

WE REPRESENT ALL OF AMERICA

(Mr. REED asked and was given permission to address the House for 1 minute.)

Mr. REED. Madam Speaker, I came down this morning, after hearing Father Conroy give his opening speech, to address this House and to address this Nation today in these hallowed Halls to send the message that today is not a day to engage in partisan politics.

As a Republican, my hand is open to my fellow Americans, for us to come together, to stand with our Nation as we face this coronavirus crisis across the country.

Madam Speaker, the people of America are who we represent. They are not Democrat and Republican; they are American. Now is the time to lead with smart, targeted decisionmaking proposals that will improve their lives for the better.

God bless.

COMMUNICATION FROM SPECIAL ASSISTANT, THE HONORABLE HENRY CUELLAR, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Ninamarie Andrews, Special Assistant, the Honorable HENRY CUELLAR, Member of Congress:

HENRY CUELLAR,
HOUSE OF REPRESENTATIVES,
March 10, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAME SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Ninamarie Andrews, have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

After consultation with the Office of House Employment Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,
NINAMARIE ANDREWS,
Special Assistant,
Office of the 28th District of Texas.

COMMUNICATION FROM LEGISLATIVE DIRECTOR/COUNSEL, THE HONORABLE HENRY CUELLAR, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Travis Knight, Legislative Director/Counsel, the Honorable HENRY CUELLAR, Member of Congress:

HENRY CUELLAR,
HOUSE OF REPRESENTATIVES,
March 11, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAME SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I, Travis Knight, have been served with a subpoena for testimony issued by the U.S. District Court for the District of Columbia.

After consultation with the Office of House Employment Counsel, I have determined

that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

TRAVIS KNIGHT,
Legislative Director / Counsel,
Offices of U.S. Congressman Henry Cuellar.

□ 0915

COVID-19 REQUIRES COMPREHENSIVE RESPONSE

(Ms. MUCARSEL-POWELL asked and was given permission to address the House for 1 minute.)

Ms. MUCARSEL-POWELL. Madam Speaker, Miami-Dade County has its first two confirmed cases of COVID-19, and we are all very concerned. Across the country, events are canceled and store shelves are empty. With anxieties high, we are receiving mixed messages when what we need right now is coherent direction.

It is discouraging to see countries like South Korea respond much more effectively than we are. While they screen tens of thousands, we have sick patients and frustrated doctors who cannot access testing.

This is not right. We must make tests available and accessible to everyone. We must strengthen our healthcare system so we have the beds, the masks, the respirators, and the supplies to respond to a surge in cases. We must provide relief to our working families and local businesses struggling to cope with this virus.

Madam Speaker, I believe we have it within us to fulfill these needs, but we all must come together for a comprehensive response to meet this moment. I urge my colleagues to support this legislation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 9 o'clock and 16 minutes a.m.), the House stood in recess.

□ 0011

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BROWN of Maryland) at 12 o'clock and 11 minutes a.m.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 13, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II

of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 13, 2020, at 5:28 p.m., and said to contain a message from the President on declaring a national emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak.

With best wishes, I am,
Sincerely,

CHERYL L. JOHNSON,
Clerk of the House.

DECLARING A NATIONAL EMERGENCY CONCERNING THE NOVEL CORONAVIRUS DISEASE (COVID-19) OUTBREAK—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 116-108)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Energy and Commerce and the Committee on Ways and Means, and ordered to be printed:

To the Congress of the United States:

Pursuant to section 201 of the National Emergencies Act (50 U.S.C. 1621), I hereby report that I have exercised my authority to declare that the outbreak of coronavirus disease (COVID-19) in the United States constitutes a national emergency. This declaration invokes section 1135 of the Social Security Act, 42 U.S.C. 1320b-5, to allow the Secretary of Health and Human Services to exercise the authority under that section to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule throughout the duration of the public health emergency declared in response to the COVID-19 outbreak.

I am enclosing a copy of the proclamation I have issued.

DONALD J. TRUMP.
THE WHITE HOUSE, March 13, 2020.

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

Mrs. LOWEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6201) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6201

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 "Families First Coronavirus Response Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

DIVISION A—SECOND CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020

DIVISION B—NUTRITION WAIVERS

DIVISION C—EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT

DIVISION D—EMERGENCY UNEMPLOYMENT INSURANCE STABILIZATION AND ACCESS ACT OF 2020

DIVISION E—EMERGENCY PAID SICK LEAVE ACT
DIVISION F—HEALTH PROVISIONS

DIVISION G—TAX CREDITS FOR PAID SICK AND PAID FAMILY AND MEDICAL LEAVE

DIVISION H—BUDGETARY EFFECTS

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

DIVISION A—SECOND CORONAVIRUS PREPAREDNESS AND RESPONSE SUPPLEMENTAL APPROPRIATIONS ACT, 2020

The following sums are hereby 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

DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

For an additional amount for the “Special Supplemental Nutrition Program for Women, Infants, and Children”, \$500,000,000, to remain available through September 30, 2021: *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.

COMMODITY ASSISTANCE PROGRAM

For an additional amount for the “Commodity Assistance Program” for the emergency food assistance program as authorized by section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) and section 204(a)(1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508(a)(1)), \$400,000,000, to remain available through September 30, 2021: *Provided*, That of the funds made available, the Secretary may use up to \$100,000,000 for costs associated with the distribution of commodities: *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

SEC. 1101. (a) PUBLIC HEALTH EMERGENCY.—During fiscal year 2020, in any case in which a school is closed for at least 5 consecutive days during a public health emergency designation during which the school would otherwise be in session, each household containing at least 1 member who is an eligible child attending the school shall be eligible to receive assistance pursuant to a state agency plan approved under subsection (b).

(b) ASSISTANCE.—To carry out this section, the Secretary of Agriculture may approve State agency plans for temporary emergency standards of eligibility and levels of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) for households with eligible children. Plans approved by the Secretary shall provide for supplemental allotments to households receiving benefits under such Act, and issuances to households not already receiving benefits. Such level of benefits shall be determined by the Secretary in an amount not less than the value of meals

at the free rate over the course of 5 school days for each eligible child in the household.

(c) MINIMUM CLOSURE REQUIREMENT.—The Secretary of Agriculture shall not provide assistance under this section in the case of a school that is closed for less than 5 consecutive days.

(d) USE OF EBT SYSTEM.—A State agency may provide assistance under this section through the EBT card system established under section 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2016).

(e) RELEASE OF INFORMATION.—Notwithstanding any other provision of law, the Secretary of Agriculture may authorize State educational agencies and school food authorities administering a school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) to release to appropriate officials administering the supplemental nutrition assistance program such information as may be necessary to carry out this section.

(f) WAIVERS.—To facilitate implementation of this section, the Secretary of Agriculture may approve waivers of the limits on certification periods otherwise applicable under section 3(f) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(f)), reporting requirements otherwise applicable under section 6(c) of such Act (7 U.S.C. 2015(c)), and other administrative requirements otherwise applicable to State agencies under such Act.

(g) AVAILABILITY OF COMMODITIES.—During fiscal year 2020, the Secretary of Agriculture may purchase commodities for emergency distribution in any area of the United States during a public health emergency designation.

(h) DEFINITIONS.—In this section:

(1) The term “eligible child” means a child (as defined in section 12(d) or served under section 11(a)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d), 1759(a)(1)) who, if not for the closure of the school attended by the child during a public health emergency designation and due to concerns about a COVID-19 outbreak, would receive free or reduced price school meals under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) at the school.

(2) The term “public health emergency designation” means the declaration of a public health emergency, based on an outbreak of SARS-CoV-2 or another coronavirus with pandemic potential, by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d).

(3) The term “school” has the meaning given the term in section 12(d) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)).

(i) FUNDING.—There are hereby appropriated to the Secretary of Agriculture such amounts as are necessary to carry out this section: *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. 1102. In addition to amounts otherwise made available, \$100,000,000, to remain available through September 30, 2021, shall be available for the Secretary of Agriculture to provide grants to the Commonwealth of the Northern Mariana Islands, Puerto Rico, and American Samoa for nutrition assistance in response to a COVID-19 public health emergency: *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.

TITLE II

DEPARTMENT OF DEFENSE

DEFENSE HEALTH PROGRAM

For an additional amount for “Defense Health Program”, \$82,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 6006(a) of division F of the Families First Coronavirus Response Act (or the administration of such products): *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.

TITLE III

DEPARTMENT OF THE TREASURY

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For an additional amount for “Taxpayer Services”, \$15,000,000, to remain available until September 30, 2022, for the purposes of carrying out the Families First Coronavirus Response Act: *Provided*, That amounts provided under this heading in this Act may be transferred to and merged with “Operations Support”: *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.

TITLE IV

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For an additional amount for “Indian Health Services”, \$64,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 6007 of division F of the Families First Coronavirus Response Act (or the administration of such products): *Provided*, That such amounts shall be allocated at the discretion of the Director of the Indian Health Service: *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.

TITLE V

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR COMMUNITY LIVING

AGING AND DISABILITY SERVICES PROGRAMS

For an additional amount for “Aging and Disability Services Programs”, \$250,000,000, to remain available until September 30, 2021, for activities authorized under subparts 1 and 2 of part C, of title III, and under title VI, of the Older Americans Act of 1965 (“OAA”), of which \$160,000,000 shall be for Home-Delivered Nutrition Services, \$80,000,000 shall be for Congregate Nutrition Services, and \$10,000,000 shall be for Nutrition Services for Native Americans: *Provided*, That State matching requirements under sections 304(d)(1)(D) and 309(b)(2) of the OAA shall not apply to funds made available under this heading 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.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For an additional amount for “Public Health and Social Services Emergency

Fund", \$1,000,000,000, to remain available until expended, for activities authorized under section 2812 of the Public Health Service Act (42 U.S.C. 300hh-11), in coordination with the Administrator of the Centers for Medicare & Medicaid Services, to pay the claims of providers for reimbursement, as described in subsection (a)(3)(D) of such section 2812, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in paragraph (1) of section 6001(a) of division F of the Families First Coronavirus Response Act (or the administration of such products) or visits described in paragraph (2) of such section for uninsured individuals: *Provided*, That the term "uninsured individual" in this paragraph means an individual who is not enrolled in—

(1) a Federal health care program (as defined under section 1128B(f) of the Social Security Act (42 U.S.C. 1320a-7b(f)), including an individual who is eligible for medical assistance only because of subsection (a)(10)(A)(ii)(XXIII) of Section 1902 of the Social Security Act; or

(2) a group health plan or health insurance coverage offered by a health insurance issuer in the group or individual market (as such terms are defined in section 2791 of the Public Health Service Act (42 U.S.C. 300gg-91)), or a health plan offered under chapter 89 of title 5, United States Code:

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.

TITLE VI

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For an additional amount for "Medical Services", \$30,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 6006(b) of division F of the Families First Coronavirus Response Act (or the administration of such products): *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 COMMUNITY CARE

For an additional amount for "Medical Community Care", \$30,000,000, to remain available until September 30, 2022, for health services consisting of SARS-CoV-2 or COVID-19 related items and services as described in section 6006(b) of division F of the Families First Coronavirus Response Act (or the administration of such products): *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.

TITLE VII

GENERAL PROVISIONS—THIS ACT

SEC. 1701. Not later than 30 days after the date of enactment of this Act, the head of each executive agency that receives funding in this Act shall provide a report detailing the anticipated uses of all such funding to the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That each report shall include estimated personnel and administrative costs, as well as the total amount of funding apportioned, allotted, obligated, and expended, to date: *Provided further*, That each such plan shall be updated and submitted to such Committees every 60 days until all funds are expended or expire.

SEC. 1702. States and local governments receiving funds or assistance pursuant to this division shall ensure the respective State Emergency Operations Center receives regular and real-time reporting on aggregated data on testing and results from State and local public health departments, as determined by the Director of the Centers for Disease Control, and that such data is transmitted to the Centers for Disease Control.

SEC. 1703. Each amount appropriated or made available by this Act is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 1704. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 1705. Unless otherwise provided for by this Act, the additional amounts appropriated by this Act to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2020.

SEC. 1706. Each amount designated in this Act 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 available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 1707. Any amount appropriated by this Act, designated by the Congress as 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, and transferred pursuant to transfer authorities provided by this Act shall retain such designation.

This division may be cited as the "Second Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020".

DIVISION B—NUTRITION WAIVERS

TITLE I—MAINTAINING ESSENTIAL ACCESS TO LUNCH FOR STUDENTS ACT

SEC. 2101. SHORT TITLE.

This title may be cited as the "Maintaining Essential Access to Lunch for Students Act" or the "MEALS Act".

SEC. 2102. WAIVER EXCEPTION FOR SCHOOL CLOSURES DUE TO COVID-19.

(a) IN GENERAL.—The requirements under section 12(1)(A)(iii) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1)(A)(iii)) shall not apply to a qualified COVID-19 waiver.

(b) ALLOWABLE INCREASE IN FEDERAL COSTS.—Notwithstanding paragraph (4) of section 12(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1)), the Secretary of Agriculture may grant a qualified COVID-19 waiver that increases Federal costs.

(c) TERMINATION AFTER PERIODIC REVIEW.—The requirements under section 12(1)(5) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1)(5)) shall not apply to a qualified COVID-19 waiver.

(d) QUALIFIED COVID-19 WAIVER.—In this section, the term "qualified COVID-19 waiver" means a waiver—

(1) requested by a State (as defined in section 12(d)(8) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)(8))) or eligible service provider under section 12(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1)); and

(2) to waive any requirement under such Act (42 U.S.C. 1751 et seq.) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), or any regulation issued under either such Act, for purposes of providing meals and meal supplements under such Acts during a school closure due to COVID-19.

TITLE II—COVID-19 CHILD NUTRITION RESPONSE ACT

SEC. 2201. SHORT TITLE.

This title may be cited as the "COVID-19 Child Nutrition Response Act".

SEC. 2202. NATIONAL SCHOOL LUNCH PROGRAM REQUIREMENT WAIVERS ADDRESSING COVID-19.

(a) NATIONWIDE WAIVER.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may establish a waiver for all States under section 12(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1)), for purposes of—

(A) providing meals and meal supplements under a qualified program; and

(B) carrying out subparagraph (A) with appropriate safety measures with respect to COVID-19, as determined by the Secretary.

(2) STATE ELECTION.—A waiver established under paragraph (1) shall—

(A) notwithstanding paragraph (2) of section 12(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1)), apply automatically to any State that elects to be subject to the waiver without further application; and

(B) not be subject to the requirements under paragraph (3) of such section.

(b) CHILD AND ADULT CARE FOOD PROGRAM WAIVER.—Notwithstanding any other provision of law, the Secretary may grant a waiver under section 12(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 231760(1)) to allow non-congregate feeding under a child and adult care food program under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766) if such waiver is for the purposes of—

(1) providing meals and meal supplements under such child and adult care food program; and

(2) carrying out paragraph (1) with appropriate safety measures with respect to COVID-19, as determined by the Secretary.

