Senate Amendment to H.R. 748 – CARES Act
(Sen. McConnell, R-KY)

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FLOOR SCHEDULE:
Expected to be considered, March 27, 2020, under suspension of the rules, which requires a 2/3 majority for passage.

TOPLINE SUMMARY:
The Senate Amendment to H.R. 748 would provide federal aid to help contain and mitigate the effects of the pandemic caused by the SARS-Cov-2 virus (colloquially known as Coronavirus) and the disease it causes (COVID-19) as well as the economic consequences of government-directed containment efforts. If enacted, this legislation would contain the largest and most sweeping economic aid package in U.S. history, likely surpassing $2 trillion. This legislation would provide direct aid to individuals, families, businesses, and state and local governments. This legislation would provide employee retention, income stabilization, and bridge funding mechanics, extend loans and grants to small and large businesses, support vast credit facilities, create individual and corporate tax credits, provide increased funding to state Unemployment Insurance trust funds, waive and delay certain tax and regulatory requirements and would appropriate additional funding to bolster the health care capacity of the U.S. to contain and mitigate the pandemic and provide services to those affected.

COST:
There is no Congressional Budget Office (CBO) estimate of costs or Joint Committee on Taxation (JCT) estimate of revenues available at this time.

It should be noted that the public reporting of the cost of this legislation, at $2.2 trillion, would, if enacted, constitute the largest aid package ever signed into U.S. law. However, this legislation also contains numerous open-ended appropriations and spending programs, the cost effects of which are largely unpredictable. As such, this legislation would substantially increase federal spending and deficits.

All of the increases in discretionary federal spending, as a result of this legislation, would carry a disaster designation and would be exempt from the BCA caps on discretionary spending. Additionally, all of the increases in mandatory spending and decreases in revenue produced by this legislation, would be exempt from enforcement under Congressional PAYGO rules and statutory PAYGO.

Note: The Committee for a Responsible Federal Budget (CRFB), a nonpartisan, non-profit organization, has produced its own breakdown of the costs this legislation, available here.
CONSERVATIVE VIEWS:
As part of the federal government’s role to protect our individual rights to life, liberty, and the fruits of our labors, conservatives may believe that the vast threats posed by the current pandemic to our nation warrant a level of federal intervention that they would normally not accept.

The present pandemic has resulted in governments at multiple levels undertaking efforts designed to protect the lives of American citizens. These include, for instance, restricting the ability of individuals to work and businesses to operate in addition to recently enacted employee leave policies to buttress these efforts.

While these actions will save lives in the face of the current pandemic, they carry a potentially enormous cost to our nation and the ability of our citizens to earn a living. This bill seeks in many ways to shield American citizens from these consequences and sustain businesses so they can thrive in the future. And it does so under the common understanding that these people and businesses are not to blame for the current crisis. Conservatives may see this as a valiant and even necessary endeavor for the federal government. Still however, they may be concerned with regard to how this bill seeks to achieve these ends, whether it will achieve its goals, and if it will go beyond what is necessary.

Accordingly, some conservatives may view this unprecedented legislation with a healthy amount of skepticism. They may recognize that this bill’s vast provisions will have interactions that are largely unpredictable, that trillions of dollars in federal spending would occur at a time when deficits are already projected to eclipse and remain over a trillion dollars in perpetuity, and that our national debt to GDP ratio is at a level not seen since WWII. They may recall that incremental expansions of government programs tend to increase over time while temporary ones become permanent and that safety net programs can inadvertently produce long-term dependency. Last, they may fear that federal lending may crowd out credit availability in the private market, handouts may invite irresponsible fiscal actions in the future, and that fiscal stimulus efforts may fail to deliver substantially beneficial economic results.

Procedurally, though Congress is intended to conduct its business in full view of the American public and its own membership, all COVID-19 legislation has so far been written largely behind closed doors. Americans may be deeply concerned by how little time most of Congress and the American public have been given to review COVID-19 legislation prior to its consideration. The U.S. House has had an average of only 50 minutes to review the previous COVID-19 related bills before they were voted on. Additionally, this 880 page bill was released mere minutes before the Senate began its final passage vote. Fortunately, the House will have more than a day to review the legislation, but will likely be confined to the considering the bill under suspension of House rules.

*Listed in the Summary & Analysis section below are potential considerations—some positive, some concerning—relevant to particular parts of the bill. Members, however, could view some of these items differently considering the context of the legislation.*

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DETAILED SUMMARY AND ANALYSIS:

Summaries produced by the Senate Republican Policy Committee can be found here (Division A) and here (Division B).

DIVISION A - KEEPING WORKERS PAID AND EMPLOYED, HEALTH CARE SYSTEM ENHANCEMENTS, AND ECONOMIC STABILIZATION

Title I – Keeping American Workers Employed and Paid Act

Sec. 1102 – Paycheck Protection Program

*A portion of loans made under this section would be forgiven. This process is defined in sec. 1105.

Expands eligibility for business loans under the Small Business Administration (SBA) to cover any business concern (including statutorily defined small, Veteran, and tribal business concerns), or private or public nonprofit, that employs 500 or fewer employees. Sole proprietors, independent contractors, and certain self-employed individuals would also be qualified. Additionally, firms designated as being within the Accommodation and Food Services industry would qualify as long as they do not employee more than 500 employees at any single location. This expanded eligibility would only apply to the period February 15, 2020 to December 31, 2020.

Some conservatives may be concerned that while the small business loans under this bill would be intended for expenses through June of this year, such lending authority would extend through December.

The size of the loan that an entity may receive under this section cannot exceed $10 million, but would otherwise be equal to two and a half months of the entity's average (over the last year) payroll costs plus any outstanding principal owed on SBA loans entered into after January 31, 2020 (payroll costs would not cover payroll expenses in excess of an annualized rate of $100,000 per employee). In the case of employers with seasonal employees, the average monthly payroll costs would be calculated as the payroll costs of the entity from February 15, 2019 to June 30, 2019. An eligible firm may also request for this monthly average to be calculated based on a firm's payroll costs from January 1, 2020 through February 29, 2020.

While some conservatives may harbor concerns over the expanded scope of the small business lending program and its attendant costs, some may also be concerned that the small business loans under this bill would be calculated in a way and capped at a level that does not guarantee being able to cover the expenses intended to be covered by these loans. They may view these loans as a duty of the government to ensure that these businesses can continue to exist in the face of the ongoing pandemic and actions taken by governments to combat its effects.

In addition to the uses for which Section 7(a) loans can already be used, entities would be able to use these funds to cover costs for payroll (including sick, medical, and family leave, and health benefits), rent and mortgage interest payments (not principal), utilities, and debt obligations that were incurred before the covered period, and debt obligations for SBA loans entered into after January 31, 2020.

Lenders that are allowed to make Section 7(a) loans would only be allowed to consider if a potential borrower was in operation on February 15, 2020, had employees for which they paid salaries and payroll taxes, and if the prospective borrow has been substantially impacted by COVID-19. Normally, lenders would incorporate the ability of the small business to repay the loan.
SBA would be prohibited from seeking recourse for any portion of a loan that is unpaid unless that unpaid portion was used for an unallowable expenditure.

Some conservatives may be concerned that removing the ability for 7(a) lenders to consider a business’s repayment ability, in tandem with the fact that these loans are 100 percent government backed, will produce riskier lending with the costs falling on taxpayers. Others may believe that the ability to operate before COVID-19 began harming the economy through widespread government-induced shutdowns designed to save lives is sufficient justification that a business should receive a loan to help ensure the business can return to normal operation and keep its employees on payroll.

Entities that receive loans under this section would be ineligible to receive an SBA economic injury disaster loan (EIDL) for the same purpose, but they could otherwise receive EIDL for the period February 15, 2020 to March 31, 2020.

This section would require that loans made under this section would have to fully mature within 10 years. Present law interest rate caps for 7(a) loans would apply to loans made under this section of the bill.

SBA would be required to reduce fees on these loans as much as possible. 100 percent of the value of these loans would be required to be dispersed at the time of disbursement of these loans. Any entity that receives funding under this section would be considered to be adversely impacted by COVID-19. Lenders of such loans would be required to allow for deferred payments for at least 6 months and for not longer than one year. If these loans are, subsequently, sold in a secondary market and the new loan owner does not allow for deferred payments along these lines, SBA would be required to purchase such loan and uphold the deferred payment requirement previously outlined (this would include interest as well as principal payments). SBA would be required to issue guidance on offering these loans within 30 days of enactment.

Prepayment penalty fees would be waived for loans under this section.

Lending authority for SBA for 7(a) loans would be increased to $349 billion. In FY 2020, this level was set at $30 billion. For the covered period (February 15, 2020 to December 31, 2020) the cap on express loans would be increased from $350,000 to $1 million.

SBA would be able to subsidize lenders holding unpaid loans covered by this section with an interest rate of 5% for outstanding loans of less than $350,000, 3% for outstanding loans between $350,000 and $2 million, and 1% for outstanding loans over $2 million.

Expands the waiver of fees on express loans to veterans by permanently repealing all exceptions when this waiver can be used.

Some conservatives may be concerned that this bill would increase the 7(a) lending cap to $349 billion, up from $30 billion in FY2019. Still, they may see such increased lending as appropriate to ensure that small businesses do not permanently shutter and lay off employees in the wake of the government-precipitated shutdowns designed to save lives due to COVID-19.

Some conservatives may believe that it is the legitimate and constitutional role of the federal government to reimburse businesses, and protect their employees, for costs associated with government-precipitated actions to save lives during a pandemic. Some may believe that the loans
should be better tailored to the effects that the pandemic and ensuing economic ramifications had on individual businesses, whether that be by way of more or less funding and eligibility requirements.

**Sec. 1103 – Entrepreneurial Development**

This section would allow SBA to provide grants to SBA resource partners to provide education, training, and advising services to small businesses that are located in areas that are substantial adversely affected by COVID-19.

The use of these grants may include services related to:

A. Accessing resources provided by SBA or other federal agencies;
B. Dangers of, and prevention methods for stopping, the transmission of COVID-19 and other communicable diseases;
C. The effects of COVID-19 on commerce;
D. Methods to manage telework and electronic customer service; and
E. Cyber security risks and mitigation methods.

80 percent of the funds provided under this section would be required to be given to small business development centers. The remaining 20 percent would be required to be given to women’s business centers. No matching funds would be required from centers that receive grants under this section. Grants under this section would be allowed to be given to associations of or representing SBA resource partners. The precise goals, metrics, and funding formulas that would govern these grants would be worked out between SBA and these centers and would be made publically available.

Conservatives may be concerned that while 80 percent of grant funding to SBA resource partners would go to partners that serve all eligible businesses, the remaining 20 percent of grants would go to partners that make decisions based on characteristics other than merit or need.

SBA would be required to, within 6 months of enactment and annually thereafter, report to Congress on the use and effects of grants made under this section.

**1104 – State Trade Expansion Program**

Would, for State Trade Expansion Program grants made in FY 2018 and FY 2019, extend the length of time that those grants are available through the end of FY 2021. Would also direct SBA to fully reimburse such recipients for costs associated with a trade mission or trade show that was cancelled solely due to a public health emergency related to COVID-19. However, such reimbursement cannot exceed the value of the original grant size.

**Sec. 1105 – Waiver of Matching Funds Requirement for Women’s Business Centers**

During the 3-month period following enactment of this bill, the matching funds requirement of the Women’s Business Center Program would be waived.

**Sec. 1106 – Loan Forgiveness**

Entities that receive loans under sec. 1102 of this bill would be eligible, under certain circumstances, to have a portion of these loans forgiven. The total amount of loan forgiveness would not be allowed to exceed the amount of 7(a) loans granted by this bill but would otherwise be equal to the amount of expenditures of a firm made in the 8 weeks following the loan’s origination on payroll costs (as defined in Sec. 1102). These could also include payroll costs for tipped workers in excess of their
normal pay level), mortgage interest, rental payments, and utilities related to contracts in effect by February 15, 2020. SBA would be required to transfer, to the applicable lender, a sum equal to the forgiven portion of these loans, and related interest payments, within 90 days of the forgiveness of the loan in question.

Some conservatives may be concerned that including generous forgiveness language could lead to less prudent borrowing and decision-making on behalf of businesses, the costs of which would be borne by taxpayers. Others may see the forgiveness provisions as tantamount to grants reasonably intended to reimburse small businesses for the economic ramifications of the current pandemic and government precipitated policies encouraging workers to stay home, pushing businesses to cease operations, and making employers provide expanded paid leave benefits.

Receiving the full amount of available loan forgiveness would be contingent on employing the same number of full time equivalent employees during the covered period as in the base period. The covered period would be the period from February 15, 2020 to June 30, 2020. The base period would be, at the choice of the borrower, either: the period from February 15, 2019 to June 30, 2019, or the period from January 1, 2020 to February 29, 2020. In the event that the employer employed fewer full time equivalent employees during the covered period than during the base period, the amount of loan forgiveness would be reduced, percentage point for percentage point, by the reduction in employment level. The amount of loan forgiveness would also be reduced for any reduction in wages to an employee beyond a 25% reduction in compensation in the covered period when compared to the base period. This would only apply to employees that earn not more than $100,000 on an annualized basis in any pay period. Firms would, however, by exempt from these reductions for actions during the period February 15, 2020 to 30 days after enactment of this bill, so long as they are undone subsequently by June 30, 2020.

Some conservatives may be concerned that while this provision gives flexibility to employers to rehire workers it may have laid off due to the current pandemic (which is a positive), it could also—working in tandem with the expanded unemployment provisions—potentially create a loophole where it would more financially beneficial for employers to lay off employees for months and then simply rehire them later.

Entities would be required to provide certain documentation on expenditures for which the entity is attempting to receive loan forgiveness. Lenders would be required to decide on an application for loan forgiveness within 60 days of receiving the application.

Forgiven loan amounts would not be considered as taxable income.

SBA would be required to issue guidance and regulations, within 30 days of enactment, to implement this section.

Sec. 1107 – Direct Appropriations

This legislation would appropriate, through the end of FY 2021, the following sums:

- $349 billion for the cost of SBA loans in this bill;  
  Some conservatives may be concerned with regard to this cost. In FY 2020, this amount was $99 million.
- $675 million for SBA salaries and expenses;
- $25 million for the SBA Inspector General;
- $240 million for small business development and women's business centers;
- $265 million to the SBA Entrepreneurial Development Programs;
• $10 million to the Minority Business Development Agency;
• $10 billion for EIDL grants;
• $17 billion to carry out section 1111 of this bill; and
• $25 million Salaries and Expenses for the Department of the Treasury.

This section would limit, to $100 billion, the total value of loans under section 1102 that can be sold into the secondary market.

SBA would be required to report to Congress, within 180 days of enactment, with a detailed spending plan for these funds.

**Sec. 1108 – Minority Business Development Agency**

This section would require that appropriations to the Minority Business Development Agency, under this bill, would be used to provide education, training, and advising services to certain small businesses that are located in areas that are substantial adversely affected by COVID-19.

The use of these grants may include services related to:

A. Accessing resources provided by SBA or other federal agencies;
B. Dangers of, and prevention methods for stopping, the transmission of COVID-19 and other communicable diseases;
C. The effects of COVID-19 on commerce;
D. Methods to manage telework and electronic customer service; and
E. Cyber security risks and mitigation methods.

No matching funds would be required for grants under this section. The precise goals, metrics, and funding formulas that would govern these grants would be worked out between SBA and these centers and would be made publicly available.

Would authorization $10 million in appropriations to the Minority Business Development Agency.

*Conservatives may be concerned that this bill includes $10 million in appropriations to an agency intended to provide business support services based on characteristics other than merit and need.*

**Sec. 1109 – United States Treasury Program Management Authority**

Requires SBA to issue rules to allow lenders that are not currently allowed to offer small business loans to be able to do so. This section would allow SBA to waive, for the purposes of this bill, existing standards governing which entities can offer such loans. Lenders that are already approved to lend through the 7(a) program would be allowed to opt-in to lend through the expansion of the 7(a) program under section of 1102 in this bill.

**Sec. 1110 – Emergency EIDL Grants**

During 2020, this section extends eligibility for SBA EIDL loans to small businesses, private nonprofits, and small agricultural cooperatives (including certain sole proprietors, contractors, and self-employed individuals) that do not employ more than 500 employees. The bill would allow the SBA to waive current law eligibility requirements that normal require borrowers to provide a personal guarantee on advances and loans below $200,000, to have been in business for the 1-year period before the disaster, and to have sought credit elsewhere.
This section would, for the period in question, waive limits on the maximum size of funding per entity and would waive the requirement to submit a tax return to be eligible. Receiving entities may also receive up to $10,000 of these funds as an advanced grant. Entities would not be required to repay such grants even if they are denied for the EIDL loan.

Conservatives may be concerned that firms that are denied an EIDL could nonetheless get a $10,000 Emergency Grant that does not have to be repaid.

In addition to what an EIDL loan may be used to fund, receiving entities may use these funds to pay for paid sick leave for employees with COVID-19, maintaining payroll, to cover increased material costs to operate, and existing obligations.

This section would authorize $10 billion in appropriations to carry out this section.

Sec. 1111 – Resources and Services in Languages Other than English

SBA would be required to produce their materials in the 10 most commonly spoken languages in the U.S., other than English. This section would also authorize $25 million to carry out this section.

Sec. 1112 – Subsidy for Certain Loan Payments

This section contains a findings sections that asserts that all borrowers are adversely affected by COVID-19 and that relief payments to all borrowers are appropriate.

Conservatives may be concerned that this position would provide an inaccurate assessment of the scope of the virus-related impact to firms. This perspective would define firms as being impacted by the SARS-CoV-2 virus regardless of whether or not they have actually been impacted by this virus.

Generally, this section would require SBA to pay, in full, for the fees, interest, and principal payments on certain existing loans under the 7(a) loan program, section 504 program, or 7(m) program for at least 6 months.

Some conservatives may be concerned that such payments would also be provided to companies that were not affected by the pandemic.

Empowers SBA to work to reduce restrictions and requirements on such borrowers to help them meet their obligations.

This section would authorize $16.8 billion to carry out this section.

Conservatives may be concerned that this section would give federal aid to entities that are either not affected or are only slightly affected by the current pandemic.

Sec. 1113 – Bankruptcy

Would allow small business firms, with less $7.5 million in total debt, to file Chapter 11 bankruptcy if they have been negatively impacted by the COVID-19 pandemic. This section would also clarify that payments received under this bill and in connection with the COVID-19 pandemic would not be considered as income for the purposes of handling bankruptcy proceedings.

Sec. 1114 – Emergency Rulemaking Authority
SBA would be required to, within 15 days of enactment, issue regulations to carry out the SBA related portions of this act.

**TITLE II—ASSISTANCE FOR AMERICAN WORKERS, FAMILIES, AND BUSINESSES**

**Subtitle A – Unemployment Insurance Provisions**

**Section 2102.** Title II would extend unemployment insurance (UI) benefits (“pandemic UI”) for covered individuals that are not otherwise eligible for federal or state UI benefits or pandemic emergency unemployment compensation under section 2107 (including those that have exhausted any such benefits) and meet the following requirements: The individual has self-certified that they are able to work, but cannot because they have lost their job, become partially unemployed, or cannot go to work because the individual or a household member has a COVID-19 diagnosis or symptoms, they are caring for such a person, they are affected by quarantine or told to stay home based on health provider advice, they are caring for a dependent because of a school or other facility closure, have become the breadwinner because of a COVID-19 death in the home, they have had to quit because of COVID-19, or their workplace is closed. Covered individuals include self-employed individuals, those seeking part-time work (assuming the State allows such individuals to access UI benefits), those that do not have sufficient work history, or otherwise would not qualify for UI and become unemployed or cannot find work.

Pandemic UI benefits do not apply to people that can telework or are receiving paid leave. They would apply for the period from January 27, 2020 through December 31, 2020. An individual would be capped at 39 weeks of pandemic UI benefits, and that number of weeks would be reduced by the number of weeks an individual receives normal (regular or extended) UI benefits. The 39 week cap would be increased congruently if extended benefits are extended out past 39 weeks.

The amount of a person’s pandemic UI benefits would be equal to the sum of compensation authorized by a state (but no less than a state’s Disaster Unemployment Assistance benefit), plus the amount of Federal Pandemic Unemployment Compensation (see Sec. 2104 below), plus the amount by which the weekly benefit amount is increased after the enactment of the Act (if that happens).

Pandemic UI benefits would not be subject to any state waiting period.

The federal government would pay states for 100 percent of the costs of carrying out the pandemic UI benefits.

Some conservatives may believe that it is important that people whose employment was adversely affected by the pandemic and its economic consequences precipitated by government directives should be provided with income security during the period of the pandemic, which this section does. Others may be concerned that this federal safety net expansion may reduce the incentive for people to save in case of emergencies, regardless of fault and could be born to a greater extent by state and local governments. Moreover, the temporary expansion of unemployment benefits under this bill may provide some workers with more income in the event they get laid off compared to when they go to work, producing a negative incentive to work.

