



MEMORANDUM

Prepared for: Interested Persons
Date: April 2, 2020
By: Legislative Policy and Research Office
Re: HR 748, CARES Act

LPRO: LEGISLATIVE POLICY AND RESEARCH OFFICE

This memorandum provides a section-by-section summary of HR 748, the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act was passed out of Congress and signed by the President on March 27. The Act provides an estimated \$2 trillion in aid to businesses, individuals, and state and local governments impacted by the novel coronavirus pandemic. The National Conference of State Legislatures [estimates](#) that Oregon will be allocated just over \$1.6 billion as a result of this legislation. There are provisions in Division A, Title V of the bill giving direct allocations to states. There are also infusions of new money into existing federal programs as well as some new grants available for states, local entities, and Oregonians.

This summary is intended as a guide to the legislation. Page two provides a table of contents to this summary. If you have additional questions related to this legislation or its impact on Oregon, please contact us at (503) 986-1813 or LPRO.Request@oregonlegislature.gov.

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DIVISION A

Title I: Keeping Workers Paid and Employed Act

Section 1102: Establishes paycheck protection program. Establishes eligibility for self-employed, sole proprietors, and independent contractors. Provides loans for businesses to cover payroll costs. Establishes eligibility for businesses with fewer than 500 employees, or fewer than 500 employees at each location. Establishes formula for loan amount equal to 2.5 times the business' average monthly payroll plus outstanding amount of previous loans. Allows use of funds for payroll, continuation of group health care, salaries and commissions, mortgage interest, rent, utilities, and debt interest payments. Waives fees. Requires loans have interest rate less than four percent. Provides for lenders to be reimbursed for processing fees. Establishes priority for underserved and rural markets.

Section 1103: Establishes education, training, and advisory grants and resource partner association grants.

Section 1104: Establishes state trade expansion program. Allows for continuation of existing grants to the end of fiscal year (FY) 21.

Section 1105: Waives matching funds required for women's business center program.

Section 1106: Establishes loan forgiveness paid by Small Business Administration (SBA) to lenders. Establishes loan forgiveness amount equal to the amount of principal spent on payroll plus mortgage interest, rent, and utilities. Reduces forgiveness amount for businesses laying off employees, with an exemption for re-hires. Reduces forgiveness if salary or wages are reduced by more than 25 percent for any employee. Allows forgiveness for tips paid to workers. Requires that forgiveness may not exceed principal of the loan and forgiveness amount will be excluded from gross income.

Section 1107: Provides the following:

- \$349 billion for loans in section 1102
- \$675 million for SBA salaries/expenses
- \$25 million for SBA Inspector General
- \$265 million for SBA entrepreneurial development
 - \$240 million for grants in section 1103(b)
 - \$25 million for Department of Commerce Minority Business Development Agency
 - \$10 million for minority business centers to provide technical assistance to small business concerns
- \$10 billion for SBA Economic Injury Disaster Loan grants in section 1110
- \$17 billion for SBA loans in section 1112
- \$25 million for Department of Treasury expenses

Section 1108: Establishes education, training, and advisory grants for the Minority Business Development Agency.

Section 1109: Gives the U.S. Department of the Treasury authorization to add lenders and issue regulations.

Section 1110: Provides for Emergency Economic Injury Disaster Loan (EIDL) grants for the time period from January 31, 2020 to December 31, 2020. Establishes eligibility for businesses with fewer than 500 employees, sole proprietors, independent contractors, cooperatives with fewer than 500 employees, and tribal businesses. Expands SBA 7(b)(2) to sole proprietors, independent contractors, co-ops, Employee Stock Ownership Plans (ESOP), and tribal businesses. Adds federal emergencies to disaster provisions.

Section 1111: Requires that information must be provided in languages other than English.

Section 1112: Establishes subsidies for certain loans and requires SBA to pay principal, interest, and fees owed on covered loans.

Section 1113: Makes adjustments to bankruptcy law. Changes the definition of debtor, excludes payments made under emergency declaration from income, and allows modification of plan based on COVID-19.

Section 1114: Provides rulemaking authority.

Title II: Assistance for American Workers, Families, and Businesses

Subtitle A – Unemployment Insurance (UI) Provisions

Section 2102: Establishes Pandemic Unemployment Assistance (PUA), which are UI benefits for those who are unable to work due to the COVID-19 public health emergency. PUA benefits are available for those who would not otherwise be eligible, including independent contractors and individuals who have exhausted their state or federal UI benefits. PUA benefits are calculated at the same rate as UI benefits and are available for up to 39 weeks beginning January 27, 2020 and ending December 31, 2020. Benefits for independent contractors are calculated using net income from all self-employment in the most recent tax year filed. PUA benefits are administered by agreement with states, with full federal reimbursement for benefits and state administrative expenses. Appropriates funds without fiscal year limitation as necessary to make payments to each state.

Section 2103: Provides for federal reimbursement to state UI trust funds for one-half of all UI benefits paid from March 13, 2020, to December 31, 2020. Appropriates funds without fiscal year limitation as necessary to make payments to each state.

Section 2104: Establishes Federal Pandemic Unemployment Compensation (FPUC), which are benefits of \$600 paid in addition to weekly UI or PUA benefits. FPUC benefits are available for all weeks of unemployment from the enacted date of the measure through July 31, 2020. FPUC benefits are administered by agreement with states, with full federal reimbursement for benefits and state administrative expenses. Appropriates funds without fiscal year limitation as necessary to make payments to each state.

Section 2105: Provides full federal funding for the first week of benefits for states that waive the waiting-week requirement. Federal funding includes the first week of benefits and state administrative expenses. Appropriates funds without fiscal year limitation as necessary to make payments to each state.

Section 2106: Grants states flexibility to engage additional staff on a noncompetitive basis to quickly process unemployment applications and claims through December 31, 2020.

Section 2107: Establishes terms of agreement with states to administer UI benefits under Act. Appropriates funds without fiscal year limitation as necessary to make payments to each state.

Section 2108: Provides full federal funding of short-time compensation benefits (partial UI benefits paid under the [Oregon Work Share program](#)) paid from the effective date of the Act through December 31, 2020. Appropriates funds as necessary to make payments to each state.

Section 2109: Establishes terms of agreement with states for federal funding of short-time compensation benefits.

Section 2110: Establishes federal grant program for the implementation or improvement of state short-time compensation programs. Appropriates \$100 million for grants under this section.

Section 2111: Requires Secretary of Labor to provide model legislative language which may be used by states to develop and enact short-time compensation programs.

Section 2112: Waives waiting week for Railroad UI Act and appropriates \$50 million for additional benefits.

Section 2113: Establishes one-time \$1,200 recovery benefit for claimants under the Railroad UI Act and appropriates \$425 million for additional benefits.

Section 2114: Allows for extended UI benefits under the Railroad UI Act through December 31, 2020.

Section 2115: Appropriates \$25 million to the Office of the Inspector General for the Department of Labor to carry out audits, investigations, and other oversight activities.

Section 2116: Clarifies that Act is not subject to the Paperwork Reduction Act and authorizes the Secretary of Labor to issue any operating instructions or other guidance necessary to carry out the UI provisions of the Act.

Subtitle B – Rebates and Other Individual Provisions

Section 2201: Establishes recovery rebates, which are advance tax credits for the 2020 tax year, of \$1,200 for individuals, \$2,400 for individuals filing jointly, and \$500 for qualifying children. Reduces credit by five percent of Adjusted Gross Income (AGI) in the most recent tax year that exceeds \$75,000, \$150,000 in the case of a joint return, or \$112,000 in the case of a head-of-household return. Appropriates \$78.7 million for salaries and expenses, \$293.5 million for taxpayer services, \$170 million for operations support, \$37.2 million for enforcement, and \$38 million for administrative expenses.

Section 2202: Exempts distributions of up to \$100,000 from eligible retirement plans made during the 2020 calendar year from tax penalty for early withdrawal for individuals harmed personally or financially by the COVID-19 epidemic. Excludes distributions from gross income and allows for repayment of distributions within three years to be treated as a transfer from an eligible retirement plan.

Section 2203: Waives minimum required distribution rules for distributions from eligible retirement plans made during the 2020 calendar year.

Section 2204: Allows up to \$300 in charitable contributions to be counted as above-the-line deductions (reducing AGI) for the 2020 tax year.

Section 2205: Waives limitations on charitable contribution deductions for 2020 tax year. Allows contributions by individuals which exceed excess of adjusted gross income (AGI) to be treated as charitable deduction in successive years. Allows charitable contributions by corporations to be allowed as deductions for up to 25 percent of the taxable income and allows excess to be applied as contributions in successive years. Increases limits on contribution of food inventory from 15 to 25 percent for the 2020 tax year.

Section 2206: Includes payment of student loans by an employer in definition of “educational assistance” for purposes of determining gross income of an employee. Prohibits individual from claiming deduction of student loans paid which were paid by employer.

Subtitle C – Business Provisions

Section 2301: Establishes credit against employment taxes of up to 50 percent of qualified wages for each employee retained by eligible employer. The amount of qualified wages for each employer may not exceed \$10,000 per quarter. Defines “eligible employer” as any employer who was carrying on a trade or business during calendar year 2020 whose operation was fully or partially suspended due to orders from an appropriate government authority, or who experienced at least an 80 percent decline in gross receipts compared to the prior year. Waives closure and gross receipt requirements for tax-exempt organizations. Prohibits employers receiving a covered small business interruption loan from receiving credit. Applies credit to wages paid after March 12, 2020 and before January 1, 2021.

Section 2302: Allows employers to defer payment of payroll taxes from enactment date of Act through December 31, 2020. Requires half of deferred amount to be paid by December 31, 2021, and remainder by December 31, 2022.

Section 2303: Temporarily repeals taxable income limitation for aggregate carryovers of net operating losses and establishes limits based on excess taxable income.

Section 2304: Removes limitation on excess farm losses for certain taxpayers for tax years 2018 through 2025. Modifies excess business loss provisions and treatment of capital gains and losses for certain taxpayers.

Section 2305: Allows corporate filers to accelerate recovery of refundable alternative minimum tax credits (allows company to increase cash flow by taking credit earlier than would otherwise be allowed).

Section 2306: Temporarily increases amount of interest expenses a business can deduct from 30 percent to 50 percent of taxable income for tax years 2019 and 2020.

Section 2307: Allows for immediate write-off of qualified improvement property (rather than depreciated over life of the building).

Section 2308: Creates exception from Excise Tax for Alcohol for distilled spirits removed during 2020 and 2021 calendar years for use in hand sanitizer production consistent with FDA guidelines.

Title III: Supporting America’s Health Care System

Subtitle A – Health Provisions

Part I – Addressing Product Supply Shortages

Subpart A – Medical Product Supplies

Section 3101: Directs Secretary of Health and Human Services (Secretary) to enter into agreement with National Academies within 60 days of passage of Act to examine and report on medical product supply chain as specified.

