a bipartisan group through the National Governors Association that they need that help now. I am sure you have all been fielding calls from your elected officials, your Governors and others, about how they desperately need additional help. So I want to raise tonight something that I discovered about this bill just a few days ago that gives me real heartburn and a lot of concern. I believe, reflects badly on this Senate.

Here is how we distributed the funds to the States. Each State, regardless of population, gets $1.2 billion, and then the remainder of the money—up to $150 billion—is distributed to States based on population. You can question whether that is the best and most effective way to essentially allocate resources when you are fighting a coronavirus pandemic, which is the most intense in some places than others, but that is not my overall point right now.

Here is what we discovered: The people of the District of Columbia, the people of the Nation's Capital, were left out of the formula. They are fighting the coronavirus just like Americans in every other State and city. They are part of other Federal formulas. For example, title I for education, highway funds, and other Federal formulas go to the people of the District of Columbia.

The District of Columbia has a population that is higher than 2 of the 50 States. There are more residents in the District of Columbia, the Nation's Capital, than the State of Wyoming and the State of Vermont. They were left out of that category they are usually put in, and instead they were put into a formula. Puerto Rico, the Virgin Islands, American Samoa, and some of the territories.

The net effect of that—the net effect of putting the people in the Nation's Capital in the formula with the States—will cost the District of Columbia about $700 million. That is because that other formula is based entirely on population, and Puerto Rico has about 3 million people in it. I got bad news. No, not this is not a mistake. This was not an oversight. Republican negotiators insisted on shortchanging the people of the District of Columbia by $700 million.

I asked about this because I thought maybe this would be a simple fix. I mean, surely in a bill of $2 trillion in emergency relief, we can do right by the people of the District of Columbia and not shortchange them $700 million. No, no, I think it was a lack of diligence on their part. This was not an oversight. Republican negotiators insisted on shortchanging the people of the District of Columbia.

I am not going to hold up a $2 trillion emergency rescue package that is urgently needed by the country for this, but I think it is shameful. I think it is shameful that, in a $2 trillion emergency rescue package, we would shortchange people like those living and working in the Nation's Capital, people whom we see coming into work every day, many of the Federal employees who work day in and day out for the Federal Government.

Many of them live here. Many of them live in surrounding States. Many of them live all over the country. But for the people who live here, to shortchange them and to do it intentionally is really shameful.

So here we are, coming together, and that is the right thing to do. As I said, this bill has many, many flaws and many, many problems. I certainly wouldn't have written it this way, and I would never have done wrong by the people of the District of Columbia the way this was intentionally done, apparently, in this bill.

But, overall, we need this bill for the country. We need it because we have a national emergency, both on the healthcare front and the economic front.

So I hope, going away from here, as we come together and I hope do the right thing with a large vote, that there will be some Senators, whoever were part of negotiating that deal and who said, no, we are going to shortchange the people in the Nation's Capital, will feel a little bit ashamed. And I think all those people who didn't want to change this provision, which is easy to change just like that, should feel ashamed.

This is our Nation's Capital. The people who live and work here deserve to be treated with respect. There is no U.S. Senator who represents the people of the District of Columbia. Some of us who live in the surrounding areas work in the Capitol and we are, I believe, the closest Senate colleagues, would show a little respect for the people who live in the Capitol of this great country.

Mr. SCHUMER. Mr. President, I am pleased that the final bill includes a stabilization fund for States that the pandemic has hit hard. Given the growing dire fiscal emergency States are facing as a result of the coronavirus, I think it is very likely we will need to come back and do more. States not only are fighting a growing pandemic, but also a bottoming out of State revenue. Republicans are looking for sales taxes, as a result of responsible social distancing encouraged by the Federal Government, and income taxes, as a result of the Department of Treasury delaying the tax filing deadline by 3 months. We all are running into the same problem—States are running into major revenue holes. No responsible Governor or legislator in the country is even thinking about new holes. No responsible Governor or legislator in the country is going to be an issue. The coronavirus has exploded their demand for services and strangled their revenue streams so this money will just be plugging those holes. No responsible Governor or legislator in the country is going to be an issue. The coronavirus has exploded their demand for services and strangled their revenue streams so this money will just be plugging those holes. No responsible Governor or legislator in the country is even thinking about new projects at this time. We understand that, at this point, all the impacts of the coronavirus pandemic are merging together. We do not intend to subject States to additional paperwork or arbitrary rules. If a State has needs that they would not have had without the coronavirus pandemic, that is more than good enough.
The PRESIDING OFFICER. The majority leader is recognized.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to H.R. 748 be withdrawn.

The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered. The cloture motion was withdrawn.

MIDDLE CLASS HEALTH BENEFITS TAX REPEAL ACT OF 2019

Mr. MCCONNELL. Madam President, I ask unanimous consent that the Senate proceed to consider the bill to be offered by Senator MCCONNELL, No. 1578, and Senator Sasse, No. 1577, or their designees; further, that the Senate vote on the Sasse amendment with a 60-affirmative-vote threshold for adoption; further, that following disposition of the Sasse amendment, the McConnell amendment, as amended, if amended, be agreed to, the bill, as amended, be read a third time, and the Senate proceed to passage of the bill, as amended, with a 60-affirmative-vote threshold for passage; finally, if passed, that the motion to reconsider be considered made and laid upon the table and that all rollcall votes in this series be 30 minutes in length.

The PRESIDING OFFICER. Is there objection?
Without objection, it is so ordered.
The PRESIDING OFFICER. The clerk will report the bill.
The senior assistant legislative clerk read as follows:

A bill (H.R. 748) to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Madam President, I ask unanimous consent that I proceed under unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, so here we are, colleagues. For the information of all of our Senators, we will first vote on the adoption of the Sasse amendment at a 60-vote threshold, and then our second and final vote will be on passage of the CARES Act, also at a 60-vote threshold. We are going to pass this bipartisan relief package and send it over to the House so they can put it on the President’s desk.

When the Senate adjourns this evening, our next scheduled vote will be the afternoon of Monday, April 20. Of course, this unprecedented time for our country, the Senate is going to stay nimble. As always, we will convene regular pro forma sessions, and if circumstances require the Senate to return for a vote sooner than April 20, we will provide at least 24 hours’ notice.

Our Nation obviously is going through a kind of crisis that is totally unprecedented in living memory. Let’s stay connected and continue to collaborate on the best ways to keep helping our States and our country through this pandemic. Let’s continue to pray for one another, for all of our families, and for our country.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. SCHUMER. Madam President, I will speak for a little bit, briefly.

The legislation now before us is historic because it is meant to match a historic crisis. Our healthcare system is not prepared to care for the sick. Our workers are without work. Our businesses cannot do business. Our factories lie idle. The gears of the American economy have ground to a halt. Our country has faced immense challenges before but rarely so many at the same time.

Over the past few days, the Senate has stepped into the breach. We packed weeks or perhaps months of legislative process into two days. Representatives from both sides of the aisle and both ends of Pennsylvania Avenue have forged the bipartisan agreement in highly partisan times with very little time to spare. It has been a long, hard journey with a number of twists and turns, but for the sake of millions of Americans, it will be worth it.

It will be worth it to save millions of small businesses and tens of millions of jobs.

It will be worth it to see that Americans who have lost their jobs through no fault of their own will be able to pay their rent and mortgages and put food on the table because we passed the greatest expansion of insurance to the unemployed in decades.

It will be worth it to send gloves and masks to our nurses and to our doctors. It will be worth it to send ventilators and beds to our hospitals and begin rebuilding the health infrastructure in America—a Marshall Plan in this new century for our medical system.

It will be worth it to save industries from the brink of collapse in order to save the jobs of hundreds of thousands of Americans in those industries.

It will be worth it to put workers first.

It was a long, hard road. Neither side can be completely happy with the final product, but it is.

I am damn proud of the work we did over the past few days because we put in the work. Because we tested the limits of exhaustion, because we didn’t immediately accept the bill drafted by only one party, the legislation before us tonight is better—better for our healthcare system and 65,000 Americans now afflicted with COVID-19, better for our workers, better for our small businesses, better for our Indian Tribes, better for our economy, and better for the American people.

So I must thank my colleagues on both sides of the aisle—especially the chairs and ranking members and their staffs. The past few days have been filled with drama. The past few hours were no exception. I know a few of my Republican friends still harbor reservations about voting for this legislation, but when there is a crisis of this magnitude, the private sector cannot solve it. Individuals, even with bravery and valor, are not powerful enough to beat it back. Government is the only force large enough to staunch the bleeding and begin the healing.

This is a time when the American people need their government. This is what we were elected for. The oath we swear to the Constitution means we must protect the general welfare of the people. So let us marshal this government into action.

There are millions of Americans watching us right now at home on their televisions, separated from friends and family, fearful for their children and their livelihoods, unsure of when the threat will come and all of our lives may return to normal. Let us tell them tonight that help is on the way; that they are not truly alone; that this country, that this Senate, that this government is here for them in a time of dire need. This is one strange and evil disease. There is much we still don’t know about it, and it is keeping us apart. When we pass this bill, instead of hugging each other, we will wave from a distance.

None of us can know when this plague will pass. The only thing we know for sure is that we must summon the same spirit that saw previous generations through America’s darkest hours. Fellowship, sacrifice, fortitude, resilience—that is what it means to be an American. With that spirit, this Nation faced down war and depression and fear itself. I have no doubt that once again America will ultimately prevail.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

AMENDMENT NO. 1578

(Purpose: Providing emergency assistance and health care resources for individuals, families and businesses affected by the 2020 coronavirus pandemic.)

Mr. MCCONNELL. Madam President, I call up the substitute amendment No. 1578 and ask that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 1578.

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

AMENDMENT NO. 1577

Mr. SASS. Madam President, I call up amendment No. 1577 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the amendment will be reported by number.
The PRESIDING OFFICER. The PRESIDING OFFICER. Under the previous order, the 60-vote threshold having not been achieved, the amendment is not agreed to.

The amendment (No. 1577) was rejected.

The amendment (No. 1578) was agreed to.

The PRESIDING OFFICER. The clerk will read the title of the bill for the third time.

The bill was read the third time.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill having been read three times, the question is, Shall the bill pass?

Mr. DAINES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The bill (H.R. 748), as amended, was passed.

The PRESIDING OFFICER. The Senator from Alaska.

The amendment is as follows—

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill having been read three times, the question is, Shall the bill pass?

Mr. DAINES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

Mr. BARRASSO. Mr. President, are there any other Senators in the Chamber desiring to vote or change their vote?

The result was announced—yeas 48, nays 0, as follows:

(Rollcall Vote No. 80 Leg.)

YEAS—96

Alexander
Baldwin
Barrasso
Blackburn
Blumenthal
Boozman
Burr
Capito
Cassidy
Cornyn
Crapo
Cruz
Daines
Duckworth
Durbin
Feinstein
Gardner
Gillibrand
Gillibrand
Graham
Graham
Graham
Graham
Graham
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrand
Gillibrad...
on the immediate crisis—business interruptions and the health crisis, but what we need to be looking at is when we get through this crisis—and we will, more resilient and stronger than ever.

As I mentioned in my remarks the other day, a group of reporters a couple of days ago questioned the mettle and resiliency of Americans. Maybe we are not as tough and strong as we used to be to get through these crises. They just need to go to Alaska and recognize how wrong they are in one of the markets that I had the privilege of serving with for the last 26 years. They would recognize quickly that they are wrong. Of course, we have the mettle and tenacity to do this.

We need to be working on phase 4. Phase 4 is going to be the policies that we implement here in the Congress to turbocharge this economy, so when we are out of this crisis, we can come back fully, more strongly in a way that our economy was just 2 months ago.

There is a lot of work that I think we could be doing, and that we are likely going to have to be doing. A number of us are going to begin working on that phase 4 approach to this pandemic to turbocharge this economy once we get out of it. I am glad to start working on that with my colleagues here in the Senate.

So, as I said, there is a lot of work to do, but the Senate is getting ready for a recess for almost a month. That is what we are getting ready to do. The country is facing one of the biggest crises in our history, and the Senate is leaving town for a month. I happen to think this is a mistake. I think it sends the wrong signal to the people we serve. I think our duty station should be here, to be ready on a moment’s notice to help the citizens that we have the privilege of serving, because if there is one thing about this crisis that we have known already is that new challenges pop up every day, every minute, every hour, and, yet, we are going to go on recess for almost a month.

I don’t understand this. I don’t agree with it, and I certainly hope if and when our country needs us, if we see some big mistakes in this legislation, if we recognize whole groups of Americans don’t get the relief they need and the Congress needs to act, that we are not going to just say: Well, we are on recess for 30 days. Sorry. We will get to you when we come back at the end of April.

I think that would be a real mistake because, as we are seeing in this crisis, there are a lot of answers that just can’t wait until the end of April. There are a lot of challenges that we need to be addressing daily, and there are going to be more, and, yet, we will not be here to address them.

So, at a minimum, I hope that when our colleagues do not come back on August 1st—and it is likely going to need us—that my colleagues will be ready, on a moment’s notice, wherever they are, to come back to this body and get to work to help the people we serve. I think it is very likely that that is going to happen in the next week or two or three, and I hope my colleagues stand ready to do that and not use the excuse that we will see at the end of April to address your problems, Americans. This is not going to be something we can be doing in the midst of this very, very serious unprecedented crisis where our citizens need our help.

We had a good start tonight—a very good start—but there is going to be a lot more here, and I hope this body is ready to act quickly.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the en bloc consideration of the following nominations: Executive Calendar Nos. 570 and 631.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; and that the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Charles Williams, of Missouri, to be an Assistant Secretary of the Navy; and William Jordan Gillis, of Georgia, to be an Assistant Secretary of Defense, en bloc?

The nominations were confirmed en bloc.

ORDERS FOR APRIL 20, 2020

Mr. MCCONNELL. Madam President, I ask unanimous consent that following leader remarks on April 20, the Senate proceed to executive session and the consideration of Executive Calendar No. 556. I further ask unanimous consent that at 5:30 p.m., the Senate vote on the nomination; and that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table; and the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative business for a period of morning business, with Senators permitted to speak therein for up to 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

REMEMBERING JUDGE JAMES M. MUNLEY AND JUDGE A. RICHARD CAPUTO

Mr. CASEY. Mr. President, I rise today to remember and honor Judge James M. Munley and Judge A. Richard Caputo, who collectively served the Middle District of Pennsylvania as Federal district judges for over 40 years.

Judge Munley was a native of Archbald, PA. After graduating from the University of Scranton in 1958, he joined the U.S. Army and served until 1960. After his military service, Judge Munley enrolled at the Temple University School of Law and graduated in 1963. He clerked for the Honorable Michael J. Eagen on the Supreme Court of Pennsylvania before practicing law in Scranton from 1964 to 1978. From 1978 to 1998, Judge Munley served with distinction as a Judge on the Lackawanna County Court of Common Pleas. In 1998, Judge Munley was nominated to a seat on the U.S. District Court for the Middle District of Pennsylvania by President Bill Clinton. He was confirmed by the Senate and went on to serve the Middle District honorably for over two decades.

As a Federal judge, Judge Munley continued his family’s tremendous legacy of public service and dedication to Pennsylvania. Both of his parents, Robert W. Munley and Marion L. Munley, and his grandfather, William J. Munley, served in the Pennsylvania General Assembly. Judge Munley has been remembered by members of the Pennsylvania legal community as a skilled, good-natured, and fair jurist who approached life with a sense of optimism that “was contagious in the best sense of the word.” In his courtroom and in his life, he was known to treat everyone with the same dignity, respect, and kindness. U.S. District Judge Malachy E. Mannion remembered Judge Munley by noting: “What defined him most was just his sense of humanity. He was a great judge, but he was a greater human being.”

Judge Caputo was born in Port Chester, NY, and raised in Rye, NY. He graduated from Brown University in 1960. After Brown, Judge Caputo enrolled in the University of Pennsylvania Law School and graduated in 1963. He went on to join the U.S. Air Force as an officer in the Judge Advocate General’s Corps and served until
1967. After his military service, Judge Caputo worked as a public defender in Luzerne County for 1 year before joining the law firm of Shea & Shea. In 1973, the firm was renamed Shea, Shea & Caputo, and after nearly 30 years in private practice, Judge Caputo was nominated to the U.S. District Court for the Middle District of Pennsylvania by President Bill Clinton in 1997. After being confirmed by the Senate, he honorably served on the Federal bench in the Middle District for over two decades.

Judge Caputo was known as a strong and fair jurist who treated everyone with deep respect in his courtroom. He strongly believed in balancing individual rights with the needs of a well-ordered society, and some in the Pennsylvania legal community have remembered him as a judge who was not afraid to depart from Federal sentencing guidelines when he found them to be too harsh. He was deeply committed to the judiciary, as evidenced by the fact that he continued to hear cases up until just a few months prior to his death. He believed that the judiciary was the heart of our democracy. Chief U.S. District Judge Christopher Conner remembered Judge Caputo as a "judicial judge"—a strong, direct and erudite jurist," who made "extraordinary contributions to the Wilkes-Barre vicinage, to our entire court, and to our country.

At a time when our Nation faces unprecedented challenges in responding to the COVID–19 pandemic, Judge Munley and Judge Caputo are important reminders of the intellect, compassion, and fairness that have guided our Nation since its founding. They will be missed tremendously, but their legacy will continue to inspire countless Pennsylvanians and individuals throughout our country.

TRIBUTE TO INEZ MITTLEIDER

- Mr. CRAMER. Mr. President, I want to honor a very special North Dakota woman who is turning 100 years old on Friday. Inez Mittleider of Bismarck was born on March 27, 1920, in South Dakota and at a young age moved with her family to southwestern North Dakota. Living through the Dirty Thirties and the Great Depression, she had to leave home and live with family friends while she completed high school. She is one of very few women of her generation to earn a college degree. Inez lived in the communities of Hell and Mott and taught in one-room schoolhouses for nearly 10 years.

Inez and her husband raised four children and instilled in them the necessity of hard work and self-reliance. Today, Inez is the grandmother of seven, great-grandmother of nine, and continues to live on her own in Bismarck. Her many family members plan to celebrate this centennial milestone with Inez later in the year.

Mr. President, North Dakota is home to more than 200 centenarians, and we consider them among our most treasured residents. They have witnessed great moments in North Dakota’s history and their pioneer spirit, dignity, and hard work have brought them through many challenges and personal achievements. On behalf of all North Dakotans, I want to wish Inez a happy 100th birthday, and hope this is the start of a year filled with happiness and joy.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BOOKER (for himself and Ms. HARRIS):
S. 3579. A bill to require the release of certain individuals in the custody of the United States because of their risk of exposure during a national emergency, and for other purposes; to the Committee on the Judiciary.

By Mr. COTZEN MASTO:
S. 3580. A bill to require the Comptroller General of the United States to submit to Congress a report assessing the practices of the Department of Defense for care received under the TRICARE program and at military medical treatment facilities, and for other purposes; to the Committee on Armed Services.

By Ms. CORTEZ MASTO:
S. 3581. A bill to require the Comptroller General of the United States to submit to Congress a report assessing Federal, State, and other mental health services available to members of the reserve components of the Armed Forces for other purposes; to the Committee on Armed Services.

By Ms. CANTWELL (for herself, Mr. JONES, Mr. BENNET, and Ms. SINESIMA):
S. 3582. A bill to amend the Internal Revenue Code of 1986 to expand eligibility for the health care tax credit to workers in certain critical industries; to the Committee on Finance.

By Mr. CARDF (for himself, Mr. BROWN, Mr. VAN HOLLEN, Mr. SANDERS, Mr. Kaine, Mr. CASEY, Mr. WARNER, Mrs. GILLIBRAND, Ms. HIRONO, Mr. SCHATZ, Mr. BOOKER, Ms. KLOBUCHAR, and Mr. PERETZEL):
S. 3583. A bill to provide that certain Executive Orders and presidential memorandum with respect to Federal employee collective bargaining shall have no force or effect, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. BALDWIN (for herself and Ms. DUCKWORTH):
S. 3584. A bill to direct the Secretary of Labor to issue an emergency temporary standard that requires certain employers to develop and implement a comprehensive infectious disease exposure control plan to protect employees in the health care sectors and other employees at elevated risk from exposure to SARS-CoV-2, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JONES (for himself and Mr. BROWN):
S. 3585. A bill to place a moratorium on evictions during the coronavirus emergency to the Committee on Banking, Housing, and Urban Affairs.

By Ms. ERNST (for herself and Mr. PALLI):
S. 3586. A bill to reduce Federal spending and fund the acquisition of unused personal protective equipment (including face masks) for the strategic national stockpile by terminating taxpayer financing of Presidential election campaigns; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. MORAN):
S. 3587. A bill to require the Secretary of Veterans Affairs to conduct a study on the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, and for other purposes; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAMER:
S. Res. 554. A resolution recognizing the contributions of health care professionals during the 2020 Coronavirus pandemic; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 3550
At the request of Mr. INHOFE, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 3550, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 3574
At the request of Mr. MANCHIN, the name of the Senator from Arizona (Ms. MC SALLY) was added as a cosponsor of S. 3574, a bill to amend the Public Health Service Act to protect the confidentiality of substance use disorder patient records.

S. 3559
At the request of Mr. BENNET, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 3559, a bill to provide emergency financial assistance to rural health care facilities and providers impacted by the COVID–19 emergency.

S. 3568
At the request of Mr. MURPHY, the names of the Senator from Delaware (Mr. CARPER), the Senator from Maine (Mr. KING) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 3568, a bill to require the President to use authorities under the Defense Production Act of 1950 to require emergency production of medical equipment to address the COVID–19 outbreak.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. CASEY (for himself and Mr. MORAN):
S. 3587. A bill to require the Secretary of Veterans Affairs to conduct a study on the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
Whereas public health officials have worked to educate their communities and implement policies that will curb the communal spread of COVID-19; and
Whereas every individual in the health care community, which includes doctors, nurses, custodial staff, administrative staff, registered nurses, patient care assistants, public health professionals, mental health professionals, researchers, lab technicians, and many others, has acted with excellence and professionalism to ensure that the citizens of the United States receive the care they need to get the United States through the COVID-19 crisis; Now, therefore, be it
Resolved, That the Senate—
(1) observes that the spirit of the United States remains resilient in the face of the crisis caused by Coronavirus disease 2019 (referred to in this resolution as "COVID–19"); (2) expresses gratitude to the people of the United States for doing their part to stop the spread of COVID–19; and (3) salutes health care professionals across the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1577. Mr. SASSE (for himself, Mr. GRAHAM, Mr. SCOTT of South Carolina, Mr. SCOTT of Florida, Mr. CRUZ, Mr. JOHNSON, Mrs. BLACKBURN, and Mr. LEE) proposed an amendment to amendment SA 1578 proposed by Mr. MCCONNELL to the bill H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage.

SA 1578. Mr. MCCONNELL proposed an amendment to the bill H.R. 748, supra.

SA 1579. Mr. MURPHY (for Mr. MORAN) proposed an amendment to the bill H.R. 3504, to amend title 38, United States Code, to provide for improvements to the specially adapted housing program of the Department of Veterans Affairs, and for other purposes.

The table of contents for this Act is as follows:

Title I—Keeping American Workers Paid and Employed, Health Care System Enhancements, and Economic Stabilization

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.

Division A—Keeping Workers Paid and Employed, Health Care System Enhancements, and Economic Stabilization

Title I—Keeping American Workers Paid and Employed Act

Sec. 101. Definitions.
Sec. 102. Paycheck protection program.
Sec. 103. Entrepreneurial development.
Sec. 104. State trade expansion program.
Sec. 105. Waiver of matching funds requirement under the women's business center program.
Sec. 106. Loan forgiveness.
Sec. 107. Direct appropriations.
Sec. 108. Minority business development program.
Sec. 109. United States Treasury Program Management Authority.
Sec. 110. Emergency EIDL grants.
Sec. 111. Resources and services in languages other than English.
Sec. 112. Subsidy for certain loan payments.
Sec. 113. Bankruptcy.
Sec. 114. Emergency rulemaking authority.

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


Sec. 2101. Short title.
Sec. 2102. Pandemic Unemployment Assistance.
Sec. 2103. Emergency unemployment relief for governmental entities and nonprofit organizations.
Sec. 2104. Emergency increase in unemployment compensation benefits.
Sec. 2105. Temporary full Federal funding of the first week of uncompensable regular unemployment compensation for States with no waiting week.
Sec. 2106. Emergency State staffing flexibility.
Sec. 2107. Pandemic emergency unemployment compensation.
Sec. 2108. Temporary financing of short-time compensation payments in States with programs in law.
Sec. 2109. Temporary financing of short-time compensation agreements.
Sec. 2110. Grants for short-time compensation programs.
Sec. 2111. Assistance and guidance in implementing programs.
Sec. 2112. Waiver of the 1-week waiting period for benefits under the Railroad Unemployment Insurance Act.
Sec. 3211. Supplemental awards for health centers.

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

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

Sec. 3214. Unifying Federal Health Service Modernization.

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

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

SUBPART C—MISCELLANEOUS PROVISIONS

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

Sec. 3222. Nutrition services.

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


Sec. 3225. Reauthorization of healthy start program.

Sec. 3226. Importance of the blood supply.

PART III—INNOVATION

Sec. 3301. Removing the cap on OTA during COVID-19.

Sec. 3302. Delay of payment of employer payroll taxes.

Sec. 3303. Modification of limit on losses for taxpayers other than corporations.

Sec. 3304. Modification of credit for prior year minimum tax liability of corporations.

Sec. 3305. Modifications of limitation on business interest.

Sec. 3306. Technical amendments regarding qualified improvement property.

Sec. 3307. Temporary exception from excise tax for alcohol used to produce hand sanitizer.

TTITLE III—SUPPORTING AMERICA’S HEALTH CARE SYSTEM IN THE FIGHT AGAINST THE CORONAVIRUS

Subtitle A—Health Provisions

Sec. 3001. Short title.

PART I—Addressing Supply Shortages

SUBPART A—Medical Product Supplies

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

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

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

SUBPART B—Mitigating Emergency Drug Shortages

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

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

SUBPART C—Preventing Medical Device Corporations

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

PART II—Access to Health Care for COVID-19 Patients

SUBPART A—Coverage of Testing and Preventive Services

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

Sec. 3202. Pricing of diagnostic testing.

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

SUBPART B—Support for Health Care Providers

Sec. 3211. Supplemental awards for health centers.

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

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

Sec. 3214. Unifying Federal Health Service Modernization.

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

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

Sec. 3217. Waiver authority and reporting requirement for institutional aid.

Sec. 3218. Authorized uses and other modifications.

Sec. 3219. Service obligations for teachers.

SUBTITLE D—Finance Committee

Sec. 3701. Exemption for telehealth services.

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

Sec. 3703. Increasing Medicare telehealth flexibilities during emergency period.

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

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

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

Sec. 3707. Encouraging use of telecommunication and telehealth services for home health services furnished during emergency period.

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

Sec. 3709. Adjustment of sequester.

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

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

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

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

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

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

Sec. 3716. Clarification regarding uninsured individuals.

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

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

Sec. 3719. Expansion of the Medicare hospital acquisition and price transparency program during the COVID-19 public health emergency.

Sec. 3720. Delaying requirements for enhanced FMAP to enable State legislation necessary for compliance.
of the Families First Coronavirus Response Act (Public Law 116–127); and

“(ix) the term ‘veterans organization’ means an organization that is described in section 3(h) of the Internal Revenue Code that is exempt from taxation under section 501(a) of such Code.

“(b) PAYCHECK PROTECTION LOANS.—Except as otherwise provided in this paragraph, the Administrator may guarantee covered loans under the same terms, conditions, and processes as a loan made under this subsection.

“(c) LOAN REFLECTION.—Not later than 15 days after the date on which a loan is made under this paragraph, the Administrator shall register the loan using the TIN (as defined in section 7701 of the Internal Revenue Code of 1986) assigned to the borrower.

“(d) INCREASED ELIGIBILITY FOR CERTAIN SMALL BUSINESSES AND ORGANIZATIONS.—

“(I) IN GENERAL.—During the covered period, in addition to small business concerns, any business concern, nonprofit organization, veterans organization, or Tribal business concern described in section 31(b)(2)(C) shall be eligible to receive a covered loan if the business concern, nonprofit organization, veterans organization, or Tribal business concern employs not more than the greater of—

“(aa) 500 employees; or

“(bb) the average total monthly payments by the applicant for payroll costs incurred during the 1-year period before the date on which the loan is made, except that, in the case of an applicant that is seasonal employer, as determined by the Administrator, the average total monthly payments for payroll costs paid or payable for the calendar year preceding the application for a covered loan, the maximum loan amount shall be the lesser of—

“(I) the sum of—

“(aa) the product obtained by multiplying—

“(AA) the average total monthly payments by the applicant for payroll costs incurred during the period beginning on February 15, 2019, or at the election of the eligible recipient, March 1, 2019, and ending June 30, 2019; by

“(BB) 2.5; and

“(BB) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 31, 2020 and ending on December 31, 2020, by

“(ii) $10,000,000.

“(II) CONSIDERATIONS.—In evaluating the eligibility of a borrower for a covered loan, the Administrator shall consider whether the borrower—

“(aa) was in operation on February 15, 2020; and

“(bb)(AA) had employees for whom the borrower made an economic adjustment to prevent the laying off or furloughing of any employee who is a veteran; or

“(bb)(BB) was in operation on February 15, 2020, and

“(bb)(BB)(AA) had employees for whom the borrower made an economic adjustment to prevent the laying off or furloughing of any employee who is a veteran.

“(III) THE REGISTRATION SYSTEM.—During the covered period, the requirement that a small business concern provided with the terms described in this paragraph, a lender shall consider whether the borrower—

“(aa) was in operation on February 15, 2020; and

“(bb)(AA) had employees for whom the borrower paid salaries and payroll taxes; or

“(bb)(BB) paid independent contractors, as reported on a Form 1099–MISC.

“(2) SMALL BUSINESSES AND ORGANIZATIONS.—

“(I) IN GENERAL.—With respect to a covered loan, the Administrator shall extend to additional lenders determined by the Administrator and the Secretary of the Treasury to have the necessary authorizations to process, close, disburse and service loans made with the guarantee of the Administrator.

“(II) MAXIMUM LOAN AMOUNT.—During the covered period, with respect to a covered loan, the maximum loan amount shall be the lesser of—

“(I) the sum of—

“(aa) the product obtained by multiplying—

“(AA) the average total monthly payments by the applicant for payroll costs incurred during the period beginning on February 15, 2019, or at the election of the eligible recipient, March 1, 2019, and ending June 30, 2019; by

“(BB) 2.5; and

“(BB) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 31, 2020 and ending on December 31, 2020, by

“(ii) $10,000,000.

“(II) CONSIDERATIONS.—In evaluating the eligibility of a borrower for a covered loan, the Administrator shall consider whether the borrower—

“(aa) was in operation on February 15, 2020; and

“(bb) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 31, 2020 and ending on December 31, 2020, by

“(BB) 2.5; and

“(BB) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 31, 2020 and ending on December 31, 2020, by

“(II) if requested by an otherwise eligible recipient that was not in business during the period beginning on February 15, 2019 and ending on June 30, 2019, the sum of—

“(aa) the product obtained by multiplying—

“(AA) the average total monthly payments by the applicant for payroll costs incurred during the period beginning on January 1, 2020 and ending on February 29, 2020; by

“(BB) 2.5; and

“(BB) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 31, 2020 and ending on December 31, 2020, by

“(III) the maximum loan amount shall be the lesser of—

“(I) the sum of—

“(aa) the product obtained by multiplying—

“(AA) the average total monthly payments by the applicant for payroll costs incurred during the period beginning on February 15, 2019, or at the election of the eligible recipient, March 1, 2019, and ending June 30, 2019; by

“(BB) 2.5; and

“(BB) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 31, 2020 and ending on December 31, 2020, by

“(BB) the outstanding amount of a loan under subsection (b)(2) that was made during the period beginning on January 31, 2020 and ending on December 31, 2020, by

“(II) $10,000,000.

“(IV) ALLOWABLE USES OF COVERED LOANS.—

“(I) IN GENERAL.—During the covered period, the proceeds of a covered loan shall be used to retain workers and maintain payroll or make payments on debt obligations, lease payments, and utility payments; to pay rent (including rent under a lease agreement); to pay mortgage payments, lease payments, and utility payments; to pay for operations and payroll during the covered period, and to meet other needs of the recipient that arose as a consequence of the national emergency declared by the President under title 13, Code of Federal Regulations, or any successor regulation, are waived with respect to eligibility for a covered loan for—

“(aa) any business concern that employs not more than 500 employees per physical location; and

“(bb)(AA) had employees for whom the borrower made an economic adjustment to prevent the laying off or furloughing of any employee who is a veteran; or

“(bb)(BB) was in operation on February 15, 2020, and

“(bb)(BB)(AA) had employees for whom the borrower made an economic adjustment to prevent the laying off or furloughing of any employee who is a veteran.

“(III) the term ‘veterans organization’ means an organization that is described in section 3(h) of the Internal Revenue Code that is exempt from taxation under section 501(a) of such Code.

“(IV) REFINANCE.—A loan made under subsection (b)(2) during the period beginning on January 31, 2020 and ending on the date on which covered loans made available may be refinanced as part of a covered loan.

“(V) NONRECURSE.—Notwithstanding the waiver of the personal guarantee requirement of or collateral under subparagraph (J), the Administrator shall have no recourse against any individual shareholder, member, or partner of an eligible recipient of a covered loan, except to the extent that such shareholder, member, or partner uses the covered loan proceeds for a purpose not authorized under clause (I).

“(G) BORROWER REQUIREMENTS.—

“(I) CERTIFICATION.—An eligible recipient applying for a covered loan shall make a good faith certification that—

“(aa) the use of the loan is necessary to support the ongoing operations of the eligible recipient;

“(bb) acknowledging that funds will be used to retain workers and maintain payroll or make payments on debt obligations, lease payments, and utility payments; to pay rent (including rent under a lease agreement); to pay mortgage payments, lease payments, and utility payments; to pay for operations and payroll during the covered period, and to meet other needs of the recipient that arose as a consequence of the national emergency declared by the President under title 13, Code of Federal Regulations, or any successor regulation, are waived with respect to a covered loan—

“(aa) was in operation on February 15, 2020; and

“(bb)(AA) had employees for whom the borrower made an economic adjustment to prevent the laying off or furloughing of any employee who is a veteran; or

“(bb)(BB) was in operation on February 15, 2020, and

“(bb)(BB)(AA) had employees for whom the borrower made an economic adjustment to prevent the laying off or furloughing of any employee who is a veteran.

“(II) that the uncertainty of current economic conditions makes necessary the loan and the terms on which it is received, in that the loan proceeds will be used to retain workers and maintain payroll or make payments on debt obligations, lease payments, and utility payments; and

“(III) that the eligible recipient does not have an application pending for a loan under this subsection for the same purpose and duplicative of amounts applied for or received under a covered loan; and

“(IV) during the period beginning on February 15, 2020 and ending on December 31, 2020, that the eligible recipient has not received amounts under this subsection for the same purpose and duplicative of amounts applied for or received under a covered loan.

“(H) FEE WAIVER.—During the covered period, with respect to a covered loan—

“(I) CREDIT ELSEWHERE.—During the covered period, the requirement that a small business concern provide credit elsewhere, as defined in section 3(h), shall not apply to a covered loan.

“(J) WAIVER OF PERSONAL GUARANTEE REQUIREMENT.—During the period beginning on February 15, 2020 and ending on December 31, 2020, that the Administrator does not require a personal guarantee for a covered loan.

“(K) MATURITY FOR LOANS WITH REMAINING BALANCE AFTER APPLICATION OF FORGIVENESS.—With respect to a covered loan that has a remaining balance after reduction based on the loan forgiveness amount under section 1106 of the CARES Act—

“(I) the remaining balance shall continue to be guaranteed by the Administration under this subsection; and

“(II) the covered loan shall have a maximum maturity of 10 years from the date on which the borrower applies for loan forgiveness under that section.
(I) INTEREST RATE REQUIREMENTS.—A covered loan shall bear an interest rate not to exceed 4 percent.

(II) LOAN DEFERMENT.—(1) IMPACTED BORROWER.—(I) IN GENERAL.—In this subparagraph, the term ‘impacted borrower’ means an eligible recipient that—

(ia) is in operation on February 15, 2020; and

(ibu) has an application for a covered loan that is approved or pending approval on or after the date of enactment of this paragraph.

(II) TIMING.—A reimbursement described in clause (I) shall be made not later than 5 days after the disbursement of the covered loan.

(III) SENSE OF THE SENATE.—It is the sense of the Senate that the Administrator should issue guidance to lenders and agents to ensure that the processing and disbursement of covered loans prioritizes small business concerns and small businesses underserved and rural markets, including veterans and members of the military community, small business concerns owned and controlled by socially and economically disadvantaged individuals, as defined in section 8(d)(3)(G), women, and businesses in operation for less than 2 years.

(Q) DUPLICATION.—Nothing in this paragraph shall prohibit a recipient of an economic injury disaster loan made under subsection (b)(2) during the period beginning on January 31, 2020 and ending on the date on which Coronavirus is declared a pandemic that is for a purpose other than paying payroll costs and other obligations described in subparagraph (F) from receiving assistance under this paragraph.

(R) WAIVER OF PREPAYMENT PENALTY.—Notwithstanding any other provision of law, there shall be no prepayment penalty for any payment made on a covered loan.

(5) COMMITMENTS FOR 7(A) LOANS.—During the period beginning on February 15, 2020 and ending on June 30, 2020—

(1) the amount authorized for commitments for general business loans authorized under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), including loans made under paragraph (3) of such section, as added by subsection (a), shall be $349,000,000,000; and

(2) the amount authorized for commitments for such loans under the heading ‘BUSINESS LOANS PROGRAM ACCOUNT’ under title V of the Consolidated Appropriations Act, 2020 (Public Law 116–93; 133 Stat. 2475) shall not apply.

(S) EXPRESS LOANS.—(1) IN GENERAL.—Section 7(a)(3)(D) of the Small Business Act (15 U.S.C. 636(a)(3)(D)) is amended by striking ‘$500,000 and inserting ‘$1,000,000’.

(2) PROSPECTIVE REPEAL.—Effective on January 1, 2021, section 7(a)(3)(D) of the Small Business Act (15 U.S.C. 636(a)(3)(D)) is amended by striking ‘$1,000,000’ and inserting ‘$300,000’.

(T) NO MATCHING FUNDS REQUIRED.—Match-

(1) temporary relief from dbr discl

(3) Grant determination.—(A) small business development centers shall award 80 percent of funds authorized to carry out this subsection to small business development centers, which shall be awarded pursuant to a formula jointly developed, negotiated, and agreed upon, with full participation of both parties, between the association formed under section 23(a)(3)(A) of the Small Business Act (15 U.S.C. 648(a)(3)(A)) and the Administrator.

(B) women’s business centers.—the Administrator shall award 20 percent of funds authorized to carry out this subsection to women’s business centers, which shall be awarded pursuant to a process established by the administrator in consultation with representatives of women’s business centers, which shall be advised by the administrator.

(C) no matching funds required.—Matching funds shall not be required for any grant under this subsection.

(D) GOALS AND METRICS.—(A) in general.—Goals and metrics for the grants made available under this program shall be jointly developed, negotiated, and agreed upon, with full participation of both parties, between the representative partners of the small businesses and the small business development centers.
(i) take into consideration the extent of the circumstances relating to the spread of COVID–19, or similar occurrences, that affect covered small business concerns located in the area; or provide services to other entities, particularly in rural areas or economically distressed areas; and
(ii) generally follow the use of funds outlined but shall not restrict the activities of resource partners in responding to unique situations; and
(iii) encourage resource partners to develop and provide services to covered small business concerns.

(B) Public availability.—The Administrator shall make publicly available the methodology by which the Administrator and resource partners jointly develop the metrics and goals described in subparagraph (A).

(c) Resource partner association grants.—
(1) In General.—The Administrator may provide grants to an association or associations representing resource partners under which the association or associations shall establish a single centralized hub for COVID–19 information, which shall include:

(A) that consolidates resources and information available across multiple Federal agencies for small business concerns related to COVID–19; and

(B) to train and educate resource partner counselors, members of the Service Corps of Retired Executives established under section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)), and counselors at veterans business outreach centers described in section 32 of the Small Business Act (15 U.S.C. 637b) on the resources and information available under subsection (a); and

(2) Goals and metrics.—Goals and metrics for the funds made available under this subsection shall be jointly developed, negotiated, and agreed upon, with full participation of both parties, between the association or associations receiving a grant under this subsection and the Administrator.

(d) Report.—Not later than 6 months after the date of enactment of this Act, and annually thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that describes—

(i) with respect to the initial year covered by such report, the

(A) the programs and services developed and provided by the Administration and resource partners under subsection (b);

(B) the online platform and training developed and provided by the Administration and the association or associations under subsection (c); and

(ii) with respect to the subsequent years covered by the report—

(A) the efforts of the Administrator and resource partners to develop services to assist covered small business concerns;

(B) the challenges faced by owners of covered small business concerns in accessing services provided by the Administration and resource partners;

(iv) the number of unique covered small business concerns that were served by the Administration and resource partners; and

(v) outcome or performance data with respect to covered small business concerns, including the number of employees affected, the effect on sales, the disruptions of supply chains, and the number of employees trained.

(e) Administrative support.—The Administrator, the Administration and resource partners to mitigate these effects; and

(B) with respect to the grant program under subsection (c)—

(i) the efforts of the Administrator and the association or associations to develop and evolve online resource for small business concerns; and

(ii) the efforts of the Administrator and the association or associations to develop a training program for partner counselors, including the number of counselors trained.

SEC. 1104. STATE TRADE EXPANSION PROGRAM.
(a) In General.—The Administrator shall make funds available under subsection (b) for grants under the State Trade Expansion Program described in section 22(l) of the Small Business Act (15 U.S.C. 636(a)), for grants under the State Trade Expansion Program made available for fiscal year 2018 or fiscal year 2019, the period of the grant shall continue through the end of fiscal year 2021.

(b) Reimbursement.—The Administrator shall reimburse any recipient of assistance under section 22(l) of the Small Business Act (15 U.S.C. 636(a)) for financial losses relating to a foreign trade mission or a trade show in which the association or associations shall participate, and agreed upon, with full participation of both parties, between the association or associations receiving a grant under this subsection and the Administrator.

SEC. 1105. WAIVER OF MATCHING FUNDS REQUIREMENTS FOR WOMEN’S BUSINESS CENTER PROGRAM.
During the 3-month period beginning on the date of enactment of this Act, the Administrator may, if the Administrator determines that the association does not have adequate funds to provide support under such section 22(l) using amounts made available for fiscal year 2018 or fiscal year 2019, the period of the grant shall continue through the end of fiscal year 2021.

SEC. 1106. LOAN FORGIVENESS.
(a) Definitions.—In this section—

(1) ‘‘covered loan’’ means a loan guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102;

(2) ‘‘covered mortgage obligation’’ means any indebtedness or debt instrument incurred in the ordinary course of business that—

(A) is a liability of the borrower;

(B) is a mortgage on real or personal property; and

(C) was incurred before February 15, 2020;

(3) ‘‘covered utility payment’’ means rent obligated under a leasing agreement, telephone, or internet access for which service began before February 15, 2020;

(4) ‘‘covered payroll’’ means the average number of full-time equivalent employees per month employed by the eligible recipient during the covered period; and

(b) Forgiveness amount under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102, as required by section 7(a) of the Small Business Act (15 U.S.C. 636(a)), plus any interest accrued through the date of payment.

(c) Treatment of amounts forgiven.—Any covered loan amount forgiven under this section shall be reduced, in accordance with the procedures otherwise applicable to a loan guaranteed under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as required by section 7(a) of the Small Business Act (15 U.S.C. 636(a)), plus any interest accrued through the date of payment.

(d) Grant amount and forgiven amount.—A lender authorized under subsection (a) and the Administrator shall reconvene, at the election of the borrower, the average number of full-time equivalent employees per month employed by the eligible recipient during the covered period, as required by subsection (b), by

(iii) at the election of the borrower—

(aa) the average number of full-time equivalent employees per month employed by the eligible recipient during the period beginning on February 1, 2019 and ending on June 30, 2019; or

(bb) the average number of full-time equivalent employees per month employed by the eligible recipient during the period beginning on January 1, 2020 and ending on February 29, 2020; or

(ii) in the case of an eligible recipient that is seasonal, as determined by the Administrator, the average number of full-time equivalent employees per month employed by the eligible recipient during the period beginning on February 15, 2019 and ending on June 30, 2019.

(e) Limitation on extension.—During the period beginning on January 1, 2020 and ending on February 29, 2020, an eligible recipient may—

(i) extend the period by which the administrator is required to provide written notice to the eligible recipient of the loan forgiveness decision; and

(ii) extend the period by which the administrator is required to provide written notice to the eligible recipient of the loan forgiveness decision.
(B) Calculation of Average Number of Employees.—For purposes of subparagraph (A), the average number of full-time equivalent employees shall be determined by calculating the average number of full-time equivalent employees for each pay period falling within a month.

(3) Reduction Relating to Salary and Wages.—

(A) In General.—The amount of loan forgiveness under this section shall be reduced by the amount of any reduction in total salary or wages paid to employees described in subparagraph (B) during the covered period that is in excess of 25 percent of the total salary or wages paid by the employee during the most recent full quarter during which the employee was employed before the covered period.

(B) Employees Described.—An employee described in this subparagraph is any employee who did not receive, during any single pay period during 2019, wages or salary at an annualized rate of pay in an amount more than $100,000.

(4) Tipped Workers.—An eligible recipient with tipped employees described in section 3(m)(2)(A) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)(2)(A)) may receive forgiveness for additional wages paid to those employees.

(I) EXEMPTION FOR RE-HIRES.—

(A) IN GENERAL.—In a circumstance described in subparagraph (B), the amount of loan forgiveness under this section shall be reduced by the amount of any reduction in the number of full-time equivalent employees of an eligible recipient or a reduction in the salary of 1 or more employees of the eligible recipient, as applicable, during the period beginning on February 15, 2020 and ending on the date that is 30 days after the date of enactment of this Act.

(B) CIRCUMSTANCES.—A circumstance described in this subparagraph is a circumstance—

(i) in which—

(I) during the period beginning on February 15, 2020 and ending on the date that is 30 days after the date of enactment of this Act, there is a reduction, as compared to February 15, 2020, in the number of full-time equivalent employees of an eligible recipient; and

(ii) not later than June 30, 2020, the eligible employer has eliminated the reduction in the number of full-time equivalent employees; or

(ii) in which the events described in clause (i) and (ii) occur.

(6) EXEMPTIONS.—The Administrator and the Secretary of the Treasury may prescribe regulations granting de minimis exemptions from the requirements under this subsection.

(e) Application.—An eligible recipient seeking loan forgiveness under this section shall submit to the lender that is servicing the covered loan an application, which shall include—

(1) documentation verifying the number of full-time equivalent employees, payroll, and pay rates for the periods described in subsection (d), including—

(A) payroll tax filings reported to the Internal Revenue Service; and

(B) State income, payroll, and unemployment insurance filings;

(2) documentation, including cancelled checks, payment receipts, transcripts of accounts, or other documents verifying payments on covered mortgage obligations, pay- ments on covered lease obligations, and covered utility payments;

(3) a certification from a representative of the eligible recipient authorized to make such certification that—

(A) the documentation presented is true and correct; and

(B) the amount for which forgiveness is requested was used to retain employees, make payments on a covered mortgage obligation, make payments on a covered rent obligation, or make covered utility payments; and

(4) any other documentation the Administrator determines necessary.

(f) Prohibition on Forgiveness Without Documentation.—No eligible recipient shall receive forgiveness under this section without submitting to the lender that is servicing the covered loan the documentation required under subsection (e).

(g) Decision.—Not later than 60 days after the date on which a lender receives an application for loan forgiveness under this section from an eligible recipient, the lender shall issue a decision on the application.

(h) Hold Harmless.—If a lender has received the documentation required under this section and has not completed, or is not completing, the verification of the amounts described in subsection (e), the Secretary of the Treasury may, for the years ending in 2019 and other communicable diseases;
the Committee on Small Business and Entrepreneurship and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Small Business and Entrepreneurship of the House of Representatives a report that describes—

(1) with respect to the period covered by the initial efforts program and development provided by the Agency, minority business centers, and minority chambers of commerce under subsection (b); and
(2) with respect to subsequent years covered by the report—
(A) with respect to the grant program described in subparagraph (A).

SEC. 1109. UNITED STATES TREASURY PROGRAM MANAGEMENT AUTHORITY.
(a) DEFINITIONS.—In this section—

(1) the terms ‘‘appropriate Federal banking agency’’ and ‘‘insured depository institution’’ have the meanings given those terms in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813);
(2) the term ‘‘insured credit union’’ has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752); and
(3) the term ‘‘Secretary’’ means the Secretary of the Treasury.

(b) AUTHORITY TO EXCLUDE ADDITIONAL FINANCIAL INSTITUTIONS.—The Department of the Treasury, in consultation with the Administrator, and the Chairman of the Farm Credit Administration shall establish criteria for insured depository institutions, insured credit unions, institutions of the Farm Credit System chartered under the Farm Credit Act of 1971 (12 U.S.C. 141 et seq.), and other lenders that do not already participate in lending under programs of the Administration, to participate in the paycheck protection program under this section until the date on which the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) expires.

(c) SAFETY AND SOUNDNESS.—An insured depository institution, insured credit union, institution of the Farm Credit System chartered under the Farm Credit Act of 1971 (12 U.S.C. 141 et seq.), or other lender may only participate in lending under this section if participation does not affect the safety and soundness of the institution or lender, as determined by the Secretary in consultation with the appropriate Federal banking agencies or the National Credit Union Administration Board, as applicable.

(d) REGULATIONS FOR LENDERS AND LOANS.—

(1) IN GENERAL.—The Secretary may issue regulations and guidance as necessary to carry out the purposes of this section, including to—

(A) allow additional lenders to originate loans under this section; and
(B) establish terms and conditions for loans under this section, including terms and conditions concerning compensation, underwriting standards, interest rates, and maturity.

(2) REQUIREMENTS.—The terms and conditions established under paragraph (1) shall provide for the following:

(A) A rate of interest that does not exceed the maximum permissible rate of interest available on a loan of comparable maturity under section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102 of this Act;
(B) Terms and conditions that, to the maximum extent practicable, are consistent with the terms and conditions required under the following provisions of paragraph (36) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102 of this Act:

(i) Subparagraph (D), pertaining to borrower eligibility;
(ii) Subparagraph (E), pertaining to the maximum loan amount;
(iii) Subparagraph (F)(i), pertaining to allowable uses of program loans.

(iv) Subparagraph (H), pertaining to fee waiver commitments; and
(v) Subparagraph (M), pertaining to loan deferment;

(e) A GUARANTEE PERCENTAGE.—To the maximum extent practicable, is consistent with the guarantee percentage required under subparagraph (F) of section 7(a)(2) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102 of this Act.

(f) LOAN FORGIVENESS.—Loans forgiven under terms and conditions that, to the maximum extent practicable, is consistent with the terms and conditions for loan forgiveness under section 1106 of this Act.

(g) ADDITIONAL REGULATIONS GENERALLY.—The Secretary may issue regulations and guidance as necessary to carry out the purposes of this section, including to allow additional lenders to originate loans under this title and to establish terms and conditions such as compensation, underwriting standards, interest rates, and maturity for under this section.

(h) CERTIFICATION.—As a condition of receiving a loan under this section, a borrower shall certify under penalty of perjury to the Secretary that the borrower—

(1) does not have an application pending for a loan under section 7(a) of the Small Business Act (15 U.S.C. 636(a)) for the same purpose and
(2) has not received such a loan during the period beginning on February 15, 2020 and ending on December 31, 2020.

(i) OPT-IN FOR SBA QUALIFIED LENDERS.—Lenders qualified to participate as a lender under 7(a) of the Small Business Act (15 U.S.C. 636(a)) may opt into the paycheck protection program under the criteria, terms, and conditions established under this section, including the making and purchasing of guarantees on loans under the program; until the date on which the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) expires.
SEC. 1110. EMERGENCY EIDL GRANTS.

(a) Definitions.—In this section—

(1) the term ‘‘covered period’’ means the period beginning on January 31, 2020 and ending on December 31, 2020; and

(2) the term ‘‘eligible entity’’ means—

(A) a business with not more than 500 employees;

(B) any individual who operates under a sole proprietorship, with or without employees, or as an independent contractor;

(C) a cooperative with not more than 500 employees;

(D) an ESOP (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) with not more than 500 employees; or

(E) a tribal small business concern, as described in section 310(b)(2)(C) of the Small Business Act (15 U.S.C. 657a(b)(2)(C)), with not more than 500 employees.

(b) Eligible Entities.—During the covered period, any public or private non-profit organization, and any small agricultural cooperative, an eligible entity shall be eligible for a loan made under section (b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)).

(c) Terms; Credit Elsewhere.—With respect to a loan made under subsection (b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) in response to COVID-19 during the covered period, the Administrator shall waive—

(1) any rules related the personal guarantee of advances and loans of not more than $200,000 during the covered period for all applicants; and

(2) the requirement that an applicant needs to be in operation for 1-year period before the disaster, except that no waiver may be made for a business that was not in operation on January 31, 2020; and

(3) the requirement in the flush matter following subparagraph (E) of section (b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)), as so redesignated by subsection (f) of this section, that an applicant be unable to obtain credit elsewhere.

(d) Approval and Ability to Repay for Small Dollar Loans.—With respect to a loan made under section (b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) in response to COVID-19 during the covered period, the Administrator may—

(1) approve an applicant based solely on the covered entity and shall not require an applicant to submit a tax return or a tax return transcript for such approval or any alternative appropriate methods to determine an applicant’s ability to repay.

(e) Emergency Grant.—

(1) In General.—During the covered period, an eligible entity may apply for an emergency grant, as defined in subparagraph (b), including small business concerns, private nonprofit organizations, and small agricultural cooperatives, that applies for a loan under section (b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)) in response to COVID-19 may request that the Administrator provide an advance that is—

(A) guaranteed by the Administration if the advance is used—

(i) to provide paid sick leave to employees unable to work due to the direct effect of the COVID-19;

(ii) paying payroll retain employees during business disruptions or substantial slowdowns;

(iii) meeting increased costs to obtain materials unavailable from the applicant’s original source due to interrupted supply chains;

(iv) making rent or mortgage payments; and

(v) paying other obligations that cannot be met due to revenue losses.

(2) Repayment.—An applicant shall not be required to repay any amounts of an advance provided under this subsection, even if subsequently denied a loan under section (b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)), if the Administrator determines that an applicant that receives an advance under this subsection transfers into, or is approved for, the loan program under section (a) of the Small Business Act (15 U.S.C. 636(b)(1)).

(3) Amount.—The amount of an advance provided under this subsection shall be not more than $200,000 during the covered period for any eligible entity by accepting a self-certification from the applicant under penalty of perjury pursuant to section 1746 of title 28 United States Code.

(4) Use of Funds.—An advance provided under this subsection may be used to address any allowable purpose for a loan made under section (b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)), including—

(A) providing sick leave to employees unable to work due to the direct effect of the COVID-19;

(B) maintaining payroll to retain employees during business disruptions or substantial slowdowns;

(C) meeting increased costs to obtain materials unavailable from the applicant’s original source due to interrupted supply chains;

(D) making rent or mortgage payments; and

(E) paying other obligations that cannot be met due to revenue losses.

(5) Repayment.—An applicant shall not be required to repay any amounts of an advance provided under this subsection, even if subsequently denied a loan under section (b)(2) of the Small Business Act (15 U.S.C. 636(b)(2)), if the Administrator determines that an applicant that receives an advance under this subsection transfers into, or is approved for, the loan program under section (a) of the Small Business Act (15 U.S.C. 636(b)(1)).

(f) Authorization of Appropriations.—There is authorized to be appropriated to the Administration $10,000,000,000 to carry out this subsection.

(g) Termination.—The authority to carry out grants under this subsection shall terminate on December 31, 2020.

(h) Emergence Payments under SBA Community Advantage Pilot Program of the Administrator.—For purposes of section 16 of such Act (15 U.S.C. 636(m)), an advance made under this subsection may be used to address—

(A) providing paid sick leave to employees unable to work due to the direct effect of the COVID-19;

(B) paying payroll retain employees during business disruptions or substantial slowdowns;

(C) meeting increased costs to obtain materials unavailable from the applicant’s original source due to interrupted supply chains;

(D) making rent or mortgage payments; and

(E) paying other obligations that cannot be met due to revenue losses.

(i) Authorization of Appropriations.—There is authorized to be appropriated to the Administrator $25,000,000 to carry out this section.

SEC. 1112. SUBSIDY FOR CERTAIN LOAN PAYMENTS.

(a) Definition of Covered Loan.—In this section, the term ‘‘covered loan’’ means a loan that is—

(1) guaranteed by the Administrator under—

(A) section (a) of the Small Business Act (15 U.S.C. 636)—

(i) including a loan made under the Community Advantage Pilot Program of the Administrator; and

(ii) excluding a loan made under paragraph (6) of such section (a), as added by section 115(a); or

(B) title V of the Small Business Investment Act of 1958 (15 U.S.C. 65 et seq.); or

(2) made by an intermediary for a small business concern using funds or grants received under section (a) of the Small Business Act (15 U.S.C. 636(m)).

(b) Sense of Congress.—It is the sense of Congress that—

(1) all borrowers are adversely affected by COVID-19;

(2) relief payments by the Administration are appropriate for all borrowers; and

(3) in addition to the relief provided under this Act, the Administration should encourage lenders to provide payment deferments, when appropriate, and to extend the maturity of covered loans, so as to avoid balloon payments or any requirement for increases in debt payments resulting from deferments provided by lenders during the period of the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1801 et seq.) in response to the Coronavirus Disease 2019 (COVID-19).

(c) Principal and Interest Payments.—

(1) In General.—The Administrator shall provide—

(A) the principal and interest payments on any covered loan and any associated fees that are owed on a covered loan in a regular servicing status—

(i) excluding a loan made under the Community Advantage Pilot Program of the Administrator; and

(ii) excluding a loan made under paragraph (6) of such section (a), as added by section 115(a); or

(B) the principal and interest payments and any associated fees that are owed on a covered loan in a regular servicing status—

(i) excluding a loan made under the Community Advantage Pilot Program of the Administrator; and

(ii) excluding a loan made under paragraph (6) of such section (a), as added by section 115(a); or

(2) Timing of Payment.—The Administrator shall begin making payments under paragraph (1) on a covered loan not later than 30 days after the date on which the first such payment is due.

(d) Application of Payment.—Any payment made by the Administrator under paragraph (1) shall be applied to the covered loan such that the borrower is relieved of the obligation to pay any principal or interest on the covered loan.

(e) Other Requirements.—The Administrator shall—
(I) communicate and coordinate with the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, and State bank regulators to encourage those institutions required by law to increase their reserves on account of receiving payments made by the Administrator under subsection (c);

(2) waive statutory limits on maximum loan maturities for any covered loan durations where the lender provides a deferral and extends the maturity of covered loans during the 1-year period following the date of enactment of this Act; and

(3) when necessary to provide more time because of the potential of higher volumes, travel restrictions, and the inability to access some properties during the COVID-19 pandemic, extend lender site visit requirements—

(A) not more than 60 days (which may be extended at the discretion of the Administrator) after the occurrence of an adverse event, other than a payment default, causing a loan to be classified as in liquidation; and

(B) not more than 90 days after a payment default.

(e) Rule of Construction.—Nothing in this subtitle may be construed to limit the authority of the Administrator to make payments pursuant to subsection (c) with respect to a covered loan solely because the covered loan has been sold in the secondary market.

(f) Authorization of Appropriations.—There is authorized to be appropriated to the Administrator $27,000,000,000 to carry out this section.

SEC. 1133. BANKRUPTCY.

(a) Small Business Debtor Reorganization.—

(1) IN GENERAL.—Section 1182(1) of title 11, United States Code, is amended to read as follows:

"(1) DEBTOR.—The term 'debtor' means a small business debtor "

(A) subject to subparagraph (B), means a person engaged in commercial or business activities (including any affiliate of such person that is also a debtor under this title and excluding a person whose primary activity is the business of owning single asset real estate) that has aggregate noncontingent liquidated secured and unsecured debts as of the date of the filing of the petition for or the date of the order for relief in an amount not more than $7,500,000 (excluding debts owed to 1 or more affiliates or insiders) not less than 50 percent of which arose from the commercial or business activities of the debtor; and

(B) does not include—

(i) any member of a group of affiliated debtors that has aggregate noncontingent liquidated secured and unsecured debts in an amount greater than $7,500,000 (excluding debt owed to 1 or more affiliates or insiders);

(ii) any debtor that is a corporation subject to the reporting requirements under section 13 or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m, 78o(d)); or

(iii) any debtor that is an affiliate of an issuer, as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c).