**Section 2103.** The bill would provide additional emergency funding to states for them to them to reimburse governmental entities and other organizations listed in section 3309(a)(2) of the IRC
(such as nonprofits) for amounts they pay (in lieu of contributions) into the state’s unemployment fund during the period of March 13, 2020 and December 31, 2020.

**Section 2104.** The bill would allow states to enter into agreements with the federal government under which they would boost regular weekly UI benefits by $600 through July 31, 2020 (four months). This is the Federal Pandemic Unemployment Compensation benefit. The federal government would pay for 100 percent of the additional $600. Fraud would disqualify applicants and subject them to prosecution under 18 USC 1001, which carries a fine and imprisonment up to 5 years. Overpayments must be repaid, but that requirement can be waived by a state agency.

The additional $600 would not count against eligibility for Medicaid or CHIP.

**Section 2105.** States may enter into agreements with the federal government saying that they will not institute a one-week waiting period for their regular UI benefits. The costs of doing so would be reimbursed in full by the federal government. The same fraud and overpayment provisions of section 2107(e). This would apply through December 31, 2020.

**Section 2107.** States may enter into agreements with the federal government under which the state would provide 13 weeks of Pandemic Emergency Unemployment Compensation (PEUC) to individuals that have exhausted their regular UI benefits, now have no rights to regular UI benefits, are not receiving compensation from Canada, and are able, available, and actively seeking work.

PEUC benefits would equal regular UI benefits in a state plus the $600 of Federal Pandemic Unemployment Compensation (section 2104) and be subject to the same terms as regular UI benefits (including terms and conditions relating to availability for work, active search for work, and refusal to accept work). Extended UI benefits would have to be deferred until after the payment of PEUC benefits for which the individual is concurrently eligible. The federal government would provide funding for the full cost of the PEUC program. Fraud would disqualify applicants and subject them to prosecution under 18 USC 1001, which carries a fine and imprisonment up to 5 years. Overpayments must be repaid, but that requirement can be waived by a state agency.

**Section 2108.** The federal government would pay states 100 percent of the costs of their short-term compensation program through CY 2020. This program applies when employers reduce employee’s hours instead of laying off workers. Employees would then receive a pro-rated unemployment benefit. Payments would be capped annually at half of what a person would receive under regular UI.

**Section 2109.** The federal government would pay states 50 percent of the costs of a short-term compensation program they set up following enactment of this Act through CY 2020.

**Section 2110.** The federal government would make $100 million in grants to states for them to set up short-term compensation programs.

**Section 2112 – 2114.** These sections would make comparable adjustments within the Railroad Unemployment Insurance Program. It would eliminate the one-week waiting period for railroad unemployment insurance benefits would be eliminated through CY 2020. Beneficiaries would receive $1,200 dollars a week. Also, unemployment benefits would be available for an additional 13 weeks.

**Sec. 2115.** This section would provide $25,000,000 in funding for the DOL inspector general for purposes of overseeing implementation of the above unemployment insurance provisions.
Subtitle B — Rebates and Other Individual Provisions

Sec. 2201 – 2020 Recovery Rebates for individuals

This section provides the Department of Treasury the ability to give cash payments to certain taxpayers. These payments would be $2,400 for joint filers with incomes at or under $150,000, would be $1,200 for single filers with incomes at or under $75,000 and for Head of Household (HoH) filers with incomes at or under $112,500. These payments would then begin to phase-out for incomes beyond these thresholds. Specifically, these payments would work as follows:

They would be refundable tax credits against a filer’s individual income taxes paid for tax year 2020 (the taxes that a filer would file in 2021 for their income in the whole of 2020). However, Treasury would be authorized to disburse these payments to tax payers ahead of time, between the effective date of this section and December 31, 2020. In this fashion, tax filers would receive these payments before filing their tax year 2020 taxes, a process known as giving an advanced refund. Treasury would be allowed to distribute these payments electronically.

Treasury would determine eligibility for these advanced refunded credits (including the size of the credit) based on a filer’s tax filing this year (tax filing for tax year 2019). If a filer hasn’t filed taxes yet, then Treasury will determine eligibility based on a filer’s 2019 filing (tax filing for tax year 2018). In this fashion, initial eligibility would be determined on the last tax year for a given tax filer filed their taxes. If an individual hasn’t filed taxes for either tax year, Social Security benefit receipts for the 2019 calendar year would be used instead. Though tax year 2018 or 2019 filings (or Social Security benefits) will be used to determine initial eligibility, ultimately, eligibility and the size of the credit will be determined by the tax filing of a tax filer for tax year 2020.

These credits would be $2,400 for joint filers ($1,200 for other filers) and would be increased by $500 for each qualifying child of a tax filer, regardless of filing status. However, once a tax filer reaches an Adjusted Gross Income (AGI) of $75,000 ($112,500 in the case of a HoH filer, and $150,000 in the case of a joint filer) the credit would begin to phase-out. The credit would be reduce by 5% of a filer’s income over the phase-out threshold limits. This would mean a single filer with no children would receive a credit of $0 at $99,000 of AGI or greater ($198,000 for a joint filer with no children).

Some conservatives may think it is important to ensure that Americans harmed by the current pandemic and the economic ramifications precipitated by government directives should receive some form of relief. Still these same conservatives may view the rebates as ill-tailored in that they may benefit people that have sufficient income already and may not be effected by the pandemic.

Some conservatives may view the payments as an ineffective means for stimulating the economy based on flawed Keynesian principles.

Treasury would be required to grant funds to U.S. territories that have a mirror tax code (which automatically tracks the U.S. income tax code) that would cover the expected revenue loss to those territories as a result of the creation of this credit. Further, Treasury would be required to grant funds to U.S. territories that do not have a mirror tax code to cover the revenues loss of implementing such a credit if the territory in question implements such a credit.

Treasury would be required to work with SSA and other federal agencies to carry out a public awareness campaign about the availability of this credit.
This section would make the following appropriations to implement this section, available through the end of FY 2021, to:

- Bureau of the Fiscal Service, $78.65 million;
- IRS Taxpayer Services, $293.5 million; and
- IRS Operations Support, $170 million;

This section would also appropriate, available through the end of FY 2020, $37.2 million to the Social Security Administration’s Limitation on Administrative Expenses Account.

Treasury would be required to issue a report to Congress, within 15 days of enactment, with a plan on how to use these funds. Additionally, Treasury would be required to, beginning 90 days after enactment, issue quarterly reports to Congress detailing the use of these funds.

Sec. 2202 – Special Rules for Use of Retirement Funds

Would allow individuals to withdraw up to $100,000 from their tax-advantaged retirement accounts without having to pay the normal early-withdrawal fee if the distribution is related to the current pandemic. This would include distributions from group accounts. Such an individual would then be allowed, over the next 3 years, to redeposit funds into their retirement accounts, up to the amount taken out, in addition to the amount of funds that may be regularly placed into these accounts. Distributions under this section could be made on any day of 2020 and could not be made past December 31, 2020. Any such distribution that would be required to be included in gross income would be allowed to be included in gross income over a 3 year period.

This section would double, from $50,000 to $100,000, the limit on qualified loans that an employee may take, this year, and not have the funds be considered as a distribution from a tax-advantaged plan. Payments on such loans would be able to be delayed for one year or up to 180 days after enactment of this bill, whichever date is later.

Conservatives may view this section as a sensible means of giving individuals early access to saved funding needed to weather the current pandemic.

Sec. 2203 – Temporary Waiver of Required Minimum Distribution Rules for Certain Retirement Plans and Accounts

Many defined contribution and deferred compensation plans, in order to maintain their tax-advantaged status under federal tax law, are required to make minimum distribution over annual, 5 year, and 10 year periods. This section would waive these requirements, for 2020, and would exclude 2020 from calculations for the minimum distributions required for such 5 and 10 year periods.

Conservatives may view this section as appropriately increasing an individual’s liberty over their own hard-earned assets and compensation for the labor they have provided.

Sec. 2204 - Allowance of Partial Above the Line Deduction for Charitable Contributions

Creates an individual income tax above the line deduction, for tax year 2020 and beyond, for charitable donations. This deduction would be capped at $300 per filer. An above the line deduction is a deduction that is applied before computing Adjusted Gross Income (AGI) and is applied whether or not a tax filer itemizes their deductions or uses the standard deduction.
Conservatives may view this section as removing government disincentives to donate to charitable organizations. This will help to facilitate Americans to organically choose to support each other during this time of national crisis. Additionally, some conservatives may also view this section as undoing the increased disincentive to charitable giving that was indirectly included in the TCJA by way of increasing the basic standard deduction.

Sec. 2205 – Modification of Limitations on Charitable Contributions During 2020

Under current law an individual taxpayer can only deduct charitable donations up to half their AGI (excluding net operating losses from prior years). This section would, for tax year 2020, expand that limitation to 100% of such AGI calculation. Additionally, any charitable contribution made in excess of this limitation would be allowed, by a taxpayer, to be carried over to future tax years.

This section, would for tax year 2020, expand the limitation on corporate charitable deductions from 10% to 25% of a corporation's taxable base. Additionally, any charitable contribution made in excess of this limitation would be allowed, by such corporation, to be carried over to future tax years.

This section, would for tax year 2020, expand the limitation on the charitable deduction for C Corporations related to donations of food inventory items from 15% to 25% of net income.

Conservatives may view this section as remove government disincentives to donate to charitable organizations. This will help to facilitate Americans to organically choose to support each other during this time of national crisis.

2206 – Exclusion for Certain Employer Payments of Student Loans

Would, through December 31, 2020, add employer payments of student loans and related interest payments to the list of employer payments for direct education costs that are not taxed. The total amount of such payments is capped at $5,250 per employee.

Some conservatives may be concerned that this would increase federal subsidization of education expenses and would increase federal distortion and inflation of education costs.

Subtitle C — Business Provisions

2301 – Employee Retention Credit for Employers Subject to Closure due to COVID-19

Creates a refundable payroll tax credit for non-government employers up to a cap, across all business quarters, of $5,000 per qualifying employee. Up to the cap, this credit, per qualifying employee, would be equal to half the qualifying wages of such employee.

For an employer to be eligible they must have been in business during CY 2020 and can only claim this credit for business quarters in which either: their operation was fully or partially suspended by a governmental order related to COVID-19, or for the sequential quarters starting in 2020, with a quarter where gross receipts are less than half that of the matching quarter in the previous year and ending with the first quarter after a quarter in which gross receipts surpass 80% of that of the matching quarter in the previous year. Tax exempt 501(c) and 501(a) organizations would be eligible for these credits under the same circumstances as well.
Qualifying wages, for an employer employing more than 100 full-time equivalent workers during 2019, would be employee wages and health benefits paid to employees that are not providing a service due to COVID-19 during quarters defined in the previous paragraph. For employers that employed 100 or fewer full-time equivalent employees during 2019, qualifying wages would be all employee wages and health benefits paid to employees during quarters defined in the previous paragraph. Compensation associated with the paid leave provisions of H.R. 6201, the Work Opportunity Tax Credit, and the Employer Credit for Family and Medical Leave would not count as qualifying wages here (this prevents double counting such compensation for the purposes of granting tax credits to employers). Further, qualifying wages would not include compensation at a rate higher than the rate of wages and health benefits for an employee in the 30 days prior to a covered period. Qualifying wages would only be those paid after March 12, 2020 and before January 1, 2021. Employers that receive SBA loans under section 1102 of this bill would be ineligible to receive the credit from this section.

Employers would not be assessed fines for lack of payment of employment payroll taxes if they anticipate that this credit would cover their total such liability. Treasury would also be empowered to advance refund such credits.

Because this section would reduce payroll tax revenue to certain federal trust funds, this section would direct appropriations from the General Fund of the U.S. Treasury to those affects trust funds that is equal to the lost revenue as a result of this section. Those affected trust funds are the: Federal Old-Age and Survivors Insurance Trust Fund, Federal Disability Insurance Trust Fund, and the Social Security Equivalent Benefit Account (Railroad Retirement Account).

**Sec. 2302 – Delay of Payment of Employer Payroll**

Delays the due date for employer Social Security payroll taxes and estimated Social Security payroll tax payments (50% of such taxes in the case of a self-employed tax filer) for tax liabilities accrued during the period from the enactment of this bill until December 2020 tax year. Half of delay tax payments would be due by December 31, 2021 and the other half by December 31, 2021.

Additionally, employer payroll taxes on work done for a firm by a Professional Employer Organization (PEO) would be due by December 31, 2022. A PEO is an organization that assists small businesses with human resources and administrative logistics and systems. However, this section would not apply to firms that received loan forgiveness for a portion of a section 7(a) SBA loan, under this bill, that is related to the current pandemic.

Because this section would reduce payroll tax revenue to certain federal trust funds, this section would direct appropriations from the General Fund of the U.S. Treasury to those affects trust funds that is equal to the lost revenue as a result of this section. Those affected trust funds are the: Federal Old-Age and Survivors Insurance Trust Fund, Federal Disability Insurance Trust Fund, and the Social Security Equivalent Benefit Account (Railroad Retirement Account).

*Some conservatives may be concerned that this section would delay certain tax payments for one to two years regardless of whether or not a firm needs to delay such tax payments and when the delay of individual tax payments is only for three months and when the employee payroll tax holiday will expire in less than one year and only applies to affected workers.*

*Some conservatives may be pleased that the taxes do eventually have to be repaid and this would give struggling firms tax relief at a time when they may be struggling to weather the pandemic and its*
economic consequences precipitated by government directives. Still, however, they may be concerned over accumulating net interest costs from increased federal borrowing.

Sec. 2303 – Modifications for Net Operating Losses

While normally most C Corporations can only claim a deduction for net operating losses from the previous tax year and can’t be carried back to previous years, this section would this deduction from tax years 2018, 2019, and 2020 to be applied to earlier years. Specifically, this section would allow losses from these three tax years, to be applied to taxes paid on the preceding 5 tax years from the tax year in question. The amount carried back would be capped at 80% of the income of a given tax year minus the net operating loss in question. This section would allow such losses from years before tax year 2018 to be carried forward over the next 20 tax years. This would allow such companies to receive rebates immediately from Treasury to compensate for their amended tax returns from previous years.

Some conservatives may view this section as ensuring that the income taxes of the federal government are only applied to actual income and are not applied to expenditures that firms must make to remain in business. As such this section would ensure that fewer good and productive businesses will be forced out of business because of misapplied taxation.

Sec. 2304 – Modification of the Limitation on Losses for Taxpayers other than Corporations

This section would, for tax years 2018, 2019, and 2020 allow non-C-Corporation firms (pass-throughs, for example) to be able to claim deductions for the full value of any prior year net operating loss.

Some conservatives may view this section as ensuring that the income taxes of the federal government are only applied to actual income and are not applied to expenditures that firms must make to remain in business. As such this section would ensure that fewer good and productive businesses will be forced out of business because of misapplied taxation.

Sec. 2305 – Modification of Credit for Prior Year Minimum Tax Liability of Corporations

The Tax Cuts and Jobs Act (TCJA) allowed companies to receive AMT tax credits as part of its repeal of the corporate AMT. The remainder of these credits would not be available until tax year 2021. This section would allow the remainder of those credits to be claimed for tax year 2019. This allows firms to receive these credits now in relation to the tax filings they would issue this year.

Sec. 2306 – Modifications of Limitation on Business Interest

Would, for tax years 2019 and 2020, expand the limitation on the net interest deduction from 30% to 50% of income (income in this section of the Internal Revenue Code (IRC) is uniquely defined).

Some conservatives may view this section as reducing the federal taxation on investment expenditures, creating a more efficient and pro-growth federal tax code that will strengthen job growth and the U.S. economy.

Sec. 2307 – Technical Amendments Regarding Qualified Improvement Property

This section would implement the so-called QIP fix. TCJA had originally been intended to allow improvements to real estate to be covered under the full and immediate expensing portion of the
TCJA. However, due to a drafting error, such investment spending was considered spending on new structures and therefore could only be depreciated over a 39-year period. This section would allow investments in such improvements to be fully and immediately expensed.

Some conservatives may view this section as reducing the federal taxation on investment expenditures, creating a more efficient and pro-growth federal tax code that will strengthen job growth and the U.S. economy. Moreover, it would carry out the intent of the TCJA by rectifying a drafting error that inappropriately disadvantaged certain businesses.

2308 – Temporary Exception from Excise Tax for Alcohol used to Produce Hand Sanitizer

Would exempt from federal taxes on the distilled spirits produced in 2020 for the purpose of producing hand sanitizer in relation to COVID-19. Such spirits would also be exempt from labeling requirements that usually apply to spirits produced for direct consumer consumption.

Title III – Supporting America’s Health Care System in the Fight Against the Coronavirus

Subtitle A – Health Provisions

PART I – Addressing Supply Shortages

Subpart A – Medical Product Supplies

Sec. 3101. – The National Academies would be commissioned to conduct a study on the United States’ supply chain for medical drugs and devices. The study would focus on national security risks of dependence on foreign manufacturing, supply chain gaps, the economic impact of increased domestic manufacturing, and recommendations to strengthen the supply chain.

Sec. 3102. – This section would require the Strategic National Stockpile (SNS) to include personal protective equipment (PPE), ancillary medical supplies, supplies necessary for the administration of drugs and vaccines, medical devices, and diagnostic tests.

Sec. 3103. – Personal respirator protective devices (i.e., personal masks) would be treated as a covered countermeasure during a public health emergency. H.R. 6201, the Families First Coronavirus Response Act (a.k.a., “Phase II”), included similar language but pertained specifically to the COVID-19 public health emergency. The PREP Act authorizes the Secretary of HHS to issue a Declaration to provide liability immunity to certain individuals and entities against claims arising from covered medical countermeasures.

Subpart B – Mitigating Emergency Drug Shortages

Sec. 3111. – This section would require the Food and Drug Administration (FDA) to prioritize and expedite new drug applications (NDA) and inspections of facilities necessary to mitigate or prevent drug shortages.

Sec. 3112. – This section would expand reporting requirements for drug manufacturers when there is a discontinuance or disruption in the supply of a drug, including the supply of pharmaceutical ingredients for that drug, to include drugs critical to a declared public health emergency. This notification would be required to include the reasons for the discontinuation, and, if there is a shortage of ingredients, the source for the ingredients and any alternative sources known. Manufacturers would be required to maintain contingency plans to mitigate against shortages.
Subpart C – Preventing Medical Device Shortages

Sec. 3121. – Manufacturers of medical devices that are critical to public health during a public health emergency would be required to notify the FDA if they discontinue production of the medical device or foresee an interruption in manufacturing at least 6 months before such occurrence, or as soon as is practicable. The FDA would be able to prioritize and expedite subsequent review applications for devices that could mitigate the shortage.

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

Subpart A – Coverage of Testing and Preventive Services

Sec. 3201. – This section would expand upon coverage requirements imposed by H.R. 6201, the Families First Coronavirus Response Act (a.k.a., "Phase II"). Group health plans and health insurer's offering group or individual coverage would be required to cover COVID-19 diagnostic tests without imposing cost-sharing requirements regardless of whether that test has received an EUA. Ancillary services directly related to the administration of such a test or evaluation of a patient’s need for such a test would be similarly covered.

Sec. 3202. – Group plans or insurers covering testing described in Sec. 3201 would be required to reimburse plans according to any pre-existing negotiated rate or, if none exists, according to a cash price that providers would be required to publicly list, or less than that price if a lower price is negotiated.

Sec. 3203. – Finally, group plans or insurers would be required to cover vaccines that have either received an "A" or "B" rating from the Unites States Preventive Services Task Force or have been recommended by the Advisory Committee on Immunization Practices (ACIP) within 15 days of such a recommendation.

Subpart B – Support for Health Care Providers

Sec. 3211. – This section would authorize and appropriate $1,320,000,000 to Community Health Centers for the detection of SARS-CoV-2 or the prevention, diagnosis, and treatment of COVID-19.

Some conservatives may be pleased that this provision is targeted towards the crisis at hand and will bolster frontline efforts to address the pandemic.

Sec. 3212. – This section would reauthorize and modernize Health Resources and Service Administration (HRSA) telehealth grant programs and authorizes $29,000,000 to be appropriated to carry them out.

Some conservatives may be pleased that this provision is designed to bolster telehealth, a method of delivering care that is made more important in the context of the current pandemic.

Sec. 3213. – This section would reauthorize and amend three HRSA rural grant programs to allow grants to cover 5 years instead of 3 years. It would authorize to be appropriated $79,500,000 for each of FY21-FY25 to carry them out. The new authorizations would refocus the grants towards rural underserved populations, integrated health care networks, increased care coordination, and enhanced chronic disease management.
**Sec. 3214.** – This section would amend an existing authorization to establish a Ready Reserve Corps within the United States Public Health Service (USPHS) Commissioned Corps to make certain vital health care jobs are adequately staffed during public health emergencies. The Ready Reserve Corps was authorized in 2010 but, due to an HHS interpretation of the law, never implemented.

