of the IHS but are not considered federal entities that are part of the IHS and therefore only receive the standard federal matching rates for services to Medicaid enrollees. Similarly, the NHHCS comprises five health care clinics that are grantees of HRSA that are not considered federal entities.

The standard federal matching rates under current law average an estimated 65 percent for traditional eligibility categories during 2021 and 2022, and will average an estimated 58.5 percent during 2023, the time period covered by the eight quarters specified under section 3106. The matching rates for adults made eligible by the ACA will be 90 percent during the same period.

According to information from the UIHP system, the UIHP treats about 90,000 Medicaid patients per year at an estimated average cost of about $2,000 per patient. Applying the 100 percent matching rate for services to these enrollees would increase direct spending by $155 million over the 2021-2030 period. Given the size of the NHHCS relative to the UIHP system, CBO estimates that applying a 100 percent matching rate to services provided at NHHCS clinics would increase direct spending by another $7 million over the period.

Sunset of Limit on Maximum Rebate for Certain Drugs. Under current law, manufacturers are required to pay Medicaid a rebate on all covered outpatient drugs. The rebate amount is determined according to statute by two formulas that include a basic rebate with separate calculations for brand and generic drugs and an additional inflationary rebate that reflects differences in growth between the Average Manufacturer Prices (AMPs) and the consumer price index. The total rebate amount is capped at 100 percent of the AMP. The cap does not affect rebates paid for all drugs: It tends to be most relevant for drugs that have experienced substantial price increases over time and for drugs that offer particularly large rebates to payers other than Medicaid. Section 3107 would eliminate the cap on the total rebate amount starting January 1, 2023.

Based on administrative data on AMPs and prescription drug spending in Medicaid, CBO estimates that in 2019, the cap on the total rebate amount prevented federal and state governments from collecting more than $3 billion in rebates for covered outpatient drugs. CBO expects that section 3107 would increase the amount of rebates that manufacturers pay Medicaid and would reduce direct spending in Medicaid by $15.9 billion over the 2021-2030 period.

Additional Support for Medicaid HCBS. Section 3108 would, for four fiscal quarters, increase the federal FMAP in Medicaid by 7.35 percentage points for state expenditures on home and community-based services (HCBS). HCBS are long-term care services that beneficiaries receive in their home or in the community rather than in institutions such as nursing facilities. CBO projects that the federal and state governments will spend almost $200 billion on HCBS during the four quarters for which the enhanced FMAP is available to states. Increasing the federal share of such spending would increase federal spending on Medicaid by $9.3 billion.

Strike Teams for Nursing Facilities. Section 3109 would appropriate $250 million for states to establish strike teams that would be deployed to nursing facilities that have patients who have been diagnosed with COVID-19 or who are suspected of having the disease. CBO estimates that section 3109 would increase direct spending by $250 million over the 2021-2030 period.

Other Provisions. Subtitle D would appropriate $12.8 billion for environmental protections, utility assistance, distance learning, and other consumer product safety.

Within subtitle D, chapter 1 would appropriate $5.1 billion to fund activities related to environmental health and assistance to people for paying utility bills:

- $0.1 billion to the Environmental Protection Agency for grants and other activities that enhance environmental justice and to support implementation of the Clean Air Act;
- $4.5 billion to the Low-Income Home Energy Assistance Program; and
- $0.5 billion for grants to assist low-income households with the costs of drinking water and wastewater services.

Chapter 2 would appropriate $7.7 billion for distance learning, primarily to reimburse schools and libraries for the costs of telecommunications equipment and services, and consumer product safety.

In total, CBO estimates that the funds appropriated by subtitle D would increase direct spending by $12.8 billion over the 2021-2030 period.

Uncertainty

There are two major types of uncertainty in CBO's estimate of the reconciliation recommendations of the House Committee on Energy and Commerce: For subtitles A and D, the primary forms of uncertainty stem from CBO's estimates of the pace at which federal agencies would spend the new budget authority. For subtitles B and C, most of the uncertainty of CBO's estimates stem from expectations about state behavior, people's enrollment in various forms of health coverage, and the of the increase in health care prices.

Uncertainty About the Pace at Which Federal Agencies Would Spend New Budget Authority. The reconciliation recommendations of the House Committee on Energy and Commerce would provide $105 billion in new budget authority for fiscal year 2021, increasing individual agencies' funding for the year by a substantial amount. For example, the 2021 budget authority for the CDC, HRSA, and the IHS would see significant increases roughly halfway through the fiscal year. It is uncertain whether such agencies would be able to spend all of the new funds rapidly.

Uncertainty About State Behavior, People's Enrollment in Various Forms of Health Coverage, and the Growth of Health Care Prices. For subtitles B and C, CBO's estimates include projections of the results of states' choices to expand coverage, people's choices to enroll in coverage if they were newly eligible, and the future costs of providing health care services to beneficiaries—all of which are uncertain. Some of the more significant sources of uncertainty include:

- Estimating how many women would remain enrolled in Medicaid if states expand postpartum coverage and how many additional months of coverage they would have;
- Predicting how many states will expand Medicaid under current law and how the increased FMAP would accelerate the pace of state expansions;
- Forecasting future growth in drug prices and how drug manufacturers would change their pricing strategies if the cap on rebates were eliminated; and
- Estimating the future growth in prices for HCBS and how states would expand their coverage of HCBS on account of the higher FMAP.

Pay-As-You-Go Considerations

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays and revenues that are subject to those pay-as-you-go procedures are shown in Table 1.

Increase in Long-Term Deficits: None.

Mandates

If the FCC increases annual fee collections to offset the costs of issuing rules to promote internet connectivity for schools and libraries as required by section 3312, the legislation would increase the cost of an existing private-sector mandate on commercial entities required to pay those fees. CBO estimates that the incremental cost of the mandate would be small and would fall well below the annual threshold established in the Unfunded Mandates Reform Act for private-sector mandates ($170 million in 2021, adjusted annually for inflation).

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Table 1.
Estimated Budgetary Effects of Reconciliation Recommendations
As Reported by the House Committee on Energy and Commerce on February 12, 2021

	By Fiscal Year, Millions of Dollars												
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
	Increases or Decreases (-) in Direct Spending												
Subtitle A. Funding for Public Health													
Chapter 1 - Vaccines and Therapeutics													
Sec. 3001. Vaccine Activities at the CDC													
Budget Authority	7,500	0	0	0	0	0	0	0	0	0	0	7,500	7,500
Estimated Outlays	1,500	4,500	750	450	225	0	0	0	0	0	0	7,425	7,425
Sec. 3002. Vaccine Confidence Activities													
Budget Authority	1,000	0	0	0	0	0	0	0	0	0	0	1,000	1,000
Estimated Outlays	200	600	100	60	30	0	0	0	0	0	0	990	990
Sec. 3003. Vaccines and Therapeutics Supply Chain													
Budget Authority	5,200	0	0	0	0	0	0	0	0	0	0	5,200	5,200
Estimated Outlays	2,033	2,803	312	52	0	0	0	0	0	0	0	5,200	5,200
Sec. 3004. Activities at the Food and Drug Administration													
Budget Authority	500	0	0	0	0	0	0	0	0	0	0	500	500
Estimated Outlays	165	250	75	10	0	0	0	0	0	0	0	500	500
Chapter 1, Total													
Budget Authority	***14,200***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***14,200***	***14,200***
Estimated Outlays	***3,898***	***8,153***	***1,237***	***572***	***255***	***0***	***0***	***0***	***0***	***0***	***0***	***14,115***	***14,115***
Chapter 2 - Testing													
Sec. 3011. Testing, Contact Tracing, and Mitigation Activities													
Budget Authority	46,000	0	0	0	0	0	0	0	0	0	0	46,000	46,000
Estimated Outlays	9,200	27,600	4,600	2,760	1,380	0	0	0	0	0	0	45,540	45,540
Sec. 3012. SARS-CoV-2 Genomic Sequencing and Surveillance													
Budget Authority	1,750	0	0	0	0	0	0	0	0	0	0	1,750	1,750
Estimated Outlays	350	1,050	175	105	53	0	0	0	0	0	0	1,733	1,733
Sec. 3013. Global Health													
Budget Authority	750	0	0	0	0	0	0	0	0	0	0	750	750
Estimated Outlays	150	450	75	45	23	0	0	0	0	0	0	743	743
Sec. 3014. Data Modernization and Forecasting Center													
Budget Authority	500	0	0	0	0	0	0	0	0	0	0	500	500
Estimated Outlays	100	300	50	30	15	0	0	0	0	0	0	495	495
Chapter 2, Total													
Budget Authority	***49,000***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***49,000***	***49,000***
Estimated Outlays	***9,800***	***29,400***	***4,900***	***2,940***	***1,471***	***0***	***0***	***0***	***0***	***0***	***0***	***48,511***	***48,511***
Chapter 3 - Public Health Workforce													
Sec. 3021. Public Health Workforce													
Budget Authority	7,660	0	0	0	0	0	0	0	0	0	0	7,660	7,660
Estimated Outlays	1,532	3,064	2,681	383	0	0	0	0	0	0	0	7,660	7,660
Sec. 3022. Medical Reserve Corps													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	20	56	16	6	2	0	0	0	0	0	0	100	100
Chapter 3, Total													
Budget Authority	***7,760***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***7,760***	***7,760***
Estimated Outlays	***1,552***	***3,120***	***2,697***	***389***	***2***	***0***	***0***	***0***	***0***	***0***	***0***	***7,760***	***7,760***
Chapter 4 - Public Health Investments													
Sec. 3031. Community Health Centers													
Budget Authority	7,600	0	0	0	0	0	0	0	0	0	0	7,600	7,600
Estimated Outlays	1,520	3,040	2,660	380	0	0	0	0	0	0	0	7,600	7,600
Sec. 3032. National Health Service Corps													
Budget Authority	800	0	0	0	0	0	0	0	0	0	0	800	800
Estimated Outlays	160	320	280	40	0	0	0	0	0	0	0	800	800
Sec. 3033. Nurse Corps													
Budget Authority	200	0	0	0	0	0	0	0	0	0	0	200	200
Estimated Outlays	46	100	40	10	0	0	0	0	0	0	0	196	196
Sec. 3034. Teaching Health Centers that Operate Graduate Medical Education													
Budget Authority	330	0	0	0	0	0	0	0	0	0	0	330	330
Estimated Outlays	66	132	116	13	0	0	0	0	0	0	0	327	327

continued

Table 1. Estimated Budgetary Effects of Reconciliation Recommendations by the House Committee on Energy and Commerce on February 12, 2021 continued

		2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Sec. 3035.	Testing, Tracing, and Mitigation Activities in Congregate Settings													
	Budget Authority	1,800	0	0	0	0	0	0	0	0	0	0	1,800	1,800
	Estimated Outlays	324	990	396	36	18	0	0	0	0	0	0	1,764	1,764
Sec. 3036.	Family Planning													
	Budget Authority	50	0	0	0	0	0	0	0	0	0	0	50	50
	Estimated Outlays	10	35	4	0	0	0	0	0	0	0	0	49	49
Sec. 3037.	Children Under HHS Care													
	Budget Authority	425	0	0	0	0	0	0	0	0	0	0	425	425
	Estimated Outlays	13	17	64	68	74	70	64	51	4	0	0	425	425
Sec. 3038.	HHS Inspector General													
	Budget Authority	5	0	0	0	0	0	0	0	0	0	0	5	5
	Estimated Outlays	2	3	0	0	0	0	0	0	0	0	0	5	5
Chapter 4, Total														
	Budget Authority	***11,210***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***11,210***	***11,210***
	Estimated Outlays	***2,141***	***4,637***	***3,560***	***547***	***92***	***70***	***64***	***51***	***4***	***0***	***0***	***11,166***	***11,166***
Chapter 5 - Indian Health														
Sec. 3041.	Indian Health													
	Budget Authority	6,094	0	0	0	0	0	0	0	0	0	0	6,094	6,094
	Estimated Outlays	1,493	3,534	506	84	84	71	59	43	19	6	0	5,899	5,899
Chapter 6- Mental Health and Substance Use Disorder														
Sec. 3051.	Community Mental Health Services													
	Budget Authority	1,750	0	0	0	0	0	0	0	0	0	0	1,750	1,750
	Estimated Outlays	315	910	350	140	35	0	0	0	0	0	0	1,750	1,750
Sec. 3052.	Prevention and Treatment of Substance Abuse													
	Budget Authority	1,750	0	0	0	0	0	0	0	0	0	0	1,750	1,750
	Estimated Outlays	315	910	350	140	35	0	0	0	0	0	0	1,750	1,750
Sec. 3053.	Training for Health Care Professionals, Paraprofessionals, and Public Safety Officers													
	Budget Authority	80	0	0	0	0	0	0	0	0	0	0	80	80
	Estimated Outlays	18	40	16	4	0	0	0	0	0	0	0	78	78
Sec. 3054.	Education and Awareness Campaign for Health Care Professionals													
	Budget Authority	20	0	0	0	0	0	0	0	0	0	0	20	20
	Estimated Outlays	4	12	2	1	1	0	0	0	0	0	0	20	20
Sec. 3055.	Grants to Health Care Providers for Mental and Behavioral Health Among Workforce													
	Budget Authority	40	0	0	0	0	0	0	0	0	0	0	40	40
	Estimated Outlays	9	20	8	2	0	0	0	0	0	0	0	39	39
Sec. 3056.	Community-Based Funding for Local Substance Use Disorder													
	Budget Authority	30	0	0	0	0	0	0	0	0	0	0	30	30
	Estimated Outlays	6	15	6	2	1	0	0	0	0	0	0	30	30
Sec. 3057.	Community-Based Fundingfor Local Behavioral Health													
	Budget Authority	50	0	0	0	0	0	0	0	0	0	0	50	50
	Estimated Outlays	9	26	10	4	1	0	0	0	0	0	0	50	50
Sec. 3058.	National Child Traumatic Stress Network													
	Budget Authority	10	0	0	0	0	0	0	0	0	0	0	10	10
	Estimated Outlays	2	5	2	1	0	0	0	0	0	0	0	10	10
Sec. 3059.	Project Aware													
	Budget Authority	30	0	0	0	0	0	0	0	0	0	0	30	30
	Estimated Outlays	6	15	6	2	1	0	0	0	0	0	0	30	30

continued

Table 1. Estimated Budgetary Effects of Reconciliation Recommendations by the House Committee on Energy and Commerce on February 12, 2021 continued

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Sec. 3059A Youth Suicide Prevention													
Budget Authority	20	0	0	0	0	0	0	0	0	0	0	20	20
Estimated Outlays	4	10	4	2	0	0	0	0	0	0	0	20	20
Sec. 3059B Behavioral Health Workforce													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	23	50	20	5	0	0	0	0	0	0	0	98	98
Chapter 6, Total													
Budget Authority	***3,880***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***3,880***	***3,880***
Estimated Outlays	***711***	***2,013***	***774***	***303***	***74***	***0***	***0***	***0***	***0***	***0***	***0***	***3,875***	***3,875***
Chapter 7 - Exchange Grant Program													
Sec. 3061. Exchange Modernization													
Budget Authority	20	0	0	0	0	0	0	0	0	0	0	20	20
Estimated Outlays	20	0	0	0	0	0	0	0	0	0	0	20	20
Subtitle A, Total													
Budget Authority	**92,164**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**92,164**	**92,164**
Outlays	**19,615**	**50,857**	**13,674**	**4,835**	**1,978**	**141**	**123**	**94**	**23**	**6**	**0**	**91,346**	**91,346**
Subtitle B. Medicaid													
Sec. 3101. Coverage of COVID-19 Vaccinations and Treatments													
Estimated Budget Authority	287	534	247	63	0	0	0	0	0	0	0	1,131	1,131
Estimated Outlays	287	534	247	63	0	0	0	0	0	0	0	1,131	1,131
Sec. 3102. Coverage for Pregnant and Postpartum Women (a, b)													
Estimated Budget Authority	0	0	756	1,249	1,417	1,429	1,108	0	0	0	0	5,959	5,959
Estimated Outlays	0	0	756	1,249	1,417	1,429	1,108	0	0	0	0	5,959	5,959
Sec. 3103. Medicaid for Inmates During 30-Day Period Preceding Release													
Estimated Budget Authority	0	177	444	683	918	1,014	510	0	0	0	0	3,746	3,746
Estimated Outlays	0	177	444	683	918	1,014	510	0	0	0	0	3,746	3,746
Sec. 3104. Bundled Community-Based Mobile Crisis Intervention													
Estimated Budget Authority	15	0	71	305	330	270	25	32	40	49	58	1,137	1,195
Estimated Outlays	0	5	77	307	332	270	25	32	40	49	58	1,137	1,195
Sec. 3105. Temporary Increase in FMAP for Expanding ACA Coverage													
Estimated Budget Authority	0	0	3,768	3,427	2,177	2,308	2,131	1,337	479	531	212	16,158	16,370
Estimated Outlays	0	0	3,768	3,427	2,177	2,308	2,131	1,337	479	531	212	16,158	16,370
Sec. 3106. 100% FMAP for Urban Indian Organziations and Native Hawaiian Health Care													
Estimated Budget Authority	38	81	43	0	0	0	0	0	0	0	0	162	162
Estimated Outlays	38	81	43	0	0	0	0	0	0	0	0	162	162
Sec. 3107. Sunset of Limit on Maximum Rebate for Certain Drugs													
Estimated Budget Authority	0	0	-217	-1,803	-2,293	-2,277	-2,258	-2,279	-2,318	-2,443	-2,573	-15,888	-18,461
Estimated Outlays	0	0	-217	-1,803	-2,293	-2,277	-2,258	-2,279	-2,318	-2,443	-2,573	-15,888	-18,461
Sec. 3108. Temporary Increase in FMAP for Expanding HCBS													
Estimated Budget Authority	4,795	4,515	0	0	0	0	0	0	0	0	0	9,310	9,310
Estimated Outlays	4,795	4,515	0	0	0	0	0	0	0	0	0	9,310	9,310
Sec. 3109. Strike Teams for Nursing Facilities													
Budget Authority	250	0	0	0	0	0	0	0	0	0	0	250	250
Estimated Outlays	50	175	25	0	0	0	0	0	0	0	0	250	250
Subtitle B, Total													
Budget Authority	**5,385**	**5,307**	**5,112**	**3,924**	**2,549**	**2,744**	**1,516**	**-910**	**-1,799**	**-1,863**	**-2,303**	**21,965**	**19,662**
Outlays	**5,170**	**5,487**	**5,143**	**3,926**	**2,551**	**2,744**	**1,516**	**-910**	**-1,799**	**-1,863**	**-2,303**	**21,965**	**19,662**
Subtitle C. Children's Health Insurance Program													
Sec. 3201. Coverage of COVID-19 Vaccinations and Treatments													
Budget Authority	0	47	17	4	0	0	0	0	0	0	0	68	68
Estimated Outlays	0	47	17	4	0	0	0	0	0	0	0	68	68
Sec. 3202. Coverage for Pregnant and Postpartum Women (a)													

continued

Table 1. Estimated Budgetary Effects of Reconciliation Recommendations by the House Committee on Energy and Commerce on February 12, 2021 continued

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Subtitle D. Other Provisions													
Chapter 1 - Ensuring Environmental Health and Ratepayer Protection													
Sec. 3301. Pollution and Disparate Impacts of the Pandemic													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	10	60	20	10	0	0	0	0	0	0	0	100	100
Sec. 3302. LIHEAP													
Budget Authority	4,500	0	0	0	0	0	0	0	0	0	0	4,500	4,500
Estimated Outlays	1,508	1,727	467	422	188	188	0	0	0	0	0	4,500	4,500
Sec. 3303. Water Assistance Program													
Budget Authority	500	0	0	0	0	0	0	0	0	0	0	500	500
Estimated Outlays	50	225	150	50	25	0	0	0	0	0	0	500	500
Chapter 1, Total													
Budget Authority	***5,100***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***5,100***	***5,100***
Estimated Outlays	***1,568***	***2,012***	***637***	***482***	***213***	***188***	***0***	***0***	***0***	***0***	***0***	***5,100***	***5,100***
Chapter 2 - Distance Learning and Consumer Protections													
Sec. 3311. Consumer Product Safety													
Budget Authority	50	0	0	0	0	0	0	0	0	0	0	50	50
Estimated Outlays	4	6	8	10	9	8	2	1	0	0	0	48	48
Sec. 3312. Remote Learning Support													
Budget Authority	7,600	0	0	0	0	0	0	0	0	0	0	7,600	7,600
Estimated Outlays	1,140	3,800	1,900	760	0	0	0	0	0	0	0	7,600	7,600
Chapter 2, Total													
Budget Authority	***7,650***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***7,650***	***7,650***
Estimated Outlays	***1,144***	***3,806***	***1,908***	***770***	***9***	***8***	***2***	***1***	***0***	***0***	***0***	***7,648***	***7,648***
Chapter 3 - Oversight of Department of Commerce Prevention and Response to COVID-19													
Sec. 3321. Department of Commerce													
Budget Authority	3	0	0	0	0	0	0	0	0	0	0	3	3
Estimated Outlays	1	1	1	0	0	0	0	0	0	0	0	3	3
Subtitle D, Total													
Budget Authority	**12,753**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**12,753**	**12,753**
Outlays	**2,713**	**5,819**	**2,546**	**1,252**	**222**	**196**	**2**	**1**	**0**	**0**	**0**	**12,751**	**12,751**
Total Increase in Direct Spending													
Estimated Budget Authority	**110,302**	**5,354**	**5,129**	**3,928**	**2,549**	**2,744**	**1,516**	**-910**	**-1,799**	**-1,863**	**-2,303**	**126,950**	**124,647**
Estimated Outlays	**27,498**	**62,210**	**21,380**	**10,017**	**4,751**	**3,081**	**1,641**	**-815**	**-1,776**	**-1,857**	**-2,303**	**126,130**	**123,827**
Increases in Revenues													
Sec. 3102. Coverage for Pregnant and Postpartum Women (a, b)	0	0	76	172	192	209	167	0	0	0	0	816	816
On-Budget Revenues	*0*	*0*	*43*	*98*	*109*	*119*	*95*	*0*	*0*	*0*	*0*	*464*	*464*
Off-Budget Revenues	*0*	*0*	*33*	*74*	*83*	*90*	*72*	*0*	*0*	*0*	*0*	*352*	*352*
Sec. 3105. Temporary Increase in FMAP for Expanding ACA Coverage	0	0	165	107	93	94	93	51	31	24	14	658	672
On-Budget Revenues	*0*	*0*	*96*	*63*	*55*	*58*	*60*	*33*	*20*	*15*	*9*	*400*	*409*
Off-Budget Revenues	*0*	*0*	*69*	*44*	*38*	*36*	*33*	*18*	*11*	*9*	*5*	*258*	*263*
Total Increase in Revenues	**0**	**0**	**241**	**279**	**285**	**303**	**260**	**51**	**31**	**24**	**14**	**1,474**	**1,488**
On-Budget Revenues	*0*	*0*	*139*	*161*	*164*	*177*	*155*	*33*	*20*	*15*	*9*	*864*	*873*
Off-Budget Revenues	*0*	*0*	*102*	*118*	*121*	*126*	*105*	*18*	*11*	*9*	*5*	*610*	*615*
Net Increase or Decrease (-) in the Deficit From Changes in Direct Spending and Revenues													
Estimated Effect on the Deficit	**27,498**	**62,210**	**21,139**	**9,738**	**4,466**	**2,778**	**1,381**	**-866**	**-1,807**	**-1,881**	**-2,317**	**124,656**	**122,339**
On-Budget Deficits	*27,498*	*62,210*	*21,241*	*9,856*	*4,587*	*2,904*	*1,486*	*-848*	*-1,796*	*-1,872*	*-2,312*	*125,266*	*122,954*
Offf-Budget Deficit	*0*	*0*	*-102*	*-118*	*-121*	*-126*	*-105*	*-18*	*-11*	*-9*	*-5*	*-610*	*-615*

Components may not sum to totals because of rounding.

ACA = Affordable Care Act. CDC = Centers for Disease Control and Prevention. FMAP = federal medical assistance percentage. HCBS = home and community-based services. HHS = Department of Health and Human Services. LIHEAP = Low-Income Home Energy Assistance Program.

a. Section would affect both revenues and spending, which is shown separately.

b. The estimate for section 3102 includes the budgetary effects of sections 3202.

February 2021

Fact Sheet on House's Reconciliation Package & the Biden Administration's COVID-19 American Rescue Plan

COMMITTEE ON ENERGY & COMMERCE

The Fiscal Year 2021 Reconciliation Act puts into action the policies and budgetary requests outlined by the Biden Administration's American Rescue Plan.

VACCINES:

The American Rescue Plan calls for the establishment of a national vaccination program, and this legislation provides critical funding and resources to increase COVID-19 vaccinations across the country.

- Many states have struggled to distribute vaccines after the Trump Administration chose to defer almost entirely to the states to distribute and administer all vaccines.

- The American Rescue Plan requests **$20 billion** for improving COVID-19 vaccine administration and distribution, including vaccination clinics and mobile vaccination units, a vaccine awareness campaign, and increasing the Federal Medical Assistance Percentage (FMAP) to Medicaid-covered recipients of a vaccine. It also requests over **$5 billion** for research, development, and manufacturing of vaccines, therapeutics, and ancillary supplies.

- **Specifically, the Fiscal Year 2021 Reconciliation Act provides:**

  - **$7.5 billion** for Centers for Disease Control and Prevention (CDC) to prepare, promote, distribute, administer, monitor, and track COVID-19 vaccines. This includes distribution and administration, support for state, local, tribal, and territorial public health departments, community vaccination centers, IT enhancements, facility enhancements, and public communication;

  - **$600 million** to be directed to the Indian Health Service (IHS) for vaccine-related activities;

  - **$5.2 billion** to the Biomedical Advanced Research and Development Authority (BARDA) to support advanced research, development, manufacturing, production, and purchase of vaccines, therapeutics, and ancillary medical products for COVID-19;

  - **$1 billion** for the CDC to undertake a vaccine awareness and engagement campaign;

  - **$500 million** for the Food and Drug Administration (FDA) to support the review, facilitate the development of, and post-marketing surveillance of COVID-19 vaccines and therapeutics and address drug shortages, among other activities; and

  - Medicaid coverage of COVID-19 vaccines, including the option for states to provide coverage to the uninsured, without cost sharing at 100 percent FMAP for the duration of the public health emergency.

TESTING:

The American Rescue Plan proposes scaling up testing in order to stop the spread of COVID-19, safely reopen schools, and protect at-risk populations. A robust testing program remains a critical tool in the

fight against this virus in conjunction with vaccinations. This legislation provides the funding and resources to do just that.

- Despite innovations and adaptations in the testing space, COVID-19 tests are still not widely accessible, and supplies continue to be in shortage.

- According to a Government Accountability Office (GAO) report from November 2020, a national survey to states and territories found that 21 states reported shortages of testing reagents, 16 states reported shortages of testing instruments, and 24 states reported shortages of rapid point-of-care tests in the 30 days prior to the report's release, and those same states predicted shortages would continue through the winter months.

- The American Rescue Plan requests **$50 billion** for testing related resources and activities, including procurement and administration of regular screening tests, and investments in United States laboratory capacity for diagnostic and screening tests.

- **The Fiscal Year 2021 Reconciliation Act provides:**

    - **$46 billion** for testing, contact tracing, and mitigation. These activities include: implementing a national strategy for testing, contact tracing, surveillance, and mitigation; providing technical assistance, guidance, support, and grants or contracts to States; manufacturing, procurement, distribution, administration of tests, including personal protective equipment (PPE) and supplies necessary for administration; and establishing and expanding federal, State, or local testing and contact tracing capabilities, including investments in laboratory capacity, community-based testing sites, and mobile testing units;

    - **$1.5 billion** for IHS testing, tracing, and mitigation needs;

    - **$1.75 billion** for genomic sequencing and surveillance of the circulating strains of COVID-19. There are currently multiple strains of COVID-19 circling the globe, some of which have recently emerged in the United States; and

    - **$500 million** to allow CDC to establish, expand, and maintain data surveillance and analytics, including to modernize the United States' disease warning system to forecast and track hotspots for COVID-19.

PUBLIC HEALTH WORKFORCE:

The American Rescue Plan calls for the mobilization of a public health jobs program to support the COVID-19 response.

- **The Fiscal Year 2021 Reconciliation Act provides:**

    - **$7.6 billion** in funding to public health departments to hire 100,000 full time employees into the public health workforce. These positions would include contact tracers, social support specialists, community health workers, public health nurses, epidemiologists, lab personnel, and communications. Funds would also support PPE, technology, data management, supplies, and reporting;

    - **$240 million** for IHS public health workforce needs; and

- $100 million to support the Medical Reserve Corps, which consists of a network of volunteer medical and public health professionals that support emergency response efforts and community health activities.

HEALTH DISPARITIES:

The American Rescue Plan includes funding to provide health services to the underserved and addressing ongoing health disparities.

- COVID-19 has laid bare the harsh realities of health disparities in the United States. For instance, Black and Hispanic Americans are getting vaccinated at significantly lower rates than White Americans, a trend that advocates blame on the federal government's failure to prioritize equitable distribution. Communities of color are also experiencing higher rates of COVID-19 cases, and higher hospitalization and death rates as a result.

- **The Fiscal Year 2021 Reconciliation Act provides a total of $25.2 billion** for addressing health disparities and protecting vulnerable populations, including:

    - **$250 million** for nursing home strike teams to help facilities manage COVID-19 outbreaks when they occur;

    - **$7.6 billion** in funding to support COVID-19 response at Community Health Centers;

    - **$1.8 billion** to support the purchase, procurement, or distribution of COVID-19 test and testing supplies, PPE, and vaccines for staff and individuals in congregate settings. This would include support to states, localities, territories, and tribes for strategies and activities to detect, diagnose, trace or monitor COVID-19 in congregate settings, including prisons, jails, detention centers, long-term care facilities, psychiatric hospitals and residential treatment facilities, intermediate care facilities, and other settings providing care for individuals with disabilities;

    - **$3.3 billion** to IHS in flexible funding to support lost third-party revenue, information technology infrastructure for telehealth and electronic health records, urban Indian organizations, and other health services and costs;

    - **$800 million** to the National Health Service Corps to support primary health care clinicians in high-need areas;

    - **$331 million** for Teaching Health Centers to expand the number of sites nationwide, increase resident allocations, and provide administrative support for expanding the program;

    - **$240 million** to support the Nurse Corps Loan Repayment program, which helps support nurses working in critical shortage and underserved areas;

    - A Medicaid state option to allow states to cover postpartum women for 12 months after birth, to help address the maternal mortality crisis disproportionately affecting women of color; and

    - Medicaid coverage for incarcerated individuals 30 days prior to their release, to ensure continuity of care for justice-connected individuals.

MENTAL HEALTH:

The American Rescue Plan proposes scaling up mental health services, including to expand access to behavioral and mental health prevention and treatment.

- **The Fiscal Year 2021 Reconciliation Act provides a total of $4 billion** for behavioral and mental health services, including:
  - **$3.5 billion** for the Substance Abuse and Mental Health Services Agency (SAMHSA) to be split between the Substance Abuse Prevention and Treatment and Community Mental Health block grant programs. Both programs provide funding to all 50 States, the District of Columbia, Puerto Rico, the United States Virgin Islands, and six Pacific jurisdictions. The Substance Abuse block grant program also supports one tribal entity, the Chippewa Tribe;
  - **$420 million** will be made available to IHS for mental and behavioral health prevention and treatment services;
  - **$100 million** to the Behavioral Health Workforce Education and Training Program within the Health Resources and Services Administration (HRSA) to expand access to behavioral health services by focusing on training behavioral health paraprofessionals, such as peer support specialists;
  - **$140 million** to develop a program for mental and behavioral health and to prevent burnout among health care providers and public safety officers, including training and outreach;
  - **$80 million** to provide support for mental health and substance use disorder services at community-based entities and behavioral health organizations;
  - **$10 million** to support the National Childhood Traumatic Stress Network, which works to develop and promote effective community practices for children and adolescents exposed to a wide array of traumatic events; and
  - **$50 million** to Suicide Prevention and Project Aware programs at SAMHSA, which support youth mental health services and suicide prevention efforts.

HEALTH COVERAGE:
The American Rescue Plan commits to preserving and expanding access to health care coverage during the pandemic.

- Between March and September of 2020, roughly 2 to 3 million people lost employer sponsored health insurance.
- Prior to that, 30 million people already lacked coverage, barring them from accessing the health care system from the outset of the pandemic.
- **The Fiscal Year 2021 Reconciliation Act provides a number of complementary provisions to make coverage more affordable and accessible to millions of Americans by:**
  - Expanding Affordable Care Act (ACA) Marketplace premium tax credits to more middle-class Americans for 2021 and 2022, including those with incomes above 400 percent of the federal poverty line (FPL).
  - Allowing individuals receiving unemployment compensation during the public health emergency to access ACA premium tax credits regardless of income.

Prepared by the Committee on Energy and Commerce

- Providing a new incentive for states to expand Medicaid by temporarily increasing the federal medical assistance percentage by five percentage points. If all 12 remaining states expanded Medicaid, more than two million people currently in the coverage gap would gain access to Medicaid.

- Ensuring that workers can continue to afford their employer health care by providing partial COBRA subsidies. COBRA allows workers who experience layoffs or reduction in hours to continue with their job-based health coverage for a limited period of time to avoid a disruption in care.

CONSUMER ENERGY AND WATER ASSISTANCE:

The American Rescue Plan helps Americans who are struggling to make ends meet keep the lights on, the heat working and the water running by proposing $5 billion in assistance.

- Energy access is crucial to residential health and to sustaining socially-distanced and remote work lifestyles.

- Unpaid electric and natural gas bills were expected to reach $32 billion by the end of 2020, with an estimated 20 percent of residential customers at least 60 days behind on their bills. A projected five million additional households are eligible for energy assistance due to pandemic-related job losses.

- Households in California and Virginia, two states that are tracking water debt, are facing more than $1 billion and more than $88 million, respectively, in unpaid water bills. These debts threaten the long-term viability of municipal water utilities and raise the risk of interruptions in water service, which is essential to maintain hygiene during the Covid-19 pandemic.

- **The Fiscal Year 2021 Reconciliation Act provides $5 billion to those most in need to pay their utility bills at a time when so many Americans are spending unprecedented amounts of time at home, including:**

  - **$4.5 billion** to the Department of Health and Human Services (HHS) for home energy assistance through the Low-Income Home Energy Assistance Program (LIHEAP); and

  - **$500 million** in additional funds for HHS for the Low-Income Household Drinking Water and Wastewater Emergency Assistance Program established by Congress at the end of 2020. This brings the total amount of money available to assist families with their water and sewer bills to over $1.1 billion.

POLLUTION AND THE PANDEMIC:

The Fiscal Year 2021 Reconciliation Act helps address health outcome disparities from pollution and the COVID-19 Pandemic.

- Recent work by GAO found that our national air monitoring network infrastructure is aging and needs to be modernized to identify localized pollution that threatens environmental justice communities.

- **The Fiscal Year 2021 Reconciliation Act provides the Environmental Protection Agency (EPA) with $100 million to address health outcome disparities from pollution and the COVID-19 pandemic:**

  - **$50 million** to EPA for environmental justice grants and activities to help communities facing a disproportionate burden of pollution and disease; and

- **$50 million** to EPA for air quality monitoring grants and other purposes.

REMOTE LEARNING:
The American Rescue Plan will help bridge the digital divide for students and teachers without home internet access.

- To keep communities safe and prevent further spread of COVID-19, schools need the flexibility to engage in remote learning when necessary for public health and safety.

- Studies estimate that as many as 12 million students still lack internet service at their homes, with minorities and those in rural areas most often among the unconnected. Without a reliable internet connection to log into classes, submit work, and engage with teachers and other students, these students have fallen even further behind in school.

- **The Fiscal Year 2021 Reconciliation Act provides $7.6 billion to expand internet connectivity to students and communities by:**

  - Reimbursing schools and libraries—central points for connectivity in many communities—to purchase equipment such as hotspots, internet service, and computers on behalf of students and patrons; and

  - Ensuring schools and libraries can quickly access this critical funding by relying upon the Federal Communications Commission and its E-rate program to administer the funds.

CONSUMER PROTECTION:
The Fiscal Year 2021 Reconciliation Act will make Americans safer in their homes by reducing the number of unsafe imported consumer products.

- More than $174 billion spent by consumers online can be attributed to COVID-19-related boosts in online shopping with online spending jumping 44 percent in 2020 compared with 2019.

- The Consumer Product Safety Commission (CPSC) has not been able to keep pace with changing consumer trends brought on by the pandemic, including the substantial shift to online shopping and the influx of e-commerce shipments from foreign countries. The CPSC does not have enough funding to adequately staff United States ports of entry, leaving already struggling families vulnerable to risk of injury or death from uninspected consumer products, especially in-demand COVID-19 products.

- **The Fiscal Year 2021 Reconciliation Act provides $50 million for the CPSC to ensure the safety of consumer products entering our country and into people's homes — an essential priority during the COVID-19 pandemic.**

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)
ROLL CALL VOTE #18

Bill: **Subtitle C**, "Budget Reconciliation Legislative Recommendations Relating to Children's Health Insurance Program"

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle C**, "Budget Reconciliation Legislative Recommendations Relating to Children's Health Insurance Program" transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 30 yeas to 24 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Pallone	x			Rep. Rodgers		x	
Rep. Rush	x			Rep. Upton		x	
Rep. Eshoo	x			Rep. Burgess		x	
Rep. DeGette				Rep. Scalise		x	
Rep. Doyle	x			Rep. Latta		x	
Rep. Schakowsky	x			Rep. Guthrie		x	
Rep. Butterfield	x			Rep. McKinley		x	
Rep. Matsui	x			Rep. Kinzinger		x	
Rep. Castor	x			Rep. Griffith		x	
Rep. Sarbanes	x			Rep. Bilirakis		x	
Rep. McNerney	x			Rep. Johnson			
Rep. Welch	x			Rep. Long		x	
Rep. Tonko	x			Rep. Bucshon		x	
Rep. Clarke	x			Rep. Mullin		x	
Rep. Schrader	x			Rep. Hudson		x	
Rep. Cárdenas	x			Rep. Walberg		x	
Rep. Ruiz	x			Rep. Carter			
Rep. Peters	x			Rep. Duncan		x	
Rep. Dingell	x			Rep. Palmer		x	
Rep. Veasey	x			Rep. Dunn		x	
Rep. Kuster	x			Rep. Curtis		x	
Rep. Kelly	x			Rep. Lesko		x	
Rep. Barragán	x			Rep. Pence		x	
Rep. McEachin				Rep. Crenshaw		x	
Rep. Blunt Rochester	x			Rep. Joyce		x	
Rep. Soto	x			Rep. Armstrong		x	
Rep. O'Halleran	x						
Rep. Rice	x						
Rep. Craig	x						
Rep. Schrier	x						
Rep. Trahan	x						
Rep. Fletcher	x						

02/12/2021

Energy and Commerce Committee Republican Views

Republicans have supported five targeted, bipartisan bills to crush COVID-19, to reopen schools, to get the economy back on track, and to improve health and wellness of those suffering from the pandemic. That is what we should be doing with this Reconciliation package. Unfortunately, this package falls well short, but at an extraordinary cost. The Congressional Budget Office (CBO) estimates that the Committee on Energy and Commerce's contribution to the Reconciliation process will cost approximately $120 billion. That is still well short of the $188 billion instruction to the Committee, which shows there was an opportunity to adopt some of the bipartisan, targeted, and timely amendments Republicans offered during markup. For instance:

- $1 billion for teachers to get vaccinated and ensure our children can go back to school safely;
- $10 billion for COVID-19 research at the National Institutes of Health (NIH);
- $35 billion to support our frontline workers through the Provider Relief Fund (PRF); or
- $1 billion to boost mental health services in states with unexpected job loss due to President Biden's various Executive Orders.

Unfortunately, the Democrats rushed this bill through a partisan markup without bipartisan consultation with CBO on cost, preventing any chance of adequate analysis and deliberation.

In addition to the wasteful spending, we must comment on the Democratic Majority's decision to bypass regular order. Democrats wrote this entire package in secret without any input from Republicans, and Republicans did not see a draft until 10:00 p.m. on Tuesday, February 9 for a markup scheduled to start at 11:00 a.m. on Thursday, February 11. Such secrecy might be expected on controversial measures, but Republicans and Democrats have already worked together to enact 5 bills in response to COVID-19. This partisan process on this package is a failure of Democratic leadership and a huge disappointment.

Subtitle A: Budget Reconciliation Legislative Recommendations Relating to Public Health

Republicans on the Energy and Commerce Committee strongly support additional funding for advanced research, development, manufacturing, production, and the purchase of vaccines, diagnostic tests, therapeutics, and ancillary medical products to prevent, prepare, and respond to SARS-CoV-2, COVID-19, or any disease with potential for creating a pandemic. Republicans on the Energy and Commerce Committee also support additional funding for the prevention and treatment of mental health and substance use disorders. The COVID-19 pandemic and resulting economic downturn have significantly impacted the mental health and wellbeing of all Americans.

Since the beginning of this pandemic, many Americans have reported that their mental health has been negatively impacted by recent events, with about 4 in 10 adults reporting symptoms of anxiety or depressive disorder.[1] Reports have found that declines in the economy, lost jobs, and health challenges have all contributed to an increase in mental health difficulties. Individuals in states with more restrictive measures, such as stay-at-home orders, have recorded even more cases of mental health difficulties.[2] The pandemic has also presented unique challenges for individuals with substance use disorder (SUD) and those who are in recovery, as social distancing and stay at home orders make it harder for patients to access treatment, such as critical medications for opioid use disorders.[3]

However, Subtitle A is also a departure from how the Congress has previously provided emergency funding to address the coronavirus pandemic, and because of this, does not take into account the time it will take for federal agencies to spend these resources, or address all the needs, such as those of the National Institutes of Health and health care providers. The past five legislative packages that were signed into law were negotiated in good faith between Republicans and Democrats, with extensive input from all sides.[4]

We are disappointed that the Democrats rejected bipartisanship and embraced a partisan process. Instead of targeted and timely relief to COVID-19, the Democrats proposed mandatory funding for all of these initiatives, abdicating responsibility for oversight, which is a troubling departure from the oversight and reporting on the emergency designated discretionary appropriations provided in the previous five COVID-19 emergency appropriations bills passed last year.

Republicans agree with CBO that federal agencies might not be able to use the new budget authority provided in Subtitle A quickly enough. Republicans are also concerned that the resources may not be timely enough to help address any outstanding COVID-19 needs that remain after the most recent relief package.[5] Subtitle A increases individual agencies' funding for a single fiscal year by a substantial amount. The 2021 budget authority for the Centers for Disease Control and Prevention (CDC), the Health Resources and Services Administration (HRSA), and the Indian Health Service (IHS) would see enormous increases roughly halfway through the fiscal year. Republicans, like the CBO, do not understand how these agencies would be able to spend all of the new funds rapidly in a manner that has any meaningful near-term impact on reducing COVID-19 cases and deaths in the United States.[6]

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[1] Nirmita Panchal, et. al., The Implications of COVID-19 for Mental Health and Substance Use, Kaiser Family Foundation, *available at* https://www.kff.org/health-reform/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/ (last updated Feb. 10, 2021).

[2] Madeline Holcombe, *Long-term social distancing may be traumatic. Here is what to expect and what to do*, CNN (Apr. 12, 2020), *available at* https://www.cnn.com/2020/04/09/health/coronavirus-mental-health-long-term-wellness/index.html.

[3] Dr. Francis Collins, Director, National Institutes of Health, *Coping with the Collision of Public Health Crises: COVID-19 and Substance Use Disorders*, NIH Director's Blog (Apr. 21, 2020), *available at* https://directorsblog.nih.gov/2020/04/21/coping-with-the-collision-of-public-health-crises-covid-19-and-substance-use-disorders/.

[4] P.L. 116-123; P.L 116-127; P.L. 116-136; P.L. 116-139; and P.L 116-260.

[5] Congressional Budget Office, *Reconciliation Recommendations of the House Committee on Energy and Commerce*, February 14, 2021, https://www.cbo.gov/system/files/2021-02/EnergyandCommerceReconciliationEstimate.pdf.

[6] *Id.*

For example, the state of the nation's public health infrastructure and workforce are a result of decades of neglect by state and local governments. At the same time, states have spent ever increasing amounts of their budgets on Medicaid. Support for states to build their public health workforce is laudable and could be accomplished by discretionary appropriations. However, it is unclear how an immediate infusion of $7.6 billion in mandatory funding for establishing and expanding a public health workforce, as is done in section 3021, will lead to more public health professionals to fight COVID-19 now. State and local health departments have struggled for years to recruit public health professionals in a field that has lost more than 56,000 positions in the past decade.[7] A sustainable long-term increase in discretionary funding authorized through regular order would have been a more appropriate way to support state and local public health departments and address the dearth in public health professionals.

Republicans are concerned about the long-term health of critically important public health programs that Subtitle A sets on dangerous fiscal cliffs. For example, section 3031 provides $7.6 billion for Federally-qualified health centers, $800 million for the National Health Service Corps, and $300 million for the Teaching Health Center Graduate Medical Education program. This is approximately twice the amount that was authorized for these programs for each of fiscal years 2021 through 2023 in the Consolidated Appropriations Act, 2021, which was just signed into law two months ago.[8] These are unsustainable funding levels.

Republicans are disappointed that Subtitle A opens the door to federal funding for elective abortions. Every Democrat voted against including the Hyde amendment protections in Subtitle A. The Hyde Amendment prevents all other federal funds for the Department of Health and Human Services appropriated through the discretionary appropriations process, and also mandatory health spending, from being used to fund abortion, except in the cases where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest. Since 1976, Hyde, and similar policies governing other federal programs, have been supported and renewed annually on a bipartisan basis, multiple times, for decades.[9] Because there are no Hyde Amendment protections, many provisions in Subtitle A, particularly where funds have been authorized for broad purposes or for the provision of health services that are not directly related to preventing and treating COVID-19, will support elective abortions.

For example, section 3036 authorizes $50 million in mandatory funding for grants and contracts under section 1001 of the Public Health Service Act, which is the Title X Family Planning Program. First, it is unclear to Republicans how Title X funding will reduce transmission of, and illness and death caused by, COVID-19. This funding is being authorized on the heels of President Biden directing the Department of Health and Human Services to

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[7] Blaire Bryant, Protect Funding for Core Local Public Health Services and Prevention Programs, National Association of Counties, *available at* https://www.naco.org/resources/protect-funding-core-local-public-health-services-and-prevention-programs#:~:text=According%20to%20the%20National%20Association,in%20five%20local%20health%20departments. (last updated Feb. 28, 2019).

[8] P.L. 116-260,

[9] H.R.14232, Departments of Labor, and Health, Education, and Welfare, and Related Agencies, 1977, 94th Congress (1976); Roll no. 846.

reverse the "Protect Life Rule,"[10] a rule that prohibited Title X-funded family planning services to be performed at the same location where abortions are provided. Since existing Title X appropriations have been obligated to non-abortion providing entities, section 3036 is just a way to direct taxpayer dollars to abortion providers, like Planned Parenthood.

Lastly, Republicans are disappointed that the Democrats, in their haste to pass a partisan package, did not assess the true budgetary needs of these agencies. The exorbitant funding levels could lead to waste.

For example, section 3004 provides $500 million to the Food and Drug Administration (FDA) for the evaluation of the continued performance, safety, and effectiveness of vaccines, therapeutics, and diagnostics approved, cleared, licensed, or authorized for use for the treatment, prevention, or diagnosis of COVID-19. Republicans believe that the agency should provide a detailed account of how funds previously appropriated have been spent, what amount of funding remains unobligated, and to what activities those unobligated dollars will be allocated before appropriating additional funds, especially considering that $500 million is more than twice the amount that has been appropriated to FDA under all previously enacted Coronavirus relief legislation combined.[11]

Additionally, advancing this legislation through regular order would have allowed both Republicans and Democrats to have a better understanding of the FDA's existing needs. During the full committee markup, the only opportunity provided to Republicans to ask questions and raise concerns about the legislation being considered, Democrats asserted they had conversations with FDA during which the agency expressed the need for this amount of funding. The FDA has not provided to Republicans any request or justification for these funds, nor has FDA explained how they will be used to advance the agency's mission. In addition, the majority of FDA's spending is on salaries. It is unclear how the $500 million could be used to support salaries without creating a cliff where more funding is needed to retain those employees.

With respect to product reviews, Republicans question why these funds appear to be intended solely for post-market surveillance, as opposed to both pre- and post-market activities, given the likelihood that new COVID-19 vaccines, therapeutics, and diagnostics will warrant premarket review.[12] Furthermore, the funds may be used to facilitate and conduct inspections delayed or cancelled for reasons related to COVID-19.[13] While Republicans agree it is critical that FDA resume on-site inspections, we question why additional funds are required to do so.

Since March 2020, FDA has conducted few domestic or foreign inspections due to safety concerns and travel restrictions, not due to funding limitations. During fiscal year (FY) 2020, the total number of inspections conducted by FDA, of both foreign and domestic establishments,

[10] 84 F.R. 7714.
[11] P.L. 116-123; P.L. 116-136; P.L. 116-260,
[12] S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021 (February 11, 2021), 117th Congress (2021-2022), *available at* https://docs.house.gov/meetings/IF/IF00/20210211/111190/BILLS-117-A-P000034-Amdt-2.pdf.
[13] *Id.*

was fifty-six percent lower than during each of the previous two fiscal years.[14] Between March and October of 2020, only three foreign mission critical inspections and only fifty-two domestic inspections took place.[15] In contrast, during a similar timeframe in each of the previous two years, more than 600 foreign and 400 domestic inspections took place.[16] Given the significant reduction in the number of inspections conducted, FDA must answer for how funds obligated for FY 2020 inspection activities have been used and why it needs more funds to carry out delayed or cancelled inspections.

Subtitle B: Budget Reconciliation Legislative Recommendations Relating to Medicaid

Section 3101. Mandatory Coverage of COVID-19 Vaccines and Administration Treatment Under Medicaid.

Republicans want every American to have access to the COVID-19 vaccine and we support fully covering the cost of the vaccine for Medicaid beneficiaries for the length of the public health emergency. This will ensure we can vaccinate every single American, which will help us reopen schools, workplaces, and the economy. However, in this section the Democrats, instead, chose to extend the timeframe where vaccines are fully covered by one year. The Democrats have provided no justification for this extension. Given that the public health emergency will continue throughout 2021, Republicans recommend ascertaining how the states are doing at the end of the year and extend the timeframe if needed. Instead, the Democrats are spending money on the extra year that could have been used to increase funding for mental health or SUD providers, or a number of other targeted and temporary priorities that both parties share.