(2) APPLICABILITY OF CHARTERS.—Section 101(10A)(B)(ii) of title 11, United States Code, is amended by inserting "small business debtor" and inserting "as defined in section 1182(1)."

(3) APPLICATION OF AMENDMENT.—The amendment made by paragraph (1) shall apply only with respect to cases commenced under the Bankruptcy Code, on or after the date of enactment of this Act.

(4) TECHNICAL CORRECTIONS.—

(A) DEFINITION OF SMALL BUSINESS DEBTOR.—Section 1182(10A)(B)(ii) of title 11, United States Code, is amended to read as follows:

"(ii) any debtor that is an affiliate of an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78c)):"

(B) UNCLAIMED PROPERTY.—Section 347(b) of title 11, United States Code, is amended by striking "1194" and inserting "1191."

(5) SUNSET.—On the date that is 1 year after the date of enactment of this Act, section 1382(1) of title 11, United States Code, is amended to read as follows:

"(1) DEBTOR.—The term 'debtor' means a small business debtor.

(b) Bankruptcy Relief.—

(1) IN GENERAL.—

(A) EXCLUSION FROM CURRENT MONTHLY INCOME.—Section 101(10A)(B)(ii) of title 11, United States Code, is amended by inserting "paying" in the period following the date of enactment of this Act; and

(2) SUBSEQUENT PERIODS.—The amendments made by subparagraph (A) shall take effect on the date that is 1 year after the date of enactment of this Act.

SEC. 1114. EMERGENCY RULEMAKING AUTHORITY.

Not later than 15 days after the date of enactment of this Act, the Administrator shall issue regulations to carry out this title and the amendments made by this title without notice required under section 553(b) of title 5, United States Code.

TITLE II—ASSISTANCE FOR AMERICAN WORKERS, FAMILIES, AND BUSINESSES


SEC. 2101. SHORT TITLE.

This subtitle may be cited as the "Relief for Workers Affected by Coronavirus Act".

SEC. 2102. PANDEMIC UNEMPLOYMENT ASSISTANCE.

(a) Definitions.—In this section:

(1) COVID–19.—The term "COVID–19" means the 2019 Novel Coronavirus or 2019-nCoV.

(2) COVID–19 PUBLIC HEALTH EMERGENCY.—The term "COVID–19 public health emergency" means the public health emergency declared by the Secretary of Health and Human Services on January 27, 2020, with respect to the 2019 Novel Coronavirus.

(3) COVERED INDIVIDUAL.—The term "covered individual"—

(A) means an individual who—

(i) is not eligible for regular compensation or extended benefits under State or Federal law or pandemic emergency unemployment compensation under section 2107, including an individual who has exhausted all rights to regular unemployment or extended benefits under State or Federal law or pandemic emergency unemployment compensation under section 2107 and

(ii) provides self-certification that the individual—

(A) is otherwise able to work and available for work within the meaning of applicable State law, except the individual is unemployed, partially unemployed, or unable or unavailable to work because of an emergency and such school or facility care is required for the individual to work; or

(B) is otherwise able to work and available for work within the meaning of applicable State law, except the individual is unavailable to attend school or another facility that is closed as a direct result of the COVID–19 public health emergency and such school or facility care is required for the individual to work;

(BB) the individual is providing care for a family member or a member of the individual's household who has been diagnosed with COVID–19;

(CD) the individual is providing care for a family member or a member of the individual's household who has been diagnosed with COVID–19;

(CD) the individual is providing care for a family member or a member of the individual's household who has been diagnosed with COVID–19;

(CD) the individual is providing care for a family member or a member of the individual's household who has been diagnosed with COVID–19;

(d) a child or other person in the household for which the individual has primary caregiving responsibility who is attending school or another facility that is closed as a direct result of the COVID–19 public health emergency and such school or facility care is required for the individual to work;

(ee) the individual is unable to reach the place of employment because of a quarantine imposed as a direct result of the COVID–19 public health emergency;

(ff) the individual is unable to reach the place of employment because the individual has been advised by a health care provider to quarantine due to concerns related to COVID–19; and

(gg) the individual was scheduled to commence employment and does not have a job offer or call to report to work due to the notice requirements under section 2107, including a direct result of the COVID–19 public health emergency;
RESULT OF COVID–19.—Subject to subsection
States of Micronesia, the Republic of the
Northern Mariana Islands, the Federated
American Samoa, the Commonwealth of the
Puerto Rico, the Virgin Islands, Guam,
means the Secretary of Labor.

the date of enactment of this Act.

ning on or after January 27, 2020, and before
establish a process for making assistance
under this section available for weeks begin-

(1) IN GENERAL.—The assistance authorized under subsection (b) for a week of unemploy-
ment, partial unemployment, or inability to
work shall be—
(A)(i) the weekly benefit amount author-
ized under the unemployment compensation
law of the State where the covered indi-
vidual was employed, except that the
weekly benefit amount shall not be less
than the maximum benefit amount for such
State under section 2104; and
(B) in the case of a covered individual who is
employed or able to work caused by
COVID–19;

the covered individual's unemployment,
regular unemployment or extended benefits
under State or Federal law or pandemic
emergency unemployment compensation
under section 2107 and meets the require-
ments of subsection (1); and

(i) an individual who has the ability to
work remotely with pay; or
(ii) an individual who is receiving paid sick
leave or other paid leave benefits, regardless
of whether the individual meets a qualifica-
tion described in items (aa) through (kk) of
paragraph (A)(1),

the term “Secretary” means the Secretary of Labor.

(5) STATES.—The term “State” includes the
District of Columbia, the Commonwealth of
Puerto Rico, the Virgin Islands, Guam,
American Samoa, the Commonwealth of the
Northern Mariana Islands, the Federated
States of Micronesia, the Republic of the

(6) ASSISTANCE FOR UNEMPLOYMENT AS A
RESULT OF COVID–19.—Subject to subsection
(c), the Secretary shall provide any cov-
ered individual, or an individual who
partially unemployed, or unable to work for
the weeks of such unemployment with re-
spect to which the individual is not entitled
to any other unemployment compensation
(as that term is defined in section 85(b) of
title 26, United States Code) or waiting pe-
riod credit.

(c) APPLICABILITY.—

(1) IN GENERAL.—Except as provided in
paragraph (2), the assistance authorized under
subdivision (B) shall be available to a cov-
ered individual—

(i) for weeks of unemployment, partial un-
employment, or inability to work caused by
COVID–19;

(ii) the individual has to quit his or her job
under any Federal or State law, except that
the individual was seeking part-time
employment, does not have sufficient work
history, or otherwise would not qualify for
regular unemployment or extended benefits
under Federal or State law;

(iii) the individual’s main source of income
is caused by COVID–19;

(iv) the individual’s unemployment
compensation benefits are insufficient;

(v) the individual otherwise qualifies for
unemployment assistance under the State
unemployment program; and

(vi) the individual meets the require-
mment established by section 906(a)(2) of
the Social Security Act (42 U.S.C. 1106(a)(2))
for receipt of unemployment compensation
under the State program.

(b) PAYMENTS TO STATES.—There shall be
made to each State which has entered into an
agreement (as determined by the Secretary),
and such total shall include any week for
which an individual does not qualify for
unemployment compensation under State or
Federal law or pandemic emergency
unemployment compensation under
section 2104; and

(e) WAIVER OF STATE REQUIREMENT.—Not-
withstanding State law, for purposes of as-

2103. EMERGENCY UNEMPLOYMENT RELIEF
FOR GOVERNMENTAL ENTITIES AND NONPROFIT OR
ORGANIZATIONS.

(a) FLEXIBILITY IN PAYING REIMBURSE-
MENT.—The Secretary of Labor may issue
clarifying guidance allowing States to inter-
pret their State unemployment compensa-
tion laws in a manner that would provide
maximum flexibility to reimbursing employ-
ers as it relates to timely payment and as-
suming the penalties and interest pursuant to
such State laws.

(b) FEDERAL FUNDING.—Section 903 of the
Social Security Act (42 U.S.C. 1103) is amend-
ed by adding at the end the following:

“(2) Definitions.—

(A) In general.—The term “transfers for Federal Reimbursement
of State Unemployment Funds” means the
weekly benefit amount after the date of enactment
of this Act, increased in an amount equal to
such increase.

(2) CALCULATIONS OF AMOUNTS FOR CERTAIN
COVERED INDIVIDUALS.—In the case of a cov-
ered individual who is self-employed, who
lives in a territory described in subsection
(c) or (d) of section 625 of title 20, Code of
Federal Regulations, or who would not other-
wise qualify for unemployment compensa-
tion under State law, the assistance author-
ized under subsection (b) shall be calculated in
accordance with section 625.6 of title 20, Code of
Federal Regulations, or any successor thereto;
and

(1) the term “COVID–19 public health
epidemic” means an illness primarily caused
by COVID–19 as the covered individual’s
unemployment, or inability to work caused by
COVID–19 continues.

(2) LIMITATION ON DURATION OF ASSIST-
ANCE.—The total number of weeks for which a
covered individual may receive assistance
under subsection (b) shall not exceed 39 weeks
and such total shall include any week for
which a covered individual received reg-
ular unemployment compensation or extended
benefits under any Federal or State law, except that
if after the date of enactment of this Act, the
duration of extended benefits is ex-
tended, the 39-week period described in this
paragraph shall be extended by the number of
weeks that is equal to the number of weeks by which the extended benefits were
extended.

(3) BENEFIT VIA FOR UNEMPLOYMENT BEFORE
DATE OF ENACTMENT.—The Secretary shall es-

(ii) the individual has to quit his or her job
due to an emergency caused by COVID–19;

(iii) the individual has become the bread-
winner or major support for a household be-
cause the head of the household has died as a
direct result of COVID–19;

(iv) the individual is taking leave from
work or school due to an emergency caused
by COVID–19;

(v) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(vi) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(vii) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(viii) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(ix) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(x) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xi) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xii) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xiii) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xiv) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xv) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xvi) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xvii) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xviii) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xix) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(xx) the individual is seeking to acquire
employment that is being delayed or
prevented due to COVID–19;

(2) TERMS OF PAYMENTS.—Sums payable to
each State the sums payable to such State
Secretary of the Treasury for payment to
fiscal year limitation, the sums referred to
in the preceding sentence and such sums
shall not be required to be repaid.

(3) CERTIFICATIONS.—The Secretary of
Labor shall from time to time certify to the
Secretary of the Treasury for payment to
each State the sums payable to such State
under section 625 shall apply to this section
as if—

(1) the term “COVID–19 public health
epidemic” were substituted for the term
“major disaster” each place it appears in
such section 625; and

(2) the term “pandemic” were substituted for
the term “disaster” each place it appears in
such section 625.
in the Unemployment Trust Fund, by transfer from amounts reserved for that purpose in the Federal unemployment account, in accordance with the succeeding provisions of this section.

"(B) The amount of funds transferred to the account of a State under subparagraph (A) during the period shall be, as determined by the Secretary of Labor, be equal to one-half of the amounts of compensation (as defined in section 3306(h) of the Internal Revenue Code of 1986) attributable under the State law to service to which section 3309(a)(1) of such Code applies that were paid by the State for weeks of unemployment beginning during such period. Such transfers shall be made at such times as the Secretary of Labor considers appropriate.

"(C) Any other funds transferred to the account of a State under subparagraph (A) shall be used exclusively to reimburse governmental entities and other organizations described in section 3309(a)(2) of such Code for amounts paid (in lieu of contributions) into the State unemployment fund pursuant to such payment.

"(D) For purposes of this paragraph, the term ‘applicable period’ means the period beginning on March 13, 2020, and ending on December 31, 2020.

"(2) Notwithstanding any other provision of law, the Secretary of the Treasury shall (from funds not otherwise appropriated to the Federal unemployment account) transfer such sums as the Secretary of Labor estimates will be necessary for purposes of making the transfers described in paragraph (1).

"(B) There are appropriated from the general fund of the Treasury, without fiscal year limitation, the sums referred to in subparagraph (A) and such sums shall not be required to be repaid.

SEC. 2104. EMERGENCY INCREASE IN UNEMPLOYMENT COMPENSATION BENEFITS.

(a) FEDERAL–STATE AGREEMENTS.—Any State which desires to do so may enter into and participate in an agreement under this section with the Secretary of Labor (in this section referred to as the ‘Secretary’). Any State which desires to do so may enter into an agreement under this section may, upon providing 30 days’ written notice to the Secretary, terminate such an agreement.

(b) PROVISIONS OF AGREEMENT.

(1) FEDERAL PANDEMIC UNEMPLOYMENT COMPENSATION.—Any agreement under this section shall provide that the Secretary of the Treasury (from funds not otherwise appropriated to the Federal unemployment account) shall transfer from time to time to each State such sums as the Secretary of Labor estimates will be necessary for purposes of making the transfers described in paragraph (1).

(2) ALLOWABLE METHODS OF PAYMENT.—Any Federal Pandemic Unemployment Compensation provided for in accordance with this section shall be paid in accordance with the provisions of the applicable State unemployment compensation law.

(c) NONREDUCTION RULE.—

(1) IN GENERAL.—An agreement under this section shall not apply (or shall cease to apply) with respect to a State upon a determination by the Secretary that the method of computing the unemployment compensation which would otherwise be payable during such period under the State law has been modified in a manner such that the amount of regular unemployment compensation which would otherwise be payable during such period under the State law will be less than the number of weeks, or the average weekly benefit amount, of the average weekly benefit amount of regular compensation which would otherwise have been payable during such period under the State law, as in effect as of May 2020.

(2) MAXIMUM BENEFIT ENTITLEMENT.—In paragraph (1), the term ‘maximum benefit entitlement’ means the amount of regular unemployment compensation payable to an individual with respect to the individual’s benefit year.

(d) PAYMENTS TO STATES.—

(1) IN GENERAL.—

(A) FULL REIMBURSEMENT.—There shall be paid to each State which has entered into an agreement under this section an amount equal to 100 percent of—

(i) the total amount of Federal Pandemic Unemployment Compensation paid to individuals by the State pursuant to such agreement; and

(ii) any additional administrative expenses incurred by the State by reason of such agreement (as determined by the Secretary).

(B) TERMS OF PAYMENTS.—Sums payable to any State by reason of such State’s having entered into an agreement under this section shall be payable in a manner and at such times as the Secretary determines.

(e) APPLICABILITY.—An agreement entered into under this section shall include provisions to provide that the provisions of this section shall be applied with respect to unemployment compensation under the State law of that State which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period beginning on the date such individuals received amounts of Federal Pandemic Unemployment Compensation to which they were not entitled, the State shall recover any amounts of such Federal Pandemic Unemployment Compensation to which such State would have been entitled but for such false statement or representation or of such nondisclosure, the amount of Federal Pandemic Unemployment Compensation to which such individual was not entitled, and any amounts of Federal Pandemic Unemployment Compensation to which such individual was not entitled, the State shall recover such amounts.

(f) FRAUD AND OVERPAYMENTS.—

(A) The payment of such Federal Pandemic Unemployment Compensation was without fault on the part of any such individual; and

(B) The amount of such Federal Pandemic Unemployment Compensation is less than the amount of regular unemployment compensation payable to such individual or from any unemployment compensation payable to such individual under any State or Federal unemployment compensation law administered by the State agency or under any other State or Federal law administered by the Secretary which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period beginning on the date such individuals received amounts of Federal Pandemic Unemployment Compensation to which they were not entitled, in accordance with the same terms as apply to any recovery of overpayments of regular unemployment benefits paid by the State.

(G) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(h) DISREGARD OF ADDITIONAL COMPENSATION FOR PURPOSES OF MEDICAID AND CHIP.—

The monthly equivalent of any Federal pandemic unemployment compensation paid to an individual under this section shall be disregarded in determining income for any purpose under the programs established under titles XIX and title XXI of the Social Security Act (42 U.S.C. 1396 et seq., 1397aa et seq.).

(i) DEFINITIONS.—For purposes of this section—

(1) the terms ‘compensation’, ‘regular compensation’, ‘benefit year’, ‘State’, ‘State agency’, ‘State law’, and ‘week’ have the respective meanings given such terms in section 205 of the Federal–State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note); and

(2) any reference to unemployment benefits described in this paragraph shall be considered to refer to—

(A) extended compensation (as defined by section 205 of the Federal–State Extended Unemployment Compensation Act of 1970); and

(B) regular compensation (as defined by section 85(b) of the Internal Revenue Code of...
(a) Federal-State Agreements.—Any State which desires to so desiring may enter into and participate in an agreement under this section with the Secretary of Labor (in this section referred to as the "Secretary"). Any State which is a party to an agreement under this section may, upon providing 30 days' prior written notice to the Secretary, terminate such agreement.

(b) Requirement That State Law Does Not Apply a Waiting Week.—A State is eligible to enter into an agreement under this section if the State law (including a waiver of State law) provides that compensation is payable to individuals for their first week of regular unemployment without a waiting week. An agreement under this section shall not apply (or shall cease to apply) with respect to any amount by which the Secretary finds that such State law no longer meets the requirement under the preceding sentence.

(c) Payments to States.—

(1) Full Reimbursement.—There shall be paid to each State which has entered into an agreement under this section an amount equal to 100 percent of—

(A) the total amount of regular compensation paid to individuals by the State for their first week of regular unemployment; and

(B) any additional administrative expenses incurred by the State by reason of such agreement (as determined by the Secretary).

(2) Terms of Payments.—Sums payable to any State by reason of such State's having an agreement under this section shall be payable, either in advance or by way of reimbursement (as determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this section for each calendar month, reduced, as the case may be, by any amount by which the Secretary finds that his estimates for any prior calendar month were exceeded by the actual amount of such payments which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

(d) Funding.—

(1) Compensation.—

(A) Funds in the Federal Unemployment Account (as established by section 905(g) of the Unemployment Trust Fund (as established by section 904(a)) shall be used to make payments to States pursuant to subsection (c)(1)(A).

(B) Transfer of Funds.—Notwithstanding any other provision of law, the Secretary of the Treasury shall transfer from the general fund of the Treasury any sums appropriated to the Secretary to the extent of any sums otherwise appropriated to the employment security administration account such sums as the Secretary of Labor estimates to be necessary to make payments described in paragraph (A). There are appropriated from the general fund of the Treasury, without fiscal year limitation, the sums referred to in the preceding sentence such sums shall not be required to be repaid.

(2) Administrative Expenses.—

(A) Funds in the employment security administration account (as established by section 901(a) of the Social Security Act (42 U.S.C. 1101(a)) of the Unemployment Trust Fund (as established by section 904(a) of such Act (42 U.S.C. 1104(a)) shall be used to make payments to States pursuant to subsection (c)(1)(A).
been payable during such period under the State law, as in effect on January 1, 2020.

(2) COMPENSATION.—(A) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 2101 of the Social Security Act (42 U.S.C. 1101(a)) of the Unemployment Trust Fund (as established by section 80(a) of such Act (42 U.S.C. 1101(a))) shall be used for the making of payments to States having agreements entered into under this section.

(B) TRANSFER OF FUNDS.—Notwithstanding any other provision of law, the Secretary of the Treasury shall transfer from the general fund of the Treasury (as so appropriated) to the employment security administrative fund (as so appropriated). The Secretary of the Treasury shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no deduction shall be required, and no ded
SEC. 2109. TEMPORARY FINANCING OF SHORT-TIME COMPENSATION PROGRAMS.

(a) GRANTS.—

(1) FOR IMPLEMENTATION OR IMPROVED ADMINISTRATION.—The Secretary shall award grants to States that enact short-time compensation programs (as defined in subsection (b)(2)) for the purpose of implementation or improved administration of such programs.

(2) FOR PROMOTION AND ENROLLMENT.—The Secretary shall award grants to States that are eligible and submit plans for a grant under paragraph (1) to promulgate and enroll employers in short-time compensation programs (as so defined).

(b) AMOUNT OF GRANTS.—

(1) IN GENERAL.—Of the maximum amount available for making grants to a State under paragraphs (1) and (2) shall be equal to the amount obtained by multiplying $100,000,000 (less the amount used by the Secretary under section 2103 for the same purpose) by the same ratio as would apply under subsection (a)(2)(B) of section 903 of the Social Security Act (42 U.S.C. 602) for purposes of determining such State’s share of any excess amount (as described in subsection (a)(1) of such section) that would have been subject to transfer to State accounts, as of October 1, 2019, under the provisions of subsection (a) of such section.

(2) AMOUNT AVAILABLE FOR DIFFERENT OBJECTS.—Of the maximum amount indicated in paragraph (1) with respect to a State—

(A) one-third shall be available for a grant under subsection (a)(1); and

(B) two-thirds shall be available for a grant under subsection (a)(2).

(c) GRANT APPLICATION AND DISBURSAL.—

(1) APPLICATION.—Any State seeking a grant under paragraph (1) or (2) of subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. In no case may the Secretary award a grant under this section with respect to an application that is submitted and incomplete.

(2) NOTICE.—The Secretary shall, within 30 days after receiving a complete application, notify the State agency of the State of the Secretary’s findings as to whether the grant application has met the requirements for a grant under paragraph (1) or (2) of subsection (a).
(3) Certification.—If the Secretary finds that the State law provisions meet the requirements for a grant under subsection (a), the Secretary shall thereupon make a certification that effect to the Secretary of the Treasury, together with a certification as to the amount of the grant payment to be transferred to the State account in the Unemployment Compensation Fund created under section 906(a) of the Social Security Act (42 U.S.C. 1104(a)) pursuant to that finding. The Secretary of the Treasury shall make the appropriate transfer to the State account within 7 days after receiving such certification.

(4) Requirement.—No certification of compliance with the requirements for a grant under this section, subsection (a) of this section, or (2) of subsection (a) of this section may be made with respect to any State whose—

(A) State law is not otherwise eligible for certification under section 339 of the Social Security Act (42 U.S.C. 505) or approvable under section 3304 of the Internal Revenue Code of 1986; or

(B) short-time compensation program is subject to discontinuation or is not scheduled to take effect within 12 months of the certification.

(g) Use of Funds.—The amount of any grant awarded under this section shall be used for the implementation of short-time compensation programs and the overall administration of such programs and the promotion and enrollment efforts associated with such programs, such as through—

(1) support of rapid response teams to advise employers about alternatives to layoffs;

(2) the provision of education or assistance to employers to enable them to assess the feasibility of participating in short-time compensation programs; and

(3) the development or enhancement of systems necessary to—

(A) the submission and approval of plans; and

(B) the filing and approval of new and ongoing short-time compensation claims.

(h) Administration.—The Secretary is authorized to use 0.25 percent of the funds available under subsection (g) to provide for outreach and to share best practices with respect to this section and short-time compensation programs.

(i) Expense.—The Secretary shall establish a process under which the Secretary shall recoup the amount of any grant award made under paragraph (1) or (2) of subsection (a) if the State has not—

(1) established and implemented a method by which the State will—

(A) the filing and approval of new and on-going short-time compensation claims; and

(B) the submission and approval of plans; and

(2) failed to meet appropriate requirements with respect to such program as established by the Secretary.

(j) Funding.—There are appropriated, out of moneys in the Treasury not otherwise appropriated, to the Secretary, $100,000,000 to carry out this section, to remain available without fiscal year limitation.

(k) Reporting.—The Secretary may establish requirements for States receiving a grant under this section in order to provide oversight of grant funds.

(l) Definitions.—In this section:

(1) The term “Secretary” means the Secretary of Labor.

(2) The term “short-time compensation program” means a program established by a State law giving such States the authority to carry out the provisions of section 3306(v) of the Internal Revenue Code of 1986.

(3) The term “State” means the State agency, or the State agency’s contractor as approved by the Secretary, giving such State the authority to carry out the provisions of section 3306(v) of the Internal Revenue Code of 1986.

(4) “State agency” means the agency, or the agency’s contractor as approved by the Secretary, giving such State the authority to carry out the provisions of section 3306(v) of the Internal Revenue Code of 1986.

SEC. 2111. WAIVER OF THE 7-DAY WAITING PERIOD FOR BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.

(a) No Waiting Period.—With respect to any registration period beginning after the date of enactment of this Act and ending on or before December 31, 2020, subparagraphs (A)(i) and (B) of section 2104(e) of the Railroad Retirement Act (45 U.S.C. 1324a(e)) shall not apply.

(b) Operating Instructions and Regulations.—The Railroad Retirement Board may prescribe any operating instructions or regulations necessary to carry out this section.

(c) Funding.—Out of any funds in the Treasury not otherwise appropriated, there are appropriated $25,000,000 to cover the cost of additional extended unemployment benefits provided under section 2104(e) of the Railroad Retirement Act as well as to pay any operating costs necessary with respect to any provisions of, or the amendments made by, this subtitle, to remain available without fiscal year limitation.

SEC. 2112. FUNDING FOR THE DOL OFFICE OF INSPECTOR GENERAL FOR OVERSIGHT OF UNEMPLOYMENT PROVISIONS.

(a) Non-Application of the Paperwork Reduction Act.—Chapter 35 of title 44, United States Code (commonly referred to as the “Paperwork Reduction Act of 1995”), shall not apply to the provisions of, and the amendments made by, this subtitle.

(b) Operating Instructions or Other Guidance.—Notwithstanding any other provision of law, the Secretary of Labor may issue any operating instructions or other guidance necessary with respect to any provisions of, or the amendments made by, this subtitle.

Subtitle B—Relates to Other Individual Provisions

SEC. 2201. 2020 RECOVERY Rebates for Individuals.

(a) In General.—Subchapter B of chapter 65 of title 26 of the Internal Revenue Code is amended by inserting after section 6427 the following new section:

“SEC. 6428. 2020 RECOVERY Rebates for Individuals.

“(a) In General.—In the case of an eligible individual, there shall be allowed as a credit against the tax imposed by subtitle A for the
INCOME.—The amount of the credit allowed by subpart C of part IV of subchapter A of chapter 1 for such taxable year in an amount beginning in 2019 shall be treated as having been allowed for such individual for such individual’s first taxable year beginning in 2020 an amount equal to the lesser of—

(1) $75,600 in the case of a joint return, and

(2) $112,500 in the case of a head of household, and

(3) $57,000 in the case of a taxpayer not described in paragraph (1) or (2).

(d) ELIGIBLE INDIVIDUAL.—For purposes of this section, the term ‘eligible individual’ means any individual other than—

(1) any nonresident alien individual,

(2) any individual with respect to whom a deduction under section 151 is allowable to another individual in a taxable year beginning in the calendar year in which the individual’s taxable year begins, and

(3) an estate or trust.

(e) COORDINATION WITH ADVANCE REFUNDS OF CREDIT.—

(1) IN GENERAL.—The amount of credit which would (but for this paragraph) be allowable under this section shall be reduced (but not below zero) by 5 percent of so much of the taxpayer’s adjusted gross income as exceeds:

(A) $150,000 in the case of a joint return.

(B) $112,500 in the case of a head of household, and

(C) $57,000 in the case of a taxpayer not described in paragraph (1) or (2).

(f) ADVANCE REFUNDS AND CREDITS.—

(1) IN GENERAL.—Subject to paragraph (5), each amount that was an eligible amount for such individual’s first taxable year beginning in 2019 shall be treated as having been made or allowed to each individual filing such return.

(2) ADVANCE REFUND AMOUNT.—For purposes of this section, the advance refund amount is the amount that would have been allowed as a credit under this section for such taxable year if this section (other than subsection (e) and this subsection) had applied to such taxable year.

(g) TIMING AND MANNER OF PAYMENTS.—

(A) TIMING.—The Secretary shall, subject to the provisions of law governing the provision of cash refunds, make a payment of such amount, together with interest as may be prescribed by law, as an advance refund of such credit to each individual filing a return who is treated as a member of the Armed Forces of the United States at any time during the taxable year and at least 1 spouse satisfies paragraph (1)(A).

(B) DELIVERY OF PAYMENTS.—Notwithstanding any other provision of law, the Secretary may certify and disburse refunds payable to any individual to any account to which the payee authorized, on or after January 1, 2018, the delivery of a refund of taxes under this title or of a Federal payment shall be made, or (as provided in section 3332 of title 31, United States Code).

(C) WAIVER OF CERTAIN RULES.—Notwithstanding section 3325 of title 31, United States Code, the provision of law governing the provision of cash refunds, with respect to any payment of a refund under this subsection, a disbursing official in the executive branch of the United States Government may modify payment information received from an officer or employee described in section 3325(a)(1)(B) of such title or paragraph (1)(A) of section 6371 of title 39, United States Code, and make and allow an advance refund in the manner described in subparagraphs (A) and (B) of this paragraph.

(3) DEFINITIONS AND SPECIAL RULES.—

(A) IN GENERAL.—For purposes of this section, the terms ‘mirror code tax system’, ‘foreign country’, ‘United States possession’, and ‘United States possession that is a tax treaty country’ have the meaning provided by the government of the respective country.

(B) OTHER POSSESSIONS.—The Secretary of the Treasury may, by regulations prescribed by the Secretary, establish for purposes of this section a tax system for the United States possession by reason of the amendments made by this section if a mirror code tax system had been in effect in such possession. The regulations established under the previous sentence shall prescribe rules for the implementation and administration of the tax system.

(C) TREATMENT OF PAYMENTS.—For purposes of this section, the term ‘payment’ means any payment which is treated as an advance refund of a credit under this section.

(D) ADMINISTRATIVE AMENDMENTS.—

(1) DEFINITION OF DEFICIENCY.—Section 6211(b)(4)(A) of the Internal Revenue Code of 1986 is amended by striking ‘‘and 36B, 164, 165B, and 165F’’ and inserting ‘‘and 36B, 164, 165B, 165F, and 165Q’’.

(2) MATHEMATICAL OR CLERICAL ERROR AUTHORITY.—Section 6223(g)(2)(L) of such Code is amended by striking ‘‘or 32’’ and inserting ‘‘or 32, 33, or 36B’’.

(E) TREATMENT OF PENSIONS.—

(1) PAYMENTS TO PENSIONS.—

(A) MIRROR CODE TAX SYSTEM.—The Secretary of the Treasury shall pay to each possession of the United States which has a mirror code tax system amounts equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the amendments made by this section. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(B) OTHER POSSESSIONS.—The Secretary of the Treasury shall pay to each possession of the United States which does not have a mirror code tax system amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits (if any) that would have been provided to residents of such possession by reason of the amendments made by this section if a mirror code tax system had been in effect in such possession. The Secretary of the Treasury shall prescribe the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will distribute such payments to its residents.

(2) COORDINATION WITH CREDIT ALLOWED AGAINST UNITED STATES INCOME TAXES.—No credit shall be allowed against United States income taxes under section 6228 of the Internal Revenue Code of 1986 (as added by this section) to—

(A) to whom a credit is allowed against taxes imposed by the possession by reason of the amendments made by this section, or

(B) who is eligible for a payment under a plan described in paragraph (1)(B).

(3) DEFINITIONS AND SPECIAL RULES.—

(A) POSSSESSION OF THE UNITED STATES.—For purposes of this section, the term ‘possession of the United States’ includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(B) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term ‘mirror code tax system’ means, with respect to any possession of the United States, the income tax laws of such possession as are in effect on the date of the enactment of this Act, that tax system under such law as is the tax system of such possession if the income tax laws of such possession are in effect on the date of the enactment of this Act.

(C) TREATMENT OF PAYMENTS.—For purposes of section 3323 of title 31, United States Code, relating to payments under this subsection the term ‘possession of the United States’ includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.

(D) AUTHORITY.—Section 6211(g) of such Code is amended by—

(1) striking ‘‘and 36B, 164, 165B, and 165F’’ and inserting ‘‘and 36B, 164, 165B, and 165Q’’.

(2) substituting ‘‘or 32, 33, or 36B’’ for ‘‘or 32’’.

(E) CIRCULAR.—The Circular of the Secretary of the Treasury of the United States which has a mirror code tax system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(F) AUTHORITY.—Section 6213(g)(2)(L) of such Code is amended by striking ‘‘and 36B, 164, 165B, and 165F’’ and inserting ‘‘and 36B, 164, 165B, and 165Q’’.

(G) TREATMENT OF PAYMENTS.—For purposes of section 3323 of title 31, United States Code, relating to payments under this subsection the term ‘possession of the United States’ includes the Commonwealth of Puerto Rico and the Commonwealth of the Northern Mariana Islands.
campaign, in coordination with the Commissioner of Social Security and the heads of other relevant Federal agencies, to provide information regarding the availability of the credit and rebate allowed under section 6221(c) of the Internal Revenue Code of 1986 (as added by this section), including information with respect to individuals who may have filed a tax return for taxable year 2018 or 2019.

(i) Appropriations to Carry Out Re-requirements.

(1) In General.—Immediately upon the enactment of this Act, the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2020:

(A) DEPARTMENT OF THE TREASURY.

(i) For an additional amount for “Department of the Treasury—Internal Revenue Service—Operations Support”, $170,000,000, to remain available until September 30, 2021.

(ii) For an additional amount for “Department of the Treasury—Internal Revenue Service—Taxpayer Services”, $283,500,000, to remain available until September 30, 2021.

(iii) For an additional amount for “Department of the Treasury—Internal Revenue Service—Salaries and Expenses”, $38,650,000, to remain available until September 30, 2021.

(iv) For an additional amount for “Department of the Treasury—Internal Revenue Service—Treasury—Internal Revenue Code of 1986 shall apply.

(B) SOCIAL SECURITY ADMINISTRATION.—For purposes of the Internal Revenue Code of 1986, the Secretary of the Treasury may treat any retirement plan as having been transferred to the Department of the Treasury—Internal Revenue Service—Operations Support”, $37,200,000, to remain available until September 30, 2021.

Amounts made available in appropriations under clauses (ii), (iii), and (iv) of this subparagraph may be transferred between such appropriations upon the advance notification of the chair of the Appropriations Committee of the House of Representatives and the Senate. Such transfer authority is in addition to any other transfer authority provided by law.

(B) Social Security Administration.—For an additional amount for “Social Security Administration—Limitation on Administrative Expenses”, $38,000,000, to remain available until September 30, 2021.

(ii) in determining the 5-year period and (C) in determining the 5-year period and (D) in applying the rules of section 72(p)(4) of the Internal Revenue Code of 1986, any amount remaining unexpended at the end of such period shall be treated as a trust fund available for distribution in the following taxable year.

(ii) Special Rules.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(B) Loans from Qualified Plans.—(1) Increase in Limit on Loans Not Treated as Distributions.—In the case of any loan from a qualified employer plan (as defined under section 72(p)(4) of the Internal Revenue Code of 1986) to an eligible retirement plan made pursuant to subparagraph (A) with respect to a coronavirus-related distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received a coronavirus-related distribution from an eligible retirement plan other than an individual retirement plan, to the extent of the amount of such distribution described in section 408A(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee transfer within 60 days of the distribution.

(2) Treatment of Repayments of Distributions from IRAs.—For purposes of the Internal Revenue Code of 1986, any amount remaining unexpended at the end of such period shall be treated as a trust fund available for distribution in the following taxable year.

(4) Definitions.—(A) Coronavirus-related Distribution.—Except as provided in paragraph (2), the term “coronavirus-related distribution” means any distribution from an eligible retirement plan made—

(i) on or after January 1, 2020, and before December 31, 2020,

(ii) to an individual—

(A) who has been diagnosed with the virus SARS-CoV-2 or with coronavirus disease 2019 (COVID-19) by a test approved by the Centers for Disease Control and Prevention, or

(B) whose spouse or dependent (as defined in section 72(p)(4)(A) of the Internal Revenue Code of 1986) is diagnosed with such virus or disease by such a test, or

(C) who has experienced adverse financial consequences as a result of being quarantined, being furloughed or laid off or having work hours reduced due to such virus or disease, the loss of child care or school closures due to such virus or disease, closing of business owned or operated by the individual due to such virus or disease, or other factors as determined by the Secretary of the Treasury (or the Secretary’s delegate).

(B) Employee Certification.—The administrator of an eligible retirement plan may rely on an employee’s certification that the employee satisfies the conditions of subparagraph (A) and, to the extent specified in this paragraph, a distribution is a coronavirus-related distribution.

(C) Eligible Retirement Plan.—The term “eligible retirement plan” means for purposes of this section any retirement plan—

(i) that is maintained by an employer, an employee organization, a union, a labor or employee trust, a state or political subdivision of a state, or an agency or foundation, including a church plan described in section 408A(d)(3) of the Internal Revenue Code of 1986.

(5) Income Inclusion Spread over 3-year Period.—(A) In General.—In the case of any coronavirus-related distribution, unless the taxpayer elects not to have this paragraph apply for any taxable year, any amount required to be included in gross income for such taxable year shall be so included ratably over the 3-year taxable period beginning with such taxable year.

(B) Special Rule.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(iii) For an additional amount for “Department of the Treasury—Salaries and Expenses”, $78,650,000, to remain available until September 30, 2021.

(iv) For an additional amount for “Department of the Treasury—Salaries and Expenses”, $213,500,000, to remain available until September 30, 2021.

Amounts made available in appropriations under clauses (ii), (iii), and (iv) of this subparagraph may be transferred between such appropriations upon the advance notification of the chair of the Appropriations Committee of the House of Representatives and the Senate. Such transfer authority is in addition to any other transfer authority provided by law.

(B) Social Security Administration.—For an additional amount for “Social Security Administration—Limitation on Administrative Expenses”, $38,000,000, to remain available until September 30, 2021.

(ii) in determining the 5-year period and (C) in determining the 5-year period and (D) in applying the rules of section 72(p)(4) of the Internal Revenue Code of 1986, any amount remaining unexpended at the end of such period shall be treated as a trust fund available for distribution in the following taxable year.

(ii) Special Rules.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(B) Loans from Qualified Plans.—(1) Increase in Limit on Loans Not Treated as Distributions.—In the case of any loan from a qualified employer plan (as defined under section 72(p)(4) of the Internal Revenue Code of 1986) to an eligible retirement plan made pursuant to subparagraph (A) with respect to a coronavirus-related distribution from an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received a coronavirus-related distribution from an eligible retirement plan other than an individual retirement plan, to the extent of the amount of such distribution described in section 408A(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee transfer within 60 days of the distribution.

(2) Treatment of Repayments of Distributions from IRAs.—For purposes of the Internal Revenue Code of 1986, any amount remaining unexpended at the end of such period shall be treated as a trust fund available for distribution in the following taxable year.

(C) Eligible Retirement Plan.—The term “eligible retirement plan” means for purposes of this section any retirement plan—

(i) that is maintained by an employer, an employee organization, a union, a labor or employee trust, a state or political subdivision of a state, or an agency or foundation, including a church plan described in section 408A(d)(3) of the Internal Revenue Code of 1986.

(5) Income Inclusion Spread over 3-year Period.—(A) In General.—In the case of any coronavirus-related distribution, unless the taxpayer elects not to have this paragraph apply for any taxable year, any amount required to be included in gross income for such taxable year shall be so included ratably over the 3-year taxable period beginning with such taxable year.

(B) Special Rule.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(ii) in determining the 5-year period and (C) in determining the 5-year period and (D) in applying the rules of section 72(p)(4) of the Internal Revenue Code of 1986, any amount remaining unexpended at the end of such period shall be treated as a trust fund available for distribution in the following taxable year.

(ii) Special Rules.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(B) Loans from Qualified Plans.—(1) Increase in Limit on Loans Not Treated as Distributions.—In the case of any loan from a qualified employer plan (as defined under section 72(p)(4) of the Internal Revenue Code of 1986) to an eligible retirement plan made pursuant to subparagraph (A) with respect to a coronavirus-related distribution from an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received a coronavirus-related distribution from an eligible retirement plan other than an individual retirement plan, to the extent of the amount of such distribution described in section 408A(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee transfer within 60 days of the distribution.

(2) Treatment of Repayments of Distributions from IRAs.—For purposes of the Internal Revenue Code of 1986, any amount remaining unexpended at the end of such period shall be treated as a trust fund available for distribution in the following taxable year.

(C) Eligible Retirement Plan.—The term “eligible retirement plan” means for purposes of this section any retirement plan—

(i) that is maintained by an employer, an employee organization, a union, a labor or employee trust, a state or political subdivision of a state, or an agency or foundation, including a church plan described in section 408A(d)(3) of the Internal Revenue Code of 1986.

(5) Income Inclusion Spread over 3-year Period.—(A) In General.—In the case of any coronavirus-related distribution, unless the taxpayer elects not to have this paragraph apply for any taxable year, any amount required to be included in gross income for such taxable year shall be so included ratably over the 3-year taxable period beginning with such taxable year.

(B) Special Rule.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(ii) in determining the 5-year period and (C) in determining the 5-year period and (D) in applying the rules of section 72(p)(4) of the Internal Revenue Code of 1986, any amount remaining unexpended at the end of such period shall be treated as a trust fund available for distribution in the following taxable year.

(ii) Special Rules.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.
(3) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term ‘qualified individual’ means any individual who is described in subsection (a)(4)(A)(i).

(4) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any amendment to any plan or annuity contract,

(A) such plan or contract shall be treated as being operated in accordance with the terms of that plan during the period described in paragraph (2)(B)(i), and

(B) except as provided by the Secretary of the Treasury (or the Secretary’s delegate), such plan or contract shall not fail to meet the requirements of section 411(d)(6) of the Internal Revenue Code of 1986 and section 204(g) of the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any provision of this section, the regulation prescribed by the Secretary of the Treasury or the Secretary of Labor (or the delegate of either such Secretary) under any provision of this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2022, or such later date as the Secretary of Labor (or the Secretary’s delegate) may prescribe.

In the case of a governmental plan (as defined in section 457(d) of the Internal Revenue Code of 1986), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

(B) CONDITIONS.—This subsection shall not apply to any amendment unless—

(i) during the period—

(A) taking effect on or after the date described in subparagraph (A)(i) takes effect (or, if earlier, the date the plan operates in accordance with the terms of the plan during the period described in subparagraph (B)(i) solely because the plan operates in accordance with this section, and

(ii) except as provided by the Secretary of the Treasury (or the Secretary’s delegate), such plan or contract shall not fail to meet the requirements of section 411(d)(6) of the Internal Revenue Code of 1986 and section 204(g) of the Employee Retirement Income Security Act of 1974 by reason of such amendment.

(2) TREATMENT OF EXCESS CONTRIBUTIONS.—

(A) INDIVIDUALS.—In the case of an individual—

(i) LIMITATION.—Any qualified contribution shall be allowed as a deduction only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer’s charitable income (as determined under section 170(b)(1) of such Code) over the amount of all other charitable contributions allowed under section 170(b)(1) of such Code.

(ii) CARRYOVER.—If the aggregate amount of qualified contributions made in the calendar year (within the meaning of section 170(d)(1) of such Code) exceeds the limitation of clause (i), such excess shall be added to the excess described in section 170(b)(1)(G)(ii).

(B) CORPORATIONS.—In the case of a corporation—

(i) LIMITATION.—Any qualified contribution shall be allowed as a deduction only to the extent that the aggregate of such contributions does not exceed the excess of 25 percent of the taxpayer’s charitable income (as determined under subparagraph (B) of section 170(b)(1) of such Code) over the amount of all other charitable contributions allowed under such paragraph.

(ii) CARRYOVER.—If the aggregate amount of qualified contributions made in the calendar year (within the meaning of section 170(d)(2) of such Code) exceeds the limitation of clause (i), such excess shall be appropriately taken into account under section 170(d)(2) subject to the limitations thereof.

(3) QUALIFIED CONTRIBUTIONS.—

(A) IN GENERAL.—For purposes of this subsection, the term ‘qualified contribution’ means any charitable contribution (as defined in section 170(b)(1)(A) of the Internal Revenue Code of 1986) if—

(i) such contribution is paid in cash during calendar year 2020 to an organization described in section 170(b)(1)(A) of such Code, and

(ii) the taxpayer has elected the applicability of this section with respect to such contribution in accordance with section 170(d)(2).

(B) EXCEPTION.—Such term shall not include a contribution by a donor if the contribution is—

(i) made to an organization described in section 509(a)(3) of the Internal Revenue Code of 1986, or

(ii) for the establishment of a new, or maintenance of an existing, donor advised fund (as defined in section 4966(d)(2)(C) of such Code).
DOUBLE BENEFIT.—The first sentence of paragraph (A)(ii) shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

(c) DEFINITIONS.—For purposes of this section—

(1) APPLICABLE EMPLOYMENT TAXES.—The term ‘‘applicable employment taxes’’ means the following:

(A) The taxes imposed under section 3111(a) of the Internal Revenue Code of 1986.

(B) So much of the taxes imposed under section 3221(a) of such Code as are attributable to the rate in effect under section 3111(a) of such Code.

(2) ELIGIBLE EMPLOYER.—(A) IN GENERAL.—The term ‘‘eligible employer’’ means any employer—

(i) which was carrying on a trade or business during calendar year 2020, and

(ii) with respect to any calendar quarter, for which—

(I) the operation of the trade or business described in clause (i) is fully or partially suspended during the calendar quarter due to orders from an appropriate governmental authority limiting commerce, travel, or group meetings (for commercial, social, religious, or other purposes) due to the coronavirus disease 2019 (COVID-19), or

(II) such calendar quarter is within the period described in subparagraph (B).

(B) SIGNIFICANT DECLINE IN GROSS RECEIPTS.—The period described in this subparagraph is the period beginning after December 31, 2019, during which—

(1) beginning with the first calendar quarter beginning after December 31, 2019, for which gross receipts (within the meaning of section 448(c) of the Internal Revenue Code of 1986) for the calendar quarter are less than 50 percent of gross receipts for the same calendar quarter in the prior year, and

(2) ending with the last calendar quarter of the taxable year in which gross receipts (within the meaning of section 448(c) of the Internal Revenue Code of 1986) for the calendar quarter are less than 50 percent of gross receipts for the same calendar quarter in the prior year.

(C) TAX-EXEMPT ORGANIZATIONS.—In the case of an organization which is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, clauses (i) and (ii)(I) of subparagraph (A) shall apply to all operations of such organization.

(3) QUALIFIED WAGES.—(A) IN GENERAL.—The term ‘‘qualified wages’’ means—

(i) in the case of an eligible employer for which the average number of full-time employees (as determined in section 4890H of the Internal Revenue Code of 1986) employed by such eligible employer during 2019 was greater than 100, wages paid by such eligible employer which are greater than 100 percent of gross receipts for any period described in paragraph (2) for which—

(I) with respect to an eligible employer described in subclause (I) of paragraph (2)(A), wages paid by such eligible employer with respect to an employee during any period described in such clause, or

(II) with respect to an eligible employer described in subclause (I) of paragraph (2)(A) with respect to an eligible employer described in subclause (I) of paragraph (2)(A), wages paid by such eligible employer with respect to an employee during such period shall not include any wages taken into account under this paragraph for purposes of this section for any period with respect to any employer if such employer is allowed a credit under section 51 of the Internal Revenue Code of 1986 with respect to such employer elects (at such time and in such manner as the Secretary may prescribe) not to have this section apply.

(B) LIMITATION.—Qualified wages paid or incurred by an eligible employer described in subparagraph (A)(i) with respect to an employee for any period described in such subparagraph may not exceed $10,000, and such employee would have been paid for working an equivalent duration during the 30 days immediately preceding such period.

(4) S ECRETARY.—The term ‘‘Secretary’’ means the Secretary of the Treasury or the Secretary’s delegate.

(5) WAGES.—(A) IN GENERAL.—The term ‘‘wages’’ means wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) and compensation (as defined in section 3231(e) of such Code).

(6) OTHER TERMS.—Any term used in this section which is also used in chapter 21 or 22 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such chapter.

G. REGULATION RULE.—All persons treated as a single employer under section (a) or (b) of section 52 of the Internal Revenue Code of 1986, or subsection (m) or (o) of section 414 of such Code, shall be treated as one employer for purposes of this section.

(e) CERTAIN RULES TO APPLY.—For purposes of this section, rules similar to the rules of sections 51(h) and 51(i) of the Internal Revenue Code of 1986 shall apply.

(f) CERTAIN GOVERNMENTAL EMPLOYERS.—This credit shall not be allowed to the Government of the United States, the government of any State or political subdivision thereof, or any agency or instrumentality of any of the foregoing.

G. SECTION NOT TO HAVE SECTION APPLIC.—This section shall not apply with respect to any employer for any period described in subsection (a)(2) of section 51 of the Internal Revenue Code of 1986 with respect to such employer elects (at such time and in such manner as the Secretary may prescribe) not to have this section apply.

(h) SPECIAL RULES.—(1) EMPLOYER NOT TAKEN INTO ACCOUNT MORE THAN ONCE.—An employer shall not be taken into account for purposes of this section for any period with respect to any employer if such employer is allowed a credit under section 51 of the Internal Revenue Code of 1986 with respect to such employer elects (at such time and in such manner as the Secretary may prescribe) not to have this section apply.

(2) DENIAL OF DOUBLE BENEFIT.—Any wages taken into account in determining the credit allowed under this section shall not be taken into account for purposes of determining the credit allowed under section 54(b) of such Code.

(i) THIRD PARTY PAYORS.—Any credit allowed under this section shall be treated as a credit described in section 3511(d)(2) of such Code.
(1) Transfers to Federal Old-Age and Survivors Insurance Trust Fund.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 211(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 14 231n-1(a)) amounts equal to the reduction in revenues to the Treasury by reason of this section (with respect to this subsection) and any amount appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to result in the extent possible the transfers which would have occurred to such Trust Fund or Account had this section not been enacted.

(2) Treatment of Deposits.—The Secretary shall issue such forms, instructions, regulations or other guidance allowing such payors the Internal Revenue Code of 1986), including applicable calendar quarter or taxable year, advance payment with the amount advanced credit under subsection (a), subject to the Secretary shall issue such forms, instructions, regulations and guidance allowing such payors the Internal Revenue Code of 1986), including applicable calendar quarter or taxable year, advance payment with the amount advanced credit under subsection (a), subject to the

(3) Exception.—This subsection shall not apply to any taxpayer if such taxpayer has had indebtedness forgiven under section 1106 of this Act with respect to a loan under paragraph (36) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102 of this Act, such employer shall not be eligible for the credit under this section.

(e) Trust Funds Held Harmless.—There are hereby appropriated (out of any money in the Treasury not otherwise appropriated) for each fiscal year to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231n-1(a)) an amount equal to the reduction in the transfers to such fund for such fiscal year by reason of this section. Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to result in the extent possible the transfers which would have occurred to such Trust Fund had such amendments not been enacted.

(f) Regulatory Authority.—The Secretary shall issue such regulations or other guidance as necessary to carry out the purposes of this section, including rules for the administration and enforcement of subsection (c).

SEC. 2303. MODIFICATIONS FOR NET OPERATING LOSSES.

(a) Temporary Referral of Taxable Income Limitation.—

(1) In General.—The first sentence of section 172(a)(3) of the Internal Revenue Code of 1986 is amended by striking “an amount equal to” and all that follows and inserting “an amount equal to—

(i) in the case of a taxable year beginning before January 1, 2021, the aggregate of the net operating loss carryovers to such year, plus the net operating loss carrybacks to such year, and

(ii) in the case of a taxable year beginning after December 31, 2020, the sum of—

(A) the aggregate amount of net operating losses arising in taxable years beginning before January 1, 2018, carried to such taxable year, plus

(B) the lesser of—

(i) the aggregate amount of net operating losses arising in taxable years beginning after December 31, 2017, carried to such taxable year, or

(ii) 80 percent of the excess (if any) of—

(B) the amount of net operating losses determined under subsection (b)(1) or (b)(2) of section 172 of such Code, for taxable years beginning after December 31, 2017, reduced by 20 percent of the excess (if any) described in section 172(b)(2)(A), for taxable years beginning after December 31, 2020, for which the excess is not deductible because the aggregate amount of net operating losses arising in taxable years beginning after December 31, 2017, carried to such taxable year, plus

(2) Conforming Amendments.—

(A) Section 172(b)(2)(C) of such Code is amended to read as follows:

for taxable years beginning after December 31, 2020, be reduced by 20 percent of the excess (if any) described in subsection (a)(2)(B) for such taxable year.

(B) Section 172(a)(6)(C) of such Code is amended by striking “subsection (a)(2)” and inserting “subsection (a)(2)(B)(i)(I)”.

(C) Section 801(a)(3)(B) of such Code is amended by striking “purposes of” and inserting “purposes of and inserting “subsection (a)(2)(B)(i)(I) and the second sentence of subsection (b)(2) of section 172.”.

(b) Modifications of Rules Relating to Carrybacks.—

(1) In General.—Section 172(b)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

(2) Special Rule for Losses Arising in 2018, 2019, and 2020—

(A) In General.—In the case of any net operating loss arising in a taxable year beginning after December 31, 2017, and before January 1, 2021, such loss shall be a net operating loss carryback to each of the 5 taxable years preceding the taxable year of such loss, and

March 25, 2020

Congressional Record — Senate

S2083

 This document was generated in Microsoft Word.

1. Transfers to Federal Old-Age and Survivors Insurance Trust Fund.—There are hereby appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 211(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 14 231n-1(a)) amounts equal to the reduction in revenues to the Treasury by reason of this section (with respect to this subsection) and any amount appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to result in the extent possible the transfers which would have occurred to such Trust Fund or Account had this section not been enacted.

2. Treatment of Deposits.—The Secretary shall issue such forms, instructions, regulations or other guidance allowing such payors the Internal Revenue Code of 1986), including applicable calendar quarter or taxable year, advance payment with the amount advanced credit under subsection (a), subject to the Secretary shall issue such forms, instructions, regulations and guidance allowing such payors the Internal Revenue Code of 1986), including applicable calendar quarter or taxable year, advance payment with the amount advanced credit under subsection (a), subject to the

3. Exception.—This subsection shall not apply to any taxpayer if such taxpayer has had indebtedness forgiven under section 1106 of this Act with respect to a loan under paragraph (36) of section 7(a) of the Small Business Act (15 U.S.C. 636(a)), as added by section 1102 of this Act, such employer shall not be eligible for the credit under this section.

(e) Trust Funds Held Harmless.—There are hereby appropriated (out of any money in the Treasury not otherwise appropriated) for each fiscal year to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231n-1(a)) an amount equal to the reduction in the transfers to such fund for such fiscal year by reason of this section. Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to result in the extent possible the transfers which would have occurred to such Trust Fund had such amendments not been enacted.

(f) Regulatory Authority.—The Secretary shall issue such regulations or other guidance as necessary to carry out the purposes of this section, including rules for the administration and enforcement of subsection (c).

SEC. 2303. MODIFICATIONS FOR NET OPERATING LOSSES.

(a) Temporary Referral of Taxable Income Limitation.—

(1) In General.—The first sentence of section 172(a)(3) of the Internal Revenue Code of 1986 is amended by striking “an amount equal to” and all that follows and inserting “an amount equal to—

(i) in the case of a taxable year beginning before January 1, 2021, the aggregate of the net operating loss carryovers to such year, plus the net operating loss carrybacks to such year, and

(ii) in the case of a taxable year beginning after December 31, 2020, the sum of—

(A) the aggregate amount of net operating losses arising in taxable years beginning before January 1, 2018, carried to such taxable year, plus

(B) the lesser of—

(i) the aggregate amount of net operating losses arising in taxable years beginning after December 31, 2017, carried to such taxable year, or

(ii) 80 percent of the excess (if any) of—

(A) the aggregate amount of net operating losses determined under subsection (b)(1) or (b)(2) of section 172 of such Code, for taxable years beginning after December 31, 2017, reduced by 20 percent of the excess (if any) described in section 172(b)(2)(A), for taxable years beginning after December 31, 2020, for which the excess is not deductible because the aggregate amount of net operating losses arising in taxable years beginning after December 31, 2017, carried to such taxable year, plus

(2) Conforming Amendments.—

(A) Section 172(b)(2)(C) of such Code is amended to read as follows:

for taxable years beginning after December 31, 2020, be reduced by 20 percent of the excess (if any) described in subsection (a)(2)(B)(i)(I) for such taxable year.

(B) Section 172(a)(6)(C) of such Code is amended by striking “subsection (a)(2)” and inserting “subsection (a)(2)(B)(i)(I)”.

(C) Section 801(a)(3)(B) of such Code is amended by striking “purposes of” and inserting “purposes of and inserting “subsection (a)(2)(B)(i)(I)”.

(b) Modifications of Rules Relating to Carrybacks.—

(1) In General.—Section 172(b)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

(2) Special Rule for Losses Arising in 2018, 2019, and 2020—

(A) In General.—In the case of any net operating loss arising in a taxable year beginning after December 31, 2017, and before January 1, 2021, such loss shall be a net operating loss carryback to each of the 5 taxable years preceding the taxable year of such loss, and
“(II) subparagraphs (B) and (C)(i) shall not apply.

“(ii) SPECIAL RULES FOR RETIRED.—For purposes of this subparagraph:

“(I) in the case of any net operating loss for a REIT year shall not be a net operating loss carryback to any taxable year preceding the taxable year of such loss.

“(II) in the case of any net operating loss for a taxable year which is not a REIT year, such loss shall not be carried to any preceding taxable year which is a REIT year.

“(III) RETIRED.—For purposes of this subparagraph, the term ‘REIT year’ means any taxable year for which the provisions of part II of subchapter M (relating to real estate investment trusts) apply to the taxpayer.

“(III) SPECIAL RULE FOR LIFE INSURANCE COMPANIES.—In the case of a life insurance company, if a net operating loss is carried pursuant to clause (i)(I) to a life insurance company taxable year beginning before January 1, 2018, such net operating loss carryback shall be treated in the same manner as an operations loss carryback (within the meaning of section 810 as in effect before its repeal) of such company to such taxable year.

“(IV) RULE RELATING TO CARRIERS TO WHICH SECTION 965 APPLIES.—If a net operating loss arising in a taxable year which is not a life insurance company taxable year beginning after December 31, 2017—

(a) may be carried back, or

(b) net operating losses arising in taxable years beginning after December 31, 2017, are carried.

(c) CARRIERS AND CARRIERS.—The amendments made by subsection (b) shall apply to—

(A) to taxable years beginning after December 31, 2017, and

(B) to taxable years beginning on or before December 31, 2017, to which net operating losses arising in taxable years beginning after December 31, 2017, are carried.

(d) TECHNICAL AMENDMENTS.—The amendments made by subsection (b) shall apply to—

(A) any election made by a taxpayer to exclude all or part of such net operating loss arising in taxable years beginning after December 31, 2017, and

(B) any taxable years beginning on or before December 31, 2017, to which net operating losses arising in taxable years beginning after December 31, 2017, are carried.

(e) EFFECTIVE DATES.—

(1) NET OPERATING LOSS LIMITATION.—The amendments made by subsection (a) shall apply—

(A) to taxable years beginning after December 31, 2017, and

(B) to taxable years beginning on or before December 31, 2017, to which net operating losses arising in taxable years beginning after December 31, 2017, are carried.

(2) CARRIERS AND CARRIERS.—The amendments made by subsection (b) shall apply to—

(A) any election made by a taxpayer to exclude all or part of such net operating loss arising in taxable years beginning after December 31, 2017, and

(B) any taxable years beginning on or before December 31, 2017, to which net operating losses arising in taxable years beginning after December 31, 2017, are carried.

(3) CARRIERS AND CARRIERS.—The amendments made by subsection (b) shall apply to—

(A) any election made by a taxpayer to exclude all or part of such net operating loss arising in taxable years beginning after December 31, 2017, and

(B) any taxable years beginning on or before December 31, 2017, to which net operating losses arising in taxable years beginning after December 31, 2017, are carried.

(4) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to taxable years beginning after December 31, 2017.

(2) TECHNICAL AMENDMENTS.—The amendments made by subsection (b) shall take effect as if included in the provisions of Public Law 115–97 to which they relate.

(5) SPECIAL RULE.—In the case of a net operating loss arising in a taxable year beginning before January 1, 2018, and ending after December 31, 2017—

(A) an application under section 6411(a) of the Internal Revenue Code of 1986 with respect to the carryback of such net operating loss shall not fail to be treated as timely filed if filed not later than the date which is 120 days after the date of the enactment of this Act, and

(B) an election to—

(i) forgo any carryback of such net operating loss, or

(ii) reduce any period to which such net operating loss may be carried back, or

(iii) revoke any election made under section 172(b) to forgo any carryback of such net operating loss, shall not fail to be treated as timely made if made not later than the date which is 120 days after the date of the enactment of this Act.

SEC. 2305. MODIFICATION OF CREDIT FOR PRIOR YEAR MINIMUM TAX LIABILITY OF CORPORATIONS.

(a) IN GENERAL.—Section 53(e) of the Internal Revenue Code of 1986 is amended—

(1) by striking ‘‘2018, 2019, 2020, or 2021’’ in paragraph (1) and inserting ‘‘2018 or 2019’’;

(b) ELECTION TO TAKE ENTIRE REFUNDABLE CREDIT AMOUNT IN 2018.—

(1) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, a credit or refund for which an application described in paragraph (2)(A) is filed shall be treated as made under section 6411 of such Code.