*Some conservatives may be pleased that this provision is designed to bolster frontline efforts to combat the current pandemic.*

**Sec. 3215.** – Health care professionals who provide services during the COVID-19 public health emergency would be prevented from being held liable under Federal or State law for harm caused by their actions or omissions. Exceptions would be made for harm caused by willful, reckless, or grossly negligent actions, and for harm caused under the influence of drugs or alcohol.

*Some conservatives may be pleased that this provision is designed to protect healthcare workers from liability freeing them up to provide care for the sick.*

**Sec. 3216.** – This section would provide the National Health Service Corps with the flexibility to assign corps members to different locations within reason, and with the corps member’s consent.

*Some conservatives may be pleased that this provision is designed to bolster frontline efforts to combat the current pandemic.*

**Subpart C – Miscellaneous Provisions**

**Sec. 3221.** – This section would align 42 CFR Part 2, a strict privacy scheme that protects medical records on substance use disorder treatment, with the Health Insurance Portability and Accountability Act (HIPAA), with initial patient consent. Once a patient gives prior written consent, providers would no longer have to separate substance use disorder treatment information from a patient’s regular medical record, which are governed by HIPAA.

This section would also amend the Public Health Service Act regarding the use of substance use disorder records in criminal or civil cases by expanding the prohibition of records from being entered into evidence in any criminal prosecution or civil actions before a Federal or State court; before a Federal agency; be used by any Federal, State or local agency for a law enforcement purpose or to conduct any law enforcement investigation of a patient; or be used in any application for a warrant, except as otherwise authorized by a court order or by the consent of the patient.

Finally, this language would repeal the criminal penalty for a violation of the confidentiality of substance use disorder records and replace it with the HIPAA civil penalty structure outlined in sections 1176 and 1177 of the Social Security Act (42 U.S.C. 1320d–5) (42 U.S.C. 1320d–6).

Similar language passed the House in 2018 but was never taken up in the Senate. The Trump Administration proposed a similar rule in August of 2019. Provider groups and insurers as well as State Attorneys General have supported this change, although there it has faced opposition in the past.

*While some conservatives may be pleased that this would reduce red-tape that hampers providers from coordinating care, some conservatives may in principle be concerned that this language does not pertain directly to the COVID-19 pandemic.*
Sec. 3222. – Nutrition requirements for the Older Americans Act (OAA) meal program would be waived for the duration of the COVID-19 public health emergency and ‘social distancing’ would be treated the same as individuals homebound due to illness for delivery service purposes.

Sec. 3223. – This section would provide flexibility to grants established by Title V of the Older Americans Act, which promotes community service employment opportunities for low-income older seniors. The length of participation caps for community service could be extended for an individual’s participation in the program as warranted by the COVID-19 public health emergency, and a higher percentage of the authorized funding would be allowed to go to administrative costs during the COVID-19 public health emergency.

Sec. 3224. – HHS would be required to issue guidance on the sharing of patients’ protected health information during the COVID-19 public health emergency within 180 days.

Sec. 3225. – The Healthy Start program would be reauthorized at $122,500,000 each year from FY2020 through FY2025. The grant program is focused on reducing maternal and infant mortality. In awarding grants, the Health Resources and Services Administration (HRSA) at HHS would be required to consider social determinants of health, high infant mortality rates and poor perinatal health outcomes.

Some conservatives may be concerned that while this program may deliver care to women and their children during the pandemic its long-term reauthorization may not be tailored to directly address the COVID-19 public health emergency.

Sec. 3226. – The Secretary of Health and Human Services (HHS), in coordination with the FDA, the Centers for Disease Control and Prevention (CDC), the National Institutes of Health (NIH), and any other relevant agencies, would be required to carry out a national campaign to promote the importance and need of blood donations during the COVID-19 public health emergency.

PART III – Innovation

Sec. 3301. – Biomedical Advanced Research and Development Authority (BARDA) projects carried out with “other transaction authority” would no longer be restricted to projects with an expected cost of $100,000,000 or more. Whereas such projects currently may only be carried out with express written permission, all projects would instead only be limited to “competitive procedures.”

Sec. 3302. – This section would speed up FDA review of drugs for animals if evidence shows treatment of the zoonotic disease would prevent the disease from transferring to human vectors. Coronaviruses are zoonotic diseases, and SARS-CoV-2, the virus that causes COVID-19, was very likely zoonotic in origin.

PART IV – Health Care Workforce

Sec. 3401. – This section would reauthorize and update large portions of Title VII of the Public Health Service Act. Grant programs reauthorized include Centers for Excellence, which provides grants to bolster under-represented minorities in the healthcare workforce at $23,711,000 each year; a scholarship program for disadvantaged students at $51,470,000 each year; a faculty development loan repayment program at $1,190,000 each year; and a grant program to support disadvantaged prospective health professionals at $15,000,000 each year. All programs are authorized for fiscal years 2021 through 2025.
Further, Title VII’s reauthorizations and updates also include a primary care training program at $48,924,000 each year, a dental training program at $28,531,000 each year, and health education center grants at $41,250,000. Finally, the National Center for Health Care Workforce Analysis would be reauthorized at $5,663,000 each year, Public Health Workforce grants would be reauthorized at $17,000,000 each year, and a pediatric specialty recruitment and retention program would be reauthorized at as much sums as necessary. All programs are authorized for fiscal years 2021 through 2025.

Some conservatives may be concerned that, while the current crisis may indicate a need for workforce flexibility and enhancement in a public health emergency, broadly expanding funding for government programs somewhat related to the health care workforce and that may not be designed to have an immediate impact should be included in an emergency pandemic response bill even if the issues are important on a long term basis.

Sec. 3402. – HHS would be required to develop a comprehensive plan to coordinate the departments health care workforce development programs, such as those being broadly reauthorized above, to determine the efficacy, shortcomings, and barriers to such programs.

Sec. 3403. – Language largely taken from S. 299, the Geriatric Workforce Improvement Act (Sen. Collins, ME), would be included by this section. This language would rewrite Section 753 of the Public Health Service Act to reauthorize and update the Geriatrics Workforce Enhancement Program (GWEP) which would focus on the training of health professionals in geriatrics. The Secretary would be empowered to award grants, contracts, and cooperative agreements related to support clinical training for geriatrics, interprofessional training regarding older adults, community-based programs for older adults, and education on Alzheimer’s and related dementias.

The GWEP would prioritize awards for programs that serve rural or tribal older adult populations, focus primary care integration or other existing delivery locations (such as a Federally qualified health center), support the training of geriatric professionals, focus on disease management for older adults, or focus on communities with a shortage of geriatric professionals.

This section would also reauthorize and update the Geriatrics Academic Career Award Program (GACA) to provide grants to support the career development of junior faculty as academic geriatricians or other academic geriatric health professionals. Award amounts would be at least $75,000 indexed to inflation.

Finally, $40,737,000 would be authorized to be appropriated for each of fiscal years 2021 through 2025 for purposes of carrying out this section.

While some conservatives may view this as the right vehicle to address health care workforce issues, some conservatives may be concerned over passing broad reauthorizations at a time of crisis that may not be directly related to addressing the economic and public health crisis at hand.

Sec. 3404. – This section would update Title VIII of the Public Health Service Act and reauthorize nursing workforce and education programs at $137,837,000 each year through FY 2025. Biennial reporting requirements on goals, performance metrics, and coordination with other Federal departments would be added. This section would add clinical nurse specialist as a practice eligible for advanced nursing grants. Finally, this section would authorize $117,135,000 each year through FY 2025 to carry out the Nursing Student Loan program and requires a report on the efficacy and oversight of the program.
While some conservatives may view this as the right vehicle to address health care workforce issues, some conservatives may be concerned at passing sweeping reauthorizations at a time of crisis that may not be directly related to addressing the economic and public health crisis at hand.

Subtitle B – Education Provisions

Sec. 3503. Generally waives the non-federal share requirement normally required of educational institutions for certain campus-based aid programs. Schools would also be allowed to transferred unused federal work study funding to supplemental grants under section 413D of the Higher Education Act.

Sec. 3504. Schools would be able to use supplemental education opportunity grants to provide to students emergency financial aid grants for unexpected expenses and unmet financial need.

Sec. 3505. Schools would be able to make work-study payments to participating students notwithstanding their inability to complete work-study requirements.

Sec. 3506-3509. Any semester during which a student drops out of school because of COVID-19 would not subsequently count against subsidized loan or Pell grant eligibility, nor would they be required to return Pell grant money or federal student loan money. Their loan obligations would be cancelled for funds borrowed during such a semester. Schools would be allowed to grant leaves of absence that does not require students to return at the same point in a program so long as the student returns to school during the current semester.

Sec. 3509. purposes of determining academic progress for student aid eligibility, a school could exclude incomplete credits caused by COVID-19.

Sec. 3510. Students could attend foreign institutions remotely and continue to receive federal student aid in the event of a public health emergency, major disaster or emergency, or national emergency declared by the foreign government.

Sec. 3511. This section would empower the Secretary of the Department of Education to waive certain Elementary and Secondary Education Act (ESSA) statutory and regulatory requirements (except civil rights requirements) upon request of a state or local authority because of COVID-19.

Sec. 3512. The Department of Education would be allowed to grant deferment of principal and interest payments for HBCU capital financing loans during the COVID-19 pandemic. The Department would make principal and interest payments otherwise due under the loan agreement but the school would have to repay it.

Sec. 3513. Department of Education would suspend all federal student loan payments held by the Department for 6 months without penalty to the student.

Sec. 3514. Allows participants serving in the National Service Corps programs to receive education awards despite COVID-19.

Sec. 3515. Allows a local area receiving Workforce Innovation Opportunity Act funding to use a larger portion for administrative costs of carrying out local workforce investment activities. Funds reserved by a Governor for statewide activities could be used for rapid response activities.
Sec. 3517. The Department of Education during the COVID-19 pandemic could waive certain outcome applicable to grant programs for HBCU and other Minority Serving Institutions. The waiver authority would apply through September 30 of the fiscal year following the end of the COVID-19 emergency. Institutions would be able to carryforward unused funding.

Sec. 3518. Department of Education would be given the authority to modify the allowable uses and matching requirements of a broad scope of education funding available for institutions.

Sec. 3519. The Department of Education could waive service obligations that normally attach to TEACH grants and loan forgiveness for teachers. They would not have to finish the current year to get credit for it. Years of service would not have to be consecutive if interrupted by COVID-19.

Subtitle C – Labor Provisions

Sec. 3601. Division C of H.R. 6201, the Families First Coronavirus Response Act, contained the Emergency Family and Medical Leave Expansion Act which generally requires employers with fewer than 500 employees to provide employees leave that have to care for a child if their school or day care is closed because of COVID-19. The first ten days would be unpaid and the remaining while the remainder of the 12 weeks of leave would be paid at 2/3 of an employee’s normal pay.

Section 3601 of this bill is simply meant to clarify the provisions of H.R. 6201 to carry out its intent. It would clarify that an employer shall not be required to pay more than $200 per day and $10,000 in the aggregate.

Sec. 3602. Division E of H.R. 6201, the Families First Coronavirus Response Act, contained the Emergency Paid Sick Leave Act. Division E of that bill generally requires employers to provide two weeks of paid sick leave to employees unable to attend work for a number of reasons related to COVID-19, including: 1) a quarantine or isolation order, 2) advice from a physician to self-quarantine, 3) ongoing symptoms and seeking a diagnosis, 4) caring for someone that falls under category 1 or 2, 5) caring for a child because of a school or childcare closure, or 6) experiencing substantially similar conditions. Employees falling under 1-3 would receive full pay subject to a cap, and those falling under 4-6 would receive full pay subject to a cap.

Again, this section is simply meant to clarify H.R. 6201. It would clarify that for employees that fall under categories 1-3, employers don’t have to pay more than $511 per day and $5110 today. For categories 4-6, those amounts are $200 and $2000, respectively.

Sec. 3603. Would require that applications for unemployment insurance under Division D (Emergency Unemployment Insurance Stabilization and Access Act) of the Families First Coronavirus Response Act are available in person, by phone, or online.

Sec. 3604. The Office of Management and Budget (OMB) would be allowed to waive the paid family and sick leave requirements of the Emergency Paid Sick Leave Act (Division E of the Families First Coronavirus Response Act) for certain employees of the executive branch.

Sec. 3605. Would ensure that under the terms of the Emergency Family and Medical Leave Expansion Act, employees that were laid off after March 1, 2020 and then rehired can access the paid leave benefits under the Act.

Sec. 3606. Provides that the tax credits provided to employers to make up for the paid family and medical leave requirements can be provided on an advanceable basis.
Sec. 3607. Allows the Department of Labor to delay certain filing deadlines under ERISA for up to a year when a public health emergency exists.

Sec. 3608. This section would delay minimum required contributions until January 1, 2021 for single-employer defined benefit pension plans.

Sec. 3609. Would apply cooperative and small employer charity pension plan rules to certain charitable employers whose primary exempt purpose is providing services with respect to mothers and children.

Sec. 3610. This section would allow federal agencies to reimburse contractors for the costs of paid leave, including sick leave, a contractor provides to keep its employees or subcontractors in a ready state, including to protect the life and safety of Government and contractor personnel, but in no event beyond September 30, 2020.

Subtitle D – Finance Committee

Sec. 3701. – High-deductible health plans (HDHP) paired with health savings accounts (HSA) would be temporarily allowed to cover telehealth services without a deductible.

Some conservatives may be pleased that this reduces a barrier to telehealth services at a time when they could be particularly helpful in combatting the COVID-19 pandemic.

Sec. 3702. – This section would allow HSAs and Flexible Spending Accounts (FSAs) to be used for purchasing over-the-counter menstrual care products.

While some conservatives may be pleased that this commonsense provision is included and believe in expanding the use of HSAs and FSAs, others may believe that this language should be considered on its own rights believing it to be largely unrelated to COVID-19.

Sec. 3703. – This section revises language enacted in H.R. 6074, the first coronavirus supplemental, to remove the limitation on COVID-19 Medicare telehealth expansion authority to providers or practices that have treated the patient within the last three years.

Sec. 3704. – Medicare would be required to reimburse Federally Qualified Health Centers and Rural Health Clinics for telehealth services for the duration of the COVID-19 public health emergency under this section. The reimbursement rate would be tied to comparable telehealth services under the physician fee schedule.

Some conservatives may be pleased that this measure provides direct, needed action targeted towards the crisis at hand.

Sec. 3705. – This section would waive the requirement that a home dialysis patient receive a periodic face-to-face visit for the duration of the COVID-19 public health emergency.

Again, some conservatives may be pleased that this measure provides direct, needed action targeted towards the crisis at hand.
Sec. 3706. – Providers would be empowered to conduct required face-to-face encounters to determine a Medicare beneficiary’s eligibility for hospice care via telehealth for the duration of the COVID-19 public health emergency.

*Again, some conservatives may be pleased that this measure provides direct, needed action targeted towards the crisis at hand.*

Sec. 3707. – The Secretary of HHS would be required to encourage the use of telecommunications systems for home health furnishings during the COVID-19 public health emergency.

Sec. 3708. – This section incorporates language from [H.R.2150](https://www.congress.gov/bill/116th-congress/house-bill/2150), Home Health Care Planning Improvement Act of 2019. Nurses Practitioners, Physician’s Assistants, and clinical nurse specialists would be allowed to order home health services for Medicare and Medicaid beneficiaries. Under current law, only physicians are eligible for Medicare reimbursement for such services.

*Some conservatives may be pleased that this deregulatory, pro-competitive reform would increase the availability of care.*

Sec. 3709. – [Medicare sequestration](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/MedicareFeeForServicePeriodicReview/Sequestration), which was put in place under the Budget Control Act of 2011 and reduces payments by 2 percent, would be temporarily lifted through the end of the year. Sequestration would be extended by one year on the backend (instead of ending in 2029, it would end in 2030).

Sec. 3710. – Hospitals that treat patients with COVID-19 would receive a 20 percent bump in their Medicare reimbursement payment.

*Conservatives may be pleased this is designed to incentivize the provision of COVID-19 care.*

Sec. 3711. – This section would waive the Inpatient Rehabilitation Facility (IRF) “3-hour rule” during the COVID-19 public health emergency. The rule requires patients receiving care at an IRF to receive at least 3 hours of therapy per day at least 5 days a week, or, in well documented cases, at least 15 hours of intensive rehabilitation therapy within a 7-consecutive day period. This section also provides HHS with discretion in enforcing the application of site-neutral payment rates for Long-term care hospitals that don’t meet certain criteria.

*Some conservatives may be pleased that this deregulatory reform would increase the availability of care.*

Sec. 3712. – This section would prevent a scheduled payment decrease for [durable medical equipment](https://www.cms.gov/Medicare/Medicare-Fee-for-Service-Payment/DurableMedicalEquipment) through at least the duration of the COVID-19 public health emergency.

Sec. 3713. – Any potential COVID-19 vaccine, and the costs of its administration, would be covered under Medicare Part B, and the Part B deductible would not apply.

Sec. 3714. – Medicare Part D and Medicare Advantage Prescription Drug Plans would be required to allow Part D eligible individuals to obtain fills or refills of covered drugs for up to a 3-month supply.

Sec. 3715. – [H.R. 5443](https://www.congress.gov/bill/116th-congress/house-bill/5443), which would allow State Medicaid plans to pay for direct support professionals while a patient is in an acute care hospital, would be enacted by this section.

Sec. 3716. – This section broadens the definition of “uninsured individual” included in [Phase II](https://www.hhs.gov/about/agencies/health/office-of-special-insurance-recovery-phase-ii/) to include individuals whose State Medicaid program (or Federal program) doesn’t cover a COVID-19 vaccine or diagnostic test free of any cost-sharing requirements.
Sec. 3717. – This section would take out the requirement that testing products covered by Medicaid gain FDA approval.

Sec. 3718. – This section amends reporting requirements for clinical laboratory tests put in place under the Protecting Access to Medicare Act of 2014 by extending and delaying certain requirements by a year to account for delays due to the COVID-19 public health emergency. This language required applicable laboratories report to the Secretary information for a data collection period for each clinical diagnostic laboratory test that they furnish in order to establish Medicare payment rates off of those reported in the private sector.

Sec. 3719. – This section would expand hospitals eligible for accelerated, or upfront, payments when facing cash flow problems stemming from extraordinary circumstances during the COVID-19 public health emergency. Currently, only short-term, acute care hospitals are eligible. This section would require the Secretary to approve accelerated payment requests made by Children’s, cancer, and Critical Access Hospitals. The Secretary would be granted flexibility in increasing the payments and would require the Secretary grant hospitals flexibility in repayment.

Sec. 3720. – This section would allow a State that imposes a premium that violates a requirement placed on states to receive the temporary FMAP increase included in the Phase II coronavirus relief bill to remain eligible if that premium was in effect on the date of enactment of this Act.

Subtitle E – Health and Human Services Extenders

PART I – Medicare Provisions

This subtitle extends a number of Medicare and Medicaid authorities that are set to expire on or around May 22, 2020. This date has been referred to as the upcoming “healthcare cliff.” Some conservatives may be concerned that a crisis is being used as a vehicle to pass so-called “must pass” legislation. Conservatives may be further concerned that instead of addressing the “cliff” entirely, it is kicking the can to the end of the year to set up an additional “must pass” vehicle to attach potentially bad policy items.

Sec. 3801. – Extension of the work geographic index floor under the Medicare program. This section extends the application of the current floor for the work geographic practice cost index (GPCI)—which applies to localities for which the work GPCI is less than 1.0—to January 1, 2022.

Sec. 3802. – Extension of funding for quality measure endorsement, input, and selection. Extends authorized funding through FY 2021 at $20,000,000 each year, for a contract with a consensus-based entity, such as the National Quality Forum (NQF), to support activities related to quality measurement and performance improvement in the Medicare and Medicaid programs. For FY 2020, the authorization is a limit for the entire fiscal year.

Sec. 3803. – Extension of funding outreach and assistance for low-income programs. Extends funding through FY2021, for State Health Insurance Assistance Programs at $13,000,000 each year, Area Agencies on Aging at $7,500,000 each year, Disability Resource Centers at $5,000,000 each year, and the contract with the National Center for Benefits and Outreach and Enrollment at $12,000,000 each year.

PART II – Medicaid Provisions
Sec. 3811. – This section would extend the Money Follows the Person rebalancing demonstration program through FY 2021 at $450,000,000 each fiscal year.

Sec. 3812. – This section would extend spousal impoverishment protections through FY2021.

Sec. 3813. – This section would further delay reductions in Medicaid Disproportionate Share Hospital allotments to FY 2020.

Sec. 3814. – The Community Mental Health Services demonstration program would be extended through FY 2021. Further, the Secretary would be required to award two additional community and mental health demonstration programs to states that meet certain requirements.

PART III – Human Services and other Health Programs

Sec. 3821. – This section would extend the Sexual Risk Avoidance Education program through FY2021 at its current level.