Section 3102: Adds certain medical supplies to national stockpile, including personal protective equipment, ancillary medical supplies, and other supplies required for the administration of drugs, vaccines, and other biological products, medical devices, and diagnostic tests.

Section 3103: Expands items treated as covered countermeasures in Public Health Services Act to include approved respiratory protective devices

Subpart B – Mitigating Emergency Drug Shortages (provisions effective 180 days after passage)

Section 3111: Refines provisions of Federal Food, Drug, and Cosmetic Act governing incentives to prioritize reviews of drug applications.

Section 3112: Adds to drug manufacturer reporting requirements information about active pharmaceutical drugs in supply chain, including: discontinuance or interruption of drug likely to disrupt supply, reasons for same, alternatives, expected duration, and associated devices. Requires specified risk management planning by drug manufacturers. Requires Secretary to report to Centers for Medicare and Medicaid Services on drugs on current drug shortage list within 180 days of passage and every 90 days thereafter. Requires Federal Food and Drug Administration (FDA) be informed, with respect to manufacture of specified drugs, whether drug has been listed on drug shortage list within preceding five years. Requires annual reports to Secretary regarding amounts of specified drugs, and reports at Secretary’s discretion following declaration of emergency. Provides Secretary with discretion to exclude certain regulated biological products.

Subpart C – Preventing Medical Device Shortages

Section 3121: Requires Secretary to be notified of permanent discontinuance of manufacture of certain critical devices likely to disrupt supply chain and reasons for same, at least six months in advance or as soon as practicable. Directs Secretary to distribute information. Specifies enforcement and process. Authorizes Secretary to conduct corresponding inspections/reviews concerning potential device shortage. Establishes device shortage list and specifies content.

Part II – Access to Health Care for COVID-19 Patients

Subpart A – Coverage of Testing and Preventative Services

Section 3201: Modifies Families First Coronavirus Response Act provisions governing coverage of in vitro tests.

Section 3202: Requires group health plan and health insurance issuers providing specified coverage to reimburse providers at rates specified:

- if negotiated prior to emergency, rate shall apply throughout declaration;
- if no negotiated rate, an amount that equals the cash price for such service as listed by the provider on a public website; or
- rate negotiated for less.

Requires test providers to make cash price of test public on website during declared emergency. Authorizes Secretary to impose \$300-per-day penalty for noncompliance.

Section 3203: Directs Secretary of Health and Human Services, the Secretary of Labor, and the Secretary of the Treasury to require group health plans and health insurance issuers offering group or individual health insurance to cover, without cost-sharing, any qualifying coronavirus prevention service within 15 days.

Subpart B – Support for Health Care Providers

Section 3211: Appropriates \$1.32 billion for fiscal year 2020 for supplemental awards for health centers to detect SARS-CoV-2 and prevent, diagnose, and treat COVID-19.

Section 3212: Refines provisions governing telehealth-related grant programs. Replaces "mental health" with "mental health and substance use disorder" throughout; clarifies that at least 50 percent of awarded funds are for rural projects; reduces a percentage amount from 40 to 20 percent in subparagraphs pertaining to equipment; requires report on grant programs to specified committees within four years of passage; changes grant program amount to \$29 million for each fiscal year from 2021 through 2025.

Section 3213: Refines provisions governing grant programs for rural health care outreach services, network development, and quality improvement for small providers. Authorizes awards for up to five years. Requires Secretary to report to specified committees within four years of passage and every five years thereafter. Changes grant program amount to \$79.5million for each fiscal year from 2021 through 2025.

Section 3214: Refines provisions updating U.S. Public Health Service. Clarifies that Ready Reserve Corps is available in public health emergency. Changes references to "Reserve Corps" to "Ready Reserve Corps" throughout. Adds "Regular Reserve Corps" everywhere "Regular Corps" is referenced.

Section 3215: Limits liability for volunteer health care professionals providing good faith care within scope of licensure specific to COVID-19 response, unless volunteer is not sober at the time services are rendered. Pre-empts state unless state provides greater protection. Incorporates provisions into Volunteer Protection Act. Effective on passage for duration of emergency.

Section 3216: Authorizes Secretary discretion to assign National Health Service Corps members to respond during emergency within the terms of their agreement under certain conditions.

Subpart C – Miscellaneous Provisions

Section 3221: Makes conforming changes in Public Health Services Act and elsewhere concerning confidentiality around substance use disorders.

Section 3222: For purposes of nutrition assistance and delivery to older Americans in an emergency:

- allows state agency or area agency on aging to exercise discretion over up to 100 percent of specified funds appropriated under certain provisions of Older Americans Act;
- treats persons practicing social distancing the same as persons homebound due to illness; and

- authorizes Secretary to waive certain dietary guidelines for certain meals.

Section 3223: Authorizes Secretary of Labor to:

- extend duration of older Americans' pre-existing participation in community service activities interrupted or suspended by emergency;
- increase the participation cap; and
- increase the amount available to pay administrative costs for certain projects.

Section 3224: Directs Secretary to issue guidance on sharing protected health information with respect to COVID-19 for duration of emergency, within 180 days of enactment, as specified.

Section 3225: Refines provisions reauthorizing Healthy Start. Appropriates \$125.5 million for each fiscal year 2021 through 2025; permits certain additional information to be included in evaluations; requires independent evaluation by Comptroller General be submitted to appropriate committees within four years of passage; and describes reporting requirements.

Section 3226: Requires Secretary to engage in national public awareness campaign for duration of emergency and support like outreach by health community on importance of blood donation and safe blood supply. Describes corresponding scope of authority, consultation with other entities, and reporting requirements to specified by committees within two years of enactment.

Part III – Innovation

Section 3301: Prohibits termination of transactions entered into during emergency pursuant to Secretary's "other transaction authority" (OTA) solely due to emergency's end, if emergency ends before transaction is complete. Requires Secretary to report to specified committees at end of emergency on exercise of OTA.

Section 3302: Directs applications for new drugs or for conditional approval of new drugs for zoonotic disease in animals that may benefit prevention in humans to be expedited at request of sponsor if certain criteria are met; allows sponsor to request priority designation as specified; requires determinations to be made within 60 days; and describes discretionary actions to expedite development.

Part IV – Health Care Workforce

Section 3401: Appropriates amounts for reauthorization of specified workforce training programs for health professions for fiscal years from 2021 to 2025 and requires report to specified committees by September 30, 2023, and at least every five years thereafter.

Section 3402: Directs Secretary to develop comprehensive plan in coordination with other agencies with respect to health care workforce development programs within one year of enactment. Specifies plan requirements and requires report to specified committees within two years of enactment.

Section 3403: Modifies provisions of Public Health Services Act governing education relating to geriatrics. Directs Secretary to award funds to entities to establish and support training programs for health professionals in geriatrics for up to five years. Specifies program requirements and activities. Directs Secretary to prioritize applications and programs with special consideration for entities that provide services in areas with a shortage of geriatric workforce professionals. Authorizes Secretary to use discretion to provide additional support to entities in areas of demonstrated need. Requires recipients to report certain information to Secretary at Secretary's discretion and for Secretary to report certain content to specified committees within four years of passage of Health Care Workforce Reauthorization Act and every five years thereafter. Directs Secretary to establish program to award grants of at least \$75,000 each in fiscal year 2021 and adjusted going forward according to consumer

price index, for at least five years, to promote and support career development of health professionals specializing in academic geriatrics ; specifies eligibility and application requirements, equitable geographic distribution, and service requirements for recipients. Authorizes appropriation of \$40,737,000 for each fiscal year 2021 through 2025.

Section 3404: Modifies provisions governing nursing workforce development to address national nursing needs and improve nursing workforce. Adds definition of “Nurse Managed Health Clinic.” Clarifies that certain federal funds supplement existing nonfederal expenditures. Refines requirements to address challenges related to distribution of nursing workforce, existing and predicted nursing shortages, and increasing access to and quality of services in a variety of delivery settings. Authorizes Secretary’s discretion to enter into contracts with public or private entities. Adds reporting requirement for Secretary to submit certain information to specified committees by September 30, 2020, and biennially thereafter. Adds eligibility requirements for clinical nurse specialist programs. Appropriates \$137,837,000 for each fiscal year 2021 through 2025; and authorizes appropriation of \$117,135,000 for specified purpose for each fiscal year from 2021 through 2025. Adds provisions governing evaluation of and reporting on nurse loan reimbursement programs; requires Comptroller General to evaluate nurse loan repayment programs administered by Health Resources and Services Administration. Specifies content of evaluation. Requires Comptroller to report to specified committees within 18 months of enactment.

Subtitle B – Education Provisions

Section 3501: Refers this subtitle as the “COVID-19 Pandemic Education Relief Act of 2020.”

Section 3502: Defines “coronavirus.” Defines “foreign institution” as an institution of higher education located outside the United States as described in Higher Education Act of 1965. Defines “Institution of Higher Education” as meaning given in Higher Education Act of 1965. Defines “Qualifying Emergency” as public health emergency related to coronavirus, event related to coronavirus, or national emergency related to coronavirus. Defines “Secretary” as Secretary of Education.

Section 3503: Waives requirement for certain higher education institutions to match federal funding and allows certain institutions to transfer unexpended allotment.

Section 3504: Permits certain higher education institutions to use their allocations of Supplemental Educational Opportunity Grants for emergency financial aid for students. Allows institutions to waive the need calculation in determining eligibility. Permits certain higher education loan borrowers flexibility in repaying loans or returning grants or scholarships during a qualified emergency.

Section 3505: Allows certain higher education institutions to make payments to affected work-study students for the period in which students could not fulfill their work-study obligation for all or part of the academic year.

Section 3506: Allows adjustment to student loans for any term that the student did not complete.

Section 3507: Allows the Secretary of Education to exclude duration limits of Federal Pell Grants.

Section 3508: Allows the Secretary of Education to waive the requirement that certain higher education institutions return grant or loan assistance if the student withdraws from the institution during the payment period or period of enrollment as result of the qualifying emergency. Establishes reporting requirements for institutions not returning grants or loans. Allows the Secretary of Education to waive the amount of grant assistance (including Federal Pell Grants) if the student withdraws as a result of the qualifying emergency. Allows the Secretary of Education to cancel the borrower’s obligation to repay the entire portion of a loan associated with a payment period for recipients who withdraw from the institution of higher education as a result of the qualifying emergency.

Section 3509: Allows an institution of higher education to exclude from the calculation of academic progress any credits attempted by students that were not completed due to qualifying emergency.

Section 3510: Permits certain students to complete distance education and certain students of foreign institutions to take classes in the United States. Establishes a reporting requirement for each foreign institution that carries out a distance education program.