(2) TENTATIVE REFUND.—A taxpayer may file an application for a tentative refund of any amount for which a refund is due by reason of an election under section 53(e)(5) of the Internal Revenue Code of 1986. Such application shall be in such manner and form as the Secretary of the Treasury (or the Secretary’s delegate) may prescribe and shall—

(A) be filed prior to December 31, 2020, and

(B) be filed not later than the date which is 120 days after the date of the enactment of this Act.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2017.
(II) the amount of the refundable credit claimed under such section for any previously filed return for such taxable year, and

(III) the amount of the refund claimed.

(B) ALLOWANCE OF ADJUSTMENTS.—Within a period of 90 days from the date on which an application is filed under subparagraph (A), the Secretary of the Treasury (or the Secretary’s delegate) shall—

(i) review the application, and

(ii) determine the amount of the overpayment and

(iii) apply, credit, or refund such overpayment.

SEC. 2306. MODIFICATIONS OF LIMITATION ON BUSINESS INTEREST.

(a) In General.—Section 163(j) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (10) as paragraph (11) and by adding after paragraph (9) the following new paragraph:

‘‘(10) SPECIAL RULE FOR TAXABLE YEARS BEGINNING IN 2019 AND 2020.—

‘‘(i) IN GENERAL.—Except as provided in clause (i) or (ii), in the case of any taxable year beginning in 2019 or 2020, paragraph (9) shall be applied by substituting ‘50 percent’ for ‘30 percent’.

‘‘(ii) SPECIAL RULE FOR PARTNERSHIPS.—In the case of a partnership—

‘‘(I) the partner shall not apply to any taxable year beginning in 2019, but

‘‘(II) unless a partner elects not to have this subclause apply, in the case of any excess business interest of the partnership for any taxable year beginning in 2019 which is allocated to the partner under paragraph (4)(B)(ii)

‘‘(aa) 50 percent of such excess business interest shall be treated as business interest which, notwithstanding paragraph (4)(B)(ii), is treated as earned by the partner in the partner’s first taxable year beginning in 2020 and which is not subject to the limits of paragraph (1), and

‘‘(bb) a limitation of such excess business interest shall be subject to the limitations of paragraph (4)(B)(ii) in the same manner as any other excess business interest so allocated.

‘‘(iii) ELECTION OUT.—A taxpayer may elect, at such time and in such manner as the Secretary may prescribe, not to have clause (i) apply to any taxable year. Such an election, once made, may be revoked only with the consent of the Secretary. In the case of a partnership, any such election shall be made by the partnership and may be made only for taxable years beginning in 2020.

‘‘(B) ELECTION TO USE 2019 ADJUSTED TAXABLE INCOME FOR TAXABLE YEARS BEGINNING IN 2020.—

‘‘(i) IN GENERAL.—Subject to clause (ii), in the case of any taxable year beginning in 2020, the taxpayer may elect to apply this subsection instead of the adjusted taxable income of the taxpayer for the last taxable year beginning in 2019 for the adjusted taxable income for such taxable year. In the case of a partnership, any such election shall be made by the partnership.

‘‘(ii) SPECIAL RULE FOR SHORT TAXABLE YEARS.—If an election is made under clause (i) for a partnership in which a short taxable year is the last taxable year beginning in 2019 which is substituted under clause (i) shall be equal to the amount which bears the same ratio to such adjusted taxable income determined without regard to this clause as the number of months in the short taxable year bears to 12.’’

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

SEC. 2307. TECHNICAL AMENDMENTS REGARDING QUALIFIED IMPROVEMENT COSTS.

(a) In General.—Section 186 of the Internal Revenue Code of 1986 is amended—

(1) in subsection (c)—

(A) in paragraph (3)(E), by striking ‘‘and’’ at the end of clause (ii) or (iii), in the case of any taxable year beginning in 2019, but

(B) by adding at the end the following new clause:

‘‘(vii) any qualified improvement property,’’ and

(2) in the table contained in subsection (g)(3)(B), by inserting ‘‘made by the taxpayer’’ after ‘‘any improvement’’, and

(b) table of contents.—In the heading of chapter 1 of subpart D of part III of subchapter B of division A of title X, in the caption ‘‘chapter 1—Allowances’’, in the table: following the heading ‘‘section 186. LITE-BOX INCOME’’, make the following amendments:

(1) in paragraph (1)—

(A) by striking the item relating to subparagraph (D)(5), and

(B) by inserting after the item relating to subparagraph (E)(6) the following new item:

‘‘(E)(7) any qualified improvement property,’’ and

(c) In General.—Section 204 of the Alcoholic Beverage Excise Tax Act (27 U.S.C. 215).

(a) IN GENERAL.—Subject to clause (ii), in the case of any taxable year beginning in 2019 which is substituted under clause (i) shall be equal to the amount which bears the same ratio to such adjusted taxable income determined without regard to this clause as the number of months in the short taxable year bears to 12.’’

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

SEC. 3001. SHORT TITLE.

This subtitle may be cited as the ‘‘Coronavirus Aid, Relief, and Economic Security Act’’. PART I—ADDRESSING SUPPLY SHORTAGES Subpart A—Medical Product Supplies SEC. 3101. NATIONAL SECURITY STOCKPILE REPORT ON AMERICA’S MEDICAL PRODUCT SUPPLY CHAIN SECURITY.

(a) In General.—Not later than 60 days after the date on which the Secretary of Health and Human Services shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (referred to in this section as the ‘‘National Academies’’) to examine, and, in a manner that does not compromise national security, report on the vulnerabilities of the United States medical product supply chain.

(b) Purpose.—The report developed under this section shall—

(1) assess and evaluate the dependence of the United States, including the private commercial sector, States, and the Federal Government, on critical drugs and devices that are sourced or manufactured outside of the United States, which may include responses to previous or existing shortages or public health emergencies, such as infectious disease outbreaks, bioterror attacks, and other public health threats;

(2) provide recommendations, which may include a plan to improve the resiliency of the supply chain for critical drugs and devices described in paragraph (1), to address any supply vulnerabilities or potential disruptions of such products that would significantly affect or pose a threat to public health security or national security, as appropriate, which may include strategies to—

(A) promote supply chain redundancy and contingency planning;

(B) encourage domestic manufacturing, including consideration of economic impacts, if any;

(C) improve supply chain information gaps;

(D) improve planning considerations for medical product supply chain capacity during public health emergencies; and

(E) promote the accessibility of such drugs and devices.

(c) Input.—In conducting the study and developing the report under subsection (b), the National Academies—

(1) consider input from the Department of Health and Human Services, the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, the Department of Justice, and other Federal agencies as appropriate; and

(2) consult with relevant stakeholders, which may include conducting public meetings and other forms of engagement, as appropriate, with health care providers, medical professional societies, State-based societies, public health experts, State and local health departments, State medical boards, patient groups, medical product manufacturers, health care distributors, wholesalers and group purchasing organizations, pharmacists, and other entities with experience in health care and public health, as appropriate.

(d) Definitions.—In this section, the term ‘‘device’’ and ‘‘drug’’ have the meanings assigned to them by section 522(a) of the DHEW Public Health Service Act (42 U.S.C. 247d–6b(a)(1)) is amended by inserting ‘‘(including personal protective equipment, ancillary medical supplies, and other applicable supplies required
SEC. 3110. TREATMENT OF RESPIRATORY PROTECTIVE DEVICES AS COVERED COUNTERMEASURES.

Section 319F-3(a)(1)(D) of the Public Health Service Act (21 U.S.C. 356f(d)(1)(D)) is amended to read as follows:

“(D) a respiratory protective device that is approved by the National Institute for Occupational Safety and Health under part #74 of title 42, Code of Federal Regulations (or any successor regulations) and that the Secretary determines to be a priority for use during a public health emergency declared under section 319.”

Subpart B—Mitigating Emergency Drug Shortages

SEC. 3111. PRIORITIZE REVIEWS OF DRUG APPLICATIONS; INCENTIVES.

Section 506C(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c(g)) is amended—

(1) in paragraph (1), by striking “the Secretary may” and inserting “the Secretary shall, as appropriate;”;

(2) in paragraph (1), by inserting “before expedite an inspection” after “prioritize and” before “expend the review”; and

(3) in paragraph (2), by inserting “prioritize and before expedite an inspection” after “the Secretary may” and inserting “the Secretary may” and inserting “the Secretary may” after “the Secretary determines to be a priority for use during a public health emergency declared under section 319.”

SEC. 3112. ADDITIONAL MANUFACTURER REPORTING REQUIREMENTS IN RESPONSE TO DRUG SHORTAGES.

(a) EXPANSION TO INCLUDE ACTIVE PHARMACEUTICAL INGREDIENTS.—Subsection (a) of section 506C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c) is amended—

(1) in paragraph (1), by striking “the Secretary may” and inserting “the Secretary shall, as appropriate;”;

(2) in paragraph (1), by inserting “before expedite an inspection” after “prioritize and” before “expend the review”; and

(3) in paragraph (2), by inserting “prioritize and before expedite an inspection” after “the Secretary may” and inserting “the Secretary may” after “the Secretary determines to be a priority for use during a public health emergency declared under section 319.”

(b) RISK MANAGEMENT.—Section 506C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c) is amended—

(1) in paragraph (1), by striking “the Secretary may” and inserting “the Secretary shall, as appropriate;”;

(2) in paragraph (1), by inserting “before expedite an inspection” after “prioritize and” before “expend the review”; and

(3) in paragraph (2), by inserting “prioritize and before expedite an inspection” after “the Secretary may” and inserting “the Secretary may” after “the Secretary determines to be a priority for use during a public health emergency declared under section 319.”

Subpart C—Preventing Medical Device Shortages

SEC. 3121. DISCONTINUANCE OR INTERRUPTION IN THE PRODUCTION OF MEDICAL DEVICES.

Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 506I the following:

“SEC. 506J. DISCONTINUANCE OR INTERRUPTION IN THE PRODUCTION OF MEDICAL DEVICES.

“(a) IN GENERAL.—A manufacturer of a device that—

“(1) is critical to public health during a public health emergency, including devices that are life-supporting, life-sustaining, or intended for use in emergency medical care or during surgery; or

“(2) for which the Secretary determines that information on potential meaningful supply disruptions of such device is needed during, or in advance of, a public health emergency;

shall, during, or in advance of, a public health emergency declared by the Secretary under section 319 of the Public Health Service Act, notify the Secretary, in accordance with subsection (b), of a permanent discontinuance in the manufacture of the device (except for discontinuances as a result of an approved modification of the device) or an interruption of the manufacture of the device that is likely to lead to a meaningful disruption in the supply of that device in the United States, and the reasons for such discontinuance or interruption.

“(b) TIMING.—A notice required under subsection (a) shall be submitted to the Secretary—

“(1) at least 6 months prior to the date of the discontinuance or interruption; or

“(2) if compliance with paragraph (1) is not possible, as soon as practicable.

“(c) DISTRIBUTION.—

“(1) PUBLIC AVAILABILITY.—To the maximum extent practicable, subject to paragraph (2), the Secretary shall distribute, through such means as the Secretary determines appropriate, information on the discontinuance or interruption of the manufacture of devices reported under subsection (a) to appropriate organizations, including physicians, health provider, patient organizations, and supply chain entities, as appropriate and applicable, as described in subsection (g).

“(2) PUBLIC HEALTH EXCEPTION.—The Secretary may choose not to make information collected under this section publicly available pursuant to this section if the Secretary determines that disclosure of such information would adversely affect the public health, such as by increasing the possibility of unnecessary over purchase of product, component parts, or other disruption of the availability of medications to patients.

“(d) CONFIDENTIALITY.—Nothing in this section shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to section 5252(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

“(e) FAILURE TO MEET REQUIREMENTS.—If a person fails to submit information required under subsection (a) in accordance with subsection (b)—

“(1) the Secretary shall issue a letter to such person informing such person of such failure; and

“(2) not later than 30 calendar days after the issuance of a letter under paragraph (1), the person who receives such letter shall submit to the Secretary a written response to the letter setting forth any basis for non-compliance and providing information required under subsection (a); and

“(f) REPORTING AFTER INSPECTIONS.—Section 704(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374b) is amended—

(1) by redesignating paragraphs (1) and (2) and subparagraphs (A) and (B); and

(2) by striking “(b) Upon completion” and inserting “(b) After completion” after “by adding at the end the following:”;

“(2) In carrying out this subsection with respect to any establishment manufacturing a drug approved under subsection (c) or (j) of section 505 for which a notification has been submitted under section 506C or 506C-1, or has been in the last 5 years, listed on the drug shortage list under section 506E, or that is described in section 505(j)(1)(A), a copy of the report shall be sent promptly to the appropriate offices of the Food and Drug Administration with expertise regarding drug shortages.”.

“(e) REPORTING REQUIREMENT.—Section 510(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357j) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

“(3)(A) Each person who registers with the Secretary under this section with regard to a drug shall report annually to the Secretary on a form prescribed and under paragraph (1) that was manufactured, prepared, propagated, compounded, or processed by such person for commercial distribution. Such information may be required to be submitted in an electronic format as determined by the Secretary. The Secretary may require that information required to be reported under this paragraph be submitted at the time a public health emergency is declared by the Secretary under section 319 of the Public Health Service Act.

“(B) By the Secretary, certain biological products or categories of biological products regulated under section 351 of the Public Health Service Act may be exempt from the requirement to disclose information under this subsection if the Secretary determines that applying such reporting requirements to such biological products or categories of biological products is not necessary to protect the public health.

“(f) CONFIDENTIALITY.—Nothing in the amendments made by this section shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to section 5252(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

“(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.”
“(3) not later than 45 calendar days after the issuance of a letter under paragraph (1), the Secretary shall make such letter and any response to such letter under paragraph (2) available on the public website of the Food and Drug Administration, with appropriate redactions made to protect information described in subsection (d). The Secretary determines that the letter under paragraph (1) was issued in error or, after review of such response, the person had a reasonable basis for not notifying as required under subsection (a), the requirements of this paragraph shall not apply.

“(1) PRIORITIZED INSPECTIONS AND REVIEWS.—If, based on notifications described in subsection (a) or any other relevant information, the Secretary concludes that there is, or is about to be, a shortage of an device, the device, the Secretary shall, as appropriate—

“(1) prioritize and expedite the review of a submission under section 515(f)(2), 515, review of a notification under section 510(k), or section 520(m) for a device that could help mitigate or prevent such shortage; or

“(2) prioritize and expedite an inspection or reinspection of an establishment that could help mitigate or prevent such shortage.

“PART II—ACCESS TO HEALTH CARE FOR COVID-19 PATIENTS

Subpart A—Coverage of Testing and Preventive Services

SEC. 3201. COVERAGE OF DIAGNOSTIC TESTING FOR COVID-19.

Paragraph (1) of section 6001(a) of division F of the Families First Coronavirus Response Act (Public Law 116–127) is amended to read as follows:

“(1) An in vitro diagnostic test defined in section 809.3 of title 21, Code of Federal Regulations, for the detection of SARS–CoV–2 or the diagnosis of the virus that causes COVID–19, and the administration of such a test, that—

“(A) is approved, cleared, or authorized under section 510(k), 515, or 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(k), 360c, 360b, 360bb–3);

“(B) the developer, requested, or intends to request, emergency use authorization under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb–3), unless and until the provider of the device is in compliance with the regulations under such section 564; or

“(C) is developed in and authorized by a State that has notified the Secretary of Health and Human Services of its intention to make review tests intended to diagnose COVID–19;

“(D) other test that the Secretary determines appropriate in guidance.

SEC. 3202. PRICING OF DIAGNOSTIC TESTING.

(a) REIMBURSEMENT RATES.—A group health plan or a health insurance issuer providing coverage of items and services described in section 6001(a) of division F of the Families First Coronavirus Response Act (Public Law 116–127) with respect to a qualifying coronavirus preventive service as defined in section 5491(f)(1), shall—

“(1) set a ceiling price for such service that is more than negligible and affects the ability of the provider to fill orders or meet expected demand for such service;

“(2) not include interruptions in manufacturing due to matters such as routine maintenance or insignificant changes in manufacturing processes; and

“(3) not later than 45 calendar days after the demand increase for the device.

“(b) Notwithstanding 2713(b) of the Public Health Service Act (42 U.S.C. 265(b)), subsection (a) of section 319 of the Public Health Service Act (42 U.S.C. 247d), each provider of a diagnostic test for COVID–19 shall make the public the cash price for such test on a public internet website of such provider.

“(c) The Secretary of Health and Human Services may impose a civil monetary penalty on any provider of a diagnostic test for COVID–19 that is not in compliance with paragraph (1) and has not completed a corrective action plan with the requirements of such paragraph, in an amount not to exceed $300 per day that the violation is ongoing.

SEC. 3203. RAPID COVERAGE OF PREVENTIVE SERVICES AND VACCINES FOR CORONAVIRUS.

(a) IN GENERAL.—Notwithstanding 2713(b) of the Public Health Service Act (42 U.S.C. 265(b)), subsection (a) of section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury shall require group health plans and health insurance issuers offering group or individual health insurance to cover (without cost-sharing) any qualifying coronavirus preventive service as defined in section 5491(f)(1), and subsection (a) of section 319 of the Public Health Service Act (42 U.S.C. 247d), each provider of a diagnostic test for COVID–19 shall make the public the cash price for such test on a public internet website of such provider.

(b) DEFINITIONS.—For purposes of this section:

(1) QUALIFYING CORONAVIRUS PREVENTIVE SERVICE.—The term ‘qualifying coronavirus preventive service’ means an item, service, or immunization that is intended to prevent or mitigate coronavirus disease 2019 and that is—

(A) an evidence-based item or service that has in effect a rating of ‘A’ or ‘B’ in the current recommendations of the United States Preventive Services Task Force for Disease Control and Prevention with respect to the individual involved.

(2) SPECIFIED DATE.—The term ‘specified date’ means the date that is 15 business days after the date on which a recommendation is made relating to the qualifying coronavirus preventive service as described in such paragraph.

(c) ADDITIONAL TERMS.—In this section, the terms ‘group health plan’, ‘health insurance issuer’, ‘group health insurance coverage’, and ‘individual health insurance coverage’ have the meanings given such terms in section 2791 of the Public Health Service Act (42 U.S.C. 300gg–91), section 733 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1191), and section 9832 of the Internal Revenue Code, as applicable.

Subpart B—Support for Health Care Providers

SEC. 3211. SUPPLEMENTAL AWARDS FOR HEALTH CARE CENTERS.

(a) SUPPLEMENTAL AWARDS.—Section 330(r) of the Public Health Service Act (42 U.S.C. 254rr) is amended by adding at the end the following:
“(6) ADDITIONAL AMOUNTS FOR SUPPLEMENTAL AWARDS.—In addition to any amounts made available pursuant to this subsection, section 402A of this Act, or section 402B of the Patient Protection and Affordable Care Act, there is authorized to be appropriated, and there is appropriated, out of any monies in the Treasury not otherwise appropriated, $120,000,000 for each fiscal year 2020 for supplemental awards under subsection (d) for the detection of SARS-CoV-2 or the prevention, diagnosis, and treatment of COVID-19.

(b) APPLICATION OF PROVISIONS.—Amounts appropriated pursuant to the amendment made by this section for fiscal year 2020 shall be subject to the requirements contained in Public Law 116–94 for funds for programs authorized under sections 330 through 349 of the Public Health Service Act (42 U.S.C. 254 through 256).

SEC. 3212. TELEHEALTH NETWORK AND TELEHEALTH RESOURCE CENTERS GRANT PROGRAMS.

Section 3301 of the Public Health Service Act (42 U.S.C. 254c–11) is amended—

(i) in subsection (d)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ‘‘projects to demonstrate how health technologies can be used through telehealth networks’’ and inserting ‘‘evidence-based projects that utilize telehealth technologies through telehealth networks’’;

(ii) in subparagraph (A)—

(I) in the matter preceding sub-subparagraph (i), by striking ‘‘and adjust the margins accordingly;’’;

(ii) in subparagraph (B), by striking ‘‘and adjust the margins accordingly;’’;

(iii) by redesignating clauses (i) through (iii) as subparagraphs (I) through (III), respectively, and adjusting the margins accordingly;

(iv) by redesignating subparagraphs (A) through (L), respectively, and adjusting the margins accordingly;

(v) by redesignating clauses (i) through (iii) as subparagraphs (A) through (L), respectively, and adjusting the margins accordingly;

(B) in paragraph (2)—

(i) by inserting ‘‘to demonstrate how telehealth technologies can be used’’ and inserting ‘‘support initiatives that utilize telehealth technologies’’; and

(ii) by inserting ‘‘to establish telehealth resource centers’’;

(C) in subsection (e), by striking ‘‘4 years’’ and inserting ‘‘5 years’’;

(D) in subsection (f)—

(A) by striking paragraph (3);

(B) by redesignating clauses (i) through (iii) as subparagraphs (I) through (III), respectively, and adjusting the margins accordingly;

(i) in the manner preceding subparagraph (A), by striking ‘‘essential’’ and inserting ‘‘basic’’; and

(B) in paragraph (2)—

(i) in the matter preceding clause (i), by inserting ‘‘to’’ after ‘‘grants’’; and

(ii) by striking ‘‘that the rural underserved populations in the local community or region’’ and inserting ‘‘be served will benefit from and be involved in the networks’’;

(iii) by inserting ‘‘and implement integrated health care networks’’ and inserting ‘‘plan, develop, and implement integrated health care networks that have combined the functions of the entities participating in the networks’’; and

(iv) by inserting ‘‘and associated health outcomes’’; and

(i) by amending subparagraph (B) to read as follows—

‘‘(B) GRANT PERIODS.—The Director may award grants under this subsection for periods of not more than 5 years.’’;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ‘‘shall’’ after ‘‘entity’’;

(ii) in subparagraph (A), by striking ‘‘be a rural public or rural nonprofit private entity’’ and inserting ‘‘be an entity with demonstrated experience serving’’;

(iii) in subparagraph (B), by inserting ‘‘the networks’’ and inserting ‘‘plan, develop, and implement integrated health care networks that have combined the functions of the entities participating in the networks’’;

(iv) in subparagraph (C), by striking ‘‘and’’ and inserting ‘‘and associated health outcomes’’;

(ii) by amending subparagraph (B) to read as follows:

‘‘(B) LOCAL COMMUNITY.—(I) In the matter preceding clause (i), by striking ‘‘local’’ and

(ii) by inserting ‘‘local community or region’’; and

(v) in subparagraph (B), by inserting ‘‘that’’ after ‘‘participants’’;

(vi) in clauses (i) and (ii), by striking ‘‘that’’ each place such term appears;

(vii) in subparagraph (C), by striking ‘‘shall’’ and

(C) in paragraph (3)—

(i) by amending clause (iii) of subparagraph (C) to read as follows—

‘‘(iii) how the rural underserved populations in the local community or region to be served will benefit from and be involved in the development and ongoing operations of the network.’’;

(ii) by inserting ‘‘the local community or region’’ and inserting ‘‘the rural underserved populations in the local community or region’’;

(iii) by amending subparagraph (A) to read as follows—

‘‘(A) A DDITIONAL AMOUNTS FOR SUPPLEMENTAL AWARDS.—In addition to any amounts made available pursuant to this subsection for fiscal year 2020 shall be subject to the requirements contained in Public Law 116–94 for funds for programs authorized under sections 330 through 349 of the Public Health Service Act (42 U.S.C. 254 through 256).’’

SEC. 3213. RURAL HEALTH CARE SERVICES OUTREACH, RURAL HEALTH NETWORK DEVELOPMENT, AND SMALL HEALTH CARE PROVIDER QUALITY IMPROVEMENT GRANT PROGRAMS.

Section 320E of the Public Health Service Act (42 U.S.C. 254c–23) is amended—

(i) by amending clause (q); and

(ii) inserting ‘‘that’’ after ‘‘members’’; and

(iii) by amending subparagraph (A), by inserting ‘‘as’’ after ‘‘entity’’;

(A) in paragraph (1)(A), by inserting ‘‘shall’’ after ‘‘entity’’;

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ‘‘that’’ after ‘‘members’’; and

(B) in paragraph (2)(A) and inserting ‘‘and’’;

(C) in paragraph (3)—

(i) by amending clause (iii) of subparagraph (A), by inserting ‘‘as’’ after ‘‘entity’’;

(ii) by redesignating subparagraph (A), by inserting ‘‘as’’ after ‘‘entity’’;

(iii) by amending clause (i), by inserting ‘‘that’’ after ‘‘members’’; and

(ii) by amending subparagraph (B) to read as follows:

‘‘(B) GRANT PERIODS.—The Director may award grants under this subsection for periods of not more than 5 years.’’;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting ‘‘shall’’ after ‘‘entity’’;

(ii) in subparagraph (A), by striking ‘‘be a rural public or rural nonprofit private entity’’ and inserting ‘‘be an entity with demonstrated experience serving’’;

(iii) in subparagraph (B), by inserting ‘‘the networks’’ and inserting ‘‘plan, develop, and implement integrated health care networks that have combined the functions of the entities participating in the networks’’;

(iv) in subparagraph (C), by striking ‘‘and’’ and inserting ‘‘and associated health outcomes’’;

(ii) by amending subparagraph (B) to read as follows:

‘‘(B) LOCAL COMMUNITY.—(I) In the matter preceding clause (i), by striking ‘‘local’’ and

(ii) by inserting ‘‘local community or region’’; and

(v) in subparagraph (B), by inserting ‘‘that’’ after ‘‘participants’’;

(vi) in clauses (i) and (ii), by striking ‘‘that’’ each place such term appears;

(vii) in subparagraph (C), by striking ‘‘shall’’ and

(C) in paragraph (3)—

(i) by amending clause (iii) of subparagraph (C) to read as follows—

‘‘(iii) how the rural underserved populations in the local community or region to be served will benefit from and be involved in the development and ongoing operations of the network.’’;

(ii) by inserting ‘‘the local community or region’’ and inserting ‘‘the rural underserved populations in the local community or region’’;

(iii) by amend
the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the activities and outcomes of the grant programs under subsections (e), (f), and (g), including the impact of projects funded under such programs on the health status of rural residents with chronic conditions.

SEC. 3214. UNITED STATES PUBLIC HEALTH SERVICE MODERNIZATION.

(a) COMMISSIONED CORPS AND READY RESERVE FORCES.—Section 203 of the Public Health Service Act (42 U.S.C. 204) is amended—

(1) in subsection (a), by striking “a Ready Reserve Corps for service in time of national emergency” and inserting “, for service in time of a public health or national emergency, a Ready Reserve Corps”;

(2) in subsection (b), by inserting “, consistent with paragraphs (2) and (3) of section 203A, a National Reserve Corps,” after “shall”;

(b) TECHNICAL AMENDMENTS.—Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) is amended—

(1) in sections 204 and 207(c), by striking “Regular Reserve Corps” each place it appears and inserting “Regular Corps or Ready Reserve Corps”;

(2) in section 206(a), by striking “Regular and Reserve Corps” each place it appears and inserting “Regular Corps and Ready Reserve Corps”;

(c) LIMITATION ON LIABILITY FOR VOLUNTEER CARE PROFESSIONALS DURING COVID-19 EMERGENCY RESPONSE.

(a) LIMITATION ON LIABILITY.—Except as provided in subsection (b), a health care professional shall not be liable under Federal or State law for any harm caused by an act or omission of the professional in the provision of health care services during the public health emergency with respect to COVID-19 declared by the Secretary of Health and Human Services (referred to in this section as the “Secretary”) under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, if—

(1) the professional is providing health care services in response to such public health emergency, as a volunteer; and

(2) the act or omission occurs—

(A) in the course of providing health care services;

(B) in the health care professional’s capacity as a volunteer;

(C) in the course of providing health care services that—

(i) are within the scope of the license, registration, or certification of the volunteer, as defined by law (including any necessary licensure, registration, or certification); and

(ii) do not exceed the scope of license, registration, or certification of a substantially similar health professional in the State in which such act or omission occurs; and

(D) in a good faith belief that the individual being treated is in need of health care services.

(b) EXCEPTIONS.—Subsection (a) does not apply if—

(1) the harm was caused by an act or omission constituting willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious flagrant indifference to the rights or safety of the individual harmed by the health care professional; or

(2) the health care professional rendered the health care services under the influence (as determined pursuant to applicable (State law) of alcohol or an intoxicating drug.

(c) PREEMPTION.—In general.—This section preempts the laws of a State to the extent that such laws are inconsistent with this section, unless such laws provide greater protection from liability.

(2) VOLUNTEER PROTECTION ACT.—Protections afforded by this section are in addition to those provided by the Volunteer Protection Act of 1997 (Public Law 105–19).

(3) TEMPORARY PROTECTION.—In the case of a natural disaster or a public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID-19, section 334 of the Public Health Service Act (42 U.S.C. 247e) does not apply to a volunteer described in subsection (a)(1); and

(4) the term “volunteer” means a health care professional who, with respect to the health care services rendered, does not receive compensation or any other thing of value in lieu of compensation, which compensation—

(A) includes a payment under any insurance policy or health plan, or under any Federal or State health benefits program; and

(B) excludes—

(i) receipt of items to be used exclusively for rendering health care services in the health care professional’s capacity as a volunteer described in subsection (a)(1); and

(ii) any reimbursement for travel to the site where the volunteer services are rendered and any payments in cash or kind to cover room and board, if services are rendered more than 75 miles from the volunteer’s principal place of residence.

(d) EFFECTIVE DATE.—This section shall take effect only if the length of the public health emergency declared by the Secretary of Health and Human Services, or any individual working under the supervision of a health care professional that relate to—

(A) the diagnosis, prevention, or treatment of COVID-19; or

(B) the assessment or care of the health of a human being related to an actual or suspected case of COVID-19; and

(e) TEMPORARY PROVISION.—In the case of a natural disaster or a public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID-19, section 334 of the Public Health Service Act (42 U.S.C. 247e) does not apply to a volunteer described in subsection (a)(1); and

(f) SUNSET.—This section shall be in effect only for the length of the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID-19, the Secretary may, notwithstanding section 334 of the Public Health Service Act (42 U.S.C. 247e), assign members of the National Health Service Corps, with the voluntary agreement of such corps members, to provide such health services at such places, and for such number of hours, as the Secretary determines necessary to respond to such emergency, provided that such places are within a radius of 75 miles from the site to which such members were originally assigned, and the total number of hours required are the same as those required of such members prior to the date of enactment of this Act.

SEC. 3216. FLEXIBILITY FOR MEMBERS OF NATIONAL HEALTH SERVICE CORPS DURING EMERGENCY PERIOD.

During the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVID-19, the Secretary may, notwithstanding section 334 of the Public Health Service Act (42 U.S.C. 247e), assign members of the National Health Service Corps, with the voluntary agreement of such corps members, to provide such health services at such places, and for such number of hours, as the Secretary determines necessary to respond to such emergency, provided that such places are within a radius of 75 miles from the site to which such members were originally assigned, and the total number of hours required are the same as those required of such members prior to the date of enactment of this Act.

Subpart C—Miscellaneous Provisions

SEC. 3221. CONFIDENTIALITY AND DISCLOSURE OF RECORDS RELATING TO SUBSTANCE USE DISORDER.

(a) CONFORMING CHANGES RELATING TO SUBSTANCE USE DISORDER.—Subsections (a) and (b) of section 543 of the Public Health Service Act (42 U.S.C. 254f) are each amended by striking “substance abuse” and inserting “substance use disorder”.

(b) DISCLOSURE TO COVERED ENTITIES CONSISTENT WITH HIPAA.—Paragraph (1) of section 543(b) of the Public Health Service Act Act.
CONGRESSIONAL RECORD — SENATE
March 25, 2020

S2090

(42 U.S.C. 290dd–2(b)) is amended to read as follows:

"(1) CONSENT.—The following shall apply with respect to the contents of any record referred to in subsection (a):

"(A) Such contents may be used or disclosed in accordance with the prior written consent of the patient with respect to whom such record is maintained.

"(B) Once prior written consent of the patient has been obtained, such contents may be used or disclosed by a covered entity, business associate, or a program subject to this section for purposes of treatment, payment, and health care operations, until such time as the patient revokes such consent in writing.

"(2) BUSINESS ASSOCIATE.—The term 'business associate' has the meaning given such term for purposes of parts 160 and 164 of the HIPAA regulations.

"(3) COVERED ENTITY.—The term 'covered entity' has the meaning given such term for purposes of the HIPAA regulations.

"(4) HEALTH CARE OPERATIONS.—The term 'health care operations' has the meaning given such term for purposes of the HIPAA regulations.

"(5) HIPAA REGULATIONS.—The term 'HIPAA regulations' has the meaning given such term for purposes of the HIPAA regulations.

"(6) PAYMENT.—The term 'payment' has the meaning given such term for purposes of the HIPAA regulations.

"(7) PUBLIC HEALTH AUTHORITY.—The term 'public health authority' has the meaning given such term for purposes of the HIPAA regulations.

"(8) TREATMENT.—The term 'treatment' has the meaning given such term for purposes of the HIPAA regulations.

"(9) UNSCRIPTED PROTECTED HEALTH INFORMATION.—The term 'unsolicited protected health information' has the meaning given such term for purposes of the HIPAA regulations.

"(c) USE OF RECORDS IN CRIMINAL, CIVIL, OR ADMINISTRATIVE CONTEXTS.—Except as otherwise authorized by a court order under subsection (b)(2)(C) or by the consent of the patient, a record referred to in subsection (a), or testimony relating the information contained therein, may not be used or disclosed in any civil, criminal, administrative, or legislative proceedings conducted by any Federal, State, or local authority, against a patient, including with respect to the following activities:

"(1) Such record or testimony shall not be entered into evidence in any legal proceeding or civil action before a Federal or State court.

"(2) Such record or testimony shall not be used by any Federal, State, or local agency for a law enforcement purpose or to conduct any law enforcement investigation.

"(3) Such record or testimony shall not be used or disclosed by any government agency in any proceeding before a Federal, State, or local authority against a patient, including with respect to the following activities:

"(D) access to Federal, State, or local government records, or any successor regulation, to request a restriction on the use or disclosure of a record referred to in section 543(a) of the Public Health Service Act (42 U.S.C. 290dd–2(a)), including—

"(E) access to, approval of, or maintenance of funds.''

"(h) NOTIFICATION IN CASE OF BREACH.—The provisions of section 13402 of the HITECH Act (42 U.S.C. 17932) shall apply to a program or activity described in subsection (a), in the same manner and to the same extent as such provisions apply to a covered entity in the case of a breach of unsecured protected health information.

"(i) REGULATIONS.—

"(1) IN GENERAL.—The Secretary of Health and Human Services, in consultation with appropriate Federal agencies, shall make such revisions to regulations as may be necessary for implementing and enforcing the provisions of this Act, so that such amendments shall apply with respect to uses and disclosures of information occurring on or after the date that is 12 months after the date of enactment of this Act.

"(2) EASILY UNDERSTANDABLE NOTICE OF PRIVACY PRACTICES.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with appropriate legal, clinical, privacy, and civil rights experts, shall update section 164.520 of title 45, Code of Federal Regulations, so that covered entities and entities creating or maintaining the records described in subsection (a) provide notice of privacy practices regarding patient records referred to in section 543(a) of the Public Health Service Act (42 U.S.C. 290dd–2(a)), including—

"(J) RULES OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall be construed to limit—

"(1) a patient's right, as described in section 164.522 of title 45, Code of Federal Regulations, or any successor regulation, to request a restriction on the use or disclosure of a record referred to in subsection (a) of the Public Health Service Act (42 U.S.C. 290dd–2) as amended by this section, including—

"(2) the consent of the individual to use or disclose protected health information, or to an intentional or inadvertent disclosure of information received by such entity pursuant to an agreement with respect to an individual on the basis of information contained in such records or information contained in records, in the same manner as such provisions apply to a covered entity in the case of a breach of unsecured protected health information.''

"(J) RULES OF CONSTRUCTION.—Nothing in this Act or the amendments made by this Act shall be construed to limit—

"(1) a patient's right, as described in section 164.522 of title 45, Code of Federal Regulations, or any successor regulation, to request a restriction on the use or disclosure of a record referred to in subsection (a) of the Public Health Service Act (42 U.S.C. 290dd–2) as amended by this section, including—

"(2) a covered entity's choice, as described in section 164.526 of title 45, Code of Federal Regulations, or any successor regulation, to obtain the consent of the individual to use or disclose a record referred to in such section 164.526(a) to carry out treatment, payment, or health care operations.

"(k) SENSE OF CONGRESS.—It is the sense of the Congress that—

"(1) any person treating a patient through a program or activity with respect to which the confidentiality requirements of section 543(a) of the Public Health Service Act (42 U.S.C. 290dd–2) apply is encouraged to access the applicable State-based prescription drug monitoring program when clinically appropriate;

"(2) patients have the right to request a restriction on the use or disclosure of a record referred to in subsection (a) of the Public Health Service Act (42 U.S.C. 290dd–2) as amended by this section, including—

"(3) covered entities should make every reasonable effort to ensure that they are able to comply with a patient's request for a restriction regarding such use or disclosure;

"(4) for purposes of applying section 164.526 of title 45, Code of Federal Regulations, the definition of health care operations shall have the meaning given such term in such
section, except that clause (v) of paragraph (6) shall not apply; and

(5) programs creating records referred to in section 524(a) of the Public Health Service Act (42 U.S.C. 247d) shall respond to the additional administrative needs to respond to the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d).

SEC. 3224. GUIDANCE ON PROTECTED HEALTH INFORMATION.

Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue guidance on how to protect health information pursuant to section 164.103 of title 45, Code of Federal Regulations (or any successor regulations) during the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID–19, during the national emergency declared by the President under section 501 of the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to COVID–19, and during the period of the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary shall allow a State agency or an area agency on aging, without prior approval, to transfer not more than 100 percent of the funds received by the State agency or area agency on aging, respectively, and attributable to funds appropriated under paragraph (1) or (2) of section 3056(b)(1) of the Older Americans Act of 1965 (42 U.S.C. 3056(b)(1)) for a State agency or an area agency on aging, prior to March 1, 2020, to extend their participation for a period of not more than 12 months or until the period that ends on March 1, 2021, whichever comes first.

(c) HOME-DELIVERED NUTRITION SERVICES WAIVER.—For purposes of State agencies’ determination of the delivery of nutrition services under section 337 of the Older Americans Act of 1965 (42 U.S.C. 3059g), during the period of the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), the administrator shall allow the Secretary to waive the requirement for meals provided under those programs to include the regulations promulgated pursuant to section 246 of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note) and applicable policies, including such policies that may come into effect during such emergencies.

SEC. 3225. REAUTHORIZATION OF HEALTHY START PROGRAM.

Section 339H of the Public Health Service Act (42 U.S.C. 254c–8) is amended—

(a) in paragraph (1), by striking “$207,500,000” and inserting “$250,500,000”;

(b) in paragraph (2)—

(1) by striking the first sentence and inserting the following:

“During fiscal year 2021, and each fiscal year thereafter, the Secretary shall award a total of not more than $250,500,000 to each grantees’ area that has earned the status of Healthy Start program.”;

(c) in paragraph (4)(A), by striking “(i) in subsection (a)” and inserting “(i) in subsection (a)”; and

(d) by adding the following at the end of the section:

“(5) programs creating records referred to in section 524(a) of the Public Health Service Act (42 U.S.C. 247d) shall respond to the additional administrative needs to respond to the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d).”;

SEC. 3226. GUIDANCE ON PROTECTED HEALTH INFORMATION.

Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall issue guidance on how to protect health information pursuant to section 164.103 of title 45, Code of Federal Regulations (or any successor regulations) during the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID–19, during the national emergency declared by the President under section 501 of the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to COVID–19, and during the period of the COVID–19 public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d), the Secretary shall allow a State agency or an area agency on aging, without prior approval, to transfer not more than 100 percent of the funds received by the State agency or area agency on aging, prior to March 1, 2020, to extend their participation for a period of not more than 12 months or until the period that ends on March 1, 2021, whichever comes first.

(b) in paragraph (2), by adding at the end the following:

“(2) OTHER PROGRAMS.—The Secretary shall ensure coordination of the program with other programs and activities related to the reduction of the rate of infant mortality and improved perinatal and infant health outcomes supported by the Department.”;

(4) in subsection (e)—

(A) in paragraph (1), by striking “appropriate” and all that follows through the end and inserting “appropriate” and all that follows through the end;

(b) in paragraph (2)(B), by adding at the end the following:

“(4) IN GENERAL.—Not later than 4 years after the date of the enactment of this section, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate Committees of Congress a report, concerning the Healthy Start program under this section.

(2) EVALUATION.—In conducting the evaluation under paragraph (1), the Comptroller General shall consider, as applicable and appropriate—

(A) the extent to which the program is coordinated with the community in which the grantee is located in the development of the program and delivery of services, including with respect to technical assistance and mentorship programs; and

(B) the extent to which the program has decreased disparities in infant mortality or perinatal outcomes among urban and rural areas, and in decreasing infant mortality rates and improve perinatal outcomes, programs that have not decreased infant mortality rates or improved perinatal outcomes, and programs that have made an impact on disparities in infant mortality or perinatal outcomes.

(C) The ability of grantees to improve health outcomes for project participants, particularly the vulnerable populations, Healthy Start program services, incorporate and promote family participation, facilitate coordination with the community in which the grantee is located, and increase the availability through quality improvement, performance monitoring, evaluation, and the effect such
metrics may have toward decreasing the rate of infant mortality and improving perinatal outcomes.

"(D) The extent to which such Federal programs and activities are coordinated across agencies and the identification of opportunities for improved coordination in such Federal programs and activities."

SEC. 3002. REMOVING THE CAP ON OTA DURING PUBLIC HEALTH EMERGENCIES.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the "Secretary") shall carry out a national campaign to improve awareness of, and support outreach to the public and health care providers about the importance and safety of blood donation and the need for donated blood during a public health emergency declared by the Secretary under section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVID-19.

(b) AWARENESS CAMPAIGN.—In carrying out subsection (a), the Secretary may enter into contracts with one or more public or private nonprofit entities, to establish a national blood donation awareness campaign that may include television, radio, internet, and newspaper public service announcements, and other activities to provide for public and professional awareness and education.

(c) CONSULTATION.—In carrying out subsection (a), the Secretary shall consult with the Council of Food and Drugs, the Assistant Secretary for Health, the Director of the Centers for Disease Control and Prevention, the Director of the National Institutes of Health, and the heads of other relevant Federal agencies, and relevant accrediting bodies and representative organizations.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that shall include—

(1) a description of the activities carried out under subsection (a);
(2) a description of trends in blood supply donations; and
(3) an evaluation of the impact of the public awareness campaign, including any geographic or population variations.

PART III—INNOVATION

SEC. 3003. REMOVING THE CAP ON OTA DURING PUBLIC HEALTH EMERGENCIES.

Section 319L(c)(5)(A) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(5)(A)) is amended—

(1) by redesignating clause (ii) as clause (iv); and
(2) by inserting after clause (ii) the following:

"(iii) AUTHORITY DURING A PUBLIC HEALTH EMERGENCY.—

"(1) IN GENERAL.—Notwithstanding clause (ii), the Secretary, shall, to the maximum extent practicable, use competitive procedures when entering into transactions to carry out projects under this subsection for purposes of a public health emergency declared by the Secretary under section 319. Any such transactions entered into during such public health emergency shall not be terminated solely due to the expiration of such competitive agreement. If such public health emergency ends before the completion of the terms of such agreement.

(2) REPORT.—After the expiration of the public health emergency declared by the Secretary under section 319, the Secretary shall provide a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding the use of any funds pursuant to the authority under subclause (1), including any outcomes, benefits, and risks associated with the use of such funds, and a description of the reasons for the use of such authority for projects under this subsection.

SEC. 3002. PRIORITY ZOONOTIC ANIMAL DRUGS.

Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by, in section 312, by striking after section 312 the following:

"(iv); and

"(v)

SEC. 351A. PRIORITY ZOONOTIC ANIMAL DRUGS.

(a) IN GENERAL.—The Secretary shall, at the request of the sponsor intending to submit an application for approval of a new animal drug under section 512(b)(i) or an application for conditional approval of a new animal drug under section 571, expedite the development and review of such new animal drug if preliminary clinical evidence indicates that the new animal drug, alone or in combination with 1 or more other animal drugs, has the potential to prevent or treat a zoonotic disease in animals, including a vector-borne disease, that has the potential to cause serious adverse health consequences for, or serious or life-threatening diseases in, humans.

(b) REQUEST FOR DESIGNATION.—The sponsor of an animal drug may request the Secretary to designate a new animal drug described in subsection (a) as a priority zoonotic animal drug. A request for the designation under this paragraph (i) or at any time after, the opening of an investigational new animal drug file under section 512(b) or the filing of an application under section 571(i) or 571.

(c) DESIGNATION.—

"(1) IN GENERAL.—Not later than 60 calendar days after the receipt of a request under subsection (b), the Secretary shall determine whether the new animal drug that is the subject of the request meets the criteria described in subsection (a). If the Secretary determines that the new animal drug meets the criteria, the Secretary shall designate the new animal drug as a priority zoonotic animal drug and shall take such actions as are appropriate to expedite the development and review of the application for approval or conditional approval of such new animal drug.

"(2) ACTIONS.—The actions to expedite the development and review of an application under paragraph (1) may include, as appropriate—

(A) taking steps to ensure that the design of clinical trials is as efficient as practicable, when scientifically appropriate, such as by utilizing tools that develop drugs, tools (including biomarkers) that may reduce the number of animals needed for studies;
(B) providing timely advice to, and interactive communication with, the sponsor (which may include meetings with the sponsor and review team) regarding the development of the new animal drug to ensure that the development program to gather the nonclinical and clinical data necessary for approval is as efficient as practicable;
(C) involving managers and review staff with experience in zoonotic or vector-borne disease to facilitate collaborative, cross-disciplinary review, including, as appropriate, across the centers of the Food and Drug Administration; and
(D) implementing additional administrative or process enhancements, as necessary, to facilitate an efficient review and development program.

PART IV—HEALTH CARE WORKFORCE

SEC. 3401. REAUTHORIZATION OF HEALTH PROFESSIONS WORKFORCE PROGRAMS.

Title VII of the Public Health Service Act (42 U.S.C. 293 et seq.) is amended—

(1) in section 736 (42 U.S.C. 293d), by striking subsection (i) and inserting the following:

"(i) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $23,711,000 for each of fiscal years 2021 through 2025.

(2) in section 740 (42 U.S.C. 293e), by striking—

(A) in subsection (a), by striking "$51,000,000 for each fiscal year 2010, and such sums as may be necessary for each of the fiscal years 2011 through 2023" and inserting "$51,470,000 for each of fiscal years 2021 through 2025";
(B) in subsection (b), by striking "$5,000,000 for each of the fiscal years 2010 through 2014" and inserting "$1,190,000 for each fiscal years 2021 through 2025";
(C) in subsection (c), by striking "$60,000,000 for fiscal year 2010 and such sums as may be necessary for each of the fiscal years 2011 through 2014" and inserting "$1,100,000,000 for each fiscal years 2021 through 2025"; and
(D) in subsection (d), by striking "Not Later than 6 months after the date of enactment of this part, the Secretary shall prepare and submit to the appropriate committees of Congress" and inserting: "Not later than September 30, 2025, and every five years thereafter, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives.";

(3) in section 747 (42 U.S.C. 293k) —

(A) in subsection (a), by striking—

"(1)(G), by striking—

"to plan, develop, and operate a demonstration program that provides training" and inserting: "to plan, develop, and operate a program that identifies or develops innovative models of providing care, and trains primary care physicians on such models"; and
(ii) by adding at the end the following:

"(D) PRIORITY IN MAKING AWARDS.—In awarding grants or contracts under paragraph (1), the Secretary may give priority to qualified applicants that train residents in rural areas, including for Tribes or Tribal Organizations in such areas;";

(B) in subsection (b)(3)(E), by striking "substance-related disorders" and inserting "substance use disorders"; and

(C) in subsection (c)(1), by striking "$152,000,000 for fiscal year 2010, and such sums as may be necessary for each of fiscal years 2011 through 2014" and inserting "$38,924,000 for each of fiscal years 2021 through 2025";

(4) in section 748 (42 U.S.C. 293k–2) —

(A) in subsection (c)(5), by striking—

"(3) PRIORITIES IN MAKING AWARDS.—Substance-related disorders" and inserting "substance use disorders"; and

(b) in subsection (d)(5), by striking—

"(3) PRIORITIES IN MAKING AWARDS.—Substance-related disorders" and inserting "substance use disorders"; and

(5) in section 749(d)(2) (42 U.S.C. 293l(d)(2)), by striking "Committee on Labor and Human Resources of the Senate, and the Committee on Commerce of Representatives and inserting "Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives";

(6) in section 751(j)(1) (42 U.S.C. 294a(j)(1)), by striking "$25,000,000 for each of the fiscal years 2011 through 2014" and inserting "$38,924,000 for each of fiscal years 2021 through 2025";

(7) in section 754(b)(1)(A) (42 U.S.C. 296e(b)(1)(A)), by striking "new and innovative" and inserting "innovative and evidence-based";

(8) in section 758(b)(1)(A) (42 U.S.C. 296h(b)(1)(A)), by striking "the elderly" and inserting "geriatric populations or for maternal and child health";

(9) in section 759(b)(1)(A) (42 U.S.C. 296i(b)(1)(A)), by striking "aged" and inserting "persons over the age of 60";

(10) in section 759(b)(1)(B) (42 U.S.C. 296i(b)(1)(B)), by striking "the elderly" and inserting "persons over the age of 60";
(9) in section 762(e)(42 U.S.C. 294c(e)—
(A) in paragraph (1)(A), by striking "$7,500,000 for each of fiscal years 2010 through 2014" and inserting "$5,663,000 for each of fiscal years 2021 through 2025" and
(B) in paragraph (2), by striking "subsection (a)" and inserting "paragraph (1)";
(10) in section 762 (42 U.S.C. 294o—
(A) in subsection (a)(1), by striking "Committee on Labor and Human Resources" and inserting "Committee on Health, Education, Labor, and Pensions";
(B) by redesignating paragraphs (1) through (6) as paragraphs (5) through (7), respectively; and
(C) by inserting after paragraph (3), the following:
"(4) the Administrator of the Health Resources and Services Administration;"
(11) in section 766(b)(1) (42 U.S.C. 295ab(b)(1)), by striking "that plans" and all that follows through the period and inserting "that plans, develops, operates, and evaluates projects to improve preventive medicine, health promotion and disease prevention, or access to and quality of health care services in rural or medically underserved communities.";
(12) in section 770(a) (42 U.S.C. 295e(a)), by striking "$35,000,000 for fiscal year 2011, and such sums as may be necessary for each of the fiscal years 2012 through 2015" and inserting "$17,000,000 for each of fiscal years 2021 through 2025"; and
(13) in section 773(c) (42 U.S.C. 295e(c)), by striking "$39,000,000" and all that follows through the period and inserting "such sums as may be necessary for each of fiscal years 2021 through 2025".

SEC. 3402. HEALTH WORKFORCE COORDINATION.

(a) STRATEGIC PLAN.—
(1) In general.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this Act as the "Secretary"), in consultation with the Advisory Committee on Training in Primary Care Medicine and Dentistry and the Advisory Council on Graduate Medical Education, shall develop a comprehensive strategic plan with respect to the health care workforce development programs of the Department of Health and Human Services, including education and training programs.

(b) REQUIREMENTS.—The plan under paragraph (1) shall—
(A) include performance measures to determine the extent to which the programs described in paragraph (1) are strengthening the Nation’s health care system;
(B) identify any gaps that exist between the outcome of the programs described in paragraph (1) and projected health care workforce needs identified in workforce projection reports conducted by the Health Resources and Services Administration;
(C) identify actions to address the gaps described in subparagraph (B); and
(D) identify barriers, if any, to implementing the actions identified under subparagraph (C).

(b) COORDINATION WITH OTHER AGENCIES.—The Secretary shall coordinate with the heads of other Federal agencies and departments that fund or administer health care workforce development programs, including education and training programs.

(1) evaluate the performance of such programs, including the extent to which such programs are efficient and effective and are meeting the nation’s health workforce needs;

(2) identify opportunities to improve the quality and consistency of the information collected within and across such programs, and to implement such improvements.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives, a report describing the plan developed under subsection (a) and actions taken to implement such plan.

SEC. 3405. EDUCATION AND TRAINING RELATING TO GERIATRICS.

Section 753 of the Public Health Service Act (42 U.S.C. 294c(e) is amended to read as follows:

"SEC. 753. EDUCATION AND TRAINING RELATING TO GERIATRICS.

(a) GERIATRICS WORKFORCE ENHANCEMENT PROGRAM.—
"(1) In general.—The Secretary shall award grants, contracts, or cooperative agreements under this subsection to entities described in paragraph (1), (3), (4), or (6) of section 799B, section 855(d), or other health professions schools or programs approved by the Secretary, for the establishment or operation of Geriatrics Workforce Enhancement Programs that meet the requirements of paragraph (2).

"(2) REQUIREMENTS.—
"(A) GERIATRICS WORKFORCE ENHANCEMENT PROGRAM RECEIVING AN AWARD UNDER THIS SUBSECTION shall support the training of health professionals in geriatrics, including training in interdisciplinary collaborations, and community partners to address gaps in care for older adults.

"(B) ACTIVITIES.—Activities conducted by a grantee under this section may include the following:

"(i) Clinical training on providing integrated geriatrics and primary care delivery services.

"(ii) Interprofessional training to practitioners from multiple disciplines and specialties, including training on the provision of care to older adults.

"(iii) Establishing or maintaining training-related community-based programs for older adults and caregivers to improve health outcomes for older adults.

"(iv) Providing education on Alzheimer’s disease and related dementia to families and caregivers of older adults, direct care workers, and health professions students, faculty, and providers.

"(D) DURATION.—Each grant, contract, or cooperative agreement awarded under paragraph (1) shall be for a period not to exceed 5 years.

"(4) APPLICATION.—To be eligible to receive a grant, contract, or cooperative agreement under paragraph (1), an entity described in such paragraph shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(5) PROGRAM REQUIREMENTS.—
"(A) IN GENERAL.—In awarding grants, contracts, and cooperative agreements under paragraphs (1), the Secretary—

"(i) shall give priority to programs that demonstrate coordination with another Federal program or another public or private entity;

"(ii) shall give priority to applicants with programs or activities that are expected to substantially benefit rural or medically underserved populations of older adults, or serve older adults in Indian Tribes or Tribal organizations; and

"(iii) may give priority to any program that—

"(A) integrates geriatrics into primary care practice;

"(B) provides training to integrate geriatric care into other specialties across care settings, including practicing clinical specialists, health care administrators, faculty without backgrounds in geriatrics, and students from all health professions;

"(C) emphasizes integration of geriatric care into existing services in rural or medically underserved communities, including primary care clinics, medical homes, Federally qualified health centers, ambulatory care clinics, critical access hospitals, assisted living and nursing facilities, and home- and community-based services, which may include adult day health services.

"(IV) supports the training and retraining of faculty, primary care providers, other direct care providers, and other appropriate professionals on geriatrics;

"(V) emphasizes education and engagement of family caregivers on disease management and strategies to meet the needs of caregivers of older adults;

"(VI) proposes to conduct outreach to communities that have a shortage of geriatric workforce professionals.

"(B) SPECIAL CONSIDERATION.—In awarding grants, contracts, and cooperative agreements under this section, the Secretary shall give special consideration to entities that provide services in areas with a shortage of geriatric workforce professionals.

"(C) COMPETITIVE PROPOSAL.—In awarding grants, contracts, and cooperative agreements under this section, the Secretary shall give special consideration to proposals that provide services in areas with a shortage of geriatric workforce professionals.

"(D) DURATION.—In awarding grants, contracts, and cooperative agreements under this section, the Secretary shall give special consideration to proposals that—

"(A) are partnerships with appropriate Federal, State, or local entities; and

"(B) propose to provide services in areas with a shortage of geriatric workforce professionals.

"(E) PRIORITY.—The Secretary may provide awardees with additional support for activities in areas of demonstrated need, which may include education and training for home health workers, family caregivers, and direct care workers on care for older adults.

"(F) REPORTING.—
"(A) REPORTS FROM ENTITIES.—Each entity awarded a grant, contract, or cooperative agreement under this section shall submit an annual report to the Secretary on the activities conducted under such grant, contract, or cooperative agreement, which may include information on the number of trainees, the number of programs and disciplines, the number of partnerships with health care delivery sites, the number of faculty and practitioners, and other information, as the Secretary may require.

"(B) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of this Act, the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives shall submit to the Congress a report that provides a summary of the activities and outcomes associated with grants, contracts, and cooperative agreements made under this section. Such reports shall include—

"(A) a summary of the activities and outcomes associated with grants, contracts, and cooperative agreements made under this section;
“(ii) information on the impact of the program conducted under this section on the health status of older adults, including in areas with a shortage of health professionals; and

“(iii) information on outreach and education provided under this section to families and caregivers of older adults.

“(2) ELIGIBILITY.—(A) IN GENERAL.—The Secretary shall make reports submitted under paragraph (B) publically available on the internet website of the Department of Health and Human Services.

“(B) GERIATRIC ACADEMIC CAREER AWARDS.—

“(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall, as appropriate, establish or maintain, or provide any other educational assistance to, academic geriatrics education programs to eligible entities.

“(ii) the individual has a full-time faculty appointment in a health professions institution;

“(iii) the individual has relevant expertise and experience; and

“(iv) the Secretary may require, assurances that the eligible entity will provide training in clinical geriatrics, including the training of interprofessional teams of health care professionals. The proportion of such training shall constitute at least 75 percent of the obligations of such individual under the award.

“(C) NONAPPLICABILITY OF PROVISION.—Notwithstanding any other provision of this title, section 791(a) shall not apply to awards made under this section.

“SEC. 3404. NURSING WORKFORCE DEVELOPMENT.

“(a) IN GENERAL.—Title VIII of the Public Health Service Act (42 U.S.C. 296 et seq.) is amended—

“(1) in section 801 (42 U.S.C. 296), by adding at the end the following:

“(B) NURSE MANAGED HEALTH CLINIC.—The term ‘nurse-managed health clinic’ means a nurse-practice arrangement, managed by advanced practice nurses, that provides primary care or wellness services to under-served or vulnerable populations and that is associated with a school, college, university or department of nursing, federally qualified health center, or independent nonprofit health or social service agency.

“(2) in section 802(c) (42 U.S.C. 296c), by inserting ‘‘, and how such project aligns with the goals in section 806(a)’’ before the period in the second sentence;

“(3) in section 803(b) (42 U.S.C. 296b(b)), by adding at the end the following: ‘‘Such Federal funds are intended to supplement, not supplant, existing non-Federal expenditures for such activities.’’;

“(4) in section 806 (42 U.S.C. 296e)—

“(A) in subsection (a), by striking ‘‘as needed to’’ and all that follows and inserting the following: ‘‘as needed to address national nursing needs, including—

“(i) addressing challenges, including through supported education of nursing students, related to the distribution of the nursing workforce and existing or projected nursing workforce shortages in geographic areas that have been identified as having, or that are projected to have, a nursing shortage;

“(ii) increasing access to and the quality of health care services, including by supporting the training of professional registered nurses, advanced practice registered nurses, and advanced education nurses within community based or hospital-based a variety of health delivery system settings; or

“(iii) addressing the strategic goals and priorities of the Secretary and that are in accordance with this title.

“(B) in subsection (c), by striking ‘‘professional nurse aides, assistants, and home health aids’’ and inserting ‘‘professional registered nurses, advanced practice registered nurses, and nurses with graduate nursing education’’;

“(C) in subsection (d) by striking ‘‘null’’; and

“(ii) in subparagraph (A), by striking ‘‘for nurses certified under the Community Health Aide Program of the Indian Health Service’’ and inserting ‘‘for nurses certified under the Community Health Aide Program of the Indian Health Service’’;

“(iii) in paragraph (2)(D), by striking the reference to ‘‘Community Health Aide Program of the Indian Health Service, to become registered nurses with baccalaureate degrees or nurses with graduate nursing education’’; and

“(iv) in subparagraph (B), by striking the reference to ‘‘null’’; and

“(3) in section 807 (42 U.S.C. 296b)—

“(A) NURSE MANAGED HEALTH CLINIC.—The term ‘nurse-managed health clinic’ means a nurse-practice arrangement, managed by advanced practice nurses, that provides primary care or wellness services to under-served or vulnerable populations and that is associated with a school, college, university or department of nursing, federally qualified health center, or independent nonprofit health or social service agency.

“(B) ATOMIC.—The amount of an award under this subsection shall be at least $5,000,000 for fiscal year 2021, adjusted for subsequent years in accordance with the consumer price index for urban index. The Secretary shall make available an amount of an award under this subsection for individuals who are not physicians.

“(C) DURATION.—The Secretary shall make awards under paragraph (A) for a period not to exceed 5 years.