Sec. 3822. – This section would extend the Personal Responsibility Education program through FY2021 at its current level.

Sec. 3823. – This section would extend funding for the Health Professional Opportunity Grants demonstration through FY 2021 at its current level.

Sec. 3824. – This section would extend funding for the Temporary Assistance for Needy Families (TANF) block grants, Healthy Marriage and Responsible Fatherhood grants, the TANF Contingency Fund, Tribal TANF, the Child Care and Development Fund, and TANF grants to the territories through FY 2021.

PART IV – Public Health Provisions

Sec. 3831. – This section would extend funding for Community Health Centers, the National Health Service Corps, and the Teaching Health Centers that operate Graduate Medical Education programs through FY 2021 at current levels.

Sec. 3832. – This section would extend funding for the Special Diabetes programs for Type I Diabetes through FY 2021 at current levels.

Subtitle F – Over-the-Counter Drugs

This subtitle includes S. 2740, the Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2019 which is similar to language that passed the House by voice last Congress. While some conservatives may view this as a needed modernization of the monograph user-fee program, others may believe that this language should be considered on its own rights believing it to be largely unrelated to COVID-19.

Part I – OTC Drug Review

Sec. 3851. – This section would provide for the additional regulations to the Federal Food, Drug, and Cosmetic Act for certain nonprescription drugs that are marketed without an approved new drug application.
This section would provide requirements on which drugs will be recognized as safe and effective, and not to be considered new drugs and exempt from new drug application requirements, and nonprescription if the drug: 1) is in conformity with the requirements for nonprescription use of a final monograph; and 2) conforms with a Tentative Final Monograph – except in the case of a minor change in the drug, or are in a dosage form that has been used to a material time and extent; or: 1) the drug is classified is category I for safety and effectiveness under a tentative final monograph; 2) the drug conforms with proposed requirements for nonprescription use; and 3) the drug has been used to a material extent and for a material time.

This section would deem sunscreen drugs to be generally recognized as safe and effective if they conform with a stayed final monograph.

Drugs would lawfully be able to be marketed without a new drug application if they are classified as Category III and conform with a Tentative Final Monograph or are Category I under an advance notice of proposed rulemaking and conform with the conditions of the proposal.

This section would allow for the Secretary of Health and Human Services to initiate changes to a monograph from the administration or on behalf of a sponsored request.

This section would provide for a standard for the Secretary to determine that a drug is generally not recognized as safe and effective – under 201(p)(1) of the Federal Food, Drug, and Cosmetic Act – if 1) the evidence shows that the drug is not generally recognized as safe and effective; and 2) the evidence is inadequate to show that the drug is generally recognized as safe and effective within the meaning of section 201(p)(1).

If the Secretary initiates an administrative order, this section would require the Secretary to make reasonable efforts to notify informally, not later than two business days before the issuance of the proposed order, the sponsors of drugs who have a listing for the drugs or combination of drugs that will be subject to the administrative order. After any such reasonable efforts of notification, the Secretary shall publish it on the website of the FDA and include reasons for the issuance of the order; and publish a notice of availability of such proposed order in the Federal Register. This section also requires that a public comment period with respect to such a proposed order of not less than 45 calendar days. The FDA would then provide a statement of reasons supporting the order when issuing the final administrative order, and the order will not take effect until the time requesting judicial review has expired.

This section would require that for an order to determine that a drug is not generally recognized as safe and effective, the Secretary must provide a comment period of 180 days – with a good cause exception for a shorter comment period, such as the interest of public health. For such orders, the FDA will provide general categories of data necessary to determine a drug is generally recognized as safe and effective. Sponsors must submit data in an FDA-prescribed format.

This section also provides for information on the process and procedures for dispute resolution within the FDA’s Center for Drug Evaluation and Research. Additionally, if there is still a dispute after that process, the sponsor will have a right to an FDA hearing – which must be requested within 30 days after the Center for Drug Evaluation and Research dispute process. The Center for Drug Evaluation may deny a hearing if the hearing request and administrative record do not establish a genuine and substantial question of material fact based on data using relevant and reliable scientific principles and methodologies. Furthermore, the FDA may consolidate hearing requests to promote efficiency and avoid duplication.
This section would allow for a period to submit a request for a judicial review to a United States District Court and must be filed within 60 days.

This section also provides for the process for expedited procedure with respect to administrative orders initiated by the Secretary, and administrative orders initiated by a requestor or sponsor.

This section would also provide market exclusivity for drug makers who request, and receive, such a final order. Market exclusivity would last for 18 months but would not apply to “Tier 2” requests, which are smaller changes such as re-ordering label information, or changes made for safety or efficacy purposes. A requestor that is granted exclusivity for a drug which will not be available for sale would be required to notify the Secretary and inform the Secretary when it will be available for sale.

This section would provide for information regarding safe nonprescription marketing and use as condition for filing a request that a drug be generally recognized as safe and effective. This section also provides for new requirements for packaging of a drug to encourage use in accordance with labeling. A final or tentative final monograph for Category I drugs would be considered final administrative orders.

This section would allow for minor changes in dosage forms that otherwise are consistent with the requirements of a monograph may take place without prior notice at a sponsor’s discretion. This would be done so long as the requestor maintains such information that demonstrates the change won’t affect the drug’s safety or effectiveness.

This section would also require that a requestor’s, or sponsor’s records remain confidential until publication of a proposed order. Additional confidentiality requirements are provided for in this section.

The GAO would be required to conduct a study of the overall impact of exclusivity under certain provisions of this section within four years.

Sec. 3852. – This section would specify that monograph drugs not in compliance would be misbranded. Additionally, monograph drugs marketed from a non-fee-paying facility would be misbranded.

Sec. 3853. – This section would state that nothing in the bill would apply to any nonprescription drug which was excluded by the FDA from the Over-the-Counter (OTC) Drug Review.

Sec. 3854. – This section would include a review of nonprescription sunscreen active ingredients. A sponsor of OTC sunscreen may elect to, by writing, within 180 days, submit to the Secretary of Health and Human Services their intent to transition into the review of such ingredients under the reforms of this act. A final sunscreen order under the Sunscreen Innovation Act would be deemed a final order.

Sec. 3855. – This section would require the Secretary of Health and Human Services to annually submit to Congress a letter describing the progress of the FDA in: 1) evaluating the cough and cold monograph with respect to children under the age of 6; and 2) as appropriate, revising such cough and cold monograph to address such children through the order process.

Part II – User Fees

Sec. 3861. – Findings.
Sec. 3862. – This section would create a user fee program for OTC drugs from FY 2021 through FY 2025. The program would require that each person that owns a facility identified as an over the counter monograph drug facility shall be assessed an annual fee for each such facility. Additionally, over the counter monograph order request fees are subject to an inflation-adjusted $500,000 fee for tier 1 requests, and $100,000 for tier 2 requests. Safety-related label change OTC monograph order requests would be exempt from the fee. Finally, The FDA would be required to refund payments if a request is downgraded to Tier 2 from Tier 1, or withdrawn.

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

Subtitle A- Coronavirus Economic Stabilization Act of 2020

Sec. 4003. Emergency Relief and Taxpayer Protections

This provision would authorize $500 billion subject solely to the discretion of the Secretary of the Treasury to make loans, loan guarantees, and other investments to eligible businesses and governments at the state and municipal level in order to offset losses related to COVID-19 and to provide liquidity in the private sector. It would be required that all credit be made in a form that is in the best interest of the beneficiary and does not surpass existing federal spending levels, in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq).

This section would further provide that up to $454 billion of the fund may be made in support of lending activities and programs established by the Federal Reserve. This section would also direct smaller portions of the $500 billion be made available to support individual industry interests. No more than $25 billion would be available for loans and loan guarantees to passenger air carriers. No more than $17 billion would be available for loans and loan guarantees to businesses that are critical to maintaining national security. No more than $4 billion would be available for loans and loan guarantees to cargo air carriers. If any funds apportioned to these categories remained unused, it could be directed toward supporting the lending activity of the Federal Reserve. This authority would likely support $4.5 trillion in Federal Reserve lending.

Some conservatives may feel that this section represents a bailout for certain industries, namely air carriers. They may also be concerned that the bill provides the Treasury broad lending and investment authority to use a $500 billion fund that is subject largely to its own discretion resulting in unfair benefits to certain companies or industries. The authority given to the Treasury pursuant to this section to make loans, guarantees, and other investments—including in support of Federal Reserve activities—mirrors much of the fiscal efforts that were undertaken in the wake of the 2007 financial crises in TARP and the American Recovery and Reinvestment Act. Those were largely derided by conservatives as a failure of fiscal stimulus and big bank bailouts. In this instance, however, conservatives may feel as though that no industry is at fault for the effects of the current pandemic and that government—including the federal government—has contributed in precipitating the economic fallout from the pandemic even if they were designed to save lives through a strategy of separating people from their work and patronizing businesses.

The terms and conditions of any loan, loan guarantee, or investment would be constructed by the Secretary of the Treasury. The rate of each loan must be based upon the average yield of United States government marketable obligations, or debt securities subject to public purchase or trade, such as bonds or treasury notes. The Secretary would be required to produce procedures and minimum requirements for application for such loans, loan guarantees, and investments within ten days of enactment.
The Secretary of the Treasury may enter into an agreement for loans or loan guarantees with an eligible entity that the Secretary determines does not have other credit available around the time of the transaction and has an obligation that was prudently incurred. Furthermore, loans provided by the Secretary would be required to be made at the market interest rate (as much as is practicable). The Secretary would also be required to make the term of each loan as short as is feasible and could not exceed a 5 year term.

Under any agreement, businesses would be prohibited from using funds to repurchase outstanding equity interests, a practice commonly referred to as stock buy-backs, during the life of the loan or guarantee through one year past the expiration of the loan. They also would have to agree to comply with the compensation provisions under section 4004 (see below) and not to pay dividends with respect to common stock. The Secretary of the Treasury would be allowed to waive these requirements if the requirement would reduce the effectiveness of the program or if it would not be deemed as effective in advancing the federal government's interest.

A company who enters an agreement with the Secretary would be required to maintain their employment to the level they had on March 13, 2020 as much as is possible for the duration of the agreement. Finally, in order to be eligible for aide from the Secretary of the Treasury, a borrower’s regular operations must be in jeopardy as a result of losses associated with the COVID-19 epidemic. A borrower could not apply for loan forgiveness when paying back the principal obligation.

All assistance provided through existing Federal Reserve programs and facilities under this section would be subject to 12 U.S.C. 3343(3), which governs the Federal Reserve’s emergency lending practices by requiring that lending is broad-based and may only be made to entities that can verify they are not insolvent. This statute helps ensure that lending is done to preserve liquidity, or the readiness of cash or credit, rather than to bail out a failed company.

The bill would require that the Secretary only supply aid to companies that are created or organized in the United States or under United State’s law, and has a majority of its operations and employees in the United States.

The bill would direct the Secretary to seek to implement a credit facility that provides credit to employer with 500 – 10,000 employees. An employer receiving credit would have to make a good faith certification that, among other things, it will retain or restore at least 90 percent of its workforce, at full compensation and benefits, until September 30, 2020, it will not pay dividends of common stock or undertake a stock buy-back during the life of the loan, it will not offshore jobs for the life of the loan plus two years, and it will "remain neutral in any union organizing effort for the term of the loan."

These requirements may concern some conservatives as hamstringing the ability of the business to make what may be prudent business decisions. In particular, the requirement that employers stay neutral on union matters may be concerning to conservatives as a pro-union giveaway.

None of the provisions in this section would restrict the ability of the Federal Reserve Board of Governors from establishing a Main Street lending program.

Only businesses that are publicly traded on a national exchange or companies that offer a warrant or equity interest are eligible to enter into loan agreements with the Secretary. The Secretary of the Treasury would be required to acquire compensation equal to the risk assumed by the federal government in their lending. This may include participating in the financial gains of a company by
holding stocks, or other appropriate equity instruments for a time. In such an agreement, the Secretary of the Treasury could not exercise voting rights associated with holding a company's shares, and would be required to liquidate their assets as soon as is possible while ensuring the government is fully compensated for the risk of their loan.

Some conservatives may be concerned over the federal government holding shares of a publicly traded company.

Loan forgiveness could not be offered to the principal owed by a borrower to the federal government.

The Secretary of the Treasury would be responsible for appropriately returning all funds acquired through the emergency lending practices outlined under this section. Specifically, revenue generated from lending would be deposited into the financing accounts under section 505 of the Federal Credit Reform Act of 1990, the account used in section 4027 from which the $500 billion for emergency lending was drawn, and once those accounts are replenished the Federal Old-Age and Survivors Insurance Trust Fund.

The Secretary of the Treasury would be authorized to use $100 million of the emergency fund to cover any administrative costs associated with carrying out the lending provisions under this section of the bill. Furthermore, the Secretary would not be restricted in hiring, entering contracts, establishing lending vehicles, and issuing regulations to carry out the provisions of this section. The Secretary would also be authorized to designate and appropriately compensate financial depositories, brokers, dealers, and other institutions, as financial agents for the United States federal government. Any loan made guaranteed by the federal government would treated as indebtedness for tax purposes, meaning the borrower is wholly liable, and the interest accrued would be considered qualified stated interest, meaning unconditionally payable. The Secretary would be authorized to issue any regulation necessary to ensure that any asset obtained by the government through under these lending provisions is not turned over to different ownership during a contracted agreement.

Sec. 4004. Limitation on Certain Employee Compensation

This section of the bill would provide limitations to employee compensation from borrowers of direct loans provided under this legislation from March 1, 2020 through March 1, 2022. Specifically, any employee or officer of a borrowing institution who earned more than $425,000 in 2019 could not receive any increase in their annual total compensation. Furthermore, unless provided by a collective bargaining agreement made prior to 2019, no employee would be allowed to receive a severance package valued at more than double their total compensation for 2019. This section of the bill would define “total compensation” as salary, bonuses, awards of stock, and other financial benefits provided by an eligible business to an officer or employee of that business.

Sec. 4005 and 4006. Continuation of Certain Air Service/Coordination with the Secretary of Transportation

This section of the bill would authorize the Secretary of the Treasury to exercise emergency authority to require that any borrowers under this legislation maintain their air services at levels prior to March 1, 2020, for a period of two years through March 1, 2022, when this authority would expire. This requirement may be carried out as much as is practicable throughout the crisis. Specifically, the Secretary would be directed to consider the needs or remote and rural communities and to work in consultation with the Secretary of Transportation.
Some conservatives may be concerned this section of the legislation would provide federal assistance in exchange for increased federal authority over the commercial air carrier industry.

Sec. 4007. Suspension of Certain Aviation Excise Taxes
This section of the bill would temporarily repeal excise taxes on passenger air transportation (26 U.S.C. 4621), cargo air transportation (26 U.S.C. 4271), and kerosene (a taxed component of jet fuel) used for commercial aviation from the date of enactment to January 1, 2021.

Sec. 4008. Debt Guarantee Authority
This section of the bill would amend 12 U.S.C. 5612 to permit the Federal Deposit Insurance Corporation (FDIC) to fully guarantee any non-interest bearing accounts (i.e. a standard checking account that does not accrue interest), and debt held by solvent federally insured depository institutions until December 31, 2020. Any debt guarantee program authorized by this subsection would include a maximum amount of outstanding debt that is guaranteed. Currently, the FDIC is capped at insuring up to $250,000 per deposit in federally covered institutions.

This section of the bill would also permit the National Credit Union Administration (NCUA) Board to fully guarantee, or insure at an incrementally higher level agreed to by the board), any non-interest bearing account held by a covered credit union until December 31, 2020.

Sec. 4009. Temporary Government in the Sunshine Act Relief
This section of the bill would exempt the Federal Reserve from the full reporting requirements under the Government in the Sunshine Act for the duration of the Public Health Emergency as declared by the Secretary of Health and Human Services (HHS) on January 31, 2020 under the statutory authority of the Public Health Services Act or until December 31, 2020. The Board of Governors of the Federal Reserve would still be required to maintain a record of all votes and the reason for each vote during this temporary period.

Some conservatives may be concerned that this section may produce a lack of accountability.

Sec. 4010. Temporary Hiring Flexibility
This section of the bill would exempt the Secretary of Housing and Urban Development (HUD) and the Chairman of the U.S. Securities and Exchange Commission (SEC), and the Commodity Futures Trading Commission from civil service hiring requirements outlined in 5 U.S.C. 3309 through 3318, for any temporary hire, for the duration of the Public Health Emergency or until December 31, 2020.

Some conservatives may be pleased that this section would temporarily allow for streamlined hiring at HUD and the SEC. As detailed in the RSC Government, Efficiency, Accountability and Reform Task Force report “100+ Commonsense Solutions to Better Government”, hiring managers are subject to many constraints when hiring civil servants that often delay the hiring process and restrict a managers ability to recruit the most qualified talent.

Sec. 4011. Temporary Lending Limit Waiver
This section of the bill would permit the Office of the Comptroller of the Currency (OCC) to temporarily treat lending limits for financial institutions and nonbank financial companies equally. It would also permit the OCC to temporarily waive lending requirements on any transaction if such an exemption is determined to be in the national interest. Such considerations granted to the OCC would last for the duration of the Public Health Emergency or until December 31, 2020.

Sec. 4012. Temporary Relief for Community Banks
This section of the bill would require Federal banking agencies, the Federal Reserve, the OCC, and the FDIC to issue a final interim rule that temporarily sets the Community Bank Leveraging Ratio at 8% and provides a grace period for community banks that fail to meet such a ratio. This requirement would remain in place for the duration of the Public Health Emergency or until December 31, 2020.

Community banks are defined as depository institutions holding less than $10 million in total consolidated assets. Currently, Federal banking agencies may set the Community Bank Leveraging Ratio between 8% to 10%.

Sec. 4013. Temporary Relief from Troubled Debt Restructuring
This section of the bill would temporarily permit financial institutions to request that federal banking agencies suspend their requirements and determinations concerning troubled debt restructuring related to loan modifications within the context of the COVID-19 epidemic. Agencies would be temporarily required to defer to financial institutions. Agencies would be permitted to continue to collect supervisory records on such loans. This temporary relief would last from March 1, 2020 to last no later than 60 days after the lifting of the Public Health Emergency.

Some conservatives may be concerned about the long-term effects of a temporary carve out in requirements concerning troubled debt restructuring.

Sec. 4014. Optional Temporary Relief from Current Expected Credit Losses
This section of the bill would exempt any federally insured depository institution or their affiliate from compliance with the Current Expected Credit Losses (CECL), which requires financial institutions to use predictive modeling when determining bad debt.

Sec. 4015. Non-Applicability of Restrictions on ESF During National Emergency
This section of the bill would temporarily remove the statutory requirement created in Section 131 of the Economic Stabilization Act of 2008, that prohibits the use of the Exchange Stabilization Funds (ESF) for guarantee of programs for the United States treasury market, or money market mutual fund industry. Any guarantee made under this section must terminate not later than December 31, 2020.

This section of the bill would authorize to be appropriated such funds as is necessary to replenish the Treasury Money Market Funds Guaranty Program.

Some conservatives may be concerned that this section would revive an authority used by the Treasury in the early wake of the 2007 financial crisis that was loosely justified as protecting the U.S. dollar but was thought by many to be outside the scope of the Treasury's authority. However, according to CRS, “Over the life of the program, Treasury reported that no guaranteed funds had failed, and $1.2 billion in fees had been collected. More than $3 trillion of deposits were guaranteed and, according to the Bank for International Settlements, 98% of money market mutual funds were covered by the guarantee, with most exceptions being funds that invested only in Treasury securities.”

Sec. 4016. Temporary Credit Union Provisions
This section of the bill would amend 12 U.S.C. 1795e(a)(1) to require that aid from the National Credit Union Administration Board be made available for the purpose of expanding credit union portfolios. This section would also require that credit unions applying for aid verify that they have first sought to obtain liquidity from other sources before seeking assistance. This section would also provide that the National Credit Union Administration Board could borrow up to 16 times the subscribed capital stock and surplus of the Facility.
Current law allows for borrowing up to 12 times this rate and prohibits the use of granting aid to credit unions for the purpose of expanding their portfolios.

Sec. 4017. Increasing Access to Materials Necessary for National Security and Pandemic Recovery
This section of the bill would waive certain safeguards on emergency executive authority granted under the Defense Production Act. Specifically, for two years following enactment of this legislation, this section would waive the requirement that an action which would be estimated to create an industrial resource shortfall that exceeds $50 million, be approved by act of Congress (50 U.S.C. 4533(a)(6)(C)). It would also waive the requirement that any funds unused that are valued at $750 million or more be returned to the Treasury (50 U.S.C. 4534(e)) for two years after enactment.

This section of the bill would also waive for one year after enactment the statutory requirement that any loan granted by the government to cover an industrial resource shortfall that exceeds $50 million be reported to Congress and subject to a 30 day waiting period (50 U.S.C. 74532(d)(1)). This section would further waive for one year after enactment the statutory requirement the requirement that Congress authorize projects exceeding $50 million in aggregate cost (50 U.S.C. 4533(a)(6)(B)).

