

**Statutory Notes and Related Subsidiaries****EFFECTIVE DATE OF 2022 AMENDMENT**

Amendment by Pub. L. 117-328 effective upon issuance of guidance or the promulgation of a rule by the Secretary of the Treasury, in consultation with the Secretary of Transportation, see section 102(c) of Pub. L. 117-328, set out as a note under section 802 of this title.

**EFFECTIVE DATE OF 2021 AMENDMENT**

Amendment by Pub. L. 117-58 effective as if included in the enactment of section 9901 of the American Rescue Plan Act of 2021 (Public Law 117-2; 135 Stat. 223), see section 40909(c) of Pub. L. 117-58, set out as a note under section 802 of this title.

**WAGE RATE REQUIREMENTS**

For provisions relating to rates of wages to be paid to laborers and mechanics on projects for construction, alteration, or repair work funded under div. D or an amendment by div. D of Pub. L. 117-58, including authority of Secretary of Labor, see section 18851 of this title.

**§ 804. Coronavirus capital projects fund****(a) Appropriation**

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$10,000,000,000, to remain available until expended, for making payments to States, territories, and Tribal governments to carry out critical capital projects directly enabling work, education, and health monitoring, including remote options, in response to the public health emergency with respect to the Coronavirus Disease (COVID-19).

**(b) Payments****(1) Minimum amounts**

From the amount appropriated under subsection (a)—

(A) the Secretary shall pay \$100,000,000 to each State;

(B) the Secretary shall pay \$100,000,000 of such amount in equal shares to the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau; and

(C) the Secretary shall pay \$100,000,000 of such amount in equal shares to Tribal governments and the State of Hawaii (in addition to the amount paid to the State of Hawaii under subparagraph (A)), of which—

(i) not less than \$50,000 shall be paid to each Tribal government; and

(ii) not less than \$50,000, and not more than \$200,000, shall be paid to the State of Hawaii for the exclusive use of the Department of Hawaiian Home Lands and the Native Hawaiian Education Programs to assist Native Hawaiians in accordance with this section.

**(2) Remaining amounts****(A) In general**

From the amount of the appropriation under subsection (a) that remains after the application of paragraph (1), the Secretary

shall make payments to States based on population such that—

(i) 50 percent of such amount shall be allocated among the States based on the proportion that the population of each State bears to the population of all States;

(ii) 25 percent of such amount shall be allocated among the States based on the proportion that the number of individuals living in rural areas in each State bears to the number of individuals living in rural areas in all States; and

(iii) 25 percent of such amount shall be allocated among the States based on the proportion that the number of individuals with a household income that is below 150 percent of the poverty line applicable to a family of the size involved in each State bears to the number of such individuals in all States.

**(B) Data**

In determining the allocations to be made to each State under subparagraph (A), the Secretary of the Treasury shall use the most recent data available from the Bureau of the Census.

**(c) Timing**

The Secretary shall establish a process of applying for grants to access funding made available under section (b) not later than 60 days after March 11, 2021.

**(d) Definitions**

In this section:

**(1) Secretary**

The term “Secretary” means the Secretary of the Treasury.

**(2) State**

The term “State” means each of the 50 States, the District of Columbia, and Puerto Rico.

**(3) Tribal government**

The term “Tribal government” has the meaning given such term in section 802(g) of this title.

(Aug. 14, 1935, ch. 531, title VI, §604, as added Pub. L. 117-2, title IX, §9901(a), Mar. 11, 2021, 135 Stat. 233.)

**Editorial Notes****PRIOR PROVISIONS**

A prior section 804, act Aug. 14, 1935, ch. 531, title VI, §604, as added Oct. 30, 1972, Pub. L. 92-603, title III, §302, 86 Stat. 1484, which provided for notification to States and termination of payments in case of noncompliance with laws or State plan, was repealed by Pub. L. 93-647, §§3(b), 7(b), Jan. 4, 1975, 88 Stat. 2349, 2351.

**§ 805. Local assistance and Tribal consistency fund****(a) Appropriation**

In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$2,000,000,000 to remain available until September 30, 2023, with amounts to be obligated, subject to subsection (g), for each of fis-