The Democrats are also giving the states the option to provide coverage to the uninsured for COVID-19 vaccines and treatment without cost sharing at 100 percent federal medical assistance percentage (FMAP). Republicans want all eligible beneficiaries to receive care and want to work with the Democrats to improve access to care for all Americans. However, the Medicaid program has eligibility requirements for a reason and Republicans want to make sure that the program is able to continue serving the Americans who are eligible for Medicaid coverage.

Section 3102. Modifications to Certain Coverage Under Medicaid for Pregnant and Postpartum Women.

Republicans are disappointed that the Democrats chose this partisan approach to a bipartisan priority. H.R. 4996, the Helping MOMS Act of 2020, passed the House unanimously last year and is the same policy as section 3102, except, H.R. 4996 was a permanent state option to extend Medicaid eligibility to women for 12 months postpartum and section 3102 is a five-year option. At markup, Republicans offered an amendment that would have implemented the

[14] United States Government Accountability Office (GAO), *COVID-19: Critical Vaccine Distribution, Suply Chain, Program Integrity, and Other Challenges Require Focused Federal Attention* (January 2021), *available at* https://www.gao.gov/assets/720/712030.pdf.
[15] *Id.*
[16] *Id.*

permanent policy. Predictably, the Democrats rejected the proposal because it would cause the Committee to exceed its reconciliation instructions. However, when CBO released its estimate of the Committee's reconciliation package, Republicans learned that the Committee is under its instruction of $188.5 billion by over $65 billion.[17] If the Committee had an estimate and technical assistance before markup, we could have made this change permanent.

Section 3103. Allowing for Medical Assistance Under Medicaid for Inmates During 30-Day Period Preceding Release.

Republicans are willing to work with the Democrats to address medical assistance for inmates during the 30-day period preceding their release from prison, but this is irrelevant to responding to COVID-19. This is especially true since the Democrats included the coverage of inmates in the vaccine development and distribution funding in Subtitle A, and included specific funding for COVID-19 for those that live in congregate facilities. If this policy had been considered through regular order, a hearing might have revealed how prisons differ from jails when handling inmates a month before release and how we can tailor the policy to be the most effective.

Republicans want all Americans to have access to the COVID-19 vaccine, including inmates during the 30-day period before their release. But why is Medicaid coverage for inmates 30 days prior to release necessary? Also, how long will it take prisons and jails to have the administrative capacity to bill Medicaid, and will prisons need additional resources to do so? If the Committee followed regular order, some of these questions could have been answered.

Section 3104. Enhanced Federal Medicaid Support for Bundled Community-Based Mobile Crisis Intervention Services.

This section is another partisan disappointment. The Democrats never explained how this section will provide immediate relief to those suffering from COVID-19's devastating impact on mental health or SUD. CBO indicated that only 16 states have programs that would immediately qualify for this provision, suggesting the limited impact this provision will have on addressing nationwide mental health and SUD impacts from COVID-19.[18] Republicans believe that tailoring a policy like the one in section 3108 for mental health and substance use providers would have been a better way to provide immediate relief for the next year.

Section 3105. Temporary Increase in FMAP for Medical Assistance Under State Medicaid Plans which Begin to Expend Amounts for Certain Mandatory Individuals.

Incentivizing states to expand Medicaid to address COVID-19 is a mistake. It is neither a targeted nor a timely approach to continue the fight against COVID. We understand the need to provide Americans access to affordable health insurance options, but, at a minimum, it takes

[17] Congressional Budget Office, *Reconciliation Recommendations of the House Committee on Energy and Commerce*, February 14, 2021, https://www.cbo.gov/system/files/2021-02/EnergyandCommerceReconciliationEstimate.pdf.
[18] Congressional Budget Office, *Reconciliation Recommendations of the House Committee on Energy and Commerce*, February 14, 2021, https://www.cbo.gov/system/files/2021-02/EnergyandCommerceReconciliationEstimate.pdf.

several months to expand Medicaid.[19] Republicans believe that any COVID-19 relief package should aim to end the pandemic in weeks now that a vaccine is available. The $16 billion cost associated with this policy should be targeted to immediate COVID-19 relief for Medicaid providers who are working with the most at risk beneficiaries, including SUD, mental illness, hospitals in rural areas, and nursing homes.

Section 3106. Extension of 100 Percent Federal Medical Assistance Percentage to Urban Indian Health Organizations and Native Hawaiian Health Care Systems.

Republicans would have preferred to consider this section through regular order to ensure that there are proper reporting and data requirements on the impact of the policy given that it is only a two-year extension.

Section 3107. Sunset of Limit on Maximum Rebate Amount for Single Source Drugs and Innovator Multiple Source Drugs.

Including this provision in this partisan package is another disappointment. Republicans have supported this policy to pay for a permanent option for states to provide Medicaid coverage to women for 12 months after birth. That was the bipartisan approach taken in H.R. 4996, the Helping MOMS Act of 2020, which passed the House unanimously in the 116th Congress. But including this spending offset to fund unnecessary spending unrelated to the COVID-19 fight will only make it harder to enact permanent needed support for new mothers who rely on Medicaid.

Section 3108. Additional Support for Medicaid Home and Community Based Services During the COVID-19 Emergency Period.

This is another provision that could have been done through regular order, but instead, Democrats chose partisanship. Republicans support a temporary FMAP increase of 7.35 percentage points for states to make improvements to Medicaid home- and community-based services (HCBS) for one year. However, the Democrats would impose a litany of required uses of the funds, which are overly burdensome at a time when states Medicaid programs need flexibility to target efficiently their response to COVID-19. Republicans recommend providing states more flexibility on how to use those funds.

Section 3109. Funding for State Strike Teams for Resident and Employee Safety in Nursing Facilities.

Nursing homes have been devasted by COVID-19, and the pandemic has brought attention to the need for improved infectious disease control at nursing homes. The Trump Administration deployed "strike teams" to nursing homes starting in July, 2020,[20] and Republicans support providing funding to continue this important initiative. However, Republicans prefer that this funding be provided through emergency supplemental appropriations

[19] https://www.kff.org/medicaid/issue-brief/status-of-state-medicaid-expansion-decisions-interactive-map/.

[20] https://www.cms.gov/newsroom/press-releases/trump-administration-announces-new-resources-protect-nursing-home-residents-against-covid-19.

through regular order to ensure we have proper reporting and data on the impact of the policy and its effectiveness.

Subtitle C: Budget Reconciliation Legislative Recommendations Relating to CHIP

Section 3201. Mandatory Coverage of COVID-19 Vaccines and Administration and Treatment Under CHIP.

Republicans want every American to have access to the COVID-19 vaccine. We support fully covering the cost to vaccinate CHIP beneficiaries for the length of the public health emergency. However, the Democrats' partisan decision to extend that timeframe for a year is not based on any data or technical assistance. Since the public health emergency will continue through 2021, a better way would have been to see how the states are doing are at the end of the year and adjust if needed.

Section 3202. Modifications to Certain Coverage Under CHIP for Pregnant and Postpartum Women.

It is disappointing the Democrats chose to include a bipartisan priority in the partisan package. As noted earlier, H.R. 4996, the Helping MOMS Act of 2020, passed the House unanimously last year and is the same policy as section 3102.

Subtitle D: Budget Reconciliation Legislative Recommendations Relating to Other Provisions

Chapter 1

Chapter 1 of Subtitle D is another disappointment and lost opportunity. Our concerns with this chapter can be divided into two distinct categories: big-picture concerns and specific policy choices reflected in the reported text, as well as those rejected by the votes of the Democrats

Generally, the three sections in this Chapter are not consistent with the Democrats' claims about what this bill does. Rather than providing the immediate aid the Democrats insisted was essential for all Americans struggling with or vulnerable to COVID-19, the provisions instead appear to craft long-term policies that deserved closer, deliberate attention.

To illustrate this overarching point, the authorized funding appropriated in sections 3301 and 3303 is not time limited – it is supposed to "remain available until expended" – and section 3302 makes its funding available until September 30, 2022 – a time frame exceeding current predictions on the length of the pandemic in the United States. Moreover, none of the sections reference the public health emergency related to COVID-19 that was issued by the Department of Health and Human Services (HHS) and only section 3301 attempts to create a COVID-19 nexus.

We believe the aid in this chapter would have been more efficiently and effectively provided had the explicit statutory focus only been on directing actions necessary for the nation's COVID-19 response. Frustratingly, the Democrats were not interested in a bipartisan response of targeted relief that was time-limited and tied directly to COVID-19.

Unfortunately, Chapter 1, particularly section 3301 and 3303, also was not considered through regular order in the Committee. Regular order would have allowed careful review of the scope and timing of these provisions. For example, it would have provided opportunity to adjust the focus of Section 3301 to include increasing employment and economic opportunity, in addition to technical assistance concerning air quality. Providing more scrutiny and opportunity for improvement of the legislative language would have ensured resources are directed to the most urgent economic impacts of the pandemic.

Beyond these overarching concerns, each of the three sections in this chapter contained specific provisions that gave us pause.

For section 3301, the lack of meaningful Congressional input is concerning – we should have had more of a process to obtain assurances as to what this language intends and, considering that these provisions could be in force for a few years, understand what this language might practically mean. These insights also are critical to conducting Congressional oversight on the provisions, should they become enacted.

Another area of concern for us in section 3301 is its omission of health disparities of certain workers related to COVID-19. Unemployment is well established as a risk factor for elevated illness and mortality rates in epidemiological studies performed since the early 1980s. In fact, the National Center for Health Statistics concluded that "children in poor families were four times as likely to be in fair or poor health as children in families that are not poor." Most significantly, as it relates to COVID-19 and the emergence of new more contagious variants, Yale researcher Dr. William Gallo has stated in the past that late-career job loss results include "substantial health consequences" and are a "potential risk factor for adverse vascular health changes" -- the most troubling comorbidities threatening the survival of any person exposed to the coronavirus.

The people made jobless via the White House executive orders in the first month of the Biden Administration have been disregarded in these provisions. Our Democratic colleagues not only rejected efforts to help these economically disadvantaged people, but their views were punctuated by suggestions that welfare programs and green jobs for half the wages of their recent employment should be an adequate replacement for these people.[21]

[21]"The average salary of oil and natural gas workers is approximately $112,000, more than double the national private-sector average of $51,000. But oil and gas workers don't just make double that of the national average. They make double that of wind and solar workers.

Moving to section 3302, it provides $4.5 billion through the end of fiscal year 2022 for the Low-Income Home Energy Assistance Program (LIHEAP). This amount exceeds the entire amount enacted for LIHEAP in fiscal year 2021 just eight weeks ago ($3.75 billion).[22] In addition, this funding is to be disbursed without regard to existing financial reasonableness requirements placed on states for how much LIHEAP funding can be allotted at any one time. As mentioned earlier, while we do not oppose addressing LIHEAP at this time, this scale of spending should have been directly connected to COVID-19, and adjusted to ensure it will do what it is supposed to do, minimizing waste and abuse.

Section 3303 provides $500 million – for as long as it takes to spend it all – to a new program to pay the water and wastewater bills of low-income people. This $500 million amount is in addition to the $638 million provided for a nearly identical purpose in the Consolidated Appropriations Act, 2021.[23] Taken together, this eight-week total comes to $1.138 billion for this new program – $12 million more than the Federal government provided in capitalization grants in fiscal year 2021 for all public water system infrastructure under the Drinking Water State Revolving Loan Fund.

Of note, the biggest difference between the language in section 3303 and that from the Consolidated Appropriations Act, 2021 is that section 3303 omits provisions encouraging HHS to use its existing processes and procedures under LIHEAP to distribute this money to utilities efficiently. This is an important omission. There was no Committee of review whether this omission will create problems. For, example, because the language in the Consolidated Appropriations Act, 2021 is only valid for that fiscal year and section 3303 is drafted to outlast it, when section 3303 still has funding on October 1, 2021, HHS would be free to use whatever process it wants to distribute the money, even if it is untested or inefficient. This seems like a recipe for potential waste and abuse; and only further reinforces why a targeted and temporary program is the preferred way to handle this matter.

While President Biden and the Democrats should be focused on defeating COVID-19 and rebuilding our economy, they are waging a war on fossil energy jobs that is resulting in significant and negative disparate impacts in rural and low-income communities. Immediately upon taking office, President Biden revoked the permit for the Keystone XL pipeline and imposed a moratorium on oil and gas drilling on Federal lands and offshore waters. These

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According to data from the U.S. Department of Labor's Bureau of Labor Statistics, in 2019 a worker installing solar panels made an average of a little more than $21 an hour. Workers in oil and gas extraction made more than twice as much, at an average of over $42 an hour."

https://thefederalist.com/2021/01/27/bidens-green-energy-jobs-really-mean-no-energy-jobs-and-low-paying-energy-jobs/

[22] House Energy and Commerce Committee Republican Leader Cathy McMorris Rodgers sent a letter to the Office of Management and Budget on February 4, 2021, requesting an accounting of what funds have been expended already in connection with the $3.75 billion in LIHEAP funding from the Consolidated Appropriations Act, 2021. OMB has provided no response to that letter to date.

[23] House Energy and Commerce Committee Republican Leader Cathy McMorris Rodgers sent a letter to the Office of Management and Budget on February 4, 2021, requesting an accounting of what funds have been expended already in connection with the $638 million from the Consolidated Appropriations Act, 2021. OMB has provided no response to that letter to date.

decisions will eliminate tens of thousands of jobs and deprive states of billions of dollars of tax revenue to help pay for schools, hospitals, and government services.

Republicans offered several amendments to protect jobs, stimulate economic growth, and provide mental health services for unemployed energy workers – particularly critical during the global pandemic and economic downturn -- Democrats rejected them all.

In connection with Subtitle A, Rep. Mullin offered an amendment to increase funds for community mental health block grants to strengthen mental health services in states that have had unexpected jobs losses due to President Biden's Executive Orders. This Administration's policies, such as implementing moratoria on oil and gas development and production, will put tens of thousands of people in the energy sector out of work and deprive states of billions of dollars in tax revenues. This amendment would have required the HHS Secretary to obligate 5 percent of the amounts under the mental health block grants to states suffering unemployment from the Biden Administration's recent energy and climate executive orders. Every Democrat rejected the Mullin amendment.

Rep. Armstrong offered an amendment to resume construction of the Keystone XL pipeline and immediately put thousands of people back to work. This $1.7 billion investment would have created over 10,000 American union jobs and contributed billions to U.S. workers through direct jobs in construction and indirect jobs in hotels, restaurants, and thousands of businesses across the country that were lined up to provide their services to help build the project. This construction program was already underway when the Biden Administration revoked their permit and eliminated thousands of jobs and over $3 billion in contracts that would have gone to U.S. contractors and suppliers. Again, every Democrat rejected the Armstrong amendment to authorize construction of the Keystone XL pipeline.

Rep. Duncan offered an amendment to prevent President Biden from following through on his campaign promise to ban hydraulic fracturing — perhaps the most direct threat to our economic security and national security. If the Biden Administration were to ban hydraulic fracturing, this would eliminate millions of jobs across our American energy industry and our economy. States and local governments, schools, hospitals, and community centers would be cut off from billions of dollars in funding that currently comes from the oil and gas industry. According to a recent study,[24] placing a moratorium on hydraulic fracturing would mean a $900 billion increase in U.S. household energy costs, $7.1 trillion in potential losses to the U.S. economy through 2030, and over 7 million fewer U.S. jobs by 2022. Additionally, such a moratorium would force the U.S. to import 40 percent of our oil and petroleum products and 29 percent of our natural gas by 2030. Again, every Democrat rejected the Duncan amendment.

We understand the importance of this package and wanted to support it, but defects such as those outlined above and the unwillingness of the Democrats to accept any of our ideas to

[24] *America's Progress at Risk: An Economic Analysis of a Ban on Fracking and Federal Leasing for Natural Gas and Oil Development*, American Petroleum Institute, https://www.api.org/-/media/Files/Oil-and-Natural-Gas/Hydraulic-Fracturing/2020/fracking-ban-study-americas-progress-at-risk.pdf?la=en&hash=13423D13150A5594442D84D507F6EAB04A231246.

protect workers and focus the delivery of funding on those most in need leaves us no choice but to oppose it.

Chapter 2

Section 3311. Funding for Consumer Protection Safety Fund to protect consumers from potentially dangerous products related to COVID-19.

We are disappointed that the Democrats continued its partisan approach in drafting section 3311, which is similar to the provisions of H.R. 8134, the Consumer Product Safety Inspection Enhancement Act, a bill to authorize additional resources for the Consumer Product Safety Commission (CPSC). During the 116th Congress, the Committee on Energy and Commerce passed H.R. 8134 by a voice vote on September 24, 2020, and the bill passed the full House of Representatives by a voice vote on September 29, 2020. Because of the Committee's bipartisan efforts, an authorization for additional port inspection personnel for the CPSC was included in division F, title XX, of H.R. 133, the Consolidated Appropriations Act of 2021, enacted on December 27, 2020.

The Democrats ignored the bipartisan consensus recognizing the threat posed by the People's Republic of China (PRC) and instead, allocated $50 million that are desperately needed for the CPSC's port inspection responsibilities to a Commission slush fund to be used however the CPSC chooses and without regard for our bipartisan agreement.

We support enhancing our ports security and providing the necessary resources to do so. In 2020, the House Republican China Task Force issued a report outlining many of the Chinese Communist Party's (CCP) subversive acts against our country. The PRC is a threat to our way of life. Resources are needed to enhance targeting, surveillance, and screening of consumer products originating from China. But section 3311 includes new definitions like "COVID-19 products," which have not been vetted and may reach beyond the CPSC's authority.

Section 3311 also includes new provisions that were not included in the 2020 bipartisan agreement and that the Democrats never discussed with us. In particular, we are concerned that authorizing the CPSC to undertake "enhanced monitoring of Internet websites" will distract the Commission from its port inspection duties.

The CPSC does not need more full-time personnel surfing the Internet. The Commission needs more personnel on the ground at ports, protecting us from dangerous products from the CCP. These resources should be targeted on counterfeit and illicit products originating in the PRC. In a January 24, 2020, report entitled "Combating Trafficking in Counterfeit and Pirated Goods," the Department of Homeland Security (DHS) estimated that 100,000 packages that could harm or defraud our constituents arrive in America every day from China and more than 85 percent of all contraband seized at our borders comes from China and Hong Kong.

There is another DHS report, "Operation Stolen Promise," which found that more than 50 percent of the nations' counterfeit COVID-19 products originate from China and Hong Kong. And a recent article from Reuters found that Chinese internment camps in the Xinjiang region force Uighur Muslims into labor camps and often shave the heads of women to use their hair in products shipped to the U.S. We wrote to the CPSC about these Uighur women recently, and the CPSC has acknowledged that it has not tracked this matter.

This section is a disappointment and a missed opportunity to continue our bipartisan work to keep Americans safe from dangerous products from China.

Section 3312. Funding for E-Rate Support for Emergency Educational Connections and Devices.

This section wastes $7.6 billion dollars in taxpayer funding for purposes that Congress has already funded. It provides funding for schools and libraries to buy and distribute Wi-Fi hotspots, modems, routers, and other devices for students to use for off-premise schoolwork. This funding is duplicative of a cumulative $110 billion that Congress appropriated in 2020 to the Department of Education to respond to the coronavirus pandemic, and much of that money remains unspent. It is irresponsible for Congress to appropriate more money for this purpose before the existing money is spent and Congress can determine where, if any, there are remaining gaps.

Besides the fact that Congress already appropriated money in the early days of the pandemic for remote learning purposes, this program is also inconsistent with the President's goal to reopen schools because it encourages the continuation of remote learning. Similarly, it conflicts with the Administration's Centers for Disease Control and Prevention guidance, which states that it is safe for schools to reopen and that they should do so as quickly as possible.

In addition, and contrary to claims from the Democrats, section 3312 does nothing to support the Federal Communications Commission's (FCC) E-Rate program. Rather, it creates a new program with no rules, no requirements, and no oversight to track the devices once they are given to students, or to verify eligibility and ensure that there is no double dipping at schools and libraries. The statute also does not clearly state whether or not this funding is available only for the duration of the COVID-19 pandemic, or until 2030, which is well beyond the scope of the pandemic. This program is simply a vehicle for the Democrats to implement its longstanding partisan policies endorsed by the teachers' unions rather than helping Americans.

During the Committee markup of this provision, Rep. Latta and Rep. Walberg offered amendments that would provide long-term solutions to close the digital divide and incentivize schools to re-open for in-person learning. To provide a permanent solution to close the digital divide, Rep. Latta offered an amendment to redirect this funding to rural broadband deployment in unserved areas. Rep. Walberg offered an amendment to put this money directly into the existing E-Rate program at the FCC, which funds connections and certain technologies in schools and libraries where it is not economically feasible for carriers to otherwise serve. Eligibility would have been contingent on schools and libraries being open 5 days per week. The word "open" was not defined, which would ensure that schools and libraries had the flexibility to follow appropriate CDC guidance to reopen safely. Both proposals were unanimously opposed by the Democrats.

Section 3312 is another bad public policy and missed opportunity. The only way to close the so-called "homework gap" is to invest in permanent broadband infrastructure that closes the digital divide between urban and rural America once and for all. In order to recover from this pandemic and ensure our students are not left behind, we need to focus on policies that reopen schools and the economy as quickly as possible. We are disappointed the Democrats rejected bipartisanship and again embraced a partisan process that will waste billions of dollars on temporary, unreliable options such as hotspots, with no oversight and no accountability.

Cathy McMorris Rodgers
Ranking Member

Fred Upton
Ranking Member
Subcommittee on Energy

Robert E. Latta
Ranking Member
Subcommittee on Communications and Technology

Brett Guthrie
Ranking Member
Subcommittee on Health

David B. McKinley
Ranking Member
Subcommittee on Environment and Climate Change

Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection and Commerce

CONTENTS

I. PURPOSE AND SUMMARY

Subtitle D: Budget Reconciliation Legislative Recommendations Relating to Other Provisions provides budget reconciliation recommendations related to other provisions to the House Committee on Budget pursuant to S. Con. Res. 5 to provide comprehensive relief to the American people in response to the coronavirus disease of 2019 (COVID-19) pandemic.

Subtitle D provides the Environmental Protection Agency (EPA) with $100 million in funds to address health outcome disparities from pollution and the COVID-19 pandemic. It also provides $5 billion to the Health and Human Services Department (HHS) for household energy and water assistance to consumers adversely affected financially by COVID-19 to assist those consumers payments to utility providers of those services.

The recommendations also provide $50 million to the Consumer Product Safety Commission (CPSC) to increase surveillance of consumer products at ports of entry; enhance surveillance of consumer products, particularly COVID-19 products, and enhance the monitoring of internet websites for violative consumer products, particularly COVID-19 products. The funding must also be used to increase awareness and communication of risks related to COVID-19 products and improve the CPSC's data collection and analysis system.

In addition, funding for internet service and relevant internet access equipment to teachers, students, and library patrons for use in locations other than schools and libraries is provided under Subtitle D through a $7.59 billion Emergency Connectivity Fund.

Finally, the Department of Commerce's Inspector General is appropriated $3 million for oversight of activities of the Department to prevent, prepare for, and respond to COVID-19, domestically or internationally.

II. BACKGROUND AND NEED FOR LEGISLATION

Ensuring Environmental Health and Ratepayer Protection During the Pandemic

Environmental Health

The COVID-19 pandemic has had significant disparate impacts on communities of color and low-income communities. Air pollution has been linked to higher transmission of COVID-19 and to respiratory diseases that are risk factors for severe COVID-19 effects. EPA recognized the need for additional grant funding for environmental justice communities impacted disproportionately by COVID-19 and made additional grant funding available through environmental justice grant programs on April 30, 2020.[1] The Agency eventually doubled the expansion of the grant funding in recognition of the need.[2] Additional money for these programs would provide funding for more communities experiencing pollution and disparate health outcomes.

Funding for air quality monitoring, provided under Sections 103 and 105 of the Clean Air Act, has not increased significantly since 2004, which is equivalent to a 20 percent cut when adjusted for inflation. A recent report by the Government Accountability Office (GAO) cited that drop in funding as a key contributor to shortcomings in our national air quality monitoring infrastructure. Specifically, GAO found that this outdated monitoring infrastructure has impacted the quality of monitoring data and fails to effectively monitor localized air pollution, which is a primary concern for health disparities.[3] Additional funding for air quality monitoring and other activities under sections 103 and 105 of the Clean Air Act could modernize our national air quality monitoring infrastructure to better serve communities experiencing pollution and disparate health outcomes.

Ratepayer Assistance

Congress has long recognized the need to assure American households' access to vital energy and heating services through the establishment and continued funding of the Low-Income Home Energy Assistance Program (LIHEAP). LIHEAP is the primary mechanism through which the federal government gives states, tribes, and territories annual grants to operate home

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[1] Environmental Protection Agency, *EPA Provides Grant Funding to Support Environmental Justice Communities Impacted by COVID-19* (Apr. 2020) (www.epa.gov/newsreleases/epa-provides-grant-funding-support-environmental-justice-communities-impacted-covid).

[2] Environmental Protection Agency, *Louisiana receives EPA grant to protect underserved communities from COVID-19* (Oct. 2020) (www.epa.gov/newsreleases/louisiana-receives-epa-grant-protect-underserved-communities-covid-19).

[3] Government Accountability Office, *AIR POLLUTION: Opportunities to Better Sustain and Modernize the National Air Quality Monitoring System* (Nov. 2020) (GAO-21-38).

energy assistance programs for low-income households.[4] Prior to the COVID-19 pandemic, about 26 million households were eligible for energy assistance. Due to pandemic-related layoffs, an estimated additional 5 million households are now eligible. Electric and natural gas arrearages reached around $32 billion at the end of 2020. Additionally, around 20 percent of residential customers are at least 60 days behind on their electric and natural gas bills.[5] The legislation provides LIHEAP with additional funds in order to keep up with the growing need for assistance resulting from the pandemic.

Like access to energy, clean, safe water is essential at all times. During the pandemic, reliable home access to safe water has taken on increased importance because of its vital role in maintaining hygiene. At the same time, the economic impacts of the COVID-19 pandemic have made water bills harder to afford for many families. The National Association of Clean Water Agencies (NACWA) estimates the current national consumer water debt to be around 8 billion dollars.[6] California and Virginia, states that track consumer water debt, have debts of over $1 billion and $88 million, respectively.[7] Ratepayer assistance for drinking water and wastewater bills will make these bills more affordable and prevent interruptions in this vital service.

Distance Learning and Consumer Protection During the COVID-19 Pandemic

Consumer Protection

The CPSC has not been able to keep pace with changing consumer trends brought on by the COVID-19 pandemic, including the influx of e-commerce shipments from foreign countries and the substantial shift to online shopping. During the pandemic, retail imports broke new records,[8] with imports of certain product categories jumping more than 79 percent and shipments of certain in-demand retailers more than quadrupling.[9] Monthly imports of consumer goods rose to an all-time high in November 2020.[10]

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[4] Congressional Research Services, *LIHEAP: Program and Funding* (June 2018) (crsreports.congress.gov/product/pdf/RL/RL31865).

[5] Letter from National Energy and Assistant Directors' Association to Majority Leader Schumer, Minority Leader McConnell, Speaker Pelosi, Minority Leader McCarthy (January 28, 2021) neada.org/wp-content/uploads/2021/01/LIHEAP10bjointltr21.pdf.

[6] National Association of Clean Water Agencies, *NACWA and AMWA Launch Affordable Water Resilient Communities Campaign* (Feb. 2021).

[7] *California Households Owe $1bn in Water Bills as Affordability Crisis Worsens*, The Guardian (Jan. 19, 2021) (www.msn.com/en-us/news/us/california-households-owe-1bn-in-water-bills-as-affordability-crisis-worsens/ar-BB1cTEc5); *Virginia municipal utilities face more than $88 million in unpaid bills*, Virginia Mercury (Jan. 6, 2021) (www.virginiamercury.com/2021/01/06/virginia-municipal-utilities-face-more-than-88-million-in-unpaid-bills/).

[8] National Retail Federation, *Retail Imports Expected to Hit Repeated Monthly Records After Record Year in 2020* (Feb. 8, 2021) (nrf.com/media-center/press-releases/retail-imports-expected-hit-repeated-monthly-records-after-record-year).

[9] *U.S. Imports Surge as Pandemic Worries Have Retailers Stockpiling*, Reuters (Sept. 25, 2020) (www.reuters.com/article/us-health-coronavirus-usa-imports/u-s-imports-surge-as-pandemic-worries-have-retailers-stockpiling-idUSKCN26G1EP).

[10] *Global Outlook Brightens as U.S. Consumer Imports Reach Pre-Pandemic Levels*, Wall Street Journal (Oct. 6, 2020) (www.wsj.com/articles/u-s-trade-gap-in-august-was-largest-since-2006-11601988513).

The CPSC's import surveillance program was established following the enactment of the Consumer Product Safety Improvement Act (CPSIA) of 2008 on August 14, 2008.[11] As required by Section 222 of the CPSIA, the CPSC developed a targeting system called Risk Assessment Methodology (RAM) to target and prioritize for inspection shipments likely to contain violative consumer products.[12] In addition, CPSC compliance inspectors work at ports of entry to identify and block shipments containing violative consumer products.[13]

Currently, CPSC inspectors are present at only six percent of U.S. ports and concentrated only at seaports that receive large, high-value shipping containers.[14] In 2019, only 19 ports in the United States had any kind of CPSC presence.[15] As a result of adjustments made because of the COVID-19 pandemic, in fiscal year 2020, only 18,561 import examinations were conducted, compared to 39,010 in the prior fiscal year.[16] In addition, records show the CPSC did not flag *any* toys at the ports for poisonous lead levels in June and July 2020, compared to a normal monthly average of 50 violations.[17]

To ensure the public is protected against unsafe consumer products during the COVID-19 pandemic, the Consolidated Appropriations Act, 2021 includes a provision requiring the CPSC to increase the number of investigators stationed at ports of entry.[18] However, the CPSC does not have necessary funding to carry out the requirements of that provision and ports continue to be understaffed.[19]

E-commerce spending also rose during the pandemic. More than $174 billion spent by consumers online in 2020 can be attributed to COVID-19-related increases in online shopping.[20] Online spending jumped 44 percent in 2020 compared with 2019.[21] However, the CPSC currently lacks the data it needs to effectively assess risk and target e-commerce shipments entering the United States under the de minimis value exemption.[22] Such shipments generally enter the United States through airports, express consignment carrier facilities, and international mail facilities where the CPSC has virtually no presence.[23] They are also difficult to target for

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[11] Consumer Product Safety Commission, *CPSC e-Commerce Assessment Report* (Nov. 2019) (www.cpsc.gov/s3fs-public/CPSC-e-Commerce-Assessment-Report.pdf).

[12] Consumer Product Safety Improvement Act of 2008, Pub. L. No. 110-313.

[13] Consumer Product Safety Commission, *About the Office of Import Surveillance* (www.cpsc.gov/Imports) (accessed Feb. 10, 2021).

[14] Consumer Product Safety Commission, *Fiscal Year 2021 Performance Budget Request to Congress* (Feb. 10, 2020) (www.cpsc.gov/s3fs-public/FY-2021-Congressional-Justification.pdf).

[15] *Id.*

[16] Consumer Product Safety Commission, *Fiscal Year 2020 Annual Performance Report* (Jan. 19, 2021) (www.cpsc.gov/s3fs-public/FY-2020-APR_FINAL.pdf)

[17] *Are Your Kids' Christmas Gifts Safe? Toys at Risk for Lead, Poison after US Stopped Inspections Amid COVID-19*, USA Today (Dec. 11, 2020) (www.usatoday.com/story/news/investigations/2020/12/11/kids-toys-lacked-federal-safety-screenings-ahead-holiday-shopping/3808926001/).

[18] Consolidated Appropriations Act, 2021, Pub. L. No. 116-260.

[19] *Id.*

[20] Digital Commerce 360, *US Ecommerce Grows 44.0% in 2020* (Jan. 29, 2021) (www.digitalcommerce360.com/article/us-ecommerce-sales/).

[21] Digital Commerce 360, *A Decade in Review: Ecommerce Sales vs. Retail Sales 2007-2020* (Jan. 29, 2021) (www.digitalcommerce360.com/article/e-commerce-sales-retail-sales-ten-year-review/).

[22] *See* note 11.

[23] *Id.*

inspection because they are exempt from much of the entry data normally required for higher-valued shipments and that are needed by the CPSC to effectively risk assess.[24] The CPSC also has limited staff dedicated to monitoring online retail and resale marketplaces for unsafe and recalled products.

To adequately and effectively protect consumers from consumer product safety dangers during the COVID-19 pandemic, the CPSC requires substantial additional funding to ensure the safety of consumer products entering our country and into people's homes, which is especially important at a time when consumers are spending so much time at home to prevent the spread of COVID-19. To handle the increase in e-commerce activity during the pandemic, the CPSC also needs funding to invest in and deploy new tools to automate the surveillance of e-commerce websites for violative consumer products. Finally, the CPSC also needs funding to effectively communicate important product safety messages during the pandemic, and to improve the agency's data collection and analysis system to help identify safety disparities and reduce consumer product safety risk.

Distance Learning

The COVID-19 pandemic has changed the nature of the digital divide and the homework gap, exacerbating existing inequities in education and access to digital distance learning. This problem exists all across the country in all population densities. While a higher share of rural households lacks a broadband subscription compared to the share of urban ones, by total numbers, three times as many households that do not subscribe live in non-rural areas.[25] Children are chronically absent from their virtual schools because they do not have a reliable internet connection to log-in to their classes.[26] A study recently found that approximately 15 to 16 million K-12 public school students, or 30 percent of all public K-12 students, live in households either without an internet connection or device adequate for distance learning at home. Of these students, approximately nine million students live in households with neither an adequate connection nor an adequate device for distance learning.[27]

When the pandemic began, states and districts made use of the limited federal funding provided in the Coronavirus Aid, Relief, and Economic Security (CARES) Act , discounted broadband services from private sector providers, and other resources.[28] These efforts helped, but up to 12 million K-12 students still remain under-connected going into 2021.[29] Additional emergency funding will ensure that students and low-income Americans have access to reliable high-speed internet in locations other than schools and libraries through different technological solutions, including residential broadband service provided in different forms, or through WiFi

[24] *Id.*
[25] Emily Stewart, *Give Everybody the Internet*, Vox (Sept. 10, 2020) (www.vox.com/recode/2020/9/10/21426810/internet-access-covid-19-chattanooga-municipal-broadband-fcc).
[26] Erin Richards, et al., *A Year Into the Pandemic, Thousands of Students Still Can't Get Reliable WiFi for School. The Digital Divide Remains Worse Than Ever.*, USAToday.com (Feb. 4, 2021).
[27] Common Sense Media and Boston Consulting Group, *Closing the K-12 Digital Divide in the Age of Distance Learning*, 6 (2020).
[28] Common Sense Media and Boston Consulting Group, *Looking Back, Looking Forward: What It Will Take to Close the K-12 Digital Divide*, 5 (2021).
[29] *Id.*

hotspots, either incorporated into mobile phone or provided on a standalone basis, among other things.

Oversight of the Department of Commerce Prevention and Response to COVID-19

The CARES Act provided significant funds to the Department of Commerce (DOC) for COVID-19 pandemic response and recovery efforts.[30] Through its numerous bureaus, the DOC is providing billions of dollars in economic assistance to communities and businesses across the country affected by the pandemic, trade and export assistance to U.S. businesses, real-time data on will ensure these funds are well spent and that the Department is a good steward of resources going forward.

III. COMMITTEE CONSIDERATION

The Committee on Energy and Commerce met in virtual open markup session, pursuant to notice, on February 11 and 12, 2021. During consideration of Subtitle D on February 12, 2021, an amendment in the nature of a substitute (AINS) offered by Mr. Pallone was agreed to by a voice vote, without amendment. During consideration of the AINS, five amendments were offered to the Pallone AINS, but were not agreed to. Mr. Pallone, Chairman of the Committee, subsequently moved that Subtitle D be ordered transmitted favorably to the House Committee on Budget, amended, and the Committee on Energy and Commerce agreed to the motion by a record vote of 31 yeas to 24 nays, a quorum being present.

IV. COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list each record vote on the motion to report legislation and amendments thereto. The Committee advises that there were five record votes taken on Subtitle D, including a motion by Mr. Pallone ordering Subtitle D favorably transmitted to the House Committee on Budget, amended. The motion on final passage of the bill was approved by a record vote of 31 yeas to 24 nays. The following are the record votes taken during Committee consideration, including the names of those members voting for and against:

[CAMERA COPY - GPO – See attached after this page]

[30] Department of Commerce, *Commerce Playing Key Role in COVID-19 Response and Recovery* (Sept. 23, 2020) (www.commerce.gov/news/blog/2020/09/commerce-playing-key-role-covid-19-response-and-recovery).

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)
ROLL CALL VOTE #19

Bill: **Subtitle D**, "Budget Reconciliation Legislative Recommendations Relating to Other Provisions"

Motion: An amendment to the amendment in the nature of a substitute, offered by Mr. Duncan of South Carolina, No. 1a, to add a new section at the end of Subtitle D declaring the sense of Congress that states should remain the primary regulators of oil and gas hydraulic fracturing on private land, and prohibiting the President from declaring a fracking moratorium unless authorized to do so by Congress.

Disposition: **NOT AGREED TO** by a roll call vote of 26 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Pallone		x		Rep. Rodgers	x		
Rep. Rush		x		Rep. Upton	x		
Rep. Eshoo		x		Rep. Burgess	x		
Rep. DeGette				Rep. Scalise	x		
Rep. Doyle		x		Rep. Latta	x		
Rep. Schakowsky		x		Rep. Guthrie	x		
Rep. Butterfield		x		Rep. McKinley	x		
Rep. Matsui		x		Rep. Kinzinger	x		
Rep. Castor		x		Rep. Griffith	x		
Rep. Sarbanes		x		Rep. Bilirakis	x		
Rep. McNerney		x		Rep. Johnson	x		
Rep. Welch		x		Rep. Long	x		
Rep. Tonko		x		Rep. Bucshon	x		
Rep. Clarke		x		Rep. Mullin	x		
Rep. Schrader		x		Rep. Hudson	x		
Rep. Cárdenas		x		Rep. Walberg	x		
Rep. Ruiz		x		Rep. Carter	x		
Rep. Peters		x		Rep. Duncan	x		
Rep. Dingell		x		Rep. Palmer	x		
Rep. Veasey		x		Rep. Dunn	x		
Rep. Kuster		x		Rep. Curtis	x		
Rep. Kelly		x		Rep. Lesko	x		
Rep. Barragán		x		Rep. Pence	x		
Rep. McEachin		x		Rep. Crenshaw	x		
Rep. Blunt Rochester		x		Rep. Joyce	x		
Rep. Soto		x		Rep. Armstrong	x		
Rep. O'Halleran		x					
Rep. Rice		x					
Rep. Craig		x					
Rep. Schrier		x					
Rep. Trahan		x					
Rep. Fletcher		x					

02/12/2021

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)
ROLL CALL VOTE #20

Bill: **Subtitle D**, "Budget Reconciliation Legislative Recommendations Relating to Other Provisions"

Motion: An amendment to the amendment in the nature of a substitute, offered by Mr. Latta of Ohio, No. 1b, to amend the AINS to move the money appropriated for use by the Federal Communications Commission to reimburse schools and libraries for the purchase of certain connected devices and services to a grant program at the National Telecommunications and Information Administration for broadband infrastructure in unserved areas.

Disposition: **NOT AGREED TO** by a roll call vote of 25 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Pallone		x		Rep. Rodgers	x		
Rep. Rush		x		Rep. Upton	x		
Rep. Eshoo		x		Rep. Burgess	x		
Rep. DeGette				Rep. Scalise	x		
Rep. Doyle		x		Rep. Latta	x		
Rep. Schakowsky		x		Rep. Guthrie	x		
Rep. Butterfield		x		Rep. McKinley			
Rep. Matsui		x		Rep. Kinzinger	x		
Rep. Castor		x		Rep. Griffith	x		
Rep. Sarbanes		x		Rep. Bilirakis	x		
Rep. McNerney		x		Rep. Johnson	x		
Rep. Welch		x		Rep. Long	x		
Rep. Tonko		x		Rep. Bucshon	x		
Rep. Clarke		x		Rep. Mullin	x		
Rep. Schrader		x		Rep. Hudson	x		
Rep. Cárdenas		x		Rep. Walberg	x		
Rep. Ruiz		x		Rep. Carter	x		
Rep. Peters		x		Rep. Duncan	x		
Rep. Dingell		x		Rep. Palmer	x		
Rep. Veasey		x		Rep. Dunn	x		
Rep. Kuster		x		Rep. Curtis	x		
Rep. Kelly		x		Rep. Lesko	x		
Rep. Barragán		x		Rep. Pence	x		
Rep. McEachin		x		Rep. Crenshaw	x		
Rep. Blunt Rochester		x		Rep. Joyce	x		
Rep. Soto		x		Rep. Armstrong	x		
Rep. O'Halleran		x					
Rep. Rice		x					
Rep. Craig		x					
Rep. Schrier		x					
Rep. Trahan		x					
Rep. Fletcher		x					

02/12/2021

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)
ROLL CALL VOTE #21

Bill: **Subtitle D**, "Budget Reconciliation Legislative Recommendations Relating to Other Provisions"

Motion: An amendment to the amendment in the nature of a substitute, offered by Mr. Walberg of Michigan, No. 1c, to amend the AINS to create a program at the FCC to reimburse schools and libraries for the cost of certain connected devices and services, provided that the school or library is open to patrons five days a week.

Disposition: **NOT AGREED TO** by a roll call vote of 24 yeas to 30 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Pallone		x		Rep. Rodgers	x		
Rep. Rush		x		Rep. Upton	x		
Rep. Eshoo		x		Rep. Burgess	x		
Rep. DeGette				Rep. Scalise	x		
Rep. Doyle		x		Rep. Latta	x		
Rep. Schakowsky		x		Rep. Guthrie	x		
Rep. Butterfield		x		Rep. McKinley			
Rep. Matsui		x		Rep. Kinzinger	x		
Rep. Castor		x		Rep. Griffith	x		
Rep. Sarbanes		x		Rep. Bilirakis	x		
Rep. McNerney		x		Rep. Johnson	x		
Rep. Welch		x		Rep. Long	x		
Rep. Tonko		x		Rep. Bucshon			
Rep. Clarke		x		Rep. Mullin	x		
Rep. Schrader		x		Rep. Hudson	x		
Rep. Cárdenas		x		Rep. Walberg	x		
Rep. Ruiz		x		Rep. Carter	x		
Rep. Peters		x		Rep. Duncan	x		
Rep. Dingell		x		Rep. Palmer	x		
Rep. Veasey		x		Rep. Dunn	x		
Rep. Kuster		x		Rep. Curtis	x		
Rep. Kelly		x		Rep. Lesko	x		
Rep. Barragán		x		Rep. Pence	x		
Rep. McEachin		x		Rep. Crenshaw	x		
Rep. Blunt Rochester		x		Rep. Joyce	x		
Rep. Soto		x		Rep. Armstrong	x		
Rep. O'Halleran							
Rep. Rice		x					
Rep. Craig		x					
Rep. Schrier		x					
Rep. Trahan		x					
Rep. Fletcher		x					

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Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)
ROLL CALL VOTE #22

Bill: **Subtitle D**, "Budget Reconciliation Legislative Recommendations Relating to Other Provisions"

Motion: An amendment to the amendment in the nature of a substitute, offered by Mr. Armstrong of North Dakota, No. 1d, to restore the Presidential Permit of March 29, 2019 authorizing TransCanada to construct, maintain and operate the Keystone XL Pipeline at the U.S.- Canada international border and provides than no additional Presidential or similar permits be required.

Disposition: **NOT AGREED TO** by a roll call vote of 24 yeas to 31 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Pallone		x		Rep. Rodgers	x		
Rep. Rush		x		Rep. Upton	x		
Rep. Eshoo		x		Rep. Burgess	x		
Rep. DeGette				Rep. Scalise	x		
Rep. Doyle		x		Rep. Latta	x		
Rep. Schakowsky		x		Rep. Guthrie	x		
Rep. Butterfield		x		Rep. McKinley			
Rep. Matsui		x		Rep. Kinzinger	x		
Rep. Castor		x		Rep. Griffith	x		
Rep. Sarbanes		x		Rep. Bilirakis	x		
Rep. McNerney		x		Rep. Johnson	x		
Rep. Welch		x		Rep. Long	x		
Rep. Tonko		x		Rep. Bucshon			
Rep. Clarke		x		Rep. Mullin	x		
Rep. Schrader		x		Rep. Hudson	x		
Rep. Cárdenas		x		Rep. Walberg	x		
Rep. Ruiz		x		Rep. Carter	x		
Rep. Peters		x		Rep. Duncan	x		
Rep. Dingell		x		Rep. Palmer	x		
Rep. Veasey		x		Rep. Dunn	x		
Rep. Kuster		x		Rep. Curtis	x		
Rep. Kelly		x		Rep. Lesko	x		
Rep. Barragán		x		Rep. Pence	x		
Rep. McEachin		x		Rep. Crenshaw	x		
Rep. Blunt Rochester		x		Rep. Joyce	x		
Rep. Soto		x		Rep. Armstrong	x		
Rep. O'Halleran		x					
Rep. Rice		x					
Rep. Craig		x					
Rep. Schrier		x					
Rep. Trahan		x					
Rep. Fletcher		x					

02/12/2021

Committee on Energy and Commerce
117th Congress

Full Committee
(ratio: 32-26)
ROLL CALL VOTE #23

Bill: **Subtitle D**, "Budget Reconciliation Legislative Recommendations Relating to Other Provisions"

Motion: A motion by Mr. Pallone of New Jersey to order **Subtitle D**, "Budget Reconciliation Legislative Recommendations Relating to Other Provisions" transmitted favorably to the House Committee on Budget, amended (Final Passage).

Disposition: **AGREED TO** by a roll call vote of 31 yeas to 24 nays

REPRESENTATIVE	YEAS	NAYS	PRESENT	REPRESENTATIVE	YEAS	NAYS	PRESENT
Rep. Pallone	x			Rep. Rodgers		x	
Rep. Rush	x			Rep. Upton		x	
Rep. Eshoo	x			Rep. Burgess		x	
Rep. DeGette				Rep. Scalise		x	
Rep. Doyle	x			Rep. Latta		x	
Rep. Schakowsky	x			Rep. Guthrie		x	
Rep. Butterfield	x			Rep. McKinley			
Rep. Matsui	x			Rep. Kinzinger		x	
Rep. Castor	x			Rep. Griffith		x	
Rep. Sarbanes	x			Rep. Bilirakis		x	
Rep. McNerney	x			Rep. Johnson		x	
Rep. Welch	x			Rep. Long		x	
Rep. Tonko	x			Rep. Bucshon			
Rep. Clarke	x			Rep. Mullin		x	
Rep. Schrader	x			Rep. Hudson		x	
Rep. Cárdenas	x			Rep. Walberg		x	
Rep. Ruiz	x			Rep. Carter		x	
Rep. Peters	x			Rep. Duncan		x	
Rep. Dingell	x			Rep. Palmer		x	
Rep. Veasey	x			Rep. Dunn		x	
Rep. Kuster	x			Rep. Curtis		x	
Rep. Kelly	x			Rep. Lesko		x	
Rep. Barragán	x			Rep. Pence		x	
Rep. McEachin	x			Rep. Crenshaw		x	
Rep. Blunt Rochester	x			Rep. Joyce		x	
Rep. Soto	x			Rep. Armstrong		x	
Rep. O'Halleran	x						
Rep. Rice	x						
Rep. Craig	x						
Rep. Schrier	x						
Rep. Trahan	x						
Rep. Fletcher	x						

02/12/2021

V. OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the oversight findings and recommendations of the Committee are reflected in the descriptive portion of the report.

VI. NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

Pursuant to 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

VII. CONGRESSIONAL BUDGET OFFICE ESTIMATE

[INSERT LETTER & DOCUMENT FROM CONGRESSIONAL BUDGET OFFICE (CBO)]

CONGRESSIONAL BUDGET OFFICE
U.S. Congress
Washington, DC 20515

Phillip L. Swagel, Director

February 14, 2021

Honorable Frank Pallone Jr.
Chairman
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Congressional Budget Office has prepared the enclosed cost estimate for the Reconciliation Recommendations of the House Committee on Energy and Commerce.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Alice Burns.

Sincerely,

Phillip L. Swagel

Enclosure

cc: Honorable Cathy McMorris Rodgers
Ranking Member

Congressional Budget Office
Cost Estimate

February 14, 2021

At a Glance

Reconciliation Recommendations of the House Committee on Energy and Commerce

As ordered reported on February 12, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2030	2021-2031
Direct Spending (Outlays)	27,498	126,130	123,827
Revenues	0	1,474	1,488
Increase or Decrease (-) in the Deficit	27,498	124,656	122,339

		Mandate Effects	
Statutory pay-as-you-go procedures apply?	Yes	Contains intergovernmental mandate?	No
Increases on-budget deficits in any year after 2030?	No	Contains private-sector mandate?	Yes, Under Threshold

CBO has not reviewed the legislation for effects on spending subject to appropriation.

The legislation would

- Appropriate $105 billion for various activities related to testing for, treating, and responding to COVID-19 (the disease cause by the coronavirus); and for other activities related to COVID-19
- Allow extended postpartum coverage in Medicaid and the Children's Health Insurance Program (CHIP)
- Increase the federal medical assistance percentage (FMAP) to encourage states to expand Medicaid coverage and increase their provision of certain types of long-term services and supports
- Eliminate the cap on rebates that drug manufacturers pay to Medicaid
- Increase the cost of an existing private-sector mandate on certain commercial entities if the Federal Communications Commission increases annual fee collections

Estimated budgetary effects would mainly stem from

- Increased direct spending resulting from $105 billion in new budget authority
- Additional direct spending from increasing the number of months of postpartum coverage under Medicaid and CHIP
- Increased Medicaid and CHIP spending on COVID-19 vaccines, new enrollees, services for inmates in jails and prisons, and long-term services and supports
- Reduced Medicaid spending on prescription drugs

Areas of significant uncertainty include

- Estimating the rate at which the new budget authority would be spent by federal agencies
- Predicting how many women would participate in postpartum coverage under Medicaid and CHIP
- Estimating how many states would expand Medicaid coverage as the result of higher FMAPs
- Estimating future growth in drug prices

Detailed estimate begins on the next page.

See also *CBO's Cost Estimates Explained*, www.cbo.gov/publication/54437; *How CBO Prepares Cost Estimates*, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42904.

Summary of the Legislation

S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, instructed several committees of the House of Representatives to recommend legislative changes that would increase deficits up to a specified amount over the 2021-2030 period. As part of this reconciliation process, the House Committee on Energy and Commerce approved legislation on February 12, 2021, with a number of provisions that would increase deficits.