Some conservatives may be concerned that this section would waive safeguards providing a check on emergency Executive Authority.

Sec. 4018. Special Inspector General for Pandemic Recovery
Under this legislation, oversight of the emergency treasury fund would be conducted by a Senate confirmed Inspector General (IG) and oversight board structure, modeled after the Troubled Asset Relief Program (TARP).

This section of the bill would create the Office of the Special Inspector General for Pandemic Recovery within the Department of the Treasury. This office would be led by the Special Inspector General for Pandemic Recovery. The office would terminate 5 years after enactment of this legislation. The office would be granted a budget of $25 million. The Special Inspector General would be required to report to Congress 60 days after enactment of this legislation, and quarterly thereafter, on all of their audit activities. In response to any deficiencies acknowledged in an audit, the Secretary of the Treasury would be responsible for taking corrective action or notifying Congress as to why corrective action is unnecessary.

The Special Inspector General would be appointed by the President of the United States, with the advice and consent of the Senate. This individual would be nominated due to their accounting and auditing experience. The Special Inspector General could be removed from their post by the President of the United States. If the Special Inspector General were removed, the President would be required to provide written notification of the rationale for his decision to both houses of Congress within 30 days of the individual’s removal in accordance with section 3(b) of the Inspector General Act of 1978. The Special Inspector General would be exempt from statutory regulations on political activity under 5 U.S.C. 7324. The Special Inspector General would be awarded based on the same pay scale for all federal IG’s under 3(e) of the Inspector General Act of 1978.

The Special Inspector General would be made known of any loan, loan guarantee, or investment made by the Secretary of the Treasury as soon as it is possible. Consistent with section 4(b)(1) of the Inspector General Act of 1978, the Special Inspector General would be responsible for reviewing all activities and transactions performed by the Secretary of the Treasury with the authorities and funding granted to him under this Act. Specifically, the Special Inspector General would be required
to report on a description of the categories of loans, loan guarantees and investments made by the
secretary, a list of the businesses receiving aid under each category, a listing of the secretary’s
explanation for each transaction, a listing of biographical information on each person hired to handle
a transaction made by the secretary, and the value of each investment or loan made by the secretary,
along with the value of each return made to the Treasury, including gains and losses on assets held
by the Treasury.

The Special Inspector General would be granted the same statutory authority of any Federal IG under
Section 6 of the Inspector General Act of 1978, including subpoena authority. In addition, this
legislation would specifically codify the Special Inspector General’s authority to request information
from the head of any federal department or agency. If requested information were refused based on
circumstances the Special Inspector General deems unreasonable, the Special Inspector General
would inform Congress immediately.

The Special Inspector General would be exempt from the statutory authority of the Attorney General
(AG) to regulate IG duties based on the AG’s initial determination. The Special Inspector General
would be granted the authority to hire all personnel necessary to conduct their duties subject to Title
5 standards, specifically chapter 51 and subchapter III of chapter 53, concerning pay and
classification. The Special Inspector General would be given the authority to seek consultation from
outside experts, but daily rates could not exceed the requirements of GS-15 pay scale. The Special
Inspector General would also be granted the authority to enter into contracts as is necessary for
conducting their duties.

Sec. 4019. Conflicts of Interest
This section of the bill would prohibit businesses from applying for or receiving emergency funds
created under Sec. 4003 of this bill. Specifically, any business that is 20% or more individually (or by
some combination) owned by the President, Vice President, head of an executive department,
Member of Congress, or the spouse, child, child under common law in relation to any of these public
officials, would be prohibited from receiving funds.

Any business applying to receive funding from the Secretary of the Treasury would be required to
certify that they are eligible under this requirement.

Sec. 4020. Congressional Oversight Commission
This section of the bill would create a 5-person review board called the “Congressional Oversight
Commission”. This organization would be responsible for reporting to Congress on the emergency
relief activities carried out by the Secretary of the Treasury and the Federal Reserve’s Board of
Governors in response to the COVID-19 pandemic. Specifically, the commission would be responsible
for reporting on what authorities the Secretary and Federal Reserve Board use, along with the impact
of their relief efforts and the general efficacy of these emergency programs. Reports would be due to
Congress every 30 days. Heads of federal departments would be required to respond to the
commission under this legislation.

The commission would be led by a chairperson selected in an agreement of the Speaker of the House
and the Senate Majority Leader. The Speaker, House Minority Leader, Senate Majority Leader, and
Senate Minority Leader would each select one individual to serve, with the chairperson, on the
commission. Members of the commission would be paid $210,700, in accordance with level 1 of the
Executive Schedule pay, unless they are already employed by the federal government in which case
they would not be granted an additional salary.
The commission's funds would be authorized to be appropriated from half from an applicable account of the House of Representatives and half from an applicable account of the United States Senate. The Secretary of the Treasury and the Federal Reserve Board of Governors would then refund the House and Senate for all expenses accrued by the commission. The commission would terminate on September 30, 2025.

**Sec. 4021. Credit Protection During COVID-19**
This section of the bill would provide that furnishers, or companies that provide credit history on a consumer to the government, not report on any credit accommodations, such as a change in payment agreement, partial payment, postponement of delinquent payments, or other assistance for a covered period to assist consumers during the COVID-19 pandemic. Specifically, this protection would be granted from January 31, 2020 and ends either 120 days after enactment or 120 days after the national emergency declaration terminated. If a consumer has a delinquent payment prior to this period, but makes good on said payment, it would be reported as current. This credit protection would not apply to charged-off accounts.

*This provision may concern some conservatives as a private sector mandate that could skew the efficacy of future private lending decisions.*

**Sec. 4022. Foreclosure Moratorium and Consumer Right to Request Forbearance.**
This section would prohibit foreclosure on any federally backed mortgage loan for a 60 day period following March 18, 2020. This section would also provide forbearance over 180 days for any federally backed mortgage loan borrower who is enduring financial hardship directly or indirectly related to the COVID-19 pandemic. All mortgage loans provided by Fannie Mae and Freddie Mac, the United States Department of Agriculture (USDA), or insured by the Department of Housing and Urban Development (HUD), the Department of Veterans Affairs (VA), or USDA would be covered. These provisions would expire on December 31, 2020 or when the National Emergency is terminated.

**Sec. 4023. Forbearance of Residential Mortgage Loan Payments for Multifamily Properties with Federally Backed Loans**
This section of the bill would provide forbearance for any federally backed mortgage loan for multifamily properties (properties designed for five or more families) for a period of 90 days. Borrowers who are given forbearance would be prohibited from evicting tenants for the entire period of forbearance. These provisions would expire on December 31, 2020 or when the National Emergency is terminated.

**Sec. 4024. Temporary Moratorium on Eviction Filings**
This section of the bill would prohibit landlords from taking any legal action toward evicting a tenant for a period of 120 days following enactment of this legislation, if the landlord's property is in anyway supported by federal insurance or funding.

*Some conservatives may be concerned that this section would provide eviction protection to individuals that have not been affected by COVID-19.*

**Sec. 4025 Protection of Collective Bargaining Agreement**
This section would prohibit the Secretary of the Treasury or any federal official from conditioning federal aid on taking measures to enter into collective bargaining agreement negotiations with a
certified bargaining representative. This provision would apply from the beginning of the loan through one year past the life of the loan.

**Sec. 4026 Reports**
Within 72 hours of any transaction, the Secretary of the Treasury would have to publish a plain language description to the department website. Additionally, this section of the bill would require the Secretary of the Treasury to report to Congress on any decision regarding lending, within seven days of such decision. Within 7 days of Congressional notification, the Secretary would be required to post this report online. Additionally, every 30 days a loan is outstanding the Secretary would be responsible for updating this information.

The Federal Reserve Board of Governors would be required to report to Congress for any new program or facility under section 4003(b) within seven days of the establishment of the program. Additionally, every 30 days a loan is outstanding the Board would be responsible for updating this information. Within seven days of reporting to Congress, the Board would have to publish such information on its website.

This section would require the Government Accountability Office (GAO) to conduct a study on the loans, loan guarantees, and other investments provided under this title. GAO would be required to report to Congress on their findings within nine months of enactment of this legislation. GAO would be further required to report on such lending activity annually thereafter.

**Sec. 4027. Direct Appropriation**
This section would authorize the appropriation of funds necessary to implement this Title IV of Division A of this legislation.

**Sec. 4028. Rule of Construction**
This section would limit aid provided by the Department of the Treasury to loans, loan guarantees, and other investments as outlined under this title.

**Sec. 4029. Termination Authority**
This section would terminate all authority to make new loans, loan guarantees, or other investments provided under this title on December 31, 2020. Subsequently any outstanding loan, loan guarantee, or other investment may be modified after December 31, 2020.

**Subtitle B- Air Carrier Worker Support**

**Sec. 4112. Pandemic Relief for Aviation Workers**
This section of the bill would require the Secretary of the Treasury to provide $32 billion in federal funding to support the ongoing compensation, including wages and benefits, to air carrier employees. These funds would be portioned, $25 billion for passenger air carrier employees, $4 billion for cargo air employees, and $3 billion for contractors. Additionally, the Secretary would be allowed to use $100 million to cover administrative costs in conducting these duties.

*Conservatives may be concerned that paying the wages of all aviation employees is unfair treatment granted to employees in one industry, particularly when the aviation industry will receive under section 4003 the following: Up to $25 billion would be available for loans and loan guarantees to passenger air carriers, and up to $4 billion would be available for loans and loan guarantees to cargo air carriers.*
Sec. 4113. Procedures for Providing Payroll Support
Pay would be determined according to Part 241, Title 14 Code of Federal Regulation. For all employees and contractors not subject to Part 241, pay would be determined through a sworn affidavit affirming the amount paid between April 1, 2019, through September 30, 2019. These statements would be audited by the Department of the Treasury IG.

The Secretary of the Treasury would be responsible for developing all regulation necessary for carrying out these provisions, including the steps air carriers must take to apply. The Secretary would have the authority to reduce the amount owed through pro rating the costs of employment subsidies. These procedures would be published within five days of enactment of this legislation.

Sec. 4114. Required Assurances
This section of the bill would mandate that businesses receiving this aid maintain air services to any level previously offered before March 1, 2020 that is determined necessary by the Secretary of the Treasury. It would also prohibit a company receiving federal support for employee compensation from reducing pay or furloughing employees for the period of which a business receives federal aid. It would also prohibit companies from paying stock dividends through September 30, 2021. These provisions would expire on March 1, 2022.

Sec. 4115. Protection of Collective Bargaining Agreement
This section would prohibit the Secretary of the Treasury or any federal official from conditioning federal aid on an air carrier or contractor taking measures to enter into collective bargaining agreement negotiations with a certified bargaining representative. This provision would expire on September 30, 2020.

Sec. 4116. Limitation on Certain Employee Compensation
This section of the bill would provide that from March 24, 2020 through March 24, 20202 any employee who earned more than $425,000 in 2019 could not receive any increase in their annual total compensation. Furthermore, unless provided by a collective bargaining agreement made prior to 2019, no employee would be allowed to receive a severance package valued at more than double their total compensation for 2019. Furthermore, this section of the bill would provide that any employee who received over $3 million in 2019, may receive $3 million plus half of their compensation in excess of $3 million. This section of the bill would define “total compensation” as salary, bonuses, awards of stock, and other financial benefits provided by an eligible business to an officer or employee of that business.

Sec. 4117. Taxpayer Protections
The Secretary of the Treasury would be authorized to acquire appropriate compensation, according to his own discretion, for any assistance provided by the federal government. This may include holding stocks, or other appropriate equity instruments.

*Conservatives may be concerned about the federal government holding stock in a private company.*

Sec. 4118. Reports
This section of the bill would provide the Secretary of the Treasury to report to Congress on all aid for air carrier employees before November 1, 2020. The Secretary would be required to update this report within one year of enactment of this legislation.

Sec. 4119. Coordination
This section of the bill would require that the Secretary of the Treasury coordinate with the Secretary of Transportation when carrying out the provisions of this subtitle.

**Sec. 4120. Direct Appropriation**
This section of the bill would appropriate $32 billion for carrying out this subtitle.

**Title V – Coronavirus Relief Funds**

**Sec. 5001.** This section would establish, and appropriate funding into, a “Coronavirus Relief Fund” worth $150 billion. The Treasury Secretary would be directed to make grants to states, units of local government, territories and tribes under this section for them to use “to cover those costs...that—'(1) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (2) were not accounted for in the budget most recently approved [of the government unit]; and (3) were incurred [between] March 1, 2020, and... December 30, 2020.”

Units of local government would be to apply directly for funding. Such a unit is defined as “means a county, municipality, town, township, village, parish, borough, or other unit of general government below the State level with a population that exceeds 500,000.”

$3 billion would be reserved for territories. $8 billion would be reserved for tribal governments. The remainder would go to the states relative to population (accounting for direct payments to local government units) and ensuring that no state receive less than $1.25 billion.

**Title VI- Miscellaneous Provisions**

**Sec. 6001. COVID-19 Borrowing Authority for the United States Postal Service**
Under this section, the United States Postal Service (USPS) would be granted the authority to borrow up to $10 billion from the treasury to cover operating costs during the COVID-19 pandemic. This money could only be used to fund operations and could not be used to pay existing debt the USPS has.

Under this section the Secretary of the Treasury may lend up to $10 billion, within terms mutually agreed to by the Department of the Treasury and the USPS.

This borrowing authority is separate and unaffected by the USPS ordinary borrowing authority in 39 U.S.C. 2005.

**Sec. 6002 Emergency Designation**
This section would designate all funding under Division A as an emergency requirement for purposes of statutory and Senate PAYGO rules.

**DIVISION B  _ EMERGENCY APPROPRIATIONS FOR CORONAVIRUS HEALTH RESPONSE AND AGENCY OPERATIONS**

**Overall, Division B would appropriate approximately $340 billion in supplemental emergency funding.**
*Please note that the term “coronavirus”, in this bill is defined as “SARS-CoV-2 or another coronavirus with pandemic potential”*
*All funds appropriated in this division would be designated as emergency appropriations that would not be subject to the discretionary spending caps established by the Budget Control Act (BCA).

Title I – Department of Agriculture

Office of the Secretary - Would appropriate, available under parameters established in the underlying program, $9.5 billion to prevent, prepare for, and respond to coronavirus, domestically or internationally, including providing support for agricultural and food service production and the distribution of foodstuffs.

Office of Inspector General - Would appropriate, available through the end of FY 2021, $750,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to audit and investigate projects and programs funded through the Department of Agriculture to combat coronavirus.

Animal and Plant Health Inspection Service (APHIS) - Would appropriate, available through the end of FY 2021, $55 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for salaries and expenses related to Agriculture Quarantine and Inspection Services.

Agricultural Marketing Service - Would appropriate, available through the end of FY 2021, $45 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for salaries related to commodity grading and inspection.

Food Safety and Inspection Service - Would appropriate, available through the end of FY 2021, $33 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for support for workers to conduct food inspections.

Farm Service Agency - Would appropriate, available through the end of FY 2021, $3 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Rural Business – Cooperative Service (Rural Business Program Account) - Would appropriate, available through the end of FY 2021, $20.5 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to subsidize the costs of rural business development loans.

Distance Learning, Telemedicine, and Broadband Program - Would appropriate, available through the end of FY 2021, $25 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for telemedicine and distance learning services in rural areas.

Child Nutrition Programs - Would appropriate, available through the end of FY 2021, $8.8 billion to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Supplemental Nutrition Assistance Program (SNAP) - Would appropriate, available through the end of FY 2021, $15.81 billion to prevent, prepare for, and respond to coronavirus, domestically or internationally. $15.51 billion of these funds would be placed into a reserve fund to be used to support participation in SNAP in the event that SNAP costs exceed budget estimates. $100 million would be used to support funding for the Indian Reservations Program. Of these funds,
$50 million would be used for facility and equipment upgrades. The remaining $50 million would be used for additional food purchases. The remaining $200 million would be used fund nutrition assistance grants to the following U.S. territories: Northern Mariana Islands, Puerto Rico, and American Samoa.

Commodity Assistance Program - Would appropriate, available through the end of FY 2021, $450 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to supplement the emergency food assistance program. Of these funds, $150 million would be used for costs associated with the distribution of commodities.

Foreign Agricultural Service (Salaries and Expenses) - Would appropriate, available through the end of FY 2021, $4 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to relocate employees and dependents back from overseas posts.

Food and Drug Administration (FDA) – Salaries Expenses - Would appropriate, available through the end of FY 2021, $80 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to aid development of medical countermeasures and goods, as well as vaccines to combat the present pandemic.

General Provisions – Title I

Sec. 11001 – Prohibits more than 3% of rural development funding, set aside to prevent, prepare for, and respond to coronavirus, domestically or internationally, from being used for administrative costs.

Sec. 11002 – Commodity Credit Corporation (CCC) - Would accelerate the ability of the CCC to utilize funds in its “Reimbursement for Net Realized Losses” account by allowing the CCC to be able to used up to $14 billion of such funds to offset unreimbursed net realized losses that are reported in its June 2020 report.

Sec. 11003 – Would, through the end of FY 2020, allow Marketing Assistance Loan terms to be extended to 12 months.

Sec. 11004 – Would appropriate, available through the end of FY 2021, $100 million for grants under the pilot program within the Distance Learning, Telemedicine, and Broadband Program to prevent, prepare for, and respond to coronavirus. At least 90% of the households served by a project funded by this section would be have to designated as being in a rural area with insufficient access to broadband.

Title II – Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies

Department of Commerce

Economic Development Administration (EDA) - Would appropriate, available through the end of FY 2022, $1.5 billion to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds will be used for economic assistance adjustment. Of these funds, no more than 2% can be used for administrative costs. $3 million of these funds would be directed to the Office of the Inspector General.
National Institute of Standards and Technology (NIST) - Scientific and Technical Research and Services - Would appropriate, available through the end of FY 2021, $6 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to support viral testing and bio-manufacturing.

Industrial Technology Services - Would appropriate, available through the end of FY 2021, $60 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $50 million would be given to the Hollings Manufacturing Extension Partnership. The remaining $10 million would be given to the National Network for Manufacturing Innovation program to support the manufacture of medical equipment and supplies.

National Oceanic and Atmospheric Administration (NOAA) – Operations, Research, and Facilities - Would appropriate, available through the end of FY 2021, $20 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Department of Justice

Justice Information Sharing Technology Services - Would appropriate, available until expended, $2 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Office of the Inspector General Services - Would appropriate, available until expended, $2 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Office of United States Attorneys – Salaries and Expenses - Would appropriate, available under parameters established in the underlying account, $3 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

United States Marshalls Service – Salaries and Expenses - Would appropriate, available under parameters established in the underlying account, $15 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Federal Bureau of Investigation – Salaries and Expenses - Would appropriate, available under parameters established in the underlying account, $20 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Drug Enforcement Administration – Salaries and Expenses - Would appropriate, available under parameters established in the underlying account, $15 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Federal Prison System – Salaries and Expenses - Would appropriate available under parameters established in the underlying account, $100 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Office of Justice Programs – State and Local Law Enforcement Assistance - Would appropriate, available under parameters established in the underlying account, $850 million to prevent, prepare for, and respond to coronavirus, domestically or internationally, including for the purchase of personal protective equipment.

National Aeronautics and Space Administration (NASA) – Safety, Security and Missions Services - Would appropriate, available through the end of FY 2021, $60 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.
National Science Foundation (NSF) – Research and Related Activities - Would appropriate, available through the end of FY 2021, $75 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

National Science Foundation (NSF) – Agency Operations and Award Management - Would appropriate, available under parameters established in the underlying account, $1 million to prevent, prepare for, and respond to coronavirus, domestically or internationally, including to administer research grants and other necessary expenses.

Legal Services Corporation - Would appropriate, available through the end of FY 2021, $50 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

General Provisions – Title II

Sec. 12001 – Stipulates that current law cost share requirements of the Hollings Manufacturing Extension Partnership would not apply to funding from this bill.

Sec. 12002 – Would allow NSF funding in this bill to be used to restore other NSF accounts for such funding used to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Sec. 12003 – Asserts the need for the Department of Health and Human Services (HHS) to provide the Bureau of Prisons with personal protective equipment and test kits related to COVID-19. Requires HHS to consider supplying such materials to the Bureau. Allows for extended duration of home confinement to mitigate the pandemic.

Sec. 12004 – Allows the U.S. Patent and Trademark Office to toll, waive, adjust, or modify any deadlines, if needed in relation to the COVID-19 pandemic. Would require the issue of regular reports to Congress on the use of such authority. This section would sunset at the end of the declared pandemic or 2 years after enactment.

Sec. 12005 – Would allow aid grants to be given to fishing entities that have been negatively affected by COVID-19 or have experience revenues more than 35% less than their average such revenues over the last 5 years. Would authorize and appropriate $300 million, available through the end of FY 2021, to enact this section. Of these funds, no more than 2% may be used for administrative costs.