(c) MEAL PATTERN WAIVER.—Notwithstanding paragraph (4)(A) of section 12(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(1)) the Secretary may grant a waiver under such section that relates to the nutritional content of meals served if the Secretary determines that—

(1) such waiver is necessary to provide meals and meal supplements under a qualified program; and

(2) there is a supply chain disruption with respect to foods served under such a qualified program and such disruption is due to COVID-19.

(d) REPORTS.—Each State that receives a waiver under subsection (a), (b), or (c), shall, not later than 1 year after the date such State received such waiver, submit a report to the Secretary that includes the following:

(1) A summary of the use of such waiver by the State and eligible service providers.

(2) A description of whether such waiver resulted in improved services to children.

(e) SUNSET.—The authority of the Secretary to establish or grant a waiver under this section shall expire on September 30, 2020.

(f) DEFINITIONS.—In this section:

(1) QUALIFIED PROGRAM.—The term "qualified program" means the following:

(A) The school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(B) The school breakfast program under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

(C) The child and adult care food program under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766).

(D) The summer food service program for children under section 13 of the Richard B.

Russell National School Lunch Act (42 U.S.C. 1761).

(2) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(3) STATE.—The term “State” has the meaning given such term in section 12(d)(8) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(d)(8)).

SEC. 2203. PHYSICAL PRESENCE WAIVER UNDER WIC DURING CERTAIN PUBLIC HEALTH EMERGENCIES.

(a) WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may grant a request described in paragraph (2) to—

(A) waive the requirement under section 17(d)(3)(C)(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(3)(C)(i)); and

(B) defer anthropometric and bloodwork requirements necessary to determine nutritional risk.

(2) REQUEST.—A request described in this paragraph is a request made to the Secretary by a State agency to waive, on behalf of the local agencies served by such State agency, the requirements described in paragraph (1) during any portion of the emergency period (as defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b–5(g)) (beginning on or after the date of the enactment of this section).

(b) REPORTS.—

(1) LOCAL AGENCY REPORTS.—Each local agency that uses a waiver pursuant to subsection (a) shall, not later than 1 year after the date such local agency uses such waiver, submit a report to the State agency serving such local agency that includes the following:

(A) A summary of the use of such waiver by the local agency.

(B) A description of whether such waiver resulted in improved services to women, infants, and children.

(2) STATE AGENCY REPORTS.—Each State agency that receives a waiver under subsection (a) shall, not later than 18 months after the date such State agency received such waiver, submit a report to the Secretary that includes the following:

(A) A summary of the reports received by the State agency under paragraph (1).

(B) A description of whether such waiver resulted in improved services to women, infants, and children.

(c) SUNSET.—The authority under this section shall expire on September 30, 2020.

(d) DEFINITIONS.—In this section:

(1) LOCAL AGENCY.—The term “local agency” has the meaning given the term in section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)).

(2) NUTRITIONAL RISK.—The term “nutritional risk” has the meaning given the term in section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)).

(3) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(4) STATE AGENCY.—The term “State agency” has the meaning given the term in section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b)).

SEC. 2204. ADMINISTRATIVE REQUIREMENTS WAIVER UNDER WIC.

(a) WAIVER AUTHORITY.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Agriculture may, if requested by a State agency (as defined in section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b))), modify or waive any qualified administrative requirement with respect to such State agency.

(2) QUALIFIED ADMINISTRATIVE REQUIREMENT.—In this section, the term “qualified administrative requirement” means a regulatory requirement issued under section 17 of

the Child Nutrition Act of 1966 (42 U.S.C. 1786) that the Secretary of Agriculture determines—

(A) cannot be met by a State agency due to COVID-19; and

(B) the modification or waiver of which is necessary to provide assistance under such section.

(b) STATE AGENCY REPORTS.—Each State agency that receives a waiver under subsection (a)(1) shall, not later than 1 year after the date such State agency received such waiver, submit a report to the Secretary of Agriculture that includes the following:

(1) A summary of the use of such waiver by the State agency.

(2) A description of whether such waiver resulted in improved services to women, infants, and children.

(c) SUNSET.—The authority under this section shall expire on September 30, 2020.

TITLE III—SNAP WAIVERS

SEC. 2301. SNAP FLEXIBILITY FOR LOW-INCOME JOBLESS WORKERS.

(a) Beginning with the first month that begins after the enactment of this Act and for each subsequent month through the end of the month subsequent to the month a public health emergency declaration by the Secretary of Health and Human Services under section 319 of the Public Health Service Act based on an outbreak of coronavirus disease 2019 (COVID-19) is lifted, eligibility for supplemental nutrition assistance program benefits shall not be limited under section 6(o)(2) of the Food and Nutrition Act of 2008 unless an individual does not comply with the requirements of a program offered by the State agency (as defined in section 3 of the Food and Nutrition Act of 2008) that meets the standards of subparagraphs (B) or (C) of such section 6(o)(2).

(b) Beginning on the month subsequent to the month the public health emergency declaration by the Secretary of Health and Human Services under section 319 of the Public Health Service Act based on an outbreak of COVID-19 is lifted for purposes of section 6(o) of the Food and Nutrition Act of 2008, such State agency shall disregard any period during which an individual received benefits under the supplemental nutrition assistance program prior to such month.

SEC. 2302. ADDITIONAL SNAP FLEXIBILITIES IN A PUBLIC HEALTH EMERGENCY.

(a) In the event of a public health emergency declaration by the Secretary of Health and Human Services under section 319 of the Public Health Service Act based on an outbreak of coronavirus disease 2019 (COVID-19) and the issuance of an emergency or disaster declaration by a State based on an outbreak of COVID-19, the Secretary of Agriculture—

(1) shall provide, at the request of a State agency (as defined in section 3 of the Food and Nutrition Act of 2008) that provides sufficient data (as determined by the Secretary through guidance) supporting such request, for emergency allotments to households participating in the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 to address temporary food needs not greater than the applicable maximum monthly allotment for the household size; and

(2) may adjust, at the request of State agencies or by guidance in consultation with one or more State agencies, issuance methods and application and reporting requirements under the Food and Nutrition Act of 2008 to be consistent with what is practicable under actual conditions in affected areas. (In making this adjustment, the Secretary shall consider the availability of offices and personnel in State agencies, any conditions that make reliance on electronic benefit transfer

systems described in section 7(h) of the Food and Nutrition Act of 2008 impracticable, any disruptions of transportation and communication facilities, and any health considerations that warrant alternative approaches.)

(b) Not later than 10 days after the date of the receipt or issuance of each document listed in paragraphs (1), (2), or (3) of this subsection, the Secretary of Agriculture shall make publicly available on the website of the Department the following documents:

(1) Any request submitted by State agencies under subsection (a).

(2) The Secretary's approval or denial of each such request.

(3) Any guidance issued under subsection (a)(2).

(c) The Secretary of Agriculture shall, within 18 months after the public health emergency declaration described in subsection (a) is lifted, submit a report to the House and Senate Agriculture Committees with a description of the measures taken to address the food security needs of affected populations during the emergency, any information or data supporting State agency requests, any additional measures that States requested that were not approved, and recommendations for changes to the Secretary's authority under the Food and Nutrition Act of 2008 to assist the Secretary and States and localities in preparations for any future health emergencies.

DIVISION C—EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT

SEC. 3101. SHORT TITLE.

This Act may be cited as “Emergency Family and Medical Leave Expansion Act”.

SEC. 3102. AMENDMENTS TO THE FAMILY AND MEDICAL LEAVE ACT OF 1993.

(a) PUBLIC HEALTH EMERGENCY LEAVE.—

(1) IN GENERAL.—Section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) is amended by adding at the end the following:

“(F) During the period beginning on the date the Emergency Family and Medical Leave Expansion Act takes effect, and ending on December 31, 2020, because of a qualifying need related to a public health emergency in accordance with section 110.”.

(2) PAID LEAVE REQUIREMENT.—Section 102(c) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(c)) is amended by striking “under subsection (a)” and inserting “under subsection (a) (other than certain periods of leave under subsection 8 (a)(1)(F))”.

(b) REQUIREMENTS.—Title I of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.) is amended by adding at the end the following:

“SEC. 110. PUBLIC HEALTH EMERGENCY LEAVE.

“(a) DEFINITIONS.—The following shall apply with respect to leave under section 102(a)(1)(F):

“(1) APPLICATION OF CERTAIN TERMS.—The definitions in section 101 shall apply, except as follows:

“(A) ELIGIBLE EMPLOYEE.—In lieu of the definition in sections 101(2)(A) and 101(2)(B)(ii), 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).

“(B) EMPLOYER THRESHOLD.—Section 101(4)(A)(i) shall be applied by substituting ‘fewer than 500 employees’ for ‘50 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year’.

“(C) PARENT.—In lieu of the definition in section 101(7), the term ‘parent’, with respect to an employee, means any of the following:

“(i) A biological, foster, or adoptive parent of the employee.

“(ii) A stepparent of the employee.

“(iii) A parent-in-law of the employee.
 “(iv) A parent of a domestic partner of the employee.

“(v) A legal guardian or other person who stood in loco parentis to an employee when the employee was a child.

“(2) ADDITIONAL DEFINITIONS.—In addition to the definitions described in paragraph (1), the following definitions shall apply with respect to leave under section 102(a)(1)(F):

“(A) QUALIFYING NEED RELATED TO A PUBLIC HEALTH EMERGENCY.—The term ‘qualifying need related to a public health emergency’, with respect to leave, means the employee has a need for leave for one of the following:

“(i) To comply with a recommendation or order by a public official having jurisdiction or a health care provider on the basis that—
 “(I) the physical presence of the employee on the job would jeopardize the health of others because of—

“(aa) the exposure of the employee to coronavirus; or

“(bb) exhibition of symptoms of coronavirus by the employee; and

“(II) the employee is unable to both perform the functions of the position of such employee and comply with such recommendation or order.

“(ii) To care for a family member of an eligible employee with respect to whom a public official having jurisdiction or a health care provider makes a determination that the presence of the family member in the community would jeopardize the health of other individuals in the community because of—

“(I) the exposure of such family member to coronavirus; or

“(II) exhibition of symptoms of coronavirus by such family member.

“(iii) To care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.

“(B) PUBLIC HEALTH EMERGENCY.—The term ‘public health emergency’ means an emergency with respect to coronavirus declared by a Federal, State, or local authority.

“(C) CHILD CARE PROVIDER.—The term ‘child care provider’ means a provider who receives compensation for providing child care services on a regular basis, including an ‘eligible child care provider’ (as defined in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n)).

“(D) CORONAVIRUS.—The term ‘coronavirus’ has the meaning given the term in section 506 of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020.

“(E) SCHOOL.—The term ‘school’ means an ‘elementary school’ or ‘secondary school’ as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(F) FAMILY.—The term ‘family member’, with respect to an employee, means any of the following:

“(i) A parent of the employee.

“(ii) A spouse of the employee.

“(iii) A son or daughter, who is under 18 years of age, of the employee.

“(iv) An individual who is a pregnant woman, senior citizen, individual with a disability, or has access or functional needs and who is—

“(I) a son or daughter of the employee;

“(II) a next of kin of the employee or a person for whom the employee is next of kin; or

“(III) a grandparent or grandchild of the employee.

“(3) REGULATORY AUTHORITIES.—The Secretary of Labor shall have the authority to issue regulations for good cause under sections 553(b)(B) and 553(d)(A) of title 5, United States Code—

“(A) to exclude certain health care providers and emergency responders from the definition of eligible employee under section 110(a)(1)(A); and

“(B) to exempt small businesses with fewer than 50 employees from the requirements of section 102(a)(1)(F) when the imposition of such requirements would jeopardize the viability of the business as a going concern.

“(b) RELATIONSHIP TO PAID LEAVE.—

“(1) UNPAID LEAVE FOR INITIAL 14 DAYS.—

“(A) IN GENERAL.—The first 14 days for which an employee takes leave under section 102(a)(1)(F) may consist of unpaid leave.

“(B) EMPLOYEE ELECTION.—An employee may elect to substitute any accrued vacation leave, personal leave, or medical or sick leave for unpaid leave under section 102(a)(1)(F) in accordance with section 102(d)(2)(B).

“(C) EMPLOYER REQUIREMENT.—An employer may not require an employee to substitute any leave as described in subparagraph (B) for leave under section 102(a)(1)(F).

(2) PAID LEAVE FOR SUBSEQUENT DAYS.—

(A) IN GENERAL.—An employer shall provide paid leave for each day of leave under section 102(a)(1)(F) that an employee takes after taking leave under such section for 14 days.

“(B) CALCULATION.—Paid leave under subparagraph (A) for an employee shall be calculated based on—

“(i) an amount that is not less than two-thirds of an employee’s regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)); and

“(ii) the number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)).

“(C) VARYING SCHEDULE HOURS CALCULATION.—In the case of an employee whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken leave under section 102(a)(1)(F), the employer shall use the following in place of such number:

“(i) Subject to clause (ii), a number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes such leave, including hours for which the employee took leave of any type.

“(ii) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

“(c) NOTICE.—In any case where the necessity for leave under section 102(a)(1)(F) for the purpose described in subsection (a)(2)(A)(iii) is foreseeable, an employee shall provide the employer with such notice of leave as is practicable.

“(d) RESTORATION TO POSITION.—

“(1) IN GENERAL.—Section 104(a)(1) shall not apply with respect to an employee of an employer who employs fewer than 25 employees if the conditions described in paragraph (2) are met.

“(2) CONDITIONS.—The conditions described in this paragraph are the following:

“(A) The employee takes leave under section 102(a)(1)(F).

“(B) The position held by the employee when the leave commenced does not exist due to economic conditions or other changes in operating conditions of the employer—

“(i) that affect employment; and

“(ii) are caused by a public health emergency during the period of leave.

“(C) The employer makes reasonable efforts to restore the employee to a position

equivalent to the position the employee held when the leave commenced, with equivalent employment benefits, pay, and other terms and conditions of employment.

“(D) If the reasonable efforts of the employer under subparagraph (C) fail, the employer makes reasonable efforts during the period described in paragraph (3) to contact the employee if an equivalent position described in subparagraph (C) becomes available.

“(3) CONTACT PERIOD.—The period described under this paragraph is the 1-year period beginning on the earlier of—

“(A) the date on which the qualifying need related to a public health emergency concludes; or

“(B) the date that is 12 weeks after the date on which the employee’s leave under section 102(a)(1)(F) commences.”

SEC. 3103. EMPLOYMENT UNDER MULTI-EMPLOYER BARGAINING AGREEMENTS.

(a) EMPLOYERS.—An employer signatory to a multiemployer collective bargaining agreement may, consistent with its bargaining obligations and its collective bargaining agreement, fulfill its obligations under section 110(b)(2) of title I of the Family and Medical Leave Act of 1993, as added by the Families First Coronavirus Response Act, by making contributions to a multiemployer fund, plan, or program based on the paid leave each of its employees is entitled to under such section while working under the multiemployer collective bargaining agreement, provided that the fund, plan, or program enables employees to secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement for paid leave taken under section 102(a)(1)(F) of title I of the Family and Medical Leave Act of 1993, as added by the Families First Coronavirus Response Act.