The legislation would appropriate $92.2 billion for various activities related to testing for, treating, and responding to COVID-19, the disease caused by the coronavirus. The legislation would also make changes to the Medicaid program and the Children's Health Insurance Program (CHIP), which include expanding coverage for women after the birth of their child, encouraging states that have not already done so to expand Medicaid coverage to adults made eligible by the Affordable Care Act (ACA), and eliminating the limit on the rebates paid by drug manufacturers to Medicaid. Finally, the legislation would appropriate $12.8 billion for various activities related to addressing the energy, environmental, educational, and commerce-related effects of the coronavirus pandemic.

Estimated Federal Cost

The estimated budgetary effects of the reconciliation recommendations of the House Committee on Energy and Commerce are shown in Table 1. The costs of the legislation fall within budget functions 300 (natural resources and environment), 370 (commerce and housing credit), 500 (education, training, employment, and social services), 550 (health), and 600 (income security).

Basis of Estimate

For this estimate, CBO assumes that the reconciliation bill will be enacted by the end of March 2021. Outlay estimates are based on historical spending patterns for affected programs and information from the agencies about program implementation.

Direct Spending and Revenues

CBO and the staff of the Joint Committee on Taxation (JCT) estimate that enacting the reconciliation recommendations of the House Committee on Energy and Commerce would increase direct spending by $126.1 billion and would increase federal revenues by $1.5 billion over the 2021-2030 period, for a net effect on the deficit over that period of $124.7 billion.

Funding for Public Health. Subtitle A would appropriate $92.2 billion for various activities aimed at improving public health and responding to COVID-19.

Within subtitle A, Chapter 1 would provide $14.2 billion to fund activities related to vaccination and treatment with the following specific appropriations:

- $7.5 billion to the Centers for Disease Control and Prevention (CDC) to plan, prepare for, promote, distribute, administer, monitor, and track COVID-19 vaccines;
- $1.0 billion to the CDC to improve vaccine education and confidence and vaccination rates;
- $5.2 billion to the Secretary of Health and Human Services (HHS) to advance research, development, manufacturing, production, and the purchase of vaccines, therapeutics, and ancillary medical products to prevent, prepare, and respond to SARS-CoV-2, COVID-19, or any disease with potential for creating a pandemic; and
- $0.5 billion to the Food and Drug Administration to oversee the development and marketing of COVID-19 therapeutics, vaccines, and diagnostic tests.

Chapter 2 would provide $49.0 billion for testing for COVID-19, specifically appropriating:

- $46.0 billion to the Secretary of HHS to detect, diagnose, trace, and monitor COVID-19 infections;
- $1.8 billion to the CDC for genomic sequencing, analytics, and disease surveillance;
- $0.8 billion to the CDC to combat COVID-19 and other emerging infectious threats globally; and
- $0.5 billion to the CDC to support the surveillance and analytic infrastructure of public health data.

Chapter 3 would provide $7.8 billion for strengthening the public health workforce with two specific appropriations:

- $7.7 billion for state, local, and territorial public health departments to establish, expand, and sustain their public health workforce; and
- $0.1 billion to the Medical Reserve Corps.

Chapter 4 would provide $11.2 billion for other public health investments that specifically cover:

- $7.6 billion for awarding grants and cooperative agreements to community health centers and qualified entities under the Native Hawaiian Health Care Improvement Act to support activities related to testing for, treating, and vaccinating against COVID-19;
- $0.8 billion to the National Health Service Corps to support qualified health care providers working in areas with limited access to care;
- $0.2 billion to the Nurse Corps to support nurses working in facilities that provide primary health care or maternal health care to underserved populations;
- $0.3 billion to health centers that provide graduate medical education;

- $1.8 billion for activities related to testing, tracing, and mitigating COVID-19 infections in congregate settings; and
- $0.4 billion for HHS to provide services for children under its care, including unaccompanied alien children in the custody of the Office of Refugee Resettlement.

Chapter 5 would provide $6.1 billion to the Indian Health Service (IHS) for lost reimbursements resulting from people deferring routine and elective health care, testing and tracing of COVID-19 infections, COVID-19 vaccine promotion, distribution and administration, additional support for purchased and referred care, and for other purposes.

Chapter 6 would provide $3.9 billion to strengthen activities related to mental health and substance abuse, specifically appropriating:

- $1.8 billion to the Secretary of HHS for community mental health services;
- $1.8 billion to the Secretary of HHS for activities relating to the prevention and treatment of substance abuse;
- $0.1 billion for the Health Resources and Services Administration (HRSA) to award grants to eligible institutions that provide mental and behavioral health education and training; and
- $0.3 billion for other activities.

Chapter 7 would appropriate $20 million to HHS for grants to eligible states to modernize the health insurance marketplaces established under the ACA.

In total, CBO estimates that the funds appropriated by subtitle A would increase direct spending by $91.3 billion over the 2021-2030 period.

Coverage of COVID-19 Vaccinations and Treatments. Subtitles B and C would make various changes to the Medicaid and CHIP programs' coronavirus-related spending. In total, sections 3101 and 3201 would increase direct spending by an estimated $1.1 billion and $68 million, respectively, over the 2021-2030 period.

Mandatory Coverage of COVID-19 Vaccination, Without Cost Sharing. Sections 3101 and 3201 would require state Medicaid and CHIP programs to cover vaccinations, without cost sharing, for all eligible enrollees. Under current law, the federal government is expected to provide the vaccines administered through both programs, but some patients would still have to pay the cost sharing associated with having the vaccine administered. In addition, if a state implements an option under Medicaid to provide COVID-19 testing for uninsured people, it would have to do so without cost sharing. The sections also would extend for a year the period in which a state must vaccinate, without cost sharing, adults enrolled in Medicaid under the program's traditional eligibility rules.

CBO estimates that 4 million Medicaid and CHIP enrollees are currently ineligible for vaccination under either program. By the end of the public health emergency (PHE), CBO estimates, fewer than 1 million adults enrolled under Medicaid's traditional eligibility rules would be subject to cost-sharing requirements to receive the vaccine.

If enacted, CBO estimates, the requirements in sections 3101 and 3201 would increase the number of vaccinations administered to Medicaid and CHIP enrollees by about 2 million doses in 2021 and by about 6 million over the 2021-2023 period. Because the federal government is expected to provide the vaccine itself, sections 3101 and 3102 would only affect the costs associated with administering the vaccines. Using information from the Centers for Medicare & Medicaid Services, CBO estimates that in 2021, the cost of administering a single dose will vary between $17 and $28, depending on the type of vaccine. Over the 2021-2030 period, CBO estimates, the requirement to provide vaccination coverage without cost sharing would increase Medicaid's direct spending by $107 million and CHIP's by less than $1 million.

Increased Federal Medical Assistance Percentage for Vaccinations. Sections 3101 and 3201 also would raise the federal medical assistance percentage (FMAP) to 100 percent for payments to states for administering vaccines for one year after the end of the PHE. Over the 2021-2030 period, CBO estimates, the higher FMAP would increase direct spending for Medicaid and CHIP by $747 million and by $68 million, respectively.

Mandatory Coverage of Treatment or Prevention, Without Cost Sharing. Sections 3101 and 3201 also would require state Medicaid and CHIP programs to provide coverage, without cost sharing, for treatment or prevention of COVID-19 for one year after the end of the PHE. Additionally, over the same period, if a state chose to implement an option under Medicaid to provide COVID-19 testing for uninsured people, section 3101 also would extend the requirement to provide treatment and prevention to those people without requiring cost sharing.

About 5 million people enrolled in Medicaid or CHIP are expected to receive COVID-19 treatment in 2021. CBO expects that number to decline to fewer than 100,000 by 2022 and estimates that about 25 percent of those people would be subject to cost-sharing requirements for a physician service ($2, on average, in 2021), an inpatient hospital service ($70, on average, in 2021), or both. CBO estimates that the requirements in sections 3101 and 3201 that would prohibit cost sharing for treatment would increase direct spending by $34 million for Medicaid and by less than $1 million for CHIP over the 2021-2030 period.

CBO anticipates that 3 million uninsured people will receive COVID-19 treatment in 2021. By 2022, that number is expected to fall below 50,000. In 2020, 10 states had implemented an option under Medicaid to test uninsured people for COVID-19. In those states, CBO estimates, the requirement in section 3101 to provide vaccinations or treatment services would increase direct spending for Medicaid by $243 million over the 2021-2030 period.

Coverage for Pregnant and Postpartum Women. Sections 3102 and 3202 would allow states to extend health coverage for women enrolled in Medicaid or CHIP for 12 months after the birth of a child. In total, CBO estimates, those sections would increase federal deficits by $5.1 billion over the 2021-2030 period—an increase in direct spending of $6.0 billion and an increase in revenues of $0.8 billion over the period.

Under current law, for 60 days after the birth of a child, states must provide Medicaid coverage to women whose income does not exceed 138 percent of the federal poverty level (FPL). Forty-six states and the District of Columbia exercise an option under current law to provide Medicaid coverage to pregnant women whose income is above 138 percent of the FPL, 29 extend coverage if their income is equal to or above 200 percent of the FPL, and 3 extend coverage if their income is above 300 percent of the FPL. Under current law, states also can provide pregnancy-related services to women under CHIP, but they may only provide postpartum services to women who, if not for their income, would otherwise be eligible for coverage under Medicaid.

CBO estimates that in 2020, Medicaid and CHIP provided pregnancy-related coverage to about 2 million women; approximately 1.8 million carried their pregnancy to term. CBO estimates that about 35 percent of those recipients have income above 138 percent of the FPL, which reflects the coverage options currently available to states under Medicaid and CHIP. Regardless of a state's decision to provide optional coverage to eligible women, the state must reevaluate applicants' eligibility for other coverage before the end of the 60-day postpartum period. Medicaid coverage after that point can include the full scope of health services or be limited to family-planning services.

Medicaid Coverage Under the 12-Month Option. CBO estimates that under current law, at the end of the 60-day postpartum period about 30 percent of women will continue to receive comprehensive services from Medicaid, 30 percent will enroll either in employment-based or in marketplace coverage, and about 45 percent will be uninsured (although roughly two-thirds of those women would still receive family-planning services).

Section 3102 would provide women in states that exercise the option with 10 additional months of Medicaid coverage. CBO estimates that by 2024, about 25 percent of all women who would be expected to receive postpartum services from Medicaid will live in states that implement the 12-month option. Using administrative data and information from industry sources, CBO estimates that the combined federal and state cost to provide 10 additional months of Medicaid coverage would be about $1,500 per person, on average, in 2022; that amount would increase at an average annual rate of about 6 percent over the 2022-2030 period. For women whose current-law Medicaid services are limited to family planning, CBO estimates that the cost per person would be about $1,100, on average. In total, CBO estimates, the additional months of coverage would increase direct spending for Medicaid by $6.1 billion over the 2021-2030 period.

CHIP Coverage for Pregnant and Postpartum Women. Under current law, states can provide CHIP coverage to eligible women during pregnancy and for 60 days after the birth of a child. CHIP cannot be used to replace existing Medicaid coverage for pregnant women. To cover pregnant women under CHIP, states must provide, at a minimum, Medicaid coverage to women whose income is up to 185 percent of the FPL. In 2020, approximately 15,000 women received pregnancy and postpartum care under CHIP. CBO estimates that all of those women became ineligible for comprehensive Medicaid and CHIP services at the end of the 60-day postpartum period.

If a state provides CHIP coverage to eligible women up to the end of the 60-day postpartum period, and if the state chooses to implement the Medicaid option under section 3102, the legislation would require the state to extend similar coverage under CHIP. However, because not all states extend CHIP coverage to pregnant women, CBO estimates that by 2024 fewer than 1,000 pregnant women would reside in a state that implemented the option. CBO expects that additional months of coverage under CHIP would cost about the same as under Medicaid. On net, CBO estimates, section 3202 would increase direct spending for CHIP by $5 million over the 2021-2030 period.

Private Health Insurance for Pregnant and Postpartum Women. Some women whose Medicaid coverage ends after the birth of a child enroll in private health insurance. CBO estimates that in states that are expected to implement the option under section 3102, fewer than 5 percent of women who become ineligible each year for Medicaid or CHIP currently receive coverage through a marketplace and 30 percent enroll in employment-based coverage. Under section 3102, over the 2021-2030 period, about 10,000 and 100,000 women annually would delay enrollment either in marketplace coverage or in employment-based coverage, respectively, for about 10 months. That delay would lower subsidies for private health insurance, thereby reducing direct spending by $137 million and increasing revenues by $816 million over the 2021-2030 period, according to CBO and JCT's estimates.

Medicaid for Inmates During the 30-Day Period Preceding Release. Section 3103 would create an exception for 5 years, starting one year after enactment, to the prohibition on making Medicaid payments for services provided to inmates of correctional institutions. Section 3103 would permit payments for services to inmates who are enrolled in Medicaid during the last 30 days of their incarceration. According to data from the Bureau of Justice Statistics:

- Local jails admit and release about 10 million people per year, 89 percent of whom are admitted and released within 30 days, and
- State prisons admit and release about 600,000 people per year, almost all of whom remain incarcerated for longer than 30 days.

As a result, section 3103 would allow the vast majority of Medicaid enrollees to maintain their Medicaid coverage during their incarceration in local jails and would permit those jails to bill Medicaid for medical care provided to the incarcerated enrollees. Section 3103 would allow incarcerated enrollees in prisons to receive Medicaid coverage in the final 30 days of their incarceration, which would permit state prisons to bill Medicaid for services provided pre-release.

Based on a report by the Prison Policy Initiative, CBO estimates that about 45 percent of inmates released from jails and prisons would be enrolled in Medicaid in the early years of the 2021-2030 period, rising to 55 percent by the end of the period as CBO projects additional states will adopt the ACA expansion over time.

CBO expects that the costs per Medicaid inmate would be modest, as local jails generally provide limited services, such as generic medications to assist with drug withdrawals and mental health crises during the short-term stays, while prisons would be expected to provide pre-release health screenings and short-term supplies of medications to help with the transition to the post-release period. CBO estimates that the average cost per prisoner would be about $100 in the beginning of the period, rising to about $200 by the end of the period because of increases in the costs of providing medical care.

Lastly, CBO projects that state prisons would quickly develop the infrastructure to bill Medicaid for services to inmates in the last 30 days of their stay, which in many cases would allow them to defray the costs incurred for pre-release services. Local jails would more gradually establish similar capacity to bill Medicaid, delaying the full implementation of section 3103 for several years. In total, CBO estimates that section 3103 would increase direct spending by $3.7 billion over the 2021-2030 period.

Bundled Community-Based Mobile Crisis Intervention. Section 3104 would, for 12 fiscal quarters, increase a state's FMAP for crisis intervention services that qualify as mobile and community-based, as defined by the bill. The enhanced FMAP would equal 85 percent and would apply only to services that otherwise would be reimbursed at a state's traditional FMAP. Based on information from state mental health agencies, CBO estimates that at least 16 states have programs that provide services that would qualify for the enhanced FMAP provided under section 3104. Not all of those programs currently seek Medicaid reimbursement for crisis intervention services provided to Medicaid; CBO expects that the programs would be more likely to do so under section 3104. CBO also anticipates that those changes would encourage all of the programs to request reimbursement under their state Medicaid programs and that the states would receive the enhanced FMAP under section 3104 for such services. In addition, based on the rate at which state Medicaid programs have adopted other services and demonstrations specific to behavioral health care, CBO expects additional states would begin reimbursing for crisis intervention services that qualify as mobile and community-based.

CBO estimates that the combined federal and state cost to provide crisis intervention services that qualify as mobile and community-based would be about $1,500 per person, on average, in 2021; that amount would increase at an average annual rate of about 6 percent over the 2022-2030 period. In total, CBO estimates, the enhanced FMAP and the decision by states to establish new programs that provide crisis intervention services that qualify as mobile and community-based would increase direct spending for Medicaid by $1.1 billion over the 2021-2030 period.

Temporary Increase in FMAP for Expanding ACA Coverage. Section 3105 would, for eight calendar quarters, provide a temporary, 5 percentage-point increase in the Medicaid FMAP to states that expand coverage to adults made eligible by the ACA. CBO and JCT estimate that the provision would increase federal deficits by $15.5 billion over the 2021-2030 period—the net effect of an increase in outlays of $16.2 billion and an increase in revenues of $0.7 billion.

Under section 3105, the FMAP increase would be available only to states that expand such coverage after the legislation is enacted, and it would not be available to states that had previously expanded coverage. Only services provided to traditional eligibility groups could qualify for the increase; services provided to adults made eligible by the ACA would not be included. The higher FMAP also would not apply to the following expenditures:

- Medicaid payments to hospitals that serve a disproportionate share of low-income enrollees,
- Medicaid allotments to the territories, and
- Payments for programs other than Medicaid that use the FMAP to determine the federal share of payments (such as CHIP, payments from states toward Medicare Part D, and Title IV).

Increased Medicaid Spending. Section 3105 would increase Medicaid spending in two ways. First, CBO expects, the additional 5 percentage-point increase in the FMAP would induce some states to expand Medicaid coverage to low-income adults sooner than CBO's baseline projections for Medicaid enrollment would indicate. Currently, 37 states and the District of Columbia have implemented the expansion, and those states have enrolled roughly 60 percent of eligible adults nationwide. Under its baseline forecast, CBO projects that additional states will adopt the expansion at the historical rate of expansions since 2014 (the initial year of the expansion's availability). CBO anticipates that by 2030 about 70 percent of all potential enrollees will be covered.

Although the rate of expansion is subject to considerable uncertainty, CBO projects that the 5 percentage-point increase in the FMAP would induce states that would expand during the 2021-2030 period to do so about a year sooner, on average, than they otherwise would. The result would be an increase in Medicaid enrollment in those years among adults made eligible by the ACA in those states. Based on CBO's projections for enrollment in states that have not already adopted the expansion and the projected cost per adult made eligible by the ACA, CBO estimates that those earlier expansions would cost the federal government $17.2 billion over the 2021-2030 period.

The second effect of section 3105 would be the added cost of the 5 percentage-point increase in the FMAP. Based on the average matching rates projected for states that have not yet adopted the expansion, CBO estimates the cost at $4.7 billion. In total, CBO estimates, section 3105 would increase direct spending on Medicaid by $21.8 billion over the 2021-2030 period.

Reduced Federal Subsidies for Private Health Insurance. Section 3105 also would reduce enrollment in private health insurance as more people enroll in Medicaid in the states that adopt the ACA expansion. CBO and JCT estimate that over the 2021-2030 period Medicaid enrollment would increase, on average, by about 85,000 people who would otherwise have enrolled in coverage through the marketplaces and by another 33,000 people who would otherwise have enrolled in employment-based coverage. CBO and JCT estimate that those reductions in enrollment would reduce direct spending for health insurance subsidies by $5.7 billion and increase revenues by $0.7 billion over the 2021-2030 period.

100 Percent FMAP for Urban Indian Organizations and Native Hawaiian Health Care. Section 3106 would, for eight calendar quarters, provide a 100 percent federal matching rate for services to Medicaid enrollees who access care in the Urban Indian Health Programs (UIHPs) or the Native Hawaiian Health Care System (NHHCS). Under current law, services provided to Medicaid enrollees are matched at 100 percent if they are received through an IHS facility. IHS is the agency that is responsible for providing federal health services to American Indians and Alaska Natives. UIHPs are health care organizations that are grantees of the IHS but are not considered federal entities that are part of the IHS and therefore only receive the standard federal matching rates for services to Medicaid enrollees. Similarly, the NHHCS comprises five health care clinics that are grantees of HRSA that are not considered federal entities.

The standard federal matching rates under current law average an estimated 65 percent for traditional eligibility categories during 2021 and 2022, and will average an estimated 58.5 percent during 2023, the time period covered by the eight quarters specified under section 3106. The matching rates for adults made eligible by the ACA will be 90 percent during the same period.

According to information from the UIHP system, the UIHP treats about 90,000 Medicaid patients per year at an estimated average cost of about $2,000 per patient. Applying the 100 percent matching rate for services to these enrollees would increase direct spending by $155 million over the 2021-2030 period. Given the size of the NHHCS relative to the UIHP system, CBO estimates that applying a 100 percent matching rate to services provided at NHHCS clinics would increase direct spending by another $7 million over the period.

Sunset of Limit on Maximum Rebate for Certain Drugs. Under current law, manufacturers are required to pay Medicaid a rebate on all covered outpatient drugs. The rebate amount is determined according to statute by two formulas that include a basic rebate with separate calculations for brand and generic drugs and an additional inflationary rebate that reflects differences in growth between the Average Manufacturer Prices (AMPs) and the consumer price index. The total rebate amount is capped at 100 percent of the AMP. The cap does not affect rebates paid for all drugs: It tends to be most relevant for drugs that have experienced substantial price increases over time and for drugs that offer particularly large rebates to payers other than Medicaid. Section 3107 would eliminate the cap on the total rebate amount starting January 1, 2023.

Based on administrative data on AMPs and prescription drug spending in Medicaid, CBO estimates that in 2019, the cap on the total rebate amount prevented federal and state governments from collecting more than $3 billion in rebates for covered outpatient drugs. CBO expects that section 3107 would increase the amount of rebates that manufacturers pay Medicaid and would reduce direct spending in Medicaid by $15.9 billion over the 2021-2030 period.

Additional Support for Medicaid HCBS. Section 3108 would, for four fiscal quarters, increase the federal FMAP in Medicaid by 7.35 percentage points for state expenditures on home and community-based services (HCBS). HCBS are long-term care services that beneficiaries receive in their home or in the community rather than in institutions such as nursing facilities. CBO projects that the federal and state governments will spend almost $200 billion on HCBS during the four quarters for which the enhanced FMAP is available to states. Increasing the federal share of such spending would increase federal spending on Medicaid by $9.3 billion.

Strike Teams for Nursing Facilities. Section 3109 would appropriate $250 million for states to establish strike teams that would be deployed to nursing facilities that have patients who have been diagnosed with COVID-19 or who are suspected of having the disease. CBO estimates that section 3109 would increase direct spending by $250 million over the 2021-2030 period.

Other Provisions. Subtitle D would appropriate $12.8 billion for environmental protections, utility assistance, distance learning, and other consumer product safety.

Within subtitle D, chapter 1 would appropriate $5.1 billion to fund activities related to environmental health and assistance to people for paying utility bills:

- $0.1 billion to the Environmental Protection Agency for grants and other activities that enhance environmental justice and to support implementation of the Clean Air Act;
- $4.5 billion to the Low-Income Home Energy Assistance Program; and
- $0.5 billion for grants to assist low-income households with the costs of drinking water and wastewater services.

Chapter 2 would appropriate $7.7 billion for distance learning, primarily to reimburse schools and libraries for the costs of telecommunications equipment and services, and consumer product safety.

In total, CBO estimates that the funds appropriated by subtitle D would increase direct spending by $12.8 billion over the 2021-2030 period.

Uncertainty

There are two major types of uncertainty in CBO's estimate of the reconciliation recommendations of the House Committee on Energy and Commerce: For subtitles A and D, the primary forms of uncertainty stem from CBO's estimates of the pace at which federal agencies would spend the new budget authority. For subtitles B and C, most of the uncertainty of CBO's estimates stem from expectations about state behavior, people's enrollment in various forms of health coverage, and the of the increase in health care prices.

Uncertainty About the Pace at Which Federal Agencies Would Spend New Budget Authority. The reconciliation recommendations of the House Committee on Energy and Commerce would provide $105 billion in new budget authority for fiscal year 2021, increasing individual agencies' funding for the year by a substantial amount. For example, the 2021 budget authority for the CDC, HRSA, and the IHS would see significant increases roughly halfway through the fiscal year. It is uncertain whether such agencies would be able to spend all of the new funds rapidly.

Uncertainty About State Behavior, People's Enrollment in Various Forms of Health Coverage, and the Growth of Health Care Prices. For subtitles B and C, CBO's estimates include projections of the results of states' choices to expand coverage, people's choices to enroll in coverage if they were newly eligible, and the future costs of providing health care services to beneficiaries—all of which are uncertain. Some of the more significant sources of uncertainty include:

- Estimating how many women would remain enrolled in Medicaid if states expand postpartum coverage and how many additional months of coverage they would have;
- Predicting how many states will expand Medicaid under current law and how the increased FMAP would accelerate the pace of state expansions;
- Forecasting future growth in drug prices and how drug manufacturers would change their pricing strategies if the cap on rebates were eliminated; and
- Estimating the future growth in prices for HCBS and how states would expand their coverage of HCBS on account of the higher FMAP.

Pay-As-You-Go Considerations

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays and revenues that are subject to those pay-as-you-go procedures are shown in Table 1.

Increase in Long-Term Deficits: None.

Mandates

If the FCC increases annual fee collections to offset the costs of issuing rules to promote internet connectivity for schools and libraries as required by section 3312, the legislation would increase the cost of an existing private-sector mandate on commercial entities required to pay those fees. CBO estimates that the incremental cost of the mandate would be small and would fall well below the annual threshold established in the Unfunded Mandates Reform Act for private-sector mandates ($170 million in 2021, adjusted annually for inflation).

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Table 1.
Estimated Budgetary Effects of Reconciliation Recommendations
As Reported by the House Committee on Energy and Commerce on February 12, 2021

	By Fiscal Year, Millions of Dollars												
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
	Increases or Decreases (-) in Direct Spending												
Subtitle A. Funding for Public Health													
Chapter 1 - Vaccines and Therapeutics													
Sec. 3001. Vaccine Activities at the CDC													
Budget Authority	7,500	0	0	0	0	0	0	0	0	0	0	7,500	7,500
Estimated Outlays	1,500	4,500	750	450	225	0	0	0	0	0	0	7,425	7,425
Sec. 3002. Vaccine Confidence Activities													
Budget Authority	1,000	0	0	0	0	0	0	0	0	0	0	1,000	1,000
Estimated Outlays	200	600	100	60	30	0	0	0	0	0	0	990	990
Sec. 3003. Vaccines and Therapeutics Supply Chain													
Budget Authority	5,200	0	0	0	0	0	0	0	0	0	0	5,200	5,200
Estimated Outlays	2,033	2,803	312	52	0	0	0	0	0	0	0	5,200	5,200
Sec. 3004. Activities at the Food and Drug Administration													
Budget Authority	500	0	0	0	0	0	0	0	0	0	0	500	500
Estimated Outlays	165	250	75	10	0	0	0	0	0	0	0	500	500
Chapter 1, Total													
Budget Authority	***14,200***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***14,200***	***14,200***
Estimated Outlays	***3,898***	***8,153***	***1,237***	***572***	***255***	***0***	***0***	***0***	***0***	***0***	***0***	***14,115***	***14,115***
Chapter 2 - Testing													
Sec. 3011. Testing, Contact Tracing, and Mitigation Activities													
Budget Authority	46,000	0	0	0	0	0	0	0	0	0	0	46,000	46,000
Estimated Outlays	9,200	27,600	4,600	2,760	1,380	0	0	0	0	0	0	45,540	45,540
Sec. 3012. SARS-CoV-2 Genomic Sequencing and Surveillance													
Budget Authority	1,750	0	0	0	0	0	0	0	0	0	0	1,750	1,750
Estimated Outlays	350	1,050	175	105	53	0	0	0	0	0	0	1,733	1,733
Sec. 3013. Global Health													
Budget Authority	750	0	0	0	0	0	0	0	0	0	0	750	750
Estimated Outlays	150	450	75	45	23	0	0	0	0	0	0	743	743
Sec. 3014. Data Modernization and Forecasting Center													
Budget Authority	500	0	0	0	0	0	0	0	0	0	0	500	500
Estimated Outlays	100	300	50	30	15	0	0	0	0	0	0	495	495
Chapter 2, Total													
Budget Authority	***49,000***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***49,000***	***49,000***
Estimated Outlays	***9,800***	***29,400***	***4,900***	***2,940***	***1,471***	***0***	***0***	***0***	***0***	***0***	***0***	***48,511***	***48,511***
Chapter 3 - Public Health Workforce													
Sec. 3021. Public Health Workforce													
Budget Authority	7,660	0	0	0	0	0	0	0	0	0	0	7,660	7,660
Estimated Outlays	1,532	3,064	2,681	383	0	0	0	0	0	0	0	7,660	7,660
Sec. 3022. Medical Reserve Corps													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	20	56	16	6	2	0	0	0	0	0	0	100	100
Chapter 3, Total													
Budget Authority	***7,760***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***7,760***	***7,760***
Estimated Outlays	***1,552***	***3,120***	***2,697***	***389***	***2***	***0***	***0***	***0***	***0***	***0***	***0***	***7,760***	***7,760***
Chapter 4 - Public Health Investments													
Sec. 3031. Community Health Centers													
Budget Authority	7,600	0	0	0	0	0	0	0	0	0	0	7,600	7,600
Estimated Outlays	1,520	3,040	2,660	380	0	0	0	0	0	0	0	7,600	7,600
Sec. 3032. National Health Service Corps													
Budget Authority	800	0	0	0	0	0	0	0	0	0	0	800	800
Estimated Outlays	160	320	280	40	0	0	0	0	0	0	0	800	800
Sec. 3033. Nurse Corps													
Budget Authority	200	0	0	0	0	0	0	0	0	0	0	200	200
Estimated Outlays	46	100	40	10	0	0	0	0	0	0	0	196	196
Sec. 3034. Teaching Health Centers that Operate Graduate Medical Education													
Budget Authority	330	0	0	0	0	0	0	0	0	0	0	330	330
Estimated Outlays	66	132	116	13	0	0	0	0	0	0	0	327	327

continued

Table 1. Estimated Budgetary Effects of Reconciliation Recommendations by the House Committee on Energy and Commerce on February 12, 2021 continued

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Sec. 3035. Testing, Tracing, and Mitigation Activities in Congregate Settings													
Budget Authority	1,800	0	0	0	0	0	0	0	0	0	0	1,800	1,800
Estimated Outlays	324	990	396	36	18	0	0	0	0	0	0	1,764	1,764
Sec. 3036. Family Planning													
Budget Authority	50	0	0	0	0	0	0	0	0	0	0	50	50
Estimated Outlays	10	35	4	0	0	0	0	0	0	0	0	49	49
Sec. 3037. Children Under HHS Care													
Budget Authority	425	0	0	0	0	0	0	0	0	0	0	425	425
Estimated Outlays	13	17	64	68	74	70	64	51	4	0	0	425	425
Sec. 3038. HHS Inspector General													
Budget Authority	5	0	0	0	0	0	0	0	0	0	0	5	5
Estimated Outlays	2	3	0	0	0	0	0	0	0	0	0	5	5
Chapter 4, Total													
Budget Authority	***11,210***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***11,210***	***11,210***
Estimated Outlays	***2,141***	***4,637***	***3,560***	***547***	***92***	***70***	***64***	***51***	***4***	***0***	***0***	***11,166***	***11,166***
Chapter 5 - Indian Health													
Sec. 3041. Indian Health													
Budget Authority	6,094	0	0	0	0	0	0	0	0	0	0	6,094	6,094
Estimated Outlays	1,493	3,534	506	84	84	71	59	43	19	6	0	5,899	5,899
Chapter 6- Mental Health and Substance Use Disorder													
Sec. 3051. Community Mental Health Services													
Budget Authority	1,750	0	0	0	0	0	0	0	0	0	0	1,750	1,750
Estimated Outlays	315	910	350	140	35	0	0	0	0	0	0	1,750	1,750
Sec. 3052. Prevention and Treatment of Substance Abuse													
Budget Authority	1,750	0	0	0	0	0	0	0	0	0	0	1,750	1,750
Estimated Outlays	315	910	350	140	35	0	0	0	0	0	0	1,750	1,750
Sec. 3053. Training for Health Care Professionals, Paraprofessionals, and Public Safety Officers													
Budget Authority	80	0	0	0	0	0	0	0	0	0	0	80	80
Estimated Outlays	18	40	16	4	0	0	0	0	0	0	0	78	78
Sec. 3054. Education and Awareness Campaign for Health Care Professionals													
Budget Authority	20	0	0	0	0	0	0	0	0	0	0	20	20
Estimated Outlays	4	12	2	1	1	0	0	0	0	0	0	20	20
Sec. 3055. Grants to Health Care Providers for Mental and Behavioral Health Among Workforce													
Budget Authority	40	0	0	0	0	0	0	0	0	0	0	40	40
Estimated Outlays	9	20	8	2	0	0	0	0	0	0	0	39	39
Sec. 3056. Community-Based Funding for Local Substance Use Disorder													
Budget Authority	30	0	0	0	0	0	0	0	0	0	0	30	30
Estimated Outlays	6	15	6	2	1	0	0	0	0	0	0	30	30
Sec. 3057. Community-Based Funding for Local Behavioral Health													
Budget Authority	50	0	0	0	0	0	0	0	0	0	0	50	50
Estimated Outlays	9	26	10	4	1	0	0	0	0	0	0	50	50
Sec. 3058. National Child Traumatic Stress Network													
Budget Authority	10	0	0	0	0	0	0	0	0	0	0	10	10
Estimated Outlays	2	5	2	1	0	0	0	0	0	0	0	10	10
Sec. 3059. Project Aware													
Budget Authority	30	0	0	0	0	0	0	0	0	0	0	30	30
Estimated Outlays	6	15	6	2	1	0	0	0	0	0	0	30	30

continued

Table 1. Estimated Budgetary Effects of Reconciliation Recommendations by the House Committee on Energy and Commerce on February 12, 2021 continued

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Sec. 3059A Youth Suicide Prevention													
Budget Authority	20	0	0	0	0	0	0	0	0	0	0	20	20
Estimated Outlays	4	10	4	2	0	0	0	0	0	0	0	20	20
Sec. 3059B Behavioral Health Workforce													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	23	50	20	5	0	0	0	0	0	0	0	98	98
Chapter 6, Total													
Budget Authority	***3,880***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***3,880***	***3,880***
Estimated Outlays	***711***	***2,013***	***774***	***303***	***74***	***0***	***0***	***0***	***0***	***0***	***0***	***3,875***	***3,875***
Chapter 7 - Exchange Grant Program													
Sec. 3061. Exchange Modernization													
Budget Authority	20	0	0	0	0	0	0	0	0	0	0	20	20
Estimated Outlays	20	0	0	0	0	0	0	0	0	0	0	20	20
Subtitle A, Total													
Budget Authority	**92,164**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**92,164**	**92,164**
Outlays	**19,615**	**50,857**	**13,674**	**4,835**	**1,978**	**141**	**123**	**94**	**23**	**6**	**0**	**91,346**	**91,346**
Subtitle B. Medicaid													
Sec. 3101. Coverage of COVID-19 Vaccinations and Treatments													
Estimated Budget Authority	287	534	247	63	0	0	0	0	0	0	0	1,131	1,131
Estimated Outlays	287	534	247	63	0	0	0	0	0	0	0	1,131	1,131
Sec. 3102. Coverage for Pregnant and Postpartum Women (a, b)													
Estimated Budget Authority	0	0	756	1,249	1,417	1,429	1,108	0	0	0	0	5,959	5,959
Estimated Outlays	0	0	756	1,249	1,417	1,429	1,108	0	0	0	0	5,959	5,959
Sec. 3103. Medicaid for Inmates During 30-Day Period Preceding Release													
Estimated Budget Authority	0	177	444	683	918	1,014	510	0	0	0	0	3,746	3,746
Estimated Outlays	0	177	444	683	918	1,014	510	0	0	0	0	3,746	3,746
Sec. 3104. Bundled Community-Based Mobile Crisis Intervention													
Estimated Budget Authority	15	0	71	305	330	270	25	32	40	49	58	1,137	1,195
Estimated Outlays	0	5	77	307	332	270	25	32	40	49	58	1,137	1,195
Sec. 3105. Temporary Increase in FMAP for Expanding ACA Coverage													
Estimated Budget Authority	0	0	3,768	3,427	2,177	2,308	2,131	1,337	479	531	212	16,158	16,370
Estimated Outlays	0	0	3,768	3,427	2,177	2,308	2,131	1,337	479	531	212	16,158	16,370
Sec. 3106. 100% FMAP for Urban Indian Organziations and Native Hawaiian Health Care													
Estimated Budget Authority	38	81	43	0	0	0	0	0	0	0	0	162	162
Estimated Outlays	38	81	43	0	0	0	0	0	0	0	0	162	162
Sec. 3107. Sunset of Limit on Maximum Rebate for Certain Drugs													
Estimated Budget Authority	0	0	-217	-1,803	-2,293	-2,277	-2,258	-2,279	-2,318	-2,443	-2,573	-15,888	-18,461
Estimated Outlays	0	0	-217	-1,803	-2,293	-2,277	-2,258	-2,279	-2,318	-2,443	-2,573	-15,888	-18,461
Sec. 3108. Temporary Increase in FMAP for Expanding HCBS													
Estimated Budget Authority	4,795	4,515	0	0	0	0	0	0	0	0	0	9,310	9,310
Estimated Outlays	4,795	4,515	0	0	0	0	0	0	0	0	0	9,310	9,310
Sec. 3109. Strike Teams for Nursing Facilities													
Budget Authority	250	0	0	0	0	0	0	0	0	0	0	250	250
Estimated Outlays	50	175	25	0	0	0	0	0	0	0	0	250	250
Subtitle B, Total													
Budget Authority	**5,385**	**5,307**	**5,112**	**3,924**	**2,549**	**2,744**	**1,516**	**-910**	**-1,799**	**-1,863**	**-2,303**	**21,965**	**19,662**
Outlays	**5,170**	**5,487**	**5,143**	**3,926**	**2,551**	**2,744**	**1,516**	**-910**	**-1,799**	**-1,863**	**-2,303**	**21,965**	**19,662**
Subtitle C. Children's Health Insurance Program													
Sec. 3201. Coverage of COVID-19 Vaccinations and Treatments													
Budget Authority	0	47	17	4	0	0	0	0	0	0	0	68	68
Estimated Outlays	0	47	17	4	0	0	0	0	0	0	0	68	68
Sec. 3202. Coverage for Pregnant and Postpartum Women (a)													

continued

Table 1. Estimated Budgetary Effects of Reconciliation Recommendations by the House Committee on Energy and Commerce on February 12, 2021 continued

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Subtitle D. Other Provisions													
Chapter 1 - Ensuring Environmental Health and Ratepayer Protection													
Sec. 3301. Pollution and Disparate Impacts of the Pandemic													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	10	60	20	10	0	0	0	0	0	0	0	100	100
Sec. 3302. LIHEAP													
Budget Authority	4,500	0	0	0	0	0	0	0	0	0	0	4,500	4,500
Estimated Outlays	1,508	1,727	467	422	188	188	0	0	0	0	0	4,500	4,500
Sec. 3303. Water Assistance Program													
Budget Authority	500	0	0	0	0	0	0	0	0	0	0	500	500
Estimated Outlays	50	225	150	50	25	0	0	0	0	0	0	500	500
Chapter 1, Total													
Budget Authority	***5,100***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***5,100***	***5,100***
Estimated Outlays	***1,568***	***2,012***	***637***	***482***	***213***	***188***	***0***	***0***	***0***	***0***	***0***	***5,100***	***5,100***
Chapter 2 - Distance Learning and Consumer Protections													
Sec. 3311. Consumer Product Safety													
Budget Authority	50	0	0	0	0	0	0	0	0	0	0	50	50
Estimated Outlays	4	6	8	10	9	8	2	1	0	0	0	48	48
Sec. 3312. Remote Learning Support													
Budget Authority	7,600	0	0	0	0	0	0	0	0	0	0	7,600	7,600
Estimated Outlays	1,140	3,800	1,900	760	0	0	0	0	0	0	0	7,600	7,600
Chapter 2, Total													
Budget Authority	***7,650***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***0***	***7,650***	***7,650***
Estimated Outlays	***1,144***	***3,806***	***1,908***	***770***	***9***	***8***	***2***	***1***	***0***	***0***	***0***	***7,648***	***7,648***
Chapter 3 - Oversight of Department of Commerce Prevention and Response to COVID-19													
Sec. 3321. Department of Commerce													
Budget Authority	3	0	0	0	0	0	0	0	0	0	0	3	3
Estimated Outlays	1	1	1	0	0	0	0	0	0	0	0	3	3
Subtitle D, Total													
Budget Authority	**12,753**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**12,753**	**12,753**
Outlays	**2,713**	**5,819**	**2,546**	**1,252**	**222**	**196**	**2**	**1**	**0**	**0**	**0**	**12,751**	**12,751**
Total Increase in Direct Spending													
Estimated Budget Authority	**110,302**	**5,354**	**5,129**	**3,928**	**2,549**	**2,744**	**1,516**	**-910**	**-1,799**	**-1,863**	**-2,303**	**126,950**	**124,647**
Estimated Outlays	**27,498**	**62,210**	**21,380**	**10,017**	**4,751**	**3,081**	**1,641**	**-815**	**-1,776**	**-1,857**	**-2,303**	**126,130**	**123,827**
Increases in Revenues													
Sec. 3102. Coverage for Pregnant and Postpartum Women (a, b)	0	0	76	172	192	209	167	0	0	0	0	816	816
On-Budget Revenues	*0*	*0*	*43*	*98*	*109*	*119*	*95*	*0*	*0*	*0*	*0*	*464*	*464*
Off-Budget Revenues	*0*	*0*	*33*	*74*	*83*	*90*	*72*	*0*	*0*	*0*	*0*	*352*	*352*
Sec. 3105. Temporary Increase in FMAP for Expanding ACA Coverage	0	0	165	107	93	94	93	51	31	24	14	658	672
On-Budget Revenues	*0*	*0*	*96*	*63*	*55*	*58*	*60*	*33*	*20*	*15*	*9*	*400*	*409*
Off-Budget Revenues	*0*	*0*	*69*	*44*	*38*	*36*	*33*	*18*	*11*	*9*	*5*	*258*	*263*
Total Increase in Revenues	**0**	**0**	**241**	**279**	**285**	**303**	**260**	**51**	**31**	**24**	**14**	**1,474**	**1,488**
On-Budget Revenues	*0*	*0*	*139*	*161*	*164*	*177*	*155*	*33*	*20*	*15*	*9*	*864*	*873*
Off-Budget Revenues	*0*	*0*	*102*	*118*	*121*	*126*	*105*	*18*	*11*	*9*	*5*	*610*	*615*
Net Increase or Decrease (-) in the Deficit From Changes in Direct Spending and Revenues													
Estimated Effect on the Deficit	**27,498**	**62,210**	**21,139**	**9,738**	**4,466**	**2,778**	**1,381**	**-866**	**-1,807**	**-1,881**	**-2,317**	**124,656**	**122,339**
On-Budget Deficits	*27,498*	*62,210*	*21,241*	*9,856*	*4,587*	*2,904*	*1,486*	*-848*	*-1,796*	*-1,872*	*-2,312*	*125,266*	*122,954*
Offf-Budget Deficit	*0*	*0*	*-102*	*-118*	*-121*	*-126*	*-105*	*-18*	*-11*	*-9*	*-5*	*-610*	*-615*

Components may not sum to totals because of rounding.

ACA = Affordable Care Act. CDC = Centers for Disease Control and Prevention. FMAP = federal medical assistance percentage. HCBS = home and community-based services. HHS = Department of Health and Human Services. LIHEAP = Low-Income Home Energy Assistance Program.

a. Section would affect both revenues and spending, which is shown separately.

b. The estimate for section 3102 includes the budgetary effects of sections 3202.

VIII. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

IX. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the general performance goal or objective of this legislation is to appropriate $50,000,000 to the Consumer Product Safety Commission for certain purposes and for other purposes.

X. DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII, no provision of the Committee Report is known to be duplicative of another Federal program, including any program that was included in a report to Congress pursuant to section 21 of Public Law 111–139 or the most recent Catalog of Federal Domestic Assistance.

XI. COMMITTEE COST ESTIMATE

Pursuant to clause 3(d)(1) of rule XIII, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

XII. EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

Pursuant to clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that the Committee Report contains no earmarks, limited tax benefits, or limited tariff benefits.

XIII. ADVISORY COMMITTEE STATEMENT

No advisory committee within the meaning of section 5(b) of the Federal Advisory Committee Act was created by this legislation.

XIV. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

XV. SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

CHAPTER 1—ENSURING ENVIRONMENTAL HEALTH AND RATEPAYER PROTECTION DURING THE PANDEMIC

SEC. 3301. *FUNDING FOR POLLUTION AND DISPARATE IMPACTS OF THE COVID–19 PANDEMIC.*

Section 3301 provides EPA with funds to address health outcome disparities from pollution and the COVID-19 pandemic. Specifically, it provides $50 million in funds to EPA for environmental justice grants and activities and $50 million in funding to EPA for air quality monitoring grants and other purposes outlined in subsections (a), (b), and (c) of section 103 and section 105 of the Clean Air Act.

SEC. 3302. *FUNDING FOR LIHEAP.*

Section 3302 directs $4.5 billion to HHS for home energy assistance through LIHEAP.

SEC. 3303. *FUNDING FOR WATER ASSISTANCE PROGRAM.*

Section 3303 directs $500 million to HHS to provide financial assistance to low income consumers and other consumers adversely affected financially by COVID-19 to assist with payments for drinking water and wastewater expenses

CHAPTER 2—DISTANCE LEARNING AND CONSUMER PROTECTION DURING THE COVID-19 PANDEMIC

SECTION 3311. *FUNDING FOR CONSUMER PRODUCT SAFETY FUND TO PROTECT CONSUMERS FROM POTENTIALLY DANGEROUS PRODUCTS RELATED TO COVID-19*

Subsection (a) of this section appropriates $50,000,000 to the CPSC for fiscal year 2021, to remain available until September 30, 2026, for the purposes described in subsection (b).

Subsection (b) of this section specifies the purposes for which the CPSC may use funds made available in subsection (a). Paragraph (1) of this subsection specifies funds shall be used to carry out the requirements in title XX of division FF of the Consolidated Appropriations Act, 2021 (P.L. 116-260). Paragraph (2) of this subsection specifies funds shall be used to enhance targeting, surveillance, and screening of consumer products, particularly COVID-19 products, entering the United States at ports of entry. Paragraph (3) of this subsection specifies funds shall be used to enhance monitoring of internet websites for the offering for sale of new and used violative consumer products and coordination with retail and resale websites to improve identification and elimination of listings of such products. Paragraph (4) of this subsection specifies funds shall be used to increase awareness and communication, particularly of COVID-19 product related risks rand other consumer product safety information. Paragraph (5) of this subsection specifies funds shall be used to improve the CPSC's data collection and analysis system especially with a focus on consumer product safety risks resulting from the COVID-19 pandemic to socially disadvantaged individuals and other vulnerable populations.

Subsection (c) of this section defines terms used in the subsection, including "de minimis shipments," "violative consumer products," "COVID-19 emergency period," and "COVID-19 products." The term "violative consumer products" is defined as consumer products in violation of an applicable consumer product safety standard under the Consumer Product Safety Act or any similar rule, regulation, standard, or ban under any other Act enforced by the Commission and is intended to include consumer products subject to voluntary corrective action. The term "COVID-19 products" is defined as products whose risks have been significantly affected by COVID-19 or whose sales have materially increased during the COVID-19 emergency period as a result of the COVID-19 pandemic.

SEC. 3312. ***FUNDING FOR E-RATE SUPPORT FOR EMERGENCY EDUCATIONAL CONNECTIONS AND DEVICES***

This section establishes a $7.59 billion Emergency Connectivity Fund. The section further requires the FCC to promulgate rules within 60 days of enactment to provide funding from this Fund to eligible schools and libraries to enable them to provide eligible connected devices, internet service, and equipment necessary to support internet service to students and teachers, regardless of technology, for internet use in locations other than a school or library, among other things.

The FCC will cease to provide support from the Fund on the June 30 that first occurs after the date that is one year after the date on which the COVID-19 Emergency Period ends. In providing support under the covered regulations, the Commission shall reimburse 100 percent of the costs associated with the eligible equipment and services, so long as the FCC determines that such costs are reasonable. This section also provides $1 million to the FCC's Inspector General to help oversee the program and limits administrative costs for the program to no more than two percent.

CHAPTER 3—OVERSIGHT OF DEPARTMENT OF COMMERCE PREVENTION AND RESPONSE TO COVID-19

SEC. 3321. ***FUNDING FOR DEPARTMENT OF COMMERCE INSPECTOR GENERAL.***

Sec. 3321 would appropriate an additional $3 million above other amounts appropriated to the Office of the Inspector General of Department of Commerce for oversight of activities of the Department to prevent, prepare for, and respond to COVID-19, domestically or internationally.

XVI. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

There are no changes to existing law made by the Committee Print.

XVII. ADDITIONAL VIEWS

[Additional Views (original) attached to this page]

Energy and Commerce Committee Republican Views

Republicans have supported five targeted, bipartisan bills to crush COVID-19, to reopen schools, to get the economy back on track, and to improve health and wellness of those suffering from the pandemic. That is what we should be doing with this Reconciliation package. Unfortunately, this package falls well short, but at an extraordinary cost. The Congressional Budget Office (CBO) estimates that the Committee on Energy and Commerce's contribution to the Reconciliation process will cost approximately $120 billion. That is still well short of the $188 billion instruction to the Committee, which shows there was an opportunity to adopt some of the bipartisan, targeted, and timely amendments Republicans offered during markup. For instance:

- $1 billion for teachers to get vaccinated and ensure our children can go back to school safely;
- $10 billion for COVID-19 research at the National Institutes of Health (NIH);
- $35 billion to support our frontline workers through the Provider Relief Fund (PRF); or
- $1 billion to boost mental health services in states with unexpected job loss due to President Biden's various Executive Orders.

Unfortunately, the Democrats rushed this bill through a partisan markup without bipartisan consultation with CBO on cost, preventing any chance of adequate analysis and deliberation.

In addition to the wasteful spending, we must comment on the Democratic Majority's decision to bypass regular order. Democrats wrote this entire package in secret without any input from Republicans, and Republicans did not see a draft until 10:00 p.m. on Tuesday, February 9 for a markup scheduled to start at 11:00 a.m. on Thursday, February 11. Such secrecy might be expected on controversial measures, but Republicans and Democrats have already worked together to enact 5 bills in response to COVID-19. This partisan process on this package is a failure of Democratic leadership and a huge disappointment.

Subtitle A: Budget Reconciliation Legislative Recommendations Relating to Public Health

Republicans on the Energy and Commerce Committee strongly support additional funding for advanced research, development, manufacturing, production, and the purchase of vaccines, diagnostic tests, therapeutics, and ancillary medical products to prevent, prepare, and respond to SARS-CoV-2, COVID-19, or any disease with potential for creating a pandemic. Republicans on the Energy and Commerce Committee also support additional funding for the prevention and treatment of mental health and substance use disorders. The COVID-19 pandemic and resulting economic downturn have significantly impacted the mental health and wellbeing of all Americans.