“(D) SERVICE REQUIREMENT.—An individual who receives an award under this subsection shall, after the award expires, and if applicable, the individual shall continue to be employed in an accredited health professions school or graduate program approved by the Secretary.

“(2) ELIGIBILITY.—For purposes of this subsection, the term ‘eligible individual’ means an individual—

“(i) is board certified or board eligible in internal medicine, family practice, psychiatry, or licensed dentistry, or has completed required training in a discipline and is employed in an accredited health professions school or graduate program that is approved by the Secretary; or

“(ii) has a junior, nontenured, faculty appointment at an accredited health professions school or graduate program in geriatrics or a geriatrics health profession.

“(C) CLARIFICATION.—If an eligible individual in paragraph (B)(ii), the individual shall continue to be employed in a discipline individual through the term of the award.

“(3) APPLICATION REQUIREMENTS.—In order to receive an award under paragraph (A), an eligible individual, on behalf of an eligible individual, shall—

“(A) submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require;

“(B) provide, in such form and manner as the Secretary may require, assurances that the eligible individual will meet the service requirement described in paragraph (6); and

“(C) provide, in such form and manner as the Secretary may require, assurances that the eligible individual will have a full-time faculty appointment in a health professions institution and documented commitment from such eligible entity that the individual will spend 75 percent of the individual’s time that is supported by the award on teaching and developing skills in interdisciplinary education in geriatrics.

“(4) AVAILABLE DISTRIBUTION.—In making awards under this subsection, the Secretary shall seek to ensure geographical distribution among award recipients, including among historically medically underserved areas of the United States.

“(5) AMOUNT AND DURATION.—

“(A) AMOUNT.—The amount of an award under this subsection shall be at least $75,000,000 for fiscal year 2021, adjusted for subsequent years in accordance with the consumer price index for urban index. The Secretary shall make available an amount of an award under this subsection for individuals who are not physicians.

“(B) DURATION.—The Secretary shall make awards under paragraph (A) for a period not to exceed 5 years.

“(C) SERVICE REQUIREMENT.—An individual who receives an award under this subsection shall, after the award expires, and if applicable, shall continue to be employed in an accredited health professions school or graduate program approved by the Secretary publicly available on the internet website of the Department of Health and Human Services.

“(b) GERIATRIC ACADEMIC CAREER AWARDS.—

“(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall, as appropriate, establish or maintain, or provide any other educational assistance to, academic geriatrics education programs to eligible entities.

“(ii) the individual shall continue to be employed in a discipline and is employed in an accredited health professions school or graduate program approved by the Secretary.

“(C) ELIGIBLE INDIVIDUAL.—For purposes of this subsection, the term ‘eligible individual’ means an individual—

“(i)(I) is board certified or board eligible in internal medicine, family practice, psychiatry, or licensed dentistry, or has completed required training in a discipline and is required training in a discipline and is employed in an accredited health professions school or graduate program that is approved by the Secretary; or

“(II) has completed an approved fellowship program in geriatrics, or has completed specialized training in geriatrics as required by the discipline and any additional geriatrics training as required by the Secretary; and

“(ii) has a junior, nontenured, faculty appointment at an accredited health professions school or graduate program in geriatrics or a geriatrics health profession.

“(C) CLARIFICATION.—If an eligible individual in paragraph (B)(ii), the individual shall continue to be employed in a discipline individual through the term of the award.

“(3) APPLICATION REQUIREMENTS.—In order to receive an award under paragraph (B), an eligible individual, on behalf of an eligible individual, shall—

“(A) submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require;

“(B) provide, in such form and manner as the Secretary may require, assurances that the eligible entity will meet the service requirement described in paragraph (6); and

“(C) provide, in such form and manner as the Secretary may require, assurances that the eligible entity will have a full-time faculty appointment in a health professions institution and documented commitment from such eligible entity that the individual will spend 75 percent of the individual’s time that is supported by the award on teaching and developing skills in interdisciplinary education in geriatrics.

“(4) AVAILABLE DISTRIBUTION.—In making awards under this subsection, the Secretary shall seek to ensure geographical distribution among award recipients, including among historically medically underserved areas of the United States.

“(5) AMOUNT AND DURATION.—

“(A) AMOUNT.—The amount of an award under this subsection shall be at least $75,000,000 for fiscal year 2021, adjusted for subsequent years in accordance with the consumer price index for urban index. The Secretary shall make available an amount of an award under this subsection for individuals who are not physicians.

“(B) DURATION.—The Secretary shall make awards under paragraph (A) for a period not to exceed 5 years.

“(C) SERVICE REQUIREMENT.—An individual who receives an award under this subsection shall, after the award expires, and if applicable, shall continue to be employed in an accredited health professions school or graduate program approved by the Secretary publicly available on the internet website of the Department of Health and Human Services.

“(b) GERIATRIC ACADEMIC CAREER AWARDS.—

“(1) ESTABLISHMENT OF PROGRAM.—The Secretary shall, as appropriate, establish or maintain, or provide any other educational assistance to, academic geriatrics education programs to eligible entities.

“(ii) the individual shall continue to be employed in an accredited health professions school or graduate program approved by the Secretary.

“(C) ELIGIBLE INDIVIDUAL.—For purposes of this subsection, the term ‘eligible individual’ means an individual—

“(i)(I) is board certified or board eligible in internal medicine, family practice, psychiatry, or licensed dentistry, or has completed required training in a discipline and is employed in an accredited health professions school or graduate program that is approved by the Secretary; or

“(II) has completed an approved fellowship program in geriatrics, or has completed specialized training in geriatrics as required by the discipline and any additional geriatrics training as required by the Secretary; and

“(ii) has a junior, nontenured, faculty appointment at an accredited health professions school or graduate program in geriatrics or a geriatrics health profession.

“(C) CLARIFICATION.—If an eligible individual in paragraph (B)(ii), the individual shall continue to be employed in a discipline individual through the term of the award.

“(3) APPLICATION REQUIREMENTS.—In order to receive an award under paragraph (B), an eligible individual, on behalf of an eligible individual, shall—

“(A) submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require;

“(B) provide, in such form and manner as the Secretary may require, assurances that the eligible entity will meet the service requirement described in paragraph (6); and

“(C) provide, in such form and manner as the Secretary may require, assurances that the eligible entity will have a full-time faculty appointment in a health professions institution and documented commitment from such eligible entity that the individual will spend 75 percent of the individual’s time that is supported by the award on teaching and developing skills in interdisciplinary education in geriatrics.

“(4) AVAILABLE DISTRIBUTION.—In making awards under this subsection, the Secretary shall seek to ensure geographical distribution among award recipients, including among historically medically underserved areas of the United States.

“(5) AMOUNT AND DURATION.—
one or more accredited schools of nursing, to encourage the mentoring and development of specialties.

(b) by striking subsections (e) and (h); and

(e) by redesignating subsections (f) and (g), as subsections (e) and (f), respectively;

(f) in subsection (e) (as so redesignated), by striking “The Secretary shall submit to the Congress by the end of each fiscal year” and inserting “As part of the report on nursing workforce programs described in section 806(1), the Secretary shall include”;

(g) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively;

(h) in subsection (f) (as so redesignated), by striking “a school of nursing, as defined in section 801(2),” and inserting “an accredited school of nursing, as defined in section 801(2),”;

(i) by striking subsections (h) and (i), by striking “FUNDING” in the subsection heading and all that follows through “(1)” in paragraph (2), and inserting the following: “ALLOCATION—Of the amounts appropriated under section 871(b),”;

(j) in section 846A (42 U.S.C. 297a–1), by striking subsection (f);

(k) in section 867 (42 U.S.C. 297a), by striking subsection (g);

(l) in section 861 (42 U.S.C. 297c), by striking subsection (g);

(m) in section 851 (42 U.S.C. 297c–1), by striking “paragraph (1)” in paragraph (2), and inserting the following: “paragraph (1)”;

(n) by reenacting and amending section 413D (42 U.S.C. 297n) to read as follows:

“AFFECTED WORK-STUDY.—In this section, the term ‘affected work-study student’ means a student who was not eligible for work study or received a maximum amount equal to or less than the amount of wages such students would have been paid if affected students were unable to fulfill their full work-study obligation for all or any portion of a fiscal year due to such qualifying emergency, and during a period of such academic year during which affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, as follows:

1. Payments may be made under such part to affected work-study students in an amount equal to or less than the amount of wages such students would have been paid if affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, and during a period of such academic year during which affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, as follows:

2. Payments shall not be made to any student who was not eligible for work study or was not completing the work obligation necessary to receive work study funds, as a one time grant or as multiple payments.

3. Payments made to affected work-study students under this subsection shall not be treated as other financial assistance for all or part of such academic year due to such qualifying emergency, as follows:

4. In determining eligibility for and awarding emergency financial aid grants to students under this section, an institution of higher education may:

a) waive the amount of need calculation under section 471 of the Higher Education Act of 1965 (20 U.S.C. 1087f–1 et seq.) for a fiscal year in which such institution has provided a qualifying emergency financial aid grant to assist undergraduate or graduate students for unexpected expenses and unmet financial need as the result of a qualifying emergency.

b) allow a student affected by a qualifying emergency to receive funds in an amount that is more than the maximum Pell Grant for the applicable award year;

(c) utilize a contract with a scholarship-granting organization designated for the sole purpose of accepting applications from or disbursing funds to students enrolled in the institution of higher education, if such scholarship-granting organization disburses the funds to the institution of higher education to the recipients.

(d) prohibit an institution of higher education from using the funds received under this section to award, in such fiscal year, a federal work-study grant to any student who was not eligible for work study or received a maximum amount equal to or less than the amount of wages such students would have been paid if affected students were unable to fulfill their work-study obligation for all or any portion of a fiscal year due to such qualifying emergency, and during a period of such academic year during which affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, as follows:

1. Payments may be made under such part to affected work-study students in an amount equal to or less than the amount of wages such students would have been paid if affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, and during a period of such academic year during which affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, as follows:

2. Payments shall not be made to any student who was not eligible for work study or was not completing the work obligation necessary to receive work study funds, as a one time grant or as multiple payments.

3. Payments made to affected work-study students under this subsection shall not be treated as other financial assistance for all or part of such academic year due to such qualifying emergency, as follows:

4. In determining eligibility for and awarding emergency financial aid grants to students under this section, an institution of higher education may:

a) waive the amount of need calculation under section 471 of the Higher Education Act of 1965 (20 U.S.C. 1087f–1 et seq.) for a fiscal year in which such institution has provided a qualifying emergency financial aid grant to assist undergraduate or graduate students for unexpected expenses and unmet financial need as the result of a qualifying emergency.

b) allow a student affected by a qualifying emergency to receive funds in an amount that is more than the maximum Pell Grant for the applicable award year;

(c) utilize a contract with a scholarship-granting organization designated for the sole purpose of accepting applications from or disbursing funds to students enrolled in the institution of higher education, if such scholarship-granting organization disburses the funds to the institution of higher education to the recipients.

(d) prohibit an institution of higher education from using the funds received under this section to award, in such fiscal year, a federal work-study grant to any student who was not eligible for work study or received a maximum amount equal to or less than the amount of wages such students would have been paid if affected students were unable to fulfill their work-study obligation for all or any portion of a fiscal year due to such qualifying emergency, and during a period of such academic year during which affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, as follows:

1. Payments may be made under such part to affected work-study students in an amount equal to or less than the amount of wages such students would have been paid if affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, as follows:

2. Payments shall not be made to any student who was not eligible for work study or was not completing the work obligation necessary to receive work study funds, as a one time grant or as multiple payments.

3. Payments made to affected work-study students under this subsection shall not be treated as other financial assistance for all or part of such academic year due to such qualifying emergency, as follows:

4. In determining eligibility for and awarding emergency financial aid grants to students under this section, an institution of higher education may:

a) waive the amount of need calculation under section 471 of the Higher Education Act of 1965 (20 U.S.C. 1087f–1 et seq.) for a fiscal year in which such institution has provided a qualifying emergency financial aid grant to assist undergraduate or graduate students for unexpected expenses and unmet financial need as the result of a qualifying emergency.

b) allow a student affected by a qualifying emergency to receive funds in an amount that is more than the maximum Pell Grant for the applicable award year;

(c) utilize a contract with a scholarship-granting organization designated for the sole purpose of accepting applications from or disbursing funds to students enrolled in the institution of higher education, if such scholarship-granting organization disburses the funds to the institution of higher education to the recipients.

(d) prohibit an institution of higher education from using the funds received under this section to award, in such fiscal year, a federal work-study grant to any student who was not eligible for work study or received a maximum amount equal to or less than the amount of wages such students would have been paid if affected students were unable to fulfill their work-study obligation for all or any portion of a fiscal year due to such qualifying emergency, and during a period of such academic year during which affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, as follows:

1. Payments may be made under such part to affected work-study students in an amount equal to or less than the amount of wages such students would have been paid if affected students were unable to fulfill their work-study obligation for all or any portion of such academic year due to such qualifying emergency, as follows:

2. Payments shall not be made to any student who was not eligible for work study or was not completing the work obligation necessary to receive work study funds, as a one time grant or as multiple payments.
enrolled at an eligible institution participating in the program under part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087–51 et seq.) who: (1) receives study obligation under section 434 of the Higher Education Act of 1965 (20 U.S.C. 1087–53) for the academic year during which a qualifying emergency occurred; (2) work-study work from an eligible institution for the academic year; and (3) was prevented from fulfilling the student’s study obligation for all or part of such academic year due to such qualifying emergency.

SEC. 3506. ADJUSTMENT OF SUBSIDIZED LOAN USE LIMITS.

Notwithstanding section 455(q)(3) of the Higher Education Act of 1965 (20 U.S.C. 1070a(q)(3)), the Secretary shall exclude from a student’s period of enrollment for purposes of loans made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) any semester (or the equivalent) that the student does not complete due to a qualifying emergency, if the Secretary is able to administer such policy in a manner that limits complexity and the burden on the student.

SEC. 3507. EXCLUSION FROM FEDERAL PELL GRANT DURATION LIMIT.

The Secretary shall exclude from a student’s Pell Grant duration limit under section 400(c)(5) of the Higher Education Act of 1965 (2 U.S.C. 1070a(c)(5)) any semester (or the equivalent) that the student does not complete due to a qualifying emergency, if the Secretary is able to administer such policy in a manner that limits complexity and the burden on the student.

SEC. 3508. EFFECTIVE DURATION AND FEDERAL STUDENT LOAN FLEXIBILITY.

(a) INSTITUTIONAL WAIVER.—

(1) IN GENERAL.—The Secretary shall waive the requirements under paragraph (1) of section 484B of the Higher Education Act of 1965 (20 U.S.C. 1009(b)) with respect to the amount of grant or loan assistance (other than assistance received under part C of title IV of such Act) to be returned under such section if a recipient of assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) any semester (or the equivalent) that the student does not complete due to a qualifying emergency, if the Secretary is able to administer such policy in a manner that limits complexity and the burden on the student.

(b) STUDENT WAIVER.—The Secretary shall waive the requirements under paragraph (1) of section 484B of the Higher Education Act of 1965 (20 U.S.C. 1091b) with respect to Federal Pell Grants or other grant assistance if the withdrawals on which the returns are based, are withdrawals by students who withdrew from the institution of higher education as a result of a qualifying emergency.

(c) CANCELLING LOAN OBLIGATION.—Notwithstanding any other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), the Secretary shall cancel the borrower’s obligation to repay the entire portion of a loan made under part D of title IV of such Act (20 U.S.C. 1087a et seq.) associated with a payment period for a recipient of such loan who withdraws from the institution of higher education during the payment period as a result of a qualifying emergency.

(d) APPROVED LEAVE OF ABSENCE.—Notwithstanding any other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), for purposes of receiving assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), an institution of higher education may, as a result of a qualifying emergency, provide a student with an approved leave of absence that does not result in the student failing to complete the academic year.

(e) INSURANCE.—Notwithstanding section 484B of the Higher Education Act of 1965 (20 U.S.C. 1009(b)), an institution of higher education may, as a result of a qualifying emergency, exclude from the quantitative component of the calculation any attempted credits that were not completed by such student without requiring an appeal by such student.

SEC. 3509. SATISFACTORY ACADEMIC PROGRESS.

Notwithstanding section 484 of the Higher Education Act of 1965 (20 U.S.C. 1091), in determining whether a student is maintaining satisfactory academic progress for purposes of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), an institution of higher education may, as a result of a qualifying emergency, exclude from the quantitative component of the calculation any attempted credits that were not completed by such student without requiring an appeal by such student.

SEC. 3510. CONTINUING EDUCATION AT AFFECTED FOREIGN INSTITUTIONS.

(a) IN GENERAL.—The Secretary shall exclude from a student’s period of enrollment for purposes of loans made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) with respect to a foreign institution, in the case of a public health emergency, major disaster or emergency, or national emergency declared by the applicable government authorities in the country in which the foreign institution is located, the following provisions under section 484B of the Higher Education Act of 1965 (20 U.S.C. 1009(b)): (A) the institution to enter into a written arrangement under subsection (a) with an institution of higher education described in section 101 of such Act (20 U.S.C. 1001); (B) the Secretary shall exclude from a student’s period of enrollment for purposes of loans made under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.) any semester (or the equivalent) that the student does not complete due to a qualifying emergency, if the Secretary is able to administer such policy in a manner that limits complexity and the burden on the student.

(b) ELIGIBILITY.—An otherwise eligible program that is offered in whole or in part through distance education by a foreign institution, in the case of a public health emergency, major disaster or emergency, or national emergency declared by the applicable government authorities in the country in which the foreign institution is located, the Secretary may permit any part of an otherwise eligible program to be offered via distance education for the duration of such emergency or disaster and the following payment period.

(c) REPORT ON USE.—An institution of higher education that uses the authority provided in the previous subsection shall report such use to the Secretary.

SEC. 3511. NATIONAL EMERGENCY EDUCATIONAL WAIVERS.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may, upon the request of a State educational agency or Indian tribe, waive any statutory or regulatory provision described under paragraph (1) and (2) of subsection (b), and upon the request of a borrower of a loan made under the following provisions under subpart C of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), the Secretary shall waive any statutory or regulatory provision described under paragraph (2) of subsection (b), if the Secretary determines that such a waiver is necessary due to the emergency involving Federal primary responsibility determined to exist by the President under section 501(b) of the Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 (COVID-19).

(b) APPLICABLE PROVISIONS OF LAW.—

(i) STREAMLINED WAIVERS.—The Secretary shall create an expedited application process to request a waiver and the Secretary may waive any statutory or regulatory requirement for a State educational agency (related to assessments, accountability, and reporting requirements related to assessments and accountability), if the Secretary determines that such a waiver is necessary and appropriate as described in subsection (a), under the following provisions of law:

(A) The following provisions under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3111):

(1) Paragraphs (2) and (3) of subsection (b).

(2) Paragraph (1) of subsection (b).

(3) Subparagraphs (C) and (D) of subsection (d)(2).

(iv) The following provisions under subpart C of such Act (20 U.S.C. 1001 et seq.): (A) Clauses (i), (ii), (iii)(I), (iv), (v), (vi), (vii), and (xi) of paragraph (1)(G).
(II) Paragraph (2)(C) with respect to the waived requirements under subclause (I).
(III) Clauses (i) and (ii) of paragraph (2)(C).
(B) Section 421(b) of the General Education Provision Act of 1965 (20 U.S.C. 1221(b)).
(2) STATE AND LOCALLY-REQUESTED WAIVERS.—For a State educational agency, local educational agency, or Indian tribe that requests a waiver under subsection (c), the Secretary may waive statutory and regulatory requirements under any of the following provisions of such Act:
(A) Section 1114(1).
(B) Section 111a(6) and section 8521.
(C) Section 1127.
(D) Section 4106(d).
(E) Subparagraphs (C), (D), and (E) of section 4106(e)(2).
(F) Section 4109(b).
(G) The definition under section 8103(42) for purposes of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).
(3) APPLICABILITY TO CHARTER SCHOOLS.—Any waivers issued by the Secretary under this section shall be implemented, as applicable—
(A) for all public schools, including public charter schools within the boundaries of the recipient of the waiver;
(B) in accordance with State charter school law; and
(C) pursuant to section 1111(c)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(5)).
(4) LIMITATION.—Nothing in this section shall be construed to allow the Secretary to waive any statutory or regulatory requirements under applicable civil rights laws.
(5) ACCOUNTABILITY AND IMPROVEMENT.—Any State that requests a waiver under paragraph (1) and that is identified for comprehensive support and improvement, targeted support and improvement, or additional targeted support in the 2019-2020 school year under section 1111(c)(4)(D) or section 1111(d)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(4)(D) or (d)(2)) shall maintain that identification status in the 2020-2021 school year and continue to receive supports and interventions consistent with the state's guaranteed improvement plan in the 2020-2021 school year.
(c) STATE AND LOCAL REQUESTS FOR WAIVERS.—
(1) IN GENERAL.—A State educational agency, local educational agency, or Indian tribe that desires a waiver from any statutory or regulatory requirement described under subsection (b)(2), may submit a waiver request to the Secretary in accordance with this subsection.
(2) REQUESTS SUBMITTED.—A request for a waiver under this subsection shall—
(A) identify the Federal programs affected by the requested waiver;
(B) describe the waived Federal statutory or regulatory requirements to be waived;
(C) describe how the emergency involving Federal primary responsibility determined to exist by the President under the section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 (COVID-19) prevents or otherwise restricts the ability of the State, State educational agency, local educational agency, Indian tribe, or school to comply with such statutory or regulatory requirements; and
(D) provide an assurance that the State educational agency, local educational agency, or Indian tribe will work to mitigate any negative impacts that may occur as a result of the requested waiver.
(3) SECRETARY APPROVAL.—
(A) IN GENERAL.—Except as provided under subparagraph (B), the Secretary shall approve or disapprove a waiver request submitted under paragraph (1) not more than 30 days after the date on which such request is submitted.
(B) EXCEPTIONS.—The Secretary may disapprove a waiver request submitted under paragraph (1), only if the Secretary determines that—
(i) the waiver request does not meet the requirements of this section;
(ii) the Secretary is not permitted pursuant to subsection (b)(2); or
(iii) the description required under paragraph (2)(C) provides insufficient information to determine if waiving of such requirements is necessary or appropriate consistent with subsection (a).
(4) DURATION.—A waiver approved by the Secretary under this section may be for a period not to exceed the 2019-2020 academic year, except to carry out full implementation of any maintenance of effort waivers granted during the 2019-2020 academic year.
(d) REPORTING AND PUBLICATION.—
(1) PUBLIC NOTICE.—A State educational agency, Indian Tribe, or local educational agency that requests a waiver under subsection (b)(2) shall provide the public and all local educational agencies in the State with notice of, and the opportunity to comment on, the request by posting information regarding the waiver request and the process for commenting on the State website.
(2) NOTIFYING CONGRESS.—Not later than 7 days after granting a waiver under this section, the Secretary shall notify the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Appropriations of the Senate, the Committee on Education and Labor of the House of Representatives, and the Committee on Appropriations of the House of Representatives of such waiver.
(3) PUBLICATION.—Not later than 30 days after granting a waiver under this section, the Secretary shall publish a notice of the Secretary's decision (including which waiver was granted and the reason for granting the waiver) in the Federal Register and on the website of the Department of Education.
(4) REPORT.—Not later than 30 days after the date of enactment of this Act, the Secretary shall prepare and submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Appropriations of the Senate, the Committee on Education and Labor and the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the House of Representatives of such waiver.
SEC. 3511. TEMPORARY RELIEF FOR FEDERAL STUDENT LOAN BORROWERS.
(a) IN GENERAL.—The Secretary shall suspend all payments due on loans made under part D and part B (that are held by the Department of Education) of title III of the Higher Education Act of 1965 (20 U.S.C. 1079a et seq.; 1971 et seq.) through September 30, 2020.
(b) NO ACCRUAL OF INTEREST.—Notwithstanding any other provision of the Higher Education Act of 1965 (20 U.S.C. 1079a et seq.) or any regulation promulgated under such title, the Secretary shall not accrue interest required under the loan agreement for such loan; and
(c) CONSIDERATION OF PAYMENTS.—Notwithstanding any other provision of the Higher Education Act of 1965 (20 U.S.C. 1079a et seq.), the Secretary shall deem each month for which a loan payment was suspended under the provisions of this section to be considered as if the borrower of the described loan had made a payment for the purpose of any loan forgiveness program or loan rehabilitation program authorized under part D or B of title III of such Act (20 U.S.C. 1087a et seq.; 1971 et seq.) for which the borrower would have otherwise qualified.
SEC. 3514. PROVIDING RELATED TO THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

(a) ACCRUAL YEAR.—

(1) ACCRUAL THROUGH OTHER SERVICE HOURS.—

(A) IN GENERAL.—Notwithstanding any other provision of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.), the Corporation for National and Community Service shall extend to full operation due to COVID-19 any case where an individual serving in a position eligible for an educational award under subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12561 et seq.), (i) who is performing limited service due to COVID-19; or (ii) whose position has been suspended or placed on hold due to COVID-19.

(b) WAIVER.—In carrying out this section, the Secretary may waive the application of—

1. any other Federal benefit payment by administrative offset authorized under section 3716 of title 31, United States Code (including a benefit payment due to an individual under the Social Security Act or any other provision described in subsection (c)(3)(A)(i)) of such section; and

2. any other involuntary collection activity by the Secretary.

SEC. 3515. WORKFORCE RESPONSE ACTIVITIES.

(a) ADMINISTRATIVE COSTS.—Notwithstanding section 128(b)(4) of the Workforce Innovation and Opportunity Act of 1990 (42 U.S.C. 12561(b)(4)), of the total amount allocated to a local area (including the total amount allotted to a single State local area) under subtitle B of title I of such Act (29 U.S.C. 3151 et seq.) for program year 2019, not more than 20 percent of the total amount may be used for the administrative costs of carrying out local workforce investment activities under chapter 2 or chapter 3 of subtitle B of title I of such Act, if the portion of the total amount that exceeds 10 percent of the total amount is used to respond to a qualifying emergency.

(b) WAIVER RESPONSE ACTIVITIES.—

(1) STATEWIDE RAPID RESPONSE.—Of the funds reserved by a Governor for program year 2019 for statewide activities under section 133(a)(2) of such Act (29 U.S.C. 3173(a)(2)) that remain unobligated, such funds may be used for statewide rapid response activities as described in section 136(a)(2)(A) of such Act (29 U.S.C. 3173(a)(2)(A)) for responding to a qualifying emergency.

(2) LOCAL BOARDS.—Of the funds reserved by a Governor for program year 2019 under section 133(a)(2) of such Act (29 U.S.C. 3173(a)(2)) that remain unobligated, such funds may be released within 30 days after the date of enactment of the Workforce Innovation and Opportunity Act to the local boards most impacted by the coronavirus at the determination of the Governor for rapid response activities related to responding to a qualifying emergency.

(c) DEFINITIONS.—Except as otherwise provided, the terms in this section shall take the meanings given the terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

SEC. 3516. TECHNICAL AMENDMENTS.

(a) IN GENERAL.

(1) Section 6103(a) of the Internal Revenue Code of 1986, as amended by the FUTURE Act (Public Law 116–91), is further amended by striking “(13),” (16), and inserting “(13),” (16), and “(16)”.

(2) Section 6103(p)(3)(A) of such Code, as so amended, is further amended by striking “(12),” and inserting “(12),” (13)(A), (13)(B), (13)(C), (13)(D),”.

(3) Section 6103(p)(4) of such Code, as so amended, is further amended by striking “(13) or (16)” each place it appears and inserting “(13), or (16),”.

(4) Section 6103(p)(4) of such Code, as so amended and as amended by paragraph (3), is further amended by striking “(13) each place it appears and inserting “(13)(A), (13)(B), (13)(C), (13)(D),”.

(5) Section 6103(p)(13)(C)(ii) of such Code, as added by the FUTURE Act (Public Law 116–91), is amended by striking “section 236A(e)(4)” and inserting “section 236A(e)(4) and (e)(6)”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply as if included in the enactment of the FUTURE Act (Public Law 116–91).
(B) the wait-out period set forth in section 313(d) of the Higher Education Act of 1965 (20 U.S.C. 1059(d));
(C) the allotment requirements under paragraphs (a) and (b) of subsection 313 of the Higher Education Act of 1965 (20 U.S.C. 1059(e)), and the reference to “the academic year preceding the beginning of that fiscal year” under section 313(d) of such Act.
(D) the allotment requirements under subsections (b), (c), and (g) of section 324 of the Higher Education Act of 1965 (20 U.S.C. 1063a), the reference to the “end of the school year preceding the beginning of that fiscal year” under such section 324(a), and the reference to “the academic year preceding such fiscal year” under section 326(f)(3);
(E) subparagraphs (A), (C), (D), and (E) of section 326(f)(3) of the Higher Education Act of 1965 (20 U.S.C. 1063a(f)(3)), and references to “previous academic year” under such section 326(f)(3);
(F) subparagraphs (A), (C), (D), and (E) of section 325(f)(3) and subparagraphs (A), (C), (D), and (E) of section 724(f)(3) of the Higher Education Act of 1965 (20 U.S.C. 1136a(f)(3); 1136b(f)(3)); and
(G) the allotment restriction set forth in section 318(d)(4) and section 323(c)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059(e));
(2) waive or modify any statutory or regulatory provision to ensure that institutions that were receiving assistance under title I, title II, or title V of part A of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.; 1101 et seq.; 1136a et seq.), and references to “previous academic year” under subparagraph (B) of such section 326(c)(2) and
(H) the allotment restriction set forth in section 318(d)(4) and section 323(c)(2) of the Higher Education Act of 1965 (20 U.S.C. 1059(e));
(a) TEACH GRANTS.—For the purpose of section 420N of the Higher Education Act of 1965 (20 U.S.C. 1070gg–2), during a qualifying emergency, the Secretary shall submit to the authorizing committees (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003)) a report that identifies each institution of higher education or other grant recipient that received a modification under this section.
(b) TRAINEE LOAN FORGIVENESS.—Notwithstanding section 426J or 460 of the Higher Education Act of 1965 (20 U.S.C. 1079–10; 1087), the Secretary shall waive the requirements under such sections that years of teaching service shall be consecutive if—
(1) the temporary interruption is a result of a qualifying emergency, the borrower is temporarily interrupted due to a qualifying emergency; and
(2) after the temporary interruption due to a qualifying emergency, the borrower resumes teaching service and completes a total of 5 years of qualifying teaching service under such sections, including qualifying teaching service performed before, during, and after such qualifying emergency.
Subtitle C—Labor Provisions
SEC. 3519. SERVICE OBLIGATIONS FOR TEACHING GRANTS.
SEC. 3601. LIMITATION ON PAID LEAVE.
Section 110(b)(2)(B) of the Family and Medical Leave Act of 1993, as added by section 318(a)(1) of the Families First Coronavirus Response Act, is amended by adding at the end the following new paragraph:
(3) The State ensures that applications for unemployment compensation, and assistance with the application process, are accessible, to the extent practicable in at least the following: in person, by phone, or online.

SEC. 3604. OMB WAIVER OF PAID FAMILY AND PAID SICK LEAVE.
(a) FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section 110(a)(1) of title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.) (as added by division C of the Families First Coronavirus Response Act) is amended by adding at the end the following new paragraph:
(3) The Director of the Office of Management and Budget shall have the authority to exclude from good cause from the requirements under subsection (b) certain employers of the United States Government with respect to certain categories of Executive Branch employees.
(b) EMERGENCY PAID SICK LEAVE ACT.—The Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended by adding at the end the following new section:
SEC. 3511. AUTHORIZED USES AND OTHER MODIFICATIONS FOR GRANTS.
(a) IN GENERAL.—The Secretary is authorized to modify the required and allowable uses of funds for grants awarded under part A or B of title III, title V, or subpart 4 of part A of title VII of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.; 1101 et seq.; 1136a et seq.) and section 3102 of the Emergency Family and Medical Leave Expansion Act and
(b) QUALIFYING EMERGENCY.—For purposes of clause (i), the term ‘eligible employee’ means an employee who has been employed for at least 30 calendar days by the employer with respect to whom leave is requested under section 102(a)(1)(F).
(c) RULE REGARDING EMPLOYED.—For purposes of clause (i), the term ‘eligible employee’ includes an employee who was laid off by that employer not earlier than March 1, 2020, had worked for the employer for not less than 30 of the last 60 calendar days prior to the employee’s layoff, and was rehired by the employer.
SEC. 3605. PAID LEAVE FOR RETIRED EMPLOYEES.
Section 110(a)(1)(A) of the Family and Medical Leave Act of 1993, as added by section 318(a)(1) of the Families First Coronavirus Response Act, is amended to read as follows:
(3) The eligible employer—In lieu of the definition in sections 101(2)(A) and 101(2)(B)(ii), the term ‘eligible employee’ includes an employee who was employed for at least 30 calendar days by the employer with respect to whom leave is requested under section 102(a)(1)(F).
SEC. 3603. UNEMPLOYMENT INSURANCE.
Section 903(h)(2)(B) of the Social Security Act (42 U.S.C. 601(h)(2)(B)) is amended by striking subsection (g) and
SEC. 3606. ADVANCE REFUNDING OF CREDITS.
(a) PAYROLL CREDIT FOR REQUIRED PAID SICK LEAVE.—Section 502(b) of the Families First Coronavirus Response Act is amended by adding at the end the following:
(c) RULE REGARDING EMPLOYED.—For purposes of clause (i), the term ‘eligible employee’ includes an employee who was laid off by that employer not earlier than March 1, 2020, had worked for the employer for not less than 30 of the last 60 calendar days prior to the employee’s layoff, and was rehired by the employer.
‘‘(1) ADVANCING CREDIT.—In anticipation of the credit, including the refundable portion under clause (i), the credit may be advanced, according to forms and instructions provided by the Secretary, up to an amount calculated under subsection (a), subject to the limits under subsection (b), both calculated through the end of the most recent payroll period in the quarter.’’;

(2) in subsection (f)—

(A) in paragraph (4), by striking ‘‘, and’’ and inserting a comma;

(B) in paragraph (5), by striking the period at the end and inserting ‘‘;’’;

(C) by adding at the end the following:

‘‘(6) regulations or other guidance to permit the advancement of the credit determined under subsection (a);’’; and

(D) by inserting after subsection (h) the following new subsection:

‘‘(1) TREATMENT OF DEPOSITS.—The Secretary of the Treasury (or the Secretary’s delegate) shall waive any penalty under section 6656 of the Internal Revenue Code of 1986 for any failure to make a deposit of the tax imposed by section 3311(a) or 3221(a) of such Code if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.’’;

(b) PAYROLL CREDIT FOR REQUIRED PAID FAMILY LEAVE.—Section 7003 of division G of the Families First Coronavirus Response Act is amended—

(1) in subsection (b)(3)—

(A) by striking ‘‘If the amount’’ and inserting ‘‘(A) Credit is refundable.—If the amount’’;

(B) by adding at the end the following:

‘‘(B) ADVANCING CREDIT.—In anticipation of the credit, including the refundable portion under paragraph (A), the credit may be advanced, according to forms and instructions provided by the Secretary, up to an amount calculated under subsection (a), subject to the limits under subsection (b), both calculated through the end of the most recent payroll period in the quarter.’’;

(2) in subsection (f)—

(A) in paragraph (4), by striking ‘‘, and’’ and inserting a comma;

(B) in paragraph (5), by striking the period at the end and inserting ‘‘;’’;

(C) by adding at the end the following:

‘‘(6) regulations or other guidance to permit the advancement of the credit determined under subsection (a);’’; and

(D) by inserting after subsection (h) the following new subsection:

‘‘(1) TREATMENT OF DEPOSITS.—The Secretary of the Treasury (or the Secretary’s delegate) shall waive any penalty under section 6656 of the Internal Revenue Code of 1986 for any failure to make a deposit of the tax imposed by section 3311(a) or 3221(a) of such Code if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.’’;

SEC. 3507. EXPANSION OF DOL AUTHORITY TO DELAY IN PAYMENT OF MINIMUM REQUIRED CONTRIBUTIONS.—In the case of any minimum required contribution, as determined under section 430(a) of the Internal Revenue Code of 1986 and section 303(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(a)) which (but for this section) would otherwise be due under section 430(j) of such Code (including quarterly contributions under paragraph (3) thereof) and section 303(j) of such Act (29 U.S.C. 1083(j)) (including quarterly contributions under paragraph (3) thereof) during calendar year 2020—

(1) the due date for such contributions shall be January 1, 2021, and

(2) the amount of each such minimum required contribution shall be increased by interest accruing for the period between the original due date (without regard to this section) for the contribution and the payment date, at the rate determined for the plan for the plan year which includes such payment date.

(b) BENEFIT RESTRICTION STATUS.—For purposes of section 436 of the Internal Revenue Code of 1986 and section 206(g) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1066(g)), a plan sponsor may elect to treat the plan’s adjusted funding target attainment percentage for the last plan year ending before January 1, 2020, as the adjusted funding target attainment percentage for the plan year which includes such payment date.

SEC. 3509. APPLICATION OF COOPERATIVE AND SELF-HELP CHARITY PENSION PLAN RULES TO CERTAIN CHARITABLE EMPLOYERS WHO PROVIDE SERVICES WITH RESPECT TO MOTHERS AND CHILDREN.—

(a) EMPLOYER RETIREMENT INCOME SECURITY ACT OF 1974.—Section 212(h) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001(h)) is amended—

(1) by striking ‘‘or’’ at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C)(iv) and inserting ‘‘; or’’;

(3) by striking subparagraph (D) and inserting the following new subparagraph:

‘‘(D) that, as of January 1, 2000, was maintained by an employer—

(i) described in section 501(c)(3) of the Internal Revenue Code of 1986,

(ii) who has been in existence since at least 1938,

(iii) who conducts medical research directly or indirectly through grant making, and

(iv) whose primary exempt purpose is to provide services with respect to mothers and children.’’;

(b) INTERNAL REVENUE CODE OF 1986.—Section 414(y)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ‘‘or’’ at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C)(iv) and inserting ‘‘; or’’;

(3) by inserting after subparagraph (C) the following new subparagraph:

‘‘(D) that, as of January 1, 2000, was maintained by an employer—

(i) described in section 501(c)(3) of the Internal Revenue Code of 1986,

(ii) who has been in existence since at least 1938,

(iii) who conducts medical research directly or indirectly through grant making, and

(iv) whose primary exempt purpose is to provide services with respect to mothers and children.’’;

SEC. 3511. TECHNICAL CORRECTIONS.—

(1) Section 110(a)(3) of the Family and Medical Leave Act of 1993 (as added by the Families First Coronavirus Response Act) is amended by striking ‘‘553(d)(A)’’ and inserting ‘‘553(d)(3)’’.

(2) Section 5111 of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended by striking ‘‘553(d)(A)’’ and inserting ‘‘553(d)(3)’’.

(3) Section 110(c) of the Family and Medical Leave Act of 1993 (as added by the Emergency and Medical Leave Expansion Act) is amended by striking ‘‘subsection (a)(2)(A)(iii)’’ and inserting ‘‘subsection (a)(A)’’.

(4) Section 3104 of the Emergency Family and Medical Leave Expansion Act (division C of the Families First Coronavirus Response Act) is amended—

(A) by striking ‘‘110(a)(B)’’ and inserting ‘‘110(a)(1)(B)’’ of the Family and Medical Leave Act of 1993’’; and

(B) by striking ‘‘section 107(a) for a violation of section 102(a)(1)(F) if the employer does not meet the definition of employer set forth in section 102(a)(1)(F)’’ and inserting ‘‘section 107(a) of such Act for a violation of section 102(a)(1)(F) of such Act if the employer does not meet the definition of employer set forth in section 102(a)(1)(F) of such Act’’.

(5) Section 5110(1) of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended—

(A) in the matter preceding subparagraph (A), by striking ‘‘terms’’ and inserting ‘‘term’’; and

(B) in subparagraph (A)(i), by striking ‘‘paragraph (5)(A)’’ and inserting ‘‘paragraph (2)(A)’’.

(7) Section 110(a)(3) of the Family and Medical Leave Act of 1993 (as added by the Emergency and Medical Leave Expansion Act) is amended—

(A) by striking ‘‘and’’ after the semicolon at the end of subparagraph (A); and

(B) by striking the period at end of subparagraph (B) and inserting ‘‘;’’.

(C) by adding at the end the following:

‘‘(C) as necessary to carry out the purposes of this Act, including to ensure consistency between this Act and Division E and Division G of the Families First Coronavirus Response Act.’’.
(8) Section 5104(1) of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended by striking “and” after the semicolon and inserting “or”.

(9) Section 516 of the Emergency Paid Sick Leave Act (division E of the Families First Coronavirus Response Act) is amended by adding at the end the following:

“(c) INVESTIGATIONS AND COLLECTION OF DATA.—The Secretary of Labor or his designee may investigate and gather data to ensure compliance with this Act in the same manner as authorized by sections 9 and 11 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207a and 207f).”

Subtitle D—Finance Committee

SECTION 3701. EXEMPTION FOR TELÉHEALTH SERVICES.

(a) In General.—(1) Paragraph (2) of section 223(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(b) Medical care furnished for absence of deductible for télémédecine.—In the case of plan years beginning on or before December 31, 2021, a plan shall not fail to be treated as a high deductible plan by reason of medical care furnished for absence of deductible for télémédecine.”.

(b) Certain Coverage Discovered—Clause (iv) of section 223(c)(1)(B) of the Internal Revenue Code of 1986 is amended by striking “or long-term care” and inserting “or long-term care, or (in the case of plan years beginning on or after December 31, 2021) télémédecine and other remote care services.”.

(c) Effective Date.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SECTION 3702. INCLUSION OF CERTAIN OVER-THE-COUNTER MEDICAL PRODUCTS AS MEDICAL EXPENSES.

(a) HSAs.—Section 223(d)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking the last sentence of subparagraph (A) and inserting the following: “For purposes of this subparagraph, amounts paid for menstrual care products shall be treated as paid for medical care.”; and

(2) by adding at the end of the following new subparagraph:

“(D) Menstrual care product.—For purposes of this paragraph, the term ‘menstrual care product’ means a tampon, pad, liner, cup, sponge, or similar product used by individuals with respect to menstruation or other genital-tract secretions.”.

(b) Archer MSAs.—Section 220(d)(2)(A) of such Code is amended by striking the last sentence and inserting the following: “For purposes of this subparagraph, amounts paid for menstrual care products (as defined in section 223(d)(2)(D)) shall be treated as paid for medical care.”

(c) Health Flexible Spending Arrangements—(1) and Health Reimbursement Arrangements—Section 106 of such Code is amended by striking the last sentence and inserting the following new subsection:

“(F) Reimbursements for Menstrual Care Products.—Reimbursements of this section and section 105, expenses incurred for menstrual care products (as defined in section 223(d)(2)(D)) shall be treated as incurred for medical care.”

(d) Effective Date.—(1) Distributions from Savings Accounts.—The amendment made by this section shall apply to amounts paid after December 31, 2019.

(2) Reimbursements.—The amendment made by subsection (c) shall apply to expenses incurred after December 31, 2019.

SECTION 3703. INCREASING MEDICARE TELEHEALTH FLEXIBILITIES DURING EMERGENCY PERIOD

Section 1315 of the Social Security Act (42 U.S.C. 1320b–5) is amended—

(1) in subsection (b), by striking “an individual by a qualified provider (as defined in section (g)(3))” and all that follows through the period and inserting “the requiring of the performance of services;”

(2) in subsection (g), by striking paragraph (3).

SECTION 3704. ENHANCING MEDICARE TELEHEALTH SERVICES FOR FEDERALLY QUALIFIED HEALTH CENTERS AND RURAL HEALTH CLINICS DURING EMERGENCY PERIOD.

Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(1) in the first paragraph—

(A) by striking “The Secretary” and inserting “Subject to paragraph (8), the Secretary”;

(B) in paragraph (2), by striking “The Secretary” and inserting “Subject to paragraph (8), the Secretary”;

(C) in paragraph (3)—

(A) in subparagraph (A), by striking “the term” and inserting “Subject to paragraph (8), the term”;

(B) in subparagraph (F)(1), by striking “the term” and inserting “Subject to paragraph (8), the term”;

and

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

“(B) Enhancing telehealth services for federally qualified health centers and rural health clinics during emergency period.

(1) In general.—During the emergency period described in section 1135(g)(1)(B), the Secretary shall pay for telehealth services that are furnished via a telecommunication system by a Federally qualified health center or a rural health clinic to an eligible telehealth individual, as defined in subparagraph (A).

(2) Subject to paragraph (8), amounts paid for telehealth services that are furnished via a telecommunication system by a Federally qualified health center or rural health clinic to an eligible telehealth individual, as defined in subparagraph (A), shall be treated as incurred for medical care.

(3) Exclusion from FQHC PPS calculation.—Costs associated with such payments shall not be included in the calculation of costs associated with such payments for purposes of the Prospective Payment System for Medicare Inpatient Hospital Services.”

(2) in clause (ii), in the matter preceding subclause (I), by striking “Clause (i)” and inserting “Except as provided in clause (iii), clause (i)”;

and

(3) by adding at the end the following new clause:

“(iii) The Secretary may waive the provisions of clause (ii) during the emergency period described in section 1135(g)(1)(B), a hospice physician or nurse practitioner may conduct a face-to-face encounter required under this clause via telehealth, as determined appropriate by the Secretary; and”.}

SECTION 3706. USE OF TÉLÉSANTÉ TO CONDUCT FACE-TO-FACE ENCOUNTER PRIOR TO CERTIFICATION OF ELIGIBILITY FOR HOSPICE CARE DURING EMERGENCY PERIOD.

Section 181a(1)(B) of the Social Security Act (42 U.S.C. 1395f(a)(7)(D)(1)) is amended—

(1) by striking “a hospice” and inserting “a hospice, and, in the case of a certification made after January 1, 2010, or a physician assistant”;

and

(2) by inserting after subclause (1), as added by paragraph (1), the following new subclause:

“(I) during the emergency period described in section 1135(g)(1)(B), a hospice physician or nurse practitioner may conduct a face-to-face encounter required under this clause via telehealth, as determined appropriate by the Secretary; and”.

SECTION 3707. ENCOURAGING USE OF TELECOMMUNICATION SYSTEMS FOR HOME HEALTH SERVICES DURING EMERGENCY PERIOD.

With respect to home health services (as defined in section 1861(m) of the Social Security Act (42 U.S.C. 1395x(m)) that are furnished during the emergency period described in section 1135(g)(1)(B) of such Act (42 U.S.C. 1320b–5(g)(1)(B)), the Secretary of Health and Human Services shall consider ways to encourage the use of telecommunication systems, including for remote patient monitoring as described in section 409.96(e) of title 42, Code of Federal Regulations (or any successor rule), and other communications or monitoring services, consistent with the plan of care for the individual, including by clarifying guidance and conducting outreach.

SECTION 3708. IMPROVING CARE PLANNING FOR MÉDICINE INTERMÉDIAIRE SERVICES DURING EMERGENCY PERIOD.

(a) Part A Provisions.—Section 1814(a) of the Social Security Act (42 U.S.C. 1395f(a)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by inserting “, a nurse practitioner, a clinical nurse specialist (as such terms are defined in section 1861(aa)(5)) who is working in accordance with State law, or a physician assistant (as defined in section 1861(aa)(5)) who is working in accordance with State law, and, in the case of a certification made by a physician or nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)” after “physician”;

and

(2) in subparagraph (C), by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)” after “physician”.

(b) Part B Provisions.—(1) by inserting “, a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)” after “physician”;

and

(2) by striking “,” after “physician” and inserting “, and, in the case of a certification made by a physician or nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)”.}
may be) after a date specified by the Secretary (but in no case later than the date that is 6 months after the date of the enactment of the CARES Act), prior to making such certification, a physician, nurse practitioner, clinical nurse specialist, or physician assistant must document that a physician, nurse practitioner, clinical nurse specialist, certified nurse-midwife (as defined in section 1861(aa)(5)) as authorized by State law, or physician assistant has had a face-to-face encounter;”

(2) in the third sentence—
(A) by striking “physician certification” and inserting “certification’’;
(B) by inserting in the case of regulations to implement the amendments made by section 3708 of the CARES Act the Secretary shall prescribe regulations which shall become effective no later than 6 months after the date of the enactment of such Act) after “1981’’; and
(C) by striking “a physician who” and inserting “a physician, nurse practitioner, a clinical nurse specialist, or physician assistant who’’;

(4) in the fifth sentence, by inserting “, nurse practitioner, clinical nurse specialist, or physician assistant’’ after “physician’’; and

(5) in the sixth sentence—
(A) by inserting “or no later than 6 months after the date of the enactment of the CARES Act for purposes of certification and recertification made under paragraph (2) by a nurse practitioner, clinical nurse specialist, or physician assistant, after “physician’’ the first place it appears; and
(B) by inserting “, nurse practitioner, clinical nurse specialist, or physician assistant’’ after “physician’’.

© TEMPORARY SUSPENSION OF MEDICARE SEQUESTRATION.—During the period beginning on May 1, 2020 and ending on December 31, 2020, the Medicare programs under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) shall be exempt from reduction under any sequestration order issued before, on, or after the date of enactment of this Act.

© EXTENSION OF DIRECT SPENDING REDUCTIONS THROUGH FISCAL YEAR 2029.—Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901a(b)) is amended—

(a) in subparagraph (A), by striking “(provided under section 1153(g)(1)(B), in the case of a discharge of an individual diagnosed with COVID–19, the Secretary shall increase the weighting factor that would otherwise apply to the diagnosis-related group to which the discharge is assigned by 20 percent. The Secretary shall identify a discharge of such an individual through the use of diagnosis-related group codes, condition codes, or other such means as may be necessary.

(b) by inserting in the case of a State for which the Secretary has waived all or part of this section under the authority of section 115A, nothing in this section shall preclude such State from implementing an adjustment similar to the adjustment under subsection (I).’’.

© IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement the amendments made by subsection (a) by program instruction or otherwise.

© INCREASED ACCESS TO POST-ACUTE CARE DURING EMERGENCY PERIOD. —

(a) WAIVER OF IFR 3-HOUR RULE.—With respect to inpatient rehabilitation services furnished by a rehabilitation facility described in section 1886(e)(1) of the Social Security Act (42 U.S.C. 1395w(e)(1)) during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)), the Secretary of Health and Human Services shall waive section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)) and the Secretary of Health and Human Services shall waive section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)) and the Secretary of Health and Human Services shall promulgate regulations, if necessary, to comply with the required effective date.

© ADJUSTMENT OF SEQUESTRATION.

© TIME LIMIT FOR CERTIFICATION.

© RULE OF CONSTRUCTION.

© ADMINISTRATION FUNDING.

© APPLICATION TO MEDICAID.

© MEDI-CAL HOSPITAL INPATIENT PROSPECTIVE PAYMENT SYSTEM ADD-ON PAYMENT FOR COV-I D PATIENTS DURING EMERGENCY PERIOD.

© PROVISIONAL PAYMENT FOR INPATIENT SERVICES.

© TEMPORARY PROVISION OF MEDICARE SEQUESTRATION.

© EXPANDED MEDICAID AND SCHOLARSHIP PROGRAMS.

© TEMPORARY SPECIAL MEDICAID REVIEW.

© TEMPORARY EXPANSION OF STATE MEDICAID PROGRAMS.

© ADJUSTMENT OF SEQUESTRATION.

© MEDICAID AND SCHOLARSHIP PROGRAMS.

© TEMPORARY SPECIAL MEDICAID REVIEW.

© TEMPORARY EXPANSION OF STATE MEDICAID PROGRAMS.

© SEC. 3710. INCREASED ACCESS TO POST-ACUTE CARE DURING EMERGENCY PERIOD.

(a) WAIVER OF IFR 3-HOUR RULE.—With respect to inpatient rehabilitation services furnished by a rehabilitation facility described in section 1886(e)(1) of the Social Security Act (42 U.S.C. 1395w(e)(1)) during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)), the Secretary of Health and Human Services shall prescribe regulations to the amendments made by this section to apply to such services furnished, which shall become effective no later than 6 months after the date of the enactment of this legislation. The Secretary shall promulgate an interim final rule if necessary, to comply with the required effective date.

© SEC. 3709. ADJUSTMENT OF SEQUESTRATION.

© APPLICATION TO MEDICAID.

© MEDI-CAL HOSPITAL INPATIENT PROSPECTIVE PAYMENT SYSTEM ADD-ON PAYMENT FOR COVID-19 PATIENTS DURING EMERGENCY PERIOD.

(a) IN GENERAL.—Section 1886(d)(4)(C) of the Social Security Act (42 U.S.C. 1395ww(d)(4)(C)) is amended by adding at the end the following new clause:

(i) FOR discharges occurring during the emergency period described in section 1135(g)(1)(B), in the case of a discharge of an individual diagnosed with COVID–19, the Secretary shall increase the weighting factor that would otherwise apply to the diagnosis-related group to which the discharge is assigned by 20 percent. The Secretary shall identify a discharge of such an individual through the use of diagnosis-related group codes, condition codes, or other such means as may be necessary.

(ii) Any adjustment under clause (I) shall not be taken into account in applying budget neutrality under clause (III).

(iii) In the case of a State for which the Secretary has waived all or part of this section under the authority of section 115A, nothing in this section shall preclude such State from implementing an adjustment similar to the adjustment under subsection (I).”

© IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement the amendments made by subsection (a) by program instruction or otherwise.

© SEC. 3711. INCREASING ACCESS TO POST-ACUTE CARE DURING EMERGENCY PERIOD.

(a) WAIVER OF IFR 3-HOUR RULE.—With respect to inpatient rehabilitation services furnished by a rehabilitation facility described in section 1886(e)(1) of the Social Security Act (42 U.S.C. 1395w(e)(1)) during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)), the Secretary of Health and Human Services shall waive subsection 412.62(a)(2)(ii) of title 42, Code of Federal Regulations (or any successor regulations relating to the payment to patients of an inpatient rehabilitation facility receive at least 15 hours of therapy per week.
(b) WAIVER OF SITE-NEUTRAL PAYMENT RATE PROVISIONS FOR LONG-TERM CARE HOSPITALS.—With respect to inpatient hospital services furnished by a long-term care hospital described in section 1886(e)(1)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(1)(B)(iv)) during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b-5(g)(1)(B)), the Secretary of Health and Human Services shall waive the following provisions of section 1886(m)(6) of such Act (42 U.S.C. 1395ww(m)(6)):

1. LTMH 50-PERCENT RULE.—Subparagraph (A)(ii) of section, relating to the payment for long-term care hospitals that do not have a discharge payment percentage for the period that is at least 50 percent.

2. SITE-NEUTRAL IPPS PAYMENT RATE.—Subparagraph (A)(i) of such section, relating to the application of the site-neutral payment rate (and payment shall be made to a long-term care hospital without regard to such section) for a discharge if the admission occurs during such emergency period and is in response to the public health emergency described in section 1135(g)(1)(B).

SEC. 3712. REVISIONING PAYMENT RATES FOR DURABLE MEDICAL EQUIPMENT UNDER TITLE XI THROUGH DURATION OF EMERGENCY PERIOD.

(a) RURAL AND NONCONTIGUOUS AREAS.—The Secretary of Health and Human Services shall implement section 414.210(g)(9)(iii) of title 42, Code of Federal Regulations (or any successor regulation), to apply the transition rule described in such section to all applicable items and services furnished in rural areas and noncontiguous areas (as such terms are defined for purposes of such section) as planned through December 31, 2020, and through the duration of the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b-5(g)(1)(B)), if longer.

(b) AREAS OTHER THAN RURAL AND NONCONTIGUOUS AREAS.—With respect to items and services furnished on or after the date that is 30 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall implement section 414.210(g)(4)(vi) of title 42, Code of Federal Regulations (or any successor regulation), as if the reference to “dates of service from June 1, 2020 through December 31, 2020” based on the fee schedule amount for the area is equal to 100 percent of the adjusted payment amount established under this section” were instead “dates of service from March 6, 2020, through the remainder of the duration of the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b-5(g)(1)(B)), if longer.

SEC. 3713. COVERAGE OF THE COVID-19 VACCINE UNDER PART B OF THE MEDICARE PROGRAM WITHOUT ANY COST-SHARING.

(a) MEDICAL AND OTHER HEALTH SERVICES.—Section 1861(s)(10)(A) of the Social Security Act (42 U.S.C. 1395x(s)(10)(A)) is amended by inserting “, and COVID-19 vaccine and its administration”, after “influenza vaccine and its administration”.

(b) PART B DEDUCTIBLE.—The first sentence of section 1833(b) of the Social Security Act (42 U.S.C. 1395m(b)) is amended—

(1) in paragraph (10), by striking “and” at the end; and

(2) in paragraph (11), by striking the period at the end and inserting “, and”, and “(1)” such deduction applies with respect to a COVID-19 vaccine and its administration described in section 1861(s)(10)(A).”.

(c) MEDICARE ADVANTAGE.—Section 1852(a)(1)(B) of the Social Security Act (42 U.S.C. 1395w-22(a)(1)(B)) is amended—

(1) in clause (iv)—

(A) by inserting subclause (VI) as subclause (VII); and

(B) by inserting after subclause (V) the following new subclause: “(VI) A vaccine and its administration described in section 1861(s)(10)(A).”;

and

(2) in clause (v), by striking “subclauses (IV) and (V)” inserting “subclauses (IV), (V), and (VI).”;

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is the later of—

(1) the date such vaccine is licensed under section 351 of the Public Health Service Act (42 U.S.C. 262); or

(2) (A) if the individual is a resident of a State which does not furnish medical assistance to individuals described in such subclause); before the semicolon; and

(3) the date that is the later of—

(1) the date such vaccine is approved; and

(2) the date such vaccine is licensed under section 351 of the Public Health Service Act (42 U.S.C. 262).

(e) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary may implement the provisions of, and the amendments made by, this section through such regulations by program instruction or otherwise.

SEC. 3714. REQUIRING MEDICARE PRESCRIPTION DRUG PLAN AND MA-PD PLANS TO ALLOW DURING THE COVID-19 EMERGENCY PERIOD FOR FILLS AND REFILLS OF COVERED PART D DRUGS FOR UP TO A 3-MONTH SUPPLY.

(a) IN GENERAL.—Section 1860D-4(b) of the Social Security Act (42 U.S.C. 1395ww-410(b)) is amended by adding at the end the following new paragraph:

“(4) ENSURING ACCESS DURING COVID-19 PUBLIC HEALTH EMERGENCY PERIOD.—

“(A) IN GENERAL.—During the emergency period described in section 1135(g)(1)(B), subject to subparagraph (B), a prescription drug plan or MA–PD plan—

(1) may make any cost and utilization management, medication therapy management, or other such programs under this part, permit a part D eligible individual enrolled in such plan to obtain in a single fill or refill, at the option of such individual, the total daily supply (not to exceed a 90–day supply) prescribed for such individual for a covered part D drug;

(2) in clause (iv), by striking the period at the end and inserting “, consistent with an applicable safety edit.”;

(b) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendment made by this section by program instruction or otherwise.

SEC. 3715. ENHANCED HOME AND COMMUNITY-BASED SERVICES IN ACUTE CARE HOSPITALS.

Section 1902(h) of the Social Security Act (42 U.S.C. 1396a(h)) is amended—

(1) by inserting “(1) after “(h)”;

(2) by inserting “, home and community-based services provided under subsection (c), (d), (e), or (f) of section 1915, under a waiver or demonstration project under section 1115, self-directed personal assistance services provided pursuant to a written plan of care under section 1915(i), and home and community-based attendant services and supports under section 1915(k)” before the period; and

(3) by adding at the end the following:

“(2) Nothing in this title, title XVIII, or title XXI shall be construed as prohibiting receipt of any care or services specified in paragraph (1) in an acute care hospital that are—

(A) identified in an individual’s person-centered service plan (or comparable plan of care);

(B) provided to meet needs of the individual that are not met through the provision of hospital services;

(C) not a substitute for services that the hospital is obligated to provide through its conditions of participation or under Federal or State law, or under another applicable requirement; and

(D) designed to ensure smooth transitions between acute care settings and home and community-based settings, and to preserve the individual’s functional abilities.”

SEC. 3716. CLARIFICATION REGARDING UNINSURED INDIVIDUALS.

Subsection (ss) of section 1902 of the Social Security Act (42 U.S.C. 1396a), as added by section 9004(a)(1)(C) of the Families First Coronavirus Response Act, is amended—

(1) in paragraph (1), by inserting “(excluding such assistance for an individual that is a resident of a State which does not furnish medical assistance to individuals described in such subclause)” before the semicolon; and

(2) in paragraph (2), by inserting “, except that individuals who are eligible for medical assistance under subsection (a)(10)(A)(i)(XII), subsection (a)(10)(A)(i)(XIII), or subsection (a)(10)(A)(i)(XXII), or section (a)(10)(C) (but only to the extent such an individual is considered not to have minimum essential coverage under section 5000A(f)(1) of the Internal Revenue Code of 1986), or who are described in subsection (1)(i)(A) and are eligible for medical assistance under subsection (a)(10)(A)(i)(IV) or (a)(10)(A)(i)(IX) and whose eligibility for such assistance is limited by the State under clause (VII) in the matter following subsection (a)(10)(G), shall not be treated as enrolled in a Federal health care program for purposes of this paragraph” before the period at the end.