(b) EMPLOYEES.—Employees who work under a multiemployer collective bargaining agreement into which their employers make contributions as provided in subsection (a) may secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement for paid leave taken under section 102(a)(1)(F) of title I of the Family and Medical Leave Act of 1993, as added by the Families First Coronavirus Response Act.

SEC. 3104. SPECIAL RULE FOR CERTAIN EMPLOYERS.

An employer under 110(a)(B) shall not be subject to section 107(a) for a violation of section 102(a)(1)(F) if the employer does not meet the definition of employer set forth at Section 101(4)(A)(i).

SEC. 3105. EFFECTIVE DATE.

This Act shall take effect not later than 15 days after the date of enactment of this Act.

DIVISION D—EMERGENCY UNEMPLOYMENT INSURANCE STABILIZATION AND ACCESS ACT OF 2020

SEC. 4101. SHORT TITLE.

This division may be cited as the “Emergency Unemployment Insurance Stabilization and Access Act of 2020”.

SEC. 4102. EMERGENCY TRANSFERS FOR UNEMPLOYMENT COMPENSATION ADMINISTRATION.

(a) IN GENERAL.—Section 903 of the Social Security Act (42 U.S.C. 1103) is amended by adding at the end the following:

“Emergency Transfers in Fiscal Year 2020 for Administration

“(h)(1)(A) In addition to any other amounts, the Secretary of Labor shall provide for the making of emergency administration grants in fiscal year 2020 to the accounts of the States in the Unemployment Trust Fund, in accordance with succeeding provisions of this subsection.

“(B) The amount of an emergency administration grant with respect to a State shall, as determined by the Secretary of Labor, be equal to the amount obtained by multiplying \$1,000,000,000 by the same ratio as would apply under subsection (a)(2)(B) for purposes of determining such State’s share of any excess amount (as described in subsection (a)(1)) that would have been subject to transfer to State accounts, as of October 1, 2019, under the provisions of subsection (a).

“(C) Of the emergency administration grant determined under subparagraph (B) with respect to a State—

“(i) not later than 60 days after the date of enactment of this subsection, 50 percent shall be transferred to the account of such State upon a certification by the Secretary of Labor to the Secretary of the Treasury that the State meets the requirements of paragraph (2); and

“(ii) only with respect to a State in which the number of unemployment compensation claims has increased by at least 10 percent over the same quarter in the previous calendar year, the remainder shall be transferred to the account of such State upon a certification by the Secretary of Labor to the Secretary of the Treasury that the State meets the requirements of paragraph (3).

“(2) The requirements of this paragraph with respect to a State are the following:

“(A) The State requires employers to provide notification of the availability of unemployment compensation to employees at the time of separation from employment. Such notification may be based on model notification language issued by the Secretary of Labor.

“(B) The State ensures that applications for unemployment compensation, and assistance with the application process, are accessible in at least two of the following: in-person, by phone, or online.

“(C) The State notifies applicants when an application is received and is being processed, and in any case in which an application is unable to be processed, provides information about steps the applicant can take to ensure the successful processing of the application.

“(3) The requirements of this paragraph with respect to a State are the following:

“(A) The State has expressed its commitment to maintain and strengthen access to the unemployment compensation system, including through initial and continued claims.

“(B) The State has demonstrated steps it has taken or will take to ease eligibility requirements and access to unemployment compensation for claimants, including waiving work search requirements and the waiting week, and non-charging employers directly impacted by COVID-19 due to an illness in the workplace or direction from a public health official to isolate or quarantine workers.

“(4) Any amount transferred to the account of a State under this subsection may be used by such State only for the administration of its unemployment compensation law, including by taking such steps as may be necessary to ensure adequate resources in periods of high demand.

“(5) Not later than 1 year after the date of enactment of the Emergency Unemployment Insurance Stabilization and Access Act of 2020, each State receiving emergency administration grant funding under paragraph (1)(C)(i) shall submit to the Secretary of Labor, the Committee on Ways and Means of the House of Representatives, and the Committee on Finance of the Senate, a report that includes—

“(A) an analysis of the reciprocity rate for unemployment compensation in the State as such rate has changed over time;

“(B) a description of steps the State intends to take to increase such reciprocity rate.

“(6)(A) Notwithstanding any other provision of law, the Secretary of the Treasury shall transfer from the general fund of the Treasury (from funds not otherwise appropriated) to the employment security administration account (as established by section 901 of the Social Security Act) such sums as the Secretary of Labor estimates to be necessary for purposes of making the transfers described in paragraph (1)(C).

“(B) There are appropriated from the general fund of the Treasury, without fiscal year limitation, the sums referred to in the preceding sentence and such sums shall not be required to be repaid.”.

(b) **EMERGENCY FLEXIBILITY.**—Notwithstanding any other law, if a State modifies its unemployment compensation law and policies with respect to work search, waiting week, good cause, or employer experience rating on an emergency temporary basis as needed to respond to the spread of COVID-19, such modifications shall be disregarded for the purposes of applying section 303 of the Social Security Act and section 3304 of the Internal Revenue Code of 1986 to such State law.

(c) **REGULATIONS.**—The Secretary of Labor may prescribe any regulations, operating instructions, or other guidance necessary to carry out the amendment made by subsection (a).

SEC. 4103. TEMPORARY ASSISTANCE FOR STATES WITH ADVANCES.

Section 1202(b)(10)(A) of the Social Security Act (42 U.S.C. 1322(b)(10)(A)) is amended by striking “beginning on the date of enactment of this paragraph and ending on December 31, 2010” and inserting “beginning on the date of enactment of the Emergency Unemployment Insurance Stabilization and Access Act of 2020 and ending on December 31, 2020”.

SEC. 4104. TECHNICAL ASSISTANCE AND GUIDANCE FOR SHORT-TIME COMPENSATION PROGRAMS.

The Secretary of Labor shall assist States in establishing, implementing, and improving the employer awareness of short-time compensation programs (as defined in section 3306(v) of the Internal Revenue Code of 1986) to help avert layoffs, including by providing technical assistance and guidance.

SEC. 4105. FULL FEDERAL FUNDING OF EXTENDED UNEMPLOYMENT COMPENSATION FOR A LIMITED PERIOD.

(a) **IN GENERAL.**—In the case of sharable extended compensation and sharable regular compensation paid for weeks of unemployment beginning after the date of the enactment of this section and before December 31, 2020 (and only with respect to States that receive emergency administration grant funding under clauses (i) and (ii) of section 903(h)(1)(C) of the Social Security Act (42 U.S.C. 1102(h)(1)(C))), section 204(a)(1) of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) shall be applied by substituting “100 percent of” for “one-half of”.

(b) **TEMPORARY FEDERAL MATCHING FOR THE FIRST WEEK OF EXTENDED BENEFITS FOR STATES WITH NO WAITING WEEK.**—With respect to weeks of unemployment beginning after the date of the enactment of this Act and ending on or before December 31, 2020, subparagraph (B) of section 204(a)(2) of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note) shall not apply.

(c) **DEFINITIONS.**—For purposes of this section—

(1) the terms “sharable extended compensation” and “sharable regular compensation” have the respective meanings given

such terms under section 204 of the Federal-State Extended Unemployment Compensation Act of 1970; and

(2) the term “week” has the meaning given such term under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970.

(d) **REGULATIONS.**—The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this section.

DIVISION E—EMERGENCY PAID SICK LEAVE ACT

SEC. 5101. SHORT TITLE.

This Act may be cited as the “Emergency Paid Sick Leave Act”.

SEC. 5102. PAID SICK TIME REQUIREMENT.

(a) **IN GENERAL.**—An employer shall provide to each employee employed by the employer paid sick time for any of the following uses:

(1) To self-isolate because the employee is diagnosed with coronavirus.

(2) To obtain a medical diagnosis or care if such employee is experiencing the symptoms of coronavirus.

(3) To comply with a recommendation or order by a public official with jurisdiction or a health care provider on the basis that the physical presence of the employee on the job would jeopardize the health of others because of—

(A) the exposure of the employee to coronavirus; or

(B) exhibition of symptoms of coronavirus by the employee.

(4) To care for or assist a family member of the employee—

(A) who—

(i) is self-isolating because such family member has been diagnosed with coronavirus; or

(ii) is experiencing symptoms of coronavirus and needs to obtain medical diagnosis or care.

(B) with respect to whom a public official with jurisdiction or a health care provider makes a determination that the presence of the family member in the community would jeopardize the health of other individuals in the community because of—

(i) the exposure of such family member to the coronavirus; or

(ii) exhibition of symptoms of coronavirus by such family member.

(5) To care for the child of such employee if the school or place of care has been closed, or the child care provider of such child is unavailable, due to coronavirus.

(b) **DURATION OF PAID SICK TIME.**—

(1) **IN GENERAL.**—An employee shall be entitled to paid sick time for an amount of hours determined under paragraph (2).

(2) **AMOUNT OF HOURS.**—The amount of hours of paid sick time to which an employee is entitled shall be as follows:

(A) For full-time employees, 80 hours.

(B) For part-time employees, a number of hours equal to the number of hours that such employee works, on average, over a 2-week period.

(3) **CARRYOVER.**—Paid sick time under this section shall not carry over from 1 year to the next.

(c) **EMPLOYER’S TERMINATION OF PAID SICK TIME.**—Paid sick time provided to an employee under this Act shall cease beginning with the employee’s next scheduled workshift immediately following the termination of the need for paid sick time under subsection (a).

(d) **EMPLOYERS WITH EXISTING POLICIES.**—With respect to an employer that provides paid leave on the day before the date of enactment of this Act—

(1) the paid sick time under this Act shall be made available to employees of the employer in addition to such paid leave; and

(2) the employer may not change such paid leave on or after such date of enactment to avoid being subject to paragraph (1).

(e) **PROHIBITION.**—An employer may not require, as a condition of providing paid sick time under this Act, that the employee involved search for or find a replacement employee to cover the hours during which the employee is using paid sick time.

(f) **USE OF PAID SICK TIME.**—

(1) **IN GENERAL.**—The paid sick time under subsection (a) shall be available for immediate use by the employee for the purposes described in such subsection, regardless of how long the employee has been employed by an employer.

(2) **SEQUENCING.**—

(A) **IN GENERAL.**—An employee may first use the paid sick time under subsection (a) for the purposes described in such subsection.

(B) **PROHIBITION.**—An employer may not require an employee to use other paid leave provided by the employer to the employee before the employee uses the paid sick time under subsection (a).

SEC. 5103. NOTICE.

(a) **IN GENERAL.**—Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees are customarily posted, a notice, to be prepared or approved by the Secretary of Labor, of the requirements described in this Act.

(b) **MODEL NOTICE.**—Not later than 7 days after the date of enactment of this Act, the Secretary of Labor shall make publicly available a model of a notice that meets the requirements of subsection (a).

SEC. 5104. PROHIBITED ACTS.

It shall be unlawful for any employer to discharge, discipline, or in any other manner discriminate against any employee who—

(1) takes leave in accordance with this Act; and

(2) has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act (including a proceeding that seeks enforcement of this Act), or has testified or is about to testify in any such proceeding.

SEC. 5105. ENFORCEMENT.

(a) **UNPAID SICK LEAVE.**—An employer who violates section 2 shall—

(1) be considered to have failed to pay minimum wages in violation of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206); and

(2) be subject to the penalties described in sections 16 and 17 of such Act (29 U.S.C. 216; 217) with respect to such violation.

(b) **UNLAWFUL TERMINATION.**—An employer who willfully violates section 4 shall—

(1) be considered to be in violation of section 15(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 215(a)(3)); and

(2) be subject to the penalties described in sections 16 and 17 of such Act (29 U.S.C. 216; 217) with respect to such violation.

SEC. 5106. EMPLOYMENT UNDER MULTI-EMPLOYER BARGAINING AGREEMENTS.

(a) **EMPLOYERS.**—An employer signatory to a multiemployer collective bargaining agreement may, consistent with its bargaining obligations and its collective bargaining agreement, fulfill its obligations under this Act by making contributions to a multiemployer fund, plan, or program based on the hours of paid sick time each of its employees is entitled to under this Act while working under the multiemployer collective bargaining agreement, provided that the fund, plan, or program enables employees to secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement and for the uses specified under section 2(a).

(b) **EMPLOYEES.**—Employees who work under a multiemployer collective bargaining agreement into which their employers make contributions as provided in subsection (a) may secure pay from such fund, plan, or program based on hours they have worked under the multiemployer collective bargaining agreement for the uses specified in section 2(a).

SEC. 5107. RULES OF CONSTRUCTION.

Nothing in this Act shall be construed—

(1) to in any way diminish the rights or benefits that an employee is entitled to under any—

- (A) other Federal, State, or local law;
- (B) collective bargaining agreement; or
- (C) existing employer policy; or

(2) to require financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for paid sick time under this Act that has not been used by such employee.

SEC. 5108. EFFECTIVE DATE.

This Act, and the requirements under this Act, shall take effect not later than 15 days after the date of enactment of this Act.

SEC. 5109. SUNSET.

This Act, and the requirements under this Act, shall expire on December 31, 2020.

SEC. 5110. DEFINITIONS.

For purposes of the Act:

(1) **CHILD.**—The term “child” means a biological, foster, or adopted child, a stepchild, a child of a domestic partner, a legal ward, or a child of a person standing in loco parentis under 18 years of age.

(2) **CORONAVIRUS.**—The term “coronavirus” has the meaning given the term in section 506 of the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020.

(3) **DOMESTIC PARTNER.**—

(A) **IN GENERAL.**—The term “domestic partner”, with respect to an individual, means another individual with whom the individual is in a committed relationship.

(B) **COMMITTED RELATIONSHIP DEFINED.**—The term “committed relationship” means a relationship between 2 individuals, each at least 18 years of age, in which each individual is the other individual's sole domestic partner and both individuals share responsibility for a significant measure of each other's common welfare. The term includes any such relationship between 2 individuals that is granted legal recognition by a State or political subdivision of a State as a marriage or analogous relationship, including a civil union or domestic partnership.

(4) **EMPLOYEE.**—The terms “employee” means an individual who is—

- (A)(i) an employee, as defined in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)), who is not covered under subparagraph (E) or (F), including such an employee of the Library of Congress, except that a reference in such section to an employer shall be considered to be a reference to an employer described in clauses (i)(I) and (ii) of paragraph (5)(A); or
- (ii) an employee of the Government Accountability Office;

(B) a State employee described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16(c)(a));

(C) a covered employee, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), other than an applicant for employment;

(D) a covered employee, as defined in section 411(c) of title 3, United States Code;

(E) a Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code; or

(F) any other individual occupying a position in the civil service (as that term is de-

fined in section 2101(1) of title 5, United States Code).