Section 3511: Allows the Secretary of Education to issue waivers using an expedited application process upon request relating to assessments, accountability, and related reporting requirements, and requirements for state and local educational agencies and Indian Tribes to receive funding. Establishes publication requirement for the Secretary of Education on approved waivers and reporting requirement for recommendation of additional waivers.

Section 3512: Allows the Secretary of Education to grant a deferment to an institution that received a loan under certain provisions of the Higher Education Act. Allows the Secretary of Education to make principal or interest payments otherwise due under the loan agreement. Establishes a reporting requirement for the Secretary of Education identifying each institution that received assistance. Appropriates \$62 million.

Section 3513: Payments and accrual of interest on student loans held by the Department of Education are suspended until September 30, 2020. Requires the Secretary of Education to suspend all involuntary collection activities related to loans held by the Department of Education during the period of payment suspension.

Section 3514: Allows individuals serving in the Corporation for National and Community Service to accrue other service hours and permits certain grant funds for those serving in a limited capacity due to COVID-19.

Section 3515: Allows not more than 20 percent of the total amount allocated to a local area under 29 U.S.C. 3151 et seq., to be used for administrative costs of carrying out certain local workforce investment activities, if the portion of the total amount that exceeds 10 percent of the total amount is used to respond to a qualifying emergency for the program year 2019. Allows certain unobligated funds reserved by a Governor for statewide activities under the Workforce Innovation Opportunity Act to be used for statewide rapid response activities, or in certain circumstances, released to local boards impacted by COVID-19 for the program year 2019.

Section 3516: Makes technical amendments.

Section 3517: Allows the Secretary of Education to waive or modify certain statutory or regulatory provisions to ensure that an institution receiving assistance under Title III, Title V, or Title VII are not affected by any formula calculation for fiscal year 2020 and beginning on the first day of the qualifying emergency and ending on September 30 of the following fiscal year. Allows funds to be carried over and expended during the succeeding five-year period. Establishes a reporting requirement for the Secretary of Education identifying institutions that received a waiver or modification.

Section 3518: Authorizes the Secretary of Education to modify the required and allowable uses of funds for grants and to modify any federal share or other financial matching requirement for a grant awarded under certain provisions of the Higher Education Act to an institution of higher education or other grant recipient (not including an individual recipient of Federal student financial assistance) as a result of a qualifying emergency for the period beginning on the first day and ending on September 30 of the following fiscal year. Establishes a reporting requirement for the Secretary of Education to identify institutions that received a modification.

Section 3519: Allows the Secretary of Education to modify the categories of extenuating circumstances under which a grant recipient may be excused from fulfilling a portion of a service obligation under Title

IV of the Higher Education Act and requires teaching service that is part-time or temporarily interrupted due to the emergency to be considered full-time service. Requires the Secretary of Education to waive certain years of teaching service requirements under the Higher Education Act for teacher loan forgiveness if interrupted due to the emergency. Specifies the borrower must resume teaching and complete a total of five years of qualifying teaching service before, during, and after the emergency to receive waived consecutive teaching service requirement.

Subtitle C – Labor Provisions

Section 3601: Provides that an employer is not required to pay more than \$200 per day and \$10,000 in the aggregate for each employee for paid leave under 1993 Family and Medical Leave Act (FMLA) as amended by Emergency Family and Medical Leave Expansion Act (Division C of [Families First Coronavirus Response Act](#) (FFCRA)).

Section 3602: Amends the Emergency Paid Sick Leave Act (Division E of [FFCRA](#)). Limits an employer to pay no more than:

- \$511 per day and \$5,110 in the aggregate for each employee (1) subject to a federal, state or local quarantine or isolation order related to COVID-19; (2) that has been advised by a health care provider to self-quarantine due to concerns related to COVID-19; or (3) is experiencing symptoms of COVID-19 and seeking medical diagnosis.
- \$200 per day and \$2,000 in the aggregate for each employee taking leave for (1) caring for an individual who is subject to a federal, state or local quarantine order, or is caring for an individual who has been advised to self-quarantine due to concerns related to COVID-19; (2) caring for the employee's son or daughter, if the child's school or childcare facility has been closed or the child's care provider is unavailable due to COVID-19 precautions; or (3) if the employee is experiencing any other substantially similar condition specified by the Department of Health and Human Services (HHS) in consultation with the Department of the Treasury and the Department of Labor.

Section 3603: Amends unemployment insurance provisions of Emergency Unemployment Stabilization and Access Act of 2020 (Division D of [FFCRA](#)) to require the application process to be available by at least two methods (in person, phone, or online).

Section 3604: Amends the 1993 FMLA and [FFCRA](#) and Emergency Paid Sick Leave Act (Division E of FFCRA) to allow the Director of the Office of Management and Budget (OMB) authority to exclude certain employees of the federal government or exempt certain federal agencies from the requirements of the Act.

Section 3605: For purposes of public health emergency leave under the Emergency Family and Medical Leave Expansion Act (Division C of [FFCRA](#)), defines “eligible employee” as someone who has been employed at least 30 days, and specifies that “employed for at least 30 calendar days” includes an employee who was laid off by that employer not earlier than March 1, 2020, has worked for the employer for at least 30 of the last 60 calendar days prior to the layoff, and was rehired by the employer.

Section 3606: Amends the payroll credit for required paid sick leave in sections 7001 and 7003 (Division E) of the [FFCRA](#) and allows the waiving of any penalty for failing to make a deposit of the imposed tax if it was due to the anticipation of the tax credit.

Section 3607: Adds a public health emergency declaration by the Secretary of Health and Human Services to the authority to postpone certain deadlines under Section 518 of the Employee Retirement Income Security Act of 1974 (29 USC 1148).

Section 3608: Delays payment of minimum required contributions for single-employer pension plans to January 1, 2021 and increases the minimum payment by the amount of interest that accrues between the original due date and the payment date. Also changes the plan's adjusted funding target attainment percentage for plan years which include calendar year 2020 to percentage for the previous plan year ending before January 1, 2020.

Section 3609: Applies cooperative and small employer charity pension plan rules to certain charitable employers whose primary purpose is providing services with respect to mothers and children.

Section 3610: Allows funds to be used by federal agency to modify contracts to reimburse up to an average of 40 hours per week any paid leave, including sick leave, that a contractor provides to employ its employees or subcontractors, where those employees or subcontractors cannot perform work on approved sites due to facility closures or other restrictions and who cannot telework.

Section 3611: Makes other related technical corrections.

Subtitle D – Finance Committee

Section 3701: Establishes an additional safe harbor provision to section 223(c)(2) of the [Internal Revenue Code](#), providing that health plans beginning December 31, 2021 that do not have a deductible for telehealth and other remote care services shall not fail to be treated as high deductible health plans. "Telehealth and other remote care" are included in Section 223(c)(1)(B) of the Internal Revenue Code, allowing individuals to have such care without disqualifying them from owning a High Deductible Health Plan.

Section 3702: Includes menstrual care products as qualifying over-the-counter medical expenses.

Section 3703: Removes limiting qualifications to [Section 1135](#) of the Social Security Act, allowing greater flexibility in Medicare telehealth.

Section 3704: Establishes through a new provision added under [Section 1834\(m\)](#) of the Social Security Act that Health and Human Services (HHS) will pay for telehealth services provided by federally qualified health centers (FQHCs) and rural health clinics (RHCs) during an "emergency period." Establishes that payment amounts shall be based on payment rates that are similar to the national average payment rates for comparable telehealth services under the physician fee schedule under section 1848 of the Social Security Act.

Section 3705: Authorizes the HHS Secretary to waive the requirement, found in Section 1881(b)(3)(B) of the Social Security Act, that home dialysis patients meet face-to-face with their physician in order to be eligible to receive end stage renal disease-related clinical assessments via telehealth.

Section 3706: Authorizes hospice physicians and hospice nurse practitioners during an "emergency period" to recertify individuals for continued hospice care eligibility via telehealth.

Section 3707: Directs the Secretary of Health and Human Services to consider ways to encourage the use of telecommunications systems, including for remote patient monitoring during an emergency period.

Section 3708: Expands Medicare sections to include nurse practitioners, clinical nurse specialists, and physician assistants who provide home health services, in addition to the services of a physician.

Section 3709: Exempts Medicare programs under Title XVIII of the Social Security Act from any funding reductions that would result from any sequestration between May 1, 2020 and December 31, 2020. Extends direct spending reductions by one year, from the end of 2029 to the end of 2030.

Section 3710: Increases by 20 percent the weighting factor used by Health and Human Services to reflect hospital resources used for COVID-19 diagnosed patients discharged during the emergency period as they relate to resources used for discharges within other groups.

Section 3711: Waives the requirement that patients of inpatient rehabilitation facilities receive at least 15 hours of therapy per week during the emergency period. Waives discharge payment percent requirements and site-neutral payment rate for long-term care in response to the public health emergency for long-term care hospitals during the emergency period.

Section 3712: Directs the Secretary of Health and Human Services to apply the transition rule, described in section 414.210(g)(9)(iii) of the Code of Federal Regulations, to items and services furnished in rural areas and noncontiguous areas through December 31, 2020, and through the duration of the emergency period. Directs the Secretary of Health and Human Services to apply the transition rule described in section 414.210(g)(9)(iv) of the Code of Federal Regulations to areas other than rural and noncontiguous areas through the remainder of the emergency period.

Section 3713: Adds to Section 1861(s)(10)(A) of the Social Security Act COVID-19 vaccine and administration as “medical and other health services” items or services. Provides that deductible does not apply with respect to COVID-19 vaccine and its administration.

Section 3714: Requires prescription drug plan or Medicare Advantage prescription drug (MA-PD) plans to permit a part D eligible individual enrolled in such plans to obtain in a single fill or refill the total day supply of the drug they are prescribed.

Section 3715: Expands the costs charged by hospitals serving a disproportionate number of low-income patients and for home and community care, payment of which is not limited by the Secretary under an insurance plan, under Section 1902(h) of the Social Security Act, to include home and community-based services, self-directed personal assistance services, and home and community-based attendant services and supports. Clarifies that nothing in this section should be construed to prohibit receipt of any care or services.

Section 3716: Amends the Families First Coronavirus Response Act, which added subsection (ss) to section 1396a and defined “uninsured individual” as those not described in section 1396a(a)(10)(A)(i) and not enrolled in certain health care programs. Excludes subsection VIII if the individual is a resident of a state that does not furnish medical assistance as described.

Section 3717: Amends the Families First Coronavirus Response Act by removing the requirement that in-vitro diagnostic products administered are approved, cleared, or authorized under section 510(k), 513, 515, or 564 of the Federal Food, Drug, and Cosmetic Act.