SEC. 3717. CLARIFICATION REGARDING COVERAGE OF COVID-19 TESTING PRODUCTS.

(a) REVISED REPORTING PERIOD FOR REPORTING OF PRIVATE SECTOR PAYMENT RATES FOR ESTABLISHMENT OF MEDICARE PAYMENT RATES.—Section 1834A(a)(1)(B) of the Social Security Act (42 U.S.C. 1395l(a)(1)(B)) is amended—

(1) in clause (i), by striking “December 31, 2020” and inserting “December 31, 2021”; and

(2) in clause (l)—

(A) by striking “January 1, 2021” and inserting “January 1, 2022”;

and

(B) by striking “March 31, 2021” and inserting “March 31, 2022.”

(b) REVISED PHASE-IN OF REDUCTIONS FROM PRIVATE PAYOR RATE IMPLEMENTATION.—Section 1834A(a)(3)(B) of the Social Security Act (42 U.S.C. 1395l(a)(3)(B)) is amended—

(1) in subparagraph (A), by striking “through 2023” and inserting “through 2024”;

and

(2) in subparagraph (B)—

(A) in clause (i), by striking “and” at the end;

(B) by redesignating clause (ii) as clause (i); and

(C) by inserting after clause (i) the following new clause:

“(ii) for 2021, 0 percent; and

(D) clause (i) as redesignated by subparagraph (B), by striking “2021 through 2024” and inserting “2022 through 2024”. March 25, 2020
SEC. 3719. EXPANSION OF THE MEDICARE HOSPITAL ACCREDITED PAYMENT PROGRAM DURING THE COVID-19 PUBLIC HEALTH EMERGENCY.

Section 1815 of the Social Security Act (42 U.S.C. 1395g) is amended—

(1) in subsection (e)(8), by striking “in the case” and inserting “Subject to subsection (f), in the case”;

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

“(f) During the emergency period described in section 1135(g)(1)(B), the Secretary shall expand the program under subsection (e)(3) pursuant to paragraph (2):

“(2) In expanding the program under subsection (e)(3) pursuant to paragraph (2), the Secretary may—

“(A) in addition to the hospitals described in subsection (e)(3), the following hospitals shall be eligible to participate in the program:

“(i) Hospitals described in clause (iii) of section 1886(d)(1)(B).

“(ii) Hospitals described in clause (v) of such section.

“(iii) Critical access hospitals (as defined in section 1613(mm)(1)).

“(ii) Subject to appropriate safeguards against fraud, waste, and abuse, upon a request of a hospital described in clause (i), the Secretary shall provide accelerated payments under the program to such hospital.

“(B) The submission of the request of the hospital, the Secretary may do any of the following:

“(1) Make accelerated payments on a periodic or lump sum basis.

“(2) Increase the amount of payment that would otherwise be made to hospitals under the program up to 100 percent (or, in the case of critical access hospitals, up to 125 percent).

“(3) Extend the period that accelerated payments cover so that it covers up to a 6-month period.

“(C) Upon the request of the hospital, the Secretary shall do the following:

“(1) Provide up to 120 days before claims are offset to recoup the accelerated payment.

“(2) Allow not less than 12 months from the date of the first accelerated payment before requiring that the outstanding balance be paid in full.

“(3) Nothing in this subsection shall preclude the Secretary from carrying out the provisions described in clauses (i), (ii), and (iii) of paragraph (2)(B) and clauses (i) and (ii) of paragraph (2)(C) under the program under subsection (e)(3) after the period for which this subsection applies.

“(4) Notwithstanding any other provision of law, the Secretary may implement the provisions of this subsection by program instruction or otherwise.”.

SEC. 3720. DELAYING REQUIREMENTS FOR ENHANCED FUNDING TO ENABLE STATE LEGISLATION TO BE EFFECTIVE IN TIME.

Section 6008 of the Families First Coronavirus Response Act is amended by adding at the end the following new subsection:

“(d) DELAY IN APPLICATION OF PREMIUM REQUIREMENT.—During the 30 day period beginning on the date of enactment of this Act, a State shall not be ineligible for the increase to the Federal medical assistance percentage of the State described in subsection (a) on the basis that the State imposes a premium that violates the requirement of subsection (b)(2) if such premium was in effect on the date of enactment of this Act.”.

Subtitle E—Health and Human Services Extenders

PART I—MEDICARE PROVISIONS

Section 3801. EXTENSION OF THE WORK GEOGRAPHIC INDEX FLOOR UNDER THE MEDICARE PROGRAM.


Section 3802. EXTENSION OF FUNDING FOR QUALITY MEASURE ENDORSEMENT, INPUT, AND INVESTIGATION.

(a) IN GENERAL.—Section 1890(d)(2) of the Social Security Act (42 U.S.C. 1395aa(d)(2)) is amended—

“(1) in the first sentence, by striking ‘and’ and $4,830,000 for the period beginning on October 1, 2019, and ending on May 22, 2020’ and inserting ‘$20,000,000 for fiscal year 2020, and for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020’; and

“(2) in the second sentence, by striking ‘and’ and $4,830,000 for the period beginning on October 1, 2019, and ending on May 22, 2020’ and inserting ‘$20,000,000 for fiscal year 2020, and for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020’.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94).

PART II—MEDICAID PROVISIONS

Section 3811. EXTENSION OF THE MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

“(1) by in paragraph (1), by striking subparagraph (G) and inserting the following:

“(G) subject to paragraph (3), $357,500,000 for the period beginning on January 1, 2020, and ending on September 30, 2020; and

“(H) subject to paragraph (3), for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020.”;

and

“(2) in paragraph (3), by striking “and (G)” and inserting “, (G) and (H)”.

Section 3812. EXTENSION OF SPousAL IMPAIRMENT PROTECTIONS.

(a) IN GENERAL.—Section 2404 of Public Law 111–148 (42 U.S.C. 1396s–5 note) is amended by striking “May 22, 2020” and inserting “November 30, 2020”.

(b) RULE OF CONSTRUCTION.—Nothing in section 2404 of Public Law 111–148 included in the enactment of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) includes a provision regarding the income or resources of an individual’s spouse; or

(c) by adding at the end the following new clause:

“(x) for fiscal year 2020, of $7,500,000; and

“(xi) for the period beginning on October 1, 2020, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020.”.

(2) ADDITIONAL FUNDING FOR AREA AGENCIES ON AGING.

(a) IN GENERAL.—Section 213 of Public Law 108–199 (42 U.S.C. 3006h) is amended by striking “February 1, 2020” and inserting “June 30, 2020.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94).
such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396n–5). 

SEC. 3813. DELAY OF DSH REDUCTIONS. 

(a) IN GENERAL.—Section 10503(a) of the Social Security Act (42 U.S.C. 1396–4(l)(7)(A)) is amended—

(1) in clause (i), in the matter preceding subclause (I), by striking “May 23, 2020, and ending May 22, 2020,” and for fiscal years 2021 and

(2) in subsection (c), in the matter preceding paragraph (8), during first 8 fiscal quarter periods; and

(b) (A) in subsection (I), by striking “November 30, 2020, and for the period beginning on October 1, 2019, and ending May 22, 2020,” and inserting “through 2020, and for the period beginning on October 1, 2019, and ending November 30, 2020”;

and

(2) in subsection (f)(1), by striking “and 2019 and $48,287,671 for the period beginning October 1, 2019, and ending May 22, 2020” and inserting “through 2020, and for the period beginning on October 1, 2019, and ending on November 30, 2020, the amount equal to the pro rata portion of the amount appropriated for such period for fiscal year 2020”.
Affordable Care Act (42 U.S.C. 354h-2(b)(2)) is amended—

(1) in subparagraph (F), by striking “and” at the end; and

(2) by striking paragraph (G) and inserting the following:

“(G) $310,000,000 for fiscal year 2020; and

“(H) $51,808,219 for the period beginning on October 1, 2020, and ending on November 30, 2020.”

(c) Teaching Health Centers That Operate Graduate Medical Education Programs—Subsection 3862(e)(1) of the Public Health Service Act (42 U.S.C. 256(g)(1)) is amended by striking “and” and “2019,” and inserting “and 2020,” and by striking “through fiscal year 2020, and $25,068,493 for the period beginning on October 1, 2019, and ending on May 22, 2020” and inserting “through fiscal year 2020, and $21,141,096 for the period beginning on October 1, 2019, and ending on November 30, 2020”.

(d) Application of Provisions.—Amounts appropriated pursuant to the amendments made by this section for fiscal year 2020 and for the period beginning on October 1, 2020, and ending on November 30, 2020, shall be subject to the requirements contained in Public Law 116–94 for funds for programs authorized under sections 330 through 340 of division N of the Continuing Appropriations Act, 2020 and Health Extenders Act of 2019 (Public Law 116–94).

SEC. 3811. DIABETES PROGRAMS.

(a) Type I.—Section 330(b)(2)(D) of the Public Health Service Act (42 U.S.C. 254c–2(b)(2)(D)) is amended by striking “and” and “2019,” and inserting “and 2020,” and striking “through fiscal year 2020, and $25,068,493 for the period beginning on October 1, 2019, and ending on May 22, 2020” and inserting “through 2020, and $26,698,493 for the period beginning on October 1, 2020, and ending on November 30, 2020”.

(b) Indians.—Section 330(c)(2)(D) of the Public Health Service Act (42 U.S.C. 254c–3(c)(2)(D)) is amended by striking “and” and “2019,” and “2019,” and inserting “and 2020,” and striking “through fiscal year 2020, and $25,068,493 for the period beginning on October 1, 2019, and ending on May 22, 2020” and inserting “through 2020, and $26,698,493 for the period beginning on October 1, 2020, and ending on November 30, 2020”.

PART V—MISCELLANEOUS PROVISIONS

SEC. 3841. PREVENTION OF DUPLICATE APPROVALS FOR FISCAL YEAR 2020.

Expenditures for any provision of law amended in this title pursuant to the amendments made by the Continuing Appropriations Act, 2020, and the Further Continuing Appropriations Act, 2020, and Funding Health Extenders Act of 2019 (Public Law 116–99), the Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Public Law 116–69), and the Further Consolidated Appropriations Act, 2020, and Public Health Service Act (42 U.S.C. 110) for fiscal year 2020 shall be charged to the applicable appropriation or authorization provided by the amendments made by this title to such provision of law for such fiscal year.

Subtitle F—Over-the-Counter Drugs

TITLE I—OTC DRUG REVIEW

SECTION 3851. REGULATION OF Certain NON-Prescription Drugs That Are MARKETED Without An Approved Drug Application.

(a) In General.—Chapter V of the Federal Food, Drug, and Cosmetic Act is amended by inserting after section 505 of such Act (21 U.S.C. 355) the following:

“SECTION 505G. REGULATION OF CERTAIN NON-PRESCRIPTION DRUGS THAT ARE MARKETED WITHOUT AN APPROVED APPLICATION.—Non-prescription drugs marketed without an approved drug application under section 505, as of the date of the enactment of this section, shall be treated in accordance with this subsection.

“(1) Drugs subject to a final monograph; category I drugs subject to a tentative final monograph.—A drug is deemed to be a new drug under section 501(p)(1), not subject to section 505, and not subject to the requirements of this section, if—

“(A) the drug is—

“(i) in conformity with the requirements for nonprescription use of a final monograph that is subject to section 501(p)(1) of the Code of Federal Regulations (except as provided in paragraph (2)), the general requirements for nonprescription drugs, and conditions or requirements under subsections (b), (c), and (k); and

“(ii) except as permitted by an order issued under subsection (b) or, in the case of a minor change in the drug, in conformity with an order issued under subsection (c), in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2); or

“(B) the drug is—

“(i) classified in category I for safety and effectiveness under a proposed rulemaking; or

“(ii) except as described in category II for safety and effectiveness under a tentative final monograph or that is subject to a determination to be not generally recognized as safe and effective under a proposed rule that is the most recently applicable proposal or determination issued under part 381 of title 21, Code of Federal Regulations, in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

“(2) Treatment of sunscreen drugs.—With respect to sunscreen drugs subject to this section, the applicable requirements in terms of content, presentation, and labeling, as determined by a final monograph, for purposes of paragraph (1)(A)(i), shall be the requirements specified in part 352 of title 21, Code of Federal Regulations, as published in volume 72 of the Federal Register, on May 19, 2007 (page 27687). (ii) in conformity with the applicable requirements governing effectiveness and labeling shall be those specified in section 352 of title 21, Code of Federal Regulations.

“(3) Category III drugs subject to a tentative final monograph; category I drugs subject to a final monograph, or advance notice of proposed rulemaking.—A drug that is not described in paragraph (1), (2), or (4) is not required to be the subject of an application for approval under section 505, is not subject to section 503(b)(1), if—

“(A) the drug is—

“(i) classified in category III for safety or effectiveness in the preamble of a proposed rule establishing tentative final monograph and in any final rule establishing requirements that are applicable to the drug; and

“(ii) the general requirements for nonprescription drugs and conditions or requirements under subsection (b) or (k); and

“(iii) in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2); or

“(B) the drug is—

“(i) classified in category I for safety and effectiveness under a proposed monograph or advance notice of proposed rulemaking that is the most recently applicable proposal or determination for such drug issued under part 381 of title 21, Code of Federal Regulations;

“(ii) in conformity with the requirements for nonprescription use of such proposed monograph or advance notice of proposed rulemaking, any applicable subsequent determination by the Secretary, the general requirements for nonprescription drugs, and conditions or requirements under subsection (b) or (k); and

“(iii) in a dosage form that, immediately prior to the date of the enactment of this section, has been used to a material extent and for a material time under section 201(p)(2).

“(4) Category II drugs deemed new drugs.—A drug that is determined not to be generally recognized as safe and effective under section 201(p)(1) under a final determination issued under part 381 of title 21, Code of Federal Regulations, shall be deemed to be a new drug under section 201(p), misbranded under section 502(ee), and subject to the requirement for an approved new drug application under section 505 beginning on the day that is 360 calendar days after the date of the enactment of this section, unless, before such day, the Secretary determines that it is in the interest of public health to extend the period during which the drug may be marketed without such an approved new drug application.

“(5) Drugs not considered new drugs.—A drug that the Secretary determines not to be generally recognized as safe and effective under section 201(p)(1) under a final determination issued under part 381 of title 21, Code of Federal Regulations, shall be deemed to be a new drug under section 201(p), misbranded under section 502(ee), and subject to the requirement for an approved new drug application under section 505.

“(6) Other drugs deemed new drugs.—Except as provided in subsection (m), a drug is deemed to be a new drug under section 201(p) and misbranded under section 502(ee) if the drug—

“(A) is not subject to section 505(b)(1); and

“(B) is not described in paragraph (1), (2), (3), or (4), or subsection (b)(1)(B).

“(B) ADMINISTRATIVE ORDERS.—

“(A) DETERMINATION.—The Secretary may, on the initiative of the Secretary or at the request of one or more requestors, issue an administrative order determining whether there are conditions under which a specific drug, a class of drugs, or a combination of drugs, is determined to be—

“(i) not subject to section 505(b)(1); and

“(ii) generally recognized as safe and effective under section 201(p)(1).

“(B) EFFECT.—A drug or combination of drugs shall be deemed to not require an approval under section 505 if such drug or combination of drugs—
(1) is determined by the Secretary to meet the conditions specified in clauses (i) and (ii) of subparagraph (A); and

(ii) is marketed in conformity with an administrative order under paragraph (1) of the previous subsection that is not less than fourteen days old.

(iii) meets the general requirements for nonprescription drugs; and

(iv) meets the requirements under section 201(p)(1); and

(C) STANDARD.—The Secretary shall find that a drug is generally recognized as safe and effective under section 201(p)(1) if—

(i) the drug is generally recognized as safe and effective under section 201(p)(1); or

(ii) the Secretary is, after completion of the proceedings specified in clauses (i) through (iii), satisfied that the drug is generally recognized as safe and effective under section 201(p)(1); and

(iii) the Secretary determines that the drug is generally recognized as safe and effective under section 201(p)(1); and

(2) ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

(A) IN GENERAL.—In issuing an administrative order under paragraph (1) upon the Secretary’s initiative, the Secretary shall—

(i) make reasonable efforts to notify informally, not later than 2 business days before the issuance of the proposed order, the sponsors of drugs who have a listing in effect under section 510(j) for the drugs or combination of drugs that will be subject to the administrative order; and

(ii) after any such reasonable efforts of notification, issue a proposed order.

(B) PROVISIONS OF NOTICE.—

(i) the proposed administrative order by publishing it on the website of the Food and Drug Administration and include in such order the reasons for the issuance of such order; and

(ii) publish a notice of availability of such proposed order in the Federal Register.

(C) REASONS FOR ISSUANCE OF ADMINISTRATIVE ORDER.—

(i) The term ‘human data studies’ means studies conducted in humans involving drug use that are based on relevant and reliable scientific principles and methodologies.

(ii) The term ‘non-human data studies’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies.

(iii) The term ‘human drug’ means a drug for which there is a listing in effect under section 510(j) for the drugs or combination of drugs.

(iv) the Secretary may consider only information and data that are based on relevant and reliable scientific principles and methodologies.

(3) DETERMINATIONS.—

(A) IN GENERAL.—In the case of a determination by the Secretary that a drug, class of drugs, or combination of drugs is reasonably expected to mitigate a significant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary may—

(i) provide for a public comment period of not less than 30 calendar days after receiving notice of the final decision of the formal dispute resolution procedure.

(ii) notify the persons whose hearing requests were granted of a single hearing to be conducted in which all parties to a hearing requested under subparagraph (A) shall have the right to present evidence, including testimony of expert witnesses, and to cross-examine witnesses presented by other parties. Where appropriate, the presiding officer may require that cross-examination by parties representing substantially the same interests be consolidated to promote efficiency and avoid duplication.

(iii) provide for an appeal of the decision of the presiding officer to an appellate court specified in such section.

(iv) if no hearing is requested, the date on which the time for requesting a hearing expires.

(4) EXPEDITED PROCEDURE WITH RESPECT TO ADMINISTRATIVE ORDERS INITIATED BY THE SECRETARY.—

(A) IMMEDIATE HAZARD TO THE PUBLIC HEALTH.—

(i) IN GENERAL.—In the case of a determination by the Secretary that a drug, class of drugs, or combination of drugs is reasonably expected to mitigate a significant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary may—

(ii) notify the persons whose hearing requests were granted of a single hearing to be conducted in which all parties to a hearing requested under subparagraph (A) shall have the right to present evidence, including testimony of expert witnesses, and to cross-examine witnesses presented by other parties. Where appropriate, the presiding officer may require that cross-examination by parties representing substantially the same interests be consolidated to promote efficiency and avoid duplication.

(B) JUDICIAL REVIEW OF FINAL ADMINISTRATIVE ORDER.—

(i) IN GENERAL.—In the case of an appeal of the decision of the presiding officer to an appellate court specified in such section, the appellate court shall review the decision containing findings of fact and conclusions of law.

(ii) Time Limit for Judicial Review.—The time for judicial review of an order described in such section shall not exceed 60 calendar days after the entry of the final decision by the appellate court.

(5) JUDICIAL REVIEW OF FINAL ADMINISTRATIVE ORDER.—

(A) IN GENERAL.—In the case of a determination by the Secretary that a drug, class of drugs, or combination of drugs is reasonably expected to mitigate a significant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary may—

(B) NONDELIVERABILITY.—The Secretary may not delegate the authority to issue an immediate final administrative order under this subparagraph.

(C) SUMMARY LABELING CHANGES.—

(i) IN GENERAL.—In the case of a determination by the Secretary that a change in the labeling of a drug, class of drugs, or combination of drugs is reasonably expected to mitigate a significant or unreasonable risk of a serious adverse event associated with use of the drug, the Secretary may—

(ii) make reasonable efforts to notify informally, not later than 48 hours before the
issuance of the interim final order, the sponsors of drugs who have a listing in effect under section 508(d) for such drug or combination of drugs:

"(II) provides for new warnings and other information required for safe use of the drug.

"(C) EFFECTIVE DATE.—An order under subparagraph (A) or (B) shall take effect on a date specified by the Secretary.

"(D) FINAL ORDER.—After the completion of the proceedings in subparagraph (A) or (B), the Secretary shall—

"(i) issue a final order in accordance with paragraph (1);

"(ii) make a notice of availability of such final administrative order in the Federal Register; and

"(iii) afford sponsors of such drugs that will be subject to such an order the opportunity for formal dispute resolution up to the level of the Director of the Center for Drug Evaluation and Research, which must initiate any such proceeding within 45 calendar days of the issuance of the order, and for subsequent levels of appeal, within 30 calendar days of the prior decision.

"(E) HEARINGS.—A sponsor of a drug subject to a final order issued under subparagraph (D) and that participated in each stage of formal dispute resolution under paragraph (iii) of such subparagraph may request a hearing on such order. The provisions of subparagraphs (A), (B), and (C) of paragraph (3), other than paragraph (3)(C)(v)(II), shall apply with respect to a hearing on such order in the same manner and to the same extent as such provisions apply with respect to a hearing on an administrative order issued under paragraph (2)(A)(iv).

"(F) TIMING.—

"(1) FINAL ORDER AND HEARING.—The Secretary shall specify in an interim final order in accordance with paragraph (1) and timetables for the issuance of a final order in accordance with paragraph (1); and

"(2) not later than 12 months after the date on which such final order is issued, complete any hearing under subparagraph (E).

"(II) DISPUTE RESOLUTION REQUEST.—The Secretary shall specify in an interim final order issued under subparagraph (A) or (B) such shorter periods for requesting dispute resolution under subparagraph (D)(iii) as are necessary to meet the requirements of this subparagraph.

"(G) JUDICIAL REVIEW.—A final order issued pursuant to subparagraph (F) shall be subject to judicial review in accordance with paragraph (3)(D).

"(5) ADMINISTRATIVE ORDER INITIATED AT THE REQUEST OF A REQUESTOR.—

"(A) IN GENERAL.—In issuing an administrative order under paragraph (1) at the request of a requestor with respect to certain drugs, classes of drugs, or combinations of drugs:

"(i) the Secretary shall, after receiving a request under this subparagraph, determine whether the request is sufficiently complete and formatted to permit a substantive review, the Secretary shall—

"(I) file the request; and

"(II) initiate proceedings with respect to issuing an administrative order in accordance with paragraphs (2) and (3); and

"(iii) except as provided in paragraph (6), if the Secretary determines that a request does not meet the requirements for filing or is not sufficiently complete and formatted to permit a substantive review, the requestor may demand that the request be filed over protest. An order under this subparagraph shall permit the Secretary to initiate proceedings to review the request in accordance with paragraph (2)(A).

"(B) REQUEST FOR INTERIM FINAL PROCEEDINGS.—

"(1) IN GENERAL.—A requestor seeking an administrative order under paragraph (1) with respect to certain drugs, classes of drugs, or combinations of drugs, shall submit to the Secretary a request to initiate proceedings for such order in the form and manner as specified by the Secretary. Such requestor may submit a request under this subparagraph for the issuance of an administrative order—

"(I) determining whether a drug is generally recognized as safe and effective under section 201(p)(1), exempt from section 508(b)(1), and not required to be the subject of an approved application under section 566; or

"(ii) determining whether a change to a condition of use of a drug is generally recognized as safe and effective under section 201(p)(1) or under section 508(b)(1), and not required to be the subject of an approved application under section 566, if, absent such a changed condition of use, such drug is—

"(aa) generally recognized as safe and effective under section 201(p)(1); or

"(bb) subject to subsection (a)(3), but only if such requestor requests such a request in conjunction with a request for the Secretary to determine whether such drug is generally recognized as safe and effective under section 201(p)(1), which is filed by the Secretary under subparagraph (A)(ii).

"(2) EXCEPTION.—The Secretary is not required to complete review of a request for a change described in clause (i)(II) if the Secretary determines that there is an inadequate basis to effect such change described in clause (i)(II) only if the Secretary has not relied on information that was presented to the Secretary in connection with a request for a change described in clause (i)(II).

"(G) LIMITATIONS ON EXCLUSIVITY.—

"(1) IN GENERAL.—A final administrative order issued in response to a request under this section shall have the effect of authorizing, after the date of such order, importation or sale of a drug subject to such order for purposes of satisfying the effectiveness of the order or any other changes the Secretary is required to complete under any other provision of this section, if such request is withdrawn, the Secretary may cease proceedings under this subparagraph.

"(2) EXCEPTION.—The Secretary shall specify in an interim final order in accordance with paragraph (1) and timetables for the issuance of a final order in accordance with paragraph (1); and

"(III) subject to the limitations under clause (iv).

"(I) CHANGES DESCRIBED.—A change described in this clause is a change subject to an order specified in clause (i), which—

"(I) provides for a drug to contain an active ingredient (including any ester or salt of the active ingredient) not previously incorporated in a drug described in clause (iii); or

"(II) provides for a change in the conditions of use of a drug, for which new human data studies conducted or sponsored by the requestor (or for which the requestor has an interest of reference) were essential to the issuance of such order.

"(III) DRUGS DESCRIBED.—The drugs described in this clause are drugs—

"(aa) defined in section 201(p)(1), other than drugs subject to an active enforcement action under chapter III of this Act.

"(iv) LIMITATIONS ON EXCLUSIVITY.—

"(I) IN GENERAL.—Only one 18-month period under this subparagraph shall be granted, under each order described in clause (i), with respect to changes (to the drug subject to such order) which are either—

"(aa) changes described in clause (i)(II), relating to active ingredients; or

"(bb) changes described in clause (i)(III), relating to conditions of use.

"(II) NO EXCLUSIVITY ALLOWED.—No exclusivity shall apply to changes to a drug which are—

"(aa) the subject of a Tier 2 OTC monograph order request (as defined in section 584(7));

"(bb) safety-related changes, as defined by the Secretary, or any other changes the Secretary considers necessary to assure safe use;

"(cc) changes related to methods of testing safety or efficacy.

"(V) NEW HUMAN DATA STUDIES DEFINED.—In this subparagraph, the term ‘new human data studies’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies, the results of which—

"(I) have not been relied on by the Secretary to support—

"(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (i) is generally recognized as safe and effective under section 201(p)(1); or

"(bb) approval of a drug that was approved under section 505; and

"(II) do not duplicate the results of another study that was relied on by the Secretary to support—

"(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (i) is generally recognized as safe and effective under section 201(p)(1); or

"(bb) approval of a drug that was approved under section 505.

"(VI) NOTIFICATION OF DRUG NOT AVAILABLE FOR SALE.—A requestor that is granted exclusivity with respect to a request under this subparagraph shall notify the Secretary in writing within 1 year of the issuance of the final administrative order if the drug that is the subject of such request is not available for sale within 1 year of the date of issuance of such order. The requestor shall include with such notice the name and identity of the drug by established name and by proprietary name, if any; and

"(I) strength of the drug;

"(II) date on which the drug will be available for sale, if available for sale; and

"(III) reason for not marketing the drug after issuance of the order.

"(VII) INFORMATION REGARDING SAFE NON-PRESCRIPTION MARKETING USE AS CONDITION FOR FILING A GENERALLY RECOGNIZED AS SAFE AND EFFECTIVE REQUEST.—

"(A) IN GENERAL.—In response to a request under this subparagraph, the term ‘new human data studies’ means clinical trials of safety or effectiveness (including actual use studies), pharmacokinetics studies, or bioavailability studies, the results of which—

"(I) have not been relied on by the Secretary to support—

"(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (i) is generally recognized as safe and effective under section 201(p)(1); or

"(bb) approval of a drug that was approved under section 505; and

"(II) do not duplicate the results of another study that was relied on by the Secretary to support—

"(aa) a proposed or final determination that a drug described in subclause (I), (II), or (III) of clause (i) is generally recognized as safe and effective under section 201(p)(1); or

"(bb) approval of a drug that was approved under section 505.
“(i) may file such request, if the request includes information specified under subparagraph (C) with respect to safe nonprescription marketing and use of such drug; or

“(ii) if the request fails to include information specified under subparagraph (C), shall refuse to file such request and require that nonprescription marketing of the drug be pursuant to a new drug application as described in subparagraph (D).

“(B) Drug described.—A drug described in this subsection is a nonprescription drug which contains an active ingredient not previously incorporated in a drug—

“(i) specified in subsection (a)(1), (a)(2), or (a)(3);

“(ii) subject to a final order under this section; or

“(iii) subject to a final sunscreen order (as defined in section 586(2)(A)).

“(C) Information demonstrating prima facie safe nonprescription marketing and use.—Information specified in this subparagraph, with respect to a request described in subparagraph (A)(i), is—

“(i) information sufficient for a prima facie determination that the drug is of such quality as determined by the Secretary, were such request has a verifiable history of being marketed and safely used by consumers in the United States as a nonprescription drug under comparable conditions of use;

“(ii) if the drug has not been previously marketed in the United States as a nonprescription drug, information sufficient for a prima facie determination that the drug is of such quality as determined by the Secretary, were such request has a verifiable history of being marketed and safely used under comparable conditions of marketing and use in a country listed in section 802(b)(1)(A) or designated by the Secretary in accordance with section 802(b)(1)(B)—

“(I) for such period as needed to provide reasonable assurance concerning the safe nonprescription use of the drug; and

“(II) during such time was subject to sufficient monitoring by a regulatory body considered acceptable by the Secretary for such monitoring purposes, including for adverse events associated with nonprescription use of the drug; or

“(iii) if the Secretary determines that information described in clause (i) or (ii) is not needed to provide a prima facie demonstration that the drug can be safely marketed and used without prescription, such information the Secretary determines is sufficient for such purposes.

“(D) Procedure pursuant to new drug application.—In the case of a request described in subparagraph (A)(ii), the drug subject to such request may be resubmitted for filing only if—

“(i) the drug is marketed as a nonprescription drug, under conditions of use comparable to the conditions specified in the request, as is necessary to demonstrate that the drug is marketed and safely used under comparable conditions of marketing and use in a country listed in section 802(b)(1)(A) or designated by the Secretary in accordance with section 802(b)(1)(B);

“(ii) if the information is submitted in a restricted manner under section 586(2)(A) or (a)(2); or

“(iii) if the Secretary determines that the information contained in such records is not sufficient to demonstrate that the change does not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product, together with guidance for applying those orders to specific dosage forms.

“(E) Rule of application.—Except in the case of a request involving a drug described in section 586(9), as in effect on January 1, 2017, if the Secretary refuses to file a request under this paragraph, the requestor may not file such request over protest under paragraph (B), applicable rules and regulations, or if applicable, the regulations under section 586(9), as in effect on January 1, 2017.

“(F) Packaging.—An administrative order issued under paragraph (2), (4)(A), or (5) may include requirements for the packaging of a drug which is described in this subsection, including labeling. Such requirements may include unit dose packaging, requirements for products intended for use by pediatric populations, requirements to reduce risk of harm from unsupervised ingestion, and other appropriate requirements. This paragraph does not authorize the Secretary to require standards or testing procedures as described in paragraph (2) of title 16, Code of Federal Regulations.

“(G) Final and tentative final monographs for category 1 drugs deemed final administrative orders.—

“(A) in general.—A final monograph or tentative final monograph described in such paragraph (B) shall be deemed to be a final administrative order under this subsection and may be amended, revoked, or otherwise modified in accordance with the procedures of this subsection.

“(B) Monographs described.—For purposes of subparagraph (A), a final monograph or tentative final monograph is described in this subparagraph if it—

“(i) establishes conditions of use for a drug described in paragraph (1) or (2) of subsection (a); and

“(ii) represents the most recently promulgated version of such conditions, including as modified, in whole or in part, by any proposed or final rule.

“(C) Deemed orders include harmonizing technical amendments.—The deemed establishment of a final administrative order under subparagraph (A) shall include any technical amendments to such order as the Secretary determines necessary to ensure that such order is appropriately harmonized. In terms of terminology or cross-references, with the applicable provisions of this Act (and regulations thereunder) and any other orders issued under this section.

“(D) Procedure for Minor Changes.—

“(1) in general.—Minor changes in the dosage form of a drug that is described in paragraph (1) or (2) of subsection (a) or the subject of an order issued under subsection (b) may be made by a requester without the issuance of an order under subsection (b) if—

“(A) the requestor maintains such information as is necessary to demonstrate that the change—

“(i) will not affect the safety or effectiveness of the drug;

“(ii) will not materially affect the extent of absorption or other exposure to the active ingredient; and

“(iii) if the Secretary determines that in comparison to a suitable reference product, the change—

“(A) the requestor maintains such information as is necessary to demonstrate that the change—

“(i) will not affect the safety or effectiveness of the drug;

“(ii) will not materially affect the extent of absorption or other exposure to the active ingredient; and

“(iii) if the Secretary determines that the change does not demonstrate that the change does not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient, the Secretary—

“(1) may so inform the sponsor of the drug in writing; and

“(ii) if the Secretary so informs the sponsor, shall provide the sponsor of the drug with a reasonable opportunity to provide additional information.

“(2) Additional Information.—

“(A) Access to records.—A sponsor shall submit records requested by the Secretary relating to such minor change under section 704(a)(4), within 15 business days of receiving such a request, or such longer period as the Secretary may provide.

“(B) Inspections.—If the Secretary determines that the information contained in such records is not sufficient to demonstrate that the change does not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient, the Secretary—

“(1) may so inform the sponsor of the drug in writing; and

“(ii) if the Secretary so informs the sponsor, shall provide the sponsor of the drug with a reasonable opportunity to provide additional information.

“(C) Failure to submit sufficient information.—If the sponsor fails to provide such additional information as is necessary, the Secretary, or if the Secretary determines that such additional information does not demonstrate that the change does not—

“(i) affect the safety or effectiveness of the drug; or

“(ii) materially affect the extent of absorption or other exposure to the active ingredient in comparison to a suitable reference product.

“(D) Modification of a new drug under section 201(p) and shall be deemed to be misbranded under section 502(ee).

“(E) Determining whether a change will affect the safety or effectiveness of a drug.—If the Secretary determines that a minor change made by a requester pursuant to this subsection will affect the safety or effectiveness of a drug or materially affect the extent of absorption or other exposure to an active ingredient in the drug in comparison to a suitable reference product, together with guidance for applying those orders to specific dosage forms.

“(2) Standard practices.—The orders and guidance issued by the Secretary under paragraph (A) shall take into account relevant public standards and standard practices for evaluating the quality of drugs, and may take into account the special needs of populations, including children.

“(3) Confidentiality of information submitted to the Secretary. —

“(1) in general.—Subject to paragraph (2), any information, including reports of testing performed on the drug or drugs involved, that is submitted by a requester in connection with proceedings on an order under this section (including any minor change under subsection (c)) and is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, shall not be disclosed to the public unless the requester consents to that disclosure.

“(2) Public availability.—

“(A) in general.—Except as provided in subparagraph (B), the Secretary shall—

“(i) make any information submitted by a requester in support of a request under subsection (b)(5)(A) available to the public not later than the date on which the proposed order is issued; and

“(ii) make any information submitted by an individual person with respect to a request (or initiated by the Secretary) under subsection (b), available to the public upon such submission.

“(3) Limitations on public availability.—Information described in subparagraph (A) shall not be made public if—

“(i) the information pertains to pharmaceutical quality information, unless such information is necessary to establish standards under which a drug is generally recognized as safe and effective under section 201(p); or

“(ii) the information is in the possession of a requester-initiated request, but the requester withdraws such request, in accordance with withdrawal procedures established by the Secretary, before the Secretary issues the proposed order;

“(iii) the Secretary requests and obtains the information under subsection (c) and the information is in the possession of a requester-initiated request, but such request is withdrawn before the Secretary issues the proposed order; or

“(iv) the information is of the type contained in raw datasets.

“(4) Updates to drug listing information.—A sponsor who makes a change to a drug subject to this section shall submit updated drug listing information in relation to an order under subsection (b); or

“(5) the information is of the type contained in raw datasets.

“(B) the change is in conformity with the requirements of an applicable administrative order issued by the Secretary under paragraph (3).

“(2) Additional Information.—

“(A) Access to records.—A sponsor shall submit records requested by the Secretary relating to such minor change under section 704(a)(4), within 15 business days of receiving such a request, or such longer period as the Secretary may provide.

“(B) Inspections.—If the Secretary determines that the information contained in such records is not sufficient to demonstrate that the change does not affect the safety or effectiveness of the drug or materially affect the extent of absorption or other exposure to the active ingredient, the Secretary—

“(i) may so inform the sponsor of the drug in writing; and

“(ii) if the Secretary so informs the sponsor, shall provide the sponsor of the drug with a reasonable opportunity to provide additional information.

“(C) Failure to submit sufficient information.—If the sponsor fails to provide such additional information as is necessary, the Secretary, or if the Secretary determines that such additional information
in interest of such requestor) shall submit updated drug listing information on or before the date when the drug is first commercially marketed.

(c) EFFECT ON EXISTING REGULATIONS Governing Nonprescription Drugs.— "(1) REGULATIONS OF GENERAL APPLICABILITY NONPRESCRIPTION DRUGS.—Except as provided in this subsection, nothing in this section supersedes regulations establishing general requirements for nonprescription drugs, including regulations of general applicability contained in parts 201, 250, and 330 of title 21, Code of Federal Regulations, or any successor regulations. The Secretary shall establish or modify such regulations by means of rulemaking in accordance with section 553 of title 5, United States Code.

(2) REGULATIONS ESTABLISHING REQUIREMENTS FOR SPECIFIC NONPRESCRIPTION DRUGS.— "(A) The provisions of section 310.545 of title 21, Code of Federal Regulations, in effect on the day before the date of the enactment of this section, shall be deemed to be a final order under subsection (b).

(B) The effect of the provisions of such section in effect on the day before the date of the enactment of this section, shall be deemed to be a final order under subsection (b).

(3) WITHDRAWAL OF REGULATIONS.—The term 'nonprescription drug' refers to a drug not subject to the requirements of section 505 as of the date of the enactment of this section instead of the requirements of subsection (a); or

(4) consolidated proceedings for appeal and the procedures for such proceedings where appropriate; and

(5) for minor changes in drugs, recommendations on how to comply with the requirements in orders issued under subsection (c)(3).

(5) RULE OF CONSTRUCTION.— "(1) An analysis of the impact of exclusivity provision on the marketplace; and

(ii) changes in the conditions of use of a drug, for which new human data studies conducted or sponsored by the sponsor were essential;

(6) whether, to what extent, the exclusivity impacted the sponsor’s or sponsor’s decision to develop the drug product; and

(7) an analysis of the effect of the exclusivity provision in such section 505G, including—

(i) the resources used by the Food and Drug Administration in conducting or sponsoring such new studies;

(ii) the impact of such provision on innovation, as well as research and development in the nonprescription drug market;

(iii) the impact of such provision on competition in the nonprescription drug market;

(iv) the impact of such provision on consumer access to nonprescription drug products.

(v) the impact of such provision on the prices of nonprescription drug products; and

(vi) whether the administrative orders initiated by requestors under such section 505G have been sufficient to encourage the development of nonprescription drug products that would likely not be otherwise developed, or developed in as timely a manner; and

(2) for minor changes in drugs, recommendations on how to comply with the requirements in orders issued under subsection (c)(3).
(2) an analysis of the impact of exclusivity under such section 586C for sunscreen ingredients, including—
   (A) the number of sunscreen ingredients that are the subject of an exclusivity and the specific ingredient that was determined to be generally recognized as safe and effective;
   (B) whether, and to what extent, the exclusivity and the sponsor’s decision to develop the sunscreen ingredient;
   (C) whether, and to what extent, the sunscreen ingredient granted exclusivity had previously been available outside of the United States;
   (D) an analysis of the implementation of the exclusivity provision in such section 586C, including—
      (i) the resources used by the Food and Drug Administration;
      (ii) the impact of such provision on innovation, as well as research and development in the sunscreen market;
      (iii) the impact of such provision on competition in the sunscreen market;
      (iv) the impact of such provision on consumer access to sunscreen products;
      (v) the impact of such provision on the prices of sunscreen products; and
      (vi) whether the deadlines for the development of sunscreen ingredients that would likely not be otherwise developed, or developed in a timely manner; and
   (E) whether the administrative orders initiated by requestors under such section 586C have been sufficient incentive to encourage innovation in the sunscreen market.
   (c) CONFORMING AMENDMENT.—Section 751(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379a(d)(1)) is amended—
      (1) in the matter preceding paragraph (A)—
         (A) by striking “final regulation promulgated” and inserting “final order under section 505G”;
         (B) by striking “and not misrepresented”; and
         (2) in subparagraph (A), by striking “regulation or order in effect”.

SEC. 3852. MISBRANDING.

Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352) is amended by adding at the end the following:

``(f) If it is a drug and it was manufactured, prepared, propagated, compounded, or processed in a facility for which fees have not been paid as required by section 744M.—
``SEC. 3853. DRUGS EXCLUDED FROM THE OVER-THE-COUNTER DRUG REVIEW.

(a) IN GENERAL.—Nothing in this Act (or the amendments made by this Act) shall apply to any nonprescription drug (as defined in section 503(ff) of the Federal Food, Drug, and Cosmetic Act, as added by section 3853 of this subtitle) which was excluded by the Food and Drug Administration from the Over-the-Counter Drug Review in accordance with the paragraph numbered 23 on page 9466 of volume 3 of the Federal Register, published on May 11, 1972.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude or limit the premarket approval of any other provision of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.).

SEC. 3854. TREATMENT OF SUNSCREEN INNOVATION.

(a) REVIEW OF NONPRESCRIPTION SUNSCREEN ACTIVE INGREDIENTS.—
   (1) APPLICABILITY OF SECTION 505G FOR PENDING SUBMISSIONS.—
      (A) IN GENERAL.—A sponsor of a nonprescription sunscreen active ingredient or combination of ingredients pursuant to section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3) may be deemed to be a final sunscreen order, or if the request for a confidential meeting fails to include sufficient information upon which to base a substantive discussion. The Secretary shall publish a proposal that is not consistent with the request for a confidential meeting under this paragraph that does not disclose confidential commercial information or trade secrets. This subparagraph does not authorize the disclosure of any confidential commercial information or trade secrets subject to 522(b)(4) of title 15, United States Code, or section 1905 of title 18, United States Code.
   (B) ELECTION EXERCISED.—Upon receipt by the Secretary of Health and Human Services of a timely notification under subparagraph (A)—
      (i) the proposed sunscreen order involved is deemed to be a request for an order under subparagraph (b) of section 505G of the Federal Food, Drug, and Cosmetic Act, as added by section 3851 of this subtitle; and
      (ii) such order may be accepted for filing under subsection (b)(6)(A)(i) of such section 505G.
   (C) ELECTION NOT EXERCISED.—If a notification under subparagraph (A) is not received by the Secretary of Health and Human Services within 180 calendar days of the date of enactment of this Act, the review of the proposed sunscreen order described in subparagraph (A)—
      (1) shall continue under section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3); and
      (2) shall not be eligible for review under section 505G, as added by section 3851 of this subtitle.
   (2) DEFINITIONS.—In this subsection, the terms “sponsor”, “nonprescription”, “sunless ingredient”, and “proposed sunscreen order” have the meanings given to those terms in section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3).
   (A) AMENDMENTS TO SUNSCREEN PROVISIONS.—
      (1) FINAL SUNSCREEN ORDERS.—Paragraph (3) of section 586C(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3) is amended to read as follows:
         “(3) MARKETED SUNSCREEN.—The marketed sunscreen ingredient (referred to in this subsection as the “sunscreen active ingredient”, and “proposed sunscreen order” have the meanings given to those terms in section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3) is amended by adding at the end the following:
   (B) IN GENERAL.—A sponsor may request a confidential meeting with the Secretary concerning such requestor with respect to the subject of such request and listed under paragraph (5) may be marketed in accordance with the final monograph for sunscreen drug products set forth at part 352 of title 21, Code of Federal Regulations (as published at 64 Fed. Reg. 27687); or
   (C) REQUESTED IN ACCORDANCE WITH THE PROVISIONS OF A FINAL SUNSCREEN ORDER.—(1) IN GENERAL.—A sponsor of a nonprescription sunscreen ingredient or combination of ingredients pursuant to section 586C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360fff-3) may be deemed to be a final sunscreen order, or if the request for a confidential meeting fails to include sufficient information upon which to base a substantive discussion. The Secretary shall publish a proposal that is not consistent with the request for a confidential meeting under this paragraph that does not disclose confidential commercial information or trade secrets. This subparagraph does not authorize the disclosure of any confidential commercial information or trade secrets subject to 522(b)(4) of title 15, United States Code, or section 1905 of title 18, United States Code.
   (2) CHANGES DESCRIBED.—A change described in this paragraph is a change subject to the requirements specified in paragraph (1) that permits a sunscreen to contain an active sunscreen ingredient not previously incorporated in a marketed sunscreen listed in paragraph (3).
   (3) MARKETED SUNSCREEN.—The marketed sunscreen ingredients described in this paragraph are sunscreen ingredients that were marketed in accordance with a final monograph for sunscreen drug products set forth at part 352 of title 21, Code of Federal Regulations (as published at 64 Fed. Reg. 27687); or
   (B) marketed in accordance with a final order issued under this section.
   (4) LIMITATIONS ON EXCLUSIVITY.—Only sunscreen may be marketed per ingredient under paragraph (1).
   (5) LISTING OF LICENSEES, ASSIGNEES, OR ASSIGNEES IN INTERSTATE COMMERCE.—A sponsor of a sunscreen ingredient shall submit to the Secretary at the time when a drug subject to such request is introduced or delivered for introduction into interstate commerce, a list of licensees, assignees, or assignees in interest of such requestor with respect to the subject of such request.
   (6) SUNSET provision.—Subchapter I of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff et seq.) is amended by adding at the end the following:
   ``SEC. 586H. SUNSET. This subchapter shall cease to be effective at the end of fiscal year 2022."
   (7) TREATMENT OF AUTHORITY REGARDING FINALIZATION OF SUNSCREEN MONOGRAPH.—
      (B) DURATION OF FINAL SUNSCREEN ORDER.—(1) IN GENERAL.—A sponsor of a nonprescription sunscreen active ingredient or combination of ingredients under this subchapter shall cease to be effective at the end of fiscal year 2022.
      (2) CONFIDENTIALITY AND TRADE SECRETS.—The provisions of this subchapter shall be construed to permit the disclosure of confidential and trade secrets in accordance with the provisions of this subchapter as they exist on the date of enactment of this Act.
(B) Issuance of Revised Sunscreen Order; Effective Date.—A revised sunscreen order described in subparagraph (A) shall be—

(i) issued in accordance with the procedures set forth in section 505(b)(6) of the Federal Food, Drug, and Cosmetic Act;

(ii) issued in proposed form not later than 18 months after the date of enactment of this Act; and

(iii) issued by the Secretary at least 1 year prior to the effective date of the revised order.

(2) Reports.—If a revised sunscreen order issued under paragraph (1) does not include provisions related to the effectiveness of various ingredients or dosage levels, the Secretary shall prepare any information necessary to address such provisions through such order.

(c) Nonprescription Tax and Extent Applications.—

(1) In general.—Any application described in section 586F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360f-6) that was submitted to the Secretary pursuant to section 330.14 of title 21, Code of Federal Regulations, as such provisions were in effect immediately prior to the date of enactment of this Act, shall be deemed to be established under section 505G(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), and include in an order deemed to be established under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as such provisions were in effect immediately prior to the date of enactment of this Act, a plan and timeline to compile any information necessary to address such provisions through such order.

(d) Nonprescription and Cough and Cold Drugs.—

(1) In general.—Subject to subsection (c), the Secretary of Health and Human Services shall, beginning not later than 1 year after the date of this Act, submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the rationale for omission of such provisions from such order, and a timeline to compile any information necessary to address such provisions through such order.

(2) Order Request.—Nothing in paragraph (1) precludes the submission of an order request under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 3851 of this subtitle, with respect to a drug that was the subject of an application extinguished under paragraph (1).

SEC. 3856. ANNUAL UPDATE TO CONGRESS ON APPROPRIATE PEDIATRIC INDICATION FOR CERTAIN OTC Cough AND COLD DRUGS.

(a) In General.—Subject to subsection (c), the Secretary of Health and Human Services shall, beginning not later than 1 year after the date of this Act, annually submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report describing the progress of the Food and Drug Administration—

(1) in evaluating the cough and cold monograph described in subsection (b) with respect to children under age 6; and

(2) as appropriate, revising such cough and cold monograph to address such children through the order process under section 505G(b) of the Federal Food, Drug, and Cosmetic Act, as added by section 3851 of this subtitle.

(b) COUGH AND COLD MONOGRAPH DESCRIBED.—The cough and cold monograph described in this subsection consists of the conditions for which the drug is appropriate, the conditions for which a patient is contraindicated, the drug facts label of an OTC cough and cold drug, the adverse effects of such drug, and the recommended dosage of such drug.

(c) DURATION OF AUTHORITY.—The requirement under subsection (a) shall terminate as of the date of a letter submitted by the Secretary of Health and Human Services pursuant to such subsection in which the Secretary indicates that the Food and Drug Administration has completed its evaluation and, if applicable, the cough and cold monograph as described in subsection (a)(2).

SEC. 3857. TECHNICAL CORRECTIONS.

(a) IMPORTS AND EXPORTS.—Section 801(e)(4)(B)(ii)(I) of the Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)(4)(B)(ii)(I)) is amended by striking ‘‘subsection’’ each place such term appears and inserting ‘‘paragraph’’.

(b) FDA REAUTHORIZATION ACT OF 2017.—

(1) IN GENERAL.—Section 905(b)(4) of the FDA Reauthorization Act of 2017 (Public Law 115–52) is amended by striking ‘‘section 744H(e)(2)(B)’’ and inserting ‘‘section 744H(f)(2)(B)’’.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect as of the enactment of the FDA Reauthorization Act of 2017 (Public Law 115–52).

PART II—USER FEES

SEC. 3861. FINDING.

The Congress finds that the fees authorized by this Act are necessary to ensure that OTC monograph drug activities, as set forth in the goals identified for purposes of part 10 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 3862. FEES RELATING TO OVER-THE-COUNTER DRUGS.

(a) IN GENERAL.—Subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b et seq.) is amended—

(i) inserting, after paragraph (1) of section 744C, the following:

‘‘(b) Cough and Cold Monograph.—

(1) The term ‘affiliate’ means a business entity if, directly or indirectly—

(i) it owns a business entity;

(ii) it has power, directly or indirectly, to control a business entity; or

(iii) it has power, directly or indirectly, to modify the directions for use of an OTC drug;

(2) the term ‘concerned manufacturer’ means—

(i) a business entity if, directly or indirectly—

(A) it owns an OTC drug;

(B) it is required to be identified by the Secretary under section 505G(i); and

(C) it is present in the United States without a new drug application; and

(3) the term ‘OTC monograph drug activities’ means activities of the Secretary associated with OTC monograph drugs and in specifying facilities associated with such products, including the following activities:

(A) The activities necessary for review and evaluation of OTC monographs and OTC monograph order requests; and

(B) except as otherwise specified by the Secretary, OTC monograph drugs;

(D) the terms ‘orders proposing or finalizing applicable conditions of use for OTC monograph drugs’ means the orders affecting status regarding general recognition of safety and effectiveness of an OTC monograph ingredient or combination of ingredients under specified conditions of use.

(ii) all OTC monograph drug development and review activities, including intragency collaboration;

(iii) development and policy development activities related to OTC monographs; and

(iv) regulatory science activities related to OTC monograph drugs.

(b) MONITORING OF CLINICAL AND OTHER RESEARCH CONDUCTED IN CONNECTION WITH OTC MONOGRAPH DRUGS.—

(c) SAFETY ACTIVITIES WITH RESPECT TO OTC MONOGRAPH DRUGS.—

(i) collecting, developing, and reviewing safety information on OTC monograph drugs, including adverse event reports;

(ii) developing and using improved adverse event data-collection systems, including information technology systems; and

(iii) developing and using improved analytical tools to assess potential safety risks, including access to external databases.

(E) OTHER ACTIVITIES NECESSARY FOR IMPLEMENTATION OF SECTION 505G.—

(f) TREATMENT OF NON-SUNSCREEN TIME PERIOD APPLICATIONS.—

(i) The term ‘OTC monograph order request’ means a request for an order submitted under section 505G(b)(5).

(ii) The term ‘Tier 1 OTC monograph order request’ means any OTC monograph order request not determined to be a Tier 2 OTC monograph order request.

(iii) The term ‘Tier 2 OTC monograph order request’ means, subject to subparagraph (B), an OTC monograph order request for—

(A) the reordering of existing information in the drug facts label of an OTC monograph drug;

(B) the addition of information to the other information section of the drug facts label of an OTC monograph drug, as limited by section 201(i)(7) of title 21, Code of Federal Regulations (or any successor regulation);

(C) modification to the directions for use section of the drug facts label of an OTC monograph drug, if such changes conform to changes made pursuant to section 505G(c)(3)(A); and

(D) the standardization of the concentration or dose of a specific finalized ingredient within a particular finalized monograph;
"(v) a change to ingredient nomenclature
to align with nomenclature of a standards-
setting organization; or
"(vi) addition of an interchangeable term in accordance with section 505I.1 of title 21, Code of Federal Regulations (or any suc-
cessor regulations).

(B) The Secretary may, based on program implement-
ations or other factors deemed by the Secretary to be appro-
riate, characterize any OTC monograph order request as a Tier 2 OTC monograph order request (including recharacterization of a request from Tier 1 to Tier 2) and publish such determination in a proposed order issued pursuant to section 505G.

"(3)(A) The term ‘OTC monograph drug fac-
ility’ means a foreign or domestic business or other entity that—

"(i) is—

"(I) under one management, either direct or
indirect; and

"(II) at one geographic location or address
engaged in manufacturing or processing the
finished dosage form of an OTC monograph
drug;

"(ii) includes a finished dosage form manu-
facturer facility in a contractual rela-
tionship with the downstream manufacture of one or more OTC
monograph drugs to manufacture or process
such drugs; and

"(iii) does not include a business or other entity
solely engaged in manufacturing or process-
ing activities that are one or more of the fol-
lowing: production of clinical research sup-
plies, testing, or placement of outer pack-
aging onto packaged multiple product
items for purposes as creating multipacks, when each monograph drug
product contained within the multipackaging is already in a final packaged
form prior to placement in the outer packaging.

"(B) For purposes of subparagraph
(A)(II), separate buildings or locations
within close proximity are considered to be
at one geographic location or address if the
activities conducted in such buildings or lo-
cations are—

"(i) closely related to the same business
enterprise;

"(ii) under the supervision of the same local
management; and

"(iii) under a single FDA establishment
identifier and capable of being inspected by
the Food and Drug Administration during a
single inspection.

"(C) If a business or other entity would
meet criteria specified in subparagraph (A),
but for being under multiple management,
the business or other entity is deemed to consti-
tute multiple facilities, one per man-
agement entity, for purposes of this para-
graph.

"(D) The term ‘OTC monograph drug meet-
ing’ means any meeting regarding the con-
tent of a proposed OTC monograph order re-
qust.

"(1) The term ‘person’ includes an affil-
iate of a person.

"(2) The terms ‘requestor’ and ‘sponsor’
have the meanings given such terms in
section 505M.

"SEC. 744M. AUTHORITY TO ASSESS AND USE OTC
MONOGRAPH FEES.

(a) TYPES OF FEES.—Beginning with fiscal
year 2021, the Secretary shall assess and collect
fees in accordance with this section as follows:

"(1) FACILITY FEE.—

"(A) In general.—Each person that owns a fac-
ility identified as an OTC monograph drug
drug facility on December 31 of the fiscal year or
at any time during the preceding 12-month
period shall be assessed an annual fee for each facility as determined under sub-
section (c).

"(B) EXCEPTIONS.—

"(i) Facilities that cease activities.—A fee
shall not be assessed under subparagraph
(A) if the Secretary determines that the OTC
monograph drug facility—

"(I) has ceased all activities related to
OTC monograph drugs prior to December 31
of the year immediately preceding the appli-
cable fiscal year; and

"(II) has updated its registration to reflec-
t such change under the requirements for drug
establishment registration set forth in sec-
tion 510.

"(ii) CONTRACT MANUFACTURING ORGANIZA-
TIONS.—The amount of the fee for a contract
manufacturing organization facility shall be
equal to two-thirds of the amount of the fee
for an OTC monograph drug facility that is not
a contract manufacturing organization facility.

"(C) AMOUNT.—The amount of fees estab-
lished under subparagraph (A) shall be estab-
lished under subsection (c).

"(D) DUE DATE.—The OTC monograph

order request fee due on the later of—

"(I) the first business day of July of 2020;

"(II) 45 calendar days after publication of the

Federal Register notice provided for under
subsection (c)(4)(A).

"(E) REFUND OF FEE IF ORDER REQUEST IS
REFUSED FOR FILING OR WITHDRAWN BEFORE
FILING.—If a Tier 1 OTC monograph order request
that was submitted but was refused for filing,
or was withdrawn before being accepted or
accepted for filing, the Secretary shall refund
the full fee under subparagraph (A) upon being
resubmitted or filed over protest.

"(3) RECENTLY FILED ORDER REQUEST
WITHDRAWN.—If an order request is with-
drawn after the order request was filed, the
Secretary may refund the fee or a portion of
the fee if no substantial work was performed
on the order request after the application
was filed. The Secretary shall have the sole
discretion to refund a fee or a portion of the
fee under this subparagraph. A determina-
tion by the Secretary concerning a refund
under this subparagraph shall not be review-
able.

"(B) REFUNDS.—

"(A) In general.—Other than refunds pro-
vided pursuant to any of subparagraphs (D)
through (G) of paragraph (2), the Secretary shall not refund any fee paid under para-
graph (1) except as provided in subparagraph
(B).

"(B) DISPUTES CONCERNING FEES.—To qual-
ify for the return of a fee claimed to have been paid in error under paragraph (1) or (2), a
person shall submit to the Secretary a writ-
ten request justifying such return within
180 calendar days after such fee was paid.

"(C) additional direct cost adjustments (as
determined under subsection (c)(3)).

"(2) SUBSEQUENT FISCAL YEARS.—For each
fiscal year 2022 through 2025, fees
shall be—

"(A) the dollar amount equal to the oper-
ating reserve adjustment for the fiscal year,
if applicable (as determined under subsection
(c)(2)); and

"(B) additional direct cost adjustments (as
determined under subsection (c)(3)).

"(3) REFUND OF FEE IF ORDER REQUEST
WITHDRAWN.—If an order request is with-
drawn after the order request was filed, the
Secretary may refund the fee or a portion of
the fee if no substantial work was performed
on the order request after the application
was filed. The Secretary shall have the sole
discretion to refund a fee or a portion of the
fee under this subparagraph. A determina-
tion by the Secretary concerning a refund
under this subparagraph shall not be review-
able.

"(A) the annual base revenue for fiscal
year 2021 (as determined under paragraph
(3));

"(B) the dollar amount equal to the oper-
ating reserve adjustment for the fiscal year,
if applicable (as determined under subsection
(c)(2)); and

"(C) additional direct cost adjustments (as
determined under subsection (c)(3)).

"(4) NOTICE.—Within the timeframe speci-
fied in subsection (c), the Secretary shall
publish in the Federal Register the amount of the fees under paragraph (1) for such fiscal
year.

"(F) FEES FOR ORDER REQUESTS PREVIOUSLY
SUBMITTED TO THE REGISTRATION REFER-
ENCE SYSTEM.—If an order request was sub-
mitted to the Registration Reference System
before April 1, 2021, the amount of the fee
per such request shall be—

"(1) $3,000,000.

"(2) $6,000,000 for fiscal year 2022.

"(3) $7,000,000 for fiscal year 2023.

"(4) $8,000,000 for fiscal year 2024.

"(5) $9,000,000 for fiscal year 2025.

"(G) REFUND OF FEE IF ORDER REQUEST
WITHDRAWN.—If an order request is with-
drawn after the order request was filed, the
Secretary may refund the fee or a portion of
the fee if no substantial work was performed
on the order request after the application
was filed. The Secretary shall have the sole
discretion to refund a fee or a portion of the
fee under this subparagraph. A determina-
tion by the Secretary concerning a refund
under this subparagraph shall not be review-
able.

"(A) the annual base revenue for fiscal
year 2021 (as determined under paragraph
(3));

"(B) the dollar amount equal to the infla-
tion adjustment for the fiscal year (as deter-
mined under subsection (c)(1));

"(C) the dollar amount equal to the oper-
ating reserve adjustment for the fiscal year,
if applicable (as determined under subsection
(c)(2));

"(D) additional direct cost adjustments (as
determined under subsection (c)(3)).
established under this subsection for the previous fiscal year, not including any adjustments made under subsection (c)(2) or (c)(3).