(5) **EMPLOYER.**—

(A) **IN GENERAL.**—The term “employer” means a person who is—

(i)(I) a covered employer, as defined in subparagraph (B), who is not covered under subclause (V);

(II) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991;

(III) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995;

(IV) an employing office, as defined in section 411(c) of title 3, United States Code; or

(V) an Executive Agency as defined in section 105 of title 5, United States Code, and including the U.S. Postal Service and the Postal Regulatory Commission; and

(ii) engaged in commerce (including government), or an industry or activity affecting commerce (including government), as defined in subparagraph (B)(iii).

(B) **COVERED EMPLOYER.**—

(i) **IN GENERAL.**—In subparagraph (A)(i)(I), the term “covered employer”—

(I) means any person engaged in commerce or in any industry or activity affecting commerce that—

(aa) in the case of a private entity or individual, employs fewer than 500 employees; and

(bb) in the case of a public agency or any other entity that is not a private entity or individual, employs 1 or more employees;

(II) includes—

(aa) includes any person acting directly or indirectly in the interest of an employer in relation to an employee (within the meaning of such phrase in section 3(d) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(d)); and

(bb) any successor in interest of an employer;

(III) includes any “public agency”, as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)); and

(IV) includes the Government Accountability Office and the Library of Congress.

(ii) **PUBLIC AGENCY.**—For purposes of clause (i)(IV), a public agency shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

(iii) **DEFINITIONS.**—For purposes of this subparagraph:

(I) **COMMERCE.**—The terms “commerce” and “industry or activity affecting commerce” means any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include “commerce” and any “industry affecting commerce”, as defined in paragraphs (1) and (3) of section 501 of the Labor Management Relations Act of 1947 (29 U.S.C. 142 (1) and (3)).

(II) **EMPLOYEE.**—The term “employee” has the same meaning given such term in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)).

(III) **PERSON.**—The term “person” has the same meaning given such term in section 3(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(a)).

(6) **FAMILY MEMBER.**—The term “family member”, with respect to an employee, means any of the following:

(A) A parent of the employee.

(B) A spouse of the employee.

(C) A child of the employee.

(D) An individual who is a pregnant woman, senior citizen, individual with a disability, or has access or functional needs and who is—

(i) a sibling of the employee;

(ii) a next of kin of the employee or a person for whom the employee is next of kin; or

(iii) a grandparent or grandchild of the employee.

(7) **FLSA TERMS.**—The terms “employ” and “State” have the meanings given such terms in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203).

(8) **FMLA TERMS.**—The terms “health care provider” and “next of kin” have the meanings given such terms in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611).

(9) **PAID SICK TIME.**—

(A) **IN GENERAL.**—The term “paid sick time” means an increment of compensated leave that—

(i) is provided by an employer for use during an absence from employment for a reason described in any paragraph of section 2(a); and

(ii) is calculated based on the employee’s required compensation under subparagraph (B) and the number of hours the employee would otherwise be normally scheduled to work (or the number of hours calculated under subparagraph (C)).

(B) **REQUIRED COMPENSATION.**—

(i) **IN GENERAL.**—The employee’s required compensation under this subparagraph (B) shall be not less than the greater of the following:

(I) The employee’s regular rate of pay (as determined under section 7(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(e)).

(II) The minimum wage rate in effect under section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)).

(III) The minimum wage rate in effect for such employee in the applicable State or locality, whichever is greater, in which the employee is employed.

(i) **SPECIAL RULE FOR CARE OF FAMILY MEMBERS.**—With respect to any paid sick time provided for any use described in paragraph (a)(4) or (a)(5), the employee’s required compensation under this subparagraph (B) shall be two-thirds of the amount described in clause (B)(i).

(C) **VARYING SCHEDULE HOURS CALCULATION.**—In the case of a part-time employee described in section 2(b)(2)(B) whose schedule varies from week to week to such an extent that an employer is unable to determine with certainty the number of hours the employee would have worked if such employee had not taken paid sick time under section 2(a), the employer shall use the following in place of such number:

(i) Subject to clause (ii), a number equal to the average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes the paid sick time, including hours for which the employee took leave of any type.

(ii) If the employee did not work over such period, the reasonable expectation of the employee at the time of hiring of the average number of hours per day that the employee would normally be scheduled to work.

(D) **GUIDELINES.**—Not later than 15 days after the date of the enactment of this Act, the Secretary of Labor shall issue guidelines to assist employers in calculating the amount of paid sick time under subparagraph (A).

(E) **REASONABLE NOTICE.**—After the first workday (or portion thereof) an employee receives paid sick time under this Act, an employer may require the employee to follow reasonable notice procedures in order to continue receiving such paid sick time.

(10) **PARENT.**—The term “parent”, with respect to an employee, means any of the following:

(A) A biological, foster, or adoptive parent of the employee.

(B) A stepparent of the employee.

(C) A parent-in-law of the employee.

(D) A parent of a domestic partner of the employee.

(E) A legal guardian or other person who stood in loco parentis to an employee when the employee was a child.

(11) **PUBLIC HEALTH EMERGENCY.**—The term “public health emergency” means an emergency with respect to coronavirus declared by a Federal, State, or local authority.

(12) **SPOUSE.**—The term “spouse” has the meaning given such term in section 101 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611), except that such term also includes a “domestic partner”.

DIVISION F—HEALTH PROVISIONS

SEC. 6001. COVERAGE OF TESTING FOR COVID-19.

(a) **IN GENERAL.**—A group health plan and a health insurance issuer offering group or individual health insurance coverage (including a grandfathered health plan (as defined in section 1251(e) of the Patient Protection and Affordable Care Act)) shall provide coverage, and shall not impose any cost sharing (including deductibles, copayments, and co-insurance) requirements or prior authorization or other medical management requirements, for the following items and services furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) beginning on or after the date of the enactment of this Act:

(1) In vitro diagnostic products (as defined in section 809.3(a) of title 21, Code of Federal Regulations) for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID-19 that are approved, cleared, or authorized under section 510(k), 513, 515 or 564 of the Federal Food, Drug, and Cosmetic Act, and the administration of such in vitro diagnostic products.

(2) Items and services furnished to an individual during health care provider office visits, urgent care center visits, and emergency room visits that result in an order for or administration of an in vitro diagnostic product described in paragraph (1), but only to the extent such items and services relate to the furnishing or administration of such product or to the evaluation of such individual for purposes of determining the need of such individual for such product.

(b) **ENFORCEMENT.**—The provisions of subsection (a) shall be applied by the Secretary of Health and Human Services, Secretary of Labor, and Secretary of the Treasury to group health plans and health insurance issuers offering group or individual health insurance coverage as if included in the provisions of part A of title XXVII of the Public Health Service Act, part 7 of the Employee Retirement Income Security Act of 1974, and subchapter B of chapter 100 of the Internal Revenue Code of 1986, as applicable.

(c) **IMPLEMENTATION.**—The Secretary of Health and Human Services, Secretary of Labor, and Secretary of the Treasury may implement the provisions of this section through sub-regulatory guidance, program instruction or otherwise.

(d) **TERMS.**—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. 1191b), and section 9832 of the Internal Revenue Code of 1986, as applicable.

SEC. 6002. WAIVING COST SHARING UNDER THE MEDICARE PROGRAM FOR CERTAIN VISITS RELATING TO TESTING FOR COVID-19.

(a) **IN GENERAL.**—Section 1833 of the Social Security Act (42 U.S.C. 1395l) is amended—

(1) in subsection (a)(1)—

(A) by striking “and” before “(CC)”; and

(B) by inserting before the period at the end the following: “, and (DD) with respect to a specified COVID-19 testing-related service described in paragraph (1) of subsection (cc) for which payment may be made under a specified outpatient payment provision described in paragraph (2) of such subsection, the amounts paid shall be 100 percent of the payment amount otherwise recognized under such respective specified outpatient payment provision for such service.”;

(2) in subsection (b), in the first sentence—

(A) by striking “and” before “(10)”; and
(B) by inserting before the period at the end the following: “, and (11) such deductible shall not apply with respect to any specified COVID-19 testing-related service described in paragraph (1) of subsection (cc) for which payment may be made under a specified outpatient payment provision described in paragraph (2) of such subsection”;

(3) by adding at the end the following new subsection:

“(cc) **SPECIFIED COVID-19 TESTING-RELATED SERVICES.**—For purposes of subsection (a)(1)(DD):

“(1) **DESCRIPTION.**—

“(A) **IN GENERAL.**—A specified COVID-19 testing-related service described in this paragraph is a medical visit that—

“(i) is in any of the categories of HCPCS evaluation and management service codes described in subparagraph (B);

“(ii) is furnished during any portion of the emergency period (as defined in section 1135(g)(1)(B)) (beginning on or after the date of enactment of this subsection);

“(iii) results in an order for or administration of a clinical diagnostic laboratory test described in section 1852(a)(1)(B)(iv)(IV); and
“(iv) relates to the furnishing or administration of such test or to the evaluation of such individual for purposes of determining the need of such individual for such test.

“(B) **CATEGORIES OF HCPCS CODES.**—For purposes of subparagraph (A), the categories of HCPCS evaluation and management services codes are the following:

“(i) Office and other outpatient services.

“(ii) Hospital observation services.

“(iii) Emergency department services.

“(iv) Nursing facility services.

“(v) Domiciliary, rest home, or custodial care services.

“(vi) Home services.

“(2) **SPECIFIED OUTPATIENT PAYMENT PROVISION.**—A specified outpatient payment provision described in this paragraph is any of the following:

“(A) The hospital outpatient prospective payment system under subsection (t).

“(B) The physician fee schedule under section 1848.

“(C) The prospective payment system developed under section 1834(o).

“(D) Section 1834(g), with respect to an outpatient critical access hospital service.

“(E) The payment basis determined in regulations pursuant to section 1833(a)(3) for rural health clinic services.”.

(b) **CLAIMS MODIFIER.**—The Secretary of Health and Human Services shall provide for an appropriate modifier (or other identifier) to include on claims to identify, for purposes of subparagraph (DD) of section 1833(a)(1), as added by subsection (a), specified COVID-19 testing-related services described in paragraph (1) of section 1833(cc) of the Social Security Act, as added by subsection (a), for which payment may be made under a specified outpatient payment provision described in paragraph (2) of such subsection.

(c) **IMPLEMENTATION.**—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of, including amendments made by, this section through program instruction or otherwise.

SECTION 6003. COVERAGE OF TESTING FOR COVID-19 AT NO COST SHARING UNDER THE MEDICARE ADVANTAGE PROGRAM.

(a) IN GENERAL.—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 redesignating subclause (IV) as subclause (VI); and

(B) by inserting after subclause (III) the following new subclauses:

“(IV) Clinical diagnostic laboratory test administered during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) beginning on or after the date of the enactment of the Families First Coronavirus Response Act for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID-19 and the administration of such test.

“(V) Specified COVID-19 testing-related services (as described in section 1833(cc)(1)) for which payment would be payable under a specified outpatient payment provision described in section 1833(cc)(2).”;

(2) in clause (v), by inserting “, other than subclauses (IV) and (V) of such clause,” after “clause (iv)”; and

(3) by adding at the end the following new clause:

“(vi) PROHIBITION OF APPLICATION OF CERTAIN REQUIREMENTS FOR COVID-19 TESTING.—In the case of a product or service described in subclause (IV) or (V), respectively, of clause (iv) that is administered or furnished during any portion of the emergency period described in such subclause beginning on or after the date of the enactment of this clause, an MA plan may not impose any prior authorization or other utilization management requirements with respect to the coverage of such a product or service under such plan.”.

(b) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the amendments made by this section by program instruction or otherwise.

SECTION 6004. COVERAGE AT NO COST SHARING OF COVID-19 TESTING UNDER MEDICAID AND CHIP.

(a) MEDICAID.—

(1) IN GENERAL.—Section 1905(a)(3) of the Social Security Act (42 U.S.C. 1396d(a)(3)) is amended—

(A) by striking “other laboratory” and inserting “(A) other laboratory”;

(B) by inserting “and” after the semicolon; and

(C) by adding at the end the following new subparagraph:

“(B) in vitro diagnostic products (as defined in section 809.3(a) of title 21, Code of Federal Regulations) administered during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) beginning on or after the date of the enactment of this subparagraph for the detection of SARS-CoV-2 or the diagnosis of the virus that causes COVID-19 that are approved, cleared, or authorized under section 510(k), 513, 515 or 564 of the Federal Food, Drug, and Cosmetic Act, and the administration of such in vitro diagnostic products;”.

(2) NO COST SHARING.—

(A) IN GENERAL.—Subsections (a)(2) and (b)(2) of section 1916 of the Social Security Act (42 U.S.C. 1396o) are each amended—

(i) in subparagraph (D), by striking “or” at the end;

(ii) in subparagraph (E), by striking “; and” and inserting a comma; and

(iii) by adding at the end the following new subparagraphs:

“(F) any in vitro diagnostic product described in section 1905(a)(3)(B) that is administered during any portion of the emergency

period described in such section beginning on or after the date of the enactment of this subparagraph (and the administration of such product), or

“(G) COVID-19 testing-related services for which payment may be made under the State plan; and”.

(B) APPLICATION TO ALTERNATIVE COST SHARING.—Section 1916A(b)(3)(B) of the Social Security Act (42 U.S.C. 1396o-1(b)(3)(B)) is amended by adding at the end the following new clause:

“(xi) Any in vitro diagnostic product described in section 1905(a)(3)(B) that is administered during any portion of the emergency period described in such section beginning on or after the date of the enactment of this clause (and the administration of such product) and any visit described in section 1916(a)(2)(G) that is furnished during any such portion.”.

(C) CLARIFICATION.—The amendments made this paragraph shall apply with respect to a State plan of a territory in the same manner as a State plan of one of the 50 States.

(3) STATE OPTION TO PROVIDE COVERAGE FOR UNINSURED INDIVIDUALS.—

(A) IN GENERAL.—Section 1902(a)(10) of the Social Security Act (42 U.S.C. 1396a(a)(10)) is amended—

(i) in subparagraph (A)(ii)—

(I) in subclause (XXI), by striking “or” at the end;

(II) in subclause (XXII), by adding “or” at the end; and

(III) by adding at the end the following new subclause:

“(XXIII) during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) beginning on or after the date of the enactment of this subclause, who are uninsured individuals (as defined in subsection (ss));”;

(ii) in the matter following subparagraph (G)—

(I) by striking “and (XVII)” and inserting “, (XVII)”; and

(II) by inserting after “instead of through subclause (VIII)” the following: “, and (XVIII) the medical assistance made available to an uninsured individual (as defined in subsection (ss)) who is eligible for medical assistance only because of subparagraph (A)(ii)(XXIII) shall be limited to medical assistance for any in vitro diagnostic product described in section 1905(a)(3)(B) that is administered during any portion of the emergency period described in such section beginning on or after the date of the enactment of this subclause (and the administration of such product) and any visit described in section 1916(a)(2)(G) that is furnished during any such portion”.