Section 3718: Extends the reporting period by one year for reporting of private sector payment rates for establishment of Medicare payment rates. Extends time period in Social Security Act (42 U.S.C. 1395m-1(b)(3)) through 2024, restricting for an additional year the reduction of payments for a clinical diagnostic laboratory test, under terms provided by the subsection.

Section 3719: Requires the Health and Human Services Secretary to expand the Medicare hospital accelerated payment program during the COVID-19 emergency period.

Section 3720: Provides that during the 30-day period beginning on date of enactment of the Families First Coronavirus Response Act, states may receive a temporary increase of Medicaid Federal Medical Assistance Percentage (FMAP), given that the state does not impose a premium on beneficiaries.

Subtitle E – Health and Human Services Extenders

Part I – Medicare Provisions

Section 3801: Extends until December 1, 2020, an adjustment to the Work Geographic Practice Cost Index (GPCI) to 1.000 for all localities that have a Work GPCI of less than 1.00. Increases payments for the work component of the Physician Fee Schedule in areas where labor costs are lower than the national average.

Section 3802: Extends funding for Medicare quality measure endorsement, input, and selection to November 30, 2020.

Section 3803: Extends funding for Medicare low-income enrollment outreach and assistance to November 30, 2020.

Part II – Medicaid Provisions

Section 3811: Extends Money Follows the Person Rebalancing Demonstration Program to November 30, 2020.

Section 3812: Extends spousal impoverishment protections to November 30, 2020. Allows states to disregard individuals' spousal income and assets when determining eligibility for Medicaid home and community-based services and supports.

Section 3813: Delays scheduled disproportionate share hospital (DSH) reductions and reduces first reduction from \$8 billion to \$4 billion.

Section 3814: Extends the community mental health services demonstration program underway in eight states, including Oregon, through November 30, 2020, and directs the HHS Secretary to expand the program to two additional states. Authorizes the eight currently participating states to receive two years of an enhanced matching rate for program expenditures, beginning January 1, 2020; Requires the Government Accountability Office (GAO) to submit to Congress, no later than 18 months following the bill's enactment, a report on states' experiences with the program, its effects on patient health and cost of care, and federal efforts to evaluate the program.

Part III – Human Services and Other Health Programs

Section 3821: Extends sexual risk avoidance education program to November 30, 2020 and updates state allotments for states submitting applications to fiscal year 2021. The Sexual Risk Avoidance Education Program is a federally funded separate abstinence education program statutorily expiring May 22, 2020.

Section 3822: Extends personal responsibility education program to November 30, 2020 and updates allotments to fiscal year 2021. The State Personal Responsibility Education Program is a federally funded grant program for state agencies to provide abstinence and contraception education to young people in an effort to prevent pregnancy and sexually transmitted infections.

Section 3823: Extends demonstration projects to address health professions workforce needs. Extends waivers through November 30, 2020. The Social Security Act includes demonstration projects to address health professions workforce needs. These programs provide individuals with the opportunity to obtain education and training for occupations in the health care field that pay well and are expected to either experience labor shortages or be in high demand.

Section 3824. Extends the temporary assistance for needy families program and related programs through November 30, 2020. Temporary Assistance for Needy Families (TANF) was last reauthorized in 2005 and expired in 2010. It has since been funded through short term extensions.

Part IV – Public Health Provisions

Section 3831: Extends Community Health Centers, The National Health Service Corps, and Teaching Health Centers that Operate GME Programs.

- Extends community health center funding through November 30, 2020, providing \$4 billion for FY 2020 (the same as FY 2019) and approximately \$668 million for October 1 through November 30, 2020.
- Extends National Health Service Corps funding through November 30, 2020, providing \$310 million for FY 2020 (the same as FY 2019) and approximately \$52 million for October 1 through November 30, 2020.
- Extends funding for teaching health centers that operate Graduate Medical Education (GME) programs through November 30, 2020, providing \$126.5 million for FY 2020 (the same as FY 2019) and approximately \$21 million for October 1 through November 30, 2020.

Section 3832: Extends funding for both the Special Diabetes Program for Type I Diabetes and the Special Diabetes Programs for Indians at current levels through November 30, 2020 (for each program, \$150 million for FY 2020 and approximately \$25 million for October 1 through November 30, 2020).

Part V – Miscellaneous Provisions

Section 3841: Clarifies that any expenditures that duplicate other recently passed legislation shall be charged to the “CARES” Act

Subtitle F – Over-the-Counter (OTC) Drugs

Part I – OTC Drug Review

Section 3851: Speeds up review of over-the-counter (OTC) drugs; incentivizes research and development of innovative OTC drug products by providing an 18-month period of marketing exclusivity for OTC drug products with new active ingredients or conditions of use.

Section 3852: Clarifies that the failure to comply with an applicable monograph renders an OTC drug “misbranded” and illegal to market in the United States.

Section 3853: Clarifies that OTC monograph reforms do not apply to drugs the FDA previously excluded from the OTC monograph program.

Section 3854: Permits sponsors of sunscreen ingredients that have pending submissions with the FDA to seek review under the new monograph review process or in accordance with the Sunscreen Innovation Act.

Section 3855: Requires FDA to report annually to Congress on its progress in evaluating the pediatric indications for OTC cough and cold medications for children under six due to the potential safety risks such drugs may pose to young children.

Section 3856: Technical corrections.

Part II – User Fees

Section 3861: Provides that proceeds from the fee program established in Section 3862 will fund the FDA's OTC monograph oversight and approval activities.

Section 3862: Establishes an OTC drug user fee program similar to the programs for prescription drugs and medical devices.

Title IV: Economic Stabilization and Assistance to Severely Distressed Sectors of the United States Economy

Subtitle A – Coronavirus Economic Stabilization Act of 2020

Section 4001: Short title, as above.

Section 4002: Definitions.

Section 4003: Authorizes Secretary of the Treasury (Secretary) to make loans, loan guarantees, and other investments up to \$500 billion total, to support eligible businesses, States, and municipalities, and to provide subsidy amounts for same. Directs up to:

- \$25 billion for passenger air carriers and certain other eligible businesses;
- \$4 billion for cargo air carriers;
- \$17 billion for critical national security businesses; and
- \$454 billion plus any unused amounts for programs or facilities established by the Federal Reserve System to provide liquidity as specified.

Describes general terms and conditions of instruments and Secretary's discretion. Requires Secretary to publish application process and minimum requirements as soon as practicable by approximately April 4, 2020. Authorizes Secretary to enter into agreements with eligible applicants if specified criteria are met, such as:

- applicant has no reasonably available credit;
- obligation is prudent;
- sufficient security exists;
- duration is as short as practicable and no longer than five years;
- neither applicant nor any affiliate is permitted to purchase equity security as specified, except pursuant to contract in effect on March 25, 2020, nor pay dividends or make capital contributions, until one year after the obligation is satisfied;
- applicant certifies it is U.S.-based, as specified; and
- operations are in jeopardy.

Describes equivalent terms, conditions, and other details, specific to Federal Reserve programs and facilities that provide direct loans, as defined. Requires eligible businesses to agree not to repurchase equity security as specified except pursuant to contract in effect on March 25, 2020, nor pay dividends or make capital distributions until one year after obligation is satisfied, and to comply with compensation limitations herein. Allows Secretary to waive such requirements upon finding of necessity to protect

interests of federal government and requires testimony before certain committees if waiver is granted. Requires obliged program or facility to purchase other interests, as specified, or make loans or other advances, only to U.S.-based businesses as described.

Directs the Secretary to seek implementation of program or facility that provides financing to banks and other lenders that make direct loans to eligible businesses including nonprofits with between 500 and 10,000 employees. Requires such loans be subject to annualized interest rate no higher than two percent per annum and payments not become due for six months or longer at Secretary's discretion. Requires borrowers to certify in good faith that:

- loan is necessary to support operations;
- funds will be used to retain at least 90 percent of workforce at full compensation and benefits until September 30, 2020;
- borrower intends to restore at least 90 percent of February 1, 2020 workforce with compensation and benefits within four months of termination of current emergency;
- borrower is US-domiciled or US-based, as described;
- borrower is not a bankruptcy debtor;
- borrower will not pay dividends or repurchase equity security as specified, while direct loan is outstanding, unless pursuant to contract in effect on March 25, 2020;
- borrower will not outsource jobs for duration of obligation and for two years after obligation is satisfied;
- borrower will not abrogate existing collective bargaining agreements for term of loan and two years following repayment; and
- borrower will remain neutral as to union organizing for term of loan.

Directs Secretary to seek implementation of program or facility that supports lending to states and municipalities.

Requires Secretary to secure warrant or equity interest or senior debt instrument in order to issue loan or guarantee to certain eligible businesses. Authorizes Secretary to take certain actions for primary benefit of taxpayer. Prohibits reduction of principal amount of certain obligations via loan forgiveness.

Caps Secretary's administrative costs at \$100 million; authorizes discretion to take action as necessary to carry out provisions; authorizes delegation. Treats loans and guarantees as indebtedness for purposes of Internal Revenue Code; directs Secretary or designee to prescribe guidance, including guidance that acquisition of certain instruments does not result in change of ownership for purposes of relevant provision of Internal Revenue Code.

Section 4004: Requires certain loan and guarantee agreements to limit total compensation, as well as benefits at termination, paid to certain persons, from date of execution through one year after loan or guarantee is no longer outstanding, as follows:

- amounts paid to earners of more than \$425,000 in 2019 calendar year cannot exceed amounts paid to highest earner during the same calendar year, unless pursuant to collective bargaining agreement in effect prior to March 1, 2020; and
- amounts paid to earners of more than \$3,000,000 in 2019 calendar year cannot exceed that amount plus 50 percent of any amount in excess of that amount the same year, during any 12-consecutive-month period, for the duration of the agreement.

Section 4005: Authorizes Secretary of Transportation discretion to require air carrier loan or guarantee recipients to maintain service to all points served by the respective carrier before March 1, 2020. Requires Secretary to consider specified factors when exercising discretion. Terminates discretion March 1, 2022.

Section 4006: Requires Secretaries of Treasury and Transportation to coordinate.

Section 4007: Suspends certain aviation excise taxes beginning after March 25, 2020 and ending before January 1, 2021.

Section 4008: Modifies Dodd-Frank Act. Adds provision to approve the Federal Deposit Insurance Corporation (FDIC) to establish specified debt guarantee program so long as it and any corresponding guarantee expire by December 31, 2020. Requires inclusion of maximum amount of outstanding debt guaranteed. Permits National Credit Union Administration Board to increase share insurance coverage amount on any noninterest-bearing transaction account in any federally insured credit union by vote, so long as increase terminates by December 31, 2020.

Section 4009: Allows Board of Governors of Federal Reserve System to conduct meetings without regard to specified requirements from March 24, 2020 through termination of current emergency or December 31, 2020, whichever is earlier, if Chairman makes written determination that exigent circumstances exist. Requires record of all votes and reasons for same during specified period.