Since the beginning of this pandemic, many Americans have reported that their mental health has been negatively impacted by recent events, with about 4 in 10 adults reporting symptoms of anxiety or depressive disorder.[1] Reports have found that declines in the economy, lost jobs, and health challenges have all contributed to an increase in mental health difficulties. Individuals in states with more restrictive measures, such as stay-at-home orders, have recorded even more cases of mental health difficulties.[2] The pandemic has also presented unique challenges for individuals with substance use disorder (SUD) and those who are in recovery, as social distancing and stay at home orders make it harder for patients to access treatment, such as critical medications for opioid use disorders.[3]

However, Subtitle A is also a departure from how the Congress has previously provided emergency funding to address the coronavirus pandemic, and because of this, does not take into account the time it will take for federal agencies to spend these resources, or address all the needs, such as those of the National Institutes of Health and health care providers. The past five legislative packages that were signed into law were negotiated in good faith between Republicans and Democrats, with extensive input from all sides.[4]

We are disappointed that the Democrats rejected bipartisanship and embraced a partisan process. Instead of targeted and timely relief to COVID-19, the Democrats proposed mandatory funding for all of these initiatives, abdicating responsibility for oversight, which is a troubling departure from the oversight and reporting on the emergency designated discretionary appropriations provided in the previous five COVID-19 emergency appropriations bills passed last year.

Republicans agree with CBO that federal agencies might not be able to use the new budget authority provided in Subtitle A quickly enough. Republicans are also concerned that the resources may not be timely enough to help address any outstanding COVID-19 needs that remain after the most recent relief package.[5] Subtitle A increases individual agencies' funding for a single fiscal year by a substantial amount. The 2021 budget authority for the Centers for Disease Control and Prevention (CDC), the Health Resources and Services Administration (HRSA), and the Indian Health Service (IHS) would see enormous increases roughly halfway through the fiscal year. Republicans, like the CBO, do not understand how these agencies would be able to spend all of the new funds rapidly in a manner that has any meaningful near-term impact on reducing COVID-19 cases and deaths in the United States.[6]

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[1] Nirmita Panchal, et. al., The Implications of COVID-19 for Mental Health and Substance Use, Kaiser Family Foundation, *available at* https://www.kff.org/health-reform/issue-brief/the-implications-of-covid-19-for-mental-health-and-substance-use/ (last updated Feb. 10, 2021).

[2] Madeline Holcombe, *Long-term social distancing may be traumatic. Here is what to expect and what to do*, CNN (Apr. 12, 2020), *available at* https://www.cnn.com/2020/04/09/health/coronavirus-mental-health-long-term-wellness/index.html.

[3] Dr. Francis Collins, Director, National Institutes of Health, *Coping with the Collision of Public Health Crises: COVID-19 and Substance Use Disorders*, NIH Director's Blog (Apr. 21, 2020), *available at* https://directorsblog.nih.gov/2020/04/21/coping-with-the-collision-of-public-health-crises-covid-19-and-substance-use-disorders/.

[4] P.L. 116-123; P.L 116-127; P.L. 116-136; P.L. 116-139; and P.L 116-260.

[5] Congressional Budget Office, *Reconciliation Recommendations of the House Committee on Energy and Commerce*, February 14, 2021, https://www.cbo.gov/system/files/2021-02/EnergyandCommerceReconciliationEstimate.pdf.

[6] *Id.*

For example, the state of the nation's public health infrastructure and workforce are a result of decades of neglect by state and local governments. At the same time, states have spent ever increasing amounts of their budgets on Medicaid. Support for states to build their public health workforce is laudable and could be accomplished by discretionary appropriations. However, it is unclear how an immediate infusion of $7.6 billion in mandatory funding for establishing and expanding a public health workforce, as is done in section 3021, will lead to more public health professionals to fight COVID-19 now. State and local health departments have struggled for years to recruit public health professionals in a field that has lost more than 56,000 positions in the past decade.[7] A sustainable long-term increase in discretionary funding authorized through regular order would have been a more appropriate way to support state and local public health departments and address the dearth in public health professionals.

Republicans are concerned about the long-term health of critically important public health programs that Subtitle A sets on dangerous fiscal cliffs. For example, section 3031 provides $7.6 billion for Federally-qualified health centers, $800 million for the National Health Service Corps, and $300 million for the Teaching Health Center Graduate Medical Education program. This is approximately twice the amount that was authorized for these programs for each of fiscal years 2021 through 2023 in the Consolidated Appropriations Act, 2021, which was just signed into law two months ago.[8] These are unsustainable funding levels.

Republicans are disappointed that Subtitle A opens the door to federal funding for elective abortions. Every Democrat voted against including the Hyde amendment protections in Subtitle A. The Hyde Amendment prevents all other federal funds for the Department of Health and Human Services appropriated through the discretionary appropriations process, and also mandatory health spending, from being used to fund abortion, except in the cases where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape or incest. Since 1976, Hyde, and similar policies governing other federal programs, have been supported and renewed annually on a bipartisan basis, multiple times, for decades.[9] Because there are no Hyde Amendment protections, many provisions in Subtitle A, particularly where funds have been authorized for broad purposes or for the provision of health services that are not directly related to preventing and treating COVID-19, will support elective abortions.

For example, section 3036 authorizes $50 million in mandatory funding for grants and contracts under section 1001 of the Public Health Service Act, which is the Title X Family Planning Program. First, it is unclear to Republicans how Title X funding will reduce transmission of, and illness and death caused by, COVID-19. This funding is being authorized on the heels of President Biden directing the Department of Health and Human Services to

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[7] Blaire Bryant, Protect Funding for Core Local Public Health Services and Prevention Programs, National Association of Counties, *available at* https://www.naco.org/resources/protect-funding-core-local-public-health-services-and-prevention-programs#:~:text=According%20to%20the%20National%20Association,in%20five%20local%20health%20departments. (last updated Feb. 28, 2019).

[8] P.L. 116-260,

[9] H.R.14232, Departments of Labor, and Health, Education, and Welfare, and Related Agencies, 1977, 94th Congress (1976); Roll no. 846.

reverse the "Protect Life Rule,"[10] a rule that prohibited Title X-funded family planning services to be performed at the same location where abortions are provided. Since existing Title X appropriations have been obligated to non-abortion providing entities, section 3036 is just a way to direct taxpayer dollars to abortion providers, like Planned Parenthood.

Lastly, Republicans are disappointed that the Democrats, in their haste to pass a partisan package, did not assess the true budgetary needs of these agencies. The exorbitant funding levels could lead to waste.

For example, section 3004 provides $500 million to the Food and Drug Administration (FDA) for the evaluation of the continued performance, safety, and effectiveness of vaccines, therapeutics, and diagnostics approved, cleared, licensed, or authorized for use for the treatment, prevention, or diagnosis of COVID-19. Republicans believe that the agency should provide a detailed account of how funds previously appropriated have been spent, what amount of funding remains unobligated, and to what activities those unobligated dollars will be allocated before appropriating additional funds, especially considering that $500 million is more than twice the amount that has been appropriated to FDA under all previously enacted Coronavirus relief legislation combined.[11]

Additionally, advancing this legislation through regular order would have allowed both Republicans and Democrats to have a better understanding of the FDA's existing needs. During the full committee markup, the only opportunity provided to Republicans to ask questions and raise concerns about the legislation being considered, Democrats asserted they had conversations with FDA during which the agency expressed the need for this amount of funding. The FDA has not provided to Republicans any request or justification for these funds, nor has FDA explained how they will be used to advance the agency's mission. In addition, the majority of FDA's spending is on salaries. It is unclear how the $500 million could be used to support salaries without creating a cliff where more funding is needed to retain those employees.

With respect to product reviews, Republicans question why these funds appear to be intended solely for post-market surveillance, as opposed to both pre- and post-market activities, given the likelihood that new COVID-19 vaccines, therapeutics, and diagnostics will warrant premarket review.[12] Furthermore, the funds may be used to facilitate and conduct inspections delayed or cancelled for reasons related to COVID-19.[13] While Republicans agree it is critical that FDA resume on-site inspections, we question why additional funds are required to do so.

Since March 2020, FDA has conducted few domestic or foreign inspections due to safety concerns and travel restrictions, not due to funding limitations. During fiscal year (FY) 2020, the total number of inspections conducted by FDA, of both foreign and domestic establishments,

[10] 84 F.R. 7714.
[11] P.L. 116-123; P.L. 116-136; P.L. 116-260,
[12] S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021 (February 11, 2021), 117th Congress (2021-2022), *available at* https://docs.house.gov/meetings/IF/IF00/20210211/111190/BILLS-117-A-P000034-Amdt-2.pdf.
[13] *Id.*

was fifty-six percent lower than during each of the previous two fiscal years.[14] Between March and October of 2020, only three foreign mission critical inspections and only fifty-two domestic inspections took place.[15] In contrast, during a similar timeframe in each of the previous two years, more than 600 foreign and 400 domestic inspections took place.[16] Given the significant reduction in the number of inspections conducted, FDA must answer for how funds obligated for FY 2020 inspection activities have been used and why it needs more funds to carry out delayed or cancelled inspections.

Subtitle B: Budget Reconciliation Legislative Recommendations Relating to Medicaid

Section 3101. Mandatory Coverage of COVID-19 Vaccines and Administration Treatment Under Medicaid.

Republicans want every American to have access to the COVID-19 vaccine and we support fully covering the cost of the vaccine for Medicaid beneficiaries for the length of the public health emergency. This will ensure we can vaccinate every single American, which will help us reopen schools, workplaces, and the economy. However, in this section the Democrats, instead, chose to extend the timeframe where vaccines are fully covered by one year. The Democrats have provided no justification for this extension. Given that the public health emergency will continue throughout 2021, Republicans recommend ascertaining how the states are doing at the end of the year and extend the timeframe if needed. Instead, the Democrats are spending money on the extra year that could have been used to increase funding for mental health or SUD providers, or a number of other targeted and temporary priorities that both parties share.

The Democrats are also giving the states the option to provide coverage to the uninsured for COVID-19 vaccines and treatment without cost sharing at 100 percent federal medical assistance percentage (FMAP). Republicans want all eligible beneficiaries to receive care and want to work with the Democrats to improve access to care for all Americans. However, the Medicaid program has eligibility requirements for a reason and Republicans want to make sure that the program is able to continue serving the Americans who are eligible for Medicaid coverage.

Section 3102. Modifications to Certain Coverage Under Medicaid for Pregnant and Postpartum Women.

Republicans are disappointed that the Democrats chose this partisan approach to a bipartisan priority. H.R. 4996, the Helping MOMS Act of 2020, passed the House unanimously last year and is the same policy as section 3102, except, H.R. 4996 was a permanent state option to extend Medicaid eligibility to women for 12 months postpartum and section 3102 is a five-year option. At markup, Republicans offered an amendment that would have implemented the

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[14] United States Government Accountability Office (GAO), *COVID-19: Critical Vaccine Distribution, Suply Chain, Program Integrity, and Other Challenges Require Focused Federal Attention* (January 2021), *available at* https://www.gao.gov/assets/720/712030.pdf.
[15] *Id.*
[16] *Id.*

permanent policy. Predictably, the Democrats rejected the proposal because it would cause the Committee to exceed its reconciliation instructions. However, when CBO released its estimate of the Committee's reconciliation package, Republicans learned that the Committee is under its instruction of $188.5 billion by over $65 billion.[17] If the Committee had an estimate and technical assistance before markup, we could have made this change permanent.

Section 3103. Allowing for Medical Assistance Under Medicaid for Inmates During 30-Day Period Preceding Release.

Republicans are willing to work with the Democrats to address medical assistance for inmates during the 30-day period preceding their release from prison, but this is irrelevant to responding to COVID-19. This is especially true since the Democrats included the coverage of inmates in the vaccine development and distribution funding in Subtitle A, and included specific funding for COVID-19 for those that live in congregate facilities. If this policy had been considered through regular order, a hearing might have revealed how prisons differ from jails when handling inmates a month before release and how we can tailor the policy to be the most effective.

Republicans want all Americans to have access to the COVID-19 vaccine, including inmates during the 30-day period before their release. But why is Medicaid coverage for inmates 30 days prior to release necessary? Also, how long will it take prisons and jails to have the administrative capacity to bill Medicaid, and will prisons need additional resources to do so? If the Committee followed regular order, some of these questions could have been answered.

Section 3104. Enhanced Federal Medicaid Support for Bundled Community-Based Mobile Crisis Intervention Services.

This section is another partisan disappointment. The Democrats never explained how this section will provide immediate relief to those suffering from COVID-19's devastating impact on mental health or SUD. CBO indicated that only 16 states have programs that would immediately qualify for this provision, suggesting the limited impact this provision will have on addressing nationwide mental health and SUD impacts from COVID-19.[18] Republicans believe that tailoring a policy like the one in section 3108 for mental health and substance use providers would have been a better way to provide immediate relief for the next year.

Section 3105. Temporary Increase in FMAP for Medical Assistance Under State Medicaid Plans which Begin to Expend Amounts for Certain Mandatory Individuals.

Incentivizing states to expand Medicaid to address COVID-19 is a mistake. It is neither a targeted nor a timely approach to continue the fight against COVID. We understand the need to provide Americans access to affordable health insurance options, but, at a minimum, it takes

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[17] Congressional Budget Office, *Reconciliation Recommendations of the House Committee on Energy and Commerce*, February 14, 2021, https://www.cbo.gov/system/files/2021-02/EnergyandCommerceReconciliationEstimate.pdf.
[18] Congressional Budget Office, *Reconciliation Recommendations of the House Committee on Energy and Commerce*, February 14, 2021, https://www.cbo.gov/system/files/2021-02/EnergyandCommerceReconciliationEstimate.pdf.

several months to expand Medicaid.[19] Republicans believe that any COVID-19 relief package should aim to end the pandemic in weeks now that a vaccine is available. The $16 billion cost associated with this policy should be targeted to immediate COVID-19 relief for Medicaid providers who are working with the most at risk beneficiaries, including SUD, mental illness, hospitals in rural areas, and nursing homes.

Section 3106. Extension of 100 Percent Federal Medical Assistance Percentage to Urban Indian Health Organizations and Native Hawaiian Health Care Systems.

Republicans would have preferred to consider this section through regular order to ensure that there are proper reporting and data requirements on the impact of the policy given that it is only a two-year extension.

Section 3107. Sunset of Limit on Maximum Rebate Amount for Single Source Drugs and Innovator Multiple Source Drugs.

Including this provision in this partisan package is another disappointment. Republicans have supported this policy to pay for a permanent option for states to provide Medicaid coverage to women for 12 months after birth. That was the bipartisan approach taken in H.R. 4996, the Helping MOMS Act of 2020, which passed the House unanimously in the 116th Congress. But including this spending offset to fund unnecessary spending unrelated to the COVID-19 fight will only make it harder to enact permanent needed support for new mothers who rely on Medicaid.

Section 3108. Additional Support for Medicaid Home and Community Based Services During the COVID-19 Emergency Period.

This is another provision that could have been done through regular order, but instead, Democrats chose partisanship. Republicans support a temporary FMAP increase of 7.35 percentage points for states to make improvements to Medicaid home- and community-based services (HCBS) for one year. However, the Democrats would impose a litany of required uses of the funds, which are overly burdensome at a time when states Medicaid programs need flexibility to target efficiently their response to COVID-19. Republicans recommend providing states more flexibility on how to use those funds.

Section 3109. Funding for State Strike Teams for Resident and Employee Safety in Nursing Facilities.

Nursing homes have been devasted by COVID-19, and the pandemic has brought attention to the need for improved infectious disease control at nursing homes. The Trump Administration deployed "strike teams" to nursing homes starting in July, 2020,[20] and Republicans support providing funding to continue this important initiative. However, Republicans prefer that this funding be provided through emergency supplemental appropriations

[19] https://www.kff.org/medicaid/issue-brief/status-of-state-medicaid-expansion-decisions-interactive-map/.

[20] https://www.cms.gov/newsroom/press-releases/trump-administration-announces-new-resources-protect-nursing-home-residents-against-covid-19.

through regular order to ensure we have proper reporting and data on the impact of the policy and its effectiveness.

Subtitle C: Budget Reconciliation Legislative Recommendations Relating to CHIP

Section 3201. Mandatory Coverage of COVID-19 Vaccines and Administration and Treatment Under CHIP.

Republicans want every American to have access to the COVID-19 vaccine. We support fully covering the cost to vaccinate CHIP beneficiaries for the length of the public health emergency. However, the Democrats' partisan decision to extend that timeframe for a year is not based on any data or technical assistance. Since the public health emergency will continue through 2021, a better way would have been to see how the states are doing are at the end of the year and adjust if needed.

Section 3202. Modifications to Certain Coverage Under CHIP for Pregnant and Postpartum Women.

It is disappointing the Democrats chose to include a bipartisan priority in the partisan package. As noted earlier, H.R. 4996, the Helping MOMS Act of 2020, passed the House unanimously last year and is the same policy as section 3102.

Subtitle D: Budget Reconciliation Legislative Recommendations Relating to Other Provisions

Chapter 1

Chapter 1 of Subtitle D is another disappointment and lost opportunity. Our concerns with this chapter can be divided into two distinct categories: big-picture concerns and specific policy choices reflected in the reported text, as well as those rejected by the votes of the Democrats

Generally, the three sections in this Chapter are not consistent with the Democrats' claims about what this bill does. Rather than providing the immediate aid the Democrats insisted was essential for all Americans struggling with or vulnerable to COVID-19, the provisions instead appear to craft long-term policies that deserved closer, deliberate attention.

To illustrate this overarching point, the authorized funding appropriated in sections 3301 and 3303 is not time limited – it is supposed to "remain available until expended" – and section 3302 makes its funding available until September 30, 2022 – a time frame exceeding current predictions on the length of the pandemic in the United States. Moreover, none of the sections reference the public health emergency related to COVID-19 that was issued by the Department of Health and Human Services (HHS) and only section 3301 attempts to create a COVID-19 nexus.

We believe the aid in this chapter would have been more efficiently and effectively provided had the explicit statutory focus only been on directing actions necessary for the nation's COVID-19 response. Frustratingly, the Democrats were not interested in a bipartisan response of targeted relief that was time-limited and tied directly to COVID-19.

Unfortunately, Chapter 1, particularly section 3301 and 3303, also was not considered through regular order in the Committee. Regular order would have allowed careful review of the scope and timing of these provisions. For example, it would have provided opportunity to adjust the focus of Section 3301 to include increasing employment and economic opportunity, in addition to technical assistance concerning air quality. Providing more scrutiny and opportunity for improvement of the legislative language would have ensured resources are directed to the most urgent economic impacts of the pandemic.

Beyond these overarching concerns, each of the three sections in this chapter contained specific provisions that gave us pause.

For section 3301, the lack of meaningful Congressional input is concerning – we should have had more of a process to obtain assurances as to what this language intends and, considering that these provisions could be in force for a few years, understand what this language might practically mean. These insights also are critical to conducting Congressional oversight on the provisions, should they become enacted.

Another area of concern for us in section 3301 is its omission of health disparities of certain workers related to COVID-19. Unemployment is well established as a risk factor for elevated illness and mortality rates in epidemiological studies performed since the early 1980s. In fact, the National Center for Health Statistics concluded that "children in poor families were four times as likely to be in fair or poor health as children in families that are not poor." Most significantly, as it relates to COVID-19 and the emergence of new more contagious variants, Yale researcher Dr. William Gallo has stated in the past that late-career job loss results include "substantial health consequences" and are a "potential risk factor for adverse vascular health changes" -- the most troubling comorbidities threatening the survival of any person exposed to the coronavirus.

The people made jobless via the White House executive orders in the first month of the Biden Administration have been disregarded in these provisions. Our Democratic colleagues not only rejected efforts to help these economically disadvantaged people, but their views were punctuated by suggestions that welfare programs and green jobs for half the wages of their recent employment should be an adequate replacement for these people.[21]

[21] "The average salary of oil and natural gas workers is approximately $112,000, more than double the national private-sector average of $51,000. But oil and gas workers don't just make double that of the national average. They make double that of wind and solar workers.

Moving to section 3302, it provides $4.5 billion through the end of fiscal year 2022 for the Low-Income Home Energy Assistance Program (LIHEAP). This amount exceeds the entire amount enacted for LIHEAP in fiscal year 2021 just eight weeks ago ($3.75 billion).[22] In addition, this funding is to be disbursed without regard to existing financial reasonableness requirements placed on states for how much LIHEAP funding can be allotted at any one time. As mentioned earlier, while we do not oppose addressing LIHEAP at this time, this scale of spending should have been directly connected to COVID-19, and adjusted to ensure it will do what it is supposed to do, minimizing waste and abuse.

Section 3303 provides $500 million – for as long as it takes to spend it all – to a new program to pay the water and wastewater bills of low-income people. This $500 million amount is in addition to the $638 million provided for a nearly identical purpose in the Consolidated Appropriations Act, 2021.[23] Taken together, this eight-week total comes to $1.138 billion for this new program – $12 million more than the Federal government provided in capitalization grants in fiscal year 2021 for all public water system infrastructure under the Drinking Water State Revolving Loan Fund.

Of note, the biggest difference between the language in section 3303 and that from the Consolidated Appropriations Act, 2021 is that section 3303 omits provisions encouraging HHS to use its existing processes and procedures under LIHEAP to distribute this money to utilities efficiently. This is an important omission. There was no Committee of review whether this omission will create problems. For, example, because the language in the Consolidated Appropriations Act, 2021 is only valid for that fiscal year and section 3303 is drafted to outlast it, when section 3303 still has funding on October 1, 2021, HHS would be free to use whatever process it wants to distribute the money, even if it is untested or inefficient. This seems like a recipe for potential waste and abuse; and only further reinforces why a targeted and temporary program is the preferred way to handle this matter.

While President Biden and the Democrats should be focused on defeating COVID-19 and rebuilding our economy, they are waging a war on fossil energy jobs that is resulting in significant and negative disparate impacts in rural and low-income communities. Immediately upon taking office, President Biden revoked the permit for the Keystone XL pipeline and imposed a moratorium on oil and gas drilling on Federal lands and offshore waters. These

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According to data from the U.S. Department of Labor's Bureau of Labor Statistics, in 2019 a worker installing solar panels made an average of a little more than $21 an hour. Workers in oil and gas extraction made more than twice as much, at an average of over $42 an hour."

https://thefederalist.com/2021/01/27/bidens-green-energy-jobs-really-mean-no-energy-jobs-and-low-paying-energy-jobs/

[22] House Energy and Commerce Committee Republican Leader Cathy McMorris Rodgers sent a letter to the Office of Management and Budget on February 4, 2021, requesting an accounting of what funds have been expended already in connection with the $3.75 billion in LIHEAP funding from the Consolidated Appropriations Act, 2021. OMB has provided no response to that letter to date.

[23] House Energy and Commerce Committee Republican Leader Cathy McMorris Rodgers sent a letter to the Office of Management and Budget on February 4, 2021, requesting an accounting of what funds have been expended already in connection with the $638 million from the Consolidated Appropriations Act, 2021. OMB has provided no response to that letter to date.

decisions will eliminate tens of thousands of jobs and deprive states of billions of dollars of tax revenue to help pay for schools, hospitals, and government services.

Republicans offered several amendments to protect jobs, stimulate economic growth, and provide mental health services for unemployed energy workers – particularly critical during the global pandemic and economic downturn -- Democrats rejected them all.

In connection with Subtitle A, Rep. Mullin offered an amendment to increase funds for community mental health block grants to strengthen mental health services in states that have had unexpected jobs losses due to President Biden's Executive Orders. This Administration's policies, such as implementing moratoria on oil and gas development and production, will put tens of thousands of people in the energy sector out of work and deprive states of billions of dollars in tax revenues. This amendment would have required the HHS Secretary to obligate 5 percent of the amounts under the mental health block grants to states suffering unemployment from the Biden Administration's recent energy and climate executive orders. Every Democrat rejected the Mullin amendment.

Rep. Armstrong offered an amendment to resume construction of the Keystone XL pipeline and immediately put thousands of people back to work. This $1.7 billion investment would have created over 10,000 American union jobs and contributed billions to U.S. workers through direct jobs in construction and indirect jobs in hotels, restaurants, and thousands of businesses across the country that were lined up to provide their services to help build the project. This construction program was already underway when the Biden Administration revoked their permit and eliminated thousands of jobs and over $3 billion in contracts that would have gone to U.S. contractors and suppliers. Again, every Democrat rejected the Armstrong amendment to authorize construction of the Keystone XL pipeline.

Rep. Duncan offered an amendment to prevent President Biden from following through on his campaign promise to ban hydraulic fracturing — perhaps the most direct threat to our economic security and national security. If the Biden Administration were to ban hydraulic fracturing, this would eliminate millions of jobs across our American energy industry and our economy. States and local governments, schools, hospitals, and community centers would be cut off from billions of dollars in funding that currently comes from the oil and gas industry. According to a recent study,[24] placing a moratorium on hydraulic fracturing would mean a $900 billion increase in U.S. household energy costs, $7.1 trillion in potential losses to the U.S. economy through 2030, and over 7 million fewer U.S. jobs by 2022. Additionally, such a moratorium would force the U.S. to import 40 percent of our oil and petroleum products and 29 percent of our natural gas by 2030. Again, every Democrat rejected the Duncan amendment.

We understand the importance of this package and wanted to support it, but defects such as those outlined above and the unwillingness of the Democrats to accept any of our ideas to

[24] *America's Progress at Risk: An Economic Analysis of a Ban on Fracking and Federal Leasing for Natural Gas and Oil Development*, American Petroleum Institute, https://www.api.org/-/media/Files/Oil-and-Natural-Gas/Hydraulic-Fracturing/2020/fracking-ban-study-americas-progress-at-risk.pdf?la=en&hash=13423D13150A5594442D84D507F6EAB04A231246.

protect workers and focus the delivery of funding on those most in need leaves us no choice but to oppose it.

Chapter 2

Section 3311. Funding for Consumer Protection Safety Fund to protect consumers from potentially dangerous products related to COVID-19.

We are disappointed that the Democrats continued its partisan approach in drafting section 3311, which is similar to the provisions of H.R. 8134, the Consumer Product Safety Inspection Enhancement Act, a bill to authorize additional resources for the Consumer Product Safety Commission (CPSC). During the 116th Congress, the Committee on Energy and Commerce passed H.R. 8134 by a voice vote on September 24, 2020, and the bill passed the full House of Representatives by a voice vote on September 29, 2020. Because of the Committee's bipartisan efforts, an authorization for additional port inspection personnel for the CPSC was included in division F, title XX, of H.R. 133, the Consolidated Appropriations Act of 2021, enacted on December 27, 2020.

The Democrats ignored the bipartisan consensus recognizing the threat posed by the People's Republic of China (PRC) and instead, allocated $50 million that are desperately needed for the CPSC's port inspection responsibilities to a Commission slush fund to be used however the CPSC chooses and without regard for our bipartisan agreement.

We support enhancing our ports security and providing the necessary resources to do so. In 2020, the House Republican China Task Force issued a report outlining many of the Chinese Communist Party's (CCP) subversive acts against our country. The PRC is a threat to our way of life. Resources are needed to enhance targeting, surveillance, and screening of consumer products originating from China. But section 3311 includes new definitions like "COVID-19 products," which have not been vetted and may reach beyond the CPSC's authority.

Section 3311 also includes new provisions that were not included in the 2020 bipartisan agreement and that the Democrats never discussed with us. In particular, we are concerned that authorizing the CPSC to undertake "enhanced monitoring of Internet websites" will distract the Commission from its port inspection duties.

The CPSC does not need more full-time personnel surfing the Internet. The Commission needs more personnel on the ground at ports, protecting us from dangerous products from the CCP. These resources should be targeted on counterfeit and illicit products originating in the PRC. In a January 24, 2020, report entitled "Combating Trafficking in Counterfeit and Pirated Goods," the Department of Homeland Security (DHS) estimated that 100,000 packages that could harm or defraud our constituents arrive in America every day from China and more than 85 percent of all contraband seized at our borders comes from China and Hong Kong.

There is another DHS report, "Operation Stolen Promise," which found that more than 50 percent of the nations' counterfeit COVID-19 products originate from China and Hong Kong. And a recent article from Reuters found that Chinese internment camps in the Xinjiang region force Uighur Muslims into labor camps and often shave the heads of women to use their hair in products shipped to the U.S. We wrote to the CPSC about these Uighur women recently, and the CPSC has acknowledged that it has not tracked this matter.

This section is a disappointment and a missed opportunity to continue our bipartisan work to keep Americans safe from dangerous products from China.

Section 3312. Funding for E-Rate Support for Emergency Educational Connections and Devices.

This section wastes $7.6 billion dollars in taxpayer funding for purposes that Congress has already funded. It provides funding for schools and libraries to buy and distribute Wi-Fi hotspots, modems, routers, and other devices for students to use for off-premise schoolwork. This funding is duplicative of a cumulative $110 billion that Congress appropriated in 2020 to the Department of Education to respond to the coronavirus pandemic, and much of that money remains unspent. It is irresponsible for Congress to appropriate more money for this purpose before the existing money is spent and Congress can determine where, if any, there are remaining gaps.

Besides the fact that Congress already appropriated money in the early days of the pandemic for remote learning purposes, this program is also inconsistent with the President's goal to reopen schools because it encourages the continuation of remote learning. Similarly, it conflicts with the Administration's Centers for Disease Control and Prevention guidance, which states that it is safe for schools to reopen and that they should do so as quickly as possible.

In addition, and contrary to claims from the Democrats, section 3312 does nothing to support the Federal Communications Commission's (FCC) E-Rate program. Rather, it creates a new program with no rules, no requirements, and no oversight to track the devices once they are given to students, or to verify eligibility and ensure that there is no double dipping at schools and libraries. The statute also does not clearly state whether or not this funding is available only for the duration of the COVID-19 pandemic, or until 2030, which is well beyond the scope of the pandemic. This program is simply a vehicle for the Democrats to implement its longstanding partisan policies endorsed by the teachers' unions rather than helping Americans.

During the Committee markup of this provision, Rep. Latta and Rep. Walberg offered amendments that would provide long-term solutions to close the digital divide and incentivize schools to re-open for in-person learning. To provide a permanent solution to close the digital divide, Rep. Latta offered an amendment to redirect this funding to rural broadband deployment in unserved areas. Rep. Walberg offered an amendment to put this money directly into the existing E-Rate program at the FCC, which funds connections and certain technologies in schools and libraries where it is not economically feasible for carriers to otherwise serve. Eligibility would have been contingent on schools and libraries being open 5 days per week. The word "open" was not defined, which would ensure that schools and libraries had the flexibility to follow appropriate CDC guidance to reopen safely. Both proposals were unanimously opposed by the Democrats.

Section 3312 is another bad public policy and missed opportunity. The only way to close the so-called "homework gap" is to invest in permanent broadband infrastructure that closes the digital divide between urban and rural America once and for all. In order to recover from this pandemic and ensure our students are not left behind, we need to focus on policies that reopen schools and the economy as quickly as possible. We are disappointed the Democrats rejected bipartisanship and again embraced a partisan process that will waste billions of dollars on temporary, unreliable options such as hotspots, with no oversight and no accountability.

Cathy McMorris Rodgers
Ranking Member

Fred Upton
Ranking Member
Subcommittee on Energy

Robert E. Latta
Ranking Member
Subcommittee on Communications and Technology

Brett Guthrie
Ranking Member
Subcommittee on Health

David B. McKinley
Ranking Member
Subcommittee on Environment and Climate Change

Gus M. Bilirakis
Ranking Member
Subcommittee on Consumer Protection and Commerce

February 2021

Fact Sheet on House's Reconciliation Package & the Biden Administration's COVID-19 American Rescue Plan

COMMITTEE ON ENERGY & COMMERCE

The Fiscal Year 2021 Reconciliation Act puts into action the policies and budgetary requests outlined by the Biden Administration's American Rescue Plan.

VACCINES:

The American Rescue Plan calls for the establishment of a national vaccination program, and this legislation provides critical funding and resources to increase COVID-19 vaccinations across the country.

- Many states have struggled to distribute vaccines after the Trump Administration chose to defer almost entirely to the states to distribute and administer all vaccines.
- The American Rescue Plan requests **$20 billion** for improving COVID-19 vaccine administration and distribution, including vaccination clinics and mobile vaccination units, a vaccine awareness campaign, and increasing the Federal Medical Assistance Percentage (FMAP) to Medicaid-covered recipients of a vaccine. It also requests over **$5 billion** for research, development, and manufacturing of vaccines, therapeutics, and ancillary supplies.
- **Specifically, the Fiscal Year 2021 Reconciliation Act provides:**
    - **$7.5 billion** for Centers for Disease Control and Prevention (CDC) to prepare, promote, distribute, administer, monitor, and track COVID-19 vaccines. This includes distribution and administration, support for state, local, tribal, and territorial public health departments, community vaccination centers, IT enhancements, facility enhancements, and public communication;
    - **$600 million** to be directed to the Indian Health Service (IHS) for vaccine-related activities;
    - **$5.2 billion** to the Biomedical Advanced Research and Development Authority (BARDA) to support advanced research, development, manufacturing, production, and purchase of vaccines, therapeutics, and ancillary medical products for COVID-19;
    - **$1 billion** for the CDC to undertake a vaccine awareness and engagement campaign;
    - **$500 million** for the Food and Drug Administration (FDA) to support the review, facilitate the development of, and post-marketing surveillance of COVID-19 vaccines and therapeutics and address drug shortages, among other activities; and
    - Medicaid coverage of COVID-19 vaccines, including the option for states to provide coverage to the uninsured, without cost sharing at 100 percent FMAP for the duration of the public health emergency.

TESTING:

The American Rescue Plan proposes scaling up testing in order to stop the spread of COVID-19, safely reopen schools, and protect at-risk populations. A robust testing program remains a critical tool in the

fight against this virus in conjunction with vaccinations. This legislation provides the funding and resources to do just that.

- Despite innovations and adaptations in the testing space, COVID-19 tests are still not widely accessible, and supplies continue to be in shortage.

- According to a Government Accountability Office (GAO) report from November 2020, a national survey to states and territories found that 21 states reported shortages of testing reagents, 16 states reported shortages of testing instruments, and 24 states reported shortages of rapid point-of-care tests in the 30 days prior to the report's release, and those same states predicted shortages would continue through the winter months.

- The American Rescue Plan requests **$50 billion** for testing related resources and activities, including procurement and administration of regular screening tests, and investments in United States laboratory capacity for diagnostic and screening tests.

- **The Fiscal Year 2021 Reconciliation Act provides:**

  - **$46 billion** for testing, contact tracing, and mitigation. These activities include: implementing a national strategy for testing, contact tracing, surveillance, and mitigation; providing technical assistance, guidance, support, and grants or contracts to States; manufacturing, procurement, distribution, administration of tests, including personal protective equipment (PPE) and supplies necessary for administration; and establishing and expanding federal, State, or local testing and contact tracing capabilities, including investments in laboratory capacity, community-based testing sites, and mobile testing units;

  - **$1.5 billion** for IHS testing, tracing, and mitigation needs;

  - **$1.75 billion** for genomic sequencing and surveillance of the circulating strains of COVID-19. There are currently multiple strains of COVID-19 circling the globe, some of which have recently emerged in the United States; and

  - **$500 million** to allow CDC to establish, expand, and maintain data surveillance and analytics, including to modernize the United States' disease warning system to forecast and track hotspots for COVID-19.

PUBLIC HEALTH WORKFORCE:
The American Rescue Plan calls for the mobilization of a public health jobs program to support the COVID-19 response.

- **The Fiscal Year 2021 Reconciliation Act provides:**

  - **$7.6 billion** in funding to public health departments to hire 100,000 full time employees into the public health workforce. These positions would include contact tracers, social support specialists, community health workers, public health nurses, epidemiologists, lab personnel, and communications. Funds would also support PPE, technology, data management, supplies, and reporting;

  - **$240 million** for IHS public health workforce needs; and

- **$100 million** to support the Medical Reserve Corps, which consists of a network of volunteer medical and public health professionals that support emergency response efforts and community health activities.

HEALTH DISPARITIES:
The American Rescue Plan includes funding to provide health services to the underserved and addressing ongoing health disparities.

- COVID-19 has laid bare the harsh realities of health disparities in the United States. For instance, Black and Hispanic Americans are getting vaccinated at significantly lower rates than White Americans, a trend that advocates blame on the federal government's failure to prioritize equitable distribution. Communities of color are also experiencing higher rates of COVID-19 cases, and higher hospitalization and death rates as a result.

- **The Fiscal Year 2021 Reconciliation Act provides a total of $25.2 billion** for addressing health disparities and protecting vulnerable populations, including:

    - **$250 million** for nursing home strike teams to help facilities manage COVID-19 outbreaks when they occur;

    - **$7.6 billion** in funding to support COVID-19 response at Community Health Centers;

    - **$1.8 billion** to support the purchase, procurement, or distribution of COVID-19 test and testing supplies, PPE, and vaccines for staff and individuals in congregate settings. This would include support to states, localities, territories, and tribes for strategies and activities to detect, diagnose, trace or monitor COVID-19 in congregate settings, including prisons, jails, detention centers, long-term care facilities, psychiatric hospitals and residential treatment facilities, intermediate care facilities, and other settings providing care for individuals with disabilities;

    - **$3.3 billion** to IHS in flexible funding to support lost third-party revenue, information technology infrastructure for telehealth and electronic health records, urban Indian organizations, and other health services and costs;

    - **$800 million** to the National Health Service Corps to support primary health care clinicians in high-need areas;

    - **$331 million** for Teaching Health Centers to expand the number of sites nationwide, increase resident allocations, and provide administrative support for expanding the program;

    - **$240 million** to support the Nurse Corps Loan Repayment program, which helps support nurses working in critical shortage and underserved areas;

    - A Medicaid state option to allow states to cover postpartum women for 12 months after birth, to help address the maternal mortality crisis disproportionately affecting women of color; and

    - Medicaid coverage for incarcerated individuals 30 days prior to their release, to ensure continuity of care for justice-connected individuals.

MENTAL HEALTH:
The American Rescue Plan proposes scaling up mental health services, including to expand access to behavioral and mental health prevention and treatment.

- **The Fiscal Year 2021 Reconciliation Act provides a total of $4 billion** for behavioral and mental health services, including:
  - **$3.5 billion** for the Substance Abuse and Mental Health Services Agency (SAMHSA) to be split between the Substance Abuse Prevention and Treatment and Community Mental Health block grant programs. Both programs provide funding to all 50 States, the District of Columbia, Puerto Rico, the United States Virgin Islands, and six Pacific jurisdictions. The Substance Abuse block grant program also supports one tribal entity, the Chippewa Tribe;
  - **$420 million** will be made available to IHS for mental and behavioral health prevention and treatment services;
  - **$100 million** to the Behavioral Health Workforce Education and Training Program within the Health Resources and Services Administration (HRSA) to expand access to behavioral health services by focusing on training behavioral health paraprofessionals, such as peer support specialists;
  - **$140 million** to develop a program for mental and behavioral health and to prevent burnout among health care providers and public safety officers, including training and outreach;
  - **$80 million** to provide support for mental health and substance use disorder services at community-based entities and behavioral health organizations;
  - **$10 million** to support the National Childhood Traumatic Stress Network, which works to develop and promote effective community practices for children and adolescents exposed to a wide array of traumatic events; and
  - **$50 million** to Suicide Prevention and Project Aware programs at SAMHSA, which support youth mental health services and suicide prevention efforts.

HEALTH COVERAGE:
The American Rescue Plan commits to preserving and expanding access to health care coverage during the pandemic.

- Between March and September of 2020, roughly 2 to 3 million people lost employer sponsored health insurance.
- Prior to that, 30 million people already lacked coverage, barring them from accessing the health care system from the outset of the pandemic.
- **The Fiscal Year 2021 Reconciliation Act provides a number of complementary provisions to make coverage more affordable and accessible to millions of Americans by:**
  - Expanding Affordable Care Act (ACA) Marketplace premium tax credits to more middle-class Americans for 2021 and 2022, including those with incomes above 400 percent of the federal poverty line (FPL).
  - Allowing individuals receiving unemployment compensation during the public health emergency to access ACA premium tax credits regardless of income.

- Providing a new incentive for states to expand Medicaid by temporarily increasing the federal medical assistance percentage by five percentage points. If all 12 remaining states expanded Medicaid, more than two million people currently in the coverage gap would gain access to Medicaid.

- Ensuring that workers can continue to afford their employer health care by providing partial COBRA subsidies. COBRA allows workers who experience layoffs or reduction in hours to continue with their job-based health coverage for a limited period of time to avoid a disruption in care.

CONSUMER ENERGY AND WATER ASSISTANCE:
The American Rescue Plan helps Americans who are struggling to make ends meet keep the lights on, the heat working and the water running by proposing $5 billion in assistance.

- Energy access is crucial to residential health and to sustaining socially-distanced and remote work lifestyles.

- Unpaid electric and natural gas bills were expected to reach $32 billion by the end of 2020, with an estimated 20 percent of residential customers at least 60 days behind on their bills. A projected five million additional households are eligible for energy assistance due to pandemic-related job losses.

- Households in California and Virginia, two states that are tracking water debt, are facing more than $1 billion and more than $88 million, respectively, in unpaid water bills. These debts threaten the long-term viability of municipal water utilities and raise the risk of interruptions in water service, which is essential to maintain hygiene during the Covid-19 pandemic.

- **The Fiscal Year 2021 Reconciliation Act provides $5 billion to those most in need to pay their utility bills at a time when so many Americans are spending unprecedented amounts of time at home, including:**

    - **$4.5 billion** to the Department of Health and Human Services (HHS) for home energy assistance through the Low-Income Home Energy Assistance Program (LIHEAP); and

    - **$500 million** in additional funds for HHS for the Low-Income Household Drinking Water and Wastewater Emergency Assistance Program established by Congress at the end of 2020. This brings the total amount of money available to assist families with their water and sewer bills to over $1.1 billion.

POLLUTION AND THE PANDEMIC:
The Fiscal Year 2021 Reconciliation Act helps address health outcome disparities from pollution and the COVID-19 Pandemic.

- Recent work by GAO found that our national air monitoring network infrastructure is aging and needs to be modernized to identify localized pollution that threatens environmental justice communities.

- **The Fiscal Year 2021 Reconciliation Act provides the Environmental Protection Agency (EPA) with $100 million to address health outcome disparities from pollution and the COVID-19 pandemic:**

    - **$50 million** to EPA for environmental justice grants and activities to help communities facing a disproportionate burden of pollution and disease; and

- **$50 million** to EPA for air quality monitoring grants and other purposes.

REMOTE LEARNING:
The American Rescue Plan will help bridge the digital divide for students and teachers without home internet access.

- To keep communities safe and prevent further spread of COVID-19, schools need the flexibility to engage in remote learning when necessary for public health and safety.

- Studies estimate that as many as 12 million students still lack internet service at their homes, with minorities and those in rural areas most often among the unconnected. Without a reliable internet connection to log into classes, submit work, and engage with teachers and other students, these students have fallen even further behind in school.

- **The Fiscal Year 2021 Reconciliation Act provides $7.6 billion to expand internet connectivity to students and communities by:**

  - Reimbursing schools and libraries—central points for connectivity in many communities—to purchase equipment such as hotspots, internet service, and computers on behalf of students and patrons; and

  - Ensuring schools and libraries can quickly access this critical funding by relying upon the Federal Communications Commission and its E-rate program to administer the funds.

CONSUMER PROTECTION:
The Fiscal Year 2021 Reconciliation Act will make Americans safer in their homes by reducing the number of unsafe imported consumer products.

- More than $174 billion spent by consumers online can be attributed to COVID-19-related boosts in online shopping with online spending jumping 44 percent in 2020 compared with 2019.

- The Consumer Product Safety Commission (CPSC) has not been able to keep pace with changing consumer trends brought on by the pandemic, including the substantial shift to online shopping and the influx of e-commerce shipments from foreign countries. The CPSC does not have enough funding to adequately staff United States ports of entry, leaving already struggling families vulnerable to risk of injury or death from uninspected consumer products, especially in-demand COVID-19 products.

- **The Fiscal Year 2021 Reconciliation Act provides $50 million for the CPSC to ensure the safety of consumer products entering our country and into people's homes — an essential priority during the COVID-19 pandemic.**

Minority Views

House Democrats are pursuing a partisan path to deliver on President Biden's campaign promises. This bill is not targeted relief for Americans most affected by the ongoing pandemic and is not based in fact.

The Facts

Congress has come together in a bipartisan way on five separate occasions to deliver more than $3.5 trillion in support to those most affected by COVID. Congress' actions undoubtedly staved off the worst of this economic crisis borne of a public health crisis.

The economy is recovering. Consider this: the unemployment rate is better now than it was in the first five and a half years of the Obama Administration. Compare the more than $3.5 trillion already allocated over the past 11 months with the approximately $800 billion spent in response to the 2008 financial crisis, which was the worst economic crisis of our lifetimes.

What Americans need now is for us to safely reopen our economy. No amount of stimulus can replace open businesses, available jobs, and kids in the classrooms.

Despite Democrats' claims, it is possible to do too much. In fact, there is bipartisan agreement that this additional $1.9 trillion package could hurt the recovery effort and our nation's long-term stability. More than $1 trillion from the previous packages remains unobligated. Consumer savings rates are hovering around 13 percent. And, forecasters expect the economy to grow at an annualized rate of 3.5 percent. Many experts, including the former Treasury Secretary under President Clinton, fear the Biden stimulus plan will "ignite inflation."

Democrats' Plan is Not Targeted

Congress should be considering relief that is temporary, targeted, and tied to COVID.

We know there are workers and families who are still hurting, and we want to provide them with support, but this package goes far beyond that scope. In fact, some of the funding in this package is available through 2030 rather than helping those in need now.

Again, Congress has come together on five separate occasions to provide more than $3.5 trillion in relief, most recently just over 6 weeks ago—there is still money going out the door and programs being stood up. This is double what was done under the Obama Administration to respond to the financial crisis, the worst financial crisis in our lifetimes. Any additional relief at this point should be focused on distributing vaccines so Americans can get back to work safely and targeted toward immediate needs, including targeted relief for the most devastated industries, and safely opening schools.

Democrats' Plan is Partisan

The "Biden Plan" is the fulfillment of a campaign promise, not a serious policy proposal. Democrats have decided to go it alone—ironically forgetting President Biden's other campaign promise to unite Republicans and Democrats—accepting only one of Republicans numerous commonsense amendments offered at the Financial Services committee markup.

Republicans presented our clear alternative to Democrats' partisan proposal by offering amendments to:

- Ensure relief is targeted, temporary, and tied to COVID-19, including establishing income limits on housing assistance to ensure those individuals and families directly impacted by COVID received assistance.
- Target relief toward struggling rural communities.
- Communicate Republican COVID relief priorities, including getting money faster to small businesses.

Ultimately, the Financial Services portion of the $1.9 trillion package codifies numerous partisan priorities, including duplicative housing assistance to funnel money toward non-COVID purposes and restarts the ineffective and outdated Obama-era State Small Business Credit Initiative (SSBCI). In fact, the SSBCI puts the government back in control of providing payments to small businesses rather than using existing partnerships with the private sector such as the successful Paycheck Protection Program.

Republicans stand willing to work with Democrats to provide targeted relief to those most in need, but this bill does not accomplish this.

Bill Huizenga

Ann Wagner

Roger Williams

Warren Davidson

David Kustoff

William R Timmons IV

J. French Hill

Alex X. Mooney

Ted Budd

John W Rose

Lance Gooden

Van Taylor

Rep. McHenry	Rep. Lucas
Rep. Posey	Rep. Luetkemeyer
Rep. Huizenga	Rep. Stivers
Rep. Wagner	Rep. Barr
Rep. Williams	Rep. Hill
Rep. Emmer	Rep. Zeldin
Rep. Loudermilk	Rep. Mooney
Rep. Davidson	Rep. Budd
Rep. Kustoff	Rep. Hollingsworth
Rep. Gonzalez (OH)	Rep. Rose (TN)
Rep. Steil	Rep. Gooden
Rep. Timmons	Rep. Taylor

Congressional Budget Office
Cost Estimate

February 13, 2021

At a Glance

Reconciliation Recommendations of the House Committee on Financial Services

As ordered reported on February 11, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2030	2021-2031
Direct Spending (Outlays)	38,189	72,880	70,590
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	38,189	72,880	70,590

Statutory pay-as-you-go procedures apply?	Yes	**Mandate Effects**	
		Contains intergovernmental mandate?	No
Increases on-budget deficits in any year after 2030?	No	Contains private-sector mandate?	No

CBO has not reviewed the legislation for effects on spending subject to appropriation.

The legislation would
- Appropriate funds for housing assistance, medical supplies, small businesses, and airlines

Estimated budgetary effects would mainly stem from
- Spending of appropriations for housing assistance, medical supplies (DPA), small businesses, and airlines
- Collecting offsetting receipts from warrants and notes issued to the Treasury by airlines and related contractors

Areas of significant uncertainty include
- Estimating the financial returns on warrants and notes issued by airlines and related contractors
- Estimating the pace at which grantees would distribute rental assistance

Detailed estimate begins on the next page.

See also *CBO's Cost Estimates Explained*, www.cbo.gov/publication/54437;
How CBO Prepares Cost Estimates, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42904.

Legislation Summary

S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, instructed several committees of the House of Representatives to recommend legislative changes that would increase deficits up to a specified amount over the 2021-2030 period. As part of this reconciliation process, the House Committee on Financial Services approved legislation on February 11, 2021, with a number of provisions that would increase deficits.

The legislation would appropriate a total of $75 billion for fiscal year 2021 for housing and community development programs, payroll support for airlines and related contractors, medical supplies related to the coronavirus pandemic, and financing programs for small businesses. CBO estimates that outlays stemming from those appropriations would total $73.6 billion over the 2021-2030 period; in addition, the airline support program would increase offsetting receipts (which are recorded as reductions in direct spending) by $740 million. On net, CBO estimates that enacting the legislation would increase deficits by $72.9 billion over the 2021-2030 period.

Estimated Federal Cost

The estimated budgetary effect of the legislation is shown in Table 1. The costs of the legislation fall within budget functions 050 (national defense), 370 (commerce and housing credit), 400 (transportation), 450 (community and regional development) and 600 (income security).

Basis of Estimate

CBO assumes that the legislation will be enacted by the end of March 2021. Except as noted below, estimated outlays are based on historical spending patterns for each program or similar programs.

Direct Spending

In 2021, the legislation would appropriate the following amounts:

- $19.1 billion for rental assistance for households that are low-income and have members who are unemployed;
- $15 billion for payroll support grants to passenger air carriers and related contractors;
- $10 billion for states, territories, and municipalities to fund small business financing programs;
- $10 billion for the purchase, production and distribution of medical supplies to respond to the pandemic and future health emergencies; and

- $10 billion for states and tribes to provide mortgage assistance and other financial assistance to homeowners impacted by the pandemic.

In addition, the legislation would provide a total of $11 billion to provide rental assistance, homeless services and support, housing counseling, and mortgage support.