(B) RECEIPT AND INITIAL PROCESSING OF APPLICATIONS AT CERTAIN LOCATIONS.—Section 1902(a)(55) of the Social Security Act (42 U.S.C. 1396a(a)(55)) is amended, in the matter preceding subparagraph (A), by striking “or (a)(10)(A)(ii)(IX)” and inserting “(a)(10)(A)(ii)(IX), or (a)(10)(A)(ii)(XXIII)”.

(C) UNINSURED INDIVIDUAL DEFINED.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by adding at the end the following new subsection:

“(ss) UNINSURED INDIVIDUAL DEFINED.—For purposes of this section, the term ‘uninsured individual’ means, notwithstanding any other provision of this title, any individual who is—

“(1) not described in subsection (a)(10)(A)(i); and

“(2) not enrolled in a Federal health care program (as defined in section 1128B(f)), a group health plan, group or individual health insurance coverage offered by a health insurance issuer (as such terms are defined in section 2791 of the Public Health Service Act), or a health plan offered under chapter 89 of title 5, United States Code.”.

(D) FEDERAL MEDICAL ASSISTANCE PERCENTAGE.—Section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by adding at the end the following new sentence: “Notwithstanding the first sentence of this subsection, the Federal medical assistance percentage shall be 100 per centum with respect to (and, notwithstanding any other provision of this title, available for) medical assistance provided to uninsured individuals (as defined in section 1902(ss)) who are eligible for such assistance only on the basis of section 1902(a)(10)(A)(ii)(XXIII) and with respect to expenditures described in section 1903(a)(7) that a State demonstrates to the satisfaction of the Secretary are attributable to administrative costs related to providing for such medical assistance to such individuals under the State plan.”.

(b) CHIP.—

(1) IN GENERAL.—Section 2103(c) of the Social Security Act (42 U.S.C. 1397cc(c)) is amended by adding at the end the following paragraph:

“(9) CERTAIN IN VITRO DIAGNOSTIC PRODUCTS FOR COVID-19 TESTING.—The child health assistance provided to a targeted low-income child shall include coverage of any in vitro diagnostic product described in section 1905(a)(3)(B) that is administered during any portion of the emergency period described in such section beginning on or after the date of the enactment of this subparagraph (and the administration of such product).”.

(2) COVERAGE FOR TARGETED LOW-INCOME PREGNANT WOMEN.—Section 2112(b)(4) of the Social Security Act (42 U.S.C. 139711(b)(4)) is amended by inserting “under section 2103(c)” after “same requirements”.

(3) PROHIBITION OF COST SHARING.—Section 2103(e)(2) of the Social Security Act (42 U.S.C. 1397cc(e)(2)) is amended—

(A) in the paragraph header, by inserting “, COVID-19 TESTING,” before “OR PREGNANCY-RELATED ASSISTANCE”; and

(B) by striking “category of services described in subsection (c)(1)(D) or” and inserting “categories of services described in subsection (c)(1)(D), in vitro diagnostic products described in subsection (c)(9) (and administration of such products), visits described in section 1916(a)(2)(G), or”.

SEC. 6005. TREATMENT OF PERSONAL RESPIRATORY PROTECTIVE DEVICES AS COVERED COUNTER-MEASURES.

Section 319F-3(i)(1) of the Public Health Service Act (42 U.S.C. 247d-6d(i)(1)) is amended—

(1) in subparagraph (B), by striking “or” at the end; and

(2) in subparagraph (C), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(D) a personal respiratory protective device that is—

“(i) approved by the National Institute for Occupational Safety and Health under part 84 of title 42, Code of Federal Regulations (or successor regulations);

“(ii) subject to the emergency use authorization issued by the Secretary on March 2, 2020, or subsequent emergency use authorizations, pursuant to section 564 of the Federal Food, Drug, and Cosmetic Act (authorizing emergency use of personal respiratory protective devices during the COVID-19 outbreak); and

“(iii) used during the period beginning on January 27, 2020, and ending on October 1, 2024, in response to the public health emergency declared on January 31, 2020, pursuant to section 319 as a result of confirmed cases of 2019 Novel Coronavirus (2019-nCoV).”.

SEC. 6006. APPLICATION WITH RESPECT TO TRICARE, COVERAGE FOR VETERANS, AND COVERAGE FOR FEDERAL CIVILIANS.

(a) TRICARE.—The Secretary of Defense may not require any copayment or other

cost sharing under chapter 55 of title 10, United States Code, for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) beginning on or after the date of the enactment of this Act.

(b) **VETERANS.**—The Secretary of Veterans Affairs may not require any copayment or other cost sharing under chapter 17 of title 38, United States Code, for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) beginning on or after the date of the enactment of this Act.

(c) **FEDERAL CIVILIANS.**—No copayment or other cost sharing may be required for any individual occupying a position in the civil service (as that term is defined in section 2101(1) of title 5, United States Code) enrolled in a health benefits plan, including any plan under chapter 89 of title 5, United States Code, or for any other individual currently enrolled in any plan under chapter 89 of title 5 for in vitro diagnostic products described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) beginning on or after the date of the enactment of this Act.

SEC. 6007. COVERAGE OF TESTING FOR COVID-19 AT NO COST SHARING FOR INDIANS RECEIVING PURCHASED/REFERRED CARE.

The Secretary of Health and Human Services shall cover, without the imposition of any cost sharing requirements, the cost of providing any COVID-19 related items and services as described in paragraph (1) of section 6001(a) (or the administration of such products) or visits described in paragraph (2) of such section furnished during any portion of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) beginning on or after the date of the enactment of this Act to Indians (as defined in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603)) receiving health services through the Indian Health Service, including through an Urban Indian Organization, regardless of whether such items or services have been authorized under the purchased/referred care system funded by the Indian Health Service or is covered as a health service of the Indian Health Service.

SEC. 6008. TEMPORARY INCREASE OF MEDICAID FMAP.

(a) **IN GENERAL.**—Subject to subsection (b), for each calendar quarter occurring during the period beginning on the first day of the emergency period defined in paragraph (1)(B) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) and ending on the last day of the calendar quarter in which the last day of such emergency period occurs, the Federal medical assistance percentage determined for each State, including the District of Columbia, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the United States Virgin Islands, under section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) shall be increased by 6.2 percentage points.

(b) **REQUIREMENT FOR ALL STATES.**—A State described in subsection (a) may not receive the increase described in such subsection in the Federal medical assistance

percentage for such State, with respect to a quarter, if—

(1) eligibility standards, methodologies, or procedures under the State plan of such State under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (including any waiver under such title or section 1115 of such Act (42 U.S.C. 1315)) are more restrictive during such quarter than the eligibility standards methodologies, or procedures, respectively, under such plan (or waiver) as in effect on January 1, 2020;

(2) the amount of any premium imposed by the State pursuant to section 1916 or 1916A of such Act (42 U.S.C. 1396o, 1396o-1) during such quarter, with respect to an individual enrolled under such plan (or waiver), exceeds the amount of such premium as of January 1, 2020;

(3) the State terminates or denies the enrollment of any individual under such plan (or waiver) during such quarter for a reason other than a failure to satisfy financial, categorical, and State residency requirements (as applicable) under such plan (or waiver);

(4) the State does not provide coverage under such plan (or waiver), without the imposition of cost sharing, during such quarter for any testing services and treatments for COVID-19, including vaccines, specialized equipment, and therapies; or

(5) the State conducts during such quarter periodic income checks, including automated income checks, or eligibility redeterminations under such plan (or waiver) at a rate more frequent than once every 12 months.

(c) **REQUIREMENT FOR CERTAIN STATES.**—Section 1905(cc) of the Social Security Act (42 U.S.C. 1396d(cc)) is amended by striking “American Recovery and Reinvestment Act of 2009.” and inserting “and section 6008 of the Families First Coronavirus Response Act, except that in applying such treatments to the increases in the Federal medical assistance percentage under section 6008 of the Families First Coronavirus Response Act, the reference to ‘December 31, 2009’ shall be deemed to be a reference to ‘March 11, 2020’.”

SEC. 6009. INCREASE IN MEDICAID ALLOTMENTS FOR TERRITORIES.

Section 1108(g) of the Social Security Act (42 U.S.C. 1308(g)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking “for each of fiscal years 2020 through 2021, \$126,000,000;” and inserting “for fiscal year 2020, \$128,712,500; and”; and

(iii) by adding at the end the following new clause:

“(iii) for fiscal year 2021, \$127,937,500;”;

(B) in subparagraph (C)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking “for each of fiscal years 2020 through 2021, \$127,000,000;” and inserting “for fiscal year 2020, \$130,875,000; and”; and

(iii) by adding at the end the following new clause:

“(iii) for fiscal year 2021, \$129,712,500;”;

(C) in subparagraph (D)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking “for each of fiscal years 2020 through 2021, \$60,000,000; and” and inserting “for fiscal year 2020, \$63,100,000; and”; and

(iii) by adding at the end the following new clause:

“(iii) for fiscal year 2021, \$62,325,000; and”; and

(D) in subparagraph (E)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking “for each of fiscal years 2020 through 2021, \$84,000,000.” and inserting “for fiscal year 2020, \$86,325,000; and”; and

(iii) by adding at the end the following new clause:

“(iii) for fiscal year 2021, \$85,550,000.”; and

(2) in paragraph (6)(A)—

(A) in clause (i), by striking “\$2,623,188,000” and inserting “\$2,716,188,000”; and

(B) in clause (ii), by striking “\$2,719,072,000” and inserting “\$2,809,063,000”.

SEC. 6010. CLARIFICATION RELATING TO SECRETARIAL AUTHORITY REGARDING MEDICARE TELEHEALTH SERVICES FURNISHED DURING COVID-19 EMERGENCY PERIOD.

Paragraph (3)(A) of section 1135(g) of the Social Security Act (42 U.S.C. 1320b-5(g)) is amended to read as follows:

“(A) furnished to such individual, during the 3-year period ending on the date such telehealth service was furnished, an item or service that would be considered covered under title XVIII if furnished to an individual entitled to benefits or enrolled under such title; or”.

DIVISION G—TAX CREDITS FOR PAID SICK AND PAID FAMILY AND MEDICAL LEAVE

SEC. 7001. PAYROLL CREDIT FOR REQUIRED PAID SICK LEAVE.

(a) **IN GENERAL.**—In the case of an employer, there shall be allowed as a credit against the tax imposed by section 3111(a) of the Internal Revenue Code of 1986 for each calendar quarter an amount equal to 100 percent of the qualified sick leave wages paid by such employer with respect to such calendar quarter.

(b) **LIMITATIONS AND REFUNDABILITY.**—

(1) **WAGES TAKEN INTO ACCOUNT.**—The amount of qualified sick leave wages taken into account under subsection (a) with respect to any individual shall not exceed \$200 (\$511 in the case of any day any portion of which is paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act) for any day (or portion thereof) for which the individual is paid qualified sick leave wages.

(2) **OVERALL LIMITATION ON NUMBER OF DAYS TAKEN INTO ACCOUNT.**—The aggregate number of days taken into account under paragraph (1) for any calendar quarter shall not exceed the excess (if any) of—

(A) 10, over

(B) the aggregate number of days so taken into account for all preceding calendar quarters.

(3) **CREDIT LIMITED TO CERTAIN EMPLOYMENT TAXES.**—The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the tax imposed by section 3111(a) of such Code for such calendar quarter (reduced by any credits allowed under subsections (e) and (f) of section 3111 of such Code for such quarter) on the wages paid with respect to the employment of all employees of the employer.

(4) **REFUNDABILITY OF EXCESS CREDIT.**—

(A) **IN GENERAL.**—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (3) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b) of such Code.

(B) **TREATMENT OF PAYMENTS.**—For purposes of section 1324 of title 31, United States Code, any amounts due to an employer under this paragraph 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) **QUALIFIED SICK LEAVE WAGES.**—For purposes of this section, the term “qualified sick leave wages” means wages (as defined in section 3121(a) of the Internal Revenue Code

of 1986) paid by an employer which are required to be paid by reason of the Emergency Paid Sick Leave Act.

(d) SPECIAL RULES.—

(1) DENIAL OF DOUBLE BENEFIT.—For purposes of chapter 1 of such Code, the gross income of the employer, for the taxable year which includes the last day of any calendar quarter with respect to which a credit is allowed under this section, shall be increased by the amount of such credit. No credit shall be allowed under this section with respect to wages for which a credit is allowed under section 45S of such Code.

(2) ELECTION NOT TO HAVE SECTION APPLY.—This section shall not apply with respect to any employer for any calendar quarter if such employer elects (at such time and in such manner as the Secretary of the Treasury (or the Secretary's delegate) may prescribe) not to have this section apply.

(3) CERTAIN TERMS.—Any term used in this section which is also used in chapter 21 of such Code shall have the same meaning as when used in such chapter.

(4) STATE AND LOCAL GOVERNMENTS.—This credit shall not apply 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.

(e) REGULATIONS.—The Secretary of the Treasury (or the Secretary's delegate) shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to prevent the avoidance of the purposes of the limitations and aggregation rules under this section through the use of successor companies or other means,

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section,

(3) regulations or other guidance providing for waiver of penalties for failure to deposit amounts in anticipation of the allowance of the credit allowed under this section, and

(4) regulations or other guidance for recapturing the benefit of credits determined under this section in cases where there is a subsequent adjustment to the credit determined under subsection (a).

(f) APPLICATION OF SECTION.—This section shall apply only to wages paid with respect to the period beginning on a date selected by the Secretary of the Treasury (or the Secretary's delegate) which is during the 15-day period beginning on the date of the enactment of this Act, and ending on December 31, 2020.

(g) 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) amounts equal to the reduction in revenues to the Treasury by reason of this section (without regard to this subsection). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had this section not been enacted.

SEC. 7002. CREDIT FOR SICK LEAVE FOR CERTAIN SELF-EMPLOYED INDIVIDUALS.

(a) CREDIT AGAINST SELF-EMPLOYMENT TAX.—In the case of an eligible self-employed individual, there shall be allowed as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 for any taxable year an amount equal to 100 percent (or, with respect to any use described in section 5102(a)(4) or 5102(a)(5) of the Emergency Paid Sick Leave Act, 67 percent) of the quali-

fied sick leave equivalent amount with respect to the individual.

(b) ELIGIBLE SELF-EMPLOYED INDIVIDUAL.—For purposes of this section, the term “eligible self-employed individual” means an individual who—

(1) regularly carries on a trade or business within the meaning of section 1402 of such Code, and

(2) would be entitled to receive paid leave during the taxable year pursuant to the Emergency Paid Sick Leave Act if the individual were an employee of an employer (other than himself or herself).