Some conservatives may view this is a special interest handout to a specific industry.

Title III – Department of Defense - Military Personnel

Army - National Guard Personnel - Would appropriate, available under parameters established in the underlying account, $746.591 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Air Force – National Guard Personnel - Would appropriate, available under parameters established in the underlying account, $482.125 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Army – Operation and Maintenance - Would appropriate, available under parameters established in the underlying account, $160.3 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.
Navy – Operations and Maintenance - Would appropriate, available under parameters established in the underlying account, $360,308 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Marine Corps – Operations and Maintenance - Would appropriate, available under parameters established in the underlying account, $90 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Air Force – Operations and Maintenance - Would appropriate, available under parameters established in the underlying account, $155 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Army Reserve – Operations and Maintenance - Would appropriate, available under parameters established in the underlying account, $48 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

National Guard – Operations and Maintenance - Would appropriate, available under parameters established in the underlying account, $186.696 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Air National Guard – Operations and Maintenance - Would appropriate, available under parameters established in the underlying account, $75.754 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Defense Wide – Operations and Maintenance - Would appropriate, available under parameters established in the underlying account, $827.8 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Defense Production Act (DPA) Purchases - Would appropriate, available until expended, $1 billion to prevent, prepare for, and respond to coronavirus, domestically or internationally. DPA allows the President to issue direct loans and loan guarantees to firms covered by this act to help them meet the production requirements imposed on them through the DPA. Normally, these loans and loan supports are bound by limits set by appropriations law. However, this section would waive this requirement, unbonding the amount of such subsidies, for two years after the enactment of this bill.

Defense Working Capital Funds - Would appropriate, available under parameters established in the underlying account, $1.45 billion to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $475 million will be given to each of the Navy and Air Force Working Capital Funds.

Defense Health Program - Would appropriate, available through the end of FY 2021, $3.805 billion to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $3.39 billion will be used for operation and maintenance with the remaining $415 million to be used for research, development, testing and evaluation. However 99% of the funds available here for operations and maintenance would only be available for obligation through the end of FY 2020.

Office of the Inspector General - Would appropriate, available under parameters established in the underlying account, $20 million to conduct investigations and audits of Defense projects funded in this bill to prevent, prepare for, and respond to coronavirus, domestically or internationally.
General Provisions – Title III

Sec. 13001 – Funds made available in this title would be allowed to be transferred to, or merged with, applicable Defense Department accounts as long as these funds are used to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Sec. 13002 – Would appropriate, through the end of FY 2021, an additional $1.095 billion to the Defense Health Program for operation and maintenance. Of these funds, 99% would only be available for obligation through the end of FY 2020. Further, these funds would be able to be used for contracts entered into under TRICARE.

Sec. 13003 – Would allow Defense working capital funds to advance bill in excess of amounts appropriated here during FY 2020.

Sec. 13004 – Would waive 10 USC 2326(b)(3), which places restrictions on the obligation of funds to contracts, from applying to contracts related to COVID-19.

Sec. 13005 - Would allow the waiver of provisions of 10 USC 2326(b), which places restrictions on the obligation of funds to contracts, from applying to projects related to the declared national emergency related to COVID-19.

Sec. 13006 – Would expand delegation authority for procurement to other senior Defense officials.

Sec. 13007 – Would allow the President to extend the term of service of Defense Departmental chiefs through the period of the enactment of this bill until a successor is appointed.

Title IV – Corps of Engineers – Civil Department of the Army

Operation and Maintenance - Would appropriate, available through the end of FY 2021, $50 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Expenses - Would appropriate, available through the end of FY 2021, $20 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Department of the Interior – Bureau of Reclamation – Water and Related Resources - Would appropriate, available through the end of FY 2021, $12.5 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $500,000 will be transferred to the Central Utah Project Completion Account for the purposes of this section.

Department of the Interior – Bureau of Reclamation – Policy and Administration - Would appropriate, available through the end of FY 2021, $8.1 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Department of Energy – Energy Programs – Science - Would appropriate, available through the end of FY 2021, $99.5 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Department of Energy – Departmental Administration - Would appropriate, available through the end of FY 2021, $28 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.
Department of Energy – Nuclear Regulatory Commission – Salaries and Expenses - Would appropriate, available through the end of FY 2021, $3.3 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

General Provisions – Title IV

Sec. 14001 – Funds made available in this title may be used to restore accounts for expenditures to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Sec. 14002 – Would extend through FY 2022 the sale of $450 million worth of the Strategic Petroleum Reserve.

Sec. 14003 – Would, beginning in 2021, exempt discretionary spending from the Harbor Maintenance Trust Fund the discretionary spending caps.

Some conservatives may feel that this is an inappropriate exemption from the BCA discretionary spending caps unrelated to coronavirus response. Indeed the House passed H.R. 2440, the Full Utilization of the Harbor Maintenance Trust Fund Act, earlier this Congress prior to COVID-19 existing.

According to CBO, “Because the caps would be adjusted upward by the amount appropriated from the HMTF, implementing the bill could lead to increased spending without reducing spending on other programs. If, under current law, future appropriation acts adhere to the existing caps, adjusting those caps could lead to more discretionary appropriations than would otherwise occur. For example, if H.R. 2440 were enacted and the Congress subsequently enacted appropriation bills that otherwise were equal to the new caps—including appropriations from the HMTF—then in 2020 and 2021 up to $10 billion more could be appropriated from the HMTF for that period without exceeding those caps.”

Sec. 14004 – Exempts COVID-19 related grants from the Appalachian Regional Commission from the statutory cap on such grants.

Title V – Financial Services and General Government

Sec. 15001 – Internal Revenue Service (IRS) - Would appropriate, available through the end of FY 2021, $250 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. These funds would be required to be transferred to the IRS accounts for Taxpayer Services, Enforcement, or Operations Support. IRS would be required, to notify Congress of such transfers.

Supreme Court of the United States – Salaries and Expenses - Would appropriate, available under parameters established in the underlying account, $500,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Court of Appeals, District Courts, and Other - Judicial Services – Salaries and Expenses - Would appropriate, available under parameters established in the underlying account, $6 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.
Court of Appeals, District Courts, and Other – Defender Services - Would appropriate, available under parameters established in the underlying account, $1 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Sec. 15002 – Establishes authorities and guidelines to allow federal criminal proceedings to be conducted through teleconferencing in relation to the COVID-19 pandemic.

District of Columbia – Federal Payment for Emergency Planning and Security Costs in the District of Columbia - Would appropriate, available until expended, $5 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Election Assistance Commission – Election Security Grants - Would appropriate, available under parameters established in the underlying account, $400 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Federal Communications Commission – Salaries and Expenses - Would appropriate, available until expended, $200 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. This would include supporting health care providers.

General Services Administration (GSA) – Real Property Activities – Federal Building Fund- Would appropriate, available until expended, $275 million to prevent, prepare for, and respond to coronavirus, domestically or internationally. These funds may be used to cover costs incurred prior to enactment of this bill and may be transferred to, or merged with, other applicable accounts for the purposes of this section.

Federal Citizen Services Fund - Would appropriate, available until expended, $18.65 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Working Capital Fund - Would appropriate, available until expended, $1.5 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Sec. 15003 - Administrative Provision – GSA – Requires GSA to notification Congress, within 3 days, when making a decision on the necessity of non-competitive procedures related to the current pandemic.

National Archives and Records Administration – Operating Expenses - Would appropriate, available through the end of FY 2021, $8.1 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Office of Personnel Management – Salaries and Expenses - Would appropriate, available through the end of FY 2021, $12.1 million to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Pandemic Response Accountability Committee – Would appropriate, available under parameters established in the underlying account, $80 million to promote transparency and coordinate and support oversight of covered funds.

SBA – Disaster Loans Program Account - Would appropriate, available until expended, $562 million to prevent, prepare for, and respond to coronavirus, domestically or internationally for the cost of direct loans under the 7(b) program and for administrative costs of the 7(a) program. These Funds may be transferred to, or merged with, other applicable accounts for the purposes of this section.
General Provisions – Title V

Sec. 15010 – This section would set up a Pandemic Response Accountability Committee that would conduct and coordinate oversight of covered funds and the Coronavirus response and support Inspectors General in the oversight of covered funds and the Coronavirus.

Title VI – Department of Homeland Security (DHS)

Operations and Support – Would appropriate, available through the end of FY 2021, $178,300,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically. These funds would be used to purchase PPE and sanitization materials and may be transferred between DHS accounts for these purposes.

Transportation Security Administration

Operations and Support – Would appropriate, available through the end of FY 2021, $100,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically. These funds would be used for cleaning and sanitization at checkpoints and other airport common areas, overtime and travel costs, ad explosive detection materials.

United States Coast Guard

Operations and Support – Would appropriate, available through the end of FY 2021, $140,800,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically. These funds would be used for mobilization of reservists ad increasing the capability and capacity of Coast Guard IT systems and infrastructure.

Cybersecurity and Infrastructure Security Agency

Operations and Support – Would appropriate, available through the end of FY 2021, $9,100,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically. These funds would be used for support of interagency critical infrastructure coordination.

Federal Emergency Management Agency (FEMA)

Operations and Support – Would appropriate, available through the end of FY 2021, $44,987,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically. These funds would be used for enhancements to IT and for facilities support.

Disaster Relief Fund (DRF) – Would appropriate, to remain available until expended, $25,000,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically. These funds would be used for disasters declared under the Stafford Act. Of these funds, $15,000,000,000 would be available for use for any purposes pursuant to the Stafford Act.$3,000,000 would be required to go to the OIG.

Conservatives should note that the DRF presently has over $40 billion.

Federal Assistance – Would appropriate, available through the end of FY 2021, $400,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds,
$400,000,000 would be allocated for Assistance to Firefighter Grants for PPE and related supplies, $100,000,000 would be allocated for Emergency Management Performance Grants, and $200,000,000 would be allocated for the Emergency Food and Shelter Program.

General Provisions – Title VI

Sec. 16001. – This section would clarify that, apart from the Disaster Relief Fund under FEMA, funds made available under this section shall only be used for the purposes specifically described under that heading.

Sec. 16002. – This section would clarify that funds appropriated to the FEMA Disaster Relief Fund are only available for the purposes for which they were appropriated.

Sec. 16003. – This section would exempt services performed by FEMA employees in preparation for, prevention of, or response to coronavirus from limitations on premium pay or overtime limits. Pay exempted would be prohibited from causing an employees aggregate pay to exceed the rate of basic pay for a level II Executive.

Sec. 16004. – This section would allow funds provided for “Coast Guard Operations and Support” in the Consolidated Appropriations Act, 2020, to be available for pay and benefits of Coast Guard Yard and Vessel Documentation personnel, Non-Appropriated Funds personnel, and for Morale, Welfare and Recreation Programs.

Sec. 16005. – This section would allow certain healthcare professionals, regardless of any licensure laws, to practice in any State, the District of Columbia, or Commonwealth, territory, or possession of the United States, or any location designated by the Secretary, as long as the practice is within the scope of the authorized Federal duties of the professional during the COVID-19 public health emergency.

Sec. 16006. – This section would extend the deadline by which states are required to meet the driver license and identification card requirements of the REAL ID Act of 2005.

Sec. 16007. – This section would extend the authorization for the Chemical Facility Anti-Terrorism Standards program through July 23, 2020.

Title VII – Department of Interior

Bureau of Indian Affairs

Operation of Indian Programs – Would appropriate, available through the end of FY 2021, $453,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for public safety and justice programs, deep cleaning of facilities, purchase of PPE, purchase of information technology to improve teleworking capability, welfare assistance programs, and assistance to tribal governments including those that participate in the “Small and Needy” program. Of the funds appropriated, $400,000,000 must meet the direct needs of the tribes.

Bureau of Indian Education

Operation of Indian Education – Would appropriate, available through the end of FY 2021, $69,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally.
Specifically, these funds would be for tribally-controlled colleges and universities, salaries, transportation, and information technology to improve teleworking capability. These funds would be used to absorb increased operational costs related to coronavirus, and the Secretary would be empowered to transfer these funds to any other account within the department. $1,000,000 would be required to go to the OIG for oversight activities of these funds.

**Departmental Offices, Office of the Secretary**

Departmental Operations – Would appropriate, available through the end of FY 2021, $158,400,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for purchasing 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.

**Insular Affairs**

Assistance to the Territories – Would appropriate, available through the end of FY 2021, $55,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally.

**Environmental Protection Agency (EPA)**

Science and Technology – Would appropriate, available through the end of FY 2021, $2,250,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $750,000 would be required to be used for cleaning and disinfecting equipment or facilities of the EPA. $1,500,000 would be required to be used for research on methods to reduce the risks from environmental transmission of coronavirus via contaminated surfaces or materials.

Environmental Programs and Management – Would appropriate, available through the end of FY 2021, $3,910,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $2,410,000 would be required to be used for cleaning and disinfecting equipment or facilities of the EPA and operational continuity of the EPA and $1,500,000 would be used for expediting registration and other actions related to coronavirus.

Buildings and Facilities – Would appropriate, available through the end of FY 2021, $300,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for cleaning and disinfecting equipment or facilities of the EPA.

Hazardous Substance Superfund – Would appropriate, available through the end of FY 2021, $770,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for cleaning and disinfecting equipment or facilities of the EPA.

**Department of Agriculture**

**Forest Service**

Forest and Rangeland Research – Would appropriate, available through the end of FY 2021, $3,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for the reestablishment of abandoned or failed experiments associated with employee restrictions due to coronavirus.
National Forest System – Would appropriate, available through the end of FY 2021, $34,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for cleaning and disinfecting public recreation amenities and for PPE and baseline health testing for first responders.

Capital Improvement and Maintenance – Would appropriate, available through the end of FY 2021, $26,800,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for janitorial services.

Wildland Fire Management – Would appropriate, available through the end of FY 2021, $7,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for PPE and baseline health testing for first responders.

Department of Health and Human Services

Indian Health Services

Indian Health Services – Would appropriate, available through the end of FY 2021, $1,032,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for surveillance, testing capacity, community health representatives, public health support, telehealth, Purchased/Referred Care, and other health service activities necessary to meet the increase in need of services and to protect the safety of patients and staff. Of these funds, $65,000,000 would be used to stabilize and support electronic health records and $450,000,000 would be distributed for supplies and public health education for IHS direct service and for tribally operated and urban Indian health care facilities. Further, $125,000,000 could be transferred and merged with the “Indian Health Service, Indian Health Facilities account.

Agency for Toxic Substances and Disease Registry

Toxic Substances and Environmental Public Health – Would appropriate, available through the end of FY 2021, $12,500,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $7,500,000 of these funds would be used for the Geospatial Research, Analysis and Services Program to support mapping of infectious disease hot spots and $5,000,000 would be used to provide guidance and outreach on safe practices for disinfection for home, school, and daycare facilities.

Institute of American Indian and Alaska Native Culture and Arts Development

Payment to the Institute – Would appropriate, available through the end of FY 2021, $78,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Smithsonian Institution

Salaries and Expenses – Would appropriate, available through the end of FY 2021, $7,500,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for deep cleaning, security, information technology, and staff overtime.

John F. Kennedy Center for the Performing Arts
Operations and Maintenance – Would appropriate, available through the end of FY 2021, $25,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for deep cleaning and information technology to improve teleworking capability. Further, these funds would be used to ensure the continuity of the Center and its affiliates (artists, performers, etc.).

Conservatives may be concerned that the bill includes $25 million for the Kennedy Center. Tickets can often cost over $150 a piece, and performances are often sold out. The Kennedy Center’s website lists 15 corporations as executive benefactors who provide annual commitments of $200,000 or greater. It is clear the center is more than capable of supporting itself. It is inappropriate for the federal government to subsidize a performing arts center in one of the wealthiest areas of the country.

National Foundation on the Arts and Humanities, National Endowment for the Arts

Grants and Administration – Would appropriate, available through the end of FY 2021, $75,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. 40 percent of these funds would be distributed to state art agencies and regional arts organizations and 60 percent of such funds shall be for direct grants.

Some conservatives may question why arts and humanities organizations need additional funding for distributing grants.

National Endowment for the Humanities - Grants and Administration – Would appropriate, available through the end of FY 2021, $75,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. 40 percent of these funds would be distributed to state art agencies and regional arts organizations and 60 percent of such funds shall be for direct grants.

Some conservatives may question why arts and humanities organizations need additional funding for distributing grants.

Title VIII - Department of Labor, Health and Human Services, and Related Agencies

Training and Employment Services - $345 million through September 30, 2021 for “Training and Employment Services” to prevent, prepare for, and combat COVID 19 domestically and abroad, and to support displaced workers. This funding would be made available provided that such funds are used to replenish other areas and are designated as being for an emergency requirement 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Departmental management - $15 million to remain available for salaries and related expenses for DOL, HHS, with $1 million specifically transferred to the DOL IG.

CDC Wide Activities - $4.3 billion to remain available until September 30, 2022. $1.5 billion of this would be reserved for grants for state, local, and tribal governments along with tribal health providers. More specifically, $125 million would be reserved for grants to tribes, tribal health care providers, and urban Indian health organizations. $500 million of this would be granted to global pandemic detection and response efforts. $500 million of this would be granted to health data surveillance and analytics. Within 30 days of enactment CDC would report to Congress on data surveillance and analysis. $300 million of this would be transferred to the Infectious Diseases Rapid Response Reserve Fund. The CDC Director and HHS Secretary would be required to report to Congress every 14 days on obligations that exceed $5 million.
National Institutes of Health National Heart, Lung, and Blood Institute - $103.4 million available through September 30, 2024.

National Institute of Allergy and Infectious Diseases - $706 million through September 30, 2024, of which a minimum of $156 million must be designated for vaccine and disease research.

National Institute of Biomedical Imaging and Engineering - $60 million to remain available through September 30, 2024.

National Library of Medicine - $10 million to remain available through September 30, 2024.

National Center for Advancing Translation Sciences - $36 million to remain available through September 30, 2024.

Office of the Director (CDC) - $30 million to remain available through September 30, 2024.

Substance Abuse and Mental Health Services Administration - $425 million, for the Health Surveillance and Program Support available through September 30, 2021. A minimum of $250 million would be made available for the Certified Community Behavioral Health Clinic. A minimum of $50 million would be made available for suicide prevention programs. A minimum of $100 million would be made available for services provided under the Public Health Emergency, authorized under the Public Health Service Act. Provided that $15 million would be made available for tribes, tribal health care providers, and urban Indian health organizations.

Centers for Medicare and Medicaid Services - $200 million would be made available through September 30, 2023, with at least $100 million used for the survey and certification programs.

Low Income Home Energy Assistance - $900 million would be made available through September 30, 2021. Specifically $225 million would be allocated as though total FY2020 appropriations for this program were below $1.975 billion

Payments to States through the Childcare and Development Block Grant - $3.5 billion would be made available through September 30, 2021 to supplement state, territory, and tribal funds to support childcare especially for low income families.

Children and Family Services - $1.874 billion would be made available for children and family services during the COVID-19 epidemic. Specifically, $1 billion would be available for sections 674 and 679 of the Community Services Block Grant Act. $750 million would be made available under the Head Start Act, with $500 million available for supplemental summer programs. $2 million would be made available for the National Domestic Violence Hotline. $45 million would be made available to the Family Violence Prevention and Services formula grants. $25 million would be made available for activities under the Runaway and Homeless Youth Act. $45 million would be used for child welfare services under the Social Security Act. $7 million would be used for administrative expenses.

Aging and Disability Services Programs - $955 million would be made available to Aging and Disability Services Programs through September 31, 2021. Specifically, $820 million would be made available for activities under the Older Americans Act of 1965. Specifically, $200 million would be for support services, $520 million for nutrition services, $100 million for support services for family caregivers, and $20 million for elder rights protection activities. $85 million would be made available for independent living centers.
Office of the Secretary Public Health and Social Services Emergency Fund – Approximately $27.015 billion would be made available through September 30, 2024. This fund would assist with combatting the virus domestically and abroad, including the development of necessary countermeasures and vaccines, prioritizing platform-based technologies with U.S.-based manufacturing capabilities, the purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, as well as medical surge capacity, and related administrative activities, addressing blood supply chain, workforce modernization, telehealth access and infrastructure, initial advanced manufacturing, novel dispensing, enhancements to the U.S. Commissioned Corps, and other preparedness and response activities. Specifically, $16 billion would fund the Strategic National Stockpile. At least $250 million would be made available for grants to grantees and subgrantees of the hospital preparedness program. At least $3.5 billion would be made available for Biomedical Advanced Research and Development Authority for expenses of developing or manufacturing vaccines or therapeutics. The funding under this section would be available for reimbursements for the Department of Veterans Affairs. Up to $289 million would be transferable to other agencies to fund their activities under the Public Health Emergency authorities to supplement efforts to combat COVID-19. $1.5 million would be made available to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine.