Emergency Rental Assistance. Section 4201 would appropriate $19.1 billion for state and local governments to pay rental arrears, rent, and utilities for low-income households with unemployed members. Those households would need to be at risk of housing instability or homelessness to receive assistance. The Congress appropriated $25 billion for similar purposes in 2021. The legislation would require the Department of the Treasury to disburse 50 percent of each grantee's total allocation within 60 days of enactment. Grantees could receive additional portions of their allocation once they had obligated at least 75 percent of their first disbursement; CBO assumes that 50 percent of grantees would meet that criteria in 2022 and those grantees would receive their total allocation. The legislation would require the Treasury to distribute any remaining funds to grantees that had obligated, by the end of 2022, at least 50 percent of their total allocation. CBO estimates outlays would total $19.1 billion over the 2021-2030 period.

Homeowner Assistance Fund. Section 4207 would provide roughly $10 billion for states and tribes to provide mortgage payment assistance and other financial assistance to homeowners affected by the coronavirus pandemic. CBO expects that the vast majority of this funding will be spent, in the form of payments to states and tribes, in 2021, as required under the legislation; additional administrative and oversight spending would occur over the 2022-2025 period.

State Small Business Credit Initiative. Section 4301 would reauthorize the State Small Business Credit Initiative, a program created by Small Business Jobs Act of 2010, and would provide $10 billion for states, tribes, territories, and municipalities to fund financing programs for small businesses. Based on the patterns of spending from the original program, CBO expects that funding would be allocated to states in multiple tranches over time, and would be distributed to eligible government entities gradually over the 2021-2030 period. CBO estimates that reauthorizing the program would increase direct spending by $9 billion over the same period.

Payroll Support for Air Carriers. The Consolidated Appropriations Act (CAA), 2021, provided $16 billion for financial assistance to certain passenger air carriers and related contractors for payroll support. Section 4401 would appropriate $15 billion for similar purposes, under the same terms and conditions, and largely to the same pool of recipients as established by that act. Consistent with the relevant provisions of the CAA, CBO expects that the cost of providing payroll support would be partially offset by proceeds from warrants and notes that larger air carriers and contractors would issue to the Treasury as a condition of receiving assistance. Further, CBO expects that the Treasury would exercise those warrants and that the issuers would repay principal on the notes near the anticipated maturity dates in 2026 and 2031, respectively. Accordingly, CBO estimates the receipts from those transactions, which reduce direct spending, would total $740 million over the 2021-2030 period and that direct spending would increase, on net, by $14.26 billion over the same period.

Uncertainty

Direct spending under section 4401 could be higher or lower than CBO's estimate because the estimates of receipts rely on projections that are uncertain, including interest, default, and recovery rates. In addition, the timing of receipts is uncertain because it depends on future administrative actions and firm behavior. For example, if recipients of assistance repay the notes earlier than assumed in this estimate, receipts over the 2021-2030 period could be larger.

Spending for the housing programs could be faster or slower than CBO's estimate because CBO cannot precisely predict the pace of program implementation. Many grantees would need to significantly expand their housing assistance programs in order spend the appropriated funds; if grantees hire staff and process applications more slowly than CBO expects, the spending in each year could be different but total spending over the 2021-2030 period is unlikely to change.

Pay-As-You-Go Considerations

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1.

Increases On-Budget Deficits in any Year after 2030: No. The legislation would decrease on-budget deficits in 2031 and in future years as the principal on notes related to airline payroll support is repaid and recoveries on defaults are collected.

Mandates

CBO has not reviewed Subtitle A of the bill for intergovernmental or private-sector mandates. Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any legislative provisions that are necessary for the national security. CBO has determined that the provisions of the Defense Production Act of 1950, as amended by Subtitle A, would fall under that exclusion.

The remaining provisions of the legislation would not impose intergovernmental or private-sector mandates as defined in UMRA.

Estimate Prepared By

Federal Costs:

Elizabeth Cove Delisle (housing assistance provisions)

Caroline Dorminey (defense provisions)

David Hughes (commerce and housing credit)

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Table 1.
Estimated Budgetary Effects of Reconciliation Recommendations
As Reported by the House Committee on Financial Services

	By Fiscal Year, Millions of Dollars												
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
					Increases in Direct Spending								
Subtitle A. Defense Production Act of 1950													
Sec. 4101 COVID-19 Emergency Medical Supplies Enhancement													
Budget Authority	10,000	0	0	0	0	0	0	0	0	0	0	10,000	10,000
Estimated Outlays	2,600	3,700	2,600	1,000	0	0	0	0	0	0	0	9,900	9,900
Subtitle B. Housing Provisions													
Sec. 4201 Emergency Rental Assistance													
Budget Authority	19,050	0	0	0	0	0	0	0	0	0	0	19,050	19,050
Estimated Outlays	9,525	4,763	4,762	0	0	0	0	0	0	0	0	19,050	19,050
Sec. 4202 Emergency Housing Vouchers													
Budget Authority	5,000	0	0	0	0	0	0	0	0	0	0	5,000	5,000
Estimated Outlays	250	1,000	1,500	1,250	1,000	0	0	0	0	0	0	5,000	5,000
Sec. 4203 Emergency Assistance for Rural Housing													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	35	65	0	0	0	0	0	0	0	0	0	100	100
Sec. 4204 Housing Assistance and Supportive Services Programs for Native Americans													
Budget Authority	750	0	0	0	0	0	0	0	0	0	0	750	750
Estimated Outlays	75	225	225	150	45	0	0	0	0	0	0	720	720
Sec. 4205 Housing Counseling													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	100	0	0	0	0	0	0	0	0	0	0	100	100
Sec. 4206 Homeless Assistance and Supportive Services Program													
Budget Authority	5,000	0	0	0	0	0	0	0	0	0	0	5,000	5,000
Estimated Outlays	0	500	1,500	1,500	1,000	250	0	0	0	0	0	4,750	4,750
Sec. 4207 Homeowner Assistance Fund													
Budget Authority	9,961	0	0	0	0	0	0	0	0	0	0	9,961	9,961
Estimated Outlays	9,925	15	15	5	1	0	0	0	0	0	0	9,961	9,961
Sec. 4208 RHS Loan Modifications													
Budget Authority	39	0	0	0	0	0	0	0	0	0	0	39	39
Estimated Outlays	29	10	0	0	0	0	0	0	0	0	0	39	39
Subtitle C. Small Business													
Sec. 4301 Reauthorization of the State Small Business Credit Initiative Act of 2010													
Budget Authority	10,000	0	0	0	0	0	0	0	0	0	0	10,000	10,000
Estimated Outlays	825	1,750	1,800	1,950	1,425	875	275	100	0	0	0	9,000	9,000
Subtitle D. Airlines													
Sec. 4401 Air Transportation Payroll Support Program Extension													
Estimated Budget Authority	14,980	-30	-30	-30	-30	-210	-90	-90	-100	-110	-2,290	14,260	11,970
Estimated Outlays	14,825	122	-30	-30	-30	-210	-90	-90	-100	-110	-2,290	14,260	11,970
Total Increase in Direct Spending													
Estimated Budget Authority	74,980	-30	-30	-30	-30	-210	-90	-90	-100	-110	-2,290	74,260	71,970
Estimated Outlays	38,189	12,150	12,372	5,825	3,441	915	185	10	-100	-110	-2,290	72,880	70,590

Components do not sum to totals because of rounding; RHS = Rural Housing Service.

MAXINE WATERS, CA
CHAIRWOMAN

United States House of Representatives

Committee on Financial Services

PATRICK MCHENRY, NC
RANKING MEMBER

2129 Rayburn House Office Building
Washington, D.C. 20515

February 16, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to section 2001 of S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, I hereby transmit these recommendations which have been approved by vote of the Committee on Financial Services, and the appropriate accompanying material including additional, supplemental or dissenting views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in S. Con. Res. 5, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,

Maxine Waters

Maxine Waters
Chairwoman

Cc Honorable Patrick McHenry, Ranking Member

SUMMARY OF MAJOR POLICY DECISIONS IN COMMITTEE'S RECOMMENDATIONS IN THE COMMITTEE PRINT (PROVIDING FOR RECONCILIATION PURSUANT TO S. CON. RES. 5, THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2021)

As of February 12, 2021, the coronavirus disease 2019 (COVID-19) pandemic has caused more than 107 million infections and over 2.3 million deaths worldwide, with more than 27 million infections and 468,000 deaths in the United States alone.[1] The daily mortality rates for COVID-19 since mid-November 2020 make it the leading cause of death in the United States.[2] The COVID-19 pandemic has disproportionally affected low-income communities and people of color. For example, in substantially non-white counties that have a high rate of poverty, residents have a nine times greater chance of death from COVID-19 than in mostly white, similar-income counties.[3] COVID-19 has also taken a substantial economic toll. The national unemployment rate peaked at 14.7% in April 2020 when 20.5 million people in the United States lost their jobs.[4] The latest U.S. jobs report indicated manufacturers, retailers and transportation companies all showed job losses in January, 2021, indicating continued weakness in the employment markets.[5] Real gross domestic product (GDP) for the third quarter of 2020 is 3.4% below the level of real GDP for the fourth quarter of 2019, the most recent quarter before the onset of the pandemic.[6]

The Committee's recommendations in the Committee Print address four key areas of need that have emerged out of the COVID-19 Pandemic:

- Boosting production of key medical supplies and equipment through use of the Defense Production Act.
- Assistance to struggling Americans to address renters, homeowners, and the homeless in both urban and rural areas, including providing housing counseling and other critical services that will increase their resiliency during the Pandemic.
- Reauthorization of the State Small Business Credit Initiative.
- Support for struggling workers in the air transportation system.

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[1] *WHO Coronavirus Disease (COVID-19) Dashboard*, World Health Organization (Last Accessed Feb. 12, 2021).
[2] Daily mortality rates for heart disease and cancer, which for decades have been the two leading causes of death, are approximately 1,700 and 1,600 deaths per day, respectively. Woolf, et al, *COVID-19 as the Leading Cause of Death in the United States*, Journal of American Medical Association (Dec. 17, 2020).
[3] Adhikari et al., *Assessment of Community-Level Disparities in Coronavirus Disease 2019 (COVID-19) Infections and Deaths in Large US Metropolitan Areas* (July 28, 2020).
[4] *Unemployment rate jumps to 14.7 percent, the worst since the Great Depression*, Washington Post (May 8, 2020).
[5] *Anemic Jobs Report Reaffirms Pandemic's Grip on the Economy*, New York Times, (February 5, 2021).
[6] *Gross Domestic Product (Third Estimate), Corporate Profits (Revised), and GDP by Industry, Third Quarter 2020: Technical Note*, U.S. Bureau of Economic Analysis (Dec. 22, 2020).

The Committee's recommendations are critical to ensuring that the United States successfully navigates the Pandemic. Providing $10 billion to carry out the Defense Production Act of 1950 will enable the Department of Health and Human Services and other agencies designated by the President to boost the production of critically needed vaccines, personal protection equipment and testing, and ensure that funds are available to address the emerging threats of coronavirus variants. Providing $40 billion in housing and homeless assistance will stabilize families impacted by the pandemic so they can remain safely in their homes and reduce community spread of the coronavirus, which studies have shown can be exacerbated by evictions. Providing $10 billion through a reauthorized State Small Business Credit Initiative (SSBCI) program, administered by the U.S. Department of the Treasury, will support up to $100 billion in small business financing through state, territorial, and tribal government programs. These small business support programs include capital access programs, loan guarantee programs, collateral support programs, loan participation programs, and venture capital programs. Providing $15 billion for a third iteration of the Payroll Support Program (PSP3) will ensure roughly 680,000 air carrier workers, as well as additional workers of eligible air carrier contractors, will continue to receive a paycheck through at least September 30, 2021.

SECTION-BY-SECTION ANALYSIS

Subtitle A – Defense Production Act.

Section 4101. COVID-19 Emergency Medical Supplies Enhancement.

Subsection (a) provides that in addition to funds otherwise available, $10,000,000,000 is appropriated in fiscal year 2021 to remain available until September 30, 2025, to carry out titles I, III, and VII of the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.) in accordance with subsection (b).

Subsection (b) sets out the purposes for which the funds appropriated by subsection (a) may be used. Paragraph (1) provides that the funds may be used for the purchase, production or distribution of medical equipment and supplies related to combating the COVID-19Pandemic, including funding for all types of COVID-19 tests, personal protection equipment, including N95 masks, and vaccines and drugs for preventing or treating COVID-19 or its symptoms. Paragraph (1) also provides for using such funds for acquisition of material, equipment and technology needed for such purposes. Paragraph (2) provides that after September 30, 2022, funds appropriated by subsection (a) may be used to combat future pathogens that the President determines have the potential for creating a public health emergency.

Subsection (c) provides that the authority to expend the funds in subsection (a) for the uses described in subsection (b) shall be delegated to the Secretary of Health and Human Services unless the President determines that it is important to the U.S. response to delegate such authority to another agency.

Subsection (d) clarifies that the amounts appropriated by subsection (a) that are in the Defense Production Act Fund shall not be subject to the carry over limitations of section 304(e) of the Defense Production Act of 1950 (50 U.S. C. U.S.C. 4534(e)) until September 30, 2025.

Subtitle B—Housing Provisions

Sec. 4201. Emergency Rental Assistance.

Subsection (a) provides that in addition to amounts otherwise made available, $19,050,000,000 is appropriated to the Secretary of Department of Treasury (Treasury) for fiscal year 2021 to remain available until September 30, 2027 to make payments to eligible grantees under this section. $305,000,000 is reserved for U.S. territories. $30,000,000 is reserved for Treasury to administer emergency rental assistance programs and provide technical assistance to recipients of any grants provided by Treasury to provide financial or other assistance to renters. $3,000,0000 is reserved for the Inspector General of the Treasury for administrative expenses relating to oversight of program funds.

Subsection (b) provides that program funds shall be allocated to eligible grantees in the same manner as funds were allocated in section 501 of Subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260) (Section 501), except that funds are not required to be allocated and paid within 30 days and that small states shall receive a minimum allocation of $152,000,000 instead of $200,000,000.

Subsection (c) provides that the Treasury Secretary shall pay all eligible grantees not less than 50 percent of their total allocation within 60 days of enactment of the Act. The Secretary shall make subsequent payments to eligible grantees, but only after a grantee has obligated not less than 75 percent of the funds the grantee has already received.

Subsection (d) provides that funds may only be used for (1) the provision of financial assistance, including rent, rental arrears, utilities and home energy costs, utilities and home energy costs arrears, and other housing expenses; (2) the provision housing stability services; (3) program administration; and (4) other affordable rental housing and eviction prevention activities that serve very low-income families. Eligible renters can receive up to 18 months of financial assistance. Under this subsection, grantees may only spend any unobligated funds on other affordable rental housing and eviction prevention activities after September 30, 2022 and only if the grantee has obligated not less than 75 percent of its total allocation on other activities permitted under section 4201. Grantees may spend up to 15 percent of their funds on program administration and up to 10 percent of their funds on supportive services. When providing assistance to eligible renter households, this subsection also provides that grantees must prioritize renter households with incomes that do not exceed 50 percent of AMI as well as renter households who are currently unemployed and have been unemployed for 90 days.

Subsection (e) provides that after September 30, 2022, the Secretary shall reallocate and pay funds to eligible grantees that have obligated 50 percent of the total amount of funds allocated to such grantees. Under this subsection, reallocated funds may be used for any eligible use under paragraph (1) of subsection (d).

Subsection (g) provides that assistance provided to an eligible household shall not be regarded as income and shall not be regarded as a resource when determining the household's eligibility for other benefits or assistance provided by any Federal program or any State or local program financed in whole or in part with Federal funds.

Subsection (f) provides that subchapter I of chapter 35 of title 44, United States Code, shall not apply to the collection of information for reporting or research requirements specified in this section if necessary to expedite the efficient use of funds under this section.

Subsection (h) provides that each eligible grantee to submit to Treasury information to monitor and evaluate activities carried out by eligible grantees.

Subsection (i) defines certain terms under Section 4201.

Subsection (j) provides that funds are available to eligible grantees through September 30, 2025.

Subjection (k) provides an extension of availability for program funds under Public Law 116-260 until September 30, 2022.

Sec. 4202. Emergency Housing Vouchers.

Subsection (a) provides that in addition to amounts otherwise made available, $5,000,000,000 is appropriated to the Secretary of the Department of Housing and Urban Development (HUD) for fiscal year 2021 to remain available until September 30, 2030 for (1) incremental emergency vouchers; (2) renewals of the incremental emergency vouchers; (3) fees for the costs for administering vouchers and other eligible expenses to prevent prepare, and respond to coronavirus to facilitate the leasing of the emergency vouchers; and (4) adjustments in the calendar year 2021 section 8 renewal funding allocation, including mainstream vouchers, for public housing agencies that experience a significant increase in voucher per-unit costs due to extraordinary circumstances or that, despite taking reasonable cost savings measures, would otherwise be required to terminate rental assistance for families as a result of insufficient funding.

Subsection (b) provides that the HUD Secretary shall provide emergency Housing Choice Vouchers. Under this subsection, to qualify to receive a voucher, an individual or household must be either (1) homeless; (2) at risk of homelessness; (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; or (4) recently homeless, as determined by the Secretary, and for whom providing rental assistance will prevent the family's homelessness or having high risk of housing instability. Under this subsection, public housing agencies (PHAs) shall be notified of the number of emergency vouchers allocated to the agency no later than 60 days after the date of the enactment of this Act, in accordance with a formula that includes PHA capacity and ensures geographic diversity, including with respect to rural areas, among PHAs administering the Housing Choice Voucher program. This subsection also provides that the Secretary shall establish a procedure for PHAs to accept or decline their allocation of emergency vouchers. If a PHA fails to lease its allocation of vouchers within a reasonable time, the Secretary may revoke and redistribute any unleased vouchers and associated funds, including administrative fees and costs, to other PHAs according to formula. Under this subsection, any provision of any statute or regulation used to administer amounts made available under this section (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), shall be waived upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available in this section. After September 30, 2023, a PHA may not reissue to a new household any emergency voucher returned to the PHA.

Subsection (c) provides that the Secretary may use no more than $20,000,000 of the amounts made available under subsection (a) to administer and oversee implementation of this section. Of this amount, the Secretary may use no more than $10,000,000 for technical assistance for PHAs.

Subsection (d) provides that this section may be implemented by notice.

Sec. 4203. Emergency Assistance for Rural Housing.

This section provides that in addition to amounts otherwise made available, $100,000,000 is appropriated for fiscal year 2021 to remain available until September 30, 2022 to provide rental assistance under USDA's 521 program or agreements entered into in lieu of debt forgiveness or payments for eligible households for temporary adjustment of income losses for residents of housing financed or assisted under section 514, 515, or 516 of the Housing Act of 1949 who have experienced income loss but are not currently receiving Federal rental assistance.

Sec. 4204. Housing Assistance and Supportive Services Programs for Native Americans

This section provides that in addition to amounts otherwise made available, $750,000,000 is appropriated for fiscal year 2021 to remain available until September 30, 2025 to prevent, prepare for, and respond to coronavirus, for activities and assistance authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA), under title VIII of NAHASDA, and under section 106(a)(1) of the Housing and Community Development Act of 1974 with respect to Indian tribes.

Paragraph (1) provides that of the funds made available, $450,000,000 shall be for the Native American Housing Block Grant program to be distributed according to the same funding formula used in fiscal year 2021 and that $5,000,000 shall be used for the Native Hawaiian Block Grant program. Funds shall be used by recipients to prevent, prepare for, and respond to the coronavirus, including to maintain normal operations and fund eligible affordable housing activities under NAHASDA. This paragraph also provides that amounts shall be used to provide rental assistance to eligible Native Hawaiian families both on and off the Hawaiian Home Lands. Funds shall be used to reimburse allowable costs to prevent, prepare for, and respond to the coronavirus that were incurred as of January 21, 2020. This paragraph also provides that any provision of any statute or regulation used to administer amounts made available under this section (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), shall be waived upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available in this section. This paragraph also provides that amounts made available that are voluntarily returned or are recaptured shall be used to fund grants under paragraph (2).

Paragraph (2) provides that $280,000,000 shall be available for the Indian Community Development Block Grant program. Funds shall be used, without competition, for emergencies that constitute imminent threats to health and safety and are designed to prevent, prepare for, and respond to coronavirus. This paragraph also provides that grantees may not use more than 20 percent of funds received on planning and management development and administration. Funds shall be used to reimburse allowable costs to prevent, prepare for, and respond to the coronavirus that were incurred as of January 21, 2020. For funds provided under this paragraph, there is no limitation on providing public service activities to prevent, prepare for, and respond to the coronavirus. This paragraph also provides that any provision of any statute or regulation used to administer amounts made available under this section (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), shall be waived upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available in this section.

Paragraph (3) provides that $10,000,000 shall be used to provide technical assistance for Indian tribes, Indian housing authorities, and tribally designated housing entities.

Paragraph (4) provides that $5,000,000 shall be used for costs to oversee and administer the implementation of Section 4204 and pay for other associated costs.

Sec. 4205 Housing Counseling

Subsection (a) provides that in addition to amounts otherwise made available, $100,000,000 is appropriated for fiscal year 2021 to remain available until September 30, 2025 for the Neighborhood Reinvestment Coalition (NeighborWorks) to make grants to housing counseling intermediaries approved by the Department of Housing and Urban Development, State housing finance agencies, and NeighborWorks organizations for providing housing counseling services, as authorized under the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101-8107) and consistent with the discretion set forth in section 606(a)(5) of such Act (42 U.S.C. 8105(a)(5)) to design and administer grant programs. This subsection also provides that, of the grant funds appropriated, not less than 40 percent shall be provided to counseling organizations meeting the requirements in paragraphs (1) and (2).

Paragraph (1) provides that, of the not less than 40 percent of funds appropriated by this subsection, funds shall be provided to counseling organizations that target housing counseling services to minority and low-income populations facing housing instability.

Paragraph (2) provides that, of the funds appropriated by this subsection, not less than 40 percent of funds appropriated, funds shall also provided for housing counseling services in neighborhoods having high concentrations of minority and low-income populations.

Subsection (b) provides that not more than 15 percent of the total grant funds appropriated under this section shall be provided to NeighborWorks organizations.

Subsection (c) provides that NeighborWorks may retain a portion of the appropriated amounts under this section , in a proportion consistent with its standard rate for program administration in order to cover its expenses related to program administration and oversight.

Subsection (d) defines the term "housing counseling services" in this section to mean (1) housing counseling provided directly to households facing housing instability, such as eviction, default, foreclosure, loss of income, or homelessness; (2) education, outreach, training, technology upgrades, and other program related support; and (3) operational oversight funding for grantees and subgrantees that receive funds under this section.

Sec. 4206 Homeless Assistance and Supportive Services Program

Subsection (a) provides that in addition to amounts otherwise made available, $5,000,000,000 is appropriated for fiscal year 2021 to remain available until September 30, 2025, except that amounts authorized under subsection (d)(3) shall remain available until September 30, 2029 for assistance under title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12721 et seq.) for the following activities that primarily benefit qualifying individuals or families: (1) tenant-based rental assistance; (2) the development and support of affordable housing; (3) supportive services, including eligible supportive services activities under the Continuum of Care program, housing counseling, and homeless prevention services; and (4) the acquisition and development of non-congregate shelter units, all or a portion of which may be converted to permanent affordable housing, be used as emergency shelter, be converted to permanent supportive housing, or remain as non-congregate shelter units.

Subsection (b) provides that to qualify for assistance, an individual or household must be either (1) homeless; (2) at risk of homelessness; (3) fleeing, or attempting to flee, domestic violence, dating violence, sexual assault, stalking, or human trafficking; (4) in other populations where providing supportive services or assistance would prevent the family's homelessness or would serve those with the greatest risk of housing instability; or (5) veterans and families that include a veteran family member that meet one of the preceding criteria.

Subsection (c) lifts certain funding restrictions to facilitate the use of funds under this section. This subsection provides that a grantee may use up to 15 percent of its allocation for administrative and planning costs. A grantee, when contracting with services providers engaged directly in the provision of services under paragraph (a)(3) shall, to the extent practicable, enter into contracts in amounts that cover the actual total program costs and administrative overhead to provide the services contracted.

Subsection (d) provides that funds for the program will be distributed through the HOME Investment Partnerships program formula within 30 days of enactment of the Act. This subsection provides that up to $25,000,000 may be used to provide technical assistance to grantees. Up to $50,000,000 may be used for administration and oversight of the program. Any provision of any statute or regulation used to administer amounts made available under this section (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), shall be waived upon a finding that any such waivers or alternative requirements are necessary to expedite or facilitate the use of amounts made available in this section.

Sec. 4207. Homeowner Assistance Fund

Subsection (a) provides that in addition to amounts otherwise made available, $9,961,000,000 is appropriated for fiscal year 2021 to remain available until September 30, 2025 for qualified expenses that meet the purposes specified under subsection (c) and expenses described in paragraph (1) of subsection (d).

Subsection (b) defines certain terms for section 4207.

Subsection (c) establishes a Homeowner Assistance Fund within the Department of the Treasury and enumerates the qualified expenses that such funds may be used for.

Paragraph (1) provides that the Homeowner Assistance Fund established under this subsection is intended to mitigate financial hardships associated with the coronavirus pandemic by providing such funds as are appropriated by subsection (a) to eligible entities, as defined under subsection (b). This paragraph also provides that an eligible entity that receives funds pursuant to this section is required to periodically submit to the Secretary a report that describes the activities carried out by the eligible entity using the funds provided under this section for qualified expenses related to mortgages and housing, which are defined and enumerated under this paragraph.

Paragraph (2) provides that not less than 60 percent of amounts made to each eligible entity allocated amounts under subsection (d) or (f) shall be used for qualified expenses that assist homeowners having incomes equal to or less than 100 percent of the area median income for their household size or equal to or less than 100 percent of the median income for the United States, as determined by the Secretary of Housing and Urban Development, whichever is greater. This paragraph also provides that the eligible entity shall prioritize remaining funds to populations or geographies experiencing the greatest need.

Subsection (d) provides for the allocation of appropriated funds.

Paragraph (1) provides that, of the amounts appropriated under this section, the Secretary shall reserve not more than $40,000,000 to the Department of the Treasury to administer and oversee the Fund, and to provide technical assistance to eligible entities for the creation and implementation of State and tribal programs to administer assistance from the Fund, and

$2,600,000 to the Inspector General of the Department of the Treasury for oversight of the program under this section.

Paragraph (2) provides that, after the application of paragraphs (1), (4), and (5), of this subsection and subject to paragraph (3) of this subsection, the Secretary shall establish a formula to allocate remaining funds within the Homeowner Assistance Fund to each State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico. The formula shall take into consideration, for such State relative to all States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico, as of the date of the enactment of this Act, the average number of unemployed individuals measured over a period of time not fewer than 3 months and not more than 12 months, and the total number or mortgagors with mortgage payments that are more than 30 days past due, or mortgages in foreclosure.

Paragraph (3) provides that each state of the United States, the District of Columbia, and the Commonwealth of Puerto Rico shall receive no less than $40,000,000 for the purposes established in (c). This paragraph also provides that the Secretary shall adjust on a pro rata basis amount of the payments for each State of the United States, the District of Columbia, and the Commonwealth of Puerto Rico determined under this subsection without regard to this subparagraph to the extent necessary to comply with the requirements of the minimum state allocation requirement of this paragraph.

Paragraph (4) provides that the Secretary shall reserve $30,000,000 to be disbursed to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands based on each such territory's share of the combined total population of all such territories, as determined by the Secretary and based on the most recent year for which data are available from the United States Census Bureau.

Paragraph (5) provides that the Secretary shall allocate funds to any eligible entity designated under subsection (f) pursuant to the requirements of that subsection.

Subsection (e) provides for the manner in which funds are distributed to eligible entities.

Paragraph (1) provides that the Secretary shall make payments, beginning not later than 45 days after enactment of this Act, from amounts allocated under subsection (d) to eligible entities that have notified the Secretary that they request to receive payment from the Fund and that the eligible entity will use such payments in compliance with this section.

Paragraph (2) provides that if a State does not request allocated funds by the 90th day after the date of enactment of this Act, such State shall not be eligible for a payment from the Secretary, and the Secretary shall reallocate any funds that were not requested by such State among the States that have requested funds by the 90th day after the date of enactment of this Act. This paragraph also provides that reallocation of such funds shall adhere to subsection (d), except paragraph (1), and that such reallocation shall also consider a State's remaining need and record of using payments from the Fund to serve homeowners at disproportionate risk of mortgage default, foreclosure, or displacement, including to minority homeowners and homeowners with eligible incomes under the 60 percent of income-targeted funds set aside under subsection (c), paragraph (2).

Subsection (f) provides for set-asides for Native Americans.

Paragraph (1) provides that of the amounts appropriated under subsection (a), the Secretary shall use 5 percent to make payments to entities that are eligible for payments under clauses (i) and (ii) of section 501(b)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260) for the purposes described in subsection (c).

Paragraph (2) provides that the Secretary shall allocate such funds set aside under paragraph (1) using the allocation formulas described in clauses (i) and (ii) of section 501(b)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260), and shall make payments of such amounts beginning no later than 45 days after enactment of this Act to entities eligible for payment under clauses (i) and (ii) of section 501(b)(2)(A) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260) that notify the Secretary that they request to receive payments allocated from the Fund by the Secretary for purposes described under subsection (c) and will use such payments in compliance with this section.

Paragraph (3) provides that allocations provided under this subsection may be further adjusted as provided by section 501(b)(2)(B) of subtitle A of title V of division N of the Consolidated Appropriations Act, 2021 (Public Law 116-260).

Sec. 4208. Relief Measures for Section 502 and 504 Direct Loan Borrowers.

Subsection (a) provides that in addition to amounts otherwise made available, $39,000,000 is appropriated for fiscal year 2021 to remain available until September 30, 2023 for direct loans made under sections 502 and 504 of the Housing Act of 1949 (42 U.S.C. 1472, 1474).

Subsection (b) provides that the Secretary of the Department of Agriculture may use not more than 3 percent of the amounts appropriated under this section for administrative purposes.

Subtitle C—Small Business (SSBCI)

Sec. 4301. Reauthorization of the State Small Business Credit Initiative Act of 2010.

Subsection (a) makes a number of changes to the State Small Business Credit Initiative Act of 2010 (SSBCI Act). Paragraph (1) would amend section 3003 of the SSBCI Act to stipulate that within 30 days of the enactment of this Act, the Secretary of the Treasury (Secretary) shall allocate funds to participating States, territories, and D.C. based on an updated 2021 allocation formula. Funds are generally allocated to States based on declines in the number of individuals employed in a given State between December 2019 and December 2020. The underlying SSBCI Act stipulates each of those jurisdictions will receive a minimum allocation of 0.9% of funds.

Paragraph (1) also establishes a separate allocation of $500 million for Tribal governments in the proportion the Secretary determines appropriate, with consideration to available employment and economic data for such Tribal governments. The Secretary may require Tribal governments who wish to participate, either individually or jointly, to file a notice of intent with Treasury within 30 days of enactment of the Act, and the Secretary may subsequently allocate funds to participating Tribal governments within 60 days of enactment of the Act.

Section 3003 of the SSBCI Act directs the Secretary to divide a participant's allocation into thirds. The Secretary transfers the first tranche of funds when they approve a State for participation. The Secretary transfers the second and third tranches of funds after a State certifies they have expended or obligated at least 80 percent of the previous tranche of funds. Paragraph (1) clarifies that 80 percent of funds must have been utilized to not just establish a State program, but must also have subsequently delivered loans or investments to eligible businesses. Paragraph (1) also stipulates if a State does not utilize one-third of its allocation after three years, or two-thirds of its allocation after six years, the Secretary may reallocate some or all of that State's remaining allocation to other states without regard to minimum or set-aside allocation requirements. Moreover, paragraph (1) updates the SSBCI Act to make the program's authorities contingent on the enactment date of this Act, not the original SSBCI Act.

Paragraph (2) of subsection (a) appropriates $10 billion to the Department of Treasury (Treasury) for fiscal year 2021 and to remain available until expended to support small business financing through state, territorial, and tribal government programs. These funds are to be used to provide support to small businesses impacted by the economic effects of the COVID-19 pandemic. These funds are also to be used to ensure businesses enterprises owned and controlled by socially and economically disadvantaged individuals, such as minority-owned businesses, have access to credit, investments, and technical assistance on how to apply for such funds. These funds may be used to pay reasonable administrative costs. Paragraph (2) also provides that these funds must be expended by September 30, 2030, and funds that remain unexpended, regardless if they have been obligated or not, shall be deposited in Treasury's general fund.

Subsection (b) establishes a $2.5 billion set aside to allocate funds to states that support business enterprises owned and controlled by socially and economically disadvantaged individuals, including minority-owned businesses. Specifically, there is $1.5 billion set aside that will be allocated by the Secretary to states and other eligible jurisdictions to support underserved businesses based on their needs. To incentivize states to provide more support for the underserved, there is an additional $1 billion for the Secretary to provide additional funds added to their second and third tranches to states and other jurisdictions that demonstrate robust support for minority-owned and other disadvantaged businesses.

Subsection (c) requires the Secretary to ensure that not less than $500 million of the funds allocated to states are expended to support very small businesses, defined as a business with fewer than 10 employees, and may include independent contractors and sole proprietors.

Subsection (d) requires states that apply to provide Treasury a plan describing how they will encourage participation of minority depository institutions (MDIs) and community development financial institutions (CDFIs) in their program.

Subsection (e) requires states that apply to provide Treasury a plan to describing how they will expeditiously utilize funds to help small businesses respond to and recover from the COVID-19 pandemic.

Small businesses, especially those owned by socially and economically disadvantaged individuals, that are already struggling as a result of the pandemic, may lack resources to pay for legal, accounting or other technical advice to navigate the application process for various assistance programs. Therefore, subsection (f) establishes a $500 million technical assistance program administered by the Secretary to ensure very small and underserved businesses have access to advice in applying for small business support programs. The Secretary will use the remaining funds to contract with firms and enter into agreements, including with the Minority Business Development Agency (MBDA), to provide technical assistance to very small and underserved businesses.

Subsection (g) allows the Secretary to establish a multi-state participation program as it allocates funds to states and approves various state programs. The Secretary may identify state programs that are similar enough where a state may automatically deem a lender eligible to participate if they are approved to participate in another similar state program.

As the Secretary allocates funds and approves various states, territories, and Tribal governments to participate in SSBCI, subsection (h) allows multiple states and other jurisdictions to jointly apply for funds they are collectively eligible for and, if approved, jointly run a multi-state small business program.

Subsection (i) prohibits a State from using SSBCI funds for programs that would result in predatory lending, as determined by the Secretary.

The SSBCI Act defines a "State" to include D.C. and the U.S. territories. Subsection (j) amends Section 3002 of the SSBCI Act to include a Tribal government, or a group of Tribal governments that jointly apply for an allocation, in that definition of a "State".

Subsection (k) amends the SSBCI Act to add several definitions, specifically "business enterprise owned and controlled by socially and economically," "community development financial institution," "minority depository institution," "socially and economically disadvantaged individual," and "tribal government."

Subsection (l) clarifies that the amendments made to the SSBCI Act by this section applies with respect to the $10 billion in funds newly appropriated under this section.

Subtitle D—Airlines

Sec. 4401. Air Transportation Payroll Support Program Extension.

Subsection (a) stipulates that definitions in 49 USC 40102(a) apply to the terms used in this section to extend the Payroll Support Program (PSP), though additional or alternative definitions are set forth in this subsection for "catering functions," "contractor," "employee," "eligible air carrier," "eligible contractor," and "Secretary." Specifically with respect to the definitions for "eligible air carrier" and "eligible contractor", those definitions effectively prohibit air carriers and contractors from furloughing or reducing pay rates or benefits for their workers until September 30, 2021, or on the date on which the assistance they receive is exhausted, whichever is later. Those businesses face similar restrictions in this third iteration of the PSP (PSP3) on executive compensation, based on 2019 pay, and capital distributions, such as dividend payments, as there were in earlier iterations of the program.

In subsection (b), paragraph (1) provides $14 billion to eligible air carriers, and $1 billion to eligible contractors, that is exclusively for the continuation of payment of employee wages, salaries, and benefits.

Paragraph (2) requires the Secretary of the Treasury (Secretary) to apportion funds to eligible air carriers and eligible contractors no later than April 15, 2021. Air carriers will receive an amount that is in a similar ratio to what the entity received from PSP2 authorized by the Consolidated Appropriations Act, 2021 (P.L. 116-260) compared to $15 billion. Contractors will receive a similar amount they received in PSP2.

Paragraph (3) of subsection (b) requires Treasury to provide financial assistance the in the same form and on the same terms and conditions as was provided to the recipient during PSP2. The Secretary must publish application procedures within 5 days of enactment of this Act, and Treasury must make initial payments to recipients within 10 days of enactment of this Act.

Paragraph (4) carries over taxpayer protection provisions from PSP2, authorizing Treasury to receive financial notes and warrants from the companies receiving PSP3 assistance.

Paragraph (5) provides $10 million to Treasury for administrative expenses.

Subsection (c) appropriates $15 billion to Treasury for fiscal year 2021 to carry out this section.

HEARINGS

In addition to hearings held during the 116th Congress, the Committee held the following hearings related to the Committee Print:

> On February 4, 2021, the Full Committee held a hearing entitled, "More than a Shot in the Arm: The Need for Additional COVID-19 Stimulus." The panel of witnesses consisted of the following: Clarence Anthony, CEO and Executive Director, National League of Cities; Derrick Johnson, President and CEO, National Association for the Advancement of Colored People (NAACP); Janet Murguía, President and CEO, Unidos US; Dr. William Spriggs, Chief Economist, The American Federation of Labor and Congress

of Industrial Organizations (AFL-CIO); and Dr. Michael Strain, Economist, American Enterprise Institute.

On Thursday, February 4, 2021, the Subcommittee on National Security, International Development, and Monetary Policy held a hearing entitled, "Supporting Small and Minority-Owned Businesses Through the Pandemic." The panel of witnesses consisted of the following:: Nneka Brown-Massey, Founder and Creative Director, Innovative Supplies Worldwide, Inc., on behalf of Main Street Alliance; Gary Cunningham, President and CEO, Prosperity Now; Cliff Kellogg, Executive Director, C-PACE Alliance; Everett Sands, CEO, Lendistry; and Holly Wade, Executive Director of Research and Policy Analysis, National Federation of Independent Business (NFIB).

STATEMENT OF CONSTITUTIONAL AUTHORITY

Congress has the power to enact the provisions contained in the Committee Print pursuant to the following:

- Article I, Section 8, cl. 1, To pay debts and provide for the common Defense and General Welfare of the United States.
- Article I, Section 8 cl. 3, To regulate Commerce with Foreign Nations, Among the Several States, and with the Indian Tribes.
- Article I, Section 8, cl. 18, To make all laws which shall be necessary and proper for carrying into Execution the powers enumerated under section 8 and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

COMMITTEE CONSIDERATION

The Committee on Financial Services met in open session on, and ordered the recommendations of the Committee to be transmitted to the Committee on Budget by a vote of 29 yeas and 24 nays, a quorum being present.

COMMITTEE VOTES AND ROLL CALL VOTES

In compliance with the request of the Committee on Budget and in compliance with clause 3(b) of Rule XIII of the Rules of the House of Representatives, the Committee advises that the following roll call votes occurred during the Committee's consideration of the Committee Print:

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with the request of the Committee on Budget and pursuant to clause 3(c)(1) of Rule XIII and clause 2(b)(1) of Rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF PERFORMANCE GOALS AND OBJECTIVES

In compliance with the request of the Committee on Budget and pursuant to clause 3(c) of Rule XIII of the Rules of the House of Representatives, the goals of the Committee's recommendations are to ensure that:

- U.S. domestic production of key medical supplies and equipment is enhanced to provide more stable sources, including testing, personal protection equipment and tests.
- Families impacted by the pandemic can remain safely in their homes.
- Small businesses, including business enterprises owned and controlled by socially and economically disadvantaged individuals, impacted by the pandemic have access to credit, investments, and technical assistance to recover from the economic effects of the coronavirus pandemic.
- Air carrier workers and related contractor workers and their families can continue to receive wages and benefits until at least September 30, 2021, while the coronavirus pandemic persists.

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

In compliance with the request of the Committee on Budget and pursuant to clause 3(c)(2) of Rule XIII of the Rules of the House of Representatives and section 308(a) of the *Congressional Budget Act of 1974*, and pursuant to clause 3(c)(3) of Rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*,, the Committee has received the following estimate for Committee's recommendations from the Director of the Congressional Budget Office:

Advisory committee

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by the recommendations in the Committee Print.

Earmark Statement

In compliance with the request of the Committee on Budget and pursuant to clause 9 of Rule XXI of the Rules of the House of Representatives, the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of Rule XXI of the Rules of the U.S. House of Representatives.

Duplication of Federal Programs

In compliance with the request of the Committee on Budget, and pursuant to clause 3(c)(5) of Rule XIII of the Rules of the House of Representatives, the Committee states that no provision of the Committee Print establishes or reauthorizes a program of the Federal Government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

The program in section 4101 increases the amount available to carry out the Defense Production Act.

The programs in sections 4201, 4202, 4203, 4204 and 4205 provides an additional $25,000,000,000 in emergency assistance to renters to supplement the $25,000,000,000 provided in Public Law 116-260 to address the cumulative amount of back rent, utilities, and other fees owed by renters across the United States, which is now estimated to be $57,000,000,000 by Moody's Analytics.

The homeless assistance provided in section 4206 is similar to but distinct from the homeless assistance funded in the CARES Act through the Emergency Solutions Grants program, as the program in section 4206 utilizes the HOME Investment Partnerships program to allocate and disburse funds to increase the capacity of local communities to serve people experiencing homelessness. The program in section 4206 also provides additional eligible activities communities can utilize to keep people experiencing homelessness safely housed during the coronavirus pandemic.

The funds provided for housing counseling in section 4205 meet the enormous needs of households that are struggling to make their housing payments, interface with landlords or mortgage servicers, and to generally navigate the housing system, evictions, and relief options during the Coronavirus pandemic. These funds are complementary to Department of Housing and Urban Development's Housing Counseling program, which was established following the success of NeighborWorks' National Foreclosure Mitigation Counseling Program, and are intended to increase housing counseling capacity and activities specific to the Coronavirus pandemic.

The funds provided to renew the State Small Business Credit Initiative through section 4301 is similar to but distinct from other Federal support provided to small businesses through the CARES Act and subsequent laws. Specifically, the Paycheck Protection Program (PPP) is administered by the Small Business Administration (SBA) in coordination with the Department of the Treasury to provide forgivable loans to small businesses to help cover immediate expenses. Additionally, the Federal Reserve administered, with the support of the Treasury Department, the Main Street Lending Program that provided loans of $100,000 or more to eligible businesses. The MSLP, however, has been subsequently terminated and is no longer available to small businesses. Alternatively, the SSBCI provides funds to states, territories, and Tribal governments to support a variety of small business lending and investment programs. This includes capital access programs, collateral support programs, loan participation programs, loan guarantee programs, and venture capital programs. Unlike the PPP, these programs are administered at the state level and provide a wider variety of lending and long-term investment options to help existing small businesses recover from the economic effects of the COVID-19 pandemic and grow in its aftermath, while also providing capital and loans for entrepreneurs who wish to start a new small businesses.

CHANGES TO EXISTING LAW

With respect to clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee requested a document to show changes in existing law made by the Committee Print but advises that compliance prior to submission to the Committee on the Budget was not possible.