Section 4010: Authorizes Secretary of Housing and Urban Development, Securities and Exchange Commission (SEC), and Commodity Futures Trading Commission to fill temporary and term appointments without regard to certain requirements upon determination that such action is necessary and appropriate to function, from March 25, 2020, through the end of the current emergency or December 31, 2020, whichever is earlier.

Section 4011: Allows Comptroller of Currency to order transactions exempt from certain requirements upon finding that same is in the public interest and consistent with purposes of governing section, from March 25, 2020 through termination of current emergency or December 31, 2020, whichever is earlier.

Section 4012: Requires appropriate federal banking agencies to issue interim rule that Community Bank Leverage Ratio is eight percent and qualifying community banks falling below same have reasonable grace period to satisfy it, for purposes of specified section of Economic Growth, Regulatory Relief, and Consumer Protection Act for the period beginning on March 25, 2020, until the end of the current emergency or December 31, 2020, whichever is earlier. Allows subject qualifying community banks to continue to be treated as such and presumes they meet the relevant capital and leverage requirements.

Section 4013: Allows financial institutions to suspend generally accepted accounting requirements for COVID-19 related loan modifications that would otherwise be considered troubled debt restructuring, and any determinations that such loans are troubled debt restructuring, including impairment for accounting purposes, for the term of the subject loan, unless loan or other arrangement was more than 30 days past due on December 31, 2019. Allows such suspensions from March 1, 2020 through December 31, 2020, or 60 days after the current emergency is terminated, whichever is earlier, and prohibits suspension of adverse impact on borrower credit that is not related to COVID-19. Requires deference to financial institution's suspension decisions on the part of the appropriate federal banking agency.

Section 4014: Relieves institutions from compliance with specified accounting standard, including current expected credit losses (CECL) methodology for estimating allowances for credit losses, from March 25, 2020 through termination of the current emergency or December 31, 2020, whichever is earlier.

Section 4015: Suspends specified section of Emergency Economic Stabilization Act from March 25, 2020, through December 31, 2020. Requires any resulting guarantee be limited to the total value of a shareholder's account in a participating fund by the close of business on the day before the announcement of the guarantee, terminating by December 31, 2020.

Appropriates amounts necessary on January 1, 2021, to reimburse any funds used for the Treasury Money Market Funds Guaranty Program for the United States money market mutual fund industry to the extent a claim payment made exceeds the balance of fees collected by the fund.

Section 4016: Modifies Federal Credit Union Act. Permits extension of credit without first requiring evidence of applicant's reasonable efforts to use other sources to address liquidity needs. Modifies certain Federal Credit Union Board of Directors power with condition that total face value of relevant obligations must not exceed 16 times the subscribed capital stock and surplus of the facility from March 25, 2020 until December 31, 2020. Restores certain pre-existing provisions on December 31, 2020.

Section 4017: Suspends applicability of certain provisions of Defense Production Act governing access to materials necessary for national security and pandemic recovery for one and two years from March 25, 2020.

Section 4018: Establishes office of Special Inspector General for Pandemic Recovery within Treasury, appointed by President with advice and consent of Senate. Specifies details of nomination, removal, employment status, and pay. Specifies particular duties with regard to administration of Treasury programs and investments including collecting data regarding loans, loan guarantees, loan amounts, and loan recipients; general duties pursuant to Inspector General Act; and other relevant provisions including reporting requirements. Designates \$25 million to Special Inspector General from amounts available to Secretary of Treasury. Terminates office effective five years after March 25, 2020.

Section 4019: Makes any entity in which a controlling interest is held by the President, Vice President, heads of executive departments, or members of Congress, or their spouses, children, or children's spouses, or any pair of these who are related, ineligible for emergency relief transactions described herein. Directs entities seeking such relief to certify in advance that they are eligible.

Section 4020: Establishes Congressional Oversight Commission. Describes composition, organization, staffing, contracting, agents, funding, scope of oversight and review responsibility, and specifies reporting requirements, including report content and deadlines. Abolishes Commission September 30, 2025.

Section 4021: Modifies Fair Credit Reporting Act to provide for recordation of accommodations made for consumers or borrowers affected by the current emergency, from January 31, 2020 until 120 days after the emergency is terminated.

Section 4022: Prohibits servicers of federally backed mortgages, as defined, from initiating any foreclosure process, moving for judgment or order of sale, or executing foreclosure-related eviction or sale until approximately May 18, 2020, except with respect to vacant or abandoned property.

Allows borrowers with federally backed mortgages, as defined, experiencing hardship due to the current emergency, to request forbearance from January 31, 2020 until 120 days after the current emergency is terminated, regardless of delinquency status, if they submit the request to the relevant loan servicer and affirm financial hardship. Requires forbearance be granted for up to 180 days. Requires forbearance be extended for up to 180 days at borrower's request so long as request is made between March 25, 2020, and the date the current emergency is terminated or December 31, 2020, whichever is earlier, and borrower also requested shortening either the initial or the extended period of forbearance. Prohibits fees, penalties or interest beyond original contract terms as if no disruption occurred.

Section 4023: Allows multifamily borrowers with federally backed mortgages experiencing hardship due to current emergency to request forbearance between March 24, 2020, and the date the current emergency is terminated or December 31, 2020, whichever is earlier. Requires payments be current as of February 1, 2020. Requires servicer to document financial hardship and to forebear up to 30 days; and to extend up to two additional 30-day periods at borrower's request so long as the request is made

at least 15 days prior to the end of the original 30 days and within the period from January 31, 2020 until 120 days after the current emergency is terminated. Prohibits multifamily borrower in receipt of forbearance, for the duration of forbearance, from: evicting tenants in the subject property solely for nonpayment of financial obligations; charging any additional moneys for late rent; requiring tenants to vacate before 30 days have elapsed from when tenant was notified to vacate; and issuing notices to vacate before the period of forbearance expires.

Section 4024: Prohibits landlords with federally backed mortgages and multifamily mortgages, as defined, from doing any of the following, from March 25, 2020 through approximately July 25, 2020: initiating any action to recover possession from tenants for nonpayment of financial obligations; charging fees or penalties; requiring tenants to vacate before 30 days have lapsed from when the tenant was notified; and issuing notices to vacate.

Section 4025: Prohibits issuance of federal loan or loan guarantee specified herein from being conditioned on an air carrier's or eligible business' engagement in collective bargaining as specified, from loan issuance until one year after the loan or guarantee is no longer outstanding.

Section 4026: Requires the Secretary of Treasury to publish specified information on website within 72 hours of certain transactions. Requires certain information be reported to specified committees within seven days of loan or loan guarantee being made. Requires publication of same on website within seven days of reporting to committees. Requires Secretary to publish summaries of specified information on website every 30 days while loan or guarantee is outstanding. Requires specified reports from Federal Reserve System to specified committees; certain reports within seven days, and every 30 days; and to publish same on website within seven days of submission to committees. Requires quarterly testimony before certain committees from Treasury and Federal Reserve System. Requires Secretary to publish loan and guarantee criteria, guidelines, eligibility requirements, and application materials on website, and loan administration contracts within 24 hours of execution. Requires Government Accountability Office (GAO) to study and report on loans, guarantees, and other investments by approximately December 25, 2020, to specified committees, and annually thereafter until one year after such investments are no longer outstanding.

Section 4027: Appropriates \$500 billion to implement this subtitle. Transfers any remaining funds on January 1, 2026 to be used for deficit reduction.

Section 4028: Rule of construction.

Section 4029: Terminates authority December 31, 2020, except with regard to any investments still outstanding on that date: allows same to be modified but not forgiven. Such modifications or restructuring may not extend more than five years from the initial origination date.

Subtitle B – Air Carrier Worker Support

Section 4111: Definitions.

Section 4112: Directs Secretary of the Treasury to provide up to the following aggregate amounts to continue payment of employee wages, salaries and benefits and for no other purpose, and caps administrative expenses at \$100,000,000:

- \$25 billion to passenger air carriers;
- \$4 billion to cargo air carriers; and
- \$3 billion to contractors.

Section 4113: Requires financial assistance equal to salary and benefits paid from April 1, 2019, through September 30, 2019, as reported to Department of Transportation or certified by recipient, as specified. Provides for Secretary's discretion as to form, terms, and conditions. Directs Secretary to:

publish procedures to request assistance by March 30, 2020; make initial payments on approved requests by approximately April 4, 2020; and determine method for timely distributions thereafter of any funds remaining. Authorizes Secretary to reduce amounts on pro rata basis to address shortfalls and requires that requested amounts that were certified by assistance recipients be audited by the Inspector General of the Treasury Department.

Section 4114: Requires assistance recipients to agree not to furlough or reduce pay or benefits until September 30, 2020; not to engage in described self-dealing through September 30, 2021; and to meet other requirements. Authorizes Department of Transportation to condition assistance on continuation of service as specified; outlines factors to be considered; and terminates authority and any corresponding requirements on March 1, 2022.

Section 4115: Prohibits conditioning assistance on recipient's engagement in collective bargaining as specified, from the date assistance is issued until September 30, 2020.

Section 4116: Requires agreements between Secretary and assistance recipients to limit total compensation, as well as benefits at termination, paid to certain earners, from March 24, 2020, through March 24, 2022 (unless pursuant to a collective bargaining agreement in effect before March 25, 2020) as follows:

- amounts paid to earners of more than \$425,000 in 2019 calendar year cannot exceed 2019 amount during any 12-consecutive-month period;
- termination benefits paid to earners of more than \$425,000 in 2019 calendar year, cannot exceed twice the maximum total compensation received by the earner that year; and,
- amounts paid to earners of more than \$3 million in 2019 calendar year cannot exceed that amount plus 50 percent of any amount in excess of that amount the same year, during any 12-consecutive-month period.

Section 4117: Authorizes Secretary to receive financial instruments issued by recipients which Secretary deems appropriate to compensate for provision of assistance.

Section 4118: Requires Secretary to report to specified committees by November 1, 2020 and update them by March 25, 2021.

Section 4119: Requires Secretaries of Treasury and Transportation to coordinate.

Section 4120: Appropriates \$32 billion.

Title V: Coronavirus Relief Funds

Section 5001: Amends Social Security Act by inserting Title VI, Coronavirus Relief Fund. Appropriates \$150 billion for states, tribal governments, and local governments. Authorizes direct payments. Allocates \$8 billion of the \$150 billion for tribal governments, and \$3 billion of the \$150 billion to specific territories of the United States. Establishes minimum payment to every state of \$1.25 billion, plus a proportional amount determined by population size. Establishes formula for direct payments to local governments. Allows use of funds by state and local governments to cover costs that are necessary due to public health emergency. Establishes oversight of allocation and expenditures by the Inspector General of the U.S. Department of Treasury.