(c) QUALIFIED SICK LEAVE EQUIVALENT AMOUNT.—For purposes of this section—

(1) IN GENERAL.—The term “qualified sick leave equivalent amount” means, with respect to any eligible self-employed individual, an amount equal to—

(A) the number of days during the taxable year (but not more than the applicable number of days) that the individual is unable to perform services in the trade or business referred to in section 1402 of such Code for a reason with respect to which such individual would be entitled to receive sick leave as described in subsection (b), multiplied by

(B) the lesser of—

(i) \$200 (\$511 in the case of any day of paid sick time described in paragraph (1), (2), or (3) of section 5102(a) of the Emergency Paid Sick Leave Act), or

(ii) the average daily self-employment income of the individual for the taxable year.

(2) AVERAGE DAILY SELF-EMPLOYMENT INCOME.—For purposes of this subsection, the term “average daily self-employment income” means an amount equal to—

(A) the net earnings from self-employment of the individual for the taxable year, divided by

(B) 260.

(3) APPLICABLE NUMBER OF DAYS.—For purposes of this subsection, the term “applicable number of days” means, with respect to any taxable year, the excess (if any) of 10 days over the number of days taken into account under paragraph (1)(A) in all preceding taxable years.

(d) SPECIAL RULES.—

(1) CREDIT REFUNDABLE.—

(A) IN GENERAL.—The credit determined under this section shall be treated as a credit allowed to the taxpayer under subpart C of part IV of subchapter A of chapter 1 of such Code.

(B) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, any refund due from the credit determined under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

(2) DOCUMENTATION.—No credit shall be allowed under this section unless the individual maintains such documentation as the Secretary may prescribe to establish such individual as an eligible self-employed individual.

(3) DENIAL OF DOUBLE BENEFIT.—In the case of an individual who receives wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) paid by an employer which are required to be paid by reason of the Emergency Paid Sick Leave Act, the qualified sick leave equivalent amount otherwise determined under subsection (c) shall be reduced (but not below zero) in the same proportion that the number of days for which such wages are received bears to the number of days described in subsection (c)(1)(A).

(4) CERTAIN TERMS.—Any term used in this section which is also used in chapter 2 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such chapter.

(e) APPLICATION OF SECTION.—Only days occurring during the period beginning on a

date selected by the Secretary of the Treasury (or the Secretary's delegate) which is during the 15-day period beginning on the date of the enactment of this Act, and ending on December 31, 2020, may be taken into account under subsection (c)(1)(A).

(f) APPLICATION OF CREDIT IN CERTAIN POSSESSIONS.—

(1) PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.—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 loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(2) PAYMENTS TO 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 provisions of this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to its residents.

(3) MIRROR CODE TAX SYSTEM.—For purposes of this section, the term “mirror code tax system” means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(4) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

(g) REGULATIONS.—The Secretary of the Treasury (or the Secretary's delegate) shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to prevent the avoidance of the purposes of this section, and

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

SEC. 7003. PAYROLL CREDIT FOR REQUIRED PAID FAMILY LEAVE.

(a) IN GENERAL.—In the case of an employer, there shall be allowed as a credit against the tax imposed by section 3111(a) of the Internal Revenue Code of 1986 for each calendar quarter an amount equal to 100 percent of the qualified family leave wages paid by such employer with respect to such calendar quarter.

(b) LIMITATIONS AND REFUNDABILITY.—

(1) WAGES TAKEN INTO ACCOUNT.—The amount of qualified family leave wages taken into account under subsection (a) with respect to any individual shall not exceed—

(A) for any day (or portion thereof) for which the individual is paid qualified family leave wages, \$200, and

(B) in the aggregate with respect to all calendar quarters, \$10,000.

(2) CREDIT LIMITED TO CERTAIN EMPLOYMENT TAXES.—The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the tax imposed by section 3111(a) of such Code for such calendar quarter (reduced by any credits allowed under subsections (e) and (f) of section 3111 of such

Code, and section 9001 of this Act, for such quarter) on the wages paid with respect to the employment of all employees of the employer.

(3) **REFUNDABILITY OF EXCESS CREDIT.**—If the amount of the credit under subsection (a) exceeds the limitation of paragraph (2) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b) of such Code.

(c) **QUALIFIED FAMILY LEAVE WAGES.**—For purposes of this section, the term “qualified family leave wages” means wages (as defined in section 3121(a) of such Code) paid by an employer which are required to be paid by reason of the Emergency Family and Medical Leave Expansion Act (including the amendments made by such Act).

(d) **SPECIAL RULES.**—

(1) **DENIAL OF DOUBLE BENEFIT.**—For purposes of chapter 1 of such Code, the gross income of the employer, for the taxable year which includes the last day of any calendar quarter with respect to which a credit is allowed under this section, shall be increased by the amount of such credit. No credit shall be allowed under this section with respect to wages for which a credit is allowed under section 45S of such Code.

(2) **ELECTION NOT TO HAVE SECTION APPLY.**—This section shall not apply with respect to any employer for any calendar quarter if such employer elects (at such time and in such manner as the Secretary of the Treasury (or the Secretary’s delegate) may prescribe) not to have this section apply.

(3) **CERTAIN TERMS.**—Any term used in this section which is also used in chapter 21 of such Code shall have the same meaning as when used in such chapter.

(4) **STATE AND LOCAL GOVERNMENTS.**—This credit shall not apply 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.

(e) **REGULATIONS.**—The Secretary of the Treasury (or the Secretary’s delegate) shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to prevent the avoidance of the purposes of the limitations and aggregation rules under this section through the use of successor companies or other means,

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section,

(3) regulations or other guidance providing for waiver of penalties for failure to deposit amounts in anticipation of the allowance of the credit allowed under this section, and

(4) regulations or other guidance for recapturing the benefit of credits determined under this section in cases where there is a subsequent adjustment to the credit determined under subsection (a).

(f) **APPLICATION OF SECTION.**—This section shall apply only to wages paid with respect to the period beginning on a date selected by the Secretary of the Treasury (or the Secretary’s delegate) which is during the 15-day period beginning on the date of the enactment of this Act, and ending on December 31, 2020.

(g) **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) amounts equal to the reduction in revenues to the Treasury by reason of this section (without regard to this subsection). Amounts appropriated by the preceding sentence shall be transferred from

the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had this section not been enacted.

SEC. 7004. CREDIT FOR FAMILY LEAVE FOR CERTAIN SELF-EMPLOYED INDIVIDUALS.

(a) **CREDIT AGAINST SELF-EMPLOYMENT TAX.**—In the case of an eligible self-employed individual, there shall be allowed as a credit against the tax imposed by subtitle A of the Internal Revenue Code of 1986 for any taxable year an amount equal to 100 percent of the qualified family leave equivalent amount with respect to the individual.

(b) **ELIGIBLE SELF-EMPLOYED INDIVIDUAL.**—For purposes of this section, the term “eligible self-employed individual” means an individual who—

(1) regularly carries on a trade or business within the meaning of section 1402 of such Code, and

(2) would be entitled to receive paid leave during the taxable year pursuant to the Emergency Family and Medical Leave Expansion Act if the individual were an employee of an employer (other than himself or herself).

(c) **QUALIFIED FAMILY LEAVE EQUIVALENT AMOUNT.**—For purposes of this section—

(1) **IN GENERAL.**—The term “qualified family leave equivalent amount” means, with respect to any eligible self-employed individual, an amount equal to the product of—

(A) the number of days (not to exceed 50) during the taxable year that the individual is unable to perform services in the trade or business referred to in section 1402 of such Code for a reason with respect to which such individual would be entitled to receive paid leave as described in subsection (b), multiplied by

(B) the lesser of—

(i) the average daily self-employment income of the individual for the taxable year, or

(ii) \$200.

(2) **AVERAGE DAILY SELF-EMPLOYMENT INCOME.**—For purposes of this subsection, the term “average daily self-employment income” means an amount equal to—

(A) the net earnings from self-employment income of the individual for the taxable year, divided by

(B) 260.

(d) **SPECIAL RULES.**—

(1) **CREDIT REFUNDABLE.**—

(A) **IN GENERAL.**—The credit determined under this section shall be treated as a credit allowed to the taxpayer under subpart C of part IV of subchapter A of chapter 1 of such Code.

(B) **TREATMENT OF PAYMENTS.**—For purposes of section 1324 of title 31, United States Code, any refund due from the credit determined under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

(2) **DOCUMENTATION.**—No credit shall be allowed under this section unless the individual maintains such documentation as the Secretary may prescribe to establish such individual as an eligible self-employed individual.

(3) **DENIAL OF DOUBLE BENEFIT.**—In the case of an individual who receives wages (as defined in section 3121(a) of the Internal Revenue Code of 1986) paid by an employer which are required to be paid by reason of the Emergency Family and Medical Leave Expansion Act, the qualified family leave equivalent amount otherwise determined under subsection (c) shall be reduced (but not below zero) in the same proportion that the number of days for which such wages are received bears to the number of days described in subsection (c)(1)(A).

(4) **CERTAIN TERMS.**—Any term used in this section which is also used in chapter 2 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such chapter.

(5) **REFERENCES TO EMERGENCY FAMILY AND MEDICAL LEAVE EXPANSION ACT.**—Any reference in this section to the Emergency Family and Medical Leave Expansion Act shall be treated as including a reference to the amendments made by such Act.

(e) **APPLICATION OF SECTION.**—Only days occurring during the period beginning on a date selected by the Secretary of the Treasury (or the Secretary’s delegate) which is during the 15-day period beginning on the date of the enactment of this Act, and ending on December 31, 2020, may be taken into account under subsection (c)(1)(A).

(f) **APPLICATION OF CREDIT IN CERTAIN POSSESSIONS.**—

(1) **PAYMENTS TO POSSESSIONS WITH MIRROR CODE TAX SYSTEMS.**—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 loss (if any) to that possession by reason of the application of the provisions of this section. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(2) **PAYMENTS TO 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 provisions of this section if a mirror code tax system had been in effect in such possession. The preceding sentence shall not apply unless the respective possession has a plan, which has been approved by the Secretary of the Treasury, under which such possession will promptly distribute such payments to its residents.

(3) **MIRROR CODE TAX SYSTEM.**—For purposes of this section, the term “mirror code tax system” means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(4) **TREATMENT OF PAYMENTS.**—For purposes of section 1324 of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

(e) **REGULATIONS.**—The Secretary of the Treasury (or the Secretary’s delegate) shall prescribe such regulations or other guidance as may be necessary to carry out the purposes of this section, including—

(1) regulations or other guidance to prevent the avoidance of the purposes of this section, and

(2) regulations or other guidance to minimize compliance and record-keeping burdens under this section.

SEC. 7005. SPECIAL RULE RELATED TO TAX ON EMPLOYERS.

(a) **IN GENERAL.**—Any wages required to be paid by reason of the Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act shall not be considered wages for purposes of section 3111(a) of the Internal Revenue Code of 1986.

(b) **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) amounts equal to the reduction in revenues to the Treasury by reason of this section (without regard to this subsection). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund had this section not been enacted.

DIVISION H—BUDGETARY EFFECTS

SEC. 8001. BUDGETARY EFFECTS.

(a) **STATUTORY PAYGO SCORECARDS.**—The budgetary effects of division B and each succeeding division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010.

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of division B and each succeeding division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) **CLASSIFICATION OF BUDGETARY EFFECTS.**—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of division B and each succeeding division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. LOWEY) and the gentlewoman from Texas (Ms. GRANGER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. LOWEY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6201, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. LOWEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Families First Coronavirus Response Act builds on the \$8.3 billion supplemental enacted last week to meet the needs of the American people, by:

Guaranteeing free coronavirus testing;

Providing paid leave; and

Strengthening food security initiatives through additional investments in WIC, food banks, and senior nutrition.

The bill also makes sure that children who depend on free and reduced-price meals have access to food during school and childcare closures.

Mr. Speaker, we must help ensure the physical safety and financial security of our Nation's working families during this time of crisis.

Mr. Speaker, I urge my colleagues to join me in support of this legislation, and I reserve the balance of my time.

Ms. GRANGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6201, the second coronavirus relief bill.

Fiscal year 2020 appropriations bills were enacted less than 3 months ago, which included record levels of spending on our public health infrastructure. This allowed the administration to respond immediately to the coronavirus when the threat became clear.

Last week, the House and Senate voted almost unanimously on an \$8 billion emergency supplemental, giving the administration new resources to respond to the virus. Unfortunately, the threat we face has grown more complex and costly in only a week's time.

The bill before us will provide a second installment of supplemental funds and combat the negative economic effects of this disease that has now been called a pandemic.

This legislation builds off of last week's bill, where we expanded the availability of tests for the coronavirus to ensure that everyone who needs to be tested, gets tested.

Mr. Speaker, in his remarks today, the President reaffirmed his commitment to distribute millions of tests and speed up how they are processed. This bill takes the next step to include more than \$1 billion to cover the cost of taking these tests, including for service-members and veterans. We must ensure tests are administrated so that people know if they are infected. This is the only way we can stop the spread of this virus.

Emergency food assistance is provided in the bill for seniors, women, children, and low-income families. That includes additional help for children whose schools are being closed as a precautionary measure to keep them safe.

Tax incentives are included to encourage American businesses to allow employees to take emergency leave to limit the spread of the virus. No one should have to choose between getting a paycheck or infecting other people.

Mr. Speaker, we have heard many concerns about the needs of small businesses. In addition to the tax incentives in the bill, more than \$37 billion is already available from prior appropriations for the Small Business Administration to make loans. As we watch the impact of this virus on our Nation's job creators, I will continue working with the administration and my colleagues to ensure they get the help they need.

While bringing this bill to the floor has taken much longer than I had hoped, it is time for Congress to pass it. This bill will give the President and our public health officials the tools that are needed right now to respond to this quickly changing threat.

Mr. Speaker, I urge my colleagues to join me in voting for this measure. We must pass this bill today to help lessen the devastating impact of this global pandemic on the American people.

Mr. Speaker, I reserve the balance of my time.

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Mrs. LOWEY. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. NEAL), the chair of the Committee on Ways and Means.

Mr. NEAL. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I rise in strong support of this important legislative package to protect Americans' health and financial security as our Nation confronts the coronavirus crisis.

I want to highlight quickly three policies that the Ways and Means Committee contributed to the measure before us this evening.

First, we are ensuring that the coronavirus testing is provided free of charge. It is imperative that anyone who needs to be tested for coronavirus is able to afford that testing. If individuals worry that they can't afford the cost of the test, they will forgo it and risk endangering themselves and their community.

To provide Americans with the necessary confidence they need to seek testing, we have included a provision that ensures free coronavirus testing in Medicare, Medicaid, and CHIP, as well as for people enrolled in private insurance, the uninsured, Tribal communities receiving care outside of Indian health facilities, and our military families.

Second, we are making a historic emergency commitment to paid leave for the American family members affected by coronavirus. One of our top priorities was to get Americans affected by coronavirus emergency paid leave so that they can pay their bills. After intense negotiation with Treasury, we have agreed that this is an emergency.

We will require employers to provide the leave and reimburse them for the full cost via tax credits. Affected self-employed workers would be eligible for refundable tax credits.