Present	Representatives	Ayes	Nays
		24	28
	Ms. Waters, ***Chairwoman***		X
	Mrs. Maloney		X
	Ms. Velázquez		X
	Mr. Sherman		
	Mr. Meeks		X
	Mr. Scott		X
	Mr. Green		X
	Mr. Cleaver		X
	Mr. Perlmutter		X
	Mr. Himes		X
	Mr. Foster		X
	Mrs. Beatty		X
	Mr. Vargas		X
	Mr. Gottheimer		X
	Mr. Gonzalez (TX)		X
	Mr. Lawson		X
	Mr. San Nicolas		X
	Ms. Axne		X
	Mr. Casten		X
	Ms. Pressley		X
	Mr. Torres		X
	Mr. Lynch		X
	Ms. Adams		X
	Ms. Tlaib		X
	Ms. Dean		
	Ms. Ocasio-Cortez		X
	Mr. Garcia (IL)		X
	Ms. Garcia (TX)		X
	Ms. Williams		X
	Mr. Auchincloss		X
30			
	Mr. McHenry, ***Ranking Member***	X	
	Mrs. Wagner	X	
	Mr. Lucas	X	
	Mr. Posey	X	
	Mr. Luetkemeyer	X	
	Mr. Huizenga	X	
	Mr. Stivers	X	
	Mr. Barr	X	
	Mr. Williams	X	
	Mr. Hill	X	
	Mr. Emmer	X	
	Mr. Zeldin	X	
	Mr.Loundermilk	X	
	Mr. Mooney	X	
	Mr.Davidson	X	
	Mr. Budd	X	
	Mr. Kustoff	X	
	Mr.Hollingsworth	X	
	Mr.Gonzalez (OH)	X	
	Mr. Rose	X	
	Mr. Steil	X	
	Mr.Gooden	X	
	Mr. Timmons	X	
	Mr. Taylor	X	
24			
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Committee on Financial Services

Full Committee - 117th Congress (1st Session)

	Yes/Aye	No/Nay	Prsnt	Wdrn
Date:	2/10/2021			
Measure:				
Amendment No.	1			
Offered by:___	EN BLOC	#1		
Agreed To	0	0		
Voice Vote				
Record Vote	24	28		

Amendments included in En Bloc #1

Mr. McHenry #1
Mrs. Wagner #1
Mr. Loudermilk #1
Mr. Luetkemeyer #1
Mr. Stivers #1
Mr. Barr #1
Mr. Hill #1
Mr. Zeldin #1
Mr. Zeldin #2
Mr. Gooden #1
Mr. Rose #1
Mr. Timmons #1
Mr. Timmons #2
Mr. Barr #2

Present	Representatives	Ayes	Nays
		24	27
	Ms. Waters, *Chairwoman*		x
	Mrs. Maloney		x
	Ms. Velázquez		x
	Mr. Sherman		x
	Mr. Meeks		x
	Mr. Scott		x
	Mr. Green		x
	Mr. Cleaver		x
	Mr. Perlmutter		x
	Mr. Himes		x
	Mr. Foster		x
	Mrs. Beatty		x
	Mr. Vargas		x
	Mr. Gottheimer		x
	Mr. Gonzalez (TX)		
	Mr. Lawson		
	Mr. San Nicolas		x
	Ms. Axne		x
	Mr. Casten		x
	Ms. Pressley		x
	Mr. Torres		x
	Mr. Lynch		x
	Ms. Adams		x
	Ms. Tlaib		x
	Ms. Dean		x
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		x
	Ms. Garcia (TX)		x
	Ms. Williams		x
	Mr. Auchincloss		x
30			
	Mr. McHenry, *Ranking Member*	x	
	Mrs. Wagner	x	
	Mr. Lucas	x	
	Mr. Posey	x	
	Mr. Luetkemeyer	x	
	Mr. Huizenga	x	
	Mr. Stivers	x	
	Mr. Barr	x	
	Mr. Williams	x	
	Mr. Hill	x	
	Mr. Emmer	x	
	Mr. Zeldin	x	
	Mr.Loundermilk	x	
	Mr. Mooney	x	
	Mr.Davidson	x	
	Mr. Budd	x	
	Mr. Kustoff	x	
	Mr.Hollingsworth	x	
	Mr.Gonzalez (OH)	x	
	Mr. Rose	x	
	Mr. Steil	x	
	Mr.Gooden	x	
	Mr. Timmons	x	
	Mr. Taylor	x	
24			
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Committee on Financial Services

Full Committee - 117th Congress (1st Session)

Date:	2/11/2021			
Measure:				
Amendment No.___				
Offered by:___	EN BLOC #2			
	Yes/Aye	No/Nay	Prsnt	Wdrn
Agreed To	24	27		
Voice Vote				
Record Vote				

Amendments included in En Bloc #2

Stivers #2
Luetkemeyer #2
Wagner #2
Stivers #3 on behalf of Huizenga
Williams #1 on behalf of Budd
Mooney #1
Loudermilk #2
Loudermilk #3
Posey #1
Williams #2
Williams #3
Wagner #3
Rose #2
Rose #3

Present	Representatives	Ayes	Nays
		29	24
	Ms. Waters, *Chairwoman*	x	
	Mrs. Maloney	x	
	Ms. Velázquez	x	
	Mr. Sherman	x	
	Mr. Meeks	x	
	Mr. Scott	x	
	Mr. Green	x	
	Mr. Cleaver	x	
	Mr. Perlmutter	x	
	Mr. Himes	x	
	Mr. Foster	x	
	Mrs. Beatty	x	
	Mr. Vargas	x	
	Mr. Gottheimer	x	
	Mr. Gonzalez (TX)	x	
	Mr. Lawson	x	
	Mr. San Nicolas	x	
	Ms. Axne	x	
	Mr. Casten	x	
	Ms. Pressley	x	
	Mr. Torres	x	
	Mr. Lynch	x	
	Ms. Adams	x	
	Ms. Tlaib	x	
	Ms. Dean	x	
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)	x	
	Ms. Garcia (TX)	x	
	Ms. Williams	x	
	Mr. Auchincloss	x	
30			
	Mr. McHenry, *Ranking Member*		x
	Mrs. Wagner		x
	Mr. Lucas		x
	Mr. Posey		x
	Mr. Luetkemeyer		x
	Mr. Huizenga		x
	Mr. Stivers		x
	Mr. Barr		x
	Mr. Williams		x
	Mr. Hill		x
	Mr. Emmer		x
	Mr. Zeldin		x
	Mr.Loundermilk		x
	Mr. Mooney		x
	Mr.Davidson		x
	Mr. Budd		x
	Mr. Kustoff		x
	Mr.Hollingsworth		x
	Mr.Gonzalez (OH)		x
	Mr. Rose		x
	Mr. Steil		x
	Mr.Gooden		x
	Mr. Timmons		x
	Mr. Taylor		x
24			
54			

Committee on Financial Services

Full Committee - 117th Congress (1st Session)

Date:

Measure:

Amendment No.____________________

Offered by:____ Motion to Transmit Committee Print

	Yes/Aye	No/Nay	Prsnt	Wdrn
Agreed To	29	24		
Voice Vote				
Record Vote				

Present	Representatives	Ayes	Nays
		24	28
	Ms. Waters, ***Chairwoman***		x
	Mrs. Maloney		x
	Ms. Velázquez		x
	Mr. Sherman		x
	Mr. Meeks		x
	Mr. Scott		x
	Mr. Green		x
	Mr. Cleaver		x
	Mr. Perlmutter		x
	Mr. Himes		x
	Mr. Foster		x
	Mrs. Beatty		x
	Mr. Vargas		x
	Mr. Gottheimer		x
	Mr. Gonzalez (TX)		x
	Mr. Lawson		
	Mr. San Nicolas		x
	Ms. Axne		x
	Mr. Casten		x
	Ms. Pressley		x
	Mr. Torres		x
	Mr. Lynch		x
	Ms. Adams		x
	Ms. Tlaib		x
	Ms. Dean		x
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		x
	Ms. Garcia (TX)		x
	Ms. Williams		x
	Mr. Auchincloss		x
30			
	Mr. McHenry, ***Ranking Member***	x	
	Mrs. Wagner	x	
	Mr. Lucas	x	
	Mr. Posey	x	
	Mr. Luetkemeyer	x	
	Mr. Huizenga	x	
	Mr. Stivers	x	
	Mr. Barr	x	
	Mr. Williams	x	
	Mr. Hill	x	
	Mr. Emmer	x	
	Mr. Zeldin	x	
	Mr.Loundermilk	x	
	Mr. Mooney	x	
	Mr.Davidson	x	
	Mr. Budd	x	
	Mr. Kustoff	x	
	Mr.Hollingsworth	x	
	Mr.Gonzalez (OH)	x	
	Mr. Rose	x	
	Mr. Steil	x	
	Mr.Gooden	x	
	Mr. Timmons	x	
	Mr. Taylor	x	
24			
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Committee on Financial Services

Full Committee - 117th Congress (1st Session)

Date:

Measure:

Amendment No.________________________

Offered by:____Mr. Steil #2

	Yes/Aye	No/Nay	Prsnt	Wdrn
Agreed To	24	28		
Voice Vote				
Record Vote				

Present	Representatives	Ayes	Nays
		25	27
	Ms. Waters, *Chairwoman*		x
	Mrs. Maloney		x
	Ms. Velázquez		x
	Mr. Sherman		x
	Mr. Meeks		x
	Mr. Scott		x
	Mr. Green		x
	Mr. Cleaver		x
	Mr. Perlmutter		x
	Mr. Himes		x
	Mr. Foster		x
	Mrs. Beatty		x
	Mr. Vargas		x
	Mr. Gottheimer	x	
	Mr. Gonzalez (TX)		x
	Mr. Lawson		
	Mr. San Nicolas		x
	Ms. Axne		x
	Mr. Casten		x
	Ms. Pressley		x
	Mr. Torres		x
	Mr. Lynch		x
	Ms. Adams		x
	Ms. Tlaib		x
	Ms. Dean		x
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		x
	Ms. Garcia (TX)		x
	Ms. Williams		x
	Mr. Auchincloss		x
30			
	Mr. McHenry, *Ranking Member*	x	
	Mrs. Wagner	x	
	Mr. Lucas	x	
	Mr. Posey	x	
	Mr. Luetkemeyer	x	
	Mr. Huizenga	x	
	Mr. Stivers	x	
	Mr. Barr	x	
	Mr. Williams	x	
	Mr. Hill	x	
	Mr. Emmer	x	
	Mr. Zeldin	x	
	Mr.Loundermilk	x	
	Mr. Mooney	x	
	Mr.Davidson	x	
	Mr. Budd	x	
	Mr. Kustoff	x	
	Mr.Hollingsworth	x	
	Mr.Gonzalez (OH)	x	
	Mr. Rose	x	
	Mr. Steil	x	
	Mr.Gooden	x	
	Mr. Timmons	x	
	Mr. Taylor	x	
24			
54			

Committee on Financial Services

Full Committee - 117th Congress (1st Session)

Date:

Measure:

Amendment No.________________________

Offered by:___ Timmons #3

	Yes/Aye	No/Nay	Prsnt	Wdrn
Agreed To	25	27		
Voice Vote				
Record Vote				

Present	Representatives	Ayes	Nays
		24	29
	Ms. Waters, ***Chairwoman***		x
	Mrs. Maloney		x
	Ms. Velázquez		x
	Mr. Sherman		x
	Mr. Meeks		x
	Mr. Scott		x
	Mr. Green		x
	Mr. Cleaver		x
	Mr. Perlmutter		x
	Mr. Himes		x
	Mr. Foster		x
	Mrs. Beatty		x
	Mr. Vargas		x
	Mr. Gottheimer		x
	Mr. Gonzalez (TX)		x
	Mr. Lawson		x
	Mr. San Nicolas		x
	Ms. Axne		x
	Mr. Casten		x
	Ms. Pressley		x
	Mr. Torres		x
	Mr. Lynch		x
	Ms. Adams		x
	Ms. Tlaib		x
	Ms. Dean		x
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		x
	Ms. Garcia (TX)		x
	Ms. Williams		x
	Mr. Auchincloss		x
30			
	Mr. McHenry, ***Ranking Member***	x	
	Mrs. Wagner	x	
	Mr. Lucas	x	
	Mr. Posey	x	
	Mr. Luetkemeyer	x	
	Mr. Huizenga	x	
	Mr. Stivers	x	
	Mr. Barr	x	
	Mr. Williams	x	
	Mr. Hill	x	
	Mr. Emmer	x	
	Mr. Zeldin	x	
	Mr.Loundermilk	x	
	Mr. Mooney	x	
	Mr.Davidson	x	
	Mr. Budd	x	
	Mr. Kustoff	x	
	Mr.Hollingsworth	x	
	Mr.Gonzalez (OH)	x	
	Mr. Rose	x	
	Mr. Steil	x	
	Mr.Gooden	x	
	Mr. Timmons	x	
	Mr. Taylor	x	
24			
54			

Committee on Financial Services

Full Committee - 117th Congress (1st Session)

Date:

Measure:

Amendment No.________________________

Offered by:____ Hill #3

	Yes/Aye	No/Nay	Prsnt	Wdrn
Agreed To	24	29		
Voice Vote				
Record Vote				

Present	Representatives	Ayes	Nays
		24	28
	Ms. Waters, ***Chairwoman***		x
	Mrs. Maloney		x
	Ms. Velázquez		x
	Mr. Sherman		x
	Mr. Meeks		x
	Mr. Scott		x
	Mr. Green		x
	Mr. Cleaver		x
	Mr. Perlmutter		x
	Mr. Himes		x
	Mr. Foster		x
	Mrs. Beatty		x
	Mr. Vargas		x
	Mr. Gottheimer		x
	Mr. Gonzalez (TX)		x
	Mr. Lawson		
	Mr. San Nicolas		x
	Ms. Axne		x
	Mr. Casten		x
	Ms. Pressley		x
	Mr. Torres		x
	Mr. Lynch		x
	Ms. Adams		x
	Ms. Tlaib		x
	Ms. Dean		x
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		x
	Ms. Garcia (TX)		x
	Ms. Williams		x
	Mr. Auchincloss		x
30			
	Mr. McHenry, ***Ranking Member***	x	
	Mrs. Wagner	x	
	Mr. Lucas	x	
	Mr. Posey	x	
	Mr. Luetkemeyer	x	
	Mr. Huizenga	x	
	Mr. Stivers	x	
	Mr. Barr	x	
	Mr. Williams	x	
	Mr. Hill	x	
	Mr. Emmer	x	
	Mr. Zeldin	x	
	Mr.Loundermilk	x	
	Mr. Mooney	x	
	Mr.Davidson	x	
	Mr. Budd	x	
	Mr. Kustoff	x	
	Mr.Hollingsworth	x	
	Mr.Gonzalez (OH)	x	
	Mr. Rose	x	
	Mr. Steil	x	
	Mr.Gooden	x	
	Mr. Timmons	x	
	Mr. Taylor	x	
24			
54			

Committee on Financial Services

Full Committee - 117th Congress (1st Session)

Date:				
Measure:				
Amendment No.	2			
Offered by:___	Mr. Hill #2			
	Yes/Aye	No/Nay	Prsnt	Wdrn
Agreed To	24	28		
Voice Vote				
Record Vote				

Committee on Financial Services

Full Committee - 117th Congress (1st Session)

Date:	2/11/2021			
Measure:				
Amendment No.	1			
Offered by:___	Steil #1			
	Yes/Aye	No/Nay	Prsnt	Wdrn
Agreed To	24	28		
Voice Vote				
Record Vote				

Present	Representatives	Ayes	Nays
		24	28
	Ms. Waters, *Chairwoman*		x
	Mrs. Maloney		x
	Ms. Velázquez		x
	Mr. Sherman		x
	Mr. Meeks		x
	Mr. Scott		x
	Mr. Green		x
	Mr. Cleaver		x
	Mr. Perlmutter		x
	Mr. Himes		x
	Mr. Foster		x
	Mrs. Beatty		x
	Mr. Vargas		x
	Mr. Gottheimer		x
	Mr. Gonzalez (TX)		x
	Mr. Lawson		
	Mr. San Nicolas		x
	Ms. Axne		x
	Mr. Casten		x
	Ms. Pressley		x
	Mr. Torres		x
	Mr. Lynch		x
	Ms. Adams		x
	Ms. Tlaib		x
	Ms. Dean		x
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		x
	Ms. Garcia (TX)		x
	Ms. Williams		x
	Mr. Auchincloss		x
30			
	Mr. McHenry, *Ranking Member*	x	
	Mrs. Wagner	x	
	Mr. Lucas	x	
	Mr. Posey	x	
	Mr. Luetkemeyer	x	
	Mr. Huizenga	x	
	Mr. Stivers	x	
	Mr. Barr	x	
	Mr. Williams	x	
	Mr. Hill	x	
	Mr. Emmer	x	
	Mr. Zeldin	x	
	Mr.Loundermilk	x	
	Mr. Mooney	x	
	Mr.Davidson	x	
	Mr. Budd	x	
	Mr. Kustoff	x	
	Mr.Hollingsworth	x	
	Mr.Gonzalez (OH)	x	
	Mr. Rose	x	
	Mr. Steil	x	
	Mr.Gooden	x	
	Mr. Timmons	x	
	Mr. Taylor	x	
24			
54			

Present	Representatives	Ayes	Nays
		26	26
	Ms. Waters, *Chairwoman*		X
	Mrs. Maloney		X
	Ms. Velázquez		X
	Mr. Sherman		X
	Mr. Meeks		X
	Mr. Scott		X
	Mr. Green		X
	Mr. Cleaver		X
	Mr. Perlmutter		X
	Mr. Himes		X
	Mr. Foster		X
	Mrs. Beatty		X
	Mr. Vargas		X
	Mr. Gottheimer	X	
	Mr. Gonzalez (TX)		X
	Mr. Lawson		
	Mr. San Nicolas		X
	Ms. Axne		X
	Mr. Casten		X
	Ms. Pressley		X
	Mr. Torres	X	
	Mr. Lynch		X
	Ms. Adams		X
	Ms. Tlaib		X
	Ms. Dean		X
	Ms. Ocasio-Cortez		
	Mr. Garcia (IL)		X
	Ms. Garcia (TX)		X
	Ms. Williams		X
	Mr. Auchincloss		X
30			
	Mr. McHenry, *Ranking Member*	X	
	Mrs. Wagner	X	
	Mr. Lucas	X	
	Mr. Posey	X	
	Mr. Luetkemeyer	X	
	Mr. Huizenga	X	
	Mr. Stivers	X	
	Mr. Barr	X	
	Mr. Williams	X	
	Mr. Hill	X	
	Mr. Emmer	X	
	Mr. Zeldin	X	
	Mr.Loundermilk	X	
	Mr. Mooney	X	
	Mr.Davidson	X	
	Mr. Budd	X	
	Mr. Kustoff	X	
	Mr.Hollingsworth	X	
	Mr.Gonzalez (OH)	X	
	Mr. Rose	X	
	Mr. Steil	X	
	Mr.Gooden	X	
	Mr. Timmons	X	
	Mr. Taylor	X	
24			
54			

Committee on Financial Services

Full Committee - 117th Congress (1st Session)

Date:				
Measure:				
Amendment No.	2			
Offered by:___	McHenry #2			
	Yes/Aye	No/Nay	Prsnt	Wdrn
Agreed To	26	26		
Voice Vote				
Record Vote				

Transmittal of the Committee on Oversight and Reform to the Budget Committee
Pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021

Contents

Congressional Budget Office
Cost Estimate

February 15, 2021

Reconciliation Recommendations of the House Committee on Oversight and Reform

As ordered reported on February 12, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2030	2021-2031
Direct Spending (Outlays)	350,051	350,357	350,357
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	350,051	350,357	350,357

		Mandate Effects	
Statutory pay-as-you-go procedures apply?	Yes	Contains intergovernmental mandate?	No
Increases on-budget deficits in any year after 2030?	No	Contains private-sector mandate?	No

CBO has not reviewed the legislation for effects on spending subject to appropriation.

S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, instructed several committees of the House of Representatives to recommend legislative changes that would increase deficits up to a specified amount over the 2021-2030 period. As part of this reconciliation process, the House Committee on Oversight and Reform approved legislation on February 12, 2021, with a number of provisions that would increase deficits.

The legislation would appropriate $350 billion for state, tribes, and local governments to mitigate the fiscal effects stemming from COVID-19, the disease caused by the coronavirus. The legislation also would establish a fund to reimburse federal agencies for emergency leave taken by their employees and provide funds for oversight of the federal government's response to the pandemic.

The legislation would appropriate the following amounts to states, tribes, and local governments:

- $219.8 billion to the Coronavirus State Fiscal Recovery Fund for state and local governments to respond and mitigate the effects of COVID-19, and

- $130.2 billion to the Coronavirus Local Fiscal Recovery Fund for cities and counties to mitigate the fiscal effects of COVID-19.

See also *CBO's Cost Estimates Explained*, www.cbo.gov/publication/54437;
How CBO Prepares Cost Estimates, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42904.

In addition, the legislation would appropriate the following amounts for federal purposes:

- $570 million to the Emergency Federal Employee Leave Fund, which would be used to reimburse agencies for paid leave provided to federal employees who are unable to work because of contingencies related to COVID-19, including caring for children whose schools are closed and caring for some family members who cannot care for themselves;

- $77 million to the Government Accountability Office to prevent, prepare for, and oversee the federal response to COVID-19; and

- $40 million to the Pandemic Response Accountability Committee for oversight of COVID-19 spending.

The costs of the legislation, detailed in Table 1, predominantly falls within budget function 800 (general government); some costs would fall into all budget functions with spending for salaries. CBO estimates that enacting the legislation would increase direct spending by about $350 billion over the 2021-2030 period.

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The changes in outlays that are subject to those procedures are shown in Table 1. Enacting the legislation would not affect revenues.

The legislation would not increase on-budget deficits in any year after 2030.

The CBO staff contacts for this estimate are Matthew Pickford (general government), Dan Ready (emergency federal employee leave), and Stephen Rabent (Postal Service). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

Table 1.
Estimated Increases in Direct Spending Under Reconciliation Recommendation of the House Committee on Oversight and Reform

	By Fiscal Year, Millions of Dollars												
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
						Increases in Direct Spending							
Sec. 5001 - Coronavirus State and Local Fiscal Relief Funds													
Budget Authority	350,000	0	0	0	0	0	0	0	0	0	0	350,000	350,000
Estimated Outlays	349,800	200	0	0	0	0	0	0	0	0	0	350,000	350,000
Sec. 5111 - Emergency Federal Employee Leave Fund[a]													
Budget Authority	570	0	0	0	0	0	0	0	0	0	0	570	570
Estimated Outlays	230	10	0	0	0	0	0	0	0	0	0	240	240
Sec. 5112 - Funding for the Government Accountability Office													
Budget Authority	77	0	0	0	0	0	0	0	0	0	0	77	77
Estimated Outlays	15	16	16	15	15	0	0	0	0	0	0	77	77
Sec. 5113 - Pandemic Response Accountability Committee Funding Availability													
Budget Authority	40	0	0	0	0	0	0	0	0	0	0	40	40
Estimated Outlays	6	9	9	8	8	0	0	0	0	0	0	40	40
Total													
Budget Authority	350,687	0	0	0	0	0	0	0	0	0	0	350,687	350,687
Estimated Outlays	350,051	235	25	23	23	0	0	0	0	0	0	350,357	350,357

a. Employees of the Postal Service (USPS) would be eligible for leave through this fund. Receipts and outlays for the USPS are recorded as off-budget direct spending; CBO estimates that costs to the USPS and receipts from reimbursements would fully offset over the 2021-2030 period. Thus, off-budget direct spending would net to zero over the ten-year period.

Committee Print — Providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021

MINORITY VIEWS

Introduction and Overview of Need

It has been over a year since the COVID-19 pandemic reached America's shores. In response to the pandemic, Congress has enacted five, separate relief bills totaling roughly $4 trillion.[1] The Coronavirus Aid, Relief, and Economic Recovery Act of 2020 (CARES Act) alone provided $2.2 trillion in relief,[2] including $150 billion for state and local governments.[3]

The Department of the Treasury disbursed the $150 billion to state and local governments. To date, however, not all of those funds have been spent. In fact, roughly $1 trillion remains of the approximately $4 trillion Congress provided in its prior relief bills. Yet the legislation before us in this bill authorizes another *$1.9 trillion* in total funds, including an additional *$350 billion* in funds for states and localities.

As America works its way through what we all hope will be the final stages of this pandemic, it would be appropriate for Congress to consider a bill that provided targeted, temporary aid tied to remaining needs for COVID-19 relief. This bill, however, is not that bill. The state and local funding it authorizes exemplifies that fact. Notwithstanding the difficulties of the COVID-19 pandemic, it is clearly imprudent to authorize another $350 billion in funding for states and localities when $150 billion already authorized *has not yet been fully spent*.[4] Republicans' concerns about the need to avoid unnecessary spending are so strong that Ranking Member Comer, Budget Committee Ranking Member Jason Smith, and 25 other Members have introduced a resolution of inquiry to President Biden, asking that he inform the Congress of the level of unspent funds from all five COVID-19-related bills enacted in 2020.[5] Our Nation, after all, is already well over *$27 trillion* in debt.[6] We should not add one penny to that debt just to pile more money on top of other funds that have not even been spent.

Multiple states and localities have already recovered enough that they are running budget surpluses and do not need this bill's additional funds for COVID-19 relief. Colorado's Governor Jared Polis, for example, has stated that he plans to spend the money authorized by this bill, not

[1] *COVID Money Tracker*, COMM. FOR A RESPONSIBLE FED. BUDGET (last viewed Feb. 15, 2021), *available at* COVID Money Tracker.
[2] Pub. L. 116-136.
[3] *Id.* at sec. 5001.
[4] According to a report received from the Department of the Treasury's Inspector General, roughly *one-third* of these CARES Act funds had still not been spent as of December 31, 2020. Email from Richard K. Delmar, Acting Inspector Gen., U.S. Dept. of the Treasury, to Ashlee Vinyard, Dir. of Operations, Rep. James Comer, Ranking Member, Comm. on Oversight and Reform (Feb. 11, 2021) (copies available on request).
[5] *See* H. Res. 127.
[6] *Debt Position and Activity Report*, U.S. DEPARTMENT OF THE TREASURY (as of Jan. 31, 2020), *available at* pd_debtposactrpt_202101.pdf (treasurydirect.gov).

on COVID-19 relief, but on infrastructure and shovel-ready projects.[7] California's Governor Gavin Newsom has bragged on social media that his state is now running a $10.3 billion surplus.[8] Both states, however, qualify for this bill's relief funds under the bill's highly porous terms. The bill awards the District of Columbia $526 million more than local officials had anticipated.[9] Even the bill's authors recognize states and localities do not actually need all of the bill's funds—as revealed by their inclusion of authority for recipient states and localities to transfer funds outright to private, non-profit organizations.[10]

Unsurprisingly, there has been a chorus of reports and criticism that this bill is misguided and its enactment would be a mistake. For example, the Congressional Budget Office (CBO) recently released a report concluding that, even without any new stimulus spending, the Nation's Gross Domestic Product (GDP) would return to pre-pandemic levels by mid-2021.[11] Liberal economist and former Obama Administration chief economic advisor Lawrence Summers opines that "much of the policy discussion [surrounding the bill's proposed stimulus] has not fully reckoned with the magnitude of what is being debated," noting that it "is three times as large as the projected shortfall."[12] Former International Monetary Fund chief Olivier Blanchard warns this bill is "too much" and could "lead to strong inflation."[13] The bipartisan Committee for a Responsible Federal Budget reports forecasts that the economy will grow even faster than CBO projects. If they are true, this bill's $1.9 trillion in spending could be around eight to ten times the budget shortfall.[14] And analysts at the University of Pennsylvania's Wharton School estimate that the Majority's bill would cause the GDP to begin declining in 2022, in part due to the increased national debt.[15]

Unnecessarily injecting $1.9 trillion in new spending, especially when not needed for the economy to recover, could damage our economy by adding to the national debt without

[7] Squawk on the Street, *Colorado Gov. Polis on the importance of state and local relief*, CNBC (Feb. 8, 2021), *available at* Colorado Gov. Polis on the importance of state and local relief (cnbc.com).
[8] Gov. Gavin Newsom, *New: CA is now projected to have $10.3 billion more than we projected in our #CABudget*, Twitter (Feb. 3, 2021), *available at* Gavin Newsom on Twitter: "NEW: CA is now projected to have $10.3 billion more than we projected in our #CABudget. That's more support for our small businesses, vaccine administration, schools, and more. https://t.co/zuONZJX01A" / Twitter.
[9] Martin Austermuhle, *In Midst of Pandemic, D.C. Gets an Unexpected Surprise: A Big Budget Surplus*, DCIST (Feb. 5, 2021), *available at* In Midst Of The Pandemic, D.C. Gets Unexpected Budget Surplus | DCist.
[10] *See* Committee Print (Providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021), TITLE V—COMMITTEE ON OVERSIGHT AND REFORM, at pp. 7 and 20-21 (proposed new paragraphs 602(c)(2) and 603(c)(2) of title VI of the Social Security Act).
[11] CONG. BUDGET OFF., AN OVERVIEW OF THE ECONOMIC OUTLOOK: 2021 TO 2031 (Feb. 2021), *available at* An Overview of the Economic Outlook: 2021 to 2031 (cbo.gov).
[12] Lawrence Summers, *Opinion: The Biden Stimulus is Admirably Ambitious. But it Brings Some Big Risks, Too*. WASH. POST, Feb. 4, 2021, *available at* Opinion | Biden's covid stimulus plan is big and bold but has risks, too - The Washington Post.
[13] Olivier Blanchard (@ojblanchard1), Twitter, Feb. 6, 2021.
[14] *How Much Would the American Rescue Plan Overshoot the Output Gap?* COMM. FOR A RESPONSIBLE FED. BUDGET, Feb. 3, 2021, *available at* How Much Would the American Rescue Plan Overshoot the Output Gap? | Committee for a Responsible Federal Budget (crfb.org).
[15] Alex Arnon, et al., *Macroeconomic Effects of the $1.9 Trillion Biden COVID Relief Plan*, PENN WHARTON BUDGET MODEL, Feb. 3, 2021, *available at* Macroeconomic Effects of the $1.9 Trillion Biden COVID Relief Plan — Penn Wharton Budget Model (upenn.edu).

improving the economy, causing inflation, producing misallocations in the economy, and leading the Nation to an economic cliff or crash as the misguided stimulus fades.[16]

The bottom line is—as the *Wall Street Journal* has written—that the bill's backers are not listening to the experts.[17] Although economic forecasts continue to improve and too much stimulus will likely harm the economy, the Biden Administration and Congressional Democrats are unwilling to acknowledge these concerns or compromise with Republicans.[18] This legislation is not about providing targeted COVID-19 relief for struggling American families, workers, small businesses, and communities. It is about the Majority's penchant to shovel out billions of dollars to line the pockets of political allies and pay for partisan pet projects.

The Majority's Refusal to Cut Off the Bill's Potential for Waste, Fraud and Abuse

We are therefore deeply concerned about the potential this bill raises for the waste, fraud and abuse of taxpayer funds. As the Committee considered amendments to the bill, we worked hard to amend the bill in a host of ways, attempting to secure the Majority's cooperation in cutting off the possibilities for waste, fraud and abuse. Republican amendments offered included each of the following, among others:

- a requirement that the bill's funds be used only for pandemic-related expenses (offered by Ranking Member Comer);
- requirements that payments be conditioned on jurisdictions' adequate certification of need (offered by Rep. Franklin);
- a prohibition on payments to jurisdictions that have not yet fully obligated all of their CARES Act relief funds (offered by Rep. Mace);
- a prohibition on payments that duplicate funding authorized by prior relief legislation (offered by Rep. Mace);
- requirements for Inspector General oversight of the use of the bill's funds and for repayment of misused funds (offered by Rep. Clyde);
- a prohibition against use of the bill's funds, not for COVID-19 relief, but to infuse money into under-funded public-employee pension plans (offered by Rep. Grothman);
- requirements that this bill's funds and still-unspent CARES Act funds be shared equitably with small, rural localities (offered respectively by Rep. Foxx and Rep. Herrell);
- requirements that the bill's funds for rural localities flow directly to those jurisdictions without restrictions, rather than through state governments that unfairly divert those resources to urban areas (offered by Rep. Keller);

[16] *Id.*
[17] James Freeman, *Why Won't the President Listen to the Experts?* WALL ST. J., Feb. 1, 2021, *available at* Why Won't the President Listen to the Experts? - WSJ.
[18] *See id.*

- an extension of criminal penalties to those who intentionally misuse COVID-19 relief funds (offered by Rep. Gosar); and
- the elimination of an exception allowing the District of Columbia to receive the bill's funds without a certification of need (offered by Rep. Gosar).

Not only that, Republicans also offered numerous amendments to assure that federal, state and local policies that are damaging and counter-productive as America tries to emerge from the pandemic are rescinded before jurisdictions can receive the bill's funds. These amendments included the following, among others:

- a prohibition on funds for jurisdictions refusing to allow in-person, K-12 education for our Nation's children (offered by Rep. Foxx);
- a prohibition on payments to jurisdictions restricting worship and free expression of faith-based organizations (offered by Rep. Cloud);
- a prohibition on jurisdictions that defund law enforcement, threatening public safety (offered by Rep. Higgins);
- a prohibition on payments to jurisdictions under investigation for endangerment of public nursing home residents (offered by Rep. Franklin);
- a prohibition on payments to jurisdictions that have under-reported nursing home deaths (offered by Rep. Donalds);
- a prohibition on payments to states and localities that restrict small businesses' operations beyond levels recommended in Centers for Disease Control and Prevention guidance (offered by Rep. Donalds);
- a prohibition on the disbursement of funds until President Biden reinstates the presidential permit for the Keystone XL pipeline project, restoring high-paying jobs in multiple states and lowering all Americans' energy costs (offered by Rep. Grothman); and
- a prohibition on payments to jurisdictions with job-killing, revenue-crushing fracking bans (offered by Rep. Higgins).

Regrettably, the Majority shrugged off each of the minority's concerns and voted down each of the above amendments. As a result, what entered the Committee as a bill funding a partisan boondoggle is leaving the Committee, over the Minority's objections, as a partisan boondoggle.

Conclusion

The American taxpayers deserve better than this. They have been enduring a pandemic—with draconian lockdowns and school closures in blue and purple states. Parents and particularly mothers are left trying to figure out how to keep their businesses open and their children educated. Rather than cynically take advantage of their narrow majorities in Congress, Democrats should have reached across the aisle to Republicans. Had they done so, they could have engaged in real policy discussions to make sure new spending was targeted to those left most in need and vulnerable to the pandemic. Instead, Democrats refused to engage in a transparent and bipartisan process, leaving this bill's vast funds vulnerable to waste, fraud and abuse.

The Majority's reckless effort to push out this giant package will likely wreak havoc on the economy and fail to help those they claim they are trying to reach. We would have been happy to consider bipartisan, consensus legislation to provide targeted, temporary aid tied to COVID-19. This, however, is not that bill, and we cannot support it.

James Comer
James Comer
Ranking Member
Committee on Oversight and Reform

CONGRESSIONAL BUDGET OFFICE
U.S. Congress
Washington, DC 20515

Phillip L. Swagel, Director

February 15, 2021

Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Madam Chairwoman:

The Congressional Budget Office has prepared the enclosed cost estimate for the Reconciliation Recommendations of the Committee on Oversight and Reform pursuant to S. Con. Res. 5.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

Phillip L. Swagel

Enclosure

cc: Honorable James Comer
Ranking Member

Committee on Oversight and Reform

117th Congress

Ratio 25-20

ROLL CALL

Vote on: Mr. Keller Amendment (#1) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #:** 3

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: Ayes: 19 Nays: 23 Present:

Passed: ________ **Failed:** __X__

(REVISED 2-12-21)

CAROLYN B. MALONEY, NEW YORK
CHAIRWOMAN

ONE HUNDRED SEVENTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143

MAJORITY (202) 225–5051
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JAMES COMER, KENTUCKY
RANKING MINORITY MEMBER

February 16, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, D.C. 20515

Dear Chairman Yarmuth:

Pursuant to section 2001 of the Concurrent Resolution on the Budget, I hereby transmit these recommendations which have been approved by vote of the Committee on Oversight and Reform, and the appropriate accompanying material including additional, supplemental or dissenting views, to the House Committee on the Budget.

This submission is in order to comply with reconciliation directives included in S. Con. Res. 5, the fiscal year 2021 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,

Carolyn B. Maloney

Carolyn B. Maloney
Chairwoman

TRANSMITTAL OF THE COMMITTEE ON OVERSIGHT AND REFORM TO THE BUDGET COMMITTEE PURSUANT TO S. CON. RES. 5, THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2021

The Committee on Oversight and Reform, having been instructed to submit changes in laws within its jurisdiction to increase the deficit by not more than $350,690,000,000 for the period of fiscal years 2021 through 2030 in a Committee Print providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, has considered the same and reports favorably thereon with an amendment.

CONTENTS

TRANSMITTAL LETTER

[Insert Transmittal Letter]

COMMITTEE PRINT AS ORDERED REPORTED

[Insert Committee Print, as ordered transmitted]

SUMMARY OF MAJOR POLICY DECISIONS IN THE COMMITTEE PRINT

Subtitle A of the Committee Print for the Fiscal Year 2021 Reconciliation Act contains $350 billion in funding to state, local, Tribal, and territorial governments. The Coronavirus State Fiscal Recovery Fund would receive $219.8 billion. It would allocate $20 billion to Tribal governments and $4.5 billion to U.S. territories. It also would allocate $195.3 billion to the 50 states and the District of Columbia (D.C.), with $755 million allocated to make D.C. whole after it was treated as a territory by the CARES Act, $500 million allocated to each state and D.C., and the remaining funds allocated based on unemployment rates.

Subtitle A also would allocate $130.2 billion to the Coronavirus Local Fiscal Recovery Fund, equally divided between cities and counties. The $65.1 billion for counties would be distributed based on population. The $65.1 billion for cities would be allocated using the formula to allocate funds for the Community Development Block Grant (CDBG) program, modified to ensure all funds would be distributed. Cities with more than 50,000 people would receive funds directly from the Department of the Treasury.

Because states have the capability to disburse funds to smaller localities more quickly than the Department of the Treasury, allocations for cities with populations of fewer than 50,000 inhabitants would be transferred to the states to be disbursed by population within 30 days of receipt. States would have no discretion to change the allocation amount for each smaller locality and no authority to attach additional requirements to the allocation. The total allocation for each such locality, called a nonentitlement unit of local government, would be capped at 75% of the amount of its most recent annual expenditures as of January 27, 2020.

All funds allocated through both the Coronavirus State and Local Fiscal Recovery Funds could be used only to respond to or mitigate the coronavirus public health emergency or its negative economic impacts, cover costs incurred as a result of the emergency, or replace revenue lost, delayed, or decreased as a result of the emergency. States, Tribal governments, territories, counties, and cities with more than 50,000 inhabitants would be required to certify to the Department of the Treasury that the funds are necessary to effectively carry out pandemic response and mitigation activities consistent with the permitted uses of the funds.

Subtitle B of the Committee Print would establish an Emergency Federal Employee Leave Fund that would be administered by the Office of Personnel Management. The $570 million in the fund would be available to federal agencies to provide employees, including postal workers, with up to 600 hours of emergency paid sick leave in the period between enactment and September 30, 2021. Employees would be paid no more than $35 per hour of leave and $1,400 per week. Part-time employees would have a proportionally equivalent amount of time available for paid leave under this provision.

The eligible reasons for taking this leave would be that the employee is: under quarantine or isolation due to coronavirus; caring for a family member due to coronavirus; experiencing symptoms of coronavirus; caring for a son or daughter whose school or care center is closed or operating with virtual instruction due to coronavirus; experiencing other substantially similar conditions; caring for a disabled or elderly (age 55 or older) family member who is incapable of self-care and whose regular care is unavailable due to coronavirus; or obtaining immunization related to coronavirus or recovering from such immunization. Any paid leave taken by an employee under this provision would not count for the purposes of determining the annuity of the employee.

Subtitle B also would provide $77 million to the Government Accountability Office (GAO) to continue its statutory obligations to conduct broad oversight and monitoring of federal pandemic response efforts, including the tracking of all funds received, disbursed, or used to prepare for, respond to, and recover from the coronavirus pandemic and its effects.

Finally, Subtitle B would provide $40 million to the Pandemic Response Accountability Committee (PRAC) to continue its statutory obligations to conduct additional oversight of federal coronavirus relief funds, including enhanced fraud investigation and auditing capabilities to detect and prevent waste, fraud, abuse, and mismanagement of funds.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Subtitle A—Coronavirus State and Local Fiscal Recovery Funds

Since the onset of the coronavirus crisis more than a year ago, no direct federal assistance has been provided to state, territory, Tribal, and local governments since the CARES Act, which became law on March 27, 2020, and included a $150 billion Coronavirus Relief Fund (CRF) for these entities.[1] The CARES Act did not provide guaranteed, dedicated funding to local governments of fewer than 500,000 residents. As a result, of the 19,000 cities, towns, and villages in the U.S., only 36 municipalities received direct assistance, and most municipalities still have not received meaningful levels of federal aid.[2] Similarly, counties received very limited or no federal relief due to statutory population thresholds and state sub-allocation decisions.[3]

Unlike the federal government, nearly every state is required to balance its budget.[4] Revenues from personal income taxes have experienced some declines due to the pandemic,

[1] Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136.

[2] Letter from Clarence Anthony, CEO and Executive Director, National League of Cities, to Senate Majority Leader Mitch McConnell, Senate Minority Leader Charles E. Schumer, House Speaker Nancy Pelosi, House Minority Leader Kevin McCarthy (Jan. 15, 2021) (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/National%20League%20of%20Cities.pdf).

[3] Letter from Matthew D. Chase, CEO and Executive Director, National Association of Counties, to Senate Majority Leader Charles E. Schumer, Senate Minority Leader Mitch McConnell, House Speaker Nancy Pelosi, and House Minority Leader Kevin McCarthy (Jan. 28, 2021) (online at https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Counties%20Letter%20to%20Congress%20on%20Local%20Government%20Support.pdf).

[4] National Conference of State Legislatures, *State Balanced Budget Provisions* (Oct. 2010) (online at www.ncsl.org/documents/fiscal/StateBalancedBudgetProvisions2010.pdf).

while revenues from sales taxes have experienced substantial declines.[5] States that do not levy personal income taxes and that depend heavily on tourism have experienced the largest declines in overall revenues.[6] States have incurred significant additional costs in both pandemic-related expenses and increased demand for social safety net programs, including Medicaid and housing aid, leading to an urgent need for relief.[7]

Local governments have experienced significant revenue shortfalls due to decreased state transfers and slowdowns in consumer activity caused by the coronavirus pandemic, just as pandemic-related costs and demands for local government services have increased. Other factors, such as delayed visibility of property tax declines and forecasts that tourism-dependent economies are unlikely to recover in the next three to five years, complicate the future budgeting needs of local governments.[8]

America's Indigenous communities have been disproportionately harmed by the coronavirus pandemic. The number of confirmed coronavirus cases per capita among Indigenous people is 3.5 times that of white people, and Indigenous people are disproportionately at risk for severe health outcomes—in part due to longstanding health disparities and social inequities, including disproportionate levels of poverty and persistent discrimination in health care settings.[9] One study indicates that as many as one in every 475 Native Americans in the United States has died from the coronavirus since the start of the pandemic.[10]

The economies of most U.S. territories are heavily reliant on tourism and have been heavily impacted by the pandemic. For example, the U.S. Virgin Islands relies on the tourism industry for 30% of its GDP and employment of 25% of its workforce, and has projected revenue shortfalls of more than 25% for both 2020 and 2021.[11] Guam's unemployment rate was just over

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[5] Moody's Investors Service, *2021 outlook negative as coronavirus continues to hamper revenue* (Dec. 1, 2020) (online at www.moodys.com/research/Moodys-2021-outlook-for-US-states-remains-negative-as-pandemic--PBM_1255581).

[6] *Id.*

[7] J.P. Morgan, *US Fixed Income Markets Weekly* (Feb. 5, 2021) (online at https://markets.jpmorgan.com/research/email/-j8o4qai/xEFzkw1IjihXYqvP_Yk6rg/GPS-3639034-0).

[8] Moody's Investors Services, *Outlook for US Local Governments Remains Negative as Revenue Remains under Pressure in 2021* (Dec. 4, 2020) (online at www.moodys.com/research/Moodys-Outlook-for-US-local-governments-remains-negative-as-revenue--PBM_1255805).

[9] Centers for Disease Control and Prevention, *CDC Provides More Than $200 Million to Address COVID-19 Health Disparities in Indian Country* (Aug. 19, 2020) (online at www.cdc.gov/media/releases/2020/p0819-covid-19-impact-american-indian-alaska-native.html); Indian Health Services, *Disparities* (online at www.ihs.gov/newsroom/factsheets/disparities/).

[10] *Exclusive: Indigenous Americans Dying from COVID at Twice the Rate of White Americans*, The Guardian (Feb. 4, 2021) (online at www.theguardian.com/us-news/2021/feb/04/native-americans-coronavirus-covid-death-rate).

[11] Senate Committee on Energy and Natural Resources, Testimony of Congresswoman Stacey Plaskett, *Full Committee Hearing to Examine the Impacts of COVID-19 to U.S. Territories* (June 30, 2020) (online at www.energy.senate.gov/services/files/4AA4BAAD-70A5-4779-BBBC-4558786D87B9).

4% in 2019 but over 50% by June 2020.[12] The pandemic has also exacerbated preexisting challenges unique to territories, including high poverty rates and difficulties accessing relief from safety net programs. For example, American Samoa spent much of 2018 in a state of emergency due to Cyclone Gita, followed by a widespread measles outbreak in 2019.[13] Puerto Rico, already stricken with the highest poverty rate in the U.S. and still reeling from the catastrophic effects of Hurricanes Irma and Maria in 2018,[14] sustained earthquakes in January 2020 that left thousands living on the streets and closed schools across the island.[15] A severe drought the following August left parts of the island without consistent access to running water, preventing residents from following coronavirus mitigation guidance to wash hands frequently.[16]

The Center on Budget and Policy Priorities now predicts a total shortfall of $300 billion for state, local government, Tribal, and territorial budgets through 2022.[17] This figure does not include the increased costs for personal protective equipment, testing, contact tracing, and other public safety efforts associated with the pandemic. It also does not include the added costs of providing services during the pandemic.

Subtitle B—Other Matters

The Families First Coronavirus Response Act created two new and temporary leave benefits for eligible employees: (1) up to 12 workweeks of emergency leave under the Family and Medical Leave Act (FMLA) to care for the employee's minor child whose school or place of care is closed or whose care provider is unavailable due to COVID, and (2) up to two workweeks of paid sick leave for certain COVID-related needs.[18]

The first two weeks of emergency family and medical leave was unpaid (although employees could substitute their own paid leave for that period), while the remaining ten weeks provided pay up to certain daily and aggregate limits. The two weeks of emergency sick leave also provided pay up to certain daily and aggregate limits. Although federal employees were generally eligible for the two workweeks of paid sick leave, most federal employees were not eligible for the 12 workweeks of emergency FMLA leave.

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[12] Senate Committee on Energy and Natural Resources, Testimony of Congressman Michael F.Q. San Nicolas, *Full Committee Hearing to Examine the Impacts of COVID-19 to U.S. Territories* (June 30, 2020) (online at www.energy.senate.gov/services/files/78422CE2-7529-4CB5-9D24-21502479F03A).

[13] Senate Committee on Energy and Natural Resources, Testimony of Congresswoman Aumua Amata Radewagen of American Samoa, *Full Committee Hearing to Examine the Impacts of COVID-19 to U.S. Territories* (June 30, 2020) (online at www.energy.senate.gov/services/files/DFC83446-417A-4CB7-807D-E6353ACEBF80).

[14] *Hurricane Maria: 4 Ways the Storm Changed Puerto Rico—And the Rest of America,* Vox (Sept. 20, 2018) (online at www.vox.com/2018/9/20/17871330/hurricane-maria-puerto-rico-damage-death-toll-trump).

[15] *Pandemic Plunges Puerto Rico Into Yet Another Dire Emergency*, New York Times (Aug. 7, 2020) (online at www.nytimes.com/2020/07/08/us/coronavirus-puerto-rico-economy-unemployment.html).

[16] *Id.*

[17] Center on Budget and Policy Priorities, *States, Localities, Tribal Nations, Territories Need More Federal Aid* (Jan. 22, 2021) (online at www.cbpp.org/research/state-budget-and-tax/states-localities-tribal-nations-territories-need-more-federal-aid).

[18] Pub. L. No. 116-127 (2020).

Both the emergency sick leave and family and medical leave provisions expired on December 31, 2020. The American Rescue Plan includes emergency paid leave for both federal and private sector employees.[19]

GAO has been provided funding in previous coronavirus relief bills to conduct oversight of the spending in those Acts. By January 2021, GAO had initiated 117 audits and issued 44 reports related to the pandemic. GAO estimates that it will need to initiate up to 200 engagements related to the coronavirus over the next five years to meet its oversight requirements.

The PRAC was established by the CARES Act to conduct oversight and promote transparency of coronavirus relief funds and associated response efforts undertaken by the federal government.[20] Set up as a component of the Council of Inspectors General on Integrity and Efficiency (CIGIE), the PRAC is composed of 21 Inspectors General drawing on established expertise to fulfill its mission of preventing and detecting waste, fraud, abuse, and mismanagement.[21]

The PRAC was provided $80 million to conduct oversight of the approximately $2.7 trillion in funding provided by the CARES Act and other legislation to address the pandemic.

SECTION-BY-SECTION ANALYSIS

TITLE V—COMMITTEE ON OVERSIGHT AND REFORM

SUBTITLE A—CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Sec. 5001. Coronavirus State and Local Fiscal Recovery Funds

Title VI of the Social Security Act (42 U.S.C. §801 et seq.) would be amended to create Coronavirus State and Local Fiscal Recovery Funds by adding the following sections:

Sec. 602. Coronavirus State Fiscal Recovery Fund

(a) Appropriation

$219.8 billion would be appropriated to the Coronavirus State Fiscal Recovery Fund, to remain available until expended.

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[19] The White House, *President Biden Announces American Rescue Plan* (Jan. 20, 2021) (online at www.whitehouse.gov/briefing-room/legislation/2021/01/20/president-biden-announces-american-rescue-plan/).

[20] Pub. L. No. 116-136 (2020).

[21] Pandemic Response Accountability Committee, *About the PRAC* (online at www.pandemicoversight.gov/our-mission/about-the-prac) (accessed on Feb. 4, 2021).

(b)(1) Payments to Territories

Of the total appropriation, $4.5 billion would be allocated to the U.S. Territories of the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa. Half ($2.25 billion) would be divided equally among the five territories, and half ($2.25 billion) would be allocated in proportion to the relative population each territory bears to the total population of all the territories.

(b)(2) Payments to Tribal Governments

Of the total appropriation, $20 billion would be allocated to Tribal governments, defined as recognized governing bodies of entities included in the most recently published Federally Recognized Indian Tribe List. Of that amount, $1 billion would be allocated equally among each Tribal government, and $19 billion would be allocated by the Secretary of the Treasury in an amount determined by the Secretary.

(b)(3) Payments to Each of the 50 States and the District of Columbia

Of the total appropriation, $195.3 billion would be allocated to the 50 states and D.C. Of that amount, $25.5 billion would be divided equally among each of the 50 states and D.C., allocating a minimum of $500 million per state. Of the remaining sum, $755 million would be allocated to D.C., meeting the minimum state allocation threshold it would have received through the CARES Act. This amount would need to be disbursed by the Secretary of the Treasury within 15 days of enactment and would not require a certification of need and intended use to be submitted by D.C. The remaining sum ($169.045 billion) would be allocated to the 50 states and D.C. in an amount proportionate to each entity's share of the average estimated number of seasonally-adjusted unemployed individuals (as measured by the Bureau of Labor Statistics Local Area Unemployed Statistics program) over the three-month period ending in December 2020.

(b)(4) Population Data

State and territorial allocations would be made based on the most recent data available from the Census Bureau.

(b)(5) Timing

The Secretary of the Treasury would be required to make payments within 60 days of receiving a state, territory, or Tribal government's certification, as required by subsection (d).

(b)(6) Pro Rata Adjustment Authority

The Secretary of the Treasury would be permitted to adjust allocations to state, territory, and Tribal governments on a pro rata basis as necessary to ensure that all available funds are distributed as required.

(c) Requirements

Recipient governments would be permitted to use funds only to respond to or mitigate the COVID-19 emergency or its negative economic impacts; to cover costs incurred as a result of the emergency; to replace revenue lost, delayed, or decreased as a result of the emergency, as determined based on revenue projections as of January 27, 2020; or to address the negative economic impacts of the emergency. Recipient governments would be permitted to transfer funds to private nonprofit organizations, public benefit corporations involved in the transportation of passengers or cargo, a special-purpose unit of state or local government, or a multi-State entity involved in the transportation of passengers or cargo.

(d) Certification of Need and Intended Use

To receive the funds described in this section, a state, territory, or Tribal government must provide the Secretary of the Treasury a certification signed by the authorized officer specifying that the government requires the federal assistance to effectively carry out pandemic response and mitigation activities consistent with the requirements of the permitted uses of the funds.

Sec. 603. Coronavirus Local Fiscal Recovery Fund

(a) Appropriation

$130.2 billion would be appropriated to the Coronavirus Local Fiscal Recovery Fund, to remain available until expended.

(b)(1) Metropolitan Cities

Of the total appropriation, $45.57 billion would be allocated for metropolitan cities, distributed pursuant to the formula used to administer the Community Development Block Grant (CDBG), modified to replace “all metropolitan cities” with “all metropolitan areas.” The Secretary of the Treasury would be required to make payments within 60 days of receiving a city’s certification.

(b)(2) Nonentitlement Units of Local Government

Of the total appropriation, $19.53 billion would be reserved for nonentitlement units of local government, generally defined as those with fewer than 50,000 inhabitants. The Secretary of the Treasury would be required to transmit payments to states within 60 days of enactment, and states would be required to transmit payments to nonentitlement units of local government within 30 days of receipt. This provision would ensure that nonentitlement units of local government receive payments under this Act as expeditiously as practicable. States would have no discretionary authority to change the amount of, or attach additional requirements to, such payments.

If a state certifies in writing to the Secretary before the end of the 30-day distribution period that one or more required distributions would constitute an excessive administrative burden on the state, the state may request a 30-day extension. A further 30-day extension may be granted only if the authorizing officer provides a written plan for distributing the funds within that period and if the Secretary certifies in writing that the plan is likely sufficient. Any further extensions must follow these same requirements. If a state does not disburse funds within 120 days of receipt or the last day of an approved distribution period, the undisbursed funds would be booked as debt owed by the state to the federal government and must be repaid to the Treasury out of the state's own allocation.

Payments would be distributed by the state to nonentitlement units of local government based on proportionate population, but not to exceed 75 percent of the most recent budget for the nonentitlement unit of government as of January 27, 2020. Of any amount above this cap, half would be retained by the state and half would be reallocated to other nonentitlement units of local government in the state. States may make pro rata adjustments to allocations as necessary to ensure that all funds are distributed.

(b)(3) Counties

Of the total appropriation, $65.1 billion would be allocated to make payments directly to counties of the 50 states, D.C., and the territories, distributed proportionate to population based on the most recent data available from the Census Bureau. If such data is not available, the state may base distribution on other data as appropriate. The Secretary of the Treasury must make payments within 30 days of receiving a county's certification.

Urban counties would receive at least the amount they would receive if the sum were distributed to metropolitan cities and urban counties according to the CDBG formula. Funds for counties that are not units of general local government would be paid to the state to be distributed to cities proportionate to population. D.C. would be considered a single county that is a unit of general local government.

(b)(4) Consolidated Governments

A unit of general local government that has formed a consolidated government, or that is geographically contained within the boundaries of another unit of local government, may receive funds for metropolitan cities and nonentitlement units of local government.

(b)(5) Pro Rata Adjustment Authority

The Secretary of the Treasury may adjust the allocated amounts on a pro rata basis as necessary to ensure that all available funds are distributed.

(b)(6) Population Data

Allocations to local governments would be made based on the most recent data available from the Census Bureau.

(b)(7) Timing

The Secretary of the Treasury would be required to make payments within 60 days of receiving a certification, as required by subsection (d).

(c) Requirements

Recipient governments would be permitted to use funds only to respond to or mitigate the COVID-19 emergency or its negative economic impacts; to cover costs incurred as a result of the emergency; to replace revenue lost, delayed, or decreased as a result of the emergency, as determined based on revenue projections as of January 27, 2020; or to address the negative economic impacts of the emergency. Recipient governments would be permitted to transfer funds to private nonprofit organizations, public benefit corporations involved in the transportation of passengers or cargo, a special-purpose unit of state or local government, or a multi-State entity involved in the transportation of passengers or cargo.

(d) Certification of Need and Intended Uses

To receive the funds described in this section, a local government county or metropolitan city must provide the Secretary of the Treasury a certification signed by the authorized officer specifying that the government requires the federal assistance to effectively carry out pandemic response and mitigation activities consistent with the requirements of the permitted uses of the funds.

SUBTITLE B—OTHER MATTERS

Sec. 5111. Emergency Federal Employee Leave Fund

(a) Establishment; Appropriation

This subsection would establish the Emergency Federal Employee Leave Fund (the "Fund") in the Treasury, to be administered by the Office of Personnel Management. For fiscal year 2021, $570 million would be appropriated to the fund.

(b) Purpose

An agency would be permitted to use the Fund to provide paid leave to any employee of the agency who is unable to work due to certain reasons related to COVID-19. These include situations involving quarantine or isolation due to COVID-19, caring for family members who are facing these conditions, experience of symptoms related to COVID-19, caring for a son or daughter whose school is closed or performing virtual or hybrid learning instruction, or substantially similar conditions. Agencies also would be permitted to use the Fund to provide paid leave to an employee who is caring for a family member with a mental or physical disability or who is 55 years of age or older and incapable of self-care, if care is unavailable due to COVID-19. Paid leave also may be provided to an employee who is obtaining or recovering from COVID-19 vaccination.