"(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

"(1) IN GENERAL.—For purposes of subsection (b)(2)(B), the dollar amount of the inflation adjustment for the annual base revenue for fiscal year 2022 and each subsequent fiscal year shall be equal to the product of—

(i) such annual base revenue for the fiscal year under subsection (a)(2) for the preceding fiscal year; and

(ii) the inflation adjustment percentage under subparagraph (C).

"(B) OTC MONOGRAPH ORDER REQUEST FEES.—For purposes of subsection (a)(2), the dollar amount of the inflation adjustment to the fee for OTC monograph order requests for fiscal year 2022 and each subsequent fiscal year shall be equal to the product of—

(i) the applicable fee under subsection (a)(2) for the preceding fiscal year; and

(ii) the inflation adjustment percentage under subparagraph (C).

"(C) INFLATION ADJUSTMENT PERCENTAGE.—
The inflation adjustment percentage under this subparagraph for a fiscal year is equal to—

(i) for each of fiscal years 2022 and 2023, the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 fiscal years; and

(ii) for each of fiscal years 2024 and 2025, the sum of—

(I) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years; and

(II) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC-MD-VA-WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of OTC monograph drug activities for the first 3 years of the preceding 4 fiscal years.

"(2) OPERATING RESERVE ADJUSTMENT.—

(A) IN GENERAL.—For fiscal year 2021 and subsequent fiscal years, for purposes of subsections (b)(1)(B) and (b)(2)(C), the Secretary may, in addition to adjustments under paragraph (1), further increase the fee revenue and fees under this subsection as may be necessary to provide operating reserves of carryover user fees for OTC monograph drug activities for not more than the number of weeks specified in subparagraph (B).

(B) NUMBER OF WEEKS.—The number of weeks specified in this subparagraph is—

(i) 3 weeks for fiscal year 2021;

(ii) 7 weeks for fiscal year 2022;

(iii) 10 weeks for fiscal year 2023;

(iv) 10 weeks for fiscal year 2024; and

(v) 10 weeks for fiscal year 2025.

"(D) RATIONALE FOR ADJUSTMENT.—If an adjustment under paragraph (2)(B) is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (4) establishing fee revenue and fees for the fiscal year involved.

"(4) ANNUAL DIRECT COST ADJUSTMENT.—The Secretary shall, in addition to adjustments under paragraphs (1) and (2), further increase the fee revenue and fees for purposes of subsection (b)(2)(B) by an amount equal to—

(A) $14,000,000 for fiscal year 2021;

(B) $7,000,000 for fiscal year 2022;

(C) $4,000,000 for fiscal year 2023; and

(D) $3,000,000 for fiscal year 2024 and

(E) $3,000,000 for fiscal year 2025.

"(f) CREDITING AND AVAILABILITY OF FEES.—

"(1) IN GENERAL.—Fees authorized under subsection (a) shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriation Acts. Such fees shall remain available until expended. Such sums as may be necessary may be transferred from the Food and Drug Administration salaries and expenses appropriation account to such appropriation account for salaries and expenses with such fiscal year limitation. The sums transferred shall be available solely for OTC monograph drug activities.

"(2) COLLECTIONS AND APPROPRIATIONS ACTS.—

(A) IN GENERAL.—Subject to subparagraph (C), the fees authorized by this section shall be collected and available in each fiscal year in an amount not to exceed the amount specified in appropriation Acts, or otherwise made available for obligation, for such fiscal year.

"(D) USE OF FEES AND LIMITATION.—The fees authorized by this section shall be available to defray increases in the costs of the resources allocated for OTC monograph drug activities (including increases in such costs for additional personnel positions or equivalent positions in the Department of Health and Human Services to be engaged in such activities), only if the Secretary allocates for such purpose an amount for the fiscal year (excluding amounts from fees collected under this section) no less than $3,000,000, multiplied by the adjustment factor applicable to the fiscal year involved under subsection (c)(1).

"(C) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (B) in any fiscal year if the costs funded by appropriations and allocated for OTC monograph drug activities are not more than 15 percent below the level specified in such subparagraph.

"(D) PROVISION FOR EARLY PAYMENTS IN SUBSEQUENT YEARS.—Payment of fees authorized under this section for a fiscal year (after fiscal year 2021), prior to the due date for such fees, may be accepted by the Secretary in accordance with authority provided in advance in a prior year appropriations Act.

"(g) AUTHORIZATION OF APPROPRIATIONS.—

For each of the fiscal years 2021 through 2025, there is authorized to be appropriated for each of such fiscal years an amount equal to the total amount of fees assessed for such fiscal year under this section.

"(h) COLLECTION OF UNPAID FEES.—In any case where the Secretary does not receive payment of a fee assessed under subsection (a) within 30 calendar days after the end of each fiscal year, such fee shall be treated as a claim of the United States against the person prescribed to pay such fee in accordance with applicable laws.
identified in the letters described in section 3861(b) of the CARES Act during such fiscal year and the future plans of the Food and Drug Administration for meeting such goals.

(2) PAYMENT.—Not later than 120 calendar days after the end of fiscal year 2021 and each subsequent fiscal year for which fees are collected under this part, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the implementation of the authority for such fees during such fiscal year and the use, by the Food and Drug Administration, of the fees collected for such fiscal year.

(3) PUBLIC AVAILABILITY.—The Secretary shall make the reports required under subsections (a) and (b) available to the public on the internet website of the Food and Drug Administration.

(d) REAUTHORIZATION.—

(1) CONSULTATION.—In developing recommendations to present to the Congress with respect to the goals described in subsection (a), and plans for meeting the goals, for OTC monograph drug activities for the first 5 fiscal years after fiscal year 2025, and for the reauthorization of this part for such fiscal years, the Secretary shall consult with—

(A) the Committee on Energy and Commerce of the House of Representatives;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) scientific and academic experts;

(D) health care professionals;

(E) representatives of patient and consumer advocates, and

(F) the regulated industry.

(2) PUBLIC REVIEW OF RECOMMENDATIONS.—After negotiations with the regulated industry, the Secretary shall—

(A) present the recommendations developed under paragraph (1) to the congressional committees specified in such paragraph;

(B) publish such recommendations in the Federal Register;

(C) provide for a period of 30 calendar days for the public to provide written comments on such recommendations; and

(D) hold a meeting at which the public may present its views on such recommendations.

(E) after consideration of such public views and comments, revise such recommendations where necessary.

(3) TRANSIENT OF RECOMMENDATIONS.—Not later than January 15, 2025, the Secretary shall transmit to the Congress the revised recommendations under paragraph (2), a summary of the views and comments received under such paragraph, and any changes made to the recommendations in response to such comments.

TITLE IV—ECONOMIC STABILIZATION AND ASSISTANCE TO SEVERELY DISTRESSED SECTORS OF THE UNITED STATES ECONOMY

Subtitle A—Coronavirus Economic Stabilization Act of 2020

SEC. 4001. SHORT TITLE.

This subtitle may be cited as the “Coronavirus Economic Stabilization Act of 2020.”

SEC. 4002. DEFINITIONS.

In this subtitle:

(1) AIR CARRIER.—The term “air carrier” has the meaning such term has under section 40102 of title 49, United States Code.

(2) CORONAVIRUS.—The term “coronavirus” means SARS-CoV-2 or another coronavirus with high transmission rates.

(3) COVERED LOSS.—The term “covered loss” includes losses incurred directly or indirectly as a result of coronavirus, as determined by the Secretary.

(4) ELIGIBLE BUSINESS.—The term “eligible business” means—

(A) an airline carrier; or

(B) a United States business that has not otherwise received adequate economic relief in the form of loans or loan guarantees provided under this Part.

(5) EMPLOYER.—Except where the context otherwise requires, the term “employer” means—

(A) the meaning given the term in section 2 of the Internal Labor Relations Act (29 U.S.C. 152); and

(B) includes any individual employed by an employer subject to the Railway Labor Act (46 U.S.C. 151 et seq.).

(6) EQUITY SECURITY; EXCHANGE.—The terms “equity security” and “exchange” have the meanings given the terms in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(7) MUNICIPALITY.—The term “municipality” includes—

(A) a political subdivision of a State, and

(B) an instrumentality of a municipality.


(9) SECRETARY.—The term “Secretary” means the Secretary of the Treasury, or the designee of the Secretary of the Treasury.

(10) STATUTORY STATE.—The term “statutory state” means—

(A) any of the several States;

(B) the District of Columbia;

(C) any of the territories and possessions of the United States;

(D) any bi-State or multi-State entity; and

(E) any Indian Tribe.

SEC. 4003. EMERGENCY RELIEF AND TAXPAYER GUARANTEES.

(a) IN GENERAL.—Notwithstanding any other provision of law, to provide liquidity to eligible businesses, States, and municipalities related to losses incurred as a result of coronavirus, the Secretary is authorized to make loans, loan guarantees, and other investments in support of eligible businesses, States, and municipalities that do not, in the aggregate, exceed $500,000,000,000 and provide the subsidy amounts necessary for such loans, loan guarantees, and other investments in accordance with the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(b) LOANS, LOAN GUARANTEES, AND OTHER INVESTMENTS.—Loans, loan guarantees, and other investments made pursuant to subsection (a) shall be made available as follows:

(1) Not more than $25,000,000,000 shall be available to make loans and loan guarantees for passenger air carriers, eligible businesses that are certified under part 145 of title 14, Code of Federal Regulations, and approved to perform inspection, repair, replace, or overhaul services (as defined in section 40102 of title 49, United States Code).

(2) Not more than $4,000,000,000 shall be available to make loans and loan guarantees for cargo air carriers.

(3) Not more than $17,000,000,000 shall be available to make loans and loan guarantees for eligible businesses critical to maintaining national security.

(4) Not more than the sum of $454,000,000,000 and any amounts available under paragraphs (1) through (3) are not reduced if the eligible business uses any employment levels used as provided under those paragraphs shall be available to make loans and loan guarantees to, and other investments in, providers of long-term care services (as defined in section 4601 of the Omnibus Budget Reconciliation Act of 1987 (42 U.S.C. 1396a)).

(5) The agreement includes a certification by the eligible business that it is created or organized in the United States or under the laws of the United States and has significant financial system that supports lending to eligible businesses, States, or municipalities by—

(A) purchasing obligations or other interests from issuers of such obligations or other interests;

(B) purchasing obligations or other interests in secondary markets or otherwise; or

(C) making loans, loan guarantees, or other advances secured by collateral.

(c) TERMS AND CONDITIONS.—

(1) IN GENERAL.—

(A) FORMS; TERMS AND CONDITIONS.—A loan, loan guarantee, or other investment by the Secretary shall be made under this section in such form and on such terms and conditions and contain such covenants, representations, warranties, and requirements for audits as the Secretary determines appropriate. Any loans made by the Secretary under this section shall be at a rate determined by the Secretary based on the risk and the current average yield on outstanding marketable obligations of the United States of comparable maturity.

(B) PROCEDURES.—As soon as practicable, but in no case later than 10 days after the date of enactment of this Act, the Secretary shall publish procedures for application and making of loan guarantees, or other investments under paragraphs (1), (2) and (3) of subsection (b) if the Secretary determines that, in the Secretary’s discretion—

(i) the applicant is an eligible business for which credit is not reasonably available at the time of the transaction; or

(ii) the intended obligation by the applicant is prudently incurred; and

(C) The loan or loan guarantee is sufficiently secured or is made at a rate that—

(i) reflects the risk of the loan or loan guarantee; and

(ii) is to the extent practicable, not less than an interest rate based on market conditions for comparable obligations prevalent prior to the outbreak of the coronavirus disease 2019 (COVID–19); and

(D) the duration of the loan or loan guarantee is as short as practicable and in any case not longer than 5 years;

(E) the agreement provides that, until the date 12 months after the date the loan or loan guarantee is no longer outstanding, neither the eligible business nor any affiliate of the eligible business may purchase an equity security that is listed on a national securities exchange of the United States, and municipalities that do not, in the aggregate, exceed $500,000,000,000 and provide the subsidy amounts necessary for such loans, loan guarantees, and other investments in accordance with the provisions of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(F) The agreement provides that, until the date 12 months after the date the loan or loan guarantee is no longer outstanding, the eligible business shall make or other capital distributions with respect to the common stock of the eligible business; and

(G) the agreement provides that, until September 30, 2020, the eligible business shall maintain its employment levels as of March 26, 2020, to the extent practicable, and in any case not reduce its employment levels by more than 10 percent from the levels on such date;

(H) the agreement includes a certification by the eligible business that it is created or organized in the United States or under the laws of the United States and has significant investment.
operations in and a majority of its employees based in the United States; and

(1) for purposes of a loan or loan guarantee under paragraphs (1), (2), and (3) of subsection (b) or (c) of this section, the business may, in the case of any loan or loan guarantee under subsection (b)(4), sell, exercise, or surrender a warrant or any senior debt instrument associated with such warrant or any other equity interest that is listed on a national securities exchange or that is domiciled in the United States with respect to the common stock of the eligible business; or

(2) terms and conditions. The terms and conditions of any warrant, equity interest, or senior debt instrument received under paragraph (1) shall be set by the Secretary and shall meet the following requirements:

(A) the warrant may be exercised only if the applicable eligible businesses agree that—

(I) the warrant may be exercised only if the applicable eligible businesses agree that—

(ii) the Secretary receives a warrant or equity interest in the eligible business; or

(B) the amount necessary to repay any amount lent from the Treasury to such financing accounts.

(2) entering into contracts, including contracts for services authorized by this subtitle;
to purchase, hold, and sell assets and issue obligations; and

(4) issuing such regulations and other guidance as may be necessary or appropriate to carry out the authorities or purposes of this subtitle.

(g) FINANCIAL AGENTS.—The Secretary is authorized to designate financial institutions or other entities that are not limited by the powers of the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Commodity Futures Trading Commission, the Securities and Exchange Commission, the National Credit Union Share Insurance Fund, or any other federal insurance or regulatory agency to perform any of the functions of the Secretary under this section.

(h) LOANS MADE BY OR GUARANTEED BY THE DEPARTMENT OF THE TREASURY TREATED AS DEBT.—In addition to any other law, any loan made by, or guaranteed by, the Secretary of the Treasury shall be treated as debt for purposes of the Internal Revenue Code of 1986, and shall include a maximum amount of outstanding debt that is guaranteed.

(i) FEDERAL CREDIT UNION TRANSACTION ACCOUNT GUARANTEES.—Notwithstanding any other provision of law, the Comptroller of the Currency may, by order, exempt any transaction or series of transactions from the requirements of this section.

(j) SUNSHINE ACT RELIEF.—(a) DEFINITION.—In this section, the term ‘‘covered period’’ means the period beginning on the date of enactment of this Act and ending on the sooner of—

(1) the date on which the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 by the National Emergency Act (50 U.S.C. 1601 et seq.) terminates; or


(b) AUTHORITY.—During the covered period, the Secretary of Housing and Urban Development, the Secretary of the Treasury, the Secretary of the Commerce, and the Commodity Futures Trading Commission may, without regard to sections 3309 through 3318 of title 5, United States Code, fill temporary and term appointments within their respective agencies upon a determination that such expedited procedures are necessary and appropriate to enable the respective agencies to prevent, prepare for, or respond to COVID–19.

(k) TEMPORARY LENDING LIMIT WAIVER.—(a) IN GENERAL.—Section 5200 of the Revised Statutes of the United States (12 U.S.C. 84) is amended—

(1) in subsection (c)—

(B) by inserting ‘‘and the Chairman of the Board of Governors of the Federal Reserve System shall keep a record of all Board votes and the reasons for any such rejections not later than December 31, 2020. A temporary or limited appointment is not included as a separate appointment in the count of appointments subject to Senate approval.’’; and

(2) in subsection (d), by adding at the end the following:

‘‘(B) Approval of Grantor Guarantee during the COVID–19 Crisis.—‘‘(1) in General.—For purposes of the congressional joint resolution approving provided for in subsections (c)(1) and (2) and (d), notwithstanding any other provision of this section, the Federal Deposit Insurance Corporation shall be treated as the Secretary of the Treasury for purposes of this Act to establish a program provided for in subsection (a), provided that any such program and any such guarantee shall terminate not later than January 1, 2021.’’

‘‘(2) Maximum Amount.—Any debt guaranty program authorized by this subsection shall include a maximum amount of outstanding debt that is guaranteed.’’;

(2) in subsection (c)(7)—

(A) by inserting ‘‘and the Comptroller of the Currency may, by order, exempt any transaction or series of transactions from the requirements of this section that is approved by the Comptroller that such exemption is in the public interest and consistent with the purposes of this section’’;
SEC. 4012. TEMPORARY RELIEF FOR COMMUNITY BANKS.

(a) DEFINITIONS.—In this section—

(1) the term ‘‘appropriate Federal banking agency’’ means the term defined in section 2 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5365 note); and

(2) the term ‘‘Community Bank Leverage Ratio’’ and ‘‘qualifying community bank’’ have the meanings given the terms in section 20(a) of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5371 note).

(b) INTERIM RULE.—

(1) IN GENERAL.—Notwithstanding any other law or regulation, the appropriate Federal banking agencies shall issue an interim final rule that provides that, for the purposes of section 201 of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5371 note)—

(A) the Community Bank Leverage Ratio shall be 8 percent; and

(B) a qualifying community bank that falls below the Community Bank Leverage Ratio established under subparagraph (A) shall have a reasonable grace period to satisfy the Community Bank Leverage Ratio.

(2) EFFECTIVE PERIOD.—The interim rule issued under paragraph (1) shall be effective during the period beginning on the date on which the appropriate Federal banking agencies issue the rule and ending on the sooner of—

(A) the termination date of the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020, under the National Emergencies Act (50 U.S.C. 1601 et seq.); or

(B) December 31, 2020.

(c) GRACE PERIOD.—During a grace period described in paragraph (1)(B), a qualifying community bank to which the grace period applies may continue to be treated as a qualifying community bank and shall be permitted to maintain the capital and leverage requirements described in section 201(c) of the Economic Growth, Regulatory Relief, and Consumer Protection Act (12 U.S.C. 5371 note).

SEC. 4013. TEMPORARY RELIEF FROM TROUBLED DEBT RESTRUCTURINGS.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE PERIOD.—The term ‘‘applicable period’’ means the period beginning on March 1, 2020 and ending on the earlier of December 31, 2020.

(2) CREDIT LOSS.—The term ‘‘credit loss’’ means the amount by which a loan or loan modification is expected to result in a charged-off or charge-down allowance.

(3) E XCEPTIONS.—The term ‘‘expected credit loss’’ shall be determined in a manner consistent with accounting standards established by the Financial Accounting Standards Board.

(b) SUSPENSION.—

(1) IN GENERAL.—During the applicable period, a financial institution may elect to—

(A) suspend the requirements under United States generally accepted accounting principles (GAAP) related to the coronavirus disease 2019 (COVID–19) pandemic that would otherwise be categorized as a troubled debt restructuring; and

(B) suspend the application of a loan modified as a result of the effects of the coronavirus disease 2019 (COVID–19) pandemic as being a troubled debt restructuring, including impairment for accounting purposes.

(2) APPLICABILITY.—Any suspension under paragraph (1) shall—

(A) be applicable for the term of the loan modification, but solely with respect to any modification, including a forbearance arrangement, an interest rate modification, a repayment plan, and any other similar arrangement that defers or delays the payment of principal or interest, that occurs during the applicable period for a loan that was not more than 30 days past due as of December 31, 2019; and

(B) shall not apply to any adverse impact on the credit of a borrower that is not related to the coronavirus disease 2019 (COVID–19) pandemic.

(c) DEFERENCE.—The appropriate Federal banking agencies shall defer to the determination of the financial institution to make a suspension under this section.

(d) RECORDS.—For modified loans for which suspensions under subsection (a) apply—

(1) financial institutions should continue to maintain records of the volume of loans involved; and

(2) the appropriate Federal banking agencies may collect data about such loans for supervisory purposes.

SEC. 4014. OPTIONAL TEMPORARY RELIEF FROM CURRENT EXPECTED CREDIT LOSSES.

(a) DEFINITIONS.—In this section:

(1) APPLICABLE FEDERAL BANKING AGENCY.—The term ‘‘applicable Federal banking agency’’ has the meaning given the term in section 2 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(A) has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) includes the National Credit Union Administration.

(2) INSURED DEPOSITORY INSTITUTION.—The term ‘‘insured depository institution’’ means—

(A) has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813); and

(B) includes a credit union.

(b) TEMPORARY RELIEF FROM CECL STANDARDS.—Notwithstanding any other provision of law, no insured depository institution, bank holding company, or any affiliate thereof shall be required to comply with the Financial Accounting Standards Board Accounting Standards Update No. 2016–13 (‘‘Measurement of Credit Losses on Financial Instruments’’), including the current expected credit loss methodology for estimating allowances for credit losses, during the period beginning on the date of enactment of this Act and ending on the earlier of—

(1) the date on which the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020, under the National Emergencies Act (50 U.S.C. 1601 et seq.) terminates; or


SEC. 4015. NON-APPLICABILITY OF RESTRICTIONS ON EFSF DURING NATIONAL EMERGENCY.

(a) IN GENERAL.—Section 131 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5236) shall not apply during the period beginning on the date of enactment of this Act and ending on December 31, 2020. Any guarantee established as a result of the application of subsection (a) shall—

(1) be limited to the maximum guarantee of the total value of a shareholder’s account in a participating fund as of the close of business on the day before the announcement of the guaranty; and

(2) terminate not later than December 31, 2020.

(b) DIRECT APPROPRIATION.—Upon the expiration of the period described in subsection (a), there is appropriated, out of amounts in the Treasury not otherwise appropriated, such sums as may be necessary to reimburse the Federal Reserve Bank of New York in respect of section 306(a)(1) of title 31, United States Code, for any funds that are used for the Treasury Money Market Funds Guaranty Program for the United States money market mutual fund industry to the extent a claim payment made exceeds the balance of fees collected by the fund.

SEC. 4016. TEMPORARY CREDIT UNION PROVISIONS.

(a) IN GENERAL.—

(1) DEFINITIONS.—Section 302(1) of the Federal Credit Union Act (12 U.S.C. 1760a(1)) is amended, in the matter preceding subparagraph (A), by striking ‘‘primarily serving natural persons’’.

(2) MEMBERSHIP.—Section 304(b)(2) of the Federal Credit Union Act (12 U.S.C. 1756c(b)(2)) is amended by striking ‘‘all those credit unions’’ and inserting ‘‘such credit unions as the Board may in its discretion determine’’.

(3) EXTENSIONS OF CREDIT.—Section 306(a)(1) of the Federal Credit Union Act (12 U.S.C. 1760a(1)) is amended, in the second sentence, by striking ‘‘the intent of which is to expand credit union portfolios’’ and inserting ‘‘without first having obtained evidence from the applicant that the applicant has made reasonable efforts to first use primary sources of liquidity of the applicant, including balance sheet and market funding sources, to address the liquidity needs of the applicant’’.

(4) POWERS OF THE BOARD.—Section 307(a)(4)(A) of the Federal Credit Union Act (12 U.S.C. 1760a(4)(A)) is amended by inserting ‘‘, provided that the total face value of such obligations shall not exceed 15 times the subscribed capital stock and surplus of the credit union’’ before ‘‘for the purpose of’’.

(b) APPROPRIATIONS.—

(1) IN GENERAL.—

(A) DEFINITIONS.—Section 302(1) of the Federal Credit Union Act (12 U.S.C. 1760a(1)) is amended, in the matter preceding subparagraph (A), by striking ‘‘primarily serving natural persons’’ after ‘‘credit unions’’.

(B) MEMBERSHIP.—Section 304(b)(2) of the Federal Credit Union Act (12 U.S.C. 1756c(b)(2)) is amended, in the second sentence, by striking ‘‘without first having obtained evidence from the applicant that the applicant has made reasonable efforts to first use primary sources of liquidity of the applicant, including balance sheet and market funding sources, to address the liquidity needs of the applicant’’ and inserting ‘‘the intent of which is to expand credit union portfolios’’.

(C) EXTENSIONS OF CREDIT.—Section 306(a)(1) of the Federal Credit Union Act (12 U.S.C. 1760a(1)) is amended, in the second sentence, by striking ‘‘the intent of which is to expand credit union portfolios’’ and inserting ‘‘without first having obtained evidence from the applicant that the applicant has made reasonable efforts to first use primary sources of liquidity of the applicant, including balance sheet and market funding sources, to address the liquidity needs of the applicant’’.
SEC. 4017. INCREASING ACCESS TO MATERIALS NEEDED FOR NATIONAL SECURITY AND PANDEMIC RECOVERY.

Notwithstanding any other provision of law—

(1) during the 2-year period beginning on the date of enactment of this Act, the requirements described in sections 302(d)(1) and 303(d)(6)(B) of the Defense Production Act of 1950 (50 U.S.C. 4533(a)(6)(C), 4534(e)) shall not apply; and

(2) during the 1-year period beginning on the date of enactment of this Act, the requirements described in sections 302(d)(1) and 363(a)(6)(B) of the Defense Production Act of 1950 (50 U.S.C. 4532(d)(1), 4534(a)(6)(B)) shall not apply.

SEC. 4018. SPECIAL INSPECTOR GENERAL FOR PANDEMIC RECOVERY.

(a) OFFICE OF INSPECTOR GENERAL.—There is hereby established within the Department of the Treasury the Office of the Special Inspector General for Pandemic Recovery.

(b) APPOINTMENT OF INSPECTOR GENERAL; REMOVAL.—

(1) IN GENERAL.—The head of the Office of the Special Inspector General for Pandemic Recovery shall be the Special Inspector General for Pandemic Recovery (referred to in this section as the “Special Inspector General”), who shall be appointed by the President, by and with the advice and consent of the Senate.

(2) NOMINATION.—The nomination of the Special Inspector General shall be made on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations. The nomination of an individual as Special Inspector General shall be made as soon as practicable after any loan, loan guarantee, or other investment made under section 4003.

(3) ADDITIONAL DUTIES AND RESPONSIBILITIES.—In addition to the duties described in paragraphs (1) and (2), the Special Inspector General shall have the authorities provided in section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(c) DUTIES.—

(1) IN GENERAL.—It shall be the duty of the Special Inspector General to carry out the duties of the Special Inspector General for Pandemic Recovery established by this section, subject to the provisions of title 5, United States Code, and rules and regulations of the Council of the Inspectors General on Integrity and Efficiency, and pursuant to the Inspector General Act of 1978 (5 U.S.C. App.), and shall be exempt from the limitations applicable to an individual appointed by the Attorney General under section 6(f)(2) of that Act.

(d) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(1) APPOINTMENT OF OFFICERS AND EMPLOYEES.—The Special Inspector General may appoint, direct, and employ such officers and employees as may be necessary.

(2) EXPERTS AND CONSULTANTS.—The Special Inspector General may obtain services from, and pay fees to, experts and consultants as may be necessary to carry out the duties of the Special Inspector General, subject to the provisions of title 5, United States Code, and rules and regulations of the Council of the Inspectors General on Integrity and Efficiency, and pursuant to the Inspector General Act of 1978 (5 U.S.C. App.).

(3) AUDITS.—The Special Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with non-profit persons and organizations as the Inspector General may consider necessary to carry out the duties of the Inspector General.

(4) REPORTS FOR INFORMATION.—(A) IN GENERAL.—Upon request of the Special Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of that department, agency, or entity, or a covered individual shall, to the extent practicable and not in contravention of any existing law, furnish that information or assistance to the Special Inspector General, or to an authorized designee.

(B) REFUSAL TO PROVIDE REQUESTED INFORMATION.—Whenever information or assistance requested by the Special Inspector General is not furnished by a covered individual or entity, the Special Inspector General may take action to address deficiencies identified by the Special Inspector General.

(d) FUNDING.—The Special Inspector General shall establish, maintain, and oversee such systems, procedures, and controls as the Special Inspector General considers appropriate to discharge the duties of the Special Inspector General under this Act.

(e) REMOVAL.—The head of the Office of the Special Inspector General shall be removed only by the President, by and with the advice and consent of the Senate.

(f) TERMINATION.—The Office of the Special Inspector General shall terminate on the date 5 years after the enactment of this Act.

SEC. 4019. CONFLICTS OF INTEREST.

(a) DEFINITIONS.—In this section:

(1) CONTROLLING INTEREST.—The term ‘‘controlling interest’’ means owning, controlling, or holding not less than 20 percent, by vote or value, of the outstanding amount of any class of equity interest in an entity. A person, or any individual directly or indirectly holding a controlling interest, means an entity in which a covered individual directly or indirectly holds a controlling interest.

(2) IN باسم.—The term ‘‘covered individual’’ means—

(A) an individual who is a covered individual under subparagraph (A), (B), or (C), shall be removed by the President, by and with the advice and consent of the Senate, if the head of a covered individual shall, to the extent practicable and not in contravention of any existing law, furnish that information or assistance to the Special Inspector General, or to an authorized designee.

(B) REFUSAL TO PROVIDE REQUESTED INFORMATION.—Whenever information or assistance requested by the Special Inspector General is not furnished by a covered individual or entity, the Special Inspector General may take action to address deficiencies identified by the Special Inspector General.

(c) CONFIDENTIALITY.—The Special Inspector General, unreasonably refused or not provided, the Special Inspector General shall report the circumstances to the appropriate committees of Congress without delay.

(f) REPORTS.—

(1) QUARTERLY REPORTS.—In general.—Not later than 60 days after the date on which the Special Inspector General is confirmed, and once every calendar quarter thereafter, the Special Inspector General shall submit to the appropriate committees of Congress a report summarizing the activities of the Special Inspector General during the 3-month period ending on the date of such report, and the Special Inspector General submits the report.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include, for the period covered, a current, as of the date on which the report is submitted, statement of all loans, loan guarantees, other transactions, obligations, expendi-
(A) the President, the Vice President, the head of an Executive department, or a Member of Congress; and
(B) the spouse, child, son-in-law, or daughter-in-law of a Member of Congress.

(2) REGULAR REPORTS.—

(A) IN GENERAL.—The Oversight Commission shall submit to the Congress, not later than 5 months after the date of enactment, a report that includes an analysis of the actions of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act.

(B) REQUIREMENTS.—The report required under subparagraph (A) shall include—

(i) a description of the actions taken by the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(ii) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(iii) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(iv) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(v) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(vi) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(vii) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(viii) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(ix) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(x) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xi) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xii) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xiii) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xiv) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xv) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xvi) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xvii) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xviii) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xix) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(xx) a description of the financial condition of the Federal Reserve System and the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5301 et seq.) in the period from the date of enactment of such Act to the date of enactment of this Act;

(3) FUNDING.—The amount authorized to be appropriated by this Act shall be—

(A) $5,000,000 for each of the first 4 fiscal years after the date of enactment of this Act; and

(B) thereafter, as Congress determines appropriate.

(4) TERMINATION.—The Oversight Commission shall terminate on September 30, 2025.
described in item (aa), report the credit obligation or account as current.

"(iii) EXCEPTION.—Clause (ii) shall not apply with respect to a credit obligation or account for a consumer that has been charged-off."

SEC. 4022. FORECLOSURE MORATORIUM AND CONSUMER RIGHT TO REQUEST FORBEARANCE.

(a) Definitions.—In this section:

(1) COVID–19 EMERGENCY.—The term "COVID–19 emergency" means the national emergency concerning the novel coronavirus disease (COVID–19) outbreak declared by the President on March 13, 2020 under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(2) FEDERALLY BACKED MORTGAGE LOAN.—The term "Federally backed mortgage loan" includes any loan that—

(A) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families that is—

(i) insured by the Federal Housing Administration under title II of the National Housing Act (12 U.S.C. 1707 et seq.);

(ii) insured under section 203 of the National Housing Act (12 U.S.C. 1715s–20);

(iii) insured under section 181 or 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–1a, 1715z–13b);

(iv) guaranteed or insured by the Department of Agriculture;

(v) guaranteed or insured by the Department of Housing and Urban Development;

(vi) purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(b) Forbearance.—

(1) IN GENERAL.—During the covered period, a borrower with a Federally backed mortgage loan experiencing a financial hardship due, directly or indirectly, to the COVID–19 emergency may request forbearance on the Federally backed mortgage loan, regardless of delinquency status, by—

(A) submitting a request to the borrower’s servicer; and

(B) affirming that the borrower is experiencing a financial hardship during the COVID–19 emergency.

(2) DURATION OF FORBEARANCE.—Upon a request by a borrower for forbearance under paragraph (1), such forbearance shall be granted for an additional period of up to 180 days at the request of the borrower, provided that, at the borrower’s request, either the initial or extended period of forbearance may be shortened.

(c) ACCRUAL OF INTEREST OR FEES.—During a period of forbearance described in this subsection, no fees, penalties, or interest beyond the amounts scheduled or calculated as if the borrower made all contractual payments on time shall accrue on the terms of the mortgage contract, shall accrue on the borrower’s account.

(d) REQUIREMENTS FOR SERVICES.—

(1) IN GENERAL.—Upon receiving a request for forbearance from a borrower under subsection (b), the servicer shall with no additional documentation required other than the borrower’s affidavit or agreement to a financial hardship caused by the COVID–19 emergency and with no fees, penalties, or interest (beyond the amounts scheduled or calculated as if the borrower made all contractual payments on time in accordance with the terms of the mortgage contract) charged to the borrower in connection with the forbearance, provide forbearance for up to 180 days, which may be extended for an additional period of up to 180 days at the request of the borrower, provided that, the borrower’s request for an extension is made during the covered period, and, at the borrower’s request, either the initial or extended period of forbearance may be shortened.

(2) FORECLOSURE MORATORIUM.—Except with respect to a vacant or abandoned property, a servicer of a Federally backed mortgage loan (including a guaranteed or insured servicer) shall not pursue a non-judicial foreclosure process, move for a foreclosure judgment or order of sale, or execute a foreclosure-related eviction or foreclosure sale—

(A) if the foreclosure sale is scheduled more than 60 days prior to the date of enactment of this Act and ending on the date of enactment of this Act; or

(B) if the borrower is experiencing a financial hardship due, directly or indirectly, to the COVID–19 emergency.

(iii) EXCEPTION.—Clause (ii) shall not apply with respect to a vacant or abandoned property.

(iv) A servicer may evict a tenant with a notice to vacate; and

(v) a servicer may charge any late fees, penalties, or other charges to a tenant with a notice to vacate; or

(vi) a servicer may charge any late fees, penalties, or other charges to a tenant with a notice to vacate.

(b) RENTER PROTECTIONS DURING FORBEARANCE PERIOD.—A multifamily borrower that receives a forbearance under this section may not, for the duration of the forbearance—

(i) evict or initiate the eviction of a tenant from a dwelling unit located in or on the applicable property solely for nonpayment of rent or other fees or charges; or

(ii) charge any late fees, penalties, or other charges to a tenant described in paragraph (1) for late payment of rent.

(c) NOTICE.—A multifamily borrower that receives a forbearance under this section—

(i) does not need to vacate a dwelling unit located in or on the applicable property before the date that is 30 days after the date on which the borrower provides the tenant with all information required under paragraph (2); and

(ii) may not issue a notice to vacate under paragraph (1) until after the expiration of the forbearance.

(d) APPLICABLE PROPERTY.—The term "applicable property", with respect to a Federally backed multifamily mortgage loan, means the residential multifamily property against which the mortgage loan is secured by a lien.

(e) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term "Federally backed multifamily mortgage loan" includes any loan (other than temporary financing such as a construction loan) that—

(i) is secured by a first or subordinate lien on residential multifamily real property designed principally for the occupancy of 5 or more families, including any such secured loan, the proceeds of which are used to pay or pay off an existing loan secured by the same property; and

(ii) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with any housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency.

(i) upon a request by a borrower for forbearance under subsection (a) to the borrower’s servicer or to the borrower under section 803(b) of such Act (42 U.S.C. 12303(b));

(ii) upon a request by a borrower for forbearance under subsection (a) to the borrower’s servicer or to the borrower under section 542 of the Housing Act of 1949 (42 U.S.C. 1437f); or

(iii) a covered housing program (as defined in section 542 of such Act (42 U.S.C. 1437f));

(2) COVERED PROPERTY.—The term "covered property" means any property that—

(i) participates in—

(A) a covered housing program; or

(B) any other program administered by any other such officer or agency.

(B) a covered housing program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency.

(i) a covered housing program (as defined in section 803(b) of such Act (42 U.S.C. 12303(b))); and

(ii) a covered housing program (as defined in section 542 of such Act (42 U.S.C. 1437f));

(3) DWELLING.—The term "dwelling" includes any property that—

(i) is occupied by a tenant;

(ii) is on or in a covered property;

(iii) is subject to section 803(b) of such Act (42 U.S.C. 12303(b)); and

(iv) a covered housing program (as defined in section 542 of such Act (42 U.S.C. 1437f));

(f) FORECLOSURE MORATORIUM AND FORECLOSURE SALE.—Except as provided in section 803(b) of such Act (42 U.S.C. 12303(b)), a multifamily borrower, or the servicer of a mortgage loan made in whole or in part on a covered property, may not, for the duration of the forbearance described in this section—

(i) extend the forbearance for up to 2 additional 30-day periods, if the borrower made all contractual payments on time; and

(ii) provide the forbearance for up to 30 days; and

(iii) extend the forbearance for up to 30 days, if the borrower made all contractual payments on time.

(f) RENTER PROTECTIONS DURING FORBEARANCE PERIOD.—A multifamily borrower that receives a forbearance under this section may not, for the duration of the forbearance—

(i) evict or initiate the eviction of a tenant from a dwelling unit located in or on the applicable property solely for nonpayment of rent or other fees or charges; or

(ii) charge any late fees, penalties, or other charges to a tenant described in paragraph (1) for late payment of rent.

(g) NOTICE.—A multifamily borrower that receives a forbearance under this section—

(i) does not need to vacate a dwelling unit located in or on the applicable property before the date that is 30 days after the date on which the borrower provides the tenant with all information required under paragraph (2); and

(ii) may not issue a notice to vacate under paragraph (1) until after the expiration of the forbearance.

(h) APPLICABLE PROPERTY.—The term "applicable property", with respect to a Federally backed multifamily mortgage loan, means the residential multifamily property against which the mortgage loan is secured by a lien.

(i) FEDERALLY BACKED MULTIFAMILY MORTGAGE LOAN.—The term "Federally backed multifamily mortgage loan" includes any loan (other than temporary financing such as a construction loan) that—

(i) is secured by a first or subordinate lien on residential real property (including individual units of condominiums and cooperatives) designed principally for the occupancy of from 1 to 4 families, including any such secured loan, the proceeds of which are used to pay or pay off an existing loan secured by the same property; and

(ii) is made in whole or in part, or insured, guaranteed, supplemented, or assisted in any way, by any officer or agency of the Federal Government or under or in connection with any housing or urban development program administered by the Secretary of Housing and Urban Development or a housing or related program administered by any other such officer or agency.
program administered by any other such officer or agency, or is purchased or securitized by the Federal Home Loan Mortgage Corporation or the Federal National Mortgage Association.

(f) Federally backed multifamily mortgage loan.—The term ‘Federally backed multifamily mortgage loan’ includes any loan, loan guarantee, or other investment in accordance with section 13(3) of the Federal Reserve Act (12 U.S.C. 343(3)); and

(1) not later than 7 days after the Board authorizes a new facility or other financial assistance in accordance with section 13(3) of the Federal Reserve Act (12 U.S.C. 343(3))

(ii) the actual obligation, expenditure, and disbursements of the funds during such period; and

(iii) a detailed financial statement with respect to the authority under paragraph (1), (2) or (3) of section 4003(b) showing:

(A) I N GENERAL.—In addition to such reports as are required under section 5302(c) of title 31, United States Code, not later than 72 hours after any transaction by the Secretary makes any loan or loan guarantee under paragraph (1), (2), or (3) of section 4003(b), the Secretary shall submit to the Chairman and Ranking Members of the Committee on Banking, Housing, and Urban Affairs and the Committee on Finance of the Senate and the Chairmen and Ranking Members of the Committee on Financial Services and the Committee on Ways and Means of the House of Representatives a report summarizing—

(1) an overview of actions taken by the Secretary under paragraph (1), (2) or (3) of section 4003(b) during such period;

(2) the actual obligations, expenditure, and disbursements of the funds during such period; and

(3) a detailed financial statement with respect to the authority under paragraph (1), (2) or (3) of section 4003(b) showing:

(i) all loans and loan guarantees made, renewed, or restructured;

(ii) all transactions during such period, including the types of parties involved;

(iii) the nature of the assets purchased;

(iv) a description of the obligations established to exercise such authority; and

(v) any all repayment activity, delinquencies or defaults on loans and loan guarantees issued under paragraph (1), (2) or (3) of section 4003(b).

(b) PUBLICATION.—Not later than 7 days after the date on which the Secretary submits a report under subparagraph (A) to the committees of Congress described in such subparagraph, the Secretary shall publish such report on the website of the Department of the Treasury.

(c) 30-DAY REPORTS.—Every 30 days during such time as a loan or loan guarantee under paragraph (1), (2), or (3) of section 4003(b) is outstanding, the Secretary shall publish on the website of the Department of the Treasury a report summarizing the information set forth in subparagraph (A).

(d) BOARD OF GOVERNORS.—

(1) I N GENERAL.—With respect to any program or facility described in paragraph (4) of section 4003(b) of title 31, United States Code, any new facility or financial assistance in accordance with section 13(3)(C)(i) of the Federal Reserve Act (12 U.S.C. 343(3)(C)(i))

(i) not later than 7 days after the Board authorizes a new facility or other financial assistance in accordance with section 13(3)(C)(i) of the Federal Reserve Act (12 U.S.C. 343(3)(C)(i))

(ii) the actual obligations, expenditure, and disbursements of the funds during such period; and

(iii) a detailed financial statement with respect to the authority under paragraph (1), (2) or (3) of section 4003(b).

(b) PUBLICATION.—Not later than 7 days after the Board of Governors of the Federal Reserve System submits a report under subparagraph (A), the Board shall publish on its website such report.
except in the form of loans, loan guarantees, and other investments as provided in this subtitle and under terms and conditions that are in the interest of the Federal Government.

SEC. 4029. TERMINATION OF AUTHORITY.
(a) In General.—Except as provided in subsection (b), on December 31, 2020, the authority provided by this subtitle to make new loans, loan guarantees, or other investments shall terminate.

(b) OUTSTANDING.—Except as provided in paragraph (1), any loan, loan guarantee, or other investment outstanding on the date described in subsection (a) shall be extended by 5 years from the initial origination date of the loan or loan guarantee.

Subtitle B—Air Carrier Worker Support

SEC. 4111. DEFINITIONS.
Unless otherwise specified, the terms in section 4102(a) of title 49, United States Code, shall apply to this subtitle, except that—

(1) the term ‘‘airline catering employee’’ means an employee who performs airline catering services;

(2) the term ‘‘airline catering services’’ means preparation, assembly, or both, of food, beverages, provisions and related supplies for delivery, and the delivery of such items, directly to aircraft or to a location on or near airport property for subsequent delivery to aircraft;

(b) To a contractor—

(1) the term ‘‘contractor’’ means—

(A) a person that performs, under contract with a passenger air carrier, catering services under section 4121 of title 49, Code of Federal Regulations; or

(B) any other investment outstanding on the date described in subsection (a); and

(C) may not be forgiven.

(2) DURATION.—The duration of any loan or loan guarantee made under section 4008(b)(1) that is modified, restructured, or otherwise amended under paragraph (1) shall not be extended beyond 5 years from the initial origination date of the property, or loan guarantee.

Subsection (b) provides that, in the event of a contractor’s default, the Secretary may require the contractor to provide financial assistance to employees of the contractor in the amounts required by the Secretary.

(b) Department of Transportation Authority to Condition Assistance on Continuing Service

(1) In General.—The Secretary of Transportation is authorized to require, to the extent reasonable and practicable, an air carrier to provide financial assistance under this subtitle to maintain scheduled air transportation service, as the Secretary of Transportation deems necessary, to ensure services to any person served by that carrier before March 1, 2020.

(2) Required Considerations.—When considering whether to exercise the authority provided by this subsection of this Act, the Secretary of Transportation shall take into consideration the air transportation needs of small and remote communities and the need to maintain well-functioning health care supply chains, including medical devices and supplies, and pharmaceutical supply chains.

(3) Sunset.—The authority provided under this subsection shall expire on March 1, 2022, and any requirements issued by the Secretary of Transportation under this subsection shall cease to apply after that date.

SEC. 4115. PROTECTION OF COLLECTIVE BARGAINING AGREEMENT
(a) In General.—Neither the Secretary, nor any other actor, agency or Department of the Federal Government, shall condition the issuance of financial assistance under this subtitle on an air carrier’s or contractor’s implementation of measures to enter into negotiations with the certified bargaining representative of a craft or class of employees of the air carrier or contractor under the Railway Labor Act (42 U.S.C. 151 et seq.), or the National Labor Relations Act (29 U.S.C. 151 et seq.), regarding pay or other terms and conditions of employment.

(b) Effect of Termination on Certain Employee Compensation.

(1) The Secretary may provide financial assistance under this subtitle to an air carrier or contractor which financial assistance is provided under this subtitle, shall be in effect with respect to such carrier or contractor on the date on which such carrier or contractor enters into an agreement that terminates on or before September 30, 2022.

(2) The Secretary shall be in effect with respect to such carrier or contractor on the date on which such carrier or contractor enters into a collective bargaining agreement that terminates on or before September 30, 2022, to any employee of the air carrier whose compensation is determined through an existing collective bargaining agreement entered into prior to enactment of this Act.
maximum total compensation received by the officer or employee from the air carrier or contractor in calendar year 2019; and
(3) no officer or employee of the eligible business of Columbia exceeded $3,000,000 in calendar year 2019 may receive any 12 consecutive months of such period total compensation in excess of the sum of—
  (A) $3,000,000; and
  (B) 50 percent of the excess over $3,000,000 of the total compensation received by the officer or employee from the eligible business.

SEC. 4117. TAX PAYER PROTECTION.

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

SEC. 4118. REPORTS.

(a) REPORT.—Not later than November 1, 2020, the Secretary shall submit to the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the financial assistance provided to air carriers and contractors under this subsection, including a description of any financial assistance provided.

(b) UPDATE.—Not later than the last day of the 1-year period following the date of enactment of this section, the Secretary shall update and submit to the Committee on Transportation and the Committee on Financial Services and Infrastructure of the House of Representatives. The Committee on Transportation and the Committee on Banking, Housing, and Urban Affairs of the House of Representatives shall conduct oversight and recoupment activities under this section.

SEC. 4119. COORDINATION.

In implementing this subtitle the Secretary shall coordinate with the Secretary of Defense, the Secretary of Homeland Security, and the Administrator of the Federal Emergency Management Agency.

SEC. 4120. DIRECT APPROPRIATION.

Notwithstanding any other provision of law, there is appropriated, out of amounts in the Treasury not otherwise appropriated, $32,000,000,000 to carry out this subtitle.

TITLE V—CORONAVIRUS RELIEF FUNDS

SEC. 5001. CORONAVIRUS RELIEF FUND.

(a) IN GENERAL.—The Social Security Act (42 U.S.C. 301 et seq.) is amended by inserting after title V the following:

"TITLE VI—CORONAVIRUS RELIEF FUND

SEC. 601. CORONAVIRUS RELIEF FUND.

"(a) APPROPRIATION.—
  (1) In general.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for making payments to States, Tribal governments, and units of local government under this section, $350,000,000,000 for fiscal year 2020.
  (2) RESERVATION OF FUNDS.—Of the amount appropriated under paragraph (1), the Secretary may reserve—
    (A) $5,000,000,000 of such amount for making payments to the District of Columbia, the Commonwealth of Puerto Rico, the United States territories, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa; and
    (B) $8,000,000,000 of such amount for making payments to Tribal governments.
  (b) AUTHORITY TO MAKE PAYMENTS.—
    (1) IN GENERAL.—Subject to paragraph (2), out of the amount appropriated under subsection (a)(1) the Secretary shall make payments to States, Tribal governments, and units of local government under this section.
    (2) DISTRICT OF COLUMBIA AND TERRITORIES.—The amount paid under this section for fiscal year 2020 to the District of Columbia and territories shall be—
      (A) the amount set aside under subsection (a)(2)(A) for such fiscal year; and
      (B) each such District’s and territory’s share of the combined total population of the District of Columbia and territories, as determined by the Secretary.
  (c) TRIBAL GOVERNMENTS.—From the amount set aside under subsection (a)(2)(B) for fiscal year 2020, the amount paid under this section for fiscal year 2020 to a Tribal government shall be the amount the Secretary shall determine, in consultation with the Secretary of the Interior, to be necessary to fund Tribal governments, that is based on increased expenditures of such Tribal government (or a tribally-owned entity of such Tribal government) after this subsection takes effect in fiscal year 2019 by the Tribal government (or tribally-owned entity) and determined in such manner as the Secretary determines appropriate to ensure that a unit of local government shall receive the amount determined for that unit of local government.
    (d) PAYMENT AMOUNTS.—
      (1) IN GENERAL.—Subject to paragraph (2), the amount paid under this section for fiscal year 2020 to a State that is 1 of the 50 States shall be equal to the relative State population proportion amount determined for the State under paragraph (3) for such fiscal year.
      (2) MINIMUM PAYMENT.—
        (A) IN GENERAL.—No State that is 1 of the 50 States shall receive a payment under this section for fiscal year 2020 that is less than $1,250,000.
        (B) PRO RATA ADJUSTMENTS.—The Secretary shall adjust on a pro rata basis the amount of the payments for each of the 50 States determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirement of subparagraph (A).
      (3) RELATIVE POPULATION PROPORTION AMOUNT.—For purposes of paragraph (1), the relative population proportion amount determined under this paragraph for a State for fiscal year 2020 is the product of—
        (A) the amount appropriated under paragraph (1) of subsection (a) for fiscal year 2020 that remains after the application of paragraph (2) of subsection (a); and
        (B) the relative State population proportion (as defined in paragraph (4)).
      (4) RELATIVE UNIT OF LOCAL GOVERNMENT POPULATION PROPORTION AMOUNT.—For purposes of subsection (b)(2), the term ‘relative unit of local government population proportion’ means, with respect to a State, the quotient of—
        (A) the total population of all States (excluding the District of Columbia and territories specified in subsection (a)(2)(A)); and
        (B) the total population of all States (excluding the District of Columbia and territories specified in subsection (a)(2)(A)).
      (5) RELATIVE POPULATION PROPORTION AMOUNT.—For purposes of paragraph (3), the term ‘relative population proportion’ means, with respect to a State, the quotient of—
        (A) the population of the State; and
        (B) the total population of all States (excluding the District of Columbia and territories specified in subsection (a)(2)(A)).
      (6) DISTRICT OF COLUMBIA AND TERRITORIES.—The amount paid under this section for fiscal year 2020 to the District of Columbia and territories shall be—
        (A) the amount set aside under subsection (a)(2)(A) for such fiscal year; and
        (B) each such District’s and territory’s share of the combined total population of the District of Columbia and territories, as determined by the Secretary.
    (d) USE OF FUNDS.—A State, Tribal government, and unit of local government shall use the funds provided under a payment made under this section for any purpose related to costs of the State, Tribal government, or unit of local government that—
      (1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
      (2) were not accounted for in the budget most recently approved by the State or local government; and
      (3) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
    (e) CERTIFICATION.—In order to receive a payment under this section, a unit of local government shall provide the Secretary with a certification signed by the Chief Executive for the unit of local government that the funds are consistent with subsection (d).
  (f) INSPECTOR GENERAL OVERSIGHT; REPORTS.—
    (1) OVERSIGHT AUTHORITY.—The Inspector General of the Department of the Treasury shall conduct monitoring and oversight of the receipt, disbursement, and use of funds made available under this section.
    (2) RECAPTURE.—If the Inspector General of the Department of the Treasury determines that a State, Tribal government, or unit of local government has failed to comply with subsection (d), the amount equal to the amount of funds used in violation of such subsection shall be booked as a debt of such entity owed to the Federal Government.
  (g) DEFINITIONS.—In this section:
    (1) INDIAN TRIBE.—The term ‘Indian Tribe’ includes any tribe eligible to receive funds under the Indian Tribes, that is based on increased expenditures of each such Tribal government (or a tribally-owned entity of such Tribal government) after this subsection takes effect in fiscal year 2019 by the Tribal government (or tribally-owned entity) and determined in such manner as the Secretary determines appropriate to ensure that a unit of local government shall receive the amount determined for that unit of local government under this section.
    (2) DISTRICT OF COLUMBIA AND TERRITORIES.—The term ‘District of Columbia and territories’ includes—
      (A) the District of Columbia; and
      (B) each such District’s and territory’s share of the combined total population of the District of Columbia and territories, as determined by the Secretary.
    (3) RELATIVE UNIT OF LOCAL GOVERNMENT POPULATION PROPORTION AMOUNT.—For purposes of paragraph (3), the term ‘relative unit of local government population proportion’ means, with respect to a unit of local government and a State, the amount equal to the product of—
        (A) 45 percent of the amount of the payment determined for the State under this subsection (without regard to this paragraph); and
        (B) the amount equal to the quotient of—
          (i) the population of the unit of local government;
          (ii) the total population of the State in which the unit of local government is located; and
          (iii) the total population of the State in which the unit of local government is located.
      (4) DISTRICT OF COLUMBIA AND TERRITORIES.—The amount paid under this section for fiscal year 2020 to a State that is the District of Columbia and territories specified in subsection (a)(2)(A) shall be the amount equal to the product of—
        (A) the amount set aside under subsection (a)(2)(A) for such fiscal year; and
        (B) each such District’s and territory’s share of the combined total population of the District of Columbia and territories, as determined by the Secretary.
  (h) TRIBAL GOVERNMENTS.—From the amount set aside under subsection (a)(2)(B) for fiscal year 2020, the amount paid under this section for fiscal year 2020 to a Tribal government shall be the amount the Secretary shall determine, in consultation with the Secretary of the Interior, to be necessary to fund Indian Tribes, that is based on increased expenditures of each such Tribal government (or a tribally-owned entity of such Tribal government) after this subsection takes effect in fiscal year 2019 by the Tribal government (or tribally-owned entity) and determined in such manner as the Secretary determines appropriate to ensure that a unit of local government shall receive the amount determined for that unit of local government under this section.
DIVISION B—EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS

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

TITLE I
AGRICULTURAL PROGRAMS

OFFICE OF THE SECRETARY

For an additional amount for “Office of the Secretary”, $5,600,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, by providing support for food systems impacted by coronavirus, including producers of specialty crops, producers that supply local food systems, including farmers markets, restaurants, and schools, and livestock producers, including dairy producers: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SECTION 6001. COVID-19 BORROWING AUTHORITY FOR THE UNITED STATES POSTAL SERVICE.

(a) Definitions.—In this section—

(1) the term “COVID–19 emergency” means the emergency requiring Federal primary responsibility determined to exist by the President under section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191(b)) with respect to the Coronavirus Disease 2019 (COVID–19); and

(2) the term “Postal Service” means the United States Postal Service.

(b) Additional Borrowing Authority.—Notwithstanding section 2005 of title 39, United States Code, or any other provision of law, if the Postal Service determines that, due to the COVID–19 emergency, the Postal Service will not be able to fund operating expenses without borrowing money—

(1) the Postal Service may borrow money from the Treasury in an amount not to exceed $10,000,000,000—

(A) to be used for such operating expenses; and

(B) which may not be used to pay any outstanding debt of the Postal Service; and

(2) the Secretary of the Treasury may lend an amount not to exceed $47,500,000,000 from the Treasury in an amount not to exceed $10,000,000,000—

(A) in the case of a loan under this subsection, to the Postal Service; or

(B) in the case of a loan under this subsection, to the Secretary of the Treasury: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Office of Inspector General

For an additional amount for “Office of Inspector General”, $320,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SECTION 6002. EMERGENCY DESIGNATION.

Notwithstanding any other provision of law, except as otherwise provided herein, the term “COVID–19 emergency” under section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
heading in this Act, $100,000,000 shall be for the food distribution program on Indian reservations program as authorized by Section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 3206(b) and Section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 1431)) to prevent, prepare for, and respond to coronavirus, of which $50,000,000 shall be for facility improvements and equipment upgrades and of which $50,000,000 shall be for the costs relating to additional food purchases: Provided, further, That the amount provided under this heading in this Act, $200,000,000 to remain available through September 30, 2021, shall be available for the Secretary of Agriculture to provide grants to the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Puerto Rico, and American Samoa for nutrition assistance to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

SALES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $4,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including necessary expenses to relocate employees and their dependents back from overseas posts: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FOREIGN ASSISTANCE AND RELATED PROGRAMS

COMMODITY CREDIT CORPORATION

REIMBURSEMENT OF PRESENT NET REALIZED LOSSES

SEC. 11002. Of the amounts provided in the Further Consolidated Appropriations Act, 2020 (Public Law 116-94) under the heading “Commodity Credit Corporation Fund—Reimbursement of Present Net Realized Losses”, $14,000,000,000, may be used, prior to the completion of the report described in 15 U.S.C. 713a–11, to reimburse the Commodity Credit Corporation for losses sustained, but not previously reimbursed, as reflected in the June 2020 report of its financial condition: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 11003. The Secretary may extend the term of a marketing assistance loan authorized by section 1201 of the Agricultural Act of 2014 (7 U.S.C. 9033) for any loan commodity made available pursuant to this section to 2 years, to positions in the Economic Development Administration in the manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions: provided, That the authority under this provision shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure: Provided, further, That within the amount appropriated under this heading in this Act, $5,000,000 shall be transferred to the “Office of Inspector General” account for carrying out investigation and oversight activities related to preventing, preparing for, and responding to coronavirus: Provided, further, That the Secretary of Commerce is authorized to appoint temporary personnel, after serving continuously for 2 years, to positions in the Economic Development Administration in the manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions: provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $80,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including funds for the development of necessary medical countermeasures and vaccines, advanced manufacturing for medical products, the monitoring of medical product supply chains, and related administrative activities: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

(INCLUDING TRANSFER OF FUNDS)

SEC. 11001. Of the funds made available to the Rural Development mission area in this title, and in the amounts otherwise made available for such purpose, not more than 3 percent may be used for administrative costs to carry out loan, guarantee and grant activities under this title to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such funds shall be transferred to, and merged with, the appropriate fund or accounts for “Salaries and Expenses” and, once transferred, shall be used only to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, further, That this transfer authority is in addition to any other transfer authority provided by law.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For an additional amount for “Scientific and Technical Research and Services”, $6,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including funds for the duplication of broadband expansion efforts made, by supporting continuity of operations, including measurement science to support viral testing and biomanufacturing: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INDUSTRIAL TECHNOLOGY SERVICES

For an additional amount for “Industrial Technology Services”, $60,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including funds for the development of economic adjustment assistance as authorized by section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 2314): Provided further, That within the amount appropriated under this heading in this Act, up to 2 percent of funds may be transferred to the “Salaries and Expenses” account for administration and oversight activities related to preventing, preparing for, and responding to coronavirus: Provided, further, That the Secretary of Commerce is authorized to appoint and fix the compensation of such temporary personnel as may be necessary to implement the requirements under this heading in this Act: Provided, further, That within the amount appropriated under this heading in this Act, $1,500,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for necessary expenses for responding to economic injury as and for which a grant is made under the pilot program, a rural area eligible as a result of adjusted eligibility requirements: Provided, further, That such amount shall be for economic adjustment assistance as authorized by section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 2314): Provided further, That within the amount appropriated under this heading in this Act, $30,000,000 shall be transferred to the “Office of Inspector General” account for carrying out investigation and oversight activities related to funding provided to prevent, prepare for, and respond to coronavirus under this heading in this Act: Provided, further, That the authority under this provision shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure: Provided, further, That within the amount appropriated under this heading in this Act, $50,000,000 shall be transferred to the “Office of Inspector General” account for carrying out investigation and oversight activities related to preventing, preparing for, and responding to coronavirus: Provided, further, That the Secretary of Commerce is authorized to appoint temporary personnel, after serving continuously for 2 years, to positions in the Economic Development Administration in the manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions: provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
shall be for the Hollings Manufacturing Extension Partnership to assist manufacturers to prevent, prepare for, and respond to coronavirus and $10,000,000 shall be for the National Network for Manufacturing Innovation (also known as “Manufacturing USA”) to prevent, prepare for, and respond to coronavirus, including to support development of medical countermeasures and biomedical equipment and supplies: Provided further, That none of the funds provided under this heading in this Act shall be subject to the requirement pursuant to section 15 U.S.C. 276k(e)(2) or 15 U.S.C. 276s(e)(7)(A): Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities”, $20,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, by supporting continuity of operations, including National Weather Service life and property related operations: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

JUSTICE INFORMATION SHARING TECHNOLOGY

For an additional amount for “Justice Information Sharing Technology”, $2,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including the impact of coronavirus on the work of the Department of Justice: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, $2,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including the impact of coronavirus on the work of the Department of Justice: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For an additional amount for “Agency Operations and Award Management”, $1,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to administer research grants and other necessary expenses: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for “Payment to the Legal Services Corporation”, $50,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That none of the funds appropriated under this heading in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501 and 505 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions as specified in such sections. All references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2019 and 2020, respectively, and except that sections 501 and 505 of Public Law 104–134 (referred to by Public Law 105–119) shall not apply to the amount made available under this heading: Provided further, That for the purposes of this Act, the Legal Services Corporation shall be considered an agency of the United States Government: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

Science. Funds provided by the Consolidated Appropriations Act, 2020, (Public Law 116–93) for the Hollings Manufacturing Extension Partnership under the heading “National Institute of Standards and Technology—Industrial Technology Services” shall not be subject to cost share requirements under 15 U.S.C. 278a(e)(2): Provided, That the authority contained in this section shall be elective for any Manufacturing Extension Partnership Center for the prevention, prepare for, and respond to coronavirus, domestically or internationally, including the impact of coronavirus on the work of the Department of Justice: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL BUREAU OF INVESTIGATION

SALES AND EXPENSES

For an additional amount for “Federal Bureau of Investigation, Salaries and Expenses”, $15,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including the impact of coronavirus on the work of the Department of Justice: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

SALES AND EXPENSES

For an additional amount for “Federal Prison System, Salaries and Expenses”, $20,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including the impact of coronavirus on the work of the Department of Justice: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND LOCAL LAW ENFORCEMENT

AGENCIES

OFFICE OF JUSTICE PROGRAMS

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For an additional amount for “State and Local Law Enforcement Assistance”, $850,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to be awarded pursuant to the formula allocation (adjusted in proportion to the relative amounts statutorily designated therefor) that was used in fiscal year 2019 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title II of the Omnibus Crime Control and Safe Streets Acts of 1968 (‘‘1968 Act’’): Provided, That the allocation provisio
that also receives funding from a State that is conditioned upon the application of a Federal cost sharing requirement.