In the long run, we need a comprehensive paid leave program like the one in the FAMILY Act. If we had that now, we would be in a far better place with options available to us as workers confront these challenges.

Finally, we are implementing measures to stabilize the unemployment insurance system and make sure that workers can access their earned benefits. These provisions will immediately help States deal with spikes in unemployment and prepare them for any future local or national recessions.

These provisions give States necessary flexibility to provide unemployment insurance to coronavirus-affected individuals without delays caused by waiting periods and work search requirements.

I want to acknowledge, in closing, that despite the urgency with which we have worked, this legislation had the benefit of extensive bipartisan negotiations and thoughtful consideration. My

staff has worked around the clock, as always, working with Ranking Member BRADY's staff to get bipartisan input into these provisions.

The Speaker and I have spent much time on the phone with the Secretary of the Treasury to ensure, along with Mr. Mnuchin, that this bill is a solution that the administration and both parties in this institution can support.

As a result, we have a very good product here. I am confident this measure will pass Congress with full bipartisan support and reach the President's desk without issue.

As we face this challenge, Americans are looking to their government leaders to come together and present real solutions. Today, we are doing that. We are taking decisive action to help limit the spread of coronavirus, allow Americans critical access to testing, and provide families financial security in the near and the long term.

Lastly, let me acknowledge the committee staff at the Ways and Means Committee for the work that they have put into this legislative achievement. Legislative counsel truly put in a Herculean effort to assemble this bill, along with leadership staff. They worked around the clock, all hours of the day and night, to create the immediacy of this legislation that will slow the spread of this virus, support American workers and families, and save lives.

In particular, I want to acknowledge the teams on our Health, Worker and Family Support, Select Revenue Measures, and Social Security Subcommittees for their excellent contributions. The American people will be better equipped to weather this crisis thanks to their important bipartisan work.

Mr. Speaker, I urge full support of this legislation.

Ms. GRANGER. Mr. Speaker, I yield to 4 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY. Mr. Speaker, President Trump's declaration of a national emergency is a call to action to protect American's health and well-being and protect the economy.

This bill, thanks to the leadership of Secretary Mnuchin and Leader MCCARTHY, and working with both sides of the aisle, meets many of these goals.

The President has succeeded in working with the private sector to achieve free testing, and now our bill builds on that. Americans in need of lab tests for the coronavirus will get them free.

We are making good on President Trump's promise to provide financial assistance for working Americans who are "ill, quarantined, or caring for others due to coronavirus," and it does so using our Tax Code rather than by creating a new entitlement.

The original bill contained provisions that would create undue burdens on America's small businesses. I have spoken directly with President Trump, the champion of small business, who agrees that America's small businesses need flexibility and cash flow when pro-

viding emergency leave for workers so that they can operate and survive during this economic challenge.

In order to help small businesses and their workers, language has been added to this bill, and President Trump is directing the Secretaries of the Treasury and Labor to write rules to ensure that small businesses do have the flexibility to provide paid leave for their employees.

They shouldn't have to be concerned about cash flow when they work to retain the workers they need to operate and keep serving their customers and our communities. This is vital to America's economic rebound.

This bill also protects seniors and those with severe medical conditions by ensuring that the Social Security Administration is not running a new permanent mandate.

We were also able to stop some misguided demands. In this bill, the health provisions are now limited to COVID-19 without including unrelated treatments, ensuring that pro-life Hyde amendment protections remain intact to prevent taxpayer funds being used for abortions.

Republicans were able to block efforts to add new burdens on hospitals that would have overruled the CDC's science-based guidelines and prevented critical flexibility for our local healthcare providers.

These are temporary, targeted measures. They are temporary because we have seen what happens when a bill that is supposed to be "timely, targeted, and temporary" drags on for years. It prolongs economic hardship.

We will rebound, and we will rebound strongly. Good policies—ones that strengthen our local communities—result in speedy recoveries.

In America, we know we are blessed, even when faced with great adversity. We are blessed by an abundance not only of resources but of spirit. It is that very spirit that will get us through the coronavirus and the other challenges we face in the future.

While today's bill is not perfect, it is another step in the right direction toward safety and security and a revitalized economy.

I encourage my colleagues to vote for this bill and then come back to the table so we can continue our work to keep American workers and families prepared, safe, and healthy.

Ms. GRANGER. Mr. Speaker, I urge a "yes" vote on this bill, and I yield back the balance of my time.

Mrs. LOWEY. Mr. Speaker, the hour is late, vote "yes," and I yield back the balance of my time.

Mr. MCGOVERN. Mr. Speaker, we have once again been called to respond to a crisis.

In the past, we have faced national security threats and natural disasters. But today, it is something radically different: A pandemic.

What started half a world away has now spread to more than 100 countries, including the United States. Layoffs have begun, schools have cancelled classes, and large gatherings have been banned.

The impacts of this virus are cascading across society. People's health is at risk. And for many their economic reality has changed overnight.

People need to get tested. Quarantined workers are wondering how they will pay their bills. Healthcare workers are putting their own health at risk. And children are missing their school lunches.

They need help.

They need help now.

The coronavirus knows no border. It knows no political party. And Mr. Speaker, our response shouldn't either.

Ms. JOHNSON of Texas. Mr. Speaker, today, I rise in support of the Families First Coronavirus Response Act, which will provide the crucial support for our workforce and economy amid the current public health emergency associated with COVID-19. It is our duty to care for all members of our society, and this stimulus package will do so. We will ensure that hourly workers and families have access to emergency paid sick leave, food security, and—most importantly—free testing for corona virus regardless of insurance status.

For families' economic security, we have secured paid emergency leave, with two weeks of paid sick leave and up to three months of paid family and medical leave. We have also secured enhanced Unemployment Insurance, a step that will extend protections to furloughed workers.

For families' food security, we have strengthened nutrition security initiatives, including SNAP, student meals, seniors' nutrition and food banks. For the twenty-two million children who rely on free or reduced-price school meals for their food security, we must ensure that they have food to eat.

For families' health security, we have increased federal funds for Medicaid to support our local, state, tribal and territorial governments and health systems, so that they have the resources necessary to combat the coronavirus.

As representatives of Americans from all corners of our country, we have a responsibility to protect the health and well-being of our communities in times of crisis. I urge my colleagues to support the Families First Coronavirus Response Act.

Mr. BISHOP of Georgia. Mr. Speaker, I strongly support this bill.

As Chairman of the Agriculture, Rural Development, and FDA Subcommittee of Appropriations, I want to acknowledge the tremendous cooperation between the Appropriations and authorizing committees in producing this bill so quickly.

It takes a truly multi-jurisdictional approach to addressing the urgent needs, many families will have, as we face this pandemic.

[The fight against this scourge will be tough and we must be prepared.]

Last week we provided \$61 million to FDA for the development and review of medical countermeasures, devices, therapies, and vaccines to combat the coronavirus.

Today, we work to protect our families.

Cancellation of conferences, sporting events and other gatherings is having a major impact on the hospitality, transportation, and related industries, resulting in layoffs that will likely cause families to turn to WIC and food banks for help.

Schools are closing, leaving children without free and reduced-price meals.

But I am pleased this bill would allow households with eligible children to receive emergency SNAP assistance to put food on the table.

Three programs get additional funds in this bill.

First, we provide \$500 million for WIC to provide nutritious foods for low-income pregnant women or mothers with young children who lose their jobs or are laid off due to the coronavirus emergency.

Second, we provide \$400 million for The Emergency Food Assistance Program—TEFAP—to help local food banks meet increased demand during the emergency.

Third, we provide \$100 million for Nutrition Assistance for the U.S. Territories. Puerto Rico, American Samoa, and the Northern Mariana Islands rely on Congress to block grant their SNAP funds in an emergency and these funds will support their pandemic response.

Thanks to the Chairs and staffs of the Appropriations and authorizing committees who worked so hard over the last 72 hours on this bill. It will bring relief, consolation, and hopefully food security to our constituents.

Mr. SCOTT of Virginia. Mr. Speaker, the spread of COVID-19 will present increasingly severe challenges for students, workers, and families. Communities across the country are counting on this Congress to deliver a bold, immediate, and targeted response.

The Families First Coronavirus Response Act—which is the result of careful bipartisan negotiations—is an important step toward providing the American people the support they need to confront this national emergency.

This bill ensures that all Americans can access cost-free COVID-19 testing.

It provides states and schools the flexibility they need to ensure that students do not go hungry during school closures. It also provides child and adult care providers additional support to make sure people are getting the nutrition they need.

It provides women, infants, and children with the flexibility to access WIC food benefits and infant formula without the need to make unsafe visits to clinics.

It provides workers 14 days of emergency paid sick leave, so they are not forced to choose between their paycheck and their health.

And it also provides enhanced unemployment compensation and paid family and medical leave so that workers can take time off to care for themselves and their loved ones without losing their jobs.

By passing this legislation, we protect the health and financial security of millions of students, workers, and families.

But we must recognize that this package alone is not sufficient. In the coming weeks, we must be willing to take further action to address the consequences of this epidemic.

For example, I am particularly concerned that this bill does not include important safety protections for our front-line health care workers, who will be called upon to perform heroic work in the months ahead. I will continue to work with my colleagues to pass necessary legislation to protect their safety.

Additionally, at the last minute, provisions were inserted into the bill that regrettably denied some workers paid leave benefits. But millions of workers will have access to paid leave that is not available to them today.

So, I urge all Members to support the Families First Coronavirus Response Act.

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, I rise in strong support of the Families First Coronavirus Response Act which is designed to put families first, protect and stabilize our economy, and provide Americans with assurance that this House has their needs and interests at the top of our priority concerns.

I support this measure because—during this period of uncertainty—it helps provide critical paid sick and family leave for workers affected by this public health crisis.

Approximately 80 million workers aged 16 and older are paid hourly, which means they typically lack paid sick and family leave.

Around 75 percent of workers live paycheck to paycheck.

These benefits will help cover employees who are sick, quarantined, or caring for loved ones who must remain at home.

If a worker is furloughed, laid off, or exhausts their paid leave, it provides enhanced unemployment benefits and flexibility in eligibility requirements to help.

The bill provides free testing to determine who is affected.

It provides substantial dollars to nutrition for low-income individuals—including pregnant women, mothers with young children, food banks, students receiving free and reduced lunch whose schools have closed, and seniors.

It safeguards Medicare benefits and payments, protects frontline health care workers, and directs special attention to the hardest hit communities.

I am pleased to support this bill because it is an important step by our country's leaders to say to the American people that we've got your back. We are not done. This House will take further action when needed to help our residents weather this crisis.

Mr. WALDEN. Mr. Speaker, I rise today in support of the bill. The American people are rightly concerned about coronavirus, and as a Congress, we have a responsibility to help them deal with this crisis. Many Americans—sick or not—will need to stay home from work. Many will need access to testing and care. Our state and local health care providers and first responders are on the front lines of this fight. We're all in this together. That's how I'm thinking about it as a citizen—for my family—and as United States Congressman working for you, for Oregon, and for our nation.

Last week, we approved over \$8 billion to get more tests out into our communities, reimburse local entities for the work they are doing, and to find a vaccine and treatments. We need to do more, and that's what we will do today.

By working together, our efforts will leave our country better prepared to address this crisis. But I must note that more could have been done.

First, we all know hospitals across the nation are preparing to treat a surge of patients and health care providers are already running low on crucial respirator masks. We need to make more of these masks available to protect our health workers who are on the front lines of this pandemic. By making common-sense changes to the PREP Act, we could boost the availability and supply of critically needed respirators. This is a missed opportunity, but I'm going to keep pushing. We need to get these crucial pieces of protective equipment out to communities who need them most.

Second, our front-line needs reinforcements. We currently have provider shortages; to win this next stage of the fight we must maintain sufficient hospital staffing. Dr. Burgess and Representative ESHOO have a bipartisan bill that would improve the "Ready Reserve" of the United States Public Health Service Commissioned Corps. The "Ready Reserve's" purpose is to fulfill the need for additional personnel on short notice for public health and emergency response. We must improve the surge capacity of our health care workforce. Why this was left out is maddening; it makes no sense.

Of course, we all know there will be more work to do in the coming weeks. We must get ready. We need to turn our attention to our medical product supply chain—both for this pandemic and future ones.

For me, this is not a new concern, prior to the coronavirus outbreak, I've raised concern about our country's overreliance on foreign pharmaceutical manufacturing. If a country monopolizes the production of a drug and wishes to retaliate against the U.S., they could substantially increase drug prices or reduce supply in an attempt to cause shortages, limiting access to critical medications. This could put American lives at risk in a time of crisis.

Finally, I still believe the Medicaid policies in the bill could have been designed more effectively and better-targeted to the immediate challenge presented by COVID-19. With that said, states and localities are on the front lines and this enhanced funding will help states immediately address public health needs as well as handle an expected surge in new patients.

Even with these concerns, I do rise in support of the bill because we need to make sure people can get tested, help those who have to stay home from work and their families, and ensure our health professionals have the support they need from the federal government.

I urge my colleagues to support this bill. To the American people, our country is strong. Our economy is resilient. Do not panic but be smart and vigilant and we can overcome this challenge.

Ms. LEE of California. Mr. Speaker, I rise in strong support of the Families First Coronavirus Response Act.

I want to thank our Speaker for her remarkable and steady leadership, our entire leadership team, the committee chairs, and our Appropriations Chair, Nita Lowey who helped to craft this package.

We must boldly fight this pandemic with all the science-based tools and resources we have. And we must put families first.

The bill before us does exactly that by:

Providing free coronavirus testing for everyone who needs it,

Establishing an emergency paid leave program,

Enhancing state unemployment benefits, Strengthening food assistance programs for seniors and school kids.

I urge all members to support this critical legislation to help address the needs of families across this nation facing the impact of this pandemic.

Lastly, I want to thank the Governor, State Officials, our Mayor, Local Officials, Port of Oakland, our workers, Federal Partners, and our residents who have pulled together so that public health protocols were put in place to ensure the health and safety of everyone including the West Oakland community.

The West Oakland community has been significantly challenged by environmental racism and injustice in the past. I am proud of the community their compassion and competence and for stepping up during these challenging times.

Ms. OMAR. Mr. Speaker, as we respond to the Coronavirus pandemic, it's crucial that we don't forget the 22 million children who rely on free or reduced-priced school lunches.

For many kids, it is the only meal they get each day. It is our responsibility to ensure that kids continue to get the meals they need.

I'm proud that the package the House is passing today includes my legislation—the Maintaining Essential Access to Lunch for Students Act.

My bill gives schools that are forced to close during a public health emergency the flexibility to implement alternate options—like home delivery of meals—in order to ensure their students are fed.

I urge my colleagues to vote yes on this bill and ensure that no child goes hungry due to school closures in times of crisis.

Ms. JACKSON LEE. Mr. Speaker, I rise to speak in strong support of H.R. 6201, the Families First Coronavirus Response Act of 2020, which provides much needed protections for American families from the worst conditions that might arise as the nation fights the spread of COVID-19.