Public Health and Social Services Emergency Fund - $275 million would be made available through September 30, 2022. Specifically, at least $90 million would be made available to the Health Resources and Services Administration- Ryan White HIV/AIDS program, which may be used under the Public Health Emergency authorities to supplement efforts to combat COVID-19. $5 million of these funds would be made available to Health Resources and Services Administration—Health Care Systems to improve the capacity of poison control centers. $180 million, of which $15 million would be designated for tribal governments along with tribal health providers, would be made available to the Health Resources and Services Administration—Rural Health program to improve telehealth efforts.

$100 billion would be made available until expended toward general efforts to combat the pandemic including to reimburse health care providers for expenses and lost revenue related to COVID-19.

Department of Education (DOE), Education Stabilization Fund - $30.75 billion would be made available to the education stabilization fund through September 30, 2021. This fund would be administered in consultation with the Department of the Interior.

Governor’s Emergency Education Relief Fund - Under this provision the DOE Secretary may make emergency grants available to states. The value of each grant would be calculated through preset percentages; specifically, 60% of the grant’s value would be based upon a state’s population of individuals 5 through 24 and 40% based on their total population.

Elementary and Secondary School Emergency Relief Fund - Under this provision the DOE Secretary may make grants available to the state agencies for elementary and secondary school emergency relief. 90% of the value of these grants may be reallocated to local agencies as subgrants. ½ of 1% of the value of these funds may be used by states for administrative cost. Any federal aid not awarded within one year of receiving such funds must be reallocated to the Secretary of Education.

Higher Education Emergency Relief Fund - The DOE Secretary may allocate federal funds for higher education emergency relief. 90% of funds must be used toward preventing the spread of COVID-19, (this funding would be weighted 75-25 toward enrollment of fulltime Pell Grant Recipients versus non-Pell Grant Recipients. Distribution of these funds would be carried out in the same manner as the distribution of Pell Grants under the Higher Education Act of 1965. Special consideration would
be guaranteed for institutions that are only eligible for less than $500,000 worth of funds offered under these provisions. Historically Black Colleges and Universities (HBCUs) and Minority Serving Institutions (MSIs) would be eligible to use prior funds granted under titles III, V, and VII of the Higher Education Act to prevent, prepare for, and respond to coronavirus. Non-public education institutions that currently receive federal funding would similarly remain eligible, but the control of such funds would remain with public agencies.

Continued payments for education employees - Any entity that receives federal funds in support of education would be required to continue to pay employees or contractors to the greatest extent practicable.

Safe Schools and Citizenship Education - $100 million would be made available through September 30, 2021.

Gallaudet University - $7 million would be made available to Gallaudet University through September 30, 2021.

Student Aid Administration - $40 million would be made available through September 30, 2021, which could be used in support of actions taken under the Public Health Emergency authorities.

Howard University - $13 million would be made available through September 30, 2021 to Howard University.

Departmental Management Program Administration-$8 million would be made available for DOE “Program Administration”.


Corporation for Public Broadcasting - $75 million would be made available for the Corporation for Public Broadcasting through September 30, 2021 to continue its work throughout the COVID-19 pandemic.

Institute of Museum and Libraries - $50 million would be made available through September 30, 2021.

Railroad Retirement Board - $5 million would be made available through September 30, 2021.

Social Security Administration Limitation on Administrative Expenses - $300 million would be made available through September 30, 2021.

**General Provisions (Including Transfer of Funds)**

Sec. 18108 - Funds appropriated by this title would be available for use by the Secretary of HHS without regards to Title 5 Civil Service restrictions between sections 3309 through 3319 for hiring of employees to fill critical roles in combatting COVID-19 for which the Secretary has given public notice and the Secretary determines a need exists.

Sec. 18109 - Funds under this title would be made available to enter contracts to obtain services to combat COVID-19.
Sec. 18110 - This section would provide that premium costs for services obtained by the government with funds under this section would be disregarded. This section would also provide that overtime performed by federal employees for work deemed critical in combating COVID-19 not be subject to ordinary limitation.

Sec. 18111 - Funds under this title would be eligible to be merged with accounts for the Centers for Disease Control and Prevention, Public Health and Social Services Emergency Fund, Administration for Children and Families, and National Institutes of Health.

Sec. 18112 - Within 30 days of enactment, the Secretary for HHS would be required to provide a detailed spending plan to Congress. This plan would include estimates for personnel and administrative costs.

Sec. 18113 - Under this section, $4 million of the funds provided to the Public Health and Social Services Emergency Fund would be transferred to the Office of the Secretary, Office of Inspector General for HHS oversight.


Sec. 18115 – Under this section every laboratory that performs or analyzes a test to detect SARS-CoV-2 or to diagnose a case of COVID-19 must report the results of each test to the Secretary of HHS in a manner and frequency required by the Secretary. The Secretary would determine what laboratories are covered. This section would also repeal Section 1702 of division A of the Families First Coronavirus Response Act.

**Title IX – Legislative Branch**

**Senate**

Sergeant at Arms and Doorkeeper of the Senate – Would appropriate, to remain available until expended, $1,000,000 to prevent, prepare for, and respond to coronavirus.

Miscellaneous Items – Would appropriate, to remain available until expended, $9,000,000 to prevent, prepare for, and respond to coronavirus. These funds would be subject to the approval of the Senate Committee on Appropriations and the Senate Committee on Rules and Administration.

**House of Representatives**

Salaries and Expenses – Would appropriate, available through the end of FY 2021, $25,000,000 to prevent, prepare for, and respond to coronavirus, except that $5,000,000 of these funds would be available without fiscal year limitation. Specifically, funds would be allocated according to a spend plan submitted to the House Committee on Appropriations by the Chief Administrative Officer (CAO).

**Joint Items**

Office of the Attending Physician – Would appropriate, to remain available until expended, $400,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally.
Capitol Police, Salaries – Would appropriate, to remain available until expended, $12,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. The Capitol Police would be authorized to transfer these funds to the “General Expenses” account without seeking approval.

**Architect of the Capitol (AOC)**

Capitol Construction and Operations – Would appropriate, available through the end of FY 2021, $25,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, such funds would be used to purchase and distribute cleaning and sanitation products throughout all facilities and grounds under the care of the AOC, and for any related services and operational costs.

**Library of Congress (LOC)**

**Salaries and Expenses** – Would appropriate, available through the end of FY 2020, $700,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for the [Little Scholars Child Development Center](#), which provides care for children (ages 3 months to 5 years) of LOC and other federal employees.

**Government Accountability Office (GAO)**

Salaries and Expenses – Would appropriate, to remain available until expended, $20,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for audits and investigations, and a report on these audits and investigations would be required within 90 days. Of the fund appropriated, $600,000 would be used for the [Tiny Findings Child Development Center](#).

**General Provisions – Title IX**

**Source of Funds Used for Payment of Salaries and Expenses of Senate Employee Child Care Center**

Sec. 19001. – This section would direct funds from the “Miscellaneous Items” account be used to reimburse the Senate Employee Child Care Center for personnel costs related to employees who were ordered to cease working due to measures taken in the Capitol complex to combat Coronavirus up to $84,000 a month.

Sec. 19002. – This section would allow the CAO to access funds to pay the salaries of employees of the House of Representatives Child Care Center during an emergency situation.

Sec. 19003. – This section would allow the CAO to make payments under contracts with vendors providing goods and services to the House to ensure such goods and services are available throughout the emergency. Such payments would be subject to the approval of the Committee on House Administration and subject to the availability of appropriations.

Sec. 19004. – This section would direct funds from the “Library of Congress—Salaries And Expenses” account be used to reimburse the Little Scholars Child Development Center for personnel costs related to employees who were ordered to cease working due to measures taken in the Capitol complex to combat Coronavirus up to $113,000 a month.
Sec. 19005. – This section would allow the AOC to make payments to contractors for the weekly salaries and benefits of furloughed employees for up to 16 weeks, subject to the availability of appropriations.

Sec. 19006. – This section would waive Ethics rules and regulations pertaining to franked mail for mailing sent in response to or address threats to life safety.

Sec. 19007. – This section would slightly increase appropriations for the “Library of Congress—Salaries and Expenses” account.

Sec. 19008. – This section would broaden Congressional employee eligibility for public health emergency leave pursuant to the recently passed Phase II coronavirus relief package.

Sec. 19009. – This section would allow the GAO to reimburse the Tiny Findings Child Development Center for salaries of employees asked to cease working due to coronavirus through FY 2020. Total funds for these purposes may not exceed $100,000 per month.

Sec. 19010. – This section would authorize the Comptroller General to conduct monitoring and oversight of the funds made available, by this Act or any other Act, to prepare for, respond to, and recover from the 2019 coronavirus pandemic and the effect of the pandemic on the health, economy, and public and private of the United States. This section requires published reports to Congress and lays out transparency requirements and other requirements the Comptroller General must conform to.

Sec. 19011. – This section would allow the Register of Copyrights to temporarily waive, adjust, toll, or modify the timing or procedural requirements if a national emergency is declared by the President under the National Emergencies Act.

**Title X – Veterans Affairs and Related Agencies, Department of Veterans Affairs**

**Veterans Benefits Administration (VBA)**

General Operating Expenses – Would appropriate, available through the end of FY 2021, $13,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally.

**Veterans Health Administration (VHA)**

Medical Services – Would appropriate, available through the end of FY 2021, $14,432,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for health care delivery and for support to veterans who are homeless or at risk of becoming homeless.

Medical Community Care – Would appropriate, available through the end of FY 2021, $2,100,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be for impacts on health care delivery.

Medical Support and Compliance – Would appropriate, available through the end of FY 2021, $100,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be for impacts on health care delivery.
Medical Facilities – Would appropriate, available through the end of FY 2021, $606,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be for impacts on health care delivery.

**Departmental Administration**

General Administration – Would appropriate, available through the end of FY 2021, $6,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally.

Information Technology Systems – Would appropriate, available through the end of FY 2021, $2,150,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be allocated, according to plan submitted by the Secretary, to employee pay and associated costs, operations and maintenance, and information technology systems development.

Office of the Inspector General – Would appropriate, available through the end of FY 2021, $12,500,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to audit and investigate projects and programs funded through the Department of Veterans Affairs to combat coronavirus.

Grants for Construction of State Extended Care Facilities – Would appropriate, available through the end of FY 2021, $150,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to modify or alter existing hospital, nursing home, and domiciliary facilities in State homes.

**Related Agencies**

Armed Forces Retirement Home Trust Fund – Would appropriate, available through the end of FY 2021, $2,8000,000 to prevent, prepare for, and respond to coronavirus. These funds would be paid into the Trust Fund from the general fund of the Treasury.

**Administrative Provisions – Title X**

Sec. 20001. – This section would allow for transfers among the Medical Services, Medical Community Care, Medical Support and Compliance, and Medical Facilities accounts of 2 percent of less of the total amount appropriated to an account if the VA Secretary notifies both Houses of Congress as to the amount and purpose of the transfer. If the transfer exceeds 2 percent, Congress would have to approve it first.

Sec. 20002. – This section would require monthly reports to Congress on the funds appropriated in Title X.

Sec. 20003. – This section would define “public health emergency” in this title as an emergency with respect to COVID-19 declared by a Federal, State, or local authority.

Sec. 20004. – The section would allow the VA Secretary to enter into contracts to provide fixed and mobile broadband services to expand mental telehealth capabilities during the COVID-19 public health emergency.
Sec. 20005. – This section would waive per diem rate requirements and percentage requirements for veterans in State homes during the COVID-19 public health emergency. This section also allows the Secretary to provide State homes with medicine, equipment, and supplies needed to care for veterans during the COVID-19 public health emergency.

Sec. 20006. – This section would allow the Secretary to process new enrollments into the Veteran Directed Care program via telephone or telehealth modality, and the secretary may not disenroll a veteran from the program unless the decision is mutual during the COVID-19 public health emergency.

Sec. 20007. – This section would ensure veterans who are eligible to receive a prosthetic appliance are able to receive it during the COVID-19 public health emergency.

Sec. 20008. – This section would waive any limitation on pay for an employee of the VA for work done during the COVID-19 public health emergency.

Sec. 20009. – This section would require the VA to supple employees and contractors with needed PPE during the COVID-19 public health emergency.

Sec. 20010. – This section would clarify that the 2020 Recovery Rebate included in this Act would not be treated as income or resources for purposes of determining pensions or benefits administered by the VA.

Sec. 20011. – This section would ensure telehealth capabilities are available to case managers of, and homeless veterans participating in, the Department of Housing and Urban Development—Department of Veterans Affairs Supportive Housing program (HUD-VASH) during the COVID-19 public health emergency.

Sec. 20012. – This section would lift appropriations funding limits for financial assistance for supportive services for very low-income veterans in permanent housing during the COVID-19 public health emergency.

Sec. 20013. – This section would lift appropriations funding limits for Comprehensive Services provided to homeless veterans during the COVID-19 public health emergency.

Title XI – Department of State and Related Agencies

Department of State

Diplomatic Programs – Would appropriate, available through the end of FY 2022, $324,000,000 to prevent, prepare for, and respond to coronavirus. Specifically, these funds would be used to maintain consular operations and to provide for evacuation expenses and emergency preparedness.

Migration and Refugee Assistance – Would appropriate, to remain available until expended, $350,000,000 to prevent, prepare for, and respond to coronavirus.

United States Agency for International Development (USAID)

Operating Expenses – Would appropriate, available through the end of FY 2022, $95,000,000 to prevent, prepare for, and respond to coronavirus.
International Disaster Assistance – Would appropriate, to remain available until expended, $258,000,000 to prevent, prepare for, and respond to coronavirus.

**Independent Agencies**

Peace Corps – Would appropriate, available through the end of FY 2022, $88,000,000 to prevent, prepare for, and respond to coronavirus.

**General Provisions Title XI**

Sec. 21001. – This section would ensure funds appropriated to the “Diplomatic Programs” account could be transferred to, and merged with, funds available under the “Consular and Border Security Programs” account to maintain consular operations impacted by coronavirus. Additionally, it would ensure funds appropriated to the “International Disaster Assistance” account could be transferred to, and merged with, funds available under the “Global Health Program” and “Economic Support Fund” accounts to maintain consular operations impacted by coronavirus. Finally, it ensures flexibility in transfers between accounts and requires notification to Congress of any transfer of funds between accounts.

Sec. 21002. – This section would allow funds appropriated by this Title under “Diplomatic Programs”, “Operating Expenses”, and “Peace Corps” to be used to retroactively reimburse the respective accounts administered by the Department of State, USAID, and the Peace Corps, for obligations incurred to prevent, prepare for, and respond to coronavirus prior to the date of enactment.

Sec. 21003. – This section would require the Secretary of State and the USAID Administrator to report on the proposed uses of the funds appropriated by this title on a country and project basis after 20 days. Bimonthly updates would be required through FY 2022, and Trimonthly reports would be required thereafter until funds have been expended.

Sec. 21004. This section would increase the amount of already appropriated funds USAID could use to hire and employ individuals in the United States and overseas on a limited appointment basis.

Sec. 21005. – The Department of State’s Diplomatic and Consular office would be provided more transfer flexibility for necessary expenses to meet unforeseen emergencies.

Sec. 21006. – This section would provide the Millennium Challenge Corporation with additional administrative flexibility.

Sec. 21007. – This section would allow the Department of State and USAID to provide additional paid leave to address employee hardships resulting from coronavirus. This could apply to leave taken since January 29, 2020.

Sec. 21008. – This section would allow the State Department to provide medical services to prevent, prepare for, and respond to coronavirus to individuals unable to obtain such services otherwise. Reimbursement would be required to the extend feasible.

Sec. 21009. – This section would allow passport and immigrant visa surcharges to be obligated and expended for the costs of providing consular services during FY 2020.

Sec. 21010. – The Department of State and USAID would be authorized to enter into third-party contracts to prevent, prepare for, and respond to coronavirus subject to prior consultation with
relevant Committees in both Houses of Congress. Individuals under contract could not be deemed United States employees. This authority would expire after FY 2022.

Sec. 21011. – This section would allow required oaths of office administered by the State Department or USAID to be administered remotely through FY 2021 to promote social distancing.

Sec. 21012. – This section would authorize to be appropriated to the United States Governor to the International Development Association (IDA) $3,004,200,000, without fiscal year limitation, to contribute to the nineteenth replenishment of the resources of the IDA to strengthen the ability of foreign countries to prevent, prepare for, and respond to coronavirus.

This section would also authorize the United States Governor of the International Finance Corporation to vote in favor of a resolution to increase the capital stock of the IFC and to agree and accept an amendment to increase the vote by which the IFC could increase capital stock in the future.

Further, this section would allow the United States Governor of the African Development Bank to subscribe to additional shares of the Bank, paid for by an authorization to appropriate $7,286,587,008 for payment by the Treasury.

The United States Governor to the African Development Fund is authorized to contribute $513,900,000 to the fifteenth replenishment of the resources of the fund, and such funds are authorized to be appropriated for payment by the Treasury. Appropriations are authorized by this section to provide for the contribution.

Finally, the Secretary of the Treasury is authorized to make loans in an amount not to exceed the dollar equivalent of 28,202,470,000 of Special Drawing Rights, for the international Monetary Fund to expand the resources of the New Arrangements to Borrow.

Title XII – Department of Transportation

Office of the Secretary

Salaries and Expenses – Would appropriate, to remain available until expended, $1,753,000 to prevent, prepare for, and respond to coronavirus. Specifically, these funds would be used for operating costs and capital outlays and are in addition to any other amounts made available for this purpose.

Essential Air Service – Would appropriate, to remain available until expended, $56,000,000 to prevent, prepare for, and respond to coronavirus. Such funds would be derived from the general fund of the treasury and made available to the Essential Air Service and Rural Improvement Fund.

Federal Aviation Administration (FAA)

Grants-In-Aid for Airports – Would appropriate, to remain available until expended, $10,000,000,000 to prevent, prepare for, and respond to coronavirus. Such funds would be derived from the general fund of the treasury. Such funds would only be available to “air carrier airports”. Further, at least $500,000,000 of the funds appropriated would be used for the Federal share of 100 percent for grants made under Public Law 116-94. $7,400,000,000 would be available for any purpose for which airport revenues may lawfully be used so long as 50 percent of funds are allocated among all commercial service airports based on each sponsor’s percentage of 2018 total enplanements. The remaining 50 percent would be allocated based on FY 2018 debt. This section also sets forth apportionment measures for portions of the funds. Finally, not less than $100,000,000
would be used for general aviation airports. Finally, up to 0.1 percent of the funds would be set aside for administrative purposes.

*Conservatives may be concerned that this funding is again directed at supporting the aviation sector.*

**Federal Motor Carrier Safety Administration (FMCSA)**

Motor Carrier Safety Operations and Programs – This section would provide and repurpose, from prior year unobligated contract authority and liquidating cash already authorized or appropriated, $150,000 in additional obligation limitation for obligations incurred to support activities to prevent, prepare for, and respond to coronavirus.

**Federal Railroad Administration (FRA)**

Safety and Operations – Would appropriate, available through the end of FY 2021, $250,000 to prevent, prepare for, and respond to coronavirus.

Northeast Corridor Grants to the National Railroad Passenger Corporation – Would appropriate, to remain available until expended, $492,000,000 to prevent, prepare for, and respond to coronavirus. These funds would be used to enable the Secretary of Transportation to make or amend existing grants for activities associated with the Northeast Corridor. This section also allows the funds made available to be transferred to and merged with “National Network Grants to the National Railroad Passenger Corporation” to prevent, prepare for, and respond to coronavirus.

National Network Grants to the National Railroad Passenger Corporation – Would appropriate, to remain available until expended, $526,000,000 to prevent, prepare for, and respond to coronavirus. These funds would be used to enable the Secretary of Transportation to make or amend existing grants for activities associated with the National Network. This section also limits state payment requirements. This section also allows the funds made available to be transferred to and merged with “Northeast Corridor Grants to the National Passenger Corporation” to prevent, prepare for, and respond to coronavirus.

**Federal Transit Authority (FTA)**

Transit Infrastructure Grants – Would appropriate, to remain available until expended, $25,000,000,000 to prevent, prepare for, and respond to coronavirus. These funds would be apportioned by existing grant formulas except that funds apportioned under “state of good repair” grants would be added to rural funds. This section would allow 0.75 percent, but not more than $75,000,000, of the funds to be available for administrative purposes. Funds provided by this section could be used for operating expenses, operating costs and lost revenue, purchase or personal protective equipment, and other measures to prevent, prepare for, and respond to coronavirus.

*Some conservatives may be concerned over the magnitude of this appropriation and question whether it is intended more for stimulus effects rather than mitigating the effects of the pandemic.*

**Maritime Administration**

Operations and Training – Would appropriate, available through the end of FY 2021, $3,134,000 to prevent, prepare for, and respond to coronavirus. This section would require that $1,000,000 of these funds be used for the operations of the United States Merchant Marine Academy.
State Maritime Academy Operations – Would appropriate, available through the end of FY 2021, $1,000,000 to prevent, prepare for, and respond to coronavirus. Specifically, these funds would be used for direct payments for State Maritime Academies.