SEC. 12002. (a) Funds appropriated in this title for the National Science Foundation may be made available to restore amounts, either directly or through reimbursement, for obligations incurred by the National Science Foundation for research grants and other necessary expenses to prevent, prepare for, and respond to coronavirus, domestically or internationally, prior to the date of enactment of this Act.

(b) Grants or cooperative agreements made by the National Science Foundation under this title, to carry out research grants and other research assistance to the extent that also receives funding from a State that is conditioned upon the application of a Federal cost sharing requirement.

BUREAU OF PRISONS

SEC. 12003. (a) DEFINITIONS.—In this section:

(1) the term "Bureau" means the Bureau of Prisons;

(2) the term "covered emergency period" means the period beginning on the date on which the President declared a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID-19) and ending on the date on which the emergency declaration terminates; and

(3) the term "Secretary" means the Secretary of Health and Human Services.

(b) SUPPLY OF PERSONAL PROTECTIVE EQUIPMENT AND TEST KITS TO BUREAU OF PRISONS HOME CONFINEMENT AUTHORITY.—

(1) PERSONAL PROTECTIVE EQUIPMENT AND TEST KITS.—

(A) FINDINGS.—Congress finds the following:

(i) There is an urgent need for personal protective equipment and test kits to the Bureau based on the density of the inmate population, the high traffic, the high volume of inmates, the high rate of turnover of inmates and personnel, and the number of high-security areas, within the facilities of the Bureau.

(ii) The inability of the Bureau to secure the purchase of infectious disease personal protective equipment and related supplies now available would create a serious vulnerability of the Bureau.

(iii) The Bureau is currently competing in and engaging the same landscape of vendors as all other Federal agencies and private entities.

(iv) The ability of the Bureau to purchase needed equipment and supplies is currently subject to an individual manufacturer’s specific recognition of the Bureau as a priority and subsequent allocation of the inventory of the manufacturer to the Bureau.

(B) CONSIDERATION.—The Secretary shall give appropriate relative to other priorities of the Department of Health and Human Services for high-risk and high-need populations, the distribution of infectious disease personal protective equipment and COVID-19 test kits to the Bureau for use by inmates and personnel of the Bureau.

(2) HOME CONFINEMENT AUTHORITY.—During the covered emergency period, if the Attorney General finds that emergency conditions will materially affect the functioning of the Bureau, the Director of the Bureau may lengthen the 60 day period following the date of enactment of this section by the Director determines appropriate.

(c) VIDEO VISITATION.—

(E) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

S2128 CONGRESSIONAL RECORD — SENATE March 25, 2020

ASSISTANCE TO FISHERY PARTICIPANTS

SEC. 12005. (a) IN GENERAL.—The Secretary of Commerce is authorized to provide assistance to Tribal, subsistence, commercial, and charter fishery participants affected by the novel coronavirus (COVID–19), which may include direct relief payments.

(b) FISHERY PARTICIPANTS.—For the purposes of this section, “fishery participants” include Tribes, persons, fishing communities, aquaculture businesses not otherwise eligible for assistance under title 7 of the Code of Federal Regulations for losses related to COVID–19, processors, or other fishery-related businesses, who have incurred losses as a direct or indirect result of the coronavirus pandemic:

(1) economic revenue losses greater than 35 percent as compared to the prior 5-year average revenue;

(2) any negative impacts to subsistence, cultural, or commercial fisheries.

(c) ROLLING BASIS.—Funds may be awarded under this section on a rolling basis, and within a fishing season, to ensure rapid delivery of funds during the COVID–19 pandemic.

(d) APPROPRIATIONS.—In addition to funds that are otherwise made available to assist fishery participants under this Act, there are appropriated, and are available until September 30, 2021, to carry out this section, of which up to 2 percent may be used for administration and oversight activities.

(e) EMERGENCY REQUIREMENT.—The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE III

DEPARTMENT OF DEFENSE

SEC. 12005. (a) IN GENERAL.—The Department of Defense is authorized to provide assistance to National Guard Personnel, Army:

For an additional amount for “National Guard Personnel, Army”, $746,591,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally— Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONEL, ARMY

For an additional amount for “National Guard Personnel, Air Force”, $622,125,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally— Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, $110,300,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, $360,308,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, $90,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, $155,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Army National Guard”, $48,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for “Operation and Maintenance, Air National Guard”, $186,509,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, $275,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

DEFENSE PRODUCTION ACT PURCHASES

For an additional amount for “Defense Production Act Purchases”, $1,000,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That for the two-year period beginning with the date of enactment of this Act, the requirement for the funds authorized by section 320(c)(1) of Public Law 81–774, shall be waived: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for Defense Working Capital Funds, $1,450,000,000, to prevent, position, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the amount of provided under this heading shall be for the Navy Working Capital Fund, $475,000,000 shall be for the Air Force Working Capital Fund, and $500,000,000 shall be for the Army Working Capital Fund: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, $3,805,600,000, of which $3,390,600,000 shall be for operation and maintenance, and $415,000,000 shall be for research, development, testing, and evaluation, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That one percent of funding for operation and maintenance made available under this heading in Public Law 116–93 shall remain available for obligations until September 30, 2021, for provision of medical care for events related to the Coronavirus Disease 2019 (COVID–19).

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for “Office of the Inspector General”, $20,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the funding made available under this heading in this Act shall be used for conducting audits and investigations of projects and activities carried out with funds made available in this Act to the Department of Defense to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

S. 13001. Funds appropriated by this title may be transferred to, and merged with, other applicable appropriations of the Department of Defense, pursuant to section 2302(2) of title 10, United States Code, as applicable, to support the national emergency for the Coronavirus Disease 2019 (COVID–19).

S. 13001. Funds appropriated by this title may be transferred to, and merged with, other applicable appropriations of the Department of Defense, pursuant to section 2302(2) of title 10, United States Code, as applicable, to support the national emergency for the Coronavirus Disease 2019 (COVID–19).

S. 13001. Funds appropriated by this title may be transferred to, and merged with, other applicable appropriations of the Department of Defense, pursuant to section 2302(2) of title 10, United States Code, as applicable, to support the national emergency for the Coronavirus Disease 2019 (COVID–19).

S. 13001. Funds appropriated by this title may be transferred to, and merged with, other applicable appropriations of the Department of Defense, pursuant to section 2302(2) of title 10, United States Code, as applicable, to support the national emergency for the Coronavirus Disease 2019 (COVID–19).

S. 13001. Funds appropriated by this title may be transferred to, and merged with, other applicable appropriations of the Department of Defense, pursuant to section 2302(2) of title 10, United States Code, as applicable, to support the national emergency for the Coronavirus Disease 2019 (COVID–19).
committees a notice on the carrying out of such transaction as soon as is practicable after the commencement of the carrying out of such transaction.

(3) In this subsection, the term ‘congressional defense committees’ has the meaning given such term in section 101(a)(16) of title 10, United States Code.

SEC. 9033. (a) The President may extend the appointment of the Chief of Army Reserve as prescribed in section 7038(c) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by section 8083(c).

(b) The President may extend the appointment of the Chief of Navy Reserve as prescribed in section 8083(c) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by section 8083(c).

(c) The President may extend the appointment of the Chief of Staff of the Air Force prescribed in section 9033(a)(1) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by section 9033(a)(1).

(d) The President may extend the appointment of the Chief of Space Operations, as prescribed in section 9022(a)(2) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by section 8022(a)(2).

(e) The President may extend the appointment of the Chief of the National Guard Bureau as prescribed in section 10502(b) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by section 10502(b).

(f) The President may extend the appointment of the Secretary of the Army, as prescribed in section 10506(a)(3)(D) of title 10, United States Code, for the incumbent in that position as of the date of the enactment of this Act until the date of the appointment of the successor to such incumbent, notwithstanding any limitation otherwise imposed on such term by section 10506(a)(3)(D).

(g) Notwithstanding paragraph (4) of section 10505(a) of title 10, United States Code, the Secretary of Defense may waive the limitations in paragraphs (2) and (3) of that section for a period of more than 270 days.

(b)(1) The President may delegate the exercise of the authorities in subsections (a) through (f) to the Secretary of Defense.

(b)(2) The Secretary of Defense may delegate the exercise of any authority delegated to the Secretary pursuant to paragraph (1), and may not delegate the exercise of the authority in subsection (g).

TITLE IV
CORPS OF ENGINEERS—CIVIL DEPARTMENT OF THE ARMY
OPERATION AND MAINTENANCE

For an additional amount for ‘Operation and Maintenance’, $50,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for ‘Fees’, $20,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
WATER AND RELATED RESOURCES
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ‘Water and Related Resources’, $12,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That $500,000 of the funds provided under this heading in this Act shall be transferred to the ‘Central Utah Project Completion Account’ to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

POLICY AND ADMINISTRATION

For an additional amount for ‘Policy and Administration’, $8,150,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF ENERGY
ENERGY PROGRAMS

For an additional amount for ‘Science’, $99,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL Administration
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ‘Departmental Administration’, $3,300,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SFC 14001. Funds appropriated in this title may be made available to restore amounts, either directly or through reimbursement, for obligations incurred to prevent, prepare for, and respond to coronavirus prior to the date of enactment of this Act.

SFC 14002. (a) Section 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6239 note) is amended—

(1) by striking subsection (e), by striking ‘‘2020’’ and inserting ‘‘2022’’; and

(2) in subsection (g), by striking ‘‘2020’’ and inserting ‘‘2022’’.

(b) Title III of division C of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) is amended in the matter under the heading ‘‘Department of Energy—Energy Programs—Strategic Petroleum Reserve’’ by striking the three provisos before the final period and inserting the following:

‘‘Provided, That, as authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C. 6239 note), the Secretary of Energy shall draw down and sell not to exceed a total of $450,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2020, fiscal year 2021, or fiscal year 2022: Provided further, That the proceeds from such drawdown and sale shall be deposited into the ‘Energy Security and Infrastructure Modernization Fund’ during the fiscal year in which the sale occurs and shall be made available in such fiscal year, to remain available until expended, for necessary expenses to carry out the Life Extension II project for the Strategic Petroleum Reserve’’.

(c) The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SFC 14003. Any discretionary appropriation for the Corps of Engineers derived from the Harbor Maintenance Trust Fund (not to exceed the total amount deposited in the Harbor Maintenance Trust Fund in the prior fiscal year) shall be subtracted from the estimate of discretionary budget authority and outlays for any estimate of an appropriation Act under the Congressional Budget Act of 1974 or the Balanced Budget and Emergency Deficit Control Act of 1985.

SFC 14004. Section 14321(a)(2)(B)(ii) of title 40, United States Code, is amended by inserting ‘‘, except that a discretionary grant to respond to economic distress directly related to the impacts of the Coronavirus Disease 2019 (COVID-19) shall not be included in such aggregate amount’’ before the period at the end.
TITLE V
DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
ADMINISTRATIVE PROVISION—INTERNAL REVENUE SERVICE
(INCLUDING TRANSFER OF FUNDS)

S. 1501. In addition to the amounts other- 
wise available to the Internal Revenue Service in fiscal year 2020, $250,000,000, to re-
main available until September 30, 2021, shall be available to prevent, prepare for, and re-
spond to coronavirus, domestically or inter-
nationally, including costs associated with the extended filing season and implementa-
tion of the Families First Coronavirus Re-
sponse Act: Provided, That such funds may be transferred by the Commissioner to the "Taxpayer Services," "Enforcement," or "Operations Support" accounts of the Intern-
nal Revenue Service for an additional amount to be used solely to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate shall be notified in advance of any such transfer: Pro-
vided further, That such transfer authority is in addition to any other transfer authority provided by law: Provided further, That no later than 30 days after the date of enact-
tment of this Act, the Commissioner shall submit to the Committees on Appropriations of the House of Representatives and the Sen-
ate a spending plan for such funds: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

THE JUDICIARY
SUPREME COURT OF THE UNITED STATES
SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $500,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES
SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $1,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEFENDER SERVICES

For an additional amount for "Defender Services", $1,000,000, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISION—THE JUDICIARY
VIDEO TELECONFERRING FOR CRIMINAL
PROCEEDINGS

S. 1502. (a) DEFINITION.—In this section, the term "emergency period" means the period beginning on the date on which the President declared a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) and ending on the date that is 90 days after the date on which the national emergency decla-
rator terminates.

(b) VIDEO TELECONFERRING FOR CRIMINAL PROCEEDINGS.—(1) IN GENERAL.—Subject to paragraphs (3), (4), and (5), if the Judicial Conference of the United States finds that emergency condi-
tions due to the national emergency declared by the President under the National Emer-
gencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) will materially affect the functioning of either the Federal courts generally or a particular district court of the United States, the chief judge of a district court covered by the finding (or, if the chief judge is unavailable, the most senior available active judge of the court or the chief judge or circuit justice of the circuit that includes the district court), upon application of the Attorney General, or on motion of the judge or justice, may authorize the use of video teleconferencing, or telephone confer-
cing if video teleconferencing is not reason-
ably available, for the following events:

(A) Detention hearings under section 3142 of title 18, United States Code.

(B) Initial appearance under Rule 5 of the Federal Rules of Criminal Procedure.

(C) Preliminary hearings under Rule 5.1 of the Federal Rules of Criminal Procedure.

(D) Waivers of indictment under Rule 7(b) of the Federal Rules of Criminal Procedure.

(E) Arraignments under Rule 10 of the Fed-
eral Rules of Criminal Procedure.

(F) Probationary release revocation proceedings under Rule 32.1 of the Federal Rules of Criminal Procedure.

(G) Pretrial release revocation proceedings under section 3148 of title 18, United States Code.

(H) Appearances under Rule 40 of the Fed-
eral Rules of Criminal Procedure.

(I) Misdemeanor pleas and sentencings as described in Rule 43(b)(2) of the Federal Rules of Criminal Procedure.

(J) Proceedings under chapter 403 of title 18, United States Code (commonly known as the "Federal Juvenile Delinquency Act"), except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.

(2) FELONY PLEAS AND SENTENCING.—(A) IN GENERAL.—Subject to paragraphs (3), (4), and (5), if the Judicial Conference of the United States finds that emergency condi-
tions due to the national emergency declared by the President under the National Emer-
gencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) will materially affect the functioning of either the Federal courts generally or a particular district court of the United States, the chief judge of the district court covered by the finding (or, if the chief judge is unavailable, the most senior available active judge of the court or the chief judge or circuit justice of the circuit that includes the district court) may authorize the use of video teleconferencing, or telephone confer-
cing if video teleconferencing is not reason-
ably available, for the following events:

(A) Subject to paragraphs (1) and (3), for any felony plea under section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(B) Subject to paragraph (1), the last day of the covered emergency period.

(C) Subject to paragraph (1), the date on which the Judicial Conference of the United States finds that emergency conditions due to the national emer-
gency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) no longer materially affect the functioning of either the Federal courts generally or the district court in question.

(3) REVIEW.—(A) IN GENERAL.—If the Judicial Conference of the United States finds that emergency conditions due to the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) no longer materially affect the functioning of either the Federal courts generally or the district court in question, the Judicial Conference of the United States shall, once every 90 days until the earlier of—

(i) the date on which the chief judge of the district court covered by the finding (or, if the chief judge is unavailable, the most senior available active judge of the court or the chief judge or circuit justice of the circuit that includes the district court) determines that the authority is no longer warranted; or

(ii) the date on which the Federal Rules of Criminal Procedure (including the Federal Rules of Criminal Procedure) no longer contain any provisions authorizing the use of teleconferencing authorized under paragraph (1) or (2) may only take place with the consent of the defendant, or the juvenile, after consultation with counsel.

(4) CONSENT.—Video teleconferencing or telephone conferencing authorized under paragraph (1) or (2) may only take place with the consent of the defendant, or the juvenile, after consultation with counsel.

(5) TERMINATION OF EMERGENCY AUTHOR-
ITY.—The authority provided under para-
graphs (1), (2), and (3), and any specific au-
thorizations issued under those paragraphs, shall terminate on the earlier of—

(A) the last day of the covered emergency period; or

(B) the date on which the Judicial Con-
ference of the United States finds that emer-
gency conditions due to the national emer-
gency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the Coronavirus Disease 2019 (COVID–19) no longer materially affect the functioning of either the Federal courts generally or the district court in question.

(6) NATIONAL EMERGENCIES GENER-
ALLY.—The Judicial Conference of the United States and the Supreme Court of the United States shall consider rule amendments under chapter 403 of title 18, United States Code (commonly known as the "Rules Enabling Act"), that address emergency measures that may be taken by the Federal courts when the President declares a national emergency under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(7) RULE OF CONSTRUCTION.—Nothing in this subsection shall divest a defendant’s right to counsel under the Sixth Amendment to the Constitution of the United States, any Federal statute, or the Federal Rules of Criminal Procedure.

(c) The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Salaries and Expenses”, $20,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally:

Provided, That a State receiving a payment under this heading in this Act shall provide to the Administrator in this or any previous Act shall not be subject to section 3307 of title 25, United States Code, for the acquisition of property or real property or to improve real property or to improve real property in response to coronavirus shall be deemed a Federal emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL BUILDINGS FUND

SECTION 1503. Notwithstanding 41 U.S.C. 3304(a)(5)(D) or coronavirus domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE REGULATIONS

PUBLIC DISASTER LOANS PROGRAM ACCOUNT

ADMINISTRATION

For an additional amount for “Salaries and Expenses”, $12,100,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally:

Provided, That such amount may be transferred to, used to reimburse the Fund for obligations incurred for, or respond to coronavirus, domestically or internationally: Provided further, That the amount provided under this heading in this Act may be used by the Administrator in the public interest:

Provided, That the amount provided under this heading in this Act shall not be subject to section 3307 of title 25, United States Code, for the acquisition of property or real property or to improve real property or to improve real property in response to coronavirus shall be deemed a Federal emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WORKING CAPITAL FUND

For an additional amount for “Working Capital Fund”, $1,500,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the cost of direct loans authorized under section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL SERVICES ADMINISTRATION

SEC. 15003. Notwithstanding 41 U.S.C. 3306(a)(7), coronavirus domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE REGULATIONS

For an additional amount for “Working Capital Fund”, $1,500,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the cost of direct loans authorized under section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

PANDEMIC RESPONSE ACCOUNTABILITY COMMITTEE

For an additional amount for “Salaries and Expenses”, $30,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally:

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SMALL BUSINESS ADMINISTRATION

For an additional amount for “Salaries and Expenses”, $8,100,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally:

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SMALL BUSINESS ADMINISTRATION DISASTER LOANS PROGRAM ACCOUNT

For an additional amount for “Salaries and Expenses”, $2,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally:

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

SEC. 15010. (a) In this section—

(1) the term “agency” has the meaning given the term in section 551 of title 5, United States Code; and

(2) the term “appropriate congressional committees” means—

(A) the Committees on Appropriations of the House of Representatives and the Senate;
(C) the Committee on Oversight and Reform of the House of Representatives; and
(D) any other relevant congressional committee of jurisdiction;
(3) a "minority leader" means the Chairperson of the Committee;
(4) the term ‘‘Council’’ means the Council of the Inspectors General on Integrity and Efficiency established under section 2(b) of the Inspector General Act of 1976 (5 U.S.C. App.);
(5) the term ‘‘Committee’’ means the Pandemic Response Accountability Committee established under subsection (b);
(6) the term ‘‘covered funds’’ means any funds, including loans, that are made available in any form to any non-Federal entity, not including an individual, under—
(A) this Act;
(b) the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116–127);
(C) the Families First Coronavirus Response Act (Public Law 116–137); or
(D) any other Act primarily making appropriations for the Coronavirus response and related activities; and
(7) the term ‘‘Coronavirus response’’ means the Federal Government’s response to the nationwide public health emergency declared by the Secretary of Health and Human Services, retroactive to January 27, 2020, pursuant to section 319 of the Public Health Service Act, as a result of confirmed cases of the novel coronavirus (COVID–19) in the United States;
(b) established within the Council the Pandemic Response Accountability Committee to promote transparency and conduct and support oversight of covered funds and the Coronavirus response;
(1) prevent and detect fraud, waste, abuse, and mismanagement; and
(2) mitigate major risks that cut across programs and agency boundaries.
(c)(1) The Chairperson of the Committee shall be selected by the Chairperson of the Council from among Inspectors General described in subparagraphs (B), (C), and (D) of paragraph (2) with experience managing oversight of large organizations and expenditures;
(c)(2) The members of the Committee shall include—
(A) the Chairperson;
(B) three Inspectors General of the Department of Defense, Education, Health and Human Services, Homeland Security, Justice, Labor, and the Treasury;
(C) the Inspector General of the Small Business Administration;
(D) the Treasury Inspector General for Tax Administration; and
(E) any other Inspector General, as designated by the Chairperson from any agency that expends or obligates covered funds or is involved in the Coronavirus response.
(d)(1) The Chairperson, the Executive Director and a Deputy Executive Director of the Committee,
(ii) Not later than 30 days after the date of enactment of this Act, the Executive Director of the Committee shall be appointed by the Chairperson of the Council, in consultation with the majority leader of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, and the minority leader of the House of Representatives;
(ii) Not later than 90 days after the date of enactment of this Act, the Deputy Executive Director of the Committee shall be appointed by the Chairperson of the Council, in consultation with the majority leader of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, the majority leader of the House of Representatives, and the Executive Director of the Committee.
(i) The Executive Director and the Deputy Executive Director of the Committee shall—
(I) have demonstrated ability in accounting, auditing, and financial analysis;
(II) have a broad management oversight of large organizations and expenditures; and
(III) be full-time employees of the Committee.
(c) The Executive Director of the Committee shall—
(i) report directly to the Chairperson;
(ii) appoint staff of the Committee, subject to the approval of the Chairperson, consistent with subsection (f);
(iii) supervise and coordinate Committee functions and staff;
(iv) perform any other duties assigned to the Executive Director by the Committee.
(d) Members of the Committee may not receive additional compensation for services performed.
(2) The Executive Director and Deputy Executive Director of the Committee shall be determined whether a wasteful or improper expenditure has been made.
(3) Oversight and support of the Committee shall include—
(i) developing a strategic plan to ensure coordinated, efficient, and effective comprehensive oversight by the Committee and Inspectors General over all aspects of covered funds and the Coronavirus response;
(ii) auditing or reviewing covered funds, including a comprehensive audit and review of charges made to Federal contracts pursuant to authorities provided in the Coronavirus Aid, Relief, and Economic Security Act, and the Inspector General Act of 1978 (5 U.S.C. App); and
(iii) identifying and quantifying the impact of any tax expenditures or credits authorized under this Act to the extent practicable.
(2)(A) The Committee shall conduct and coordinate oversight of covered funds and the Coronavirus response and support Inspectors General in the oversight of covered funds and the Coronavirus response in order to—
(i) detect and prevent fraud, waste, abuse, and mismanagement; and
(ii) identify major risks that cut across programs and agency boundaries.
(B) The functions of the Committee shall include—
(i) identifying risks to the Coronavirus response or oversight of covered funds and the Coronavirus response.
(2) The committee shall submit biennial reports to the President and Congress, including the appropriate congressional committees, and may submit additional reports as appropriate—
(i) summarizing the findings of the Committee; and
(ii) identifying and quantifying the impact of any tax expenditures or credits authorized under this Act to the extent practicable.
(2)(A) The Committee shall submit to the President and Congress, and may submit additional reports as appropriate—
(i) summarizing the findings of the Committee; and
(ii) identifying and quantifying the impact of any tax expenditures or credits authorized under this Act to the extent practicable.
(2)(C) The Executive Director of the Committee shall report to the appropriate congressional committees, management entities, and the Inspector General of the relevant agency to avoid unnecessary duplication and overlap of work.
(2)(A) The Committee shall conduct audits and reviews of programs, operations, and expenditures related to covered funds and the Coronavirus response and coordinate on such activities with the Inspector General of the relevant agency.
(2)(B) The Committee shall submit biennial reports to the President and the appropriate congressional committees on—
(i) whether the agency agrees or disagrees with the recommendations made by the Committee; and
(ii) any actions the agency will take to implement the recommendations, which shall also be included in the report required under section 2(b) of the GAO–IG Act (31 U.S.C. 1105 note).
(e)(1) The Committee shall conduct audits and reviews of programs, operations, and expenditures related to covered funds and the Coronavirus response.
(2) The Committee may—
(A) conduct its own independent investigations, audits, and reviews relating to covered funds or the Coronavirus response;
(B) collaborate on audits and reviews relating to covered funds with any Inspector General of any agency; and
(C) provide support to relevant Inspector General in conducting investigations, audits, and reviews relating to covered funds and the Coronavirus response.
(3)(A) In conducting and supporting investigations, audits, and reviews under this subsection, the Committee—
(i) shall have the authorities provided under section 6 of the Inspector General Act of 1978 (5 U.S.C. App.);
(ii) may issue subpoenas to compel the testimony of persons who are not Federal officers or employees; and

(iii) may enforce such subpoenas in the event of a refusal to obey by order of any appropriate United States district court as provided for under section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).

(3) The Committee shall carry out the powers under paragraphs (1) and (2) in accordance with section 4(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

(4) The Committee shall make all responses to requests for assistance requested by the Committee or an Inspector General in good faith, unless unreasonable or unreasonably refused or not provided, and shall immediately report such noncooperation to the appropriate congressional committees.

(5) The Committee shall leverage existing information technology resources within the Council, such as oversight.gov, to carry out the duties of the Committee.

(6) The Committee shall establish subcommittees to facilitate the ability of the Committee to discharge its duties.

(7) The Committee may transfer funds appropriated to the Committee for expenses to support administrative support services and audits, reviews, or other activities related to the oversight of the Committee of covered funds or the Coronavirus response to any Office of the Inspector General or the General Services Administration.

(1)(A)(i) Subject to subparagraph (B), the Committee may exercise the authorities of subsections (b) through (k) of section 3161 of title 5 of United States Code (without regard to subsection (a) of that section) to carry out the functions of the Committee under this section.

(i) For purposes of exercising the authorities described under clause (i), the term ‘Chairperson’ shall be substituted for the term ‘head of a temporary organization’.

(ii) All other authorities described in clause (i), the Chairperson shall consult with members of the Committee.

(iii) The authority provided by section 3161(c) of title 5, United States Code, upon the request of an Inspector General, the Committee may detail, on a nonreimbursable basis, any personnel of the Council to that Inspector General to assist in carrying out any audit, review, or investigation pertaining to the oversight of covered funds or the Coronavirus response.

(ii) In exercising the employment authorities under section 3161(b) of title 5, United States Code, as provided under subparagraph (A) of section 3161(b)(2) of that title (relating to periods of appointments) shall not apply; and

(i) no period of appointment may exceed the date on which the Committee terminates.

(iii) A person employed by the Committee shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the qualifications specified by completion of 2 years of continuous service as an employee under this subsection.

(ii) No person who is first employed as described in clause (i) more than 2 years after the date of enactment of this Act may acquire competitive status under clause (i).

(ii) The Committee may appoint annuitants covered by section 902(g) of title 5, United States Code, for purposes of the oversight of covered funds or the Coronavirus response.

(2) The Committee may appoint annuitants under this paragraph shall be subject to the provisions of section 902(g) of title 5, United States Code, for purposes of the oversight of covered funds or the Coronavirus response.

(v) The employment of annuitants under this paragraph shall be subject to the provisions of section 902(g) of title 5, United States Code, for purposes of the oversight of covered funds or the Coronavirus response.

(3) Upon request of the Committee for information or assistance from any agency or other entity of the Federal Government, the head of such entity shall, so far as is practicable and not in contravention of any existing law, and consistent with section 6 of the Inspector General Act of 1978 (5 U.S.C. App.), furnish such information or assistance to the Committee, or an authorized designee, including an Inspector General designated by the Committee.

(4) Any Inspector General responsible for conducting oversight related to covered funds or the Coronavirus response may, consistent with the duties, responsibilities, policies, and procedures of the Inspector General, provide information requested by the Committee or an Inspector General on the Committee relating to the responsibilities of the Inspector General.

(i) Not later than 30 days after the date on which the Inspector General establishes and maintains a user-friendly and public-friendly website, the Committee shall establish and maintain a user-friendly, public-facing website to foster greater accountability and transparency in the use of covered funds and the Coronavirus response, which shall have a uniform resource locator that is descriptive and memorable.

(ii) The Committee shall leverage existing information technology and resources, such as oversight.gov, to the greatest extent practicable to meet the requirements under this section.

(5) The Committee shall coordinate its oversight activities with the Comptroller General of the United States and State auditors.

(ii) The Committee shall coordinate its oversight activities with the Comptroller General of the United States and State auditors.

(i) The Committee shall coordinate its oversight activities with the Comptroller General of the United States and State auditors.

(ii) The Committee shall coordinate its oversight activities with the Comptroller General of the United States and State auditors.

(iii) The Committee shall coordinate its oversight activities with the Comptroller General of the United States and State auditors.

(iv) The Committee shall coordinate its oversight activities with the Comptroller General of the United States and State auditors.
The terms ‘agency’, ‘appropriate congressional committees’, ‘Committee’, ‘covered funds’, and ‘Coronavirus response’ have the meanings given those terms in section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: TITLE VI DEPARTMENT OF HOMELAND SECURITY MANAGEMENT DIRECTORATE OPERATIONS AND SUPPORT For an additional amount for ‘Operations and Support’, $178,300,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which shall be for the purchase of personal protective equipment and sanitization materials: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. DISASTER RELIEF FUND For an additional amount for ‘Disaster Relief Fund’, $15,000,000,000, to remain available until expended: Provided, That of the amount provided under this heading in this Act, $25,000,000,000 shall be for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided further, That of the amount provided under this heading in this Act, $15,000,000,000 may be used for all purposes authorized under such Act, of which not less than $1,000,000,000 shall be for amounts designated by the Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985. FEDERAL EMERGENCY MANAGEMENT AGENCY OPERATIONS AND SUPPORT For an additional amount for ‘Operations and Support’, $44,967,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, which shall be for enhancements to information technology and for facilities support: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

March 25, 2020
CONGRESSIONAL RECORD — SENATE S2135
that is funded, either directly or through reimbursement, by the Federal Emergency Management Agency shall be exempted from the aggregate of basic pay and premium pay calculations under section 5307(a) of title 5, United States Code, and any other provision of law limiting the aggregate amount of premium pay payable on a biweekly or calendar year basis.

(b) **OVERTIME AUTHORITY.**—Any overtime that is funded for such services described in subsection (a) either directly or through reimbursement, by the Federal Emergency Management Agency shall be exempted from any annual limit on the amount of overtime payable in any fiscal year.

(c) **APPLICABILITY OF AVERAGE LIMITATION ON PAY.**—In determining whether an employee is subject to the applicable annual rate of basic pay payable under section 5307 of title 5, United States Code, the head of an Executive agency shall not include pay exempted under this section.

(d) **LIMITATION ON PAY AUTHORITY.**—Pay exempted from otherwise applicable limits under subsection (a) shall not cause the aggregate pay earned for the calendar year in which the exempted pay is earned to exceed the rate of basic pay payable for a position at level V of the Executive Schedule under section 5313 of title 5, United States Code.

(e) **EFFECTIVE DATE.**—This section shall take effect as if enacted on January 1, 2020.

**SEC. 16005.** (a) **Notwithstanding any other provision of law regarding the licensure of health-care providers, a health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or Commonwealth, territory, or possession of the United States; and (b) for the practice of medicine, osteopathic medicine, dentistry, nursing, emergency medical services, or another health profession; and

that such health-care professional or the patient designated by the Secretary, regardless of where in any State, the District of Columbia, or Commonwealth, territory, or possession of the United States the human being resides, the health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or Commonwealth, territory, or possession of the United States; and

(c) **APPLICABILITY OF AVERAGE LIMITATION ON PAY.**—In determining whether an employee is subject to the applicable annual rate of basic pay payable under section 5307 of title 5, United States Code, the head of an Executive agency shall not include pay exempted under this section.

(d) **LIMITATION ON PAY AUTHORITY.**—Pay exempted from otherwise applicable limits under subsection (a) shall not cause the aggregate pay earned for the calendar year in which the exempted pay is earned to exceed the rate of basic pay payable for a position at level V of the Executive Schedule under section 5313 of title 5, United States Code.

**SEC. 16006.** The Secretary of Homeland Security, under the authority granted under section 205(b) of the REAL ID Act of 2005 (Public Law 109–139; 49 U.S.C. 3001 note) shall extend the deadline by which States are required to meet the driver license and identification card issuance requirements under section 202(a)(1) of such Act until not earlier than September 30, 2021.

**SEC. 16007.** Section 5 of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2003 (Public Law 108–186; 42 U.S.C. 621 note) is amended by striking “the date that is 5 years and 3 months after the effective date of this Act” and inserting “July 2020,” that the any amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**TITLE VII**

**DEPARTMENT OF THE INTERIOR**

**INDIAN AFFAIRS**

**BUREAU OF INDIAN AFFAIRS**

**OPERATION OF INDIAN PROGRAMS**

**(INCLUDING TRANSFERS OF FUNDS)**

For an additional amount for “Operation of Indian Programs”, $653,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, and may expend such funds directly or through cooperative agreements: Provided, That the amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**DEPARTMENT OPERATIONS**

**OFFICE OF THE SECRETARY**

**DEPARTMENTAL OPERATIONS**

**(INCLUDING TRANSFERS OF FUNDS)**

For an additional amount for “Departmental Operations”, $158,400,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**INSULAR AFFAIRS**

**ASSISTANCE TO TERRITORIES**

For an additional amount for “Assistance to Territories”, $55,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
ENVIRONMENTAL PROTECTION AGENCY

For an additional amount for “Science and Technology”, $2,250,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for “Environmental Protection Agency”, $3,910,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Buildings and Facilities”, $300,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HAZARDOUS SUBSTANCE SUPERFUND

For an additional amount for “Hazardous Substance Superfund”, $770,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the funds provided under this heading in this Act shall be for necessary expenses for cleaning and disinfecting equipment or facilities of, or for use by, the Environmental Protection Agency, and $1,500,000 shall be for research on methods to reduce the risks from environmental transmission of coronavirus via contaminated surfaces or materials: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for “Indian Health Services”, $1,032,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER RELATED AGENCIES

For an additional amount for “Salaries and Expenses”, $7,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

For an additional amount for “Toxic Substances and Disease Registry”, $12,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

For an additional amount for “Indian Health Services”, $1,032,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PAYMENT TO THE INSTITUTE

For an additional amount for “Payment to the Institute”, $700,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SMITHSONIAN INSTITUTION

For an additional amount for “Salaries and Expenses”, $7,500,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
For an additional amount for “Operations and Management”, $345,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, and for support of deep cleaning and information technology to improve telework capability and for operations and maintenance requirements related to the consequences of coronavirus: Provided, That notwithstanding the provisions of 20 U.S.C. 76 et seq., funds provided under this heading in this Act shall be made available to cover operating expenses required to ensure the continuity of the John F. Kennedy Center for the Performing Arts and its affiliates, including for employee compensation and benefits, grants, contracts, payments for rental or utilities, fees for artists or performers, information technology, and other administrative expenses: Provided further, That no later than October 1, 2020, the Chairman of the Center shall submit a report to the Committees on Appropriations of the House of Representatives and Senate that includes a detailed breakdown of the distribution of the funds provided herein: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 

TITLED VIII

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for “Training and Employment Services”, $345,000,000, to remain available through September 30, 2022, to prevent, prepare for, and respond to coronavirus, including for enforcement, oversight, and coordination activities related to division C, division D, division E, and division F of Public Law 116–127: Provided, That of the amount provided under this heading in this Act may be used to replace grant funds previously obligated to the impacted areas: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985. 

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Departmental Management”, $15,000,000, to remain available through September 30, 2022, to prevent, prepare for, and respond to coronavirus, including for enforcement, oversight, and coordination activities in those accounts: Provided further, That of the amount provided under this heading in this Act, $1,000,000,000, to remain available until expended, shall be transferred to the “Employee Benefits Security Administration”, “Wage and Hour Division”, “Occupational Safety and Health Administration”, and “Employment and Training Administration—Program Administration” to prevent, prepare for, and respond to coronavirus, including for enforcement, oversight, and coordination activities in those accounts: Provided further, That of the amount provided under this heading in this Act, $300,000,000 shall be transferred to the “Office of Inspector General” for oversight of activities related to Public Law 116–127 and for oversight activities supported with funds appropriated to the Department of Labor to prevent, prepare for, and respond to coronavirus: Provided further, That 15 days prior to transferring any funds pursuant to the previous proviso under the heading in this Act, the Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate an operating plan describing the planned uses of each amount proposed to be transferred: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
BUDGET AND EMERGENCY DEFICIT CONTROL ACT

For an additional amount for “Health Surveillance and Program Support”, $255,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For an additional amount for “National Institute of Allergy and Infectious Diseases”, $706,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That not less than $156,000,000 of the amounts provided under this heading in this Act shall be for the study of, construction of, demolition of, renovation of, and acquisition of equipment for, various infectious disease research facilities of or used by NIH, including the acquisition of real property: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL INSTITUTE OF BIOLOGICAL IMAGING AND TRANSLATIONAL SCIENCE

For an additional amount for “National Institute of Biomedical Imaging and Bioengineering”, $60,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL LIBRARY OF MEDICINE

For an additional amount for “National Library of Medicine”, $10,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For an additional amount for “National Center for Advancing Translational Sciences”, $36,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE DIRECTOR

For an additional amount for “Office of the Director”, $30,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That these funds shall be available for the Common Fund established under section 202(a)(1) of the PHS Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PAYMENTS TO STATES FOR CHILD CARE AND DEVELOPMENT BLOCK GRANT

For an additional amount for “Payments to States for Child Care and Development Block Grant”, $3,500,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for federal administrative expenses, which shall be used to supplement, not supplant State, Territory, and Tribal general revenue funds for child care assistance for low-income families within the United States (including territories) without regard to the requirements of sections 658E(c)(3)(D)–(E) or 658G of the Child Care and Development Block Grant Act: Provided, That funds provided under this heading in this Act may be used for continued payments and assistance to child care providers in the case of decreased enrollment or closures related to coronavirus, and to assure those who are able to reopen as appropriate and applicable: Provided further, That States, Territories, and Tribes are encouraged to place direct payments to child care providers that ensure that child care providers use a portion of funds received to continue to pay the salaries and wages of staff: Provided further, The Secretary shall remind States that CCDBG State plans do not need to be amended prior to utilizing existing authorities in the CCDBG Act for the purposes provided herein: Provided further, That States, Territories, and Tribes are authorized to use funds appropriated under this heading in this Act to provide child care assistance to health care workers, emergency responders, sanitation workers, and other workers deemed essential during the response to coronavirus by public officials, without regard to requirements in sections 658P(4) of such Act: Provided further, That funds appropriated under this heading in this Act shall be available for eligible providers under section 658P(6) of the CCDBG Act, even if such providers were not receiving CCDBG assistance prior to the public health emergency as a result of the coronavirus, for the purposes of cleaning and sanitation, and other activities necessary to maintain or re-open schools, child care facilities, and other operations: Provided further, That payments made under this heading in this Act may be made available to research, and if such funds were not receiving CCDBG assistance prior to the public health emergency as a result of the coronavirus, for the purposes of cleaning and sanitation, and other activities necessary to maintain or re-open schools, child care facilities, and other operations: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHILREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for “Children and Families Services Programs”, $1,675,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, prior to the date of enactment of this Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COMMENTS ON THE BUDGET AND EMERGENCY DEFICIT CONTROL ACT
ratio to such portion as the number of enrolled children served by the agency involved bears to the number of enrolled children by all Head Start agencies: Provided further, That funds appropriated under this paragraph shall be in the calculation of the “base grant” in subsequent fiscal years, as such term is defined in sections 961(a)(21)(D), 961(a)(22)(B), or 468(d)(3) of the Head Start Act: Provided further, That funds appropriated in this paragraph are not subject to the allocation requirements of section 607 of the Family Violence Prevention and Servics Act: Provided further, That the Secretary may make such funds available for providing hotlines services remotely; (d) $45,000,000, for Family Violence Prevention and Services formula grants as authorized by section 305(a), Violence and Children Services Act with such funds available for grantees without regard to matching requirements under section 306(c) of such Act: Provided further, That the Secretary may make such funds available for providing temporary housing and assistance to victims of family, domestic, and dating violence; (e) $25,000,000, for activities of the Runaway and Homeless Youth Act: Provided further, That such amounts shall be used to supplement, not supplant, existing funds that would be available without regard to matching requirements; (f) $15,000,000, for child welfare services as authorized by subpart 1 of part B of title IV of the Social Security Act, other than sections 424(a), 426, 427, and 429 of such subpart), with such funds available for grants made available under this heading in this Act to prevent, prepare for, and respond to coronavirus, $75,000,000 for the purposes of such subpart and such funds shall be available without regard to matching requirements; (g) $45,000,000 for child welfare services as authorized by subpart 1 of part B of title IV of the Social Security Act, other than sections 424(a), 426, 427, and 429 of such subpart), with such funds available for the purposes of such subpart and such funds shall be available without regard to matching requirements; (h) $45,000,000 for child welfare services as authorized by subpart 1 of part B of title IV of the Social Security Act, other than sections 424(a), 426, 427, and 429 of such subpart), with such funds available for the purposes of such subpart and such funds shall be available without regard to matching requirements; (i) $45,000,000 for child welfare services as authorized by subpart 1 of part B of title IV of the Social Security Act, other than sections 424(a), 426, 427, and 429 of such subpart), with such funds available for the purposes of such subpart and such funds shall be available without regard to matching requirements; (j) $45,000,000 for the matching requirements under sections 304(d)(1)(D) and 373(g)(2) of the OAA shall not apply to funds provided under this heading in this Act: Provided further, That the transfer authority under section 308(b)(4)(A) of the OAA shall apply to funds made available under this heading in this Act by substituting “100 percent” for “40 percent”: Provided further, That the State Long-Term Care Ombudsman shall continue to provide direct access (or other services through the purchase of technology) to residents of long-term care facilities during any portion of the public health emergency relating to the coronavirus beginning on the date of enactment and ending on September 30, 2020, to provide services described in section 712(a)(3)(B) of the OAA: Provided further, That such amount is designated for an emergency preparedness and response grant award: Provided further, That the Secretary of the Department of Veterans Affairs may make such funds available for the purposes of such subpart and such funds shall be available without regard to matching requirements; (k) $27,014,500,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to the extent that funds appropriated under this Act may be used to develop and demonstrate innovations and enhancements to manufacturing capabilities of next generation manufacturing facilities, other than facilities owned by the United States Government: Provided further, That of the amounts appropriated under this paragraph in this Act, not less than $3,500,000,000 shall be available to the Biomedical Advanced Research and Development Authority under Public Law 93–288, to remain available until September 30, 2024, for the purposes of such subpart and such funds shall be available without regard to matching requirements; (l) $20,000,000, for construct the Secretary of the Department of Veterans Affairs for expenses incurred by the Veterans Health Administration to prevent, prepare for, and respond to coronavirus, and to provide medical care for such purposes to individuals not otherwise eligible for care: Provided further, Funds used for the preceding proviso shall be made available to reimburse the Department of Veterans Affairs only if the Secretary of Health and Human Services certifies to the Committees on Appropriations of the House of Representatives and the Senate that funds available for assignments under Public Law 93–288, are insufficient and such funds are necessary to reimburse the Department of Veterans Affairs for expenses incurred to provide health care to civilians: Provided further, That the Secretary shall no later than 60 days after the date of enactment of this Act, in a manner that does not compromise national security, report on the security of the United States public health service supply chain: Provided further, That funds appropriated under this paragraph in this Act may be used for grants for the construction, alteration, or renovation of non-federally
own facilities to improve preparedness and response capability at the State and local level: Provided further. That funds appropriated under this paragraph in this Act may be used to support the construction, alteration, renovation or expansion of non-federal owned facilities for the production of vaccines, therapeutics, and medical supplies and equipment, and to purchase such supplies, that such a contract is necessary to secure sufficient amounts of such supplies: Provided further. That such amount is designated as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for "Public Health and Social Services Emergency Fund", $100,000,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for necessary expenses to rehabilitate, on a reimbursable basis, mechanisms, eligible health care providers for health care related expenses or lost revenues that are attributable to coronavirus: Provided further. That such funds may be used to reimburse losses that have been reimbursed from other sources or that other sources are obligated to reimburse: Provided further. That such amounts under this paragraph shall submit reports and maintain documentation as the Secretary determines are needed to ensure compliance with conditions that are imposed by this Act and pursuant to which such reports and documentation shall be in such form, with such content, and in such time as the Secretary may prescribe for such purpose: Provided further. That "eligible health care providers" means public entities, Medicare, Medicaid enrolled suppliers and providers, and such for-profit entities and not-for-profit entities not otherwise described in this proviso as the Secretary may specify, within the United States (including territories), that provide services to industry, or care for individuals with one or more of the actual cases of COVID-19: Provided further. That the Secretary of Health and Human Services shall remove, under this section, such applications and make payments under this paragraph in this Act: Provided further. That funds appropriated under this paragraph in this Act shall be available for building or construction of temporary structures, leasing of properties, medical supplies and equipment including personal protective equipment and testing supplies, including service and training, emergency operation centers, retrofitting facilities, and surge capacity: Provided further. That, in this paragraph, the term "emergency payment," "prospective payment," or "retrospective payment," as determined appropriate by the Secretary: Provided further. That payments under this paragraph shall be made in consideration of the most efficient payment systems practicable to provide emergency payment: Provided further. That to be eligible for a payment under this paragraph a health care provider shall submit to the Secretary of Health and Human Services an application that includes a statement justifying need for the payment and the health care provider shall have a valid tax identification number: Provided further, That, not later than 3 years after final payments are made under this paragraph, the Office of Inspector General of the Department of Health and Human Services shall transmit a final report on audit findings to the Committees on Appropriations of the House of Representatives and the Senate: Provided further. That no State shall receive less that the Secretary shall receive less that the amount made available as follows: (1) 3 percent to carry out section 18002 of this title: (2) 43.9 percent to carry out section 18003 of this title: (3) 46.3 percent to carry out section 18004 of this title.

GOVERNOR’S EMERGENCY EDUCATION RELIEF FUND

SEC. 18002. (a) GRANTS.—From funds reserved under section 18001(b)(1) of this title, the Secretary shall make Emergency Education Relief grants to the Governor of each State with an approved application. The Secretary shall issue a notice inviting applications not later than 30 days after the date of enactment of this Act and shall approve or deny applications not later than 30 days after receipt of applications. That each grant under subsection (a) shall be allocated by the Secretary to each State as follows: (1) 60 percent on the basis of the relative population of individuals aged 5 through 24, (2) 40 percent on the basis of the relative number of children counted under section 1124(c) of the Elementary and Secondary Education Act of 1965 ( referred to under this heading as “ESEA” ). (b) USES OF FUNDS.—Grant funds awarded under section (b) may be used to: (1) provide emergency support through grants to local educational agencies that the State educational agency deems have been significantly impacted by coronavirus to support the ability of such local educational agencies to continue to provide educational services to their students and to support the ongoing functionality of the local educational agency: (2) provide emergency support through grants to institutions of higher education that the Governor determines have been most significantly impacted by coronavirus to support the ability of such institutions to continue to carry out governmental services and support the ongoing functionality of the institution; and
(3) provide support to any other institution of higher education, local educational agency, or education related entity within the State that the Governor deems essential for carrying out emergency related expenses or to provide for students for authorized activities described in section 18003(d)(1) of this title or the Higher Education Act, the provision of which is made contingent upon funding from the Governor and the Secretary, and for which the Governor determines have the greatest unmet needs related to coronavirus, which may be used to defray expenses (including lost revenue, reimbursements, housing, course materials, technology, health care, and child care).

(3) 2.5 percent for part B of title VII of the Higher Education Act for institutions of higher education that the Governor determines have the greatest unmet needs related to coronavirus, which may be used to defray expenses (including lost revenue, reimbursements, housing, course materials, technology, health care, and child care).

(b) D ISTRIBUTION.—The funds made available under section 18003(a)(1) shall be distributed by the Secretary using the same systems as the Secretary otherwise distributes funding to each institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1011 et seq.).

(c) USES OF FUNDS.—Except as otherwise specified in subsection (a), an institution of higher education receiving funds under this section may use the funds received to cover any costs associated with significant changes to the delivery of instruction due to the coronavirus, including, but not limited to, payment to contractors for the provision of pre-enrollment recruitment activities; enrolls; or capital outlays associated with facilities related to athletics, sectarian instruction, or religious worship. Institutions of higher education shall use no less than 50 percent of the funds to provide emergency financial aid grants to students for expenses related to the disruption of campus operations due to coronavirus (including, but not limited to, changes to the delivery of instruction due to the coronavirus, which may be used to defray expenses associated with coronavirus.

### Sec. 18004. HIGHER EDUCATION EMERGENCY RELIEF FUND

(a) IN GENERAL.—The Secretary shall allocate funding under this section as follows:

(1) 90 percent to each institution of higher education to prevent, prepare for, and respond to coronavirus, by apportioning it—

(A) 75 percent according to the relative share of full-time equivalent enrollment of Federal Pell Grant recipients who are not exclusively enrolled in distance education courses prior to the coronavirus emergency; and

(B) 25 percent according to the relative share of full-time equivalent enrollment of students who were not Federal Pell Grant recipients who are not exclusively enrolled in distance education courses prior to the coronavirus emergency.

(2) 7.5 percent for additional awards under parts A and B of title III, parts A and B of title V, and title VII of the Higher Education Act to address needs directly related to coronavirus, that shall be in addition to awards made in section 18003(d), and allocated by the Secretary proportionally to such programs based on the relative share of funding appropriated to such programs in the Further Consolidated Appropriations Act, 2020 (Public Law 116-94) and which may be used to defray expenses (including lost revenue, reimbursements, housing, course materials, technology, health care, and child care).

### ASSISTANCE TO NON-PUBLIC SCHOOLS

SEC. 18005. (a) IN GENERAL.—A local educational agency receiving funds under sections 18002 or 18003 of this title shall provide equitable services in the same manner as provided under section 117 of the ESEA of 1965 (20 U.S.C. 2000d), and shall give priority to students and non-public schools, as determined in consultation with representatives of non-public schools.
(b) PUBLIC CONTROL OF FUNDS.—The control of funds for the services and assistance provided to a non-public school under subsection (a), and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds, materials, equipment, and property and shall provide contracts or may contract for the provision of such services with a public or private entity.

CONTINUED PAYMENT TO EMPLOYEES

S E C. 18006. A local educational agency, State or higher education or other entity that receives funds under “Education Stabilization Fund”, shall to the greatest extent practicable, continue to pay its employees and contractors during the period of any disruptions or closures related to coronavirus.

DEFINITIONS

S E C. 18007. Except as otherwise provided in sections 18001–18006 of this title, as used in this section—

(1) the terms “elementary education” and “secondary education” have the meaning given such terms under State law;

(2) the term “institution of higher education” has the meaning given such term in title I of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq);

(3) the term “Secretary” means the Secretary of Education;

(4) the term “State” means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico;

(5) the term “cost of attendance” has the meaning given such term in section 472 of the Higher Education Act of 1965;

(6) the term “Non-public school” means a non-public elementary and secondary school that (A) is accredited, licensed, or otherwise recognized by the State in which it is located and (B) was in existence prior to the date of the qualifying emergency for which grants are awarded under this section;

(7) the term “public school” means a public elementary or secondary school; and

(8) any other term used that is defined in sections 18001–18006 of this title, as used in this title, shall have the meaning given such term under State law.

MAINTENANCE OF EFFORT

S E C. 18008. State’s application for funds to carry out sections 18002 or 18003 of this title shall include assurances that the State will maintain support for elementary and secondary education and postsecondary education for higher education (which shall include State funding to institutions of higher education and state need-based financial aid, and shall not include support for capital projects or for research and development or tuition and fees paid by students) in fiscal years 2020 and 2021 at least at the levels of such support that is the average of such State’s support for elementary and secondary education and for higher education provided in the 3 fiscal years preceding the date of enactment of this Act.

(b) The secretary may waive the requirement in subsection (a) for the purpose of relieving fiscal burdens on States that have experienced or precipices decline in financial resources.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For an additional amount for “Safe Schools and Citizenship Education”, $100,000,000, to remain available through September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including paying the salaries and benefits of all employees affected as a result of office closures, telework, phone and communication services for employees, overtime costs, and supplies, and for resources necessary for processing disability and retirement workloads and backlogs:

(Sec. 251) Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RAILROAD RETIREMENT BOARD

LIMITATION ON ADMINISTRATION

For an additional amount for the “Railroad Retirement Board”, $5,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, including for fiscal stabilization grants to public telecommunications entities, as defined by 47 U.S.C. 397(12), with no deduction for administrative or other costs of the Corporation, to provide funding for grants and contracts to modernize and preserve small and rural stations threatened by declines in non-Federal revenues:

(Sec. 251) Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE (INCLUDING TRANSFER OF FUNDS)

S E C. 18108. Funds appropriated by this title may be used by the Secretary of the Department of Health and Human Services to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work related to coronavirus, including

(1) public notice has been given; and

(2) the Secretary of Health and Human Services has determined that such a public health emergency exists.

(Sec. 18109) Funds made available by this title may be used to enter into contracts...
with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.191)) to support the prevention of, prepare for, and respond to coronavirus, domestically and internationally, subject to prior notification to the Committees on Appropriations of the House of Representatives and the Senate. Provided further. That such employees may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management, section 5551 or section 5552 of title 5, United States Code, or under any other provision of law, whether such employee’s pay is paid on a biweekly or calendar year basis.

(b) For purposes of applying this subsection to an employee who would otherwise be subject to the premium pay limits established under section 5547 of title 5, United States Code, “premium pay” means the premium pay paid for the applicable calendar year to exceed the rate of basic pay payable for a position at level II of the Executive Schedule under section 5313 of title 5, United States Code, as in effect at the end of such calendar year.

(c) For purposes of applying this subsection to an employee who would otherwise be subject to the premium pay limits established under section 5547 of title 5, United States Code, the agency responsible for administering such pay shall determine what payments are considered premium pay.

(d) (1) That pay that is disregarded under subsection (a) or (b) shall be disregarded in calculating each employee’s aggregate pay for purposes of the limitation in section 5307 of title 5.

(2) Provided further, That the spending plans shall be accompanied by a listing of each contract obligation for which funds made available under the provisions of law cited in section (a) or (b) shall not cause the aggregate pay of the covered employee for any purpose; or

(e) (1) Provided further, That such amounts may be transferred or reappropriated back to that appropriation:

(2) Provided further, That such amounts may be transferred to another appropriation or transferred and used for any purpose.

(f) That the赏金 shall be used in computing a lump-sum payment to an employee under a premium pay limit to an employee who would otherwise be subject to the premium pay limits established under section 5307 of title 5, United States Code, or under any other provision of law, whether such employee’s pay is paid on a biweekly or calendar year basis.

(g) That the Inspector General of the Department of Health and Human Services, the Inspector General of the Department of Homeland Security, the Inspector General of the Department of Housing and Urban Development, the Inspector General of the Department of Homeland Security, and the Inspector General of the Department of Health and Human Services shall consult with the Committees on Appropriations of the House of Representatives and the Senate prior to obligating such funds: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority provided by law.

(h) That the term coronavirus has the meaning given in section 506 of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, as in effect on the date of enactment of this Act, the Secretary shall notify Congress 10 days in advance of any such transfer: Provided further, That, upon a determination by the Secretary that all or part of the funds transferred from an appropriation by this title are not necessary, such amounts may be transferred back to that appropriation: Provided further, That funds made available under this title may be transferred pursuant to the authority in section 205 of division A of Public Law 116–94 or section 241(a) of the PHS Act.

Sect. 18112. Not later than 30 days after the date of enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available to the Department of Health and Human Services in this Act, including estimated personnel and administrative costs, to the Committees on Appropriations of the House of Representatives and the Senate: Provided, That such plans shall be updated and submitted to such Committees every 60 days until September 30, 2023: Provided further, That the spend plans shall be accompanied by a listing of each contract obligation for which such employee’s pay is paid: Provided further, That the Inspector General of the Department of Health and Human Services shall consult with the Committees on Appropriations of the House of Representatives and the Senate prior to obligating such funds: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority provided by law.

SEC. 18114. (a) Funds appropriated in title III of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, to the “Department of Homeland Security—Countering Weapons of Mass Destruction Office—Federal Assistance” account for costs incurred to respond to coronavirus, domestically or internationally, subject to approval by the Committees on Appropriations of the House of Representatives and the Senate to prevent, prepare for, and respond to coronavirus, domestically or internationally, subject to approval by the Committees on Appropriations of the House of Representatives and the Senate: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $25,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, subject to approval by the Committees on Appropriations of the House of Representatives and the Senate: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

JOINT ITEMS

OFFICE OF THE ATTENDING PHYSICIAN

For an additional amount for “Office of the Attending Physician”, $400,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITOL POLICE

SALARIES

For an additional amount for “Salaries”, $12,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally: Provided, That the Capitol Police may transfer amounts appropriated under this heading in this Act to “General Expenses” without the approval requirement.
of 2 U.S.C. 1907(a): Provided further. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ARCHITECT OF THE CAPITOL
CAPITAL CONSTRUCTION AND OPERATIONS

For an additional amount for “Capital Construction and Operations”, $25,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to purchase and distribute cleaning and sanitation products throughout all facilities and grounds under the care of the Architect of the Capitol, where necessary, and any related services and operational costs: Provided, That the Architect of the Capitol shall provide a report within 30 days of enactment of this Act, and every 30 days thereafter, to the Committees on Appropriations of the Senate and House of Representatives, the Senate Committee on Rules and Administration, the Committee on House Administration on expenditure of funds from amounts appropriated under this heading in this Act: Provided further. That this amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LIBRARY OF CONGRESS
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $700,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, to be made available to the Little Scholars Child Development Center, the Senate Committee on Appropriations of the Senate and House of Representatives, the Senate Committee on Rules and Administration, and the Committee on House Administration. Provided further. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GOVERNMENT ACCOUNTABILITY OFFICE
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, $20,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, domestically or internationally, for audits and investigations and for reimbursement of the Tiny Findings Child Development Center for salaries for employees, as authorized by this Act: Provided further. That no more than 90 days after the date of enactment of this Act, the Government Accountability Office shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the any spend plan specifying funding estimates and a timeline for such audits and investigations: Provided further. That $500,000 shall be made available to the Tiny Findings Child Development Center, subject to approval by the Committees on Appropriations of the Senate and House of Representatives, the Senate Committee on Rules and Administration, and the Committee on House Administration: Provided further. That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE
SOURCE OF FUNDS USED FOR PAYMENT OF SALARIES AND EXPENSES OF SENATE EMPLOYEE CHILD CARE CENTER

SEC. 19001. The Secretary of the Senate shall reimburse the Senate Employee Child Care Center for costs incurred starting on April 1, 2020, for employees of such Center who have been ordered to cease working due to measures taken in the Capitol complex to combat coronavirus, net of $84,000 per month, from amounts in the appropriations account “Miscellaneous Items” within the contingent fund of the Senate.