(c) Limitations

Paid leave may be provided only during the period starting on the date of enactment of the Act and ending on September 30, 2021, and may not exceed 600 hours of paid leave for each full-time employee, with proportional equivalents provided to employees working less than a full-time schedule. Paid leave would be capped at a rate of $35 per hour of leave, with a weekly aggregate cap of $1,400. Paid leave from the Fund would be provided in addition to any other leave provided to an employee under an agency's leave system, although it may not be used by an employee concurrently with any other paid leave. Paid leave from the Fund would not count for purposes of determining an employee's annuity under Title 5 provisions.

(d) Definitions

Paid leave from the Fund could be provided to civilian employees of federal executive branch agencies.

(e) Clarification

Paid leave from the Fund could be provided to employees of the Veterans Health Administration.

Sec. 5112. Funding for the Government Accountability Office

GAO would receive $77 million for expenses relating to the coronavirus pandemic and to support oversight of federal coronavirus response efforts.

Sec. 5113. Pandemic Response Accountability Committee Funding Availability

The PRAC would receive $40 million, available until September 30, 2025, to promote transparency and support oversight of federal coronavirus response efforts.

COMMITTEE CONSIDERATION

On February 12, 2021, the Committee met in open session and, with a quorum being present, ordered the bill favorably reported by a vote of 23 to 18.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that the following 15 recorded votes to the Amendment in the Nature of a Substitute (ANS), offered by Ms. Maloney, which was approved by voice vote, to the Committee Print Providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, occurred during consideration:

1. En Bloc package of amendments (Mr. Comer #1, Mr. Grothman #1, 2 & 3, Ms. Herrell #1, Mr. Gosar # 1 & 2, Mr. Keller #2, Mr. Sessions #1, and Dr. Foxx # 2 & 3) to the ANS to the Committee Print, failed by a recorded vote of 19 to 23.
2. Amendment (#2) to the ANS to the Committee Print, offered by Mr. Comer, failed by a recorded vote of 19 to 23.
3. Amendment (#1) to the ANS to the Committee Print, as amended, offered by Keller, failed by recorded vote of 19 to 23.
4. Amendment (#1) to the ANS Committee Print, as amended, offered by Ms. Foxx, failed by recorded vote of 19 to 23.
5. En Bloc package of amendments (Mr. Higgins #1 #3, Biggs #2, Franklin #1 & 2, Mace 1, 2, &3, Donalds #1 & 5, Clyde #1, and Comer #3) to the ANS to the Committee Print, failed by a recorded vote 17 of 23.
6. Amendment (#2) to the ANS to the Committee Print, offered by Ms. Herrell, failed by recorded vote of 18 to 23.
7. Amendment (#1) to the ANS to the Committee Print, offered by Mr. Higgins, failed by recorded vote of 17 to 23.
8. Amendment (#1) to the ANS to the Committee Print, offered by Mr. Cloud, failed by recorded vote of 18 to 23.
9. Amendment (#2) to the ANS to the Committee Print, offered by Mr. Cloud, failed by recorded vote of 18 to 23.
10. Amendment (#1) to the ANS to the Committee Print, offered by Mr. Hice, failed by recorded vote of 17 to 24.
11. Amendment (#1) to the ANS to the Committee Print, offered by Mr. Biggs, failed by recorded vote of 18 to 23.
12. Amendment (#2) to the ANS to the Committee Print, offered by Mr. Donalds, failed by recorded vote of 18 to 23.
13. Amendment (#3) to the ANS to the Committee Print, offered by Mr. Donalds, failed by recorded vote of 18 to 23.
14. Amendment (#4) to the ANS to the Committee Print, offered by Mr. Donalds, failed by recorded vote of 18 to 23.
15. The Committee Print Providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, as amended, was agreed to by recorded vote of 23 to 18.

[Insert votes: "1-15"]

CONSTITUTIONAL AUTHORITY STATEMENT

The Committee finds that Congress has the authority to enact the provisions of the Committee Print, pursuant to Section 8 of Article I of the Constitution of the United States.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

The Committee's performance goals and objectives of this Committee Print are described in the Summary of the Major Policy Decisions section of this report.

Duplication of Federal Programs

No provision of this Committee Print establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

Earmark Identification

This Committee Print does not include any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI of the House of Representatives.

Federal Advisory Committee Act

The Committee Print does not establish or authorize the establishment of an advisory committee within the definition of Section 5(b) of the appendix to title 5, United States Code.

Congressional Budget Office Cost Estimate and Related Budgetary Comparisons

Pursuant to clause 3(c)(3) of Rule XIII of the House of Representatives, the cost estimate prepared by the Congressional Budget Office and submitted pursuant to section 402 of the Congressional Budget Act of 1974 is as follows:

[Insert CBO score]

Changes in Existing Law Made by the Bill

Pursuant to clause 3(e) of Rule XIII of the Rules of the House of Representatives, a comparative print of changes in existing law made by the Committee Print, as reported, has been requested but not received.

[Insert Ramseyer]

Minority Views

[Insert minority]

Committee Print — Providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021

MINORITY VIEWS

Introduction and Overview of Need

It has been over a year since the COVID-19 pandemic reached America's shores. In response to the pandemic, Congress has enacted five, separate relief bills totaling roughly $4 trillion.[1] The Coronavirus Aid, Relief, and Economic Recovery Act of 2020 (CARES Act) alone provided $2.2 trillion in relief,[2] including $150 billion for state and local governments.[3]

The Department of the Treasury disbursed the $150 billion to state and local governments. To date, however, not all of those funds have been spent. In fact, roughly $1 trillion remains of the approximately $4 trillion Congress provided in its prior relief bills. Yet the legislation before us in this bill authorizes another *$1.9 trillion* in total funds, including an additional *$350 billion* in funds for states and localities.

As America works its way through what we all hope will be the final stages of this pandemic, it would be appropriate for Congress to consider a bill that provided targeted, temporary aid tied to remaining needs for COVID-19 relief. This bill, however, is not that bill. The state and local funding it authorizes exemplifies that fact. Notwithstanding the difficulties of the COVID-19 pandemic, it is clearly imprudent to authorize another $350 billion in funding for states and localities when $150 billion already authorized *has not yet been fully spent*.[4] Republicans' concerns about the need to avoid unnecessary spending are so strong that Ranking Member Comer, Budget Committee Ranking Member Jason Smith, and 25 other Members have introduced a resolution of inquiry to President Biden, asking that he inform the Congress of the level of unspent funds from all five COVID-19-related bills enacted in 2020.[5] Our Nation, after all, is already well over *$27 trillion* in debt.[6] We should not add one penny to that debt just to pile more money on top of other funds that have not even been spent.

Multiple states and localities have already recovered enough that they are running budget surpluses and do not need this bill's additional funds for COVID-19 relief. Colorado's Governor Jared Polis, for example, has stated that he plans to spend the money authorized by this bill, not

[1] *COVID Money Tracker*, COMM. FOR A RESPONSIBLE FED. BUDGET (last viewed Feb. 15, 2021), *available at* COVID Money Tracker.
[2] Pub. L. 116-136.
[3] *Id.* at sec. 5001.
[4] According to a report received from the Department of the Treasury's Inspector General, roughly *one-third* of these CARES Act funds had still not been spent as of December 31, 2020. Email from Richard K. Delmar, Acting Inspector Gen., U.S. Dept. of the Treasury, to Ashlee Vinyard, Dir. of Operations, Rep. James Comer, Ranking Member, Comm. on Oversight and Reform (Feb. 11, 2021) (copies available on request).
[5] *See* H. Res. 127.
[6] *Debt Position and Activity Report,* U.S. DEPARTMENT OF THE TREASURY (as of Jan. 31, 2020), *available at* pd_debtposactrpt_202101.pdf (treasurydirect.gov).

on COVID-19 relief, but on infrastructure and shovel-ready projects.[7] California's Governor Gavin Newsom has bragged on social media that his state is now running a $10.3 billion surplus.[8] Both states, however, qualify for this bill's relief funds under the bill's highly porous terms. The bill awards the District of Columbia $526 million more than local officials had anticipated.[9] Even the bill's authors recognize states and localities do not actually need all of the bill's funds—as revealed by their inclusion of authority for recipient states and localities to transfer funds outright to private, non-profit organizations.[10]

Unsurprisingly, there has been a chorus of reports and criticism that this bill is misguided and its enactment would be a mistake. For example, the Congressional Budget Office (CBO) recently released a report concluding that, even without any new stimulus spending, the Nation's Gross Domestic Product (GDP) would return to pre-pandemic levels by mid-2021.[11] Liberal economist and former Obama Administration chief economic advisor Lawrence Summers opines that "much of the policy discussion [surrounding the bill's proposed stimulus] has not fully reckoned with the magnitude of what is being debated," noting that it "is three times as large as the projected shortfall."[12] Former International Monetary Fund chief Olivier Blanchard warns this bill is "too much" and could "lead to strong inflation."[13] The bipartisan Committee for a Responsible Federal Budget reports forecasts that the economy will grow even faster than CBO projects. If they are true, this bill's $1.9 trillion in spending could be around eight to ten times the budget shortfall.[14] And analysts at the University of Pennsylvania's Wharton School estimate that the Majority's bill would cause the GDP to begin declining in 2022, in part due to the increased national debt.[15]

Unnecessarily injecting $1.9 trillion in new spending, especially when not needed for the economy to recover, could damage our economy by adding to the national debt without

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[7] Squawk on the Street, *Colorado Gov. Polis on the importance of state and local relief*, CNBC (Feb. 8, 2021), *available at* Colorado Gov. Polis on the importance of state and local relief (cnbc.com).
[8] Gov. Gavin Newsom, *New: CA is now projected to have $10.3 billion more than we projected in our #CABudget*, Twitter (Feb. 3, 2021), *available at* Gavin Newsom on Twitter: "NEW: CA is now projected to have $10.3 billion more than we projected in our #CABudget. That's more support for our small businesses, vaccine administration, schools, and more. https://t.co/zuONZJX01A" / Twitter.
[9] Martin Austermuhle, *In Midst of Pandemic, D.C. Gets an Unexpected Surprise: A Big Budget Surplus*, DCIST (Feb. 5, 2021), *available at* In Midst Of The Pandemic, D.C. Gets Unexpected Budget Surplus | DCist.
[10] *See* Committee Print (Providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021), TITLE V—COMMITTEE ON OVERSIGHT AND REFORM, at pp. 7 and 20-21 (proposed new paragraphs 602(c)(2) and 603(c)(2) of title VI of the Social Security Act).
[11] CONG. BUDGET OFF., AN OVERVIEW OF THE ECONOMIC OUTLOOK: 2021 TO 2031 (Feb. 2021), *available at* An Overview of the Economic Outlook: 2021 to 2031 (cbo.gov).
[12] Lawrence Summers, *Opinion: The Biden Stimulus is Admirably Ambitious. But it Brings Some Big Risks, Too.* WASH. POST, Feb. 4, 2021, *available at* Opinion | Biden's covid stimulus plan is big and bold but has risks, too - The Washington Post.
[13] Olivier Blanchard (@ojblanchard1), Twitter, Feb. 6, 2021.
[14] *How Much Would the American Rescue Plan Overshoot the Output Gap?* COMM. FOR A RESPONSIBLE FED. BUDGET, Feb. 3, 2021, *available at* How Much Would the American Rescue Plan Overshoot the Output Gap? | Committee for a Responsible Federal Budget (crfb.org).
[15] Alex Arnon, et al., *Macroeconomic Effects of the $1.9 Trillion Biden COVID Relief Plan*, PENN WHARTON BUDGET MODEL, Feb. 3, 2021, *available at* Macroeconomic Effects of the $1.9 Trillion Biden COVID Relief Plan — Penn Wharton Budget Model (upenn.edu).

improving the economy, causing inflation, producing misallocations in the economy, and leading the Nation to an economic cliff or crash as the misguided stimulus fades.[16]

The bottom line is—as the *Wall Street Journal* has written—that the bill's backers are not listening to the experts.[17] Although economic forecasts continue to improve and too much stimulus will likely harm the economy, the Biden Administration and Congressional Democrats are unwilling to acknowledge these concerns or compromise with Republicans.[18] This legislation is not about providing targeted COVID-19 relief for struggling American families, workers, small businesses, and communities. It is about the Majority's penchant to shovel out billions of dollars to line the pockets of political allies and pay for partisan pet projects.

The Majority's Refusal to Cut Off the Bill's Potential for Waste, Fraud and Abuse

We are therefore deeply concerned about the potential this bill raises for the waste, fraud and abuse of taxpayer funds. As the Committee considered amendments to the bill, we worked hard to amend the bill in a host of ways, attempting to secure the Majority's cooperation in cutting off the possibilities for waste, fraud and abuse. Republican amendments offered included each of the following, among others:

- a requirement that the bill's funds be used only for pandemic-related expenses (offered by Ranking Member Comer);
- requirements that payments be conditioned on jurisdictions' adequate certification of need (offered by Rep. Franklin);
- a prohibition on payments to jurisdictions that have not yet fully obligated all of their CARES Act relief funds (offered by Rep. Mace);
- a prohibition on payments that duplicate funding authorized by prior relief legislation (offered by Rep. Mace);
- requirements for Inspector General oversight of the use of the bill's funds and for repayment of misused funds (offered by Rep. Clyde);
- a prohibition against use of the bill's funds, not for COVID-19 relief, but to infuse money into under-funded public-employee pension plans (offered by Rep. Grothman);
- requirements that this bill's funds and still-unspent CARES Act funds be shared equitably with small, rural localities (offered respectively by Rep. Foxx and Rep. Herrell);
- requirements that the bill's funds for rural localities flow directly to those jurisdictions without restrictions, rather than through state governments that unfairly divert those resources to urban areas (offered by Rep. Keller);

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[16] *Id.*
[17] James Freeman, *Why Won't the President Listen to the Experts?* WALL ST. J., Feb. 1, 2021, *available at* Why Won't the President Listen to the Experts? - WSJ.
[18] *See id.*

- an extension of criminal penalties to those who intentionally misuse COVID-19 relief funds (offered by Rep. Gosar); and
- the elimination of an exception allowing the District of Columbia to receive the bill's funds without a certification of need (offered by Rep. Gosar).

Not only that, Republicans also offered numerous amendments to assure that federal, state and local policies that are damaging and counter-productive as America tries to emerge from the pandemic are rescinded before jurisdictions can receive the bill's funds. These amendments included the following, among others:

- a prohibition on funds for jurisdictions refusing to allow in-person, K-12 education for our Nation's children (offered by Rep. Foxx);
- a prohibition on payments to jurisdictions restricting worship and free expression of faith-based organizations (offered by Rep. Cloud);
- a prohibition on jurisdictions that defund law enforcement, threatening public safety (offered by Rep. Higgins);
- a prohibition on payments to jurisdictions under investigation for endangerment of public nursing home residents (offered by Rep. Franklin);
- a prohibition on payments to jurisdictions that have under-reported nursing home deaths (offered by Rep. Donalds);
- a prohibition on payments to states and localities that restrict small businesses' operations beyond levels recommended in Centers for Disease Control and Prevention guidance (offered by Rep. Donalds);
- a prohibition on the disbursement of funds until President Biden reinstates the presidential permit for the Keystone XL pipeline project, restoring high-paying jobs in multiple states and lowering all Americans' energy costs (offered by Rep. Grothman); and
- a prohibition on payments to jurisdictions with job-killing, revenue-crushing fracking bans (offered by Rep. Higgins).

Regrettably, the Majority shrugged off each of the minority's concerns and voted down each of the above amendments. As a result, what entered the Committee as a bill funding a partisan boondoggle is leaving the Committee, over the Minority's objections, as a partisan boondoggle.

Conclusion

The American taxpayers deserve better than this. They have been enduring a pandemic—with draconian lockdowns and school closures in blue and purple states. Parents and particularly mothers are left trying to figure out how to keep their businesses open and their children educated. Rather than cynically take advantage of their narrow majorities in Congress, Democrats should have reached across the aisle to Republicans. Had they done so, they could have engaged in real policy discussions to make sure new spending was targeted to those left most in need and vulnerable to the pandemic. Instead, Democrats refused to engage in a transparent and bipartisan process, leaving this bill's vast funds vulnerable to waste, fraud and abuse.

The Majority's reckless effort to push out this giant package will likely wreak havoc on the economy and fail to help those they claim they are trying to reach. We would have been happy to consider bipartisan, consensus legislation to provide targeted, temporary aid tied to COVID-19. This, however, is not that bill, and we cannot support it.

James Comer
James Comer
Ranking Member
Committee on Oversight and Reform

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATIO 25-20

ROLL CALL

Vote on: Mr. Cloud Amendment (#1) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 8**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: ______ **Failed:** X

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Committee Print Providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, as amended.

Date: February 12, 2021 **VOTE #: 15**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
VACANT							

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: ________ **Failed:** ___X___ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Donalds Amendment (#4) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 14**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
VACANT							

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: __________ **Failed:** ____X____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Donalds Amendment (#3) to the ANS offered by Ms. Maloney.

Date: February 12, 2021 **VOTE #: 13**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
VACANT							

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: ________ **Failed:** ____X_____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Cloud Amendment (#2) to the ANS offered by Ms. Maloney.

Date: February 12, 2021 — **VOTE #: 9**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: Ayes: 18 Nays: 23 Present:

Passed: ______ **Failed:** X

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Higgins Amendment (#1) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 7**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)			
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes:** 17 **Nays:** 23 **Present:**

Passed: _________ **Failed:** ____X____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Biggs Amendment (#1) to the ANS offered by Ms. Maloney
Date: February 12, 2021 **VOTE #: 11**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: Ayes: 18 Nays: 23 Present:

Passed: ________ **Failed:** X

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Donalds Amendment (#2) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 12**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: ________ **Failed:** ___X___ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Ms. Herrell Amendment (#2) to the ANS offered by Ms. Maloney.

Date: February 12, 2021 **VOTE #: 6**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes: 18** **Nays: 23** **Present:**

Passed: __________ **Failed:** _____X_____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: **Mr. Keller Amendment (#1) to the ANS offered by Ms. Maloney**

Date: February 12, 2021 **VOTE #: 3**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes: 19** **Nays: 23** **Present:**

Passed: ______ **Failed:** __X__ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: **Ms. Foxx Amendment (#1) to the ANS offered by Ms. Maloney.**

Date: February 12, 2021 **VOTE #: 4**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes: 19** **Nays: 23** **Present:**

Passed: _________ **Failed:** ____X____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Hice Amendment (#1) to the ANS offered by Ms. Maloney

Date: February 12, 2021 — **VOTE #: 10**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)		X	
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: Ayes: 17 Nays: 24 Present:

Passed: ________ **Failed:** X

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM

117TH CONGRESS

RATIO 25-20

ROLL CALL

Vote on: **Amendments (Mr. Comer #1, Mr. Grothman #1, 2 & 3, Ms. Herrell #1, Mr. Gosar # 1 & 2, Mr. Keller #2, Mr. Sessions #1, and Dr. Foxx # 2 & 3) to the ANS offered by Ms. Maloney to the Committee Print.**

Date: February 12, 2021 **VOTE #: 1**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
Vacant							

Roll Call Totals: **Ayes: 19** **Nays: 23** **Present:**

Passed: ________ **Failed:** X

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: **Amendments (Mr. Higgins #1 #3, Biggs #2, Franklin #1 & 2, Mace 1, 2, &3, Donalds #1 & 5, Clyde #1, and Comer #3) to the ANS offered by Ms. Maloney to the Committee Print.**

Date: February 12, 2021 **VOTE #: 5**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
Vacant							

Roll Call Totals: **Ayes: 18** **Nays: 23** **Present:**

Passed: __________ **Failed: X**

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Comer Amendment (#2) to the ANS offered by Ms. Maloney.

Date: February 12, 2021 **VOTE #: 2**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
VACANT							

Roll Call Totals: Ayes: 19 Nays: 23 Present:

Passed: __________ **Failed:** _____X_____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Committee Print Providing for reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, as amended.

Date: February 12, 2021 **VOTE #: 15**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
VACANT							

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: ________ **Failed:** ___X___ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: **Mr. Donalds Amendment (#3) to the ANS offered by Ms. Maloney.**

Date: **February 12, 2021** **VOTE #: 13**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
VACANT							

Roll Call Totals: **Ayes: 18** **Nays: 23** **Present:**

Passed: ________ **Failed:** ___X___ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Donalds Amendment (#4) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 14**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
VACANT							

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: ________ **Failed:** __X__ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Amendments (Mr. Higgins #1 #3, Biggs #2, Franklin #1 & 2, Mace 1, 2, &3, Donalds #1 & 5, Clyde #1, and Comer #3) to the ANS offered by Ms. Maloney to the Committee Print.

Date: February 12, 2021 **VOTE #: 5**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
Vacant							

Roll Call Totals: **Ayes: 18** **Nays: 23** **Present:**

Passed: ________ **Failed:** X

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: **Amendments (Mr. Comer #1, Mr. Grothman #1, 2 & 3, Ms. Herrell #1, Mr. Gosar # 1 & 2, Mr. Keller #2, Mr. Sessions #1, and Dr. Foxx # 2 & 3) to the ANS offered by Ms. Maloney to the Committee Print.**

Date: February 12, 2021 **VOTE #: 1**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
Vacant							

Roll Call Totals: **Ayes: 19** **Nays: 23** **Present:**

Passed: ________ **Failed: X**

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Ms. Herrell Amendment (#2) to the ANS offered by Ms. Maloney.

Date: February 12, 2021 **VOTE #:** 6

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: __________ **Failed:** _____X_____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Comer Amendment (#2) to the ANS offered by Ms. Maloney.

Date: February 12, 2021 **VOTE #:** 2

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					
VACANT							

Roll Call Totals: **Ayes:** 19 **Nays:** 23 **Present:**

Passed: __________ **Failed:** _____X_____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: **Mr. Cloud Amendment (#1) to the ANS offered by Ms. Maloney**

Date: **February 12, 2021** **VOTE #: 8**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes: 18** **Nays: 23** **Present:**

Passed: ________ **Failed:** X

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Cloud Amendment (#2) to the ANS offered by Ms. Maloney.

Date: February 12, 2021 — **VOTE #: 9**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: Ayes: 18 Nays: 23 Present:

Passed: ________ **Failed:** ___X___ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Higgins Amendment (#1) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 7**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)			
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes:** 17 **Nays:** 23 **Present:**

Passed: _________ **Failed:** ____X____ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Donalds Amendment (#2) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 12**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes:** 18 **Nays:** 23 **Present:**

Passed: ______ **Failed:** X

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Biggs Amendment (#1) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 11**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: Ayes: 18 Nays: 23 Present:

Passed: _________ **Failed:** __X__ (REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Hice Amendment (#1) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 10**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)			
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)		X	
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes:** 17 **Nays:** 24 **Present:**

Passed: ______ **Failed:** X

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Mr. Keller Amendment (#1) to the ANS offered by Ms. Maloney

Date: February 12, 2021 **VOTE #: 3**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: **Ayes:** 19 **Nays:** 23 **Present:**

Passed: ______ **Failed:** X

(REVISED 2-12-21)

COMMITTEE ON OVERSIGHT AND REFORM
117TH CONGRESS
RATIO 25-20
ROLL CALL

Vote on: Ms. Foxx Amendment (#1) to the ANS offered by Ms. Maloney.

Date: February 12, 2021 **VOTE #: 4**

Democrats	Aye	No	Present	Republicans	Aye	No	Present
MS. MALONEY (NY) *(Chairwoman)*		X		MR. COMER (KY) *(Ranking Member)*	X		
MS. NORTON (DC)		X		MR. JORDAN (OH)	X		
MR. LYNCH (MA)		X		MR. GOSAR (AZ)	X		
MR. COOPER (TN)		X		MS. FOXX (NC)	X		
MR. CONNOLLY (VA)		X		MR. HICE (GA)	X		
MR. KRISHNAMOORTHI (IL)		X		MR. GROTHMAN (WI)	X		
MR. RASKIN (MD)				MR. CLOUD (TX)	X		
MR. KHANNA (CA)		X		MR. GIBBS (OH)	X		
MR. MFUME (MD)		X		MR. HIGGINS (LA)	X		
MS. OCASIO-CORTEZ (NY)		X		MR. NORMAN (SC)	X		
MS. TLAIB (MI)		X		MR. SESSIONS (TX)	X		
MS. PORTER (CA)		X		MR. KELLER (PA)	X		
MS. BUSH (MO)		X		MR. BIGGS (AZ)	X		
MR. DAVIS (IL)		X		MR. CLYDE (GA)	X		
MS. WASSERMAN SCHULTZ		X		MS. MACE (SC)	X		
MR. WELCH (VT)		X		MR. FRANKLIN (FL)	X		
MR. JOHNSON (GA)		X		MR. LATURNER (KS)	X		
MR. SARBANES (MD)		X		MR. FALLON (TX)			
MS. SPEIER (CA)		X		MS. HERRELL (NM)	X		
MS. KELLY (IL)		X		MR. DONALDS (FL)	X		
MS. LAWRENCE (MI)		X					
MR. DESAULNIER (CA)		X					
MR. GOMEZ (CA)		X					
MS. PRESSLEY (MA)		X					

Roll Call Totals: Ayes: 19 Nays: 23 Present:

Passed: _________ **Failed:** ____X____ (REVISED 2-12-21)

NYDIA M. VELAZQUEZ, New York
Chairwoman

BLAINE LUETKEMEYER, Missouri
Ranking Member

Congress of the United States
U.S. House of Representatives
Committee on Small Business
2361 Rayburn House Office Building
Washington, DC 20515-6315

February 12, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
United States House of Representatives
204 E Cannon House Office Building
Washington, DC 20515

The Honorable Jason Smith
Ranking Member
Committee on the Budget
507 Cannon House Office Building
United States House of Representatives
Washington, DC 20515

Dear Chairman Yarmuth and Ranking Member Smith:

I am writing to advise you of the Additional Views of Minority Members of the House Committee on Small Business on the Committee Print providing for reconciliation pursuant to S.Con.Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021. These are in addition to the Budget Reconciliation Committee Print, Majority Views, and Legislative Text adopted by the Committee on Small Business at a Full Committee meeting on February 10, 2021.

Should you have questions about this document, please contact Jan Oliver, Chief Counsel, House Committee on Small Business Minority staff, at jan.oliver@mail.house.gov.

Sincerely,

Blaine Luetkemeyer
Ranking Member

Minority Views

Additional and Supplemental Views of the Republican Members of the House Committee on Small Business on Matters Set Forth in The Small Business Committee Print/Amendment in the Nature of a Substitute Providing for the Reconciliation Pursuant to S.Con.Res. 5, the Concurrent Resolution on the Budget of the United States for Fiscal Year 2021

February 12, 2021

Pursuant to § 310 of the of the Congressional Budget Act of 1974 as amended,[1] we are writing to advise you of the Additional and Supplemental Views of the Minority Members of the Committee on Small Business on the Committee Print providing for reconciliation pursuant to S.Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021. These views are in addition to those submitted by the Committee's Majority Members. Unfortunately, neither the House Majority nor the Committee's Majority engaged in a bipartisan reconciliation process. Consequently, the Minority has substantial disagreement with the Majority's Budget Reconciliation Committee Print. These objections are discussed in greater detail below.

Under clause 1(q) of Rule 10 of the Rules of the United States House of Representatives, the Committee on Small Business has legislative jurisdiction over the United States Small Business Administration (SBA), including financial aid, regulatory flexibility, paperwork reduction, and the participation of small businesses in federal government procurement and federal government contracts. Similarly, under clause 3(l) of House Rule 10, the Committee also has continuing jurisdiction to study and investigate the problems of all types of small businesses. This letter, accordingly, focuses on the small business provisions of S.Con.Res. 5, the Concurrent Resolution on the Budget of the United States for Fiscal Year 2021, which covers the Small Business Act[2] and the Small Business Investment Act.[3]

The SBA has responsibility for programs that help to create millions of jobs and to grow the economy of the United States. Our nation's entrepreneurs depend on these programs not only to provide capital, but also for advising, mentoring, training, and other services. As a result, it is essential that SBA programs are efficient, effective, and achieve real results for America's small businesses and taxpayers.

[1] 2 U.S.C. § 641 et seq.
[2] 15 U.S.C. § 631 et seq.
[3] 15 U.S.C. § 661 et seq.

I. Introduction: The Impact of the COVID-19 Pandemic on Small Businesses

The unique and unprecedented environment surrounding the COVID-19 (coronavirus or pandemic) of 2020-2021 has deeply affected small businesses. As a result, much of the SBA's focus over the past months has been on assisting small businesses that were adversely affected by the pandemic and its emergency declarations.

Congress passed, and on March 27, 2020 President Trump signed, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).[4] Section 1102 of the Act added a new product, called the Paycheck Protection Program (PPP), which was modeled after the SBA's 7(a) Loan Program.

The PPP and its corresponding loan forgiveness were intended to provide emergency economic relief to small businesses nationwide that were adversely affected by the Coronavirus Disease 2019 (COVID-19) Emergency Declaration issued by President Trump on March 13, 2020.[5] Section 1106 of the Act provides for forgiveness of up to the full principal amount of qualifying loans guaranteed under the Paycheck Protection Program. The Program's loans were to be available until June 30, 2020 or until the funds were exhausted.[6] Within one week of the CARES Act being signed into law, the SBA and the Department of the Treasury announced the initial rules of the program. On April 15, 2020, these initial rules were published as an interim final rule in the Federal Register.[7] SBA and Treasury subsequently issued additional interim final rules implementing the PPP. Congress continued to pass legislation designed to provide small businesses with additional relief. Congress initially authorized $349 billion for SBA 7(a) loans, including PPP loans. Lending began on April 3, 2020 and the initial amount was exhausted by April 16, 2020.

On April 24, 2020, Congress authorized an additional $310 billion for the PPP program in the Paycheck Protection Act and Health Care Enhancement Act.[8] PPP loans used for payroll expenses and other authorized non-payroll purposes paid or incurred during an eight week period may be forgiven if the borrower meets certain employee retention criteria. Previous regulations stipulated that not more than 25% of the loan forgiveness amount may be attributed to non-payroll costs. On May 18, 2020, the SBA released its initial loan forgiveness application, and on May 29, 2020, the SBA issued an interim final rule on PPP loan forgiveness.[9]

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[4] Pub. L. No. 116-137 (March 27, 2020).
[5] Two declarations were issued on March 13, 2020: one under Sections 201 and 301 of the National Emergencies Act and one under Section 501(b) of the Stafford Act.
[6] Pub. L. No. 116-137, sections 1102 and 1106.
[7] UNITED STATES SMALL BUSINESS ADMINISTRATION AND UNITED STATES DEPARTMENT OF THE TREASURY, Interim Final Rule, Business Loan Program Temporary Changes; Paycheck Protection Program, 85 Fed. Reg. 20811 (April 15, 2020) (to be codified at 13 C.F.R. pt. 120).
[8] Pub. L. No. 116-139.
[9] UNITED STATES SMALL BUSINESS ADMINISTRATION AND UNITED STATES DEPARTMENT OF THE TREASURY, Interim Final Rule, Business Loan Program Temporary Changes, 85 Fed. Reg. 33004 (June 1, 2020).

In order to provide greater flexibility top small businesses, on June 5, 2020, the Paycheck Protection Program Flexibility Act of 2020[10] was signed into law, amending the CARES Act. On June 26, 2020, the SBA and Treasury issued an interim final rule revising interim final rules that were published by the SBA and Treasury in the Federal Register on May 22, 2020,[11] but most provisions were effective retroactively to March 27, 2020.

On July 1, 2020, Congress passed legislation to extend the authority for commitments for the Paycheck Protection Program, which extended the PPP through August 8, 2020. This legislation also separated the 7(a) Loan Program authorization levels from the PPP authorization levels.[12] As required by the CARES Act, the SBA stopped accepting PPP loan applications from lenders on August 8, 2020.[13]

As of August 2020, PPP loans saved or supported over 50 million jobs nationwide. Despite this success, small businesses still need help. According to the January 2021 NFIB Business Optimism Index, in January optimism declined January to 95.0, down 0.9 from December and three points below the 47-year average of 98. Owners expecting better business conditions over the next six months declined seven points to a net negative 23%, the lowest level since November 2013. The net percent of owners expecting better business conditions has fallen 55 points over the past four months.[14] In December, 2020, the House and Senate passed, and President Trump signed, a consolidated spending bill[15] that contained $325 billion in coronavirus relief for small businesses. Republicans worked to provide additional funding for the PPP program, including $284 billion for eligible small firms that had not received a first round PPP loan and eligible small businesses and other entities interested in receiving a second PPP loan. It also set aside funding for the smallest of small businesses.

II. The Current State of Small Businesses Amid COVID-19

Prior to COVID-19, small businesses were projecting confidence, optimism, and job creation. Pro-growth policies resulted in historic unemployment levels. A smart regulatory environment and low taxes meant small businesses had the economic freedom and economic opportunity to innovate and expand.

America's small businesses are now facing challenges they have never encountered before. They are working every day to cope with the pandemic. Some businesses have adapted well, and some have not, but it has not been easy for any of them. Congress has responded with some tools to help many of them through this crisis, generally on a bipartisan basis, and supported by

[10] Pub. L. No. 116-142 (June 5, 2020).
[11] Business Loan Program Temporary Changes; Paycheck Protection Act—Revisions to Loan Forgiveness and Loan Review Procedures Interim Final Rules, 13 C.F.R. §120 (June 26, 2020).
[12] This legislation became Pub. L. No. 116-147 on July 4, 2020.
[13] Pub. L. No. 116-136 (March 27, 2020).
[14] NFIB BUSINESS OPTIMISM INDEX, JANUARY 2021, *available at* https://www.nfib.com/surveys/small-business-economic-trends/.
[15] Pub. L. No. 116-260 (December 28, 2020).

both Democrats and Republicans in this Committee and on the House Floor. Unfortunately, the new package of small business proposals offered by House Democrats at a markup on February 10, 2021, is one where House Republicans were blocked from engaging, providing thoughts or ideas, or interacting in any way. This is not only disappointing, it means our entrepreneurs are missing opportunities they might otherwise have had. And instead, the Democrats' latest COVID package, combined with discussions about more than doubling the minimum wage and recent administrative actions taken by the President, mean small businesses will be facing even greater challenges beyond COVID: an inhospitable economic environment.

House Republicans offered a number of amendments to the package that would have improved it, only to find them summarily dismissed by Democrats. This disappointing turn of events does not bode well for the future of small businesses or our American economy.

III. SBA's Capital Access Programs

Even before the pandemic, small business owners consistently cited the lack of capital as a significant problem for growing their businesses and creating jobs. The pandemic has made this need for capital even more urgent. Overall, despite some initial glitches, the SBA did an impressive job of getting these programs up and running in one week, processing fourteen years of loans in the first 14 days. Over the life of the pandemic, the Paycheck Protection Program (PPP) has supported over 51 million jobs across the country and served as a lifeline for small businesses. The funding enabled many to weather the pandemic and safely reopen to serve their communities. Once the PPP lapsed on August 8, 2020, it still had more than $135 billion available. Legislation was introduced in September 2020 to extend the PPP though the end of 2020 and establish a program for second draw PPP loans. Unfortunately, the bill failed on numerous procedural votes in the House. [16]

In response to the COVID-19 pandemic, small business owners, including agricultural businesses and non-profit organizations, could apply for an Economic Injury Disaster Loan (EIDL). The EIDL program is designed to provide economic relief to businesses that experience a temporary loss of revenue due to the coronavirus. The funds may be used for obligations and operating expenses, such as working capital, continuation of health care benefits, rent, utilities, and fixed debt payments, that could have been met had the disaster not occurred. Initially, some small firms may have been eligible for an EIDL Advance grant, which did not require repayment. Others may have been eligible for an EIDL loan, which does require repayment.

On October 29, 2020, SBA's Inspector General released a disturbing report outlining serious concerns of potential fraud in the EIDL and EIDL Advance grant programs. The IG's office found over $75 billion in fraudulent activity. The IG said he was troubled by the SBA's inadequate internal controls. The SBA responded that the report overlooked the controls that it has put in place and that SBA had itself referred many potentially fraudulent cases to the IG's office.

[16] H.R. 8265, 116th Cong. (2020).

In recent years, the SBA IG has consistently identified the SBA's failure to provide effective oversight of its lending program participants as one of the most serious issues facing the agency. The SBA must improve its oversight to ensure that it can provide proper accounting of its ongoing capital access programs. The more recent PPP and the EIDL programs, for which Congress has authorized billions of dollars in loans, much of it eligible for borrower forgiveness, has increased the need for oversight. We are concerned about the reports of fraudulent loans, as we are with any reports of waste, fraud, or abuse, and have been working with the SBA Inspector General, which is reviewing the loan programs.

On October 1, 2020, the Subcommittee on Investigations, Oversight, and Regulations held a hearing with the SBA Inspector General, Hannibal "Mike" Ware, and William Shear, Director of Financial Markets and Community Investment, Government Accountability Office (GAO).[17] Mr. Ware and Mr. Shear discussed the need for the SBA to adopt stronger internal controls to identify fraud and wrongdoing to ensure that Paycheck Protection Program and the Economic Injury Disaster Loan Program loans were properly allocated and disbursed. In addition, Minority Committee Members will continue to partner in the oversight and transparency that is essential to ensure the effective use of taxpayer dollars. We are mindful of the need to balance effective oversight of these programs without subjecting small businesses to overly burdensome requirements or disclosure of their proprietary information. At the February 10, 2021 markup of the Majority's Budget Reconciliation legislation, the Minority offered amendments that focused on waste, fraud, and abuse, and an amendment that would have increased the allocation of dollars to the SBA's Office of the Inspector General.

Many small businesses are still interested in the SBA's traditional loan products to meet their capital requirements during the pandemic. At the markup of the Budget Reconciliation proposal, the Minority offered an amendment to increase the maximum loan amount in the SBA's flagship 7(a) Loan Program from $5 million to $6 million.

IV. Concerns About Specific Small Business Budget Reconciliation Provisions

A. Economic Injury Disaster Loan Program Grant Funding

We are wary of the Majority's addition of $15 billion to further bolster the EIDL Advance grant program. Created in the CARES Act, and reformed in subsequent legislation, this program allows small businesses and other entities that demonstrate a 30 percent economic loss, employ fewer than 300 workers, and are located in a low to moderate income area to apply for a $10,000 grant. In its Budget Reconciliation legislation, the Majority allows small entities with a 50 percent economic loss and fewer than 10 employees to receive an addition $5,000 grant. Unlike the EIDL Loan Program, the EIDL Advance grants do not require repayment.

[17] *Preventing Fraud and Abuse in the PPP and EIDL: An Update with the SBA Office of Inspector General and the Government Accountability Office: Hearing Before the Subcommittee on Investigations, Oversight, and Regulations,* 116th Cong. (2020) (statement of Hannibal "Mike" Ware) ("strong indicators of widespread potential fraud") (statement of William B. Shear) ("COVID-19 loans lack internal controls and are susceptible to fraud").

We are concerned about the reliance on, and risks inherent in, federal grant funding, which can be difficult to trace. In the past, federal grants have been susceptible to financial theft and fraud, such as falsifying applications, using grant funds for non-grant purposes; failing to comply with record-keeping requirements; and inflating costs. The SBA's IG found that the EIDL program has been vulnerable to fraud and identified tens of billions in applications that warranted further review. A July 2020 SBA Office of Inspector General report said it had "deficiencies in internal controls related to disaster assistance… identified $250 million in Economic Injury Disaster Loans and Advance grants given to potentially ineligible recipients… $45.6 million in potentially duplicate payments."[18] In the report, the Inspector General was alarmed about "potentially rampant fraud" and account activity with stolen identities, transfers to foreign accounts, transfers into investment accounts, deposits into third party accounts, and transfers to accounts with no other activity.[19]

We reiterate our concern about grant funding and must ensure that SBA programs serve both small businesses and taxpayers honestly, fairly, and transparently. At a time when small businesses need these funds to keep their employees paid and their doors open, we cannot afford for funding to be misspent or wasted.

B. Expanding PPP Program Eligibility

We are concerned about expanding eligibility for the PPP program. Although the Majority included $7.25 billion in additional funding for the PPP program, it has also expanded eligibility, spreading the funding thinner. This is a popular program with very high demand, and an additional $7.25 billion is likely to be drawn down quickly. The nonprofit entities currently eligible for the PPP Program include 501(c)(3)s, 501(c)(6)s, 501(c)(19)s, and through administrative action, 501(c)(12)s. In addition to providing eligibility to all 501(c) entities except 501(c)(4)s, under the Majority's proposal, non-profits would be exempt from the SBA's affiliation rules, which help the SBA to determine if a business is indeed small. For many years, there have been numerous incidents of larger businesses posing as small businesses to receive favorable consideration as SBA government contractors or eligibility for federal programs designed for small firms. We believe that waivers of the SBA affiliation rules should be limited, and offered an amendment at markup to strike the expansion of PPP to additional non-profit groups made eligible in the Budget Reconciliation legislation, and strike the waiver of SBA's affiliation rules.

The Majority's proposal would allow Internet publishing organizations that are engaged in the collection and distribution of local, regional, or national news to be eligible for the PPP Program. We do not believe the federal government should be in the business of determining what is news and what is not news.

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18 OFFICE OF INSPECTOR GENERAL, UNITED STATES SMALL BUSINESS ADMINISTRATION, MANAGEMENT ALERT, SERIOUS CONCERNS OF POTENTIAL FRAUD IN ECONOMIC INJURY DISASTER LOAN PROGRAM PERTAINING TO RESPONSE TO COVID-19, *available at* https://www.sba.gov/sites/default/files/2020-07/SBA_OIG_Report_20-16_508.1.pdf.

19 *Id.* at 3-4.

C. Restaurant Revitalization Fund Program

The Majority's proposal would provide $25 billion in direct grant assistance to the restaurant industry, which has been particularly hit hard by the pandemic. Grants must not exceed $10 million to a restaurant group or $5 million to an individual restaurant location. We understand and appreciate that the restaurant industry has suffered greatly in the pandemic, and believe it is deserving of financial assistance. We remain concerned about the effectiveness of federal assistance in the form of grant funding, but strongly support the restaurant industry and its efforts to stay open and serve its customers in this difficult time. As a result, the minority offered and amendment at markup to increase the allocation for the Restaurant Revitalization Fund from $25 billion to $45 billion.

D. Community Navigators Pilot Program

The Majority proposes $175 million for a Community Navigators Pilot Program, which would provide grants to community financial institutions and SBA's resource partners, such as Small Business Development Centers, SCORE, and Women's Business Centers, for outreach and resources to small businesses during the pandemic. Again, we restate our concerns about grant funding, which can be susceptible to fraud. This "pilot" program would not sunset until 2025, meaning it will operate for at least four years. Typically, a government pilot project is a short term, small scale feasibility study, and not an expansive project lasting multiple years. We also have concerns with the duplication that this new pilot program could add.

E. Shuttered Venues Grants Program

The Shuttered Venue Operator Grants Program was created in the Consolidated Appropriations Act in December 2020,[20] for which Congress provided $15 billion in funding. The Majority's current proposal provides an additional $1.25 billion, an immense increase for a program that has not yet launched, awarded any grants, or disbursed any funds. Although the program is a worthy one that will assist venues that have been hard hit by the pandemic, the Minority believes the program should launch and begin awarding grants before determining if additional funding is needed.

F. SBA Administrative Funding

The Majority proposes $840 million for SBA's administrative expenses, $460 million for SBA's Office of Disaster Assistance, and $25 million for SBA's Office of the Inspector General. The SBA's Office of the Inspector General has done commendable work throughout the pandemic, auditing, identifying, and investigating allegations of waste, fraud, and abuse in SBA's programs. The Minority believes that the $25 million increase woefully underfunds the Office of the Inspector General, and would allocate more funding to assist the work it is doing in these unprecedented times.

[20] Pub. L. No. 116-260 (December 27, 2020).

G. Increasing SBA Oversight and Accountability

Because of the findings of fraud in SBA's existing pandemic programs,[21] the possible expansion of its existing programs, and the possible addition of new programs, Minority Members support increasing oversight of the SBA's programs. The Minority offered amendments to increase oversight of SBA's pandemic programs, including allocating an additional $25 million to the SBA's Office of the Inspector General, and require the SBA to issue a report to Congress on the waste, fraud, and abuse in the Economic Injury Disaster Program.

H. Overall Economy and Increasing the Minimum Wage

According to a February 2020 report on the economic outlook for 2021-2031 by the Congressional Budget Office,[22] the CBO expects the U.S. economy will to continue to improve, gross domestic product (GDP) will return to its pre-pandemic level by mid-2021, and anticipates a real GDP growth rate of 3.7 percent, the highest in over 15 years. In fact, CBO said the overall U.S. economy is expected to improve, fairly impressively, *even assuming no further stimulus legislation is enacted.*[23] In addition, CBO projected that the labor market will continue to improve, with unemployment gradually declining through 2026.[24]

The Administration and the House Majority have proposed more than doubling the minimum wage from its current level of $7.25 to $15 per hour by 2025. Although this provision is not within the Committee's legislative jurisdiction, it is clearly within its oversight jurisdiction, because it would affect the operation of small businesses that employ workers. The February 2020 CBO report projects that raising the minimum wage would cost 1.4 million jobs and increase the deficit by $54 billion over ten years.[25] At the markup of the Majority's Budget Reconciliation legislation, the Minority offered an amendment to direct the Administrator of the Small Business Administration to submit a report to Congress on the impact of raising the minimum wage to $15 per house on small businesses.

V. A Cautious Look at the Small Business Horizon

The events of the past year have had a deep and lasting effect on small firms, with many barely surviving and some ceasing business altogether. We are hopeful that this year will see small firms recover from the pandemic with the help of the SBA and its programs. However, with a new Congress and a new Administration, we must be cautious, particularly now, about the

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[21] *Preventing Fraud and Abuse in the PPP and EIDL: An Update with the SBA Office of Inspector General and the Government Accountability Office: Hearing Before the Subcommittee on Investigations, Oversight, and Regulations,* 116th Cong. (2020) (statements of Hannibal "Mike" Ware and William B. Shear).

[22] UNITED STATES CONGRESSIONAL BUDGET OFFICE, AN OVERVIEW OF THE ECONOMIC OUTLOOK: 2021 TO 2031, *available at* https://www.cbo.gov/system/files/2021-02/56965-Economic-Outlook.pdf.

[23] *Id.* at 1.

[24] *Id.*

[25] *Id.*

potential of hampering small businesses with the burdens of additional regulations and higher taxes. Entrepreneurs, above all, face an uncertain future, and we must not threaten them with additional harm. We must provide an economy that allows all small businesses to prosper.

VI. Conclusion

During this time of economic recovery, Members of the Committee's Minority will continue to work with the SBA to ensure that small business owners receive the services that they need to start businesses, grow them, and keep their doors open. The United States was founded on principles that encourage entrepreneurship and economic growth. We will continue to do all that we can to help small businesses create jobs, retain their workers, and compete in the global economy.

Respectfully,

Blaine Luetkemeyer, Ranking Member

Roger Williams, Vice Ranking Member

Jim Hagedorn
Member of Congress

Pete Stauber
Member of Congress

Dan Meuser
Member of Congress

Andrew Garbarino
Member of Congress

Young Kim
Member of Congress

Beth Van Duyne
Member of Congress

Byron Donalds
Member of Congress

Maria Salazar
Member of Congress

Scott Fitzgerald
Member of Congress

Congressional Budget Office
Cost Estimate

February 12, 2021

Reconciliation Recommendations of the House Committee on Small Business

As ordered reported on February 10, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2030	2021-2031
Direct Spending (Outlays)	48,400	49,790	49,790
Revenues	0	0	0
Increase in the Deficit	48,400	49,790	49,790

Statutory pay-as-you-go procedures apply?	Yes	**Mandate Effects**	
Increases on-budget deficits in any year after 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

CBO has not reviewed the legislation for effects on spending subject to appropriation.

S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, instructed several committees of the House of Representatives to recommend legislative changes that would increase deficits up to a specified amount over the 2021-2030 period. As part of this reconciliation process, the House Committee on Small Business approved legislation on February 10, 2021, with a number of provisions that would increase deficits.

The legislation would appropriate $50 billion for programs administered by the Small Business Administration (SBA) that support businesses and other entities affected by the coronavirus pandemic. Specifically, the legislation would provide:

- $7.25 billion for the cost of expanding eligibility for financial assistance through the Paycheck Protection Program to certain nonprofit organizations and digital media companies;
- $15 billion for the Economic Injury Disaster Loan (EIDL) program to provide cash payments to small businesses severely affected by the pandemic;
- $25 billion for grants to restaurants and bars that lost revenue because of the pandemic;
- $175 million for grants to states and other entities to assist small businesses in taking advantage of government resources available during the pandemic, among other purposes;

See also *CBO's Cost Estimates Explained*, www.cbo.gov/publication/54437; *How CBO Prepares Cost Estimates*, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42904.

- $1.25 billion for the SBA's Shuttered Venue Operators Grant program, which provides grants to operators of live performance venues and to other eligible entities that lost revenue because of the pandemic;
- $1.23 billion to the SBA for the cost of administering programs created to help small businesses affected by the pandemic;
- $70 million for the subsidy cost of providing disaster loans; and
- $25 million for the SBA's Office of Inspector General.

The costs of the legislation, detailed in Table 1, fall within budget functions 370 (commerce and housing credit) and 450 (community and regional development). CBO estimates that enacting the legislation would increase direct spending by $49.8 billion over the 2021-2030 period, with most of that spending occurring in 2021 because of high demand for SBA grants and loan products.

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1. Enacting the legislation would not affect revenues.

The legislation would not increase on-budget deficits in any year after 2030.