Title VI: Miscellaneous Provisions

Section 6001: Establishes borrowing authority for the U.S. Postal Service.

Section 6002: Establishes emergency declaration.

DIVISION B: EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS

Title I: Agricultural Programs

Allocates \$9.5 billion to prevent, prepare for, and respond to COVID-19 by providing support to agricultural producers:

- \$55 million - Animal and Plant Health Inspection Services
- \$45 million - Agricultural Marketing Services
- \$33 million - Food Safety and Inspection
- \$3 million - Farm Production and Conservation Programs

Rural Development Programs

- \$20.5 million - Rural Business Cooperative Service - loans for rural business development programs
- \$25 million - Rural Utilities Services - distance learning, telemedicine, and broadband program

Domestic Food Programs

- \$8.8 billion - Food and Nutrition Service/Child Nutrition Programs
- \$15.8 billion - Supplemental Nutrition Assistance Programs
- \$100 million - food distribution on Indian reservations
- \$200 million - grants to U.S. territories
- \$450 million - for emergency food assistance programs

Foreign Assistance and Related Programs

- \$4 million - Foreign Agricultural Services
- \$80 million - Related Agencies and Food and Drug Administration
- \$100 million - for grants under pilot program established under section 779 of Public Law 115-141; requires 90 percent of households served by a project receiving grant to be in a rural area without sufficient access to broadband (defined).

Authorizes reimbursement to Commodity Credit Corporation for net realized losses. Allows Secretary to extend term of marketing assistance loans for 12 months.

Title II: Department of Commerce

Allocates \$1.5 billion for Economic Development Assistance Programs to prevent, prepare for, and respond to COVID-19, domestically or internationally, including for necessary expenses for responding to economic injury as a result of COVID-19.

National Institute of Standards and Technology – Scientific and Technical Research and Services

- \$6 million - including measurement science to support viral testing and biomanufacturing
- \$60 million - Industrial Technology Services - with \$50 million allocated to Hollings Manufacturing Extension Partnership and \$10 million for National Network of Manufacturing Innovation (Manufacturing USA), including support for development and manufacturing of medical countermeasures and biomedical equipment and support (no cost-share requirement). Cost-share requirements and waivers specified in General Provisions.
- \$20 million - National Oceanic and Atmospheric Administration/Operations, Research and Facilities, including National Weather Service

Department of Justice

- \$2 million - Justice Information Sharing Technology
- \$2 million - Office of Inspector General
- \$3 million - Legal Activities
- \$15 million - United States Marshal Service
- \$20 million - Federal Bureau of Investigation
- \$15 million - Drug Enforcement Administration
- \$100 million Federal Prison System
- \$850 million - State and Local Law Enforcement Assistance - Office of Justice Programs - to be awarded pursuant to formula allocation that was used in 2019 for Edward Byrne Memorial Justice Assistance Grant program

Science

- \$60 million - National Aeronautics and Space Administration - Safety, Security and Mission Services
- National Science Foundation (NSF)
 - \$75 million - Research and Related Activities - to fund research grants and related activities
 - \$1 million - Agency Operations and Award Management
 - Restoration of funds for obligations incurred by NSF and payments for costs incurred between January 20, 2020 and date of grant or agreement issuance specified in General Provisions.

Related Agencies

- \$50 million - Legal Services Corporation - with limitations

Bureau of Prisons

- Supply of Personal Protective Equipment (PPE) and Test Kits to Bureau of Prisons (Bureau); Home Confinement Authority
 - PPE and Test Kits - Directs Secretary to appropriately consider need for PPE and test kits for high-risk and high-need populations for use by inmates and personnel.
 - Home Confinement Authority - during the covered emergency period (beginning on date President declared national emergency and ending 30 days after termination) allows, under specified conditions, the Bureau Director to lengthen the maximum amount of time of home confinement under specified Act.
 - Video visitation - under specified conditions, directs the Director to promulgate rules for inmates to conduct visitation through video conference and by telephone, free of charge to inmates, during the covered period.

United States Patent and Trademark Office

- Section 12004: Authorizes Director to toll, waive, adjust, or modify timing deadline established by specified Acts. Expires two years after enactment of this Act.

Assistance to Fishery Participants

- Section 12005: \$300 million - Includes tribes, persons, fishing communities, aquaculture businesses, processors, and others who have incurred economic revenue losses greater than 35 percent as compared to prior five-year average revenue or any negative impacts to subsistence, cultural, or ceremonial fisheries.

Title III: Department of Defense – Military Personnel

National Guard Personnel

- \$746.6 million – Army

- \$482.1 million – Air Force

Operations and Maintenance

- \$160.3 million – Army
- \$360.3 million – Navy
- \$90 million – Marine Corps
- \$155 million – Air Force
- \$48 million – Army Reserve
- \$186.7 million – Army National Guard
- \$75.7 million – Air National Guard
- \$827.8 million – Defense-wide

Procurement

- \$1 billion – Defense Production Act Purchases

Revolving and Management Funds

- \$1.45 billion – Defense Working Capital Funds

Other Department of Defense

- \$3.8 billion – Defense Health Programs
- \$20 million – Office of Inspector General

General Provisions - miscellaneous provisions, Section 13001

- \$1 billion - Defense Health Programs - available for contracts under TRICARE program
- Allows President to extend appointments of Chief of Army Reserve, Chief of Navy Reserve, Chief of Staff of Air Force, Chief of Space Operations, Chief of National Guard Bureau, Director of Army National Guard, and Director of Air National Guard.

Title IV: Corps of Engineers

Corps of Engineers – Civil Department of the Army

- Operation and Maintenance
 - \$50 million - to prevent, prepare for, and respond to COVID-19, domestically or internationally
 - \$20 million - expenses to prevent, prepare for, and respond to COVID-19, domestically or internationally
- General Provisions section of this title addresses discretionary appropriations from the Harbor Maintenance Trust Fund

Department of the Interior

- Bureau of Reclamation - Water and Related Resources
 - \$12.5 million, with \$500,000 to Central Utah Project Completion Account
 - \$8.1 million - Policy and Administration

Department of Energy

- \$99.5 million - Science - to provide support and access to scientific user facilities in the Office of Science and National Nuclear Security Administration
- \$28 million - Departmental Administration

Independent Agencies

- \$3.3 million - Nuclear Regulatory Commission

General Provisions, Sections 14001-14003

- Amends provisions in *Further Consolidated Appropriations Act, 2020 (Public Law 116–94)* under the heading “Department of Energy—Energy Programs—Strategic Petroleum Reserve”

Title V: Department of the Treasury

Internal Revenue Service

- Section 15001: \$250 million - to prevent, prepare for, and respond to COVID-19, domestically or internationally, including costs associated with the extended filing season and implementation of the Families First Coronavirus Response Act

The Judiciary

- \$500,000 - Supreme Court of the United States - for salaries and expenses
- \$6 million - Courts of Appeals, District Courts, and Other Judicial Services
- \$1 million - Defender Services
- Video teleconferencing for criminal proceedings:
 - Establishes a process for finding that national emergency declaration will materially affect the functioning of either the federal courts generally or a particular district court, to authorize the use of video teleconferencing, or teleconferencing if video is not available, for specified events.
 - Applies video teleconferencing and telephone conferencing to events under the Federal Juvenile Delinquency Act.
 - Requires review of authorization to use video teleconferencing or telephone conferencing 90 days after authorization. If continued, requires review of extension no less than once every 90 days.
 - Use of video teleconferencing or telephone conferencing requires consent of defendant, or juvenile, after consultation with counsel.
 - Terminates authority on the earlier of (1) last day of the covered emergency period or (2) date of finding there is no longer a material effect on the functioning of the courts.
- National Emergencies Generally - directs the Judicial Conference of the United States and the Supreme Court of the United States to consider rule amendments to address emergency actions that may be taken by the federal courts when the President declares a national emergency.
- Specifies nothing in section obviates a defendant’s right to counsel under the Sixth Amendment of the Constitution, any federal law, or the Federal Rules of Criminal Procedure.

District of Columbia

- \$5 million - additional for “Federal Payment for Emergency Planning and Security Costs in District of Columbia”

Independent Agencies

- \$400 million - Election Assistance Commission for election security grants - to prevent, prepare for, and respond to COVID-19, domestically or internationally, for the 2020 federal election cycle. States receiving funds required to report. Requires Election Assistance Commission to make payments to states no later than 30 days after enactment.
- \$200 million - Federal Communications Commission - including support for efforts to enable provision of telehealth services during emergency declaration.

General Services Administration

- \$275 million - Real Property Activities - . No action taken by the Administrator is deemed an action subject to review under the National Environmental Protection Act or the National Historic Preservation Act.
- \$18.65 million - Federal Citizen Services Fund

- \$1.5 million - Working Capital Fund
- Section 15003: Administrative provisions for the General Services Administration
- \$8.1 million - National Archives and Records Administration
- \$12.1 million - Office of Personnel Management - including technologies for digital case management, short-term methods to allow electronic submission of retirement application packages, and to increase telecommunications.
- \$80 million - Pandemic Response Accountability Committee
- Administration - must notify Congress when making determination that the use of noncompetitive procedures is necessary for public interest in response to public health emergency declaration by Secretary of Health and Human Services.

Small Business Administration

- \$562 million - Disaster Loans Program Account - for cost of direct loans authorized by section 7(b) of Small Business Act.

General Provisions

- Section 15010: Pandemic Response Accountability Committee: Establishes Committee in the Council of the Inspectors General on Integrity and Efficiency to promote transparency and conduct and support oversight of covered funds and the Coronavirus response to: (1) prevent and detect fraud, waste, abuse, and mismanagement; and (2) mitigate major risks that cut across program and agency boundaries. Establishes membership, role, and committee responsibilities.
- Section 15011: Reporting on Use of Funds

Title VI: Department of Homeland Security

Management Directive

- \$178.3 million for purchase of personal protective equipment and sanitization materials

Transportation and Security Administration

- \$100 million for cleaning and sanitization at checkpoints and other airport common areas, overtime and travel costs; and explosive detection materials.

United States Coast Guard

- \$140.8 million for mobilization of reservists and increasing the capability and capacity of Coast Guard information technology systems and infrastructure.
- Section 16004: Coast Guard - establishes conditions on uses of various funds

Cybersecurity and Infrastructure Security

- \$9.1 million for support of interagency critical infrastructure coordination and related activities.

Federal Emergency Management Agency (FEMA)

- \$44.9 million for enhancements to information technology and for facilities support.
- Section 16002: Amounts appropriated for FEMA - Disaster Relief Fund are available only for the purposes for which they were appropriated.
- Section 16003: Provides for premium pay for employees of FEMA.