SOURCE OF FUNDS USED FOR PAYMENT OF SALARIES AND EXPENSES OF HOUSE REPRESENTATIVES CHILD CARE CENTER

SEC. 19002. (a) AUTHORIZING USE OF REVOLVING FUND OF APPROPRIATED FUNDS.—Section 312(d)(3)(A) of the Legislative Branch Appropriations Act, 1992 (2 U.S.C. 2062(d)(3)(A)) is amended—

(1) in subparagraph (A), by striking the period at the end and inserting the following: “, and, at the option of the Chief Administrative Officer during an emergency situation, the payment of the salary of other employees of the Center.”; and

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

“(C) During an emergency situation, the payment of such other expenses for activities carried out under this section as the Chief Administrative Officer determines appropriate.”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2020 and each succeeding fiscal year.

PAYMENTS TO ENSURE CONTINUING AVAILABILITY OF GOODS AND SERVICES DURING THE CORONAVIRUS EMERGENCY

SEC. 19003. (a) AUTHORIZATION TO MAKE PAYMENTS.—Notwithstanding any other provision of law and subject to subsection (b), during an emergency situation, the Chief Administrative Officer of the House of Representatives may make payments under contracts with vendors providing goods and services to the House in amounts and under terms and conditions other than those provided under the contract in order to ensure that those goods and services remain available to the House throughout the duration of the emergency.

(b) CONDITIONS.—

(1) APPROVAL REQUIRED.—The Chief Administrative Officer may not make payments under the authority of subsection (a) without the approval of the Committee on House Administration of the House of Representatives.

(2) AVAILABILITY OF APPROPRIATIONS.—The Chief Administrative Officer of the House of Representatives may use amounts in the Congressional Accountability Office—Salaries and Expenses appropriation for payments under subsection (a) if the amount is necessary to carry out this section.

SOURCE OF FUNDS USED FOR PAYMENT OF SALARIES AND EXPENSES OF LITTLE SCHOLARS CHILD DEVELOPMENT CENTER

SEC. 19004. The Library of Congress shall reimburse Little Scholars Child Development Center for salaries for employees incurred from April 1, 2020, to September 30, 2020, for employees of such Center who have been ordered to cease working due to measures taken in the Capitol complex to combat coronavirus, not to exceed $113,000 per month, from amounts in the appropriations account “Library of Congress—Salaries and Expenses”.

SEC. 19005. (a) AUTHORIZING PAYMENTS.—Notwithstanding section 312(a)(6) of title 31, United States Code, or any other provision of law and subject to subsection (b), if the employees of a contractor with a service contract with the Architect of the Capitol are furloughed or otherwise unable to work during closures, stop work orders, or reductions in service arising from or related to the impacts of coronavirus, the Architect of the Capitol may use any necessary amounts from the contract for personnel costs incurred by those employees of such Center who have been ordered to cease working due to measures taken in the Capitol complex to combat coronavirus, not to exceed $113,000 per month, from amounts in the appropriations account “Government Accountability Office—Salaries and Expenses”.

SOURCE OF FUNDS USED FOR PAYMENT OF SALARIES AND EXPENSES OF TINY FINDINGS CHILD DEVELOPMENT CENTER

SEC. 19009. The Government Accountability Office may reimburse the Tiny Findings Child Development Center for salaries for employees incurred from April 1, 2020, to September 30, 2020, for employees of such Center who have been ordered to cease working due to measures taken in the Capitol complex to combat coronavirus, not to exceed $113,000 per month, from amounts in the appropriations account “Government Accountability Office—Salaries and Expenses”.

OVERRIDE AND AUDIT AUTHORITY

SEC. 19010. (a) DEFINITIONS.—In this section—

(1) the term “appropriate congressional committees” means—

TECHNICAL CORRECTION

SEC. 19007. In the matter preceding the first proviso under the heading “Library of Congress—Salaries and Expenses” in division E of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94), strike “$504,164,000” and insert “$510,164,000”.

SEC. 19008. Section 110(a)(3)(A) of the Family and Medical Leave Act of 1993 (as added by section 3102 of the Families First Coronavirus Response Act (Public Law 116–127)) is amended—

(1) by inserting before “in lieu of” the following:

“(I) in general;—”;

and

(2) by adding at the end the following:

“(ii) special rule.—For purposes of applying section 102(a)(1)(F) and this section under applicable Congressional Accountability Office Acts, in lieu of the definition in section 202(a)(2)(B) of Act (2 U.S.C. 1312(a)(2)(B)), the term ‘‘eligible employee’’ means a covered employee (as defined in section 101 of that Act (2 U.S.C. 1301)) who has been employed for at least 30 calendar days by the employing office (as so defined) with respect to whom leaves requested under section 102(a)(1)(F).’’.

SOURCE OF FUNDS USED FOR PAYMENT OF SALARIES AND EXPENSES OF TINY FINDINGS CHILD DEVELOPMENT CENTER

SEC. 19009. The Government Accountability Office may reimburse the Tiny Findings Child Development Center for salaries for employees incurred from April 1, 2020, to September 30, 2020, for employees of such Center who have been ordered to cease working due to measures taken in the Capitol complex to combat coronavirus, not to exceed $113,000 per month, from amounts in the appropriations account “Government Accountability Office—Salaries and Expenses”.

OVERRIDE AND AUDIT AUTHORITY

SEC. 19010. (a) DEFINITIONS.—In this section—

(1) the term “appropriate congressional committees” means—
(a) the Committee on Appropriations of the Senate;
(b) the Committee on Homeland Security and Governmental Affairs of the Senate;
(c) the Committee on Health, Education, Labor, and Pensions of the Senate;
(d) the Committee on Appropriations of the House of Representatives;
(e) the Committee on Homeland Security of the House of Representatives;
(f) the Committee on Oversight and Reform of the House of Representatives; and
(g) on Energy and Commerce of the House of Representatives;
(2) the term ‘‘Comptroller General’’ means the Comptroller General of the United States.

(b) AUTHORITY.—The Comptroller General shall conduct monitoring and oversight of the efforts, or the initiation, disbursement, and use of funds made available, under this Act or any other Act to prepare for, respond to, and recover from the Coronavirus 2019 pandemic and the effect of the pandemic on the health, economy, and public and private institutions of the United States, including public health and homeland security efforts, of the Federal Government and the use of selected funds under this or any other Act related to the Coronavirus 2019 pandemic and the effect of the pandemic on the health, economy, and public and private institutions of the United States, including public health and homeland security efforts, and its specific effect with respect to the Coronavirus 2019 pandemic under the authority of the Comptroller General.

(c) BURGEOIS AND REPORTS.—In conducting monitoring and oversight under subsection (b), the Comptroller General shall—
(1) during the period beginning on the date of enactment of this Act and ending on the date on which the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) in response to the Coronavirus Disease 2019 (COVID-19) expires, offer regular briefings on not less frequently than a monthly basis to the appropriate congressional committees regarding Federal public health and homeland security efforts;
(2) publish reports regarding the ongoing monitoring and oversight efforts, which, along with any audits and investigations conducted by the Comptroller General, shall be submitted to the appropriate congressional committees upon request posted on the website of the Government Accountability Office—
(A) not later than 90 days after the date of enactment of this Act, and every other monthly thereafter for the duration of the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) in response to the Coronavirus Disease 2019 (COVID-19) expires; and
(B) not later than 60 days after the date of enactment of this Act, and annually thereafter for the duration of the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) in response to the Coronavirus Disease 2019 (COVID-19) expires;
and
(3) submit to the appropriate congressional committees additional reports as warranted by the Comptroller General.

(d) ACCESS TO INFORMATION.—
(1) RIGHT OF ACCESS.—In conducting monitoring and oversight activities conducted by the Comptroller General, the Comptroller General shall have access to records, upon request, of any Federal, State, or local agency, contractor, grantee, recipient, or subrecipient pertained to any Federal effort or assistance of any type related to the Coronavirus 2019 pandemic under this Act or any other Act, including private entities receiving such assistance.

(2) COPIES.—The Comptroller General may make and retain copies of any records accessed under paragraph (1) as the Comptroller General determines appropriate.

(3) INTERVIEWS.—In addition to such other authorities as are available, the Comptroller General may interview Federal, State, or local officials, contractor staff, grantee staff, recipients, or subrecipients pertaining to any Federal effort or assistance of any type related to the Coronavirus 2019 pandemic under this Act or any other Act, including private entities receiving such assistance.

(e) INSPECTION OF FACILITIES.—As determined necessary by the Comptroller General, the Government Accountability Office may inspect, audit, or examine, at the invitation of the Comptroller General, any facilities, property, books, records, or any other matter that is determined by the Comptroller General to be necessary or appropriate to fulfill the mission of the Government Accountability Office to determine the efficiency, economy, and effectiveness of Federal, State, or local agencies, contractors, grantees, or any subrecipient in implementing, maintaining, or administering any provision of law or contract, grant, or other Federal effort or assistance of any type related to the Coronavirus 2019 pandemic under this Act or any other Act.

(f) ENFORCEMENT.—Access rights under this subsection shall be subject to enforcement consistent with section 716 of title 31, United States Code.

(g) RELATIONSHIP TO EXISTING AUTHORITY.—Nothing in this section shall be construed to limit, amend, supersede, or restrict in any manner any existing authority of the Comptroller General.
For an additional amount for ‘Medical Support and Compliance’, $100,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**MEDICAL SUPPORT AND COMPLIANCE**

For an additional amount for ‘Medical Support and Compliance’, $100,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**MEDICAL FACILITIES**

For an additional amount for ‘Medical Facilities’, $500,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including related impacts on health care delivery; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**DEPARTMENTAL ADMINISTRATION**

**GENERAL ADMINISTRATION**

For an additional amount for ‘General Administration’, $6,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**INFORMATION TECHNOLOGY SYSTEMS**

For an additional amount for ‘Information Technology Systems’, $2,150,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally; including related impacts on health care delivery; Provided, That the Secretary shall transmit to the Committees on Appropriations of both Houses of Congress a plan detailing the amount appropriated to the Information Technology Systems account for the fiscal year 2020, together with the amount of funds remaining available to the Department as of September 30, 2020. Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**OFFICE OF INSPECTOR GENERAL**

For an additional amount for ‘Office of Inspector General’, $750,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally; Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES**

For an additional amount for ‘Grants for Construction of State Extended Care Facilities’, $150,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to modify or alter existing hospital, nursing home, and domiciliary facilities.

For an additional amount for ‘Medical Services’, $2,800,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, to be paid from funds available in the Armed Forces Retirement Home Trust Fund.

**RELATED AGENCIES**

For an additional amount for the ‘Armed Forces Retirement Home Trust Fund’, $2,800,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus, to be paid from funds available in the Armed Forces Retirement Home Trust Fund.

**GENERAL PROVISIONS—THIS TITLE**

**INCLUDING TRANSFER OF FUNDS**

Sec. 20001. Amounts made available for the Department of Veterans Affairs in this title, including ‘Office of Inspector General’, ‘Construction of State Extended Care Facilities’, ‘Medical Support and Compliance’, and ‘Medical Facilities’ accounts, may be transferred among the accounts to meet expenses, and prepared to respond to coronavirus, to be paid from funds available in the Armed Forces Retirement Home Trust Fund.

Sec. 20002. For all of the funds appropriated in this title, the Secretary of Veterans Affairs may enter into short-term agreements or contracts with telecommunications providers to expand telehealth services for isolated veterans during a public health emergency.

(b) ELIGIBILITY.—

(1) IN GENERAL.—The Secretary may expand eligibility for services described in subparagraph (a) to include veterans who are not already receiving care from the Department who may not be eligible for mental health services or other health care services described through telehealth or VA Video Connect during a public health emergency.

(2) PRIORITY.—For purposes of expanding eligibility under paragraph (1), the Secretary shall prioritize—

(A) veterans who are in underserved and underserved areas;

(B) veterans who reside in rural and highly rural areas, as defined in the Rural-Urban Commuting Areas coding system of the Department of Agriculture;

(C) low-income veterans; and

(D) veterans who are at a higher risk for suicide and mental health concerns during isolation periods due to a public health emergency.

**TELEHEALTH.—**

(A) IN GENERAL.—The term ‘telehealth’ means the use of electronic information and telecommunications technologies to support and promote distant clinical health care, patient and professional health-related interactions, public health, and health administration.

(B) TECHNOLOGIES.—For purposes of sub-paragraph (A), telecommunications technologies include virtually any interactions, the internet, streaming media, and terrestrial and wireless communications.

(2) VA VIDEO CONNECT.—The term ‘VA Video Connect’ means the program of the Department of Veterans Affairs to connect veterans with their health care team from anywhere, using encryption to ensure a secure and private session.

**TREATMENT OF STATE HOMES DURING PUBLIC HEALTH EMERGENCY**

Sec. 20005. (a) WAIVER OF OCCUPANCY RATE REQUIREMENTS.—During a public health emergency, occupancy rate requirements for State homes set forth in section 31.210(d) of title 38, Code of Federal Regulations, or successor regulations, shall not apply.

(b) WAIVER OF VETERAN PERCENTAGE REQUIREMENTS.—During a public health emergency, the veteran percentage requirements for State homes set forth in section 31.210(d) of title 38, Code of Regulations, or successor regulations, shall not apply.

(c) PROVISION OF MEDICINE, EQUIPMENT, AND SUPPLIES.—

(1) IN GENERAL.—During a public health emergency, the Secretary of Veterans Affairs may direct to State homes medications, personal protective equipment, medical supplies, and any other equipment, supplies, and assistance available to the Department of Veterans Affairs.

(2) PROVISION OF EQUIPMENT.—Personal protective equipment may be provided under paragraph (1) through the All Hazards Emergency Cache of the Department of Veterans Affairs or any other source available to the Department.

(d) DEFINITIONS.—In this section:

Personal protective equipment means any protective equipment required to
prevent the wearer from contracting COVID-19, including gloves, N-95 respirator masks, gowns, goggles, face shields, or other equipment required for safety.

(2) **PUBLIC HEALTH EMERGENCY.**—The term ‘‘public health emergency’’ means an emergency with respect to COVID-19 declared by a Federal, State, or local authority.

(3) **Home Care.**—The term ‘‘State home’’ has the meaning given that term in section 101(19) of title 38, United States Code.

**MODIFICATIONS TO VETERAN DIRECTED CARE PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS**

SEC. 20006. (a) **TELEPHONE OR TELEHEALTH RENEWALS.**—For the Veteran Directed Care program of the Department of Veterans Affairs (commonly referred to as the ‘‘Program’’), during a public health emergency, the Secretary of Veterans Affairs shall—

(1) waive the requirement that an area agency on aging process new enrollments and six-month renewals for the Program via an in-person or home visit; and

(2) allow new enrollments and six-month renewals for the Program to be conducted via telephone or telehealth modality.

(b) **NO SUSPENSION OR DISENROLLMENT.**—During a public health emergency, the Secretary may not suspend or dis-enroll a veteran or caregiver of a veteran from the Program unless—

(1) requested to do so by the veteran or a representative of the veteran; or

(2) a mutual decision is made between the veteran and a health care provider of the veteran to suspend or dis-enroll the veteran or caregiver from the Program.

(c) **WAIVER OF PAPERWORK REQUIREMENT.**—During a public health emergency, the Secretary may waive the requirement for signed paperwork to confirm an enrollment or renewal of a veteran in the Program and may allow verbal consent of the veteran via telephone or telehealth modality to suffice for purposes of such enrollment or renewal.

(d) **WAIVER OF OTHER REQUIREMENTS.**—During a public health emergency, the Secretary shall waive—

(1) any penalty for late paperwork relating to the Program; and

(2) any requirement to stop payments for veterans and caregivers of veterans under the Program if they are out of State for more than 14 days.

(e) **AREA AGENCY ON AGING DEFINED.**—In this section, the term ‘‘area agency on aging’’ has the meaning given that term in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002).

**PROVISION BY DEPARTMENT OF VETERANS AFFAIRS OF PROSTHETIC APPLIANCES THROUGH NON-DEPARTMENT PROVIDERS DURING PUBLIC HEALTH EMERGENCY**

SEC. 20007. The Secretary of Veterans Affairs shall, to the extent practicable, disburse veterans who are receiving or are eligible to receive a prosthetic appliance under section 1714 or 1719 of title 38, United States Code, the ability to receive such an appliance that the Secretary determines is needed from a non-Department of Veterans Affairs provider under a contract with the Department for a public health emergency.

**WAIVER OF PAY CAPS FOR EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS DURING PUBLIC HEALTH EMERGENCIES**

SEC. 20008. (a) **IN GENERAL.**—For each month that the Secretary waives a limitation under subsection (a), the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the waiver.

(1) **CONTENTS.** Each report submitted under paragraph (1) for a waiver or waivers in a month shall include the following:

(A) Where the waiver or waivers were used, including in which component of the Department, and, as the case may be, which medical center of the Department.

(B) For how many employees the waiver or waivers were used by component of the Department and, if applicable, medical center of the Department.

(C) The average amount by which each payment exceeded the waived pay limitation that was waived, disaggregated by component of the Department and, if applicable, medical center of the Department.

(D) **EMPLOYEE OF THE DEPARTMENT OF VETERANS AFFAIRS DEFINED.**—In this section, the term ‘‘employee of the Department of Veterans Affairs’’ includes any employee of the Department or, as the case may be, which medical center of the Department.

(b) **DEFINITIONS.**—In this section:

(1) **HOME CARE.**—The term ‘‘home care’’ has the meaning given that term in section 1803(c) of title 38, United States Code.

(2) **PERSONAL PROTECTIVE EQUIPMENT.**—The term ‘‘personal protective equipment’’ means any protective equipment required to prevent the wearer from contracting COVID-19, including gloves, N-95 respirator masks, gowns, goggles, face shields, or other equipment required for safety.

**CLARIFICATION OF TREATMENT OF PAYMENTS FOR PURPOSES OF ELIGIBILITY FOR VETERANS PENSION AND BURIAL BENEFITS**

SEC. 20010. Amounts paid to a person under the 2020 Recovery Rebate in the Coronavirus Aid, Relief, and Economic Security Act shall not be treated as income or resources for purposes of determining eligibility for pension under chapter 15 of title 38, United States Code, or any other benefit under a law administered by the Secretary of Veterans Affairs.

**AVAILABILITY OF TELEHEALTH FOR CASE MANAGERS AND HOMELESS VETERANS**

SEC. 20011. The Secretary of Veterans Affairs shall ensure that, to the extent practicable, veterans who are receiving or are eligible to receive a telehealth capability under chapter 15 of title 38, United States Code, are able to receive such an appliance that the Secretary determines is needed from a non-Department of Veterans Affairs provider under a contract with the Department for a public health emergency.

**EXPANSION OF ELIGIBILITY FOR PERSONAL PROTECTIVE EQUIPMENT THROUGH PUBLIC HEALTH EMERGENCY**

SEC. 20009. (a) **PROVISION OF EQUIPMENT.**—

(1) **IN GENERAL.**—During a public health emergency, the Secretary shall allow new enrollments and six-month renewals for the Program to suffice for purposes of such enrollment or renewal.

(2) **GRANTS AND PER DIEM PAYMENTS.**—In the case of a public health emergency, the Secretary of Veterans Affairs may waive any limitation—

(1) grant amounts under sections 20011 and 20011 of title 38, United States Code; and

(2) rates for per diem payments under sections 20012 and 2001 of such title.

(b) **PARTICIPANT ABSENCE.**—Notwithstanding Veterans Health Administration Handbook 1162.01(c), dated July 12, 2013, and amended June 30, 2014, and titled ‘‘Grant and Per Diem (GPD) Program’’, or any other provision of law, for the duration of a public health emergency, the Secretary may waive any limitation to discharge a veteran from the grant and per diem program of the Veterans Health Administration after the veteran is absent for 14 days or more.

(c) **PAYMENT LIMITATION.**—During a public health emergency, the Secretary shall ensure that telehealth capabilities are available during a public health emergency, including for case managers of, and homeless veterans participating in, the Department of Veterans Affairs Supportive Housing Program.

**DEPARTMENT OF STATE ADMINISTRATION OF FOREIGN AFFAIRS DIPLOMATIC PROGRAMS**

**FUNDS APPROPRIATED TO THE PRESIDENT OPERATING EXPENSES**

**INTERNATIONAL DISASTER ASSISTANCE**

**UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT**

**FUNDS APPROPRIATED TO THE PRESIDENT OPERATING EXPENSES**

**BILATERAL ECONOMIC ASSISTANCE**

**FUNDS APPROPRIATED TO THE PRESIDENT OPERATING EXPENSES**

For an additional amount for ‘‘International Disaster Assistance’’, $250,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF STATE

Migration and Refugee Assistance

For an additional amount for “Migration and Refugee Assistance”, $550,000,000, to remain available until expended: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

INDEPENDENT AGENCIES

Peace Corps

For an additional amount for “Peace Corps” that may remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

(INCLUDING TRANSFER OF FUNDS)

Sec. 21001. The authorities and limitations of sections 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall apply to funds appropriated by this title as follows:

(1) Subsections (a), (d), (e), and (f) shall apply to funds under the heading “Diplomatic Programs”:

(2) Subsections (c), (d), (e), and (f) shall apply to funds under the heading “International Disaster Assistance”:

Sec. 21002. Funds appropriated by this title under the headings “Diplomatic Programs”, “Operating Expenses”, and “Peace Corps” may be used to reimburse such accounts administered by the Department of State, the United States Agency for International Development, and the Peace Corps, as appropriate, for obligations incurred to prevent, prepare for, and respond to coronavirus prior to the date of enactment of this Act.

Sec. 21003. The reporting requirement of section 406(b) of the Coronavirus Preparedness and Response Supplemental Appropriations Act (division A of Public Law 116–123) shall apply to funds appropriated by this title:

Provided, That the requirement to jointly report shall not apply to the Director of the Peace Corps: Provided further, That reports required by such section may be consolidated and shall include information made available to such Federal agencies to prevent, prepare for, and respond to coronavirus.

Sec. 21004. Section 706(a) of the Department and Related Programs Operations, and Related Programs Appropriations Act, 2020 (division A of Public Law 116–123) shall apply to funds appropriated by this title: Provided, That the requirement to jointly report shall not apply to the Director of the Peace Corps: Provided further, That reports required by such section may be consolidated and shall include information made available to such Federal agencies to prevent, prepare for, and respond to coronavirus.

Sec. 21005. Section 706(a) of the Department and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94) is amended by striking “$100,000,000” and inserting in lieu thereof “$107,000,000”, and by adding the following before the period at the end: “: Provided, That no amounts may be used that were designated by the Congress as being for an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.”.

Sec. 21006. The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 (division G of Public Law 116–94) is amended by striking “Millennium Challenge Corporation” in title III by striking “$105,000,000” in the first proviso and inserting in lieu thereof “$107,000,000.”.

Sec. 21007. Notwithstanding any other provision of law, and in addition to leave authorized by law for the Secretary of State and the Administrator of the United States Agency for International Development, may in the case of correspondence or activities related to the prevention, preparation for, and response to coronavirus, provide additional leave without pay to address employee hardships resulting from coronavirus: Provided, That this authority shall expire on January 29, 2020, and may be provided abroad and domestically: Provided further, That the Secretary and the Administrator shall consult with the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives prior to implementation of such authority: Provided further, That the authority made available pursuant to this section shall expire on September 30, 2020.

Sec. 21008. The authority of the Secretary of State, to prevent, prepare for, and respond to coronavirus, is authorized: Provided, That such authority is being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Sec. 21009. The reporting requirement of section 406(b) of the Coronavirus Preparedness and Response Supplemental Appropriations Act of 2020 (division G of Public Law 116–94) is amended by striking “$100,000,000” and inserting in lieu thereof “$107,000,000”.

Sec. 21010. The Department of State and the United States Agency for International Development may enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations and including pursuant to section 904 of the Foreign Service Act of 1980 (22 U.S.C. 488j)) to prevent, prepare for, and respond to coronavirus: Provided, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management: Provided further, That no more than 15 days in any fiscal year may be charged to this authority.

Sec. 21011. Notwithstanding any other provision of law, the Secretary of the Treasury, and the Administrator of the United States Agency for International Development may authorize any oath of office required by law to, in the event of extraordinary circumstances that could otherwise pose health risks, be administered remotely, subject to appropriate verification: Provided, That prior to initially exercising such authority of this section, the Secretary and the Administrator shall each submit a report to the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on Foreign Affairs of the House of Representatives describing the process and procedures for administering such oath, including appropriate verification: Provided further, That the authority made available pursuant to this section shall expire on September 30, 2021.

Sec. 21012. (a) Purposes.—For purposes of strengthening the ability of foreign countries to prevent, prepare for, and respond to coronavirus and to the adverse economic impacts of coronavirus, in a manner that would promote United States global interests and interests of the United States and its citizens, the President may, in connection with the outbreak of coronavirus and mitigate an international economic crisis resulting from coronavirus that may pose a significant risk to the economy of the United States and abroad, and in addition to leave authorized by law for the Secretary of State and the Administrator pursuant to the specific expenditures made pursuant to this section, may exercise the authorities of the Secretary of State and the Administrator to that end: Provided, That this authority is being for an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Coronavirus Responses.—

(1) International Development Association Replenishment.—The International Development Association Act (22 U.S.C. 264 et seq.) is amended by adding at the end the following new section:

“SEC. 31. NINETEENTH REPLENISHMENT.

“(a) IN GENERAL.—The United States Governor of the International Development Association is authorized to contribute on behalf of the United States $3,004,200,000 to the fourteenth replenishment of the resources of the Association, subject to obtaining the necessary appropriations.

“(b) AUTHORIZATION OF APPROPRIATIONS.—In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, $3,004,200,000 for payment by the Secretary of the Treasury.”.

(2) International Finance Corporation Authorization.—The International Finance Corporation Act (22 U.S.C. 282 et seq.) is amended by adding at the end the following new section:
(3) In order to carry out the purposes of a one-time decision of the Executive Directors of the International Monetary Fund (the Fund) to expand the resources of the New Arrangements to Borrow pursuant to the decision of January 27, 1997, referred to in paragraph (1), the Secretary of the Treasury is authorized to make loans, in an amount not to exceed the dollar equivalent of 28,322,470,000 of Special Drawing Rights, in addition to any amounts previously authorized under this section, except that prior to ratification of the New Arrangements to Borrow, the Secretary of the Treasury shall report to Congress whether supplementary resources are needed to forestall or cope with an impairment of the monetary system and whether the Fund has fully explored other means of funding the Fund: (III) in paragraph (5), as so redesignated, by striking “paragraph (3)” and inserting “paragraph (4)”; and (IV) in paragraph (6), as so redesignated, by striking “December 31, 2025” and inserting “December 31, 2022”; and (II) in subsection (e)(1) by striking “(a)(2),” each place such term appears and inserting “(a)(2), (a)(3),”.

(2) LIMITATION.—Any subscription by the United States to the capital stock of the Corporation from a four-fifths majority to an eighty-five percent majority.

(3) AFRICAN DEVELOPMENT BANK.—The Afri- can Development Bank Act (22 U.S.C. 290i et seq.) is amended by adding at the end the following new section:

**SEC. 1345. SEVENTH CAPITAL INCREASE.**

(a) SUBSCRIPTION AUTHORIZED.—(1) IN GENERAL.—The United States Governor of the Corporation is authorized to agree to and accept an amendment to article II, section 2(c)(ii) of the Articles of Agreement of the Corporation that would increase the vote by which the Board of Governors of the Corporation may increase the capital stock of the Corporation from a four-fifths majority to an eighty-five percent majority.

(2) LIMITATION.—Any subscription by the United States to the capital stock of the Corporation shall be effective only to such extent and in such amounts as are provided in appropriations Acts.

(b) AMENDMENT OF APPROPRIATIONS.—(1) IN GENERAL.—In order to pay for the increase in the United States subscription to the Bank under subsection (a), there are authorized to be appropriated, without fiscal year limitation, $7,286,587,008 for payment by the Secretary of the Treasury.

(2) SHARK TYPES.—Of the amount authorized to be appropriated under paragraph (1)—

(A) $437,190,016 shall be for paid in shares of the Bank; and

(B) $6,849,386,992 shall be for callable shares of the Bank.

(4) AFRICAN DEVELOPMENT FUND.—The Afri- can Development Bank Act (22 U.S.C. 290g et seq.) is amended by adding at the end the following new section:

**SEC. 226. FIFTEENTH REPLENISHMENT.**

(a) IN GENERAL.—The United States Gov- ernor of the Fund is authorized to contribute on behalf of the United States $531,900,000 to the fifteenth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

(b) AMENDMENT OF APPROPRIATIONS.—In order to pay for the United States contri- bution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, $531,900,000 for payment by the Secretary of the Treasury.

(5) INTERNATIONAL MONETARY FUND AUTHORIZED FOR NEW ARRANGEMENTS TO BOR- row.—

(A) IN GENERAL.—Section 17 of the Bretton Woods Agreements Act (22 U.S.C. 286e-2) is amended—

(1) in subsection (a)—

(1) by redesignating paragraphs (3), (4), and (5) as paragraphs (4), (5), and (6), respec- tively;

(II) by inserting after paragraph (2) the follow- ing new paragraph:

That funds provided under this heading in this Act shall only be available to spon- sors of airports defined in section 47102 of title 49, United States Code: Provided further, That funds provided under this heading in this Act may not be used for any purpose not directly related to the airport: Provided further, That the amounts appropriated under this heading in this Act—

(1) Not less than $500,000,000 shall be avail- able to pay a Federal share of 100 percent of the costs for which an airport is authorized under Public Law 116–94: Provided, That any re- mains funds after the apportionment under this paragraph (1) shall be distributed as described in paragraph (2) under this heading in this Act;

(2) Not less than $7,400,000,000 shall be available for any purpose for which airport revenues may lawfully be used: Provided, That 50 percent of such funds shall be allo- cated among all commercial service airports based on each airport’s 2018 enplanements as a percentage of total 2018 enplanements for all commercial service air- ports: Provided further, That the remaining 50 percent of such funds shall be allocated among all commercial service airports based on an equal combination of each sponsor’s fiscal year 2018 debt service as a percentage of the combined debt service for all commer- cial service airports and each sponsor’s ratio of unrestricted reserves to their respective debt service: Provided further, That the Fed- eral share payable under this paragraph (2) is a grant made under this paragraph shall be 100 percent;

(3) Up to $2,000,000,000 shall be available for any purpose for which airport revenues may lawfully be used, and: (A) be apportioned as set forth in section 47114(c)(1)(C)(i), 47114(c)(1)(C)(ii), or 47114(c)(1)(C)(iii) of title 49, United States Code; (B) be subject to the reduced apportionments of 49 U.S.C. 47114(f); and (C) have no maximum apportion- ment limitation, notwithstanding 47114(c)(1)(C) of title 49, United States Code: That any remaining funds after the apportion- ment under this paragraph (3) shall be dis- tributed as described in paragraph (2) under this heading in this Act: Further, That the Federal share payable of the costs for which a grant is made under this paragraph shall be 100 percent; and

(4) Not less than $100,000,000 shall be for general aviation airports for any purpose for which airport revenues may lawfully be used, and, which the Secretary shall apportion di- rectly to each eligible airport, as defined in section 47102(8) of title 49, United States Code, based on the categories published in the most current National Plan of Integrated Airport Systems and Services, and the aggregate published eligible develop- ment costs for such category, and then dividing the allocated funds evenly among the eligible airports in that category, rounding up to the nearest thousand dollars: Provided, That the Federal share payable of the costs for which a grant is made under this paragraph shall be 100 percent: Provided further, That the Administrator of the Federal Aviation Administration may re- tain up to 1 percent of the amount provided under this heading in this Act to fund the award and oversight by the Administrator of grants made under this heading in this Act: Provided further, That the funds under this heading in this Act shall not be subject to any limitations on obligations
provided in Public Law 116–94: Provided further, That all airports receiving funds under this heading in this Act shall continue to employ, through December 31, 2020, at least 90 percent of the number of full-time employees (after making adjustments for retirements or voluntary employee separations) by the airport as of the date of enactment of this Act: Provided further, That the Secretary may waive the workforce retention requirement in the previous proviso, if the Secretary determines the airport is experiencing economic need due to a direct result of the requirement, or the requirement reduces aviation safety or security: Provided further, That the workforce retention requirement shall apply only to primary commercial airports: Provided further, That the Secretary may add to funds apportioned to primary commercial airports receiving funds under this heading in the previous proviso:

Federal Motor Carrier Safety Administration

Motor Carrier Safety Operations and Programs

Of prior year unobligated contract authority and such funds provided for Motor Carrier Safety in the Transportation Equity Act for the 21st Century (Public Law 105–178), SAFETEA–LU (Public Law 109–9), or other appropriations or authorization acts, in addition to funds provided under Appropriations Acts for the fiscal year 2020 for “Motor Carrier Safety Operations and Programs”, $150,000 in additional obligation, limitation, and repurposing is provided for obligations incurred to support activities to prevent, prepare for, and respond to coronavirus.

Federal Railroad Administration

Safety and Operations

For an additional amount for “Safety and Operations”, $250,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Northeast Corridor Grants to the National Railroad Passenger Corporation

Including Transfer of Funds

For an additional amount for “Northeast Corridor Grants to the National Railroad Passenger Corporation”, $492,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including to enable the Secretary of Transportation to make or amend existing grants to the National Railroad Passenger Corporation for activities associated with the Northeast Corridor, as authorized by section 1161(a) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94): Provided, That amounts made available under this heading in this Act shall be transferred to and merged with “National Network Grants to the National Railroad Passenger Corporation” to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

National Network Grants to the National Railroad Passenger Corporation

Including Transfer of Funds

For an additional amount for “National Network Grants to the National Railroad Passenger Corporation”, $526,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including to enable the Secretary of Transportation to make or amend existing grants to the National Railroad Passenger Corporation for activities associated with the National Railroad Passenger Network as authorized by section 11101(b) of the Fixing America’s Surface Transportation Act (division A of Public Law 114–94): Provided, That the amount paid in fiscal year 2019 under section 209 of the Program Improvement Act of 2008 (Public Law 110–342) and that not less than $239,000,000 of the amounts made available under this heading in this Act shall be transferred to and merged with “Northeast Corridor Grants to the National Railroad Passenger Corporation” to prevent, prepare for, and respond to coronavirus: Provided further, That amounts made available under this heading in this Act may be transferred to and merged with “Northeast Corridor Grants to the National Railroad Passenger Corporation” to prevent, prepare for, and respond to coronavirus: Provided further, That the amount made available under this heading in this Act shall be derived from the Federal Motor Carrier Safety Administration fund and shall not be subject to any limitation on obligations for transit programs set forth in any Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Federal Transit Administration

Transit Infrastructure Grants

For an additional amount for “Transit Infrastructure Grants”, $75,000,000, of the funds for transit infrastructure grants provided under this heading in this Act shall be derived from the Federal Motor Carrier Safety Administration fund and shall not be subject to any limitation on obligations for transit programs set forth in any Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

State Maritime Academy Operations

For an additional amount for “State Maritime Academy Operations”, $3,134,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That of the amounts made available under this heading in this Act, $1,000,000 shall be for the operations of the United States Merchant Marine Academy: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Office of Inspector General

Salaries and Expenses

For an additional amount for “Office of Inspector General”, $5,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That the funding made available under this heading in this Act shall be used for conducting audits and investigations of projects and activities carried out or funded by, or available in this Act to the Department of Transportation to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Department of Housing and Urban Development

Management and Administration

Administrative Support Offices

For an additional amount for “Management and Administration”, $1,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That the funding made available under this heading in this Act shall be used for conducting audits and investigations of programs and activities carried out or funded by, or available in this Act to the Department of Housing and Urban Development to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
coronavirus, for the Office of the Chief Financial Officer, including for Department-wide salaries and expenses, Information Technology purposes, and to support the Department’s telework request. The funding for adequate salaries and expenses, Information Technology purposes, and to support the Department’s telework request: Provided, That the amounts provided under this heading in this Act shall be in addition to amounts otherwise available for such purposes, including amounts made available under the heading “Program Offices” in this Act: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PUBLIC AND INDIAN HOUSING

For an additional amount for “Program Offices”: $15,000,000, to remain available until September 30, 2021, to prevent, prepare for, and respond to coronavirus: Provided, That the sums appropriated under this heading in this Act—

(1) $5,000,000 shall be available for the Office of Public and Indian Housing; and

(2) $10,000,000 shall be available for the Office of Community Planning and Development:

Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TENANT-BASED RENTAL ASSISTANCE

For an additional amount for “Tenant-Based Rental Assistance”: $1,250,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus, including the Public and Indian Housing Capital Fund: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Public and Indian Housing Tenants’ Emergency Assistance”:

Provided further, That such assistance shall be made available to public housing agencies to provide emergency assistance to families whose public housing agencies have implemented policies to prevent, prepare, and respond to coronavirus, including activities to support or maintain the health and safety of assisted individuals and families, and activities to support education and child care for impacted families: Provided further, That amounts made available under the headings “Public and Indian Housing Tenants’ Emergency Assistance” and “Public Housing Capital Fund” in prior Acts, except for any set-asides listed under such headings, may be used for the purposes provided for in this Act: Provided further, That the expanded uses and funding flexibilities described in the previous two provisos shall be available to all public housing agencies that experience extraordinary circumstances and that such amounts may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary: Provided further, That any such waiving or alternative requirements shall remain in effect for the time and duration specified by the Secretary in such public notice and may be extended if necessary upon additional notice by the Secretary: Provided further, That the Secretary may award any remaining unobligated balances appropriated under this heading in prior Acts for incremental tenant-based assistance contracts under section 9(e) of the United States Housing Act of 1937 (42 U.S.C. 1437g(e)), to prevent, prepare for, and respond to coronavirus, without competition, including for extraordinary administrative fees: Provided further, That such amounts shall be allocated proportionally to public housing agencies who received awards in the 2017 and 2019 competitions for such purposes within 60 days of enactment of this Act: Provided further, That the waiver and alternative requirements authority provided under this heading in this Act shall also apply to such incremental tenant-based assistance contract amounts: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Public Housing Operating Fund”: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Native American Programs”: $300,000,000, to remain available until September 30, 2024, to prepare for, prevent, and respond to coronavirus, for activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), and under title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)); Provided further, That such amount is made available under this heading in this Act: Provided further, That such amounts may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic means, as determined by the Secretary: Provided further, That any such waiving or alternative requirements shall remain in effect for the time and duration specified by the Secretary in such public notice and may be extended if necessary upon additional notice by the Secretary: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Native American Programs”, $300,000,000, to remain available until September 30, 2024, to prepare for, prevent, and respond to coronavirus, for activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), and under title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1)); Provided further, That such amount is made available under this heading in this Act: Provided further, That such amounts may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic means, as determined by the Secretary: Provided further, That such amounts may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic means, as determined by the Secretary: Provided further, That any such waiving or alternative requirements shall remain in effect for the time and duration specified by the Secretary in such public notice and may be extended if necessary upon additional notice by the Secretary: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for “Native American Programs”, $300,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus, for activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), and under title I of the Housing and Community Development Act of 1974 with respect to Indian tribes (42 U.S.C. 5306(a)(1));  Provided further, That such amount is made available under this heading in this Act: Provided further, That such amounts may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic means, as determined by the Secretary: Provided further, That such amounts may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic means, as determined by the Secretary: Provided further, That any such waiving or alternative requirements shall remain in effect for the time and duration specified by the Secretary in such public notice and may be extended if necessary upon additional notice by the Secretary: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
coronavirus that are incurred by a recipient, including for costs incurred prior to the date of enactment of this Act: Provided further, That the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of amounts made available under this paragraph or under the same paragraph in Public Law 116–94 (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that such waivers or alternative requirements are necessary to expedite or facilitate the use of such amounts to prevent, prepare for, and respond to coronavirus: Provided further, That any such waivers shall be deemed to be effective as of the date any Indian tribe or tribally designated housing entity began preparing for coronavirus and shall apply to the amounts made available under this paragraph and to the previously appropriated amounts described in the previous proviso; and

(2) Up to $100,000,000 shall be available for grants to Indian tribes under the Indian Community Block Grant Program under title I of the Housing and Community Development Act of 1974, notwithstanding section 106(a)(1) of such Act, to prevent, prepare for, and respond to coronavirus, for emergencies that constitute imminent threats to health and safety: Provided, That the Secretary shall prioritize, without competition, allocations of such amounts for Indian tribes and projects designed to prevent, prepare for, and respond to coronavirus: Provided further, That not to exceed 20 percent of any grant made with funds appropriated under this paragraph shall be expended for planning and management development and administration: Provided further, That amounts provided under this heading in this Act may be used to cover or reimburse allowable costs to prevent, prepare for, and respond to coronavirus incurred by a recipient, including for costs incurred prior to the date of enactment of this Act: Provided further, That, notwithstanding section 106(a)(8) of such Act (42 U.S.C. 5305(a)(8)), there shall be no per centum limitation for the use of funds for public services activities to prevent, prepare for, and respond to coronavirus: Provided further, That the previous proviso shall apply to all such activities for grants made available under this paragraph beginning on one day after the date of enactment of this Act to amounts provided under this heading in this Act incurred by a grantee or allowable costs consistent with the purposes of this heading incurred by a grantee or allowable costs consistent with the purposes of this heading incurred by a grantee or project sponsor regardless of the date on which such costs were incurred: Provided further, That any regulatory waivers the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of amounts made available under this paragraph or under paragraph (4) in Public Law 116–94—(except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that such waivers or alternative requirements are necessary to expedite or facilitate the use of such amounts to prevent, prepare for, and respond to coronavirus: Provided further, That any such waivers shall be deemed to be effective as of the date anyIndian tribe or tribally designated housing entity began preparing for coronavirus and shall apply to the amounts made available under this paragraph and to the previously appropriated amounts described in the previous proviso: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
HOMELESS ASSISTANCE GRANTS

For an additional amount for “Homeless Assistance Grants”, $4,000,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOMELESS ASSISTANCE GRANTS

For an additional amount for “Homeless Assistance Grants”, $4,000,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOMELESS ASSISTANCE GRANTS

For an additional amount for “Homeless Assistance Grants”, $4,000,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOMELESS ASSISTANCE GRANTS

For an additional amount for “Homeless Assistance Grants”, $4,000,000,000, to remain available until September 30, 2022, to prevent, prepare for, and respond to coronavirus: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.
such amounts to prevent, prepare for, and respond to coronavirus, and such waiver or alternative requirement is consistent with the purposes described under this heading in this Act: Provided further, That the Secretary shall notify the public through the Federal Register or other appropriate means of any such waiver or alternative requirement in order for such waiver or alternative requirement to take effect, and that such public notice may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

HOUSING FOR THE ELDERLY

For an additional amount for “Housing for the Elderly”, $50,000,000, to remain available until September 30, 2023, to prevent, prepare for, and respond to coronavirus, including to provide additional funds to maintain normal operations and take other necessary actions during the period that the program is impacted by coronavirus, for assistance to owners or sponsors of properties receiving project-based assistance pursuant to section 202 of the Housing Act of 1969 (12 U.S.C. 1701q), as amended: Provided, That of the amount so appropriated, $50,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects: Provided further, That the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of such amounts made available under this heading in this Act (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are designed to facilitate the use of such amounts to prevent, prepare for, and respond to coronavirus, and such waiver or alternative requirement is consistent with the purposes described under this heading in this Act: Provided further, That the Secretary shall notify the public through the Federal Register or other appropriate means of any such waiver or alternative requirement in order for such waiver or alternative requirement to take effect, and that such public notice may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FAIR HOUSING AND EQUAL OPPORTUNITY

For an additional amount for “Fair Housing Activities”, $2,500,000, to remain available until September 30, 2021, for contracts, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1974, and as amended by the Reconciliation Act of 2020, as a grant to the Fair Housing Initiatives Program for education and outreach activities under such section to educate the public about fair housing, nondiscrimination, labor standards, and the environment: Provided, That the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the use of such amounts made available under this heading in this Act (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a finding by the Secretary that any such waivers or alternative requirements are designed to facilitate the use of such amounts to prevent, prepare for, and respond to coronavirus, and such waiver or alternative requirement is consistent with the purposes described under this heading in this Act: Provided further, That the Secretary shall notify the public through the Federal Register or other appropriate means of any such waiver or alternative requirement in order for such waiver or alternative requirement to take effect, and that such public notice may be provided, at a minimum, on the Internet at the appropriate Government web site or through other electronic media, as determined by the Secretary: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

For an additional amount for “Office of Inspector General”, $5,000,000, to remain available until expended, to prevent, prepare for, and respond to coronavirus: Provided, That the funding made available under this heading in this Act shall be used for conducting audits and investigations of projects and activities carried out with funds made available for such purposes, and shall be available, without additional competition, for conducting any audit or investigation conducted with funds made available pursuant to an appropriation for fiscal year 2020 for such purposes: Provided further, That the Inspector General may not waive the requirements of title 21, Code of Federal Regulations (or successor regulations) with respect to a grant, campaign, or program using any funds made available by this Act under the headings “Federal Aviation Administration—Operational Safety Authority” or “Federal Aviation Administration—Operational Safety Authority Grants” in the Consolidated Appropriations Act, 2018 (Public Law 115-224).
States or the Secretary to address the Coronavirus Disease 2019 (COVID-19).

(b) REPORT.—The Secretary shall periodically submit to the relevant committees of Congress:

(1) determination made by the Secretary under subsection (a); and

(2) each waiver or postponement of a requirement, notwithstanding any other provision of law, of an emergency requirement pursuant to section 251(a)(6) or section 254(g) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLES XIII
GENERAL PROVISIONS—THIS ACT

SEC. 23001. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 23002. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided therein.

SEC. 23003. Unless otherwise provided for by this Act, amounts otherwise appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for the fiscal year 2020.

SEC. 23004. (a) Subject to subsection (b), and notwithstanding any other provision of law, funds made available in this Act, or transferred pursuant to authorization granted in this Act, may only be used to prevent, prepare for, and respond to coronavirus.

(b) Subsection (a) shall not apply to sections 13002, 18114, and 254(g) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended by this Act.

SEC. 23005. In this Act, the term “coronavirus” means SARS-CoV-2 or another coronavirus with pandemic potential.

SEC. 23006. Each amount designated in this Act as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available for transfer or transferred (if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 23007. Any amount appropriated by this Act, designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, shall be considered as having a central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.

SEC. 23008. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23009. In this Act, the term “covered veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23010. Chapter 33 of title 38, United States Code is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23011. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23012. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23013. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23014. Authorization of Appropriations.—Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23015. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23016. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23017. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23018. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23019. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23020. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23021. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23022. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23023. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23024. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23025. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23026. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23027. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23028. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23029. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23030. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23031. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23032. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23033. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.

SEC. 23034. Chapter 33 of title 38, United States Code, is amended by inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens.”

SEC. 23035. In this Act, the term “veteran” means a veteran who—

(1) by striking “No veteran” and inserting “any veteran”; and

(2) by striking “percent” and inserting “percentages”.
(c) Conforming Amendments.—Section 3352(g) of title 38, United States Code, is amended—

(1) in paragraph (1), by inserting “or a covered preparatory course (as that term is defined in section 3315B(a) of this title)” after “or national test providing an opportunity for college credit at institutions of higher learning described in section 3501(a)(5) of this title”; and

(2) in paragraphs (2) and (3), by inserting “or covered preparatory course” after “test” each place it appears.

(d) Effective Date.—The amendment made by subsection (a) shall take effect on August 1, 2021.

SEC. 6. IMPROVEMENT TO WORK-STUDY ALLOWANCE PROGRAM.

(a) Payment of Allowance.—Subsection (a) of section 3485 of title 38, United States Code, is amended—

(1) in paragraph (1), by striking “Individuals’”.

(bb) in accordance with paragraph (a), individuals’

(2) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (6), and (7), respectively.

(3) by inserting after paragraph (3) the following new paragraph:

“(4)(A) With respect to covered work-study activities, the Secretary shall carry out this section by providing to participating educational institutions an annual amount for the institution to use in paying work-study allowances under paragraph (1) to individuals enrolled at the institution.

(B) With respect to a participating educational institution that participated in the work-study program under this section during the academic year beginning August 1, 2018, the Secretary shall determine the annual amount to provide to the educational institution under subparagraph (A) as follows:

(i) For the academic year beginning August 1, 2021, the amount shall be the total amount determined in consultation with the educational institution, that the Secretary paid under this section for covered work-study activities to individuals enrolled at such educational institution during the academic year beginning August 1, 2018.

(ii) Except as provided by clauses (i) or (ii) of subparagraph (D) for each academic year occurring after the academic year specified in clause (i), the amount shall be the total amount the educational institution paid under this section for work-study allowance for covered work-study activities to individuals enrolled at such educational institution during the academic year, which individuals enrolled at such educational institution participated in the work-study program.

(iii) Except as provided by clauses (ii) or (i) of subparagraph (D), for each academic year occurring after August 1, 2020, the amount shall be an amount, determined in consultation with the educational institution, that the Secretary determines appropriate based on amounts provided to similar educational institutions pursuant to subparagraph (B).

(iv) (B) The Secretary shall determine the amount provided to a participating educational institution under subparagraph (B) or (C) that is more than 25 percent more, than the total amount the educational institution pays to individuals under paragraph (1) for covered work-study activities, the educational institution shall return to the Secretary the unpaid amount and the Secretary shall transfer such amount into the general fund of the Treasury.

(v) The Secretary shall transfer such amount to the educational institution that participated in the work-study program during such payment.

(vi) If the amount provided to a participating educational institution under subparagraph (B) or (C) is more, but less than 25 percent more, than the total amount the educational institution pays to individuals under paragraph (1) for covered work-study activities, and the educational institution plans to participate in the work-study program under this section for the subsequent academic year, the educational institution may retain the amount of the overpayment if the educational institution notifies the Secretary of the amount of the overpayment and the intention of the educational institution to retain such amount. Any amount retained by an educational institution under this clause may only be used by the educational institution to provide work-study allowance to individuals enrolled at the educational institution.

(vii) At any time a participating educational institution may request the Secretary to increase the annual amount that the Secretary provides the educational institution under subparagraph (B) or (C). The Secretary shall approve or disapprove such request by not later than 30 days after the date of the request.

(viii) Whenever the Secretary finds that a participating educational institution paid an amount of work-study allowance under this paragraph for a purpose other than covered work-study activities, such payment shall constitute a liability of the educational institution to the United States.

(iv) (E) Pursuant to section 3560(c), section 3693, and other provisions of chapter 36 of this title, the Secretary shall ensure that participating educational institutions carry out work-study programs in compliance with this section.

(ii) The Secretary may prohibit an educational institution from being a participating educational institution under this paragraph if the Secretary determines that the educational institution is not in compliance with this section.

(F) In this paragraph:

(1) The term ‘covered work-study activities’ means qualifying work-study activities described in paragraphs (A), (B), (I), (J), (K), and (L) of paragraph (5) for which an individual is paid a work-study allowance.

(ii) The term ‘participating educational institution’ means an educational institution that—

(1) during the five-year period occurring before an academic year during which the Secretary carries out this paragraph, the educational institution had on average more than 10 individuals per academic year participating in a covered work-study activity under this section;

(b) Conforming Amendment.—Subsection (a)(4) of this section is amended by striking “subsection (a)(4)” and inserting “subsection (a)(5)”; and

(c) Application.—The amendments made by this section shall apply with respect to a quarter, semester, or term, as applicable, commencing on or after August 1, 2021.

SEC. 7. ADJUSTMENT OF LOAN FEES.

Section 3729(b)(2) of title 38, United States Code, is amended by striking the loan fee table and inserting the following:

<table>
<thead>
<tr>
<th>Type of loan</th>
<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before January 1, 2020)</td>
<td>2.15</td>
<td>2.40</td>
<td>NA</td>
</tr>
<tr>
<td>(A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before January 1, 2020)</td>
<td>2.30</td>
<td>2.30</td>
<td>NA</td>
</tr>
<tr>
<td>(A)(iii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before January 1, 2020)</td>
<td>2.15</td>
<td>2.15</td>
<td>NA</td>
</tr>
<tr>
<td>(A)(iv) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before January 1, 2020)</td>
<td>1.40</td>
<td>1.40</td>
<td>NA</td>
</tr>
<tr>
<td>(B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after January 1, 2021, and before April 1, 2021)</td>
<td>3.30</td>
<td>3.30</td>
<td>NA</td>
</tr>
<tr>
<td>(B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after January 1, 2021, and before April 1, 2021)</td>
<td>3.60</td>
<td>3.60</td>
<td>NA</td>
</tr>
</tbody>
</table>
SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

RYAN KULES SPECIALLY ADAPTIVE HOUSING IMPROVEMENT ACT OF 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 3504, which was received from the House.

The PRESIDING OFFICER. The legislative clerk read as follows:

A bill (H.R. 3504) to amend title 38, United States Code, to provide for improvements to the specially adapted housing program and educational assistance programs of the Department of Veterans Affairs, and for other purposes.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 3504), as amended, was passed.

VA TELE-HEARING MODERNIZATION ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of H.R. 4771 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4771) to amend title 38, United States Code, to permit appellants to appear in cases before the Board of Veterans’ Appeals by picture and voice transmission from locations other than facilities of the Department of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3587) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Veterans Affairs Website Accessibility Act of 2019”.

SEC. 2. STUDY ON THE ACCESSIBILITY OF WEBSITES OF THE DEPARTMENT OF VETERANS AFFAIRS TO INDIVIDUALS WITH DISABILITIES.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall conduct a study of all websites of the Department of Veterans Affairs to determine whether such websites are accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(b) REPORT.—Not later than 90 days after completing the study under subsection (a), the Secretary shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on such study.

(c) ELEMENTS.—The report required by subsection (b) shall include the following:

(1) A list of each website described in subsection (a) that is not accessible to individuals with disabilities in accordance with section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d).

(2) For each website identified in the list under paragraph (1)—
A) the plan of the Secretary to bring the website into compliance with the requirements of section 508 of the Rehabilitation Act of 1973 (29 U.S.C. 794d); and

B) a description of the barriers to bringing the website into compliance with the requirements of such section, including any barriers relating to vacant positions at the Department of Veterans Affairs.

(d) WEBSITE DEFINED.—In this section, the term “website” includes the following:

(1) A file attached to a website.

(2) A web-based application.

(3) A kiosk at a medical facility of the Department of Veterans Affairs, the use of which is required to check in for scheduled appointments.

Passed the Senate March 26 (legislative day, March 25), 2020.

APPOINTMENTS AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MARCH 30, 2020, THROUGH MONDAY, APRIL 20, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times; and that, following each pro forma session, the Senate adjourn until the next pro forma session: Monday, March 30, 11 a.m.; Thursday, April 2, 10 a.m.; Monday, April 6, 10 a.m.; Thursday, April 9, 10 a.m.; Monday, April 13, 10 a.m.; Thursday, April 16, 3 p.m.

I further ask that when the Senate adjourns on Thursday, April 16, it next convene at 3 p.m., Monday, April 20; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that upon the closing of morning business, the Senate proceed to executive session to consider the Feitel nomination, under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL MONDAY, MARCH 30, 2020, AT 11 A.M.

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 12:07 a.m., adjourned until Monday, March 30, 2020, at 11 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 25, 2020:

DEPARTMENT OF DEFENSE

CHARLES WILLIAMS, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF THE NAVY.

WILLIAM JORDAN GILLIS, OF GEORGIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE.
SENATE COMMITTEE MEETINGS
Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, March 26, 2020 may be found in the Daily Digest of today’s RECORD.

POSTPONEMENTS
MARCH 31
2:30 p.m.
Committee on Armed Services
Subcommittee on Personnel
To hold hearings to examine the final recommendations and report of the National Commission on Military, National, and Public Service.

SD–G50
HIGHLIGHTS

Senate passed H.R. 748, Coronavirus Aid, Relief, and Economic Security Act, as amended.

Senate

Chamber Action

Routine Proceedings, pages S2021–S2159

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 3579–3587, and S. Res. 554.

Measures Passed:

Coronavirus Aid, Relief, and Economic Security Act: By a unanimous vote of 96 yea (Vote No. 80), Senate passed H.R. 748, to amend the Internal Revenue Code of 1986 to repeal the excise tax on high cost employer-sponsored health coverage, 60 Senators having voted in the affirmative, and after taking action on the following amendments proposed thereto:

Adopted:
McConnell Amendment No. 1578, providing emergency assistance and health care response for individuals, families and businesses affected by the 2020 coronavirus pandemic.

Rejected:
By 48 yea to 48 nay (Vote No. 79), Sasse Amendment No. 1577 (to Amendment No. 1578), to ensure that additional unemployment benefits do not result in an individual receiving unemployment compensation that is more than the amount of wages the individual was earning prior to becoming unemployed. (A unanimous-consent agreement was reached providing that the amendment, having failed to achieve 60 affirmative votes, was not agreed to.)

During consideration of this measure today, Senate also took the following action:

A unanimous-consent agreement was reached providing that the motion to invoke cloture on the motion to proceed to consideration of the bill, be withdrawn.

Ryan Kules and Paul Benne Specially Adaptive Housing Improvement Act: Senate passed H.R. 3504, to amend title 38, United States Code, to provide for improvements to the specially adapted housing program and educational assistance programs of the Department of Veterans Affairs, after agreeing to the following amendment proposed thereto:

McConnell (for Moran) Amendment No. 1579, in the nature of a substitute.

VA Tele-Hearing Modernization Act: Committee on Veterans’ Affairs was discharged from further consideration of H.R. 4771, to amend title 38, United States Code, to permit appellants to appear in cases before the Board of Veterans’ Appeals by picture and voice transmission from locations other than facilities of the Department of Veterans Affairs, and the bill was then passed.

Department of Veterans Affairs Website Accessibility Act: Senate passed S. 3587, to require the Secretary of Veterans Affairs to conduct a study on the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities.

Authorizing Leadership to Make Appointments—Agreement: A unanimous-consent agreement was reached providing that, notwithstanding the upcoming adjournment of the Senate, the President of the Senate, the President Pro Tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that Senator Capito, Senator Murkowski, and Senator McConnell be authorized to sign duly enrolled bills or joint resolutions on Wednesday, March 25, 2020 through Monday, April 20, 2020.
Pro Forma Sessions—Agreement: A unanimous-consent agreement was reached providing that the Senate adjourn, to then convene for pro forma sessions only, with no business being conducted on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, March 30, 2020, at 11 a.m.; Thursday, April 2, 2020, at 10 a.m.; Monday, April 6, 2020, at 10 a.m.; Thursday, April 9, 2020, at 10 a.m.; Monday, April 13, 2020, at 10 a.m.; Thursday, April 16, 2020, at 3 p.m.; and that when the Senate adjourns on Thursday, April 16, 2020, it next convene at 3 p.m., on Monday, April 20, 2020.

Feitel Nomination—Agreement: A unanimous-consent agreement was reached providing that at approximately 3 p.m., on Monday, April 20, 2020, Senate begin consideration of the nomination of Robert J. Feitel, of Maryland, to be Inspector General, Nuclear Regulatory Commission; and that at 5:30 p.m., Senate vote on confirmation of the nomination.

Nominations Confirmed: Senate confirmed the following nominations:

- Charles Williams, of Missouri, to be an Assistant Secretary of the Navy.
- William Jordan Gillis, of Georgia, to be an Assistant Secretary of Defense.

Additional Cosponsors: Page S2061

Statements on Introduced Bills/Resolutions: Pages S2062–63

Amendments Submitted: Pages S2063–S2158

Record Votes: Two record votes were taken today. (Total—80) Page S2060

Adjournment: Senate convened at 12 noon on Wednesday, March 25, 2020 and adjourned at 12:07 a.m. on Thursday, March 26, 2020, until 11 a.m. on Monday, March 30, 2020. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S2159.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

---

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 6385–6394; and 2 resolutions, H. Res. 908–909 were introduced. Pages H1725–26

Additional Cosponsors: Page H1726

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Wexton to act as Speaker pro tempore for today. Page H1723

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rev. Robert W. Fisher, St. John’s Church, Washington, DC. Page H1723

Quorum Calls—Votes: There were no Yea and Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:02 a.m.

Committee Meetings

No hearings were held.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 26, 2020

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine the posture of the Department of the Army in review of the Defense Authorization Request for fiscal year 2021 and the Future Years Defense Program, 9:30 a.m., Room to be announced.

House

No hearings are scheduled.
Next Meeting of the SENATE
11 a.m., Monday, March 30

Senate Chamber
Program for Monday: Senate will meet in a pro forma session.

Next Meeting of the HOUSE OF REPRESENTATIVES
11 a.m., Thursday, March 26

House Chamber
Program for Thursday: House will meet in Pro Forma session at 11 a.m.