My thoughts and prayers are with the families who have lost loved ones and the thousand who are sick, and the many others who will struggle with the effects of COVID-19 over the coming days, weeks, and months.

We owe a special debt to First Responders who will be the lifeline for those who will need medical care to overcome this coronavirus designated as COVID-19.

The legislation includes:

- Health Care Worker Protections;
- Emergency Paid Leave;
- Emergency Unemployment Insurance; and
- Paid Sick Days for Public Health Emergencies and Personal and Family Care.

This bill provides immediate help to American families that are now on the frontline of this fight to defeat COVID-19.

Yesterday, the World Health Organization declared COVID-19 a pandemic, which has reached at least 114 countries, sickening over 139,000 people, and killing more than 5,116 worldwide.

The first presumptive COVID-19 positive case was reported in the Houston area occurred in Montgomery County, Texas, which borders Harris County, the location of Houston, Texas.

Montgomery County, Texas officials confirmed that the man has not traveled out of the state or country recently.

Currently, the 20 people he had been in close contact with are in self-quarantine.

If the case is confirmed by the CDC, this could be the first community-spread case in the Houston area.

Community-spread occurring is the reason why we need tests in enough supply that everyone can be tested so that we know the state of COVID-19 in each community.

While the Houston area has other cases that are linked to travel outside of the state, this is the first case not linked to travel outside of the state.

The Montgomery County, Texas Public Health officials took steps to protect children

by closing schools two days before spring break to do a deep clean, and they are expecting to resume classes after the break.

The person is being treated at an undisclosed hospital and is reported to be under observation and doing well.

COVID-19 is more contagious than the flu. The contagious score is 1.5 and COVID-19 is 2.3.

Although symptoms are compared to the flu, COVID-19 is not the flu.

Because there is no immunity, vaccine, or widely agreed upon treatment there are only a few options for protecting the public and limiting its spread.

This is a time in our nation that historians will write about and anthropologists will study, but for us—living today—we are in a fight against a foe that we have never faced before, but we must defeat.

The army before us are our medical researchers, doctors, nurses, first responders, and sanitation workers, but they cannot defeat this enemy alone.

Each of us, not just in the United States but around the world must join the fight by paying attention to facts and not spread rumors.

The weapons for slowing the spread of COVID-19 are simple and they work:

- Washing hands;
- Sanitizing surfaces;
- Social Distance;
- Isolation; and
- Quarantines.

These tools for controlling the spread of infectious diseases are as old as civilization and are still used today because they work.

Some of the first records of the use of cleaning, washing, and isolation of the sick and those thought to be ill is found in the Bible in the Book of Leviticus Chapter 13.

It provides detailed instructions to the community about leprosy, a dreaded contagious disease.

To defeat COVID-19, we must practice hand washing, social distance, isolation, and quarantine.

Hand washing sounds simple but it involves much more attention and time to do it right—and remove germs.

To get accurate instructions on what is needed to know visit <https://coronavirus.gov>, where information can be found on cleaning and personal care.

Social distance means limiting physical contact and having at least six feet separating persons while in public spaces.

Social distance practices can include not shaking hands, or touching surfaces where the virus can be picked up.

Social distance can also involve limiting the number of people who may be in an enclosed space.

Isolation for at least 14 days is for persons who may have been in contact with a person who tests positive for COVID-19.

Quarantine is for persons who are suspected of having COVID-19 or tested positive for having COVID-19.

Given the fluid nature of the events unfolding each person should be informed and ready to support efforts to prevent or slow the spread of the illness.

The National Institutes of Health, the CDC, university researchers, and private companies are working on a vaccine, which will take a year to produce in enough quantities to inoculate people from becoming infected with COVID-19.

In the meantime, we must do all that we can to protect the elderly; those with serious pre-existing health conditions, and our health care workers from contracting COVID-19.

I believe that we must do more to prepare the public for what may be localized, household, or individual quarantines to address the spread of COVID-19.

We must vastly increase the number of tests and make sure that everyone presenting with mild cold or flu like symptoms is tested to accurately gauge the spread of COVID-19 in communities.

I saw news reports in early January on the novel Coronavirus's rapid spread and the numbers of infected expanding so quickly, I knew this was not something to be taken lightly and that time was not on our side to mount an effective defense.

On February 10, 2020, I held the first press conference on the issue of the novel coronavirus at Houston Intercontinental Airport.

I was joined by public health officials, local unions, and advocates to raise awareness regarding the virus and the implications it might have for travel to the United States from China and to combat early signs of discrimination targeting Asian businesses in the United States.

On February 24, 2020, I held a second press conference on the International Health Regulations Emergency Committee of the World Health Organization declaration of a "public health emergency from the outbreak of the Coronavirus."

At that time, I formally requested the President of the United States by letter to immediately suspend any health-related cuts that impact efforts to contain and treat the coronavirus, including the \$3.3 billion in cuts to the National Institutes of Health (NIH) and the discretionary budget cuts for the Centers for Disease Control and Prevention (CDC) of nearly 19 percent at \$678 million, severely threatening the CDC's ability to respond to this and other epidemics in the future.

Additionally, I requested the President to suspend cuts in both the Medicare and Medicaid programs.

On February 26, 2020, I sent a letter to the Chair and Ranking Member of the Committee on Homeland Security seeking a meeting with Acting Secretary of Homeland Security Chad Wolf to gain insight into the Preparedness of the Agency to address a possible pandemic.

On February 28, 2020, I spoke on the Floor of the House and announced plans to form a Congressional Coronavirus Task Force.

I thank Congressmen BRIAN FITZPATRICK and Dr. RAUL RUIZ for joining me as co-chairs of the Congressional Coronavirus Task Force.

Today, March 13, 2020, the House of Representatives is offering additional tools to help the American public during this crisis, the second relief package in less than a week.

I want to impress upon the American people that if they have not been paying attention to the issue of the virus, they need to stop and learn all that they can.

First, do not panic—get informed with facts by visiting <https://coronavirus.gov>, this website is maintained by the Centers for Disease Control and Prevention (<https://cdc.gov>).

They must prepare for what is coming—if it has not officially arrived in their community—do not assume that it will not make its presence known.

The earlier bill provided \$8.3 billion in funding in emergency supplemental appropriations, which included:

More than \$3 billion for research and development of vaccines, therapeutics, and diagnostics;

\$2.2 billion in public health funding for prevention, preparedness, and response, \$950 million of which is to support state and local health agencies;

Nearly \$1 billion for procurement of pharmaceuticals and medical supplies, to support healthcare preparedness and Community Health Centers, and to improve medical surge capacity;

\$435 million to support health systems overseas to prevent, prepare, and respond to the coronavirus;

\$300 million to respond to humanitarian needs;

\$61 million to facilitate the development and review of medical countermeasures, devices, therapies, and vaccines, and to help mitigate potential supply chain interruptions; and

Allows for an estimated \$7 billion in low-interest loans to affected small businesses.

On, Thursday, March 12, the Centers for Disease Control and Prevention (CDC) reported the coronavirus outbreak has now infected more than 1,000 people in nearly 40 U.S. states—and the country's top authority on infectious diseases reports that things will only get worse.

The World Health Organization reports a 3.4 percent mortality rate for COVID-19.

The challenge with this new coronavirus is that it is highly contagious, and of those infected, 15–20 percent contract pneumonia

And 5 percent of these cases may develop Acute Respiratory Distress Syndrome (ARDS), which is a rapidly progressive disease occurring in critically ill patients.

The main complication in ARDS is that fluid leaks into the lungs making breathing difficult or impossible.

This virus is a serious public health threat, but this does not mean that we should have a public health panic.

There are knowledgeable and trained virologists, public health experts, and physicians who need the funding provided by this bill.

I ask that my colleagues join me in voting in support of H.R. 6201.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. LOWEY) that the House suspend the rules and pass the bill, H.R. 6201, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Ms. GRANGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 363, nays 40, answered “present” 1, not voting 26, as follows:

[Roll No. 102]

YEAS—363

Adams	Armstrong	Barr
Aderholt	Arrington	Barragán
Aguilar	Axne	Bass
Allen	Bacon	Beatty
Allred	Baird	Bera
Amodei	Balderson	Bergman

Bilirakis	Gianforte	McCollum
Bishop (GA)	Gibbs	McEachin
Blumenauer	Golden	McGovern
Blunt Rochester	Gomez	McHenry
Bonamici	Gonzalez (OH)	McKinley
Bost	Gonzalez (TX)	McNerney
Boyle, Brendan F.	Gottheimer	Meeks
Brady	Granger	Meng
Brindisi	Graves (LA)	Meuser
Brooks (AL)	Graves (MO)	Miller
Brooks (IN)	Green, Al (TX)	Mitchell
Brown (MD)	Griffith	Moolenaar
Buchanan	Guest	Moore
Buchanan	Guthrie	Morelle
Bucshon	Haaland	Moulton
Burgess	Hagedorn	Mucarsel-Powell
Bustos	Harder (CA)	Murphy (FL)
Butterfield	Harris	Murphy (NC)
Calvert	Hartzler	Nadler
Cabajal	Hastings	Napolitano
Cárdenas	Hayes	Neal
Carson (IN)	Heck	Neguse
Carter (GA)	Herrera Beutler	Newhouse
Carter (TX)	Higgins (LA)	Norcross
Cartwright	Higgins (NY)	Nunes
Case	Hill (AR)	O'Halleran
Casten (IL)	Himes	Ocasio-Cortez
Castor (FL)	Holding	Omar
Castro (TX)	Hollingsworth	Pallone
Chabot	Horn, Kendra S.	Palmer
Cheney	Horsford	Panetta
Chu, Judy	Houlahan	Pappas
Cicilline	Hoyer	Pascrell
Cisneros	Hudson	Payne
Clark (MA)	Huffman	Pelosi
Clarke (NY)	Huizenga	Pence
Clay	Hurd (TX)	Perlmutter
Cleaver	Jackson Lee	Perry
Clyburn	Jayapal	Peters
Cohen	Jeffries	Peterson
Cole	Johnson (GA)	Phillips
Collins (GA)	Johnson (LA)	Pocan
Comer	Johnson (OH)	Porter
Conaway	Johnson (SD)	Posey
Connolly	Johnson (TX)	Pressley
Cook	Joyce (OH)	Price (NC)
Cooper	Joyce (PA)	Quigley
Correa	Kaptur	Raskin
Costa	Katko	Reed
Courtney	Keating	Reschenthaler
Cox (CA)	Keller	Rice (NY)
Craig	Kelly (IL)	Rice (SC)
Crawford	Kelly (PA)	Richmond
Crenshaw	Kennedy	Riggleman
Crist	Khanna	Roby
Crow	Kildee	Rodgers (WA)
Cuellar	Kilmer	Roe, David P.
Cunningham	Kim	Rogers (KY)
Curtis	Kind	Rose (NY)
Davids (KS)	King (NY)	Rouda
Davis (CA)	Kinzinger	Rouzer
Davis, Danny K.	Krishnamoorthi	Roybal-Allard
Davis, Rodney	Kuster (NH)	Ruiz
Dean	Kustoff (TN)	Ruppersberger
DeFazio	LaHood	Rush
DeGette	LaMalfa	Rutherford
DeLauro	Lamb	Ryan
DelBene	Lamborn	Sánchez
Delgado	Langevin	Sarbanes
Demings	Larsen (WA)	Scalise
Deutch	Larson (CT)	Scanlon
Diaz-Balart	Latta	Schakowsky
Dingell	Lawrence	Schiff
Doggett	Lawson (FL)	Schneider
Doyle, Michael F.	Lee (CA)	Schrader
Dunn	Lee (NV)	Schrier
Engel	Levin (CA)	Schweikert
Escobar	Levin (MI)	Scott (VA)
Eshoo	Lieu, Ted	Scott, Austin
Espallat	Loeb	Scott, David
Estes	Loeb	Serrano
Evans	Lowenthal	Sewell (AL)
Ferguson	Lowey	Shalala
Finkenauer	Lucas	Sherman
Fitzpatrick	Luetkemeyer	Sherrill
Fleischmann	Luján	Shimkus
Fletcher	Luria	Simpson
Flores	Lynch	Sires
Fortenberry	Malinowski	Slotkin
Foster	Maloney,	Smith (NE)
Fox (NC)	Carolyn B.	Smith (NJ)
Frankel	Maloney, Sean	Smith (WA)
Fudge	Marshall	Smucker
Gabbard	Mast	Soto
Gallego	Matsui	Spanberger
Garamendi	McAdams	Spano
García (IL)	McBath	Stanton
García (TX)	McCarthy	Staubert
	McCaul	Stefanik

Stevens	Trahan	Waters
Stewart	Trone	Watkins
Stivers	Turner	Watson Coleman
Suozi	Underwood	Webster (FL)
Swalwell (CA)	Upton	Welch
Takano	Van Drew	Wenstrup
Taylor	Vargas	Westerman
Thompson (CA)	Veasey	Wexton
Thompson (MS)	Vela	Wild
Thompson (PA)	Velázquez	Williams
Thornberry	Visclosky	Wilson (FL)
Tipton	Wagner	Wittman
Titus	Walberg	Womack
Tlaib	Walden	Woodall
Tonko	Walker	Wright
Torres (CA)	Walorski	Yarmuth
Torres Small	Wasserman	Zeldin
(NM)	Schultz	

NAYS—40

Babin	Fulcher	Mooney (WV)
Banks	Gallagher	Norman
Biggs	Gohmert	Rose, John W.
Bishop (NC)	Gooden	Roy
Buck	Green (TN)	Sensenbrenner
Budd	Grothman	Smith (MO)
Burchett	Hern, Kevin	Steil
Byrne	Hice (GA)	Steube
Cline	Jordan	Timmons
Cloud	King (IA)	Waltz
Davidson (OH)	Lesko	Weber (TX)
DesJarlais	Long	Wilson (SC)
Duncan	Loudermilk	
Emmer	McClintock	

ANSWERED “PRESENT”—1

Amash

NOT VOTING—26

Abraham	Kelly (MS)	Palazzo
Beyer	Kirkpatrick	Pingree
Bishop (UT)	Lewis	Ratcliffe
Brownley (CA)	Lipinski	Rogers (AL)
DeSaulnier	Marchant	Rooney (FL)
Gaetz	Massie	Speier
Gosar	Meadows	Yoho
Graves (GA)	Mullin	Young
Grijalva	Olson	

□ 0051

Mr. RICHMOND changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Speaker, the House has now spoken in a clear voice and approved this bipartisan bill. If there are any developments that would require Members to return before our scheduled return date of March 23, 24 hours' notice will be provided.

I want to thank all Members for their patience as leaders on both sides worked hard to negotiate the coronavirus response legislation the House has now adopted. Much remains to be done, but we have done good work last week on behalf of the American people and good work this week on behalf of the American people.

RANKING A MEMBER OF A CERTAIN STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Ms. CHENEY. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.