Disaster Relief Fund

- \$45 billion; of that amount, \$25 billion for major disasters declared pursuant to Robert T. Stafford Disaster Relief and Emergency Assistance Act and \$15 billion for all purposes authorized under such Act.

Federal Assistance

- \$400 million; of that amount, \$100 million for Assistance to Firefighter grants for the purchase of personal protective equipment and related supplies, \$100 million for Emergency Management Performance grants, and \$200 million for Emergency Food and Shelter Program.

General Provisions

- Section 16001: Requires, except for FEMA, that funds under this title be used only for the purposes specified under that heading
- Section 16005: Licensure of health care professionals - authorizes specified health care professionals to practice their health care professional, notwithstanding licensure requirements, during the incident period of the emergency declared by the President on March 13, 2020.
- Section 16006: Authorizes the Secretary of Homeland Security to extend the deadlines by which states are required to meet the driver license and identification card issuance requirements under section 202(a)(1) of the REAL ID Act of 2005 until not earlier than September 30, 2021.
- Section 16007: Revises dates in the Protecting and Securing 11 Chemical Facilities from Terrorist Attacks Act of 2014.

Title VII: Department of the Interior

Indian Affairs – Bureau of Indian Affairs

- \$453 million - Operation of Indian Programs - for public safety and justice programs; executive direction to carry out deep cleaning of facilities; purchase of personal protective equipment, information technology to improve teleworking capacity; welfare assistance and social services program; and assistance to tribal governments, including those participating in “Small and Needy” program. Of \$453 million, not less than \$400 million are to meet the direct needs of tribes. Establishes how these funds are calculated for purposes of other funding.
- \$69 million - Bureau of Indian Education - Operation - for funding tribal colleges and universities, including salaries, transportation, and information technology, with not less than \$20 million for tribal colleges and universities.
- \$158.4 million - Departmental Offices - Office of the Secretary - to purchase equipment and supplies to disinfect and clean buildings and public areas, supporting law enforcement and emergency management operations, biosurveillance of wildlife and environmental persistence studies, employee overtime and special pay expenses, and other response, mitigation, or recovery activities.
- \$55 million - Insular Affairs - Assistance to Territories - for general technical assistance.

Environmental Protection Agency (EPA)

- \$2.25 million - Science and Technology - with \$750,000 for cleaning and disinfecting equipment or facilities, \$1.5 million for research on methods to reduce risks from environmental transmission of COVID-19 via contaminated surfaces or materials.
- \$3.9 million - Environmental Programs and Management - with \$2.4 million for cleaning and disinfecting and \$1.5 million for expediting registration and other actions related to pesticides to address COVID-19.
- \$300,000 - Buildings and Facilities - for cleaning and disinfecting equipment and facilities used by the EPA.
- \$770,000 - Hazardous Substance Superfund - for cleaning and disinfecting equipment and facilities used by the EPA.

Department of Agriculture

- \$3 million - Forest Service - for forest and rangeland research – re-establishment of abandoned or failed experiments associated with employee restrictions due to the coronavirus outbreak.
- \$34 million - National Forest System - for cleaning and disinfecting of public recreation amenities and for personal protective equipment and baseline health testing for first responders.

- \$26.8 million - Capital Improvement and Maintenance - including for janitorial services.
- \$7 million - Wildland Fire Management - for personal protective equipment and baseline health testing for first responders.

Department of Health and Human Services

- \$1 billion - Indian Health Services (IHS) - including for public health support, electronic health record modernization, telehealth and other information technology upgrades, Purchased/Referred Care, Catastrophic Health Emergency Fund, Urban Indian Organizations, Tribal Epidemiology Centers, Community Health Representatives, and other activities to protect the safety of patients and staff. Of this amount, \$65 million is allocated for electronic health record stabilization and support; \$450 million shall be distributed through IHS directly operated programs and to tribes and tribal organizations under the Indian Self-Determination and Education Assistance Act and through contracts or grants with urban Indian organizations under Title V of the Indian Health Care Improvement Act. Up to \$125 million may be transferred to and merged with the “Indian Health Service, Indian Health Facilities” appropriation.
- \$12.5 million - Agency for Toxic Substances and Disease Registry - Toxic Substances and Environmental Public Health - with \$7.5 million for necessary expenses of the Geospatial Research, Analysis and Services Program to support spatial analysis and Geographic Information System mapping of infectious disease hot spots, including cruise ships. \$5 million of the funds provided under this heading in this Act shall be for necessary expenses for awards to Pediatric Environmental Health Specialty Units and state health departments to provide guidance and outreach on safe practices for disinfection for home, school, and daycare facilities.

Other Related Agencies

- \$78,000 - Institute of American Indian and Alaska Native Culture and Arts Development
- \$7.5 million - Smithsonian Institute - including funding for deep cleaning, security, information technology, and staff overtime.
- \$25 million - John F. Kennedy Center for the Performing Arts - including funding for deep cleaning and information technology to improve telework capability and for operations and maintenance requirements related to the consequences of COVID-19. Funds to ensure continuity of the Center, including for employee compensation, grants, rent, etc.
- \$75 million - National Foundation for the Arts and Humanities - National Endowment for the Arts - with 40 percent of funds to state arts agencies and regional arts organizations, and 60 percent for direct grants.
- \$75 million - National Endowment for the Humanities - for state humanities councils; 60 percent for direct grants.

Title VIII: Department of Labor

Employment Training and Administration

- \$345 million for dislocated workers assistance national reserves.

Departmental Management

- \$15 million, including to enforce worker protection laws and regulations, of which \$1 million is allocated to Office of Inspector General for oversight activities.

Department of Health and Human Services

- \$4.3 billion - Centers for Disease Control and Prevention - including: not less than \$1.5 billion for grants to or cooperative agreements with States, localities, territories, tribes, tribal organizations, urban Indian health organizations, or health service providers to tribes, including to carry out surveillance, epidemiology, laboratory capacity, infection control, mitigation, communications, and other preparedness and response activities; not less than \$125 million

shall be allocated to tribes, tribal organizations, urban Indian health organizations, or health service providers to tribes; not less than \$500 million shall be for global disease detection and emergency response; not less than \$500 million shall be for public health data surveillance and analytics infrastructure modernization; \$300 million to be transferred to and merged with amounts in the Infectious Diseases Rapid Response Reserve Fund.

- \$103 million - National Institutes of Health (NIH) - National Heart, Lung, and Blood Institute - for emergency requirement.
- \$706 million - National Institute on Allergy and Infectious Diseases - with not less than \$156 million for the study, construction, demolition, renovation, and acquisition of equipment for vaccine and infectious diseases research facilities of or used by NIH, including the acquisition of real property.
- \$60 million - National Institute of Biomedical Imaging and Bioengineering - for emergency requirement.
- \$10 million - National Library of Medicine - for emergency requirement.
- \$36 million - National Center for Advancing Translational Sciences - for an emergency requirement.
- \$30 million - Office of the Director - for emergency requirement.
- \$425 million - Substance Abuse and Mental Health Services - \$250 million for Certified Community Behavioral Health Clinic Expansion Grant program; not less than \$50 million for suicide prevention programs; not less than \$100 million for activities authorized under section 501 (o) of the Public Health Services Act; and not less than \$100 million for tribes and tribal organizations.
- \$200 million - Centers for Medicare and Medicaid Services - not less than \$100 million for necessary expenses of the survey and certification program, prioritizing nursing home facilities in localities with community transmission of COVID-19.
- \$900 million - Administration for Children and Families - Low Income Home Energy Assistance - for making payments under subsection (b) of section 2602 of 10 the Low-Income Home Energy Assistance Act of 1981; of the amount provided, \$225 million allocated as though the total appropriation for such payments for fiscal year 2020 was less than \$1.9 million.
- \$3.5 billion - Payments to States for Child Care and Development Block Grant - to supplement, not supplant, state, territory, and tribal general revenue funds for child care assistance for low-income families in the US.
- \$1.8 billion - Children and Family Services Programs – to be used as follows: (1) \$1 billion for carrying out activities under sections 674 through 679 of the Community Services Block Grant Act; (2) \$750 million for making payments under the Head Start Act; (3) \$2 million for the National Domestic Violence Hotline as authorized by section 303(b) of the Family Violence Prevention and Services Act; (4) \$45 million for Family Violence Prevention and Services formula grants as authorized by section 303(a) of the Family Violence and Prevention and Services Act; (5) \$25 million for carrying out activities under the Runaway and Homeless Youth Act; (6) \$45 million shall be used for child welfare services as authorized by subpart 1 of part B of Title IV 10 of the Social Security Act; and (7) \$7 million for federal administrative expenses.
- \$955 million - Administration for Community Living - Aging and Disability Services Programs - \$820 million allocated for activities under the Older Americans Act of 1965, including \$200 million for supportive services, \$480 million for nutrition services under subparts 1 and 2 of part C of title III; \$20 million for nutrition services under title VI; ; \$100 million for support services for family caregivers under part E of Title III; and \$20 million for elder rights protection activities, including the long-term ombudsman program under Title VII; \$50 million for aging and disability resource centers; \$85 million for centers for independent living that have received grants funded under part C of 2 chapter I of Title VII of the Rehabilitation Act of 1973.
- \$27 billion - Office of the Secretary - Public Health and Social Services Emergency Fund - including the development of necessary countermeasures and vaccines, prioritizing platform-based technologies with US-based manufacturing capabilities, the purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, as well as medical surge capacity, addressing blood supply chain, workforce modernization, telehealth access and infrastructure, initial advanced manufacturing, novel dispensing, enhancements to the US Commissioned

Corps, and other preparedness and response activities; \$16 billion shall be for the Strategic National Stockpile; not less than \$250 million shall be available for grants to or cooperative agreements with entities that are either grantees or sub-grantees of the Hospital Preparedness Program; not less than \$3.5 billion available to the Biomedical Advanced Research and Development Authority. Allows further transfers of funds for various purposes, including:

- \$289 million to other federal agencies for expenses related to medical for persons eligible for treatment under section 322 of Public Health Services Act;
- \$1.5 million for Secretary to enter agreement with National Academies of Sciences, Engineering and Medicine for report on US medical product supply chain;
- \$275 million to Public Health and Social Services Emergency Fund;
- \$90 million to Ryan White HIV/AIDS Program;
- \$5 million to Health Resources and Services Administration - Health Care Systems to improve capacity of poison control centers to respond to increased calls;
- \$180 million to Health Resources and Services Administration - Rural Health to carry out telehealth and rural health activities;
- \$15 million to tribes and tribal organizations; and
- \$100 billion for expenses to reimburse, through grants or other mechanisms, eligible health care providers for health care related expenses or lost revenues that are attributable to COVID-19.