Department of Transportation Office of Inspector General – Would appropriate, to remain available until expended, $5,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to audit and investigate projects and programs funded through the Department of Transportation to combat coronavirus.

Department of Housing and Urban Development

Management and Administration

Administrative Support Offices – Would appropriate, available through the end of FY 2021, $35,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for salaries and expenses, information technology purposes, and to support the Department's workforce in a telework environment.

Program Offices – Would appropriate, available through the end of FY 2021, $15,000,000 to prevent, prepare for, and respond to coronavirus. Of that amount, $5,000,000 would be available for the Office of Public and Indian Housing and $15,000,000 would be available for the Office of Community Planning and Development.

Public and Indian Housing

Tenant-based Rental Assistance – Would appropriate, to remain available until expended, $1,250,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to provide additional funds for public housing agencies to maintain normal operations during the period significantly impacted by coronavirus. Of these amounts, $850,000,000 would be available for both administrative expenses and other expenses of public housing agencies for their section 8 programs. $400,000,000 would be used for adjustments in the calendar year 2020 section 8 renewal funding allocations for agencies that experience a significant increase in voucher per-unit costs. The Secretary would be afforded broad waiver authority for dealing with circumstances related to coronavirus but must notify the public of the use of such waiver authority. This section also allows any unobligated funds appropriated under this heading in prior acts to be awarded for tenant-based assistance contracts for supportive housing for persons with disabilities. Of that amount, a quarter would be required to go to PHAs that received awards in 2017 and 2019.

Public Housing Operating Fund – Would appropriate, available through the end of FY 2021, $685,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used for public housing agencies to maintain normal operations during the period significantly impacted by coronavirus. This section would expand the uses of the Public Housing Capital and Operating Funds to include other expenses related to preventing, preparing for, and responding to coronavirus, including activities pertaining to the health and safety of assisted individuals. This flexibility would be provided through 2020, and the Secretary would be allowed to extend that flexibility upon funding expanded services are still required due to coronavirus. Finally, the Secretary is provided significant waiver authority to respond to coronavirus but must notify the public.
Native American Programs – Would appropriate, available through the end of FY 2024, $300,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, $200,000,000 of these funds would be used for activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA). These funds would be used to maintain normal operations during the period impacted by coronavirus and may be used to reimburse costs incurred due to coronavirus. The remaining $100,000,000 would be used for activities and assistance authorized under title I of the Housing and Community Development Act of 1974 with respect to Indian tribes for similar purposes and for emergencies that constitute threats to health and safety. Costs incurred in response to coronavirus could be reimbursed as allowable costs, and projects designed to combat coronavirus would be prioritized. Finally, the Secretary is provided significant waiver authority to respond to coronavirus but must notify the public.

Community and Planning Development

Housing Opportunities for Persons with AIDS – Would appropriate $65,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $50,000,000 would be available through FY 2022 and used to provide additional funds to maintain operations and for rental assistance, supportive services, and other necessary actions taken in response to coronavirus. The remainder would be available through FY 2021, of which $10,000,000 would be used for a one-time, non-renewable award to grantees administering existing contracts for permanent supportive housing, but that these funds could instead be used to protect persons living with HIV/AIDS and allow them to self-isolate, quarantine, or take other coronavirus countermeasures. Finally, the Secretary is provided significant waiver authority to respond to coronavirus but must notify the public.

Community Development Fund – Would appropriate, available through the end of FY 2022, $5,000,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, up to $2,000,000,000 would be distributed pursuant to section 106 of the Housing and Community Development Act of 1974. Additionally, $1,000,000 would be allocated directly to States and insular areas to respond to coronavirus. The remainder would be apportioned directly to a State or local governmental unit based on a formula that takes into account coronavirus risk factors. The Secretary is provided significant waiver authority to respond to coronavirus but must notify the public. This section allows for expedited procedures for awarding, and for grantees adopting, grants authorized. Virtual hearings would be allowed for social distancing purposes to meet the requirements of applicable public hearing requirements.

Homeless Assistance Grants – Would appropriate, available through the end of FY 2022, $4,000,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $2,000,000,000 would be allocated pursuant to the Emergency Solutions Grant Program and that remaining amounts would be allocated directly to a State of local government. Specifically, these funds would be used to assist individuals and families who are homeless or receive homeless assistance in dealing with, preventing, and responding to the impacts of coronavirus. These funds would be allocated directly to a State of local governmental body by a formula developed by the Secretary. That formula would consider factors such as risk of transmission of coronavirus, high numbers or rates of sheltered and unsheltered homeless, and economic and housing market conditions. Flexibility in reimbursement, procurement standards, and waiver authority would also be granted by this section for responding to coronavirus. This section would also relax habitability and environmental review standards for temporary emergency shelters used to respond to coronavirus. Funds under this section may be used for training on infectious disease
prevention and mitigation and to provide hazard pay for staff working on the frontlines of the coronavirus epidemic.

**Housing Programs**

**Project-Based Rental Assistance** – Would appropriate, to remain until expended, $1,000,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to maintain normal operations and take other necessary actions during the period impacted by coronavirus and to assist owners or sponsors of section 8 housing. The Secretary is provided significant waiver authority to respond to coronavirus but must notify the public.

Housing for the Elderly – Would appropriate, available through the end of FY 2023, $50,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, to maintain normal operations and take other necessary actions during the period impacted by coronavirus and to assist owners or sponsors of section 202 housing. Of these funds, $10,000,000 would be used for service coordinators and existing service grants for residents of assisted housing projects. The Secretary is provided significant waiver authority to respond to coronavirus but must notify the public.

Housing for Persons with Disabilities – Would appropriate, available through the end of FY 2023, $15,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, to maintain normal operations and take other necessary actions during the period impacted by coronavirus and to assist owners or sponsors of section 811 housing. The Secretary is provided significant waiver authority to respond to coronavirus but must notify the public.

**Fair Housing and Equal Opportunity**

Fair Housing Activities – Would appropriate, available through the end of FY 2021, $2,500,000 for contracts, grants, and other assistance pursuant to fair housing law to prevent, prepare for, and respond to coronavirus, domestically or internationally. Of these funds, $1,500,000 would be used for the Fair Housing Assistance Program Partnership for Special Enforcement to address fair housing issues relating to coronavirus, and $1,000,000 would be used for the Fair Housing Initiatives Program for education and outreach activities to educate the public about fair housing issues relating to coronavirus.

Office of Inspector General – Would appropriate, to remain available until expended, $5,000,000 to prevent, prepare for, and respond to coronavirus, domestically or internationally. Specifically, these funds would be used to audit and investigate projects and programs funded through the Department of Housing and Urban Development to combat coronavirus.

**General Provisions – Title XII**

Sec. 22001. – This Section would allow for $25,000,000 of amounts made available to the FAA from the Airport and Airway Trust Fund to be used to prevent, prepare for, and respond to coronavirus.

Sec. 22002. – This section would prevent the Secretary from waiving labor standards and ensures compliance with labor laws for the FRA grants made available. This section would also require the Secretary to notify Congress every 7 days of furlough made as a result of efforts to prevent, prepare for, and respond to coronavirus. Finally, this section requires the Secretary to provide furloughed employees the opportunity to be recalled once passenger rail service is fully restored.
Sec. 22003. – This section would allow States to grant special permits, issued during a national emergency, through FY 2020 to certain overweight vehicles.

Sec. 22004. – This section would extend the availability of funds through FY 2021 for a youth homelessness demonstration set to expire at the end of FY 2020.

Sec. 22005. – This section would waive certain National Highway safety requirements if the COVID-19 public health emergency is affecting compliance, or the requirements of those provisions is hindering response to the crisis.

**Title XIII – General Provisions – This Act**

Sec. 23001. – This section would clarify that amounts appropriated or made available or in addition to other appropriations.

Sec. 23002. – This section would clarify that no appropriation made by this Act is for any fiscal year beyond FY 2020 unless expressly stated.

Sec. 23003. – This section would clarify that, unless expressly stated, additional amounts appropriated to existing appropriations accounts are made under the existing authorities and conditions.

Sec. 23004. – This section would clarify that transfer authority granted by this Act is only intended for use to prevent, prepare for, and respond to coronavirus except for the exceptions expressly made by this section.

Sec. 23005. – This section would define “coronavirus” as SARS-CoV-2 or another coronavirus with pandemic potential.

Sec. 23006. – This section would clarify that amounts designated for an emergency requirement are only available if the President designated them as such and transmits those designations to Congress.

Sec. 23007. – This section would clarify that amounts that meet the requirements of Sec. 23006 and are subsequently transferred using authorities provided by this Act would retain the emergency designation.

**Title XIII – General Provisions – This Act**

Sec. 23001. – This section would clarify that amounts appropriated or made available or in addition to other appropriations.

Sec. 23002. – This section would clarify that no appropriation made by this Act is for any fiscal year beyond FY 2020 unless expressly stated.

Sec. 23003. – This section would clarify that, unless expressly stated, additional amounts appropriated to existing appropriations accounts are made under the existing authorities and conditions.

Sec. 23004. – This section would clarify that transfer authority granted by this Act is only intended for use to prevent, prepare for, and respond to coronavirus except for the exceptions expressly made by this section.

Sec. 23005. – This section would define “coronavirus” as SARS-CoV-2 or another coronavirus with pandemic potential.
Sec. 23006. – This section would clarify that amounts designated for an emergency requirement are only available if the President designated them as such and transmits those designations to Congress.

Sec. 23007. – This section would clarify that amounts that meet the requirements of Sec. 23006 and are subsequently transferred using authorities provided by this Act would retain the emergency designation.

Budgetary Effects

Sec. 23008 - This section prohibits the inclusion of the budgetary effect of this division from the Statutory PAYGO Scorecard and would exempt this division from the PAYGO requirements under Senate Rules.

OUTSIDE GROUPS & RESOURCES:
Supporting Groups:
Americans for Prosperity - Key Vote Yes on Senate Cloture Motion to Proceed on phase 3 package
U.S. Chamber of Commerce - Key Vote Yes on Senate Passage of S. 3548
NFIB
National Retail Federation

Coalition letters:
HSA Coalition Letter in Support of Senator Cruz’s Pandemic Healthcare Access Act
31 signer Coalition Letter in Support of inclusion of Cruz/Budd Pandemic Healthcare Access Act
50+ signer Coalition Letter to Secretary Azar; Calling on Public Officials to Protect Unborn Children and Safeguard Americans Against Abortion Industry Agenda
132 signer Coalition Letter from public interest, civil liberty, and open government organizations encouraging transparency, accountability while acting to contain COVID-19
Conservative Action Project Coalition Letter: The Trump Administration Must Continue to Protect Life
Conservative Action Project Coalition Letter: Public Health Measures Must Still Protect Constitutional Rights of Americans
26 signer Coalition Letter Opposing inclusion of Green Energy Subsidies in Coronavirus Relief Bill
14 signer Coalition Letter Asking for Inclusion of Elder Home Detention Pilot in Coronavirus Response Bill
24 signer Coalition Letter Asking Congress to Reject Any Surprise Billing/Rate Setting Language in COVID-19 Legislation

Letters:
Americans for Prosperity: Principles for COVID-19 legislation
Business Roundtable: Measures to Contribute to Strong Economic Recovery from COVID-19
Council for Citizens Against Government Waste: CCAGW Urges Representatives to Oppose the Take Responsibility for Families and Workers Act
Council of Governors: Council Of Governors Letter On National Guard Mobilizations
National Governors Association: Governors’ Request For Third Congressional Supplemental Bill
NTU: NTU Urges Congressional Leadership to Add Several Health and Tax Relief Provisions to Stimulus Efforts
NTU: NTU Urges Congress to Retain and Enhance Tax Relief in Phase 3 Package
SBE Council: Letter to Members of the United States Senate: Save Main Street, Vote “YES” on the CARES Act
U.S. Chamber of Commerce: Letter to U.S. Government Leaders on Coronavirus Response
Press releases:
Americans for Prosperity - March 19th: Americans for Prosperity Calls for Swift, Targeted Relief in Face of COVID-19 Pandemic
Americans for Prosperity - March 20th: AFP Responds to States Shutting Down All Non-Essential Businesses
Club for Growth - March 18th: STATEMENT ON TRUMP ADMINISTRATION'S CORONAVIRUS RESCUE PLAN
Club for Growth - March 24th: STATEMENT ON DEFENSE PRODUCTION ACT & CORONAVIRUS RESPONSE
Committee for a Responsible Federal Budget - March 22nd: Don't Play Politics with the Coronavirus Response
Competitive Enterprise Institute - March 23rd: CEI Experts Blast Attempts to Politicize COVID-19 Relief Bill
Heritage Action for America - March 25th: Senate Should Pass Sasse Amendment to CARES Act
Heritage Action for America - March 25th: Unemployment Insurance Provisions Threaten America's Workforce
Heritage Action for America - March 23rd: Coronavirus Relief Should Help Americans, Not Push the Liberal Agenda
Heritage Action for America - March 20th: Conservative Solutions to Fix the CARES Act
Heritage Foundation - March 25th: Keep Americans Attached to Jobs, Not Government Programs
Heritage Foundation - March 22nd: Coronavirus Bill Should Be Targeted, Temporary, and Directed at Economic Fallout. The Senate Bill Does Not Pass These Tests.
National Association of Manufacturers - March 12th: Manufacturers’ Survey Reveals Current Industry Impact of COVID-19
National Taxpayers Union Foundation: National Taxpayers Union Foundation Applauds Tax Payment Delay, Urges Treasury to Extend Filing Deadline
Republican Governors Association - March 23rd: Republican Governors Urge Congress To Provide Maximum Flexibility In Funding To Combat COVID-19

Commentary/Recommendations:
American Action Forum: Stimulus, Now Strategy
American Action Forum: Regulatory Provisions in the Phase 3 Stimulus Package
American Action Forum: Enhanced Unemployment Benefits in the Coronavirus Aid, Relief, and Economic Security (CARES) Act
American Action Forum: Evaluating CARES Assistance to the Airlines
American Action Forum: How to Evaluate Costs in the CARES Act
American Action Forum: Understanding Dislocated Worker Grants
American Action Forum: Coronavirus, Tariffs, and Buy American Laws
AMAC: AMAC Action recommendations to Congress to help older Americans during COVID-19
American Enterprise Institute: Coronavirus concerns—what the polls show, attitudes and demographics of the 2020 Democratic primary and caucus electorates, and Ordinary Life before and after coronavirus
American Enterprise Institute: Target stimulus benefits in a way that works
American Enterprise Institute: The Great Pause: How to make sure the US economy awakens when it's over
American Enterprise Institute: Putting the unemployment benefit expansions in stimulus #3 in context
American Enterprise Institute: COVID-19 response shouldn’t be slowed by a crisis of confidence
American Enterprise Institute: The medical capacity gap is our economic problem
ATR: Congress Should Reject Efforts to Add Surprise Billing Proposals to Coronavirus Legislation
ATR: List: Rules and Regulations Suspended Due to COVID-19
ATR: Democrats are Politicizing the Coronavirus to Push Liberal Priorities
ATR: Admin's Floated "Buy American" Mandate Could Create Pharmaceutical Shortages
ATR: Airline Rescue Package Should Provide Tax Relief
Campaign for Liberty: Price Controls Have No Place in Health Care
Cato Institute: The Coronavirus Is Not a Good Argument for Protectionism
Cato Institute: Slashing Regulations to Combat Coronavirus
Cato Institute: Temporarily Unshackled Private Sector Responds to Demand for More Coronavirus Tests
Cato Institute: Podcast: Containing Coronavirus after FDA Missteps
Citizens Against Government Waste: Capitalism and Free Markets Will Help Us Through Pandemics
Citizens Against Government Waste: Trump Administration’s Initiatives to Cut Government Red Tape to Attack the COVID-19 Virus
Club for Growth: Policy Options for the Senate in Replacing the Pelosi/Mnuchin Coronavirus Stimulus with Economic Freedom that protects the American Economy
Committee for a Responsible Federal Budget: These Provisions Have No Place in an Emergency Bill
Competitive Enterprise Institute: Getting Rid of #NeverNeeded Regulations Hindering Coronavirus Response
Conservative Partnership Institute: Bovard on Pelosi’s COVID-19 Bill: A Liberal Wishlist, "Woke-Scolding"
FreedomWorks: Pelosi and House Democrats Deserve Condemnation for Politicizing a National Crisis with a Wishlist of Far-Left Policies
FreedomWorks: A Targeted Response to COVID-19 Is Necessary
FreedomWorks: History Shows Direct Assistance Won't Boost Consumption
Heritage Foundation: 3 Fixes to Ensure a Stable Food Supply During the Coronavirus Pandemic
Heritage Foundation: The Coronavirus Game Plan—How We Got Here and Where It Ends
Heritage Foundation: The “Third Inning”: Next Steps for Congress in Addressing the Coronavirus
Heritage Foundation: One Small Change in the Tax Code Could Help Many Businesses in Uncertain Time
Heritage Foundation: How Congress Can Help Retirees Amid Market Turmoil
Heritage Foundation: The Senate’s Coronavirus Bill: Bailouts, Missed Opportunities, and Positive Reforms
Hoover Institution: As COVID-19 Spreads, California Wages War With Gig Businesses That Would Save The Most Vulnerable
Independent Women's Forum: What's Behind The House’s Radical Coronavirus Stimulus Bill?
Mercatus Center: Keep Social Security Politics out of the Coronavirus Crisis Response
Mercatus Center: The Next Shoes to Drop in the Pandemic
Mercatus Center: In Fighting Coronavirus, Shift Decision-Making Away From Politicians To Experts
Mercatus Center: COVID-19 and the Transformation of American Healthcare
Mercatus Center: Podcast: Helping Businesses Survive in the Post-Coronavirus Economy
Mercatus Center: Reconsidering Technology During the COVID-19 Crisis
Mercatus Center: A Safety Net for People, Not for Firms
Mercatus Center: Now is the Time to Eliminate Certificate-of-Need Laws that Limit Hospital Resources and Space for Patients
Mississippi Center for Public Policy: CORONAVIRUS NECESSITATES REGULATION REEVALUATION
National Taxpayers Union: Policy Options to Support the Health Care Workforce
National Taxpayers Union: Health Policy Options Congress and State Lawmakers Should Consider to Combat COVID-19
National Taxpayers Union: Smart Tax Proposals To Keep Airlines Flying During and Through The COVID Crisis
National Taxpayers Union: Myths and Facts: Senate Phase 3 COVID-19 Relief Bill
National Taxpayers Union: Pelosi's Coronavirus Bill: $434 Billion In Unrelated Spending on Dozens Of Pet Projects
National Taxpayers Union Foundation: Congress Needs To Step In To Delay Tax Filing, Not Just Tax Payments
National Taxpayers Union Foundation: Medical “Buy America” Mandates Could Make Us More Like China and Venezuela
R Street: Small Regulatory Reforms That Can Help People During the COVID Pandemic
SHRM: Weathering Coronavirus: Furloughs, Layoffs or Pay Cuts?
Tax Foundation: Tax Policy to Bridge the Coronavirus-Induced Economic Slowdown
Tax Foundation: Are States Prepared for Skyrocketing Unemployment Insurance Claims?
Tax Foundation: Business Tax Relief During the COVID-19 Outbreak
Tax Foundation: Senate Releases Updated Economic Relief Plan (CARES Act) for Individuals and Businesses
Tax Foundation: Overview of Previous Tax Rebates During Economic Downturns
Tax Foundation: A History and Analysis of Payroll Tax Holidays
Tax Foundation: Tracking State Legislative Responses To COVID-19
Texas Public Policy Foundation: Recommendations: COVID-19 Legislation

Op-eds:
Chis Edwards, Cato Institute - The Hill: Boost supply, not demand, during the pandemic
Rachel Greszler, Heritage Foundation - FoxNews.com: Coronavirus increasing unemployment – Here’s how to help workers and their employers
Paul Bedard - Washington Examiner: List: 74 actions taken by Trump to fight virus and bolster economy
Rachel Bovard, Conservative Partnership Institute - American Greatness: Coronavirus Unmasks America
Betsy McCaughey, Committee to Reduce Infection Deaths and a former lieutenant governor of New York - Center for Individual Freedom: New York's Ventilator Rationing Plan
COMMITTEE ACTION:
H.R. 748 was introduced on January 24, 2019, and was passed by the U.S. House on July 17, 2019. It was then amended, in the Senate, by substitution amendment to include legislation from various Senate committees in response to the COVID-19 pandemic and be renamed the CARES Act.

The Senate passed the Senate Amendment to H.R. 748 on March 26, 2020 by a margin of 96 – 0.

ADMINISTRATION POSITION:
CONSTITUTIONAL AUTHORITY:
As legislation that the text of which originated in the Senate, there is no statement of Constitution Authority that accompanies this legislation in its current form.

NOTE: RSC Legislative Bulletins are for informational purposes only and should not be taken as statements of support or opposition from the Republican Study Committee.