Department of Education

- Section 18001 establishes Education Stabilization Fund and appropriates \$30.7 billion. Allocates ½ of one percent to outlying areas as determined by the Secretary of Education in consultation with the Secretary of the Interior, ½ of one percent to the Secretary of the Interior for education programs operated or funded by the Bureau of Indian Education, and one percent for grants to states with the highest coronavirus burden. Requires the Secretary to issue a notice inviting applications within 30 days. Reserves:
 - 9.8 percent to Emergency Education Relief Grants (section 18002)
 - 43.9 percent for the Elementary and Secondary School Emergency Relief Fund (section 18003)
 - 46.3 percent for the Higher Education Emergency Relief Fund (section 18004)
- Section 18002: authorizes the Secretary of Education to make Emergency Education Relief grants to the Governor of each state with an approved application. Requires the Secretary to issue notice inviting applications within 30 days and approve or deny applications within 30 days of receipt. Establishes formula for grants based on population and number of children. Allows grant funds to be used to provide emergency support to local education agencies most significantly impacted by coronavirus, provide emergency grants to institutions of higher education that the Governor determines to be most significantly impacted by coronavirus, and provide support to any other higher education institution, local education agency, or education-related entity within the State for activities including the provision of child care and early childhood education, social and emotional support, and the protection of education-related jobs.
- Section 18003: authorizes the Secretary of Education to make grants to each state educational agency with an approved application. Allocates the amount to each state based on the proportion each state received under part A of Title I of the Elementary and Secondary Education Act for the most recent fiscal year. Establishes allowable uses.
- Section 18004: requires the Secretary of Education to allocate funding to institutions of higher education. Reserves 90 percent for institutions based on the share of Pell Grant recipients and total enrollment. Reserves 7.5 percent for additional awards to address needs directly related to coronavirus. Reserves 2.5 percent for institutions that the Secretary determines have the greatest unmet needs related to coronavirus. Establishes allowable uses and requires recipient to submit a report to the Secretary.
- Section 18005: Requires local education agencies receiving funds under sections 18002 or 18003 to provide equitable services to students and teachers in non-public schools but requires public agency to maintain control of funds.

- Section 18006: Requires local education agencies, states, institutions of higher education or other entities receiving funds to continue paying employees and contractors during closures.
- Section 18007: Defines terms.
- Sec 18008, Maintenance of Effort: Requires states applying for funds to include assurances that the state will maintain support for elementary and secondary education, and higher education. Allows Secretary of Education to waive this requirement for states experiencing a precipitous decline in financial resources.
- Section 18008: Maintenance of Effort - requires state applications for funds to include assurances that states will maintain support for elementary and secondary education, with state support for higher education, and not include support for capital projects or for research and development or tuition in fiscal years 2020-2021.
- Safe Schools and Citizenship Education: \$100 million to prevent, prepare for, and respond to Coronavirus for cleaning and disinfecting schools, counseling, and distance learning.
- Gallaudet University: \$7 million to prevent, prepare for, and respond to COVID-19.
- Student Aid Administration: \$40 million to prevent, prepare for, and respond to COVID-19.
- Howard University: \$13 million to prevent, prepare for, and respond to COVID-19.
- Departmental Management:
 - \$8 million for program administration;
 - \$7 million for Office of Inspector General;
 - \$75 million to the Corporation for Public Broadcasting;
 - \$50 million for Institute of Museum and Library Services, including grants to states to expand digital access; and
 - \$5 million for the Railroad Retirement Board.

Social Security Administration

- \$300 million to prevent, prepare for, respond to COVID-19, including paying the salaries of workers in closed offices.
- Section 18108: Funds can be used by Secretary of Department of Health and Human Services (HHS) to hire.
- Section 18109: Funds can be used by Secretary of HHS for contracts.
- Section 18110: Use of overtime pay to calculate awards, bonuses, premium pay limits
- Section 18111: HHS funds can be used for Centers for Disease Control (CDC), Public Health and Social Services Emergency Fund, Administration for Children and Families, Administration for Community Living, National Institutes of Health to prevent, prepare for, and respond to COVID-19.
- Section 18112: Secretary of HHS must provide spending plan within 30 days
- Section 18113: Up to \$4 million must be transferred to HHS Office of Inspector General
- Section 18114: Funds appropriated in Title III of the Coronavirus Preparedness and Response Supplemental Appropriations Act (HR 6074) shall go to the Department of Homeland Security Countering Weapons of Mass Destruction Office.
- Section 18115: All labs must report results to the Secretary of HHS. Repeals section 1702 of Division A of the Families First Coronavirus Response Act (HR 6201), which required state and local governments receiving funds to ensure that state emergency operations center receive regular and real-time reporting from state and local health departments, and that such data be transmitted to the CDC.

Title IX: Legislative Branch

- Expenses to operate Senate, House, Joint Attending Physician, Capitol Police, Architect of Capitol, Library of Congress, and Government Accountability Office.
- Section 19008: Family Medical Leave adjustments for certain legislative branch employees.
- Section 19009: Allows Government Accountability Office to reimburse Tiny Findings Child Development Center.

- Section 19010: Allows Government Accountability Office to conduct monitoring and oversight over receipt, disbursement, and use of funds distributed under the Act. Gives GAO access to records of state agencies, right to interview state officials, and right to inspect state facilities.
- Section 19011: Emergency relief for copyright office.

Title X: Veterans Administration (VA)

Funding

- \$13 million to prevent, prepare for, and respond to COVID-19.
- \$14.4 billion for medical services.
- \$2.1 billion for medical community care.
- \$100 million for medical support and compliance.
- \$606 million for medical facilities.
- \$6 million for VA administration generally.
- \$2.15 billion for IT projects.
- \$12.5 million to Office of Inspector General.
- \$150 million for “Grants for construction of state extended care facilities”.

Related Agencies

- \$2.8 million for Armed Forces Retirement Home Trust Fund.
- Section 20003: Expands broadband for tele-mental health for isolated veterans.
- Section 20005: Waivers of occupancy rate requirements, veteran percentage requirement for state homes; allows VA to give drugs, equipment to state homes.
- Section 20006: Waiver of certain requirements for the Veteran-Directed Care Program.
- Section 20008: Waiver of pay limits for VA employees.
- Section 20009: Personal protective equipment for VA home health workers.
- Section 20010: Recovery Rebates not treated as eligible income for veterans’ pension determinations.
- Section 20011: VA must ensure telehealth available to homeless veterans.
- Section 20012: Assurances to low-income veterans.
- Section 20013: Comprehensive service programs for homeless veterans.

Title XI: Department of State

Funding

- \$324 million for diplomatic programs.
- \$95 million for United States Agency for International Development (USAID).
- \$258 million for International Disaster Assistance.
- \$350 million for Refugee Assistance.
- \$88 million for Peace Corps.

Title XII: Department of Transportation

Funding

- \$1.75 million for Departmental salaries and expenses.
- \$56 million for Essential Air Service: to prevent, prepare for, respond to COVID-19.
- Federal Aviation Administration
 - \$10 billion for grants-in-aid for airports, including:
 - \$500 million to pay costs, and
 - \$7.4 billion plus up to \$2 billion for grants for any purpose for which airport revenues may lawfully be used; specifies allocation method.

- \$150,000 for Federal Motor Carrier Safety Administration.
- \$250,000 for Federal Railroad Administration safety and operations.
- \$492 million for Northeast Corridor grants to National Railroad Passenger Corp.
- \$526 million for National Network Grants to the National Railroad Passenger Corp.
- \$25 billion for Federal Transit Administration - Transit Infrastructure Grants.
- \$3.13 million for Maritime Administration operations and training, including \$1 million for State Maritime Academy.
- \$5 million for Office of Inspector General

Department of Housing and Urban Development (HUD)

- \$35 million for Administrative Support Offices for HUD operations through September 30, 2021.
- \$15 million for Program Offices, including \$5 million to Office of Public and Indian Housing, \$10 million to Office of Community Planning and Development.
- Public and Indian Housing for Tenant-Based Rental Assistance
 - \$1.25 billion in additional funds for Public Housing Agencies (PHAs). At least \$850 million of this for Section 8.
 - \$400 million to adjust in 2020 Section 8 renewal for PHAs experiencing significant increase in voucher per-unit costs under certain circumstances.
- Public Housing Operating Fund
 - \$685 million distributed to all public housing agencies pursuant to the operating fund formula at part 990 of 24 CFR.
 - Eligible activities include response to COVID-19.
 - Health and safety of assisted individuals and families.
 - Activities to support education and child care for impacted families.
- Native American Programs
 - \$300 million to be spent under Native American Housing Assistance and Self-Determination Act. Of this, \$200 million for Native American Housing Block Grants Program and \$100 million for grants to tribes under the Indian Community Development Block Grant program.
- Community Planning and Development
 - \$65 million for housing for people with AIDS, to maintain operations and for rental assistance, supportive services, and other necessary actions (related to COVID-19).
 - \$5 billion for Community Development Fund through September 30, 2022, of which \$2 billion is made available to grantees that received allocations in FY 2020 pursuant to CDA of 1974; \$1 billion allocated directly to states and insular areas; remaining amounts allocated to states or units of general local government at the discretion of HUD Secretary. Up to \$10 million to be made available for new or continuing awards to provide technical assistance, capacity building.
 - Additional \$1 billion to states.
- \$4 billion for Homeless Assistance Grants through September 30, 2022 for Emergency Solutions Grants as authorized by McKinney-Vento Act, including temporary emergency shelter, to benefit unsheltered homeless, sheltered homeless, those at risk of homelessness, to areas with the greatest need based on factors determined by the Secretary, such as risk of transmission, or high numbers or rates of sheltered and unsheltered homeless.
 - Defines “at risk of homelessness” as individuals and families whose income does not exceed the Very Low-Income Limit of the area.”
 - Authorizes up to 10 percent of allocation for administrative costs.
 - Does not require consultation, citizen participation or match requirements that otherwise apply to the Emergency Solutions Grants program.
- Housing Programs Project-Based Rental Assistance
 - \$1 billion for Project-Based Rental Assistance.
 - \$50 million for housing for the elderly.
 - \$15 million for housing for persons with disabilities.

- Fair Housing and Equal Opportunity
 - \$2.5 million for Fair Housing activities.
 - \$5 million for Office of Inspector General.
- General Provisions (sections 22001-22004): requirements for various funding programs, rescission of unspent funds.
- Section 22005: Highway Safety Grants emergency authority.

Title XIII: General Provisions (This Act)

- Section 23001: appropriated amounts are additional to previous appropriations.
- Section 23002: funds may not be carried over to next year.
- Section 23003: authorities and conditions of existing programs remain the same.
- Section 23004: all funds appropriated may be used only to prevent, prepare for, or respond to coronavirus with some exceptions.
- Sections 23006-23008: balanced budget, PAYGO provisions.