The CBO staff contacts for this estimate are David Hughes (for nondisaster programs) and Jon Sperl (for disaster programs). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

Table 1.
Estimated Budgetary Effects of the Reconciliation Recommendations of the Committee on Small Business

	By Fiscal Year, Millions of Dollars											
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
					Increases in Direct Spending								
Sec. 6001 - Modifications to Paycheck Protection Program													
Budget Authority	7,250	0	0	0	0	0	0	0	0	0	0	7,250	7,250
Estimated Outlays	7,250	0	0	0	0	0	0	0	0	0	0	7,250	7,250
Sec. 6002 - Targeted EIDL Advance													
Budget Authority	15,000	0	0	0	0	0	0	0	0	0	0	15,000	15,000
Estimated Outlays	14,800	200	0	0	0	0	0	0	0	0	0	15,000	15,000
Sec. 6003 - Support for Restaurants													
Budget Authority	25,000	0	0	0	0	0	0	0	0	0	0	25,000	25,000
Estimated Outlays	25,000	0	0	0	0	0	0	0	0	0	0	25,000	25,000
Sec. 6004 - Community Navigator Pilot Program													
Budget Authority	175	0	0	0	0	0	0	0	0	0	0	175	175
Estimated Outlays	55	95	25	0	0	0	0	0	0	0	0	175	175
Sec. 6005 - Shuttered Venue Operators													
Budget Authority	1,250	0	0	0	0	0	0	0	0	0	0	1,250	1,250
Estimated Outlays	810	440	0	0	0	0	0	0	0	0	0	1,250	1,250
Sec. 6006 - Direct Appropriations													
Budget Authority	1,325	0	0	0	0	0	0	0	0	0	0	1,325	1,325
Estimated Outlays	485	395	225	5	5	0	0	0	0	0	0	1,115	1,115
Total													
Budget Authority	50,000	0	0	0	0	0	0	0	0	0	0	50,000	50,000
Estimated Outlays	48,400	1,130	250	5	5	0	0	0	0	0	0	49,790	49,790

EIDL = Economic Injury Disaster Loan

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Congress of the United States
House of Representatives
Washington, DC 20515

Rep. Carolyn Bourdeaux
Small Business Committee Report to accompany Title VI of Providing for Reconciliation Pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021

Additional Views

The House Committee on Small Business has provided significant support to small businesses to help them withstand the economic impact of the COVID-19 pandemic. The work of the Committee, particularly through the creation of the Paycheck Protection Program and the issuance of Economic Injury Disaster Loans and Economic Injury Disaster grants, has prevented countless businesses from laying off employees or going out of business. As we continue to support the needs of small businesses during the pandemic, we must ensure that the Small Business Administration (SBA) is doing everything possible to ensure the equitable administration of these programs and continues to appropriately prioritize assistance to small businesses in underserved and underbanked communities.

Collection of Demographic Data for the Paycheck Protection Program

The Committee strives to ensure small business assistance reaches all eligible businesses, especially minority-owned businesses and businesses in underserved communities. Following the creation of the Paycheck Protection Program, the Committee made some important changes to ensure it is effectively reaching and serving all eligible businesses. However, many businesses and constituents in my district still encounter challenges to accessing federal small business relief, particularly as it relates to minority-led enterprises.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act directs the SBA Administrator to issue guidance to lenders indicating the prioritization of small business concerns and entities in underserved and rural markets.[1] However, in its initial implementation of the Paycheck Protection Program, SBA "did not include the optional standard demographic information for principals on its PPP loan application."[2] The absence of demographic data for initial PPP loans makes it "unlikely that SBA will be able to determine the loan volume to the intended prioritized markets,"

[1] Office of Inspector General - Small Business Administration, "Flash Report Small Business Administration's Implementation of the Paycheck Protection Program Requirements" (May 8, 2020)
[2] *Id.*

making it more difficult to ensure the requirement to prioritize underserved and rural markets are being met.[3] The collection of demographic data of small businesses who access COVID-19 federal relief is helpful feedback in learning how resources are being distributed and if they are being distributed equitably and consistent to statutory intent. I encourage the current Small Business Administration to collect more comprehensive demographic data on the distribution of PPP loans.

Additionally, we need to collect this data around loan forgiveness, a provision that has proven confusing to many small businesses. In my district, some businesses have raised concerns that minority-led small businesses may be less likely to utilize loan forgiveness provisions; however, the extent of this problem and the reasons are unclear. Similar to the loan application process, an optional demographic information form is included in the loan forgiveness application, and again, it is unclear that sufficient data will be collected as "some borrowers may not apply for loan forgiveness and others may choose not to complete an optional separate page of the forgiveness application with the information."[4] Demographic data regarding loan forgiveness is critical as we seek to avoid the same mistakes from the initial implementation of the Paycheck Protection Program and we aim to ensure equitable administration of and access to loan forgiveness.

Conclusion

The House Committee on Small Business has taken action to support small businesses and help them withstand the economic effects of the COVID-19 pandemic. In order to ensure the SBA meets its obligation, in accordance with the CARES Act, to prioritize the small business concerns and entities in underserved and rural markets, SBA should do all it can to collect complete, accurate demographic information regarding access to PPP loans, Economic Injury Disaster Loans and grants as well as loan forgiveness data. This data will further inform the Committee's work in its mission for equitable administration of SBA assistance to small businesses, and help small businesses to withstand the effects of the pandemic. I thank the Chairwoman and the Committee for their interest in this issue.

Carolyn Bourdeaux,
Member of Congress.

Carolyn Bourdeaux

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[3] *Id.*
[4] Office of Inspector General - Small Business Administration, "Inspection of SBA's Administration of the Paycheck Protection Program" (Jan. 14, 2021)

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making it more difficult to ensure the requirement to prioritize underserved and rural markets are being met.[3] The collection of demographic data of small businesses who access COVID-19 federal relief is helpful feedback in learning how resources are being distributed and if they are being distributed equitably and consistent to statutory intent. I encourage the current Small Business Administration to collect more comprehensive demographic data on the distribution of PPP loans.

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Carolyn Bourdeaux,
Member of Congress.

[3] *Id.*
[4] Office of Inspector General - Small Business Administration, "Inspection of SBA's Administration of the Paycheck Protection Program" (Jan. 14, 2021)

February 13, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to section 2001 of the Concurrent Resolution on the Budget, I hereby transmit these recommendations which have been approved by vote of the Committee on Small Business, and the appropriate accompanying material including additional, supplemental or dissenting views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in S. Con. Res. 5, the fiscal year 2021 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,

Nydia M. Velázquez
Chairwoman
Committee on Small Business

REPORT
OF THE
COMMITTEE ON SMALL BUSINESS
ON
COMMITTEE PRINT
(PROVIDING FOR RECONCILIATION PURSUANT TO S.CON.RES. 5, THE CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2021)

TOGETHER WITH
DISSENTING AND ADDITIONAL VIEWS

CONTENTS

I. INTRODUCTION

A. PURPOSE AND SUMMARY

The purpose of the recommendations is to provide relief for small businesses throughout the country impacted by the pandemic. It provides financial assistance in the forms of grants and forgivable loans to the hardest hit businesses and small nonprofits, strengthening outreach and education to small firms located in hard to reach and underserved areas, and providing additional administrative funding to the Small Business Administration to ensure swift and strong implementation and oversight of these efforts. The recommendations fulfill the reconciliation directive included in section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021, S. Con. Res. 5.

B. BACKGROUND AND NEED FOR LEGISLATION

Almost eleven months after shutdown orders and social distancing guidelines were implemented across our economy, small businesses are still struggling to stay open, retain workers, and remain viable. Throughout the pandemic, the Committee has heard feedback that there are many kinds of small businesses that rely on foot traffic and close interaction with others that have been disproportionality impacted by the pandemic. Included among these are businesses that depend on gathering large groups of people, such as music venues, theaters, museums, and other cultural institutions. The Committee has also heard feedback from restaurants, non-profit organizations, and firms in the travel industry about the unique challenges they've each faced because of the COVID-19 pandemic. With conferences across the country postponed or cancelled, travel agents and event planners have virtually no business.

Restaurants across the country, a notoriously thin-margin business, faced full or partial shutdowns, and limited capacity and abbreviated hours when they were open. Yet in 2020, restaurants and the food service industry received only eight percent of Paycheck Protection Program (PPP) dollars lent.[1] Despite expanding to outdoor seating, pivoting to online and delivery orders, and even fresh produce to generate revenue, many restaurants may not survive. The New York Restaurant Association, in partnership with the National Restaurant Association, recently reported that 54 percent of all New York restaurateurs are in danger of closing permanently if another federal relief package is not passed.[2]

Similarly, many non-profit organizations that provide invaluable services and create jobs in their communities were excluded under the first round of the PPP. Business in and around the tourism and travel business have also struggled as governments restricted non-essential travel to curb the spread of the virus. Without business travel or recreational tourism, thousands of small businesses across the country, including hotels, gift shops, travel agents, and others have lost out on revenue they could not replace.

To meet these unique needs, Congress enacted numerous relief programs, including the PPP, expanded Economic Injury Disaster Loan (EIDL) program with Advances, and the Shuttered

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[1] U.S. Small Bus. Admin., *Paycheck Protection Program (PPP) Report: Approvals through 08/08/2020*, (Aug. 8, 2020), https://www.sba.gov/sites/default/files/2020-08/PPP_Report%20-%202020-08-10-508.pdf.

[2] Erika Adams, *More Than Half of New York's Restaurants Are in Danger of Closing: Survey*, (Dec. 11, 2020), EATER NEW YORK, https://ny.eater.com/2020/12/11/22166728/new-york-restaurant-closing-survey-pandemic.

Venue Operators Grant program. Other tools were also utilized such as providing for debt relief on principal and interest on SBA loans and strengthening the traditional SBA programs, like the 7(a), 504, and microloan programs to meet the long-term recovery needs of the small business community. In addition, many states have established their own relief programs catered to businesses in those states.[3]

The recommendations provide necessary investments to ensure an equitable path to recovery by expanding PPP loans for small nonprofits that are working in local communities to provide a variety of valuable services, such as food distribution, health care, vaccinations, and childcare. It also harmonizes the treatment for critical digital news services within PPP in recognition of the vital information and emergency news they provide to local communities.

The measure also creates a grant program for small, independent restaurants that gives them the opportunity to receive additional funding to keep their businesses afloat and their workers paid until the nation is better equipped to fully reopen safely. These policies also reflect the need for additional funding for the Targeted EIDL grant program in order to backfill requests for assistance and make new grants to small businesses in low- and moderate-income communities that have excessive revenue losses. The recommendations recognize the importance of shuttered venues and cultural institutions to the nation's economy by increasing the total level of funding available to the Shuttered Venue Grants Program in order to adequately meet the anticipated demands of the program.

Expansion of these programs along with the creation of additional paths of financial assistance to small employers will take time but also more administrative funding to the SBA. Doing so meets the needs of small entities, nonprofits, and their workers to act quickly to implement the programs, increase education and outreach to all businesses, particularly underserved ones, and continue oversight to prevent fraud, waste, and abuse.

The small business economy therefore needs the recommendations provided in the Committee Print because it provides additional funding to address the existing financial needs of small businesses. By providing additional funds for grants, expanding PPP eligibility, strengthening outreach and education to underserved and hard to reach businesses, and increasing administrative funding to the Small Business Administration, the reforms will enable more small employers to remain in business, pay their workers, and create a more equitable recovery for American small businesses.

C. LEGISLATIVE HISTORY

Budget Resolution

On February 5, 2021, the House of Representatives approved S. Con Res. 5, setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030. Pursuant to section 2001 of S. Con. Res. 5, the Committee on Small Business was directed to submit to the Committee on the Budget recommendations for changes in the law within the jurisdiction of the Committee on Small Business that increase the deficit by not more than $50,000,000,000 for the period of fiscal years 2021 through 2030.

Committee Hearings

[3] *See, e.g.*, Maryland Small Business COVID-19 Emergency Relief Loan Fund, https://commerce.maryland.gov/fund/maryland-small-business-covid-19-emergency-relief-loan-fund.

The Committee on Small Business held a hearing on the State of the Small Business Economy in the Era of COVID-19 on February 4, 2020 wherein the Committee heard about how the current pandemic relief programs were helping small employers and what additional steps the federal government could take to strengthen small business resiliency.

The Committee on Small Business and its Subcommittee held many hearings and forums over the 116th Congress on a wide variety of subjects relevant to pandemic aid programs, including the following hearings:

- The Impact of Coronavirus on America's Small Businesses (March 10, 2020)
- Member Day Hearing on COVID-19 Response and Recovery: Committee on Small Business (April 23, 2020)
- Update from the Small Business Administration's Resource Partners on the Implementation of the CARES Act (May 7, 2020)
- A Conversation with SBA Paycheck Protection Program Lenders (May 13, 2020)
- First Look: SBA Office of Inspector General Preliminary Paycheck Protection Program Report (May 15, 2020)
- The Effects of COVID-19 on Rural Economies (May 20, 2020)
- Business Interruption Coverage: Are Policyholders Being Left Behind? (May 21, 2020)
- Small Business Priorities for the Next Phase of Recovery: How to Leverage the Small Business Development Center Network (May 28, 2020)
- The Economic Injury Disaster Loan Program: A View from Main Street (June 10, 2020)
- Paycheck Protection Program: Loan Forgiveness and Other Challenges (June 17, 2020)
- An Overview of the Dynamic Between the Defense Production Act and Small Contractors (June 24, 2020)
- The Economic Injury Disaster Loan Program: Status Update from the Administration (July 1, 2020)
- Supply Chain Resiliency (July 2, 2020)
- Long-Lasting Solutions for a Small Business Recovery (July 15, 2020)
- Putting America Back to Work: The Role of Workforce Development and Small Business Rehiring (July 16, 2020)
- Oversight of the Small Business Administration and Department of Treasury Pandemic Programs (July 17, 2020)
- 21st Century SBA: An Analysis of SBA's Technology Systems (July 22, 2020)
- Kick Starting Entrepreneurship and Main Street Economic Recovery (September 10, 2020)
- Paycheck Protection Program: An Examination of Loan Forgiveness, SBA Legacy Systems, and Inaccurate Data (September 24, 2020)
- A Review of PPP Forgiveness (September 25, 2020)
- Taking Care of Business: Howe Childcare is Important for Regional Economies (September 30, 2020)
- Preventing Fraud and Abuse of PPP and EIDL: An Update with the SBA Office of Inspector General and the Government Accountability Office (October 1, 2020)

II. Section-By-Section

TITLE VI: SMALL BUSINESS PROVISIONS

SECTION 6001: AMENDMENTS TO PAYCHECK PROTECTION PROGRAM

Eligibility of Certain Nonprofit Entities

This subsection expands eligibility to the additional non-profits listed in Section 501(c) of the Internal Revenue Code to receive an initial Paycheck Protection Program (PPP), except for 501(c)(4) organizations, provided that: 1) the organization does not receive more than 15 percent of receipts from lobbying activities; 2) the lobbying activities do not comprise more than 15 percent of activities; 3) the cost of lobbying activities of the organization did not exceed $1,000,000 during the most recent tax year that ended prior to February 15, 2020; and 4) the organization employs not more than 300 employees.

It makes larger non-profits eligible for PPP by striking the application of the Small Business Administration's (SBA) affiliation rules to nonprofits in the *CARES Act* and looking at the employee headcount at the "per physical location" level of the organization. Larger 501(c)(3)s and veteran's organizations are eligible for PPP that employ not more than 500 employees per physical location of the organization. Larger 501(c)(6)s, domestic marketing organizations, and all other non-profits in Section 501(c) of the IRC (except for 501(c)(4)s) are eligible for PPP that employ not more than 300 employees per physical location of the organization.

It also provides that newly eligible entities may take out second draw PPP loans, provided that they have suffered at least a 25 percent revenue loss and employ not more than 300 employees.

Eligibility of Internet Publishing Organizations

This subsection makes eligible for PPP internet-only news and periodical publishers with more than one physical location, as long as the business has not more than 500 employees per physical location or the applicable SBA size standard, if the organization certifies it is an internet-only news or periodical publisher and that the loan will support locally focused or emergency information.

It also waives affiliation rules for internet-only news and periodical publishers, as long as the organization has not more than 500 employees per physical location or the applicable SBA size standard. This section also waives the prohibition against publicly traded internet-only news and periodical publishers from being eligible if the business certifies that the loan will support locally focused or emergency content.

Coordination with Continuation Coverage Premium Assistance

This clarifies that COBRA payments are not to be included in PPP forgiveness calculations.

Commitment Authority and Appropriations.

Provides an additional $7.25 billion for PPP and increases the PPP program level from $806.4 billion to $813.7 billion.

SECTION 6002: TARGETED EIDL ADVANCE

This section provides an additional $15 billion for the Targeted Economic Injury Disaster Loan (EIDL) Advance program and directs SBA to address any potential funding shortfalls in the first 28 days after enactment to ensure that remaining eligible businesses can access the $10,000 grant.

It directs SBA to make any remaining funding available for supplemental grants to "severely impacted" small businesses that: 1) have suffered a loss of at least 50 percent; 2) are located in a low-income census tract as defined by section 45D(e) of the Internal Revenue Code; and 3) have ten employees or fewer. In the event funding remains available after 14 days, the revenue loss threshold is lowered to 30 percent, allowing "substantially impacted" businesses to apply for the $5,000 supplemental grants.

SECTION 6003: RESTAURANT REVITALIZATION FUND

This section provides $25 billion for a new program at the SBA offering assistance to restaurants and other food and drinking establishments. Of this amount, $5 billion of this amount is set aside for businesses with less than $500,000 in 2019 annual revenue.

The grants are available for up to $10 million per entity, with a limitation of $5 million per physical location. Entities are limited to 20 locations. The grants are calculated by subtracting 2020 revenue from 2019 revenue. During the first 21 days, applications from restaurants owned and operated controlled by women, veterans, or socially and economically disadvantaged individuals will receive priority. The grants may be used for a wide variety of expenses, including payroll, mortgage, rent, utilities, supplies, food and beverage expenses, paid sick leave, and operational expenses.

SECTION 6004: COMMUNITY NAVIGATOR PILOT PROGRAM

This section establishes the Community Navigator pilot program to make more equitable the awareness of and participation in COVID-19 relief programs for business owners currently lacking access, with priority for businesses owned by socially and economically disadvantaged individuals, women, and veterans.

It provides $100 million for community navigator grants and $75 million for outreach and education and authorizes the pilot program through December 31, 2025.

This section allows for grants to, or contracts or cooperative agreements with, private nonprofit organizations, SBA resource partners (Small Business Development Centers (SBDCs), Women's Business Centers (WBCs), SCORE chapters), States, Tribes, and units of local government to ensure the delivery of *free* community navigator services to current or prospective owners of eligible businesses in order to improve access to assistance programs and resources made available because of the COVID–19 pandemic by Federal, State, Tribal, and local entities.

Finally, this section promotes outreach and education of the navigator services and COVID-19 assistance by: 1) conducting outreach and education, in the 10 most commonly spoken languages in the United States; 2) improving the website of the SBA to describe such community navigator services and other Federal programs; 3) implementing an education campaign by advertising in media targeted to current or prospective owners of eligible businesses; and 4) establishing a telephone hotline to offer information about Federal programs to assist eligible businesses and offer referral services to resource partners, community navigators, potential lenders and other appropriate experts.

SECTION 6005: SHUTTERED VENUE OPERATORS

This section provides an additional $1.25 billion for the SBA Shuttered Venue Operators Grant Program, including a set aside for technical assistance to help entities apply for grants.

SECTION 6006: DIRECT APPROPRIATIONS.

This section provides $840 million for administrative costs to prevent, prepare and respond to the COVID–19 pandemic, including expenses related to PPP, aid to Venues, and grants to restaurants. It also provides $460 million for the disaster loan program, of which $70 million is for the cost of direct loans and $390 million is for administrative costs. Finally, this section provides

$25 million for SBA's Office of Inspector General for oversight, to remain available until expended.

III. Committee Consideration

On February 10, 2021, the Committee on Small Business marked up Committee Print (providing for reconciliation pursuant to S.Con.Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021) and ordered the Committee Print, as amended, favorably reported (with a quorum being present) on February 10, 2021.

IV. Committee Votes

In compliance with the Rules of the House of Representatives, the following statements are made concerning the votes of the Committee on Small Business in its consideration of the Committee Print (providing for reconciliation pursuant to S.Con.Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021) on February 10, 2021.

MOTION TO TRANSMIT RECOMMENDATIONS

The Committee Print, as amended, was ordered favorably transmitted by a rollcall vote of 15 yeas to 9 nays (with a quorum being present). The vote was as follows:

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman	✓		
Mr. Jared Golden	✓		
Mr. Jason Crow	✓		
Ms. Sharice Davids	✓		
Mr. Kweisi Mfume	✓		
Mr. Dean Phillips	✓		
Ms. Marie Newman	✓		
Ms. Carolyn Bourdeaux	✓		
Ms. Judy Chu	✓		
Mr. Dwight Evans	✓		
Mr. Antonio Delgado	✓		
Ms. Chrissy Houlahan	✓		
Mr. Andy Kim	✓		
Ms. Angie Craig	✓		
VACANT			
Blaine Luetkemeyer, Ranking Member		✓	
Roger Williams		✓	
Jim Hagedorn		✓	
Pete Stauber		✓	

Dan Meuser		✓	
Andrew Garbarino		✓	
Young Kim		✓	
Beth Van Duyne			***did not vote**
Byron Donalds		✓	
Maria Salazar	✓		
Scott Fitzgerald		✓	

VOTE ON ADOPTION OF COMMITTEE PRINT, AS AMENDED

The Committee Print, as amended, was agreed to by voice vote (with a quorum being present).

VOTES ON AMENDMENTS

A rollcall vote was conducted on the following amendments to the Chairwoman's Amendment in the Nature of a Substitute, as amended.

The Chairwoman's Amendment in the Nature of a Substitute, as amended, was agreed to by a rollcall vote of 15 yeas to 9 nays (with a quorum being present). The vote was as follows:

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman	✓		
Mr. Jared Golden	✓		
Mr. Jason Crow	✓		
Ms. Sharice Davids	✓		
Mr. Kweisi Mfume	✓		
Mr. Dean Phillips	✓		
Ms. Marie Newman	✓		
Ms. Carolyn Bourdeaux	✓		
Ms. Judy Chu	✓		
Mr. Dwight Evans	✓		
Mr. Antonio Delgado	✓		
Ms. Chrissy Houlahan	✓		
Mr. Andy Kim	✓		
Ms. Angie Craig	✓		
VACANT			
Blaine Luetkemeyer, Ranking Member		✓	
Roger Williams		✓	
Jim Hagedorn		✓	
Pete Stauber		✓	

Dan Meuser		✓	
Andrew Garbarino		✓	
Young Kim		✓	
Beth Van Duyne			***did not vote**
Byron Donalds		✓	
Maria Salazar	✓		
Scott Fitzgerald		✓	

A Substitute Amendment to the Amendment in the Nature of a Substitute was offered by Mr. Luetkemeyer, which was defeated by a rollcall vote of 10 yeas to 14 nays (with a quorum being present). The vote was as follows:

MEMBER	**AYE**	**NO**	**NOT VOTING**
Ms. Velázquez, Chairwoman		✓	
Mr. Jared Golden		✓	
Mr. Jason Crow		✓	
Ms. Sharice Davids		✓	
Mr. Kweisi Mfume		✓	
Mr. Dean Phillips		✓	
Ms. Marie Newman		✓	
Ms. Carolyn Bourdeaux		✓	
Ms. Judy Chu		✓	
Mr. Dwight Evans		✓	
Mr. Antonio Delgado		✓	
Ms. Chrissy Houlahan		✓	
Mr. Andy Kim		✓	
Ms. Angie Craig		✓	
VACANT			
Blaine Luetkemeyer, Ranking Member	✓		
Roger Williams	✓		
Jim Hagedorn	✓		
Pete Stauber	✓		
Dan Meuser	✓		
Andrew Garbarino	✓		
Young Kim	✓		
Beth Van Duyne			***did not vote**
Byron Donalds	✓		
Maria Salazar	✓		
Scott Fitzgerald	✓		

An amendment offered by Mr. Luetkemeyer designated 2v1 Luetkemeyer to the amendment in the nature of a substitute was not agreed to by voice vote. An amendment offered by Mr. Williams designated 2v1 Williams to the amendment in the nature of a substitute was not agreed to by voice vote. An amendment offered by Mr. Meuser designated 1v1 Meuser to the amendment in the nature of a substitute was not agreed to by voice vote. An amendment offered by Mr. Meuser designated 2v1 Meuser to the amendment in the nature of a substitute was not agreed to by voice vote. An amendment offered by Ms. Young Kim designated 2v1 Kim to the amendment in the nature of a substitute was not agreed to by voice vote. An amendment offered by Mr. Fitzgerald designated 1v1 Fitzgerald to the amendment in the nature of a substitute was not agreed to by voice vote. An amendment offered by Ms. Salazar designated 1v1 Salazar to the amendment in the nature of a substitute was not agreed to by voice vote. An amendment offered by Ms. Salazar designated 2v1 Salazar to the amendment in the nature of a substitute was not agreed to by voice vote. An amendment offered by Mr. Stauber designated 2v1 Stauber to the amendment in the nature of a substitute was not agreed to by voice vote.

Mr. Williams offered an amendment designated 1v1 Williams to the amendment in the nature of a substitute. Mr. Garbarino offered an amendment designated 1v1 Garbarino to the amendment in the nature of a substitute. Mr. Garbarino offered an amendment designated 2v1 Garbarino to the amendment in the nature of a substitute. Ms. Young Kim offered an amendment designated 1v1 Kim to the amendment in the nature of a substitute. Mr. Donalds offered an amendment designated 1v1 Donalds to the amendment in the nature of a substitute. Mr. Stauber offered an amendment designated 1v1 Stauber to the amendment in the nature of a substitute. Mr. Hagedorn offered an amendment designated 1v1 Hagedorn to the amendment in the nature of a substitute. The amendments to the amendment in the nature of a substitute designated 1v1 Williams, 1v1 Garbarino, 2v1 Garbarino, 1v1 Kim, 1v1 Donalds, 1v1 Stauber, and 1v1 Hagedorn were considered en bloc and were not agreed to by a roll call vote of 9 yeas and 14 nays (with a quorum being present). The vote was as follows:

MEMBER	AYE	NO	NOT VOTING
Ms. Velázquez, Chairwoman		✓	
Mr. Jared Golden		✓	
Mr. Jason Crow		✓	
Ms. Sharice Davids		✓	
Mr. Kweisi Mfume		✓	
Mr. Dean Phillips		✓	
Ms. Marie Newman		✓	
Ms. Carolyn Bourdeaux		✓	
Ms. Judy Chu		✓	
Mr. Dwight Evans		✓	
Mr. Antonio Delgado		✓	
Ms. Chrissy Houlahan		✓	
Mr. Andy Kim		✓	
Ms. Angie Craig		✓	

VACANT			
Blaine Luetkemeyer, Ranking Member	✓		
Roger Williams	✓		
Jim Hagedorn	✓		
Pete Stauber	✓		
Dan Meuser			***did not vote**
Andrew Garbarino	✓		
Young Kim	✓		
Beth Van Duyne			***did not vote**
Byron Donalds	✓		
Maria Salazar	✓		
Scott Fitzgerald	✓		

V. BUDGET EFFECT

A. CONGRESSIONAL BUDGET COST ESTIMATE, NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office.

[INSERT CBO PDF]

VI. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

In accordance with clause 3(c)(1) of rule XIII of the Rules of the House, the oversight findings and recommendations of the Committee on Small Business with respect to the subject matter contained in the Committee Print are incorporated into the descriptive portions of this report.

B. PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this Committee print is to provide additional targeted grants for hard hit businesses, implement the restaurant revitalization grant program, expand Paycheck Protection Program (PPP), provide administrative funds to the agency, increase outreach to underserved businesses, and fully fund the shuttered venue grant program.

C. FEDERAL MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104–4). The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office.

D. STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to clause 7(c)(1) of rule XII of the Rules of the House, the Committee finds the authority for this legislation in Art. I, § 8, cl. 1.

E. CONGRESSIONAL ACCOUNTABILITY ACT

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

F. FEDERAL ADVISORY COMMITTEE ACT STATEMENT

No advisory committees as defined in the Federal Advisory Committee Act, 5 U.S.C. App.2. are established or authorized by this Committee Print.

G. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

With respect to clause 9 of rule XXI of the House of Representatives, the Committee Print does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

H. STATEMENT OF DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5)of rule XIII of the Rules of the House, no provision in the Committee Print establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the United States Government Accountability Office pursuant to § 21 of Pub. L. No. 111-139, or a program related to a program identified in the most recent catalog of federal domestic assistance.

VII. CHANGES IN EXISTING LAW MADE BY THE LEGISLATION, AS REPORTED

In compliance with clause 3(e)(1)of rule XIII of the Rules of the House, changes in existing law made by the committee print, as reported, were requested but not received at the time of the report.

VIII. DISSENTING VIEWS AND ADDITIONAL VIEWS

[INSERT ADDITIONAL MINORITY VIEWS PDF]

[INSERT REP. BORDEAUX ADDITIONAL VIEWS PDF]

Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chairman
Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member
Paul J. Sass
Republican Staff Director

February 16, 2021

The Honorable John Yarmuth
Chairman, Committee on the Budget
204-E Cannon House Office Building
Washington, D.C. 20515

Dear Mr. Yarmuth:

Pursuant to section 2001 of the Concurrent Resolution on the Budget, I hereby transmit these recommendations, which were approved by the Committee on Transportation and Infrastructure on February 10, 2021, and the accompanying material including additional, supplemental, or dissenting views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in S. Con. Res. 5, the fiscal year 2021 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,

Peter A. DeFazio
Chair

CONTENTS

PURPOSE OF COMMITTEE PRINT

The purpose of this Committee Print is to comply with the reconciliation directive contained in section 2001 of S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, which requires the Committee on Transportation and Infrastructure to submit changes within its jurisdiction to increase the deficit by not more than \$95,620,000,000 over fiscal years 2021 to 2030.

BACKGROUND AND NEED FOR COMMITTEE PRINT

The COVID-19 pandemic has hit the transportation sector hard. The reduction in mass transit riders and air passengers has led to devastating economic consequences for local, regional, and state governments, transit agencies, and commercial airlines. Transportation workers in particular have been hard hit by the devastating health risks and significant financial repercussions of the public health crisis our nation continues to face.

Amtrak ridership numbers were devastated by the COVID-19 pandemic and remain at roughly 25 percent of pre-pandemic levels—the passenger railroad forecasts a total of 8.7 million trips for fiscal year 2021, compared to 32.5 million in fiscal year 2019. It is critical to provide funding to keep Amtrak fully operational through fiscal year 2021 and help the passenger rail carrier remain viable for future generations.

Railroad workers do not receive traditional state-administered unemployment benefits and funds continue to be necessary to create parity for railroad workers.

The COVID-19 pandemic has had a devastating effect on the aviation and aerospace industries, including our nation's airports. According to the Transportation Security Administration, passenger screening levels plummeted by as much as 90 percent throughout the pandemic compared to similar periods in 2019. Furthermore, the International Air Transport Association predicts the aviation industry will not fully recover until 2024 at the earliest.

The dramatic and sustained drop in airline passenger traffic levels at U.S. airports caused nearly $23 billion in airport revenue losses in 2020 and is estimated to cause an additional $17 billion in losses through early 2022. These losses threaten the ability of airports to retain their current workforce levels, maintain essential operations, and invest in critical airport safety and other infrastructure projects.

According to recent industry analysis, an estimated 100,000 aerospace manufacturing workers have already lost their jobs nationwide and 220,000 additional jobs are at risk of furlough. Providing immediate federal assistance to eligible U.S. aerospace companies will help preserve the jobs and livelihoods of hundreds of thousands of at-risk employees across the nation.

The effects of the COVID-19 pandemic on passenger traffic has also been disastrous for the thousands of businesses that operate within the airport ecosystem. For instance, airport concessions have provided airports with $3.6 billion less revenue between 2019 and 2020 due to declining passenger traffic throughout the airport system. Without emergency aid, the pandemic could force thousands of airport concessions to close, many of them small businesses and disadvantaged business enterprises.

Transit agencies face ongoing and significant impacts from the COVID-19 pandemic. According to an independent analysis prepared by EPB US, Inc, on behalf of the American Public Transportation Association, transit systems are facing a shortfall of $39.3 billion through the end of calendar year 2023, even when accounting for the $39 billion in relief Congress has provided to date. These shortfall estimates include $25.2 billion in 2021, $15.1 billion in 2022, and $13.0 billion in 2023.

The analysis found that the shortfall is being driven by several factors, including a 79 percent decline in transit ridership at the start of the pandemic. Severe ridership loss continued throughout 2020, averaging 65 percent below normal levels from June through December. Suppressed ridership is expected to continue at current levels through the third quarter of 2021, with lower-than-average ridership expected through calendar year 2023 due to lower employment and increased reliance on remote work. Given these conditions, the proposal includes $30 billion in funding for transit agencies to prevent, prepare for, and respond to the ongoing threat of COVID-19.

The Federal Emergency Management Agency (FEMA) was formally tapped to help state, local, tribal, and territorial governments respond to COVID-19 on March 13, 2020, when then-President Trump invoked the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (P.L. 93-288, as amended), declaring – for the first time ever – emergencies across all states and territories for a singular event. FEMA typically provides assistance in the form of reimbursement via the Disaster Relief Fund (DRF). Given that the emergency and subsequent major disaster declarations were granted by claiming a "preeminent and exclusive" (Stafford Act, Sec. 501(b)) federal responsibility of responding to and recovering from COVID-19, President Biden has provided a 100 percent federal cost-share adjustment through the end of fiscal year 2021, and clarified which activities are eligible for DRF reimbursement. Given the cost share adjustment and eligibility clarifications, FEMA projects a $28.88 billion dollar shortfall in the DRF at the close of fiscal year 2021 absent additional resources (see Appendix A of February 2021 DRF Monthly Report to Congress).

The Economic Adjustment Assistance program run by the Department of Commerce's Economic Development Administration (EDA) provides a wide range of technical, planning, and public works and infrastructure assistance in regions experiencing adverse economic impacts. Full economic recovery from the pandemic will require funding for critical infrastructure projects, sustainable job growth and workforce development, and innovation to attract investment. In order to stimulate re-growth, the Committee has chosen to reserve a portion of the funding for the Economic Development Administration for areas experiencing severe economic distress as a result of declines in travel, tourism, and outdoor recreation. Consideration should be given to projects seeking to advance tourism marketing and promotion activities necessary to drive economic recovery in these sectors, as well as projects that provide information to potential consumers regarding health and safety protections necessary for safe travel.

LEGISLATIVE HISTORY AND CONSIDERATION

The Committee on Transportation and Infrastructure met on Wednesday, February 10, 2021, in 2167 Rayburn House Office Building and virtually, pursuant to notice, in an open session, a quorum being present, and considered legislative proposals to comply with the reconciliation directive included in section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021, S. Con. Res. 5

The Committee took the following actions:

The Committee approved the Committee Print consisting of recommendations for transmittal to the Committee on the Budget to comply with the Reconciliation Directive included in Section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021 by a record vote of 39 yeas and 25 nays (Roll Call Vote No. 15). An Amendment in the Nature of a Substitute offered by Mr. DeFazio (#1); was agreed to, by voice vote.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Crawford (#1A) was NOT AGREED TO by voice vote.

Amend section 7005 to read as follows: Sec. 7005. Railway-Highway Crossings.

In addition to amounts otherwise available, there is appropriated for Fiscal Year 2021, out of any money in the Treasury not otherwise appropriated, $1,500,000,000, to remain available until September 30, 2024, to carry out section 130 of title 23, United States Code, and apportioned to States in the same manner as amounts otherwise authorized to carry out such section.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Gibbs (#1B) was NOT AGREED TO, by a record vote of 27 yeas and 37 nays (Roll Call Vote No. 1).

Page 8, line 17, strike "$30,000,000,000" and insert "$20,000,000,000".

At the end of subtitle A, add a new section entitled "Sec. Highway Infrastructure Programs."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Webster (#1C) was NOT AGREED TO, by a record vote of 31 yeas and 36 nays (Roll Call Vote No. 2).
Page 41, after line 5, insert a new section entitled ''Sec. 7205. Vaccination Sup-
port.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1D) was NOT AGREED TO, by a record vote of 23 yeas and 43 nays (Roll Call Vote No. 3).
Strike section 7005 of the bill and redesignate accordingly.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1E) was NOT AGREED TO, by voice vote.
Page 28, after line 13, a new section entitled ''Sec. 7008. Reimbursement of Interest Payment related to Public Assistance.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Bost (#1F) was NOT AGREED TO, by voice vote.
Page 28, after line 13 insert a new section entitled ''Sec. 7008. Port and Inter-
modal Improvement Program.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Bost (#1G) was NOT AGREED TO, by a record vote of 27 yeas and 38 nays (Roll Call Vote No. 4).
Page 1, line 8, insert ''(a) In General.—'' before ''In addition''.
Page 1, after line 15, insert a new subsection entitled ''(b) Report.''

An amendment to the Amendment in the Nature of a Substitute offered by Miss González-Colón (#1H) was NOT AGREED TO, by a record vote of 28 yeas and 37 nays (Roll Call Vote No. 5).
Page 3, strike lines 10 through 13 and insert the following: ''(c) Of the funds
provided by this section, 25 percent shall be used to provide grants to eligible entities to address job losses in the travel, tourism, and outdoor recreation sec- tors, which may include the costs associated with tourism marketing and pro- motion of safe and healthy travel practices.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Stauber (#1I) was ruled non-germane.
At the end of subtitle A insert a new section entitled ''Sec.__. Reversal of Revocation of Permit.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Burchett (#1J) was NOT AGREED TO, by a record vote of 30 yeas and 35 nays (Roll Call Vote No. 6).
At the end of subtitle A, add a new section entitled ''Sec.__. Limitation on Compensation to Air Carrier Executives.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Van Drew (#1K) was NOT AGREED TO, by a record vote of 27 yeas and 37 nays (Roll Call Vote No. 7).
Page 28, after line 13 insert a new section entitled ''Sec. 7008 Health Smart Air Travel Pilot Program.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Guest (#1L) was NOT AGREED TO, by a record vote of 29 yeas and 36 nays (Roll Call Vote No. 8).
Page 1, line 8, insert ''(a) In General.—'' before ''In addition''
Page 1, after line 15, insert a new subsection entitled ''(b) FEMA Rural Vac- cine.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Nehls (#1M) was NOT AGREED TO, by voice vote.
Page 41, after line 5, insert a new section entitled ''Sec. 7025. Funding Limitation.''

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Van Duyne (#1N) was ruled non-germane.
Page 41, after line 5 insert a new section entitled ''Sec. 7205. Funding Availability.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Crawford (#1O) was NOT AGREED TO, by voice vote.
Page 41, after line 5 insert a new section entitled ''Sec. 7205. Buy America.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Webster (#1P) was NOT AGREED TO, by voice vote.
Page 3, after line 13, insert the following (and redesignate the subsequent sub- section accordingly): ''(d) Of the funds provided by this section, 25 percent shall be for assistance to rural communities for high-speed broadband projects that include the provision of two-way data transmission with sufficient downstream and upstream speeds to end users to permit effective participation in the economy and to support economic growth, as determined by the Secretary of Commerce.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1Q) was NOT AGREED TO, by a record vote of 19 yeas and 44 nays (Roll Call Vote No. 9).
Strike section 7006 of the bill and redesignate accordingly.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1R) was NOT AGREED TO, by voice vote.
Page 28, after line 13, a new section entitled ''Sec.__. Maritime Duplication of Benefits.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Bost (#1S) was WITHDRAWN.
Page 28, after line 13, insert a new section entitled Sec. 7008. Parking for Commercial Vehicles.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Bost (#1T); was WITHDRAWN.
Page 1, line 8, insert ''(a) In General.—'' before ''in addition''.
Page 1, after line 15, insert a new subsection entitled ''(b) Report.''

An amendment to the Amendment in the Nature of a Substitute offered by Miss González-Colón (#1U) was WITHDRAWN.
At the end of subtitle A, add a new section entitled ''Sec. 1. Waiver of Certain Provisions.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Stauber (#1V) was WITHDRAWN.
Page 20, strike lines 19 through 22 and insert a new subparagraph entitled ''(iv) State Applicants.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Guest (#1W) was NOT AGREED TO, by voice vote.
Page 2, beginning on line 12, strike '', for which the Federal cost share shall be 100 percent''.
Page 10, line 19, strike the semicolon and insert ''; and''. Page 10, line 23, strike ''; and'' and insert a period.
Page 10, strike line 24 and all that follows through line 2 on page 11.
Page 23, strike line 14 and all that follows through line 3 on page 24 (and re- designate accordingly).

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Nehls (#1X); was WITHDRAWN.
Strike section 7005 of the bill (and redesignate accordingly).
Page 8, line 17, strike ''$30,000,000,000'' and insert ''23,500,000,000''.
Page 28, after line 13, insert a new section entitled ''Sec. 7008. Recession of Executive Order.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Crawford (#1Y) was ruled non-germane.
At the end of subtitle A add a new section entitled ''Sec.__. Relief Fund for Certain Pipeline Workers.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1Z) was NOT AGREED TO, by voice vote.
Page 21, line 3 insert a new subsection entitled ''(c) Flexibility.''

An amendment to the Amendment in the Nature of a Substitute offered by Miss González-Colón (#1AA) was WITHDRAWN.
Page 28, after line 13, insert the following new sections ''Sec. 7008. Alternative Procedures.''; ''Sec. 7009. Assistance Throughout Recovery.''; ''Sec. 7010. Timely Basis for Payment and Reimbursement.''; and ''Sec. 7011. Subrecipient Payments.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Stauber (#1BB) was NOT AGREED TO, by a record vote of 28 yeas and 36 nays (Roll Call Vote No. 10).
Page 41, after line 5, insert a new section entitled ''Sec. 7205. Findings; Certification.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Guest (#1CC) was NOT AGREED TO, by voice vote.
Page 23, after line 23, insert a new Subparagraph entitled ''(D) Small Airport Grant Program.''

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1DD) was NOT AGREED TO BY voice vote.
Consisting of the following:
An amendment to the Amendment in the Nature of a Substitute: Page 1, line 8, strike ''In'' and insert ''(a) In''.
Page 1, after line 15, insert the following:
(b) Of the funds provided in this section, up to 0.1 percent shall be used for Federal costs to reimburse State 2 and units of local government pursuant to section 1211(b) 3 of Public Law 115–254 as may be necessary, consistent 4 with the requirements applicable to such reimbursement 5 and which shall remain available until September 30, 6 2027.
An amendment to the Amendment in the Nature of a Substitute: Page 1, line 8 insert ''(a) In General.—'' before ''In addition''.
Page 1, after line 15, insert a new subsection entitled ''(b) Set Aside.''
An amendment to the Amendment in the Nature of a Substitute:
Page 1, line 8, insert ''(a) In General.—'' before ''In addition''.
Page 1, after line 15, insert a new subsection entitled ''(b) Set Aside.''

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Crawford (#1EE) was WITHDRAWN.
Consisting of the following:
An amendment to the Amendment in the Nature of a Substitute:
At the end of subtitle A insert a new section entitled ''Sec.__. State-owned Enterprise Prohibition.''
An amendment to the Amendment in the Nature of a Substitute : Page 8, line 20, strike '', to eligible recipients''.
Page 8, after line 22, insert the following: (B) be available to eligible recipients under chapter 53 of title 49, except that a recipient or subrecipient shall not grant, provide, distribute, or otherwise make available funding provided under subsection (a)(1) to the China Railway Rolling Stock Corporation, CRRC, or any subsequent name or subsidiary that relates back to the original parent company;
Page 8, line 23, strike ''(B)'' and insert ''(C)''.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1FF) was NOT AGREED TO, by voice vote.
Page 5, line 16, insert '', prioritizing any such routes that cross through an area with respect to which a major disaster was declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) during calendar years 2015 through 2021'' after ''frequency''.

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1GG) was NOT AGREED TO, by voice vote.
Page 8, after line 17, strike ''$30,000,000,000'' and insert ''$29,500,000,000''.
Page 28, after line 13, a new section entitled ''Sec. 7008. Maritime Transportation Emergency Relief Grants.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1HH) was WITHDRAWN.
Page 1, line 8 insert ''(a) In General.—'' before ''In addition''.
Page 1, after line 15, insert a new subsection entitled ''(b) Set Aside.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1II) was NOT AGREED TO, by voice vote.
Page 8, line 17, strike ''$30,000,000,000'' and insert ''$29,500,000,000''.
Page 11, line 6, strike ''$26,086,580,227'' and insert ''$25,586,580,227''. Page 21, line 9, strike ''$8,000,000,000'' and insert ''$7,500,000,000''. Page 22, line 9, strike ''$6,492,000,000'' and insert ''$5,992,000,000''.
Page 28, after line 13, insert a new section entitled ''Sec. 7008. Sustainable Aviation Fuel.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1JJ) was NOT AGREED TO, by voice vote.
Page 21, line 23, strike ''and''.
Page 22, line 2, strike the period at the end and insert ''; and''.
Page 22, after line 2, insert the following: (D) may not be provided to an airport in an amount that results in an airport receiving more than 3 years of operating funds to prevent, prepare for, and respond to coronavirus in fiscal years 2020 and 2021 combined.

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1KK) was NOT AGREED TO, by voice vote.
Consisting of the following:
An amendment to the Amendment in the Nature of a Substitute: Page 22, line 9, strike ''$6,492,000,000'' and insert ''$6,442,000,000''.
Page 26, after line 16, insert the following: (5) Not more than $50,000,000 shall be made available to improve the cybersecurity of airport computer systems and networks, with priority given safety-critical computer systems and networks. The Secretary may use the amount under this paragraph in any way the Secretary determines appropriate, including:
(A) entering into an agreement or providing funds directly to an airport; or
(B) entering into an agreement with a company that provides computer systems or network services, or other similar services to multiple airports.
An amendment to the Amendment in the Nature of a Substitute:
Page 8, line 17, strike ''$30,000,000,000'' and replace with ''$29,950,000,000''
At the end of subtitle A, add a new section entitled ''Sec.__. Cybersecurity at Wastewater Treatment Systems.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Johnson of South Dakota (#1LL) was NOT AGREED TO, by voice vote.
At the end of subtitle A insert a new section entitled ''Sec.__. Requirement for Reduction of Economic Substitution Effect.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Johnson of South Dakota (#1MM), was ruled non- germane.
Page 8, after line 10, insert a new subsection entitled ''(h) Requirement for Use of Funds.''

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Gibbs (#1NN) was NOT AGREED TO, by voice vote.
Page 27, line 25, insert ", and including a fixed base operator" after "Regulations".
Page 28, line 7, insert ", and including a fixed base operator" after "Regulations".

An amendment to the Amendment in the Nature of a Substitute offered by Ms. Mace (#1OO) was WITHDRAWN.
Page 29, after line 12, insert a new section entitled "Sec. 7008. Upgrading Cold Storage Facilities."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Johnson of South Dakota (#1PP) was NOT AGREED TO, by voice vote.
Page 8, after line 10, insert a new subsection entitled "(h) Requirement for Use of Funds."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. LaMalfa (#1QQ) was WITHDRAWN.
At the end of subtitle A, add a new section entitled "Sec.__. Reprogramming of Certain Funds for the Forest Service."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. LaMalfa (#1RR) was NOT AGREED TO, by voice vote.
Page 8, line 17, strike "$30,000,000,000" and insert "$22,000,000,000".
At the end of subtitle A, add a new section entitled "Sec.__. Assistance for Providers of Transportation Services Affected by COVID-19."

An amendment to the Amendment in the Nature of a Substitute offered by Mrs. Steel (#1SS) was WITHDRAWN.
Page 41, after line , insert a new section entitled "Sec. 7205. Support for Mental Health."

An en bloc amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1TT) was NOT AGREED TO, by voice vote.
Consisting of the following:
An amendment to the Amendment in the Nature of a Substitute:
Page 41, after line 5, insert anew section entitled "Sec. 4205. Deficit Reduction."
An amendment to the Amendment in the Nature of a Substitute
At the end of subtitle C, add a new section entitled "Sec.__. Deficit Reduction."

An amendment to the Amendment in the Nature of a Substitute offered by Miss González-Colón (#1UU) was NOT AGREED TO, by a record vote of 27 yeas and 37 nays (Roll Call Vote No. 11).
At the end of subtitle A insert a new section entitled "Sec.__. Maritime Task Force."

An amendment to the Amendment in the Nature of a Substitute offered by Miss González-Colón (#1VV) was WITHDRAWN.
Page 28, after line 13, insert a new section entitled "Sec. 70008. Repair, Restoration, and Replacement of Damaged Facilities."

An amendment to the Amendment in the Nature of a Substitute offered by Miss González-Colón (#1WW) was WITHDRAWN.
At the end of subtitle A, insert a new section entitled "Sec. __. Cargo in Alaska or Puerto Rico."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Babin (#1XX) was NOT AGREED TO, by a record vote of 25 yeas and 39 nays (Roll Call Vote No. 12).
Page 21, after line 3, insert a new subsection entitled "(c) Funding Availability."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Graves of Louisiana (#1YY) was NOT AGREED TO, by a record vote of 28 yeas and 35 nays (Roll Call Vote No. 13).
At the end of subtitle A, add a new section entitled "Sec. __. Prohibition on Condition on Air Transportation."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Perry (#1ZZ) was NOT AGREED TO, by voice vote.
Page 11, after line 2, add a new paragraph entitled "(3) Limitation."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Bost (#1AAA) was NOT AGREED TO, by voice vote.
Page 28, after line 13, insert a new section entitled "Sec. 7008. Restriction on Purchase of Steel Products from China."

An amendment to the Amendment in the Nature of a Substitute offered by Mr. Mast (#1BBB) was NOT AGREED TO, a record vote of 27 yeas and 37 nays (Roll Call Vote No. 14).
At the end of the bill, add a new section entitled "Sec. 7205. Limitation on Certain Employee Compensation."

COMMITTEE VOTES

Clause 3(b) of Rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against.

Committee on Transportation and Infrastructure Roll Call Vote No 1.
On: agreeing to amendment #1B offered by Mr. Gibbs
Not Agreed to: 27 yeas and 37 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea

Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	....	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	....	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Nay
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	....
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 2.
On: agreeing to amendment #1C offered by Mr. Webster
Not Agreed to: 31 yeas and 36 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea

Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 3.
On: agreeing to amendment #1D offered by Mr. Perry
Not Agreed to: 23 yeas and 43 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	....	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Nay
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Nay
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Nay
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Nay
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 4.
On: agreeing to amendment #1F offered by Mr. Bost
Not Agreed to: 27 yeas and 38 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	....	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	....
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Nay
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 5.
On: agreeing to amendment #1H offered by Miss González-Colón
Not Agreed to: 28 yeas and 37 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Nay

Mr. Sires	Nay	Mr. Perry	Nay
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	....	Mr. Katko	....
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 6.
On: agreeing to amendment #1J offered by Mr. Burchett
Not Agreed to: 30 yeas and 35 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	....	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	....
Mr. Lowenthal	Nay	Mr. Mast	Yea

Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 7.
On: agreeing to amendment #1K offered by Mr. Van Drew
Not Agreed to: 27 yeas and 37 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Nay
Mr. Sires	Nay	Mr. Perry	Nay
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	....	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	....
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	....	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Nay

Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 8.
On: agreeing to amendment #1L offered by Mr. Guest
Not Agreed to: 29 yeas and 36 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA		Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	Yea
Mr. Auchincloss	Nay	Mr. Gimenez	Yea
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 9.
On: agreeing to amendment #1Q offered by Mr. Perry
Not Agreed to: 19 yeas and 44 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	....
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	....	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Nay
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Nay
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Nay
Mr. Malinowski	Nay	Mr. Stauber	Nay
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Nay
Mr. Moulton	Nay	Ms. Van Duyne	....
Mr. Auchincloss	Nay	Mr. Gimenez	....
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 10.
On: agreeing to amendment #1BB offered by Mr. Stauber
Not Agreed to: 28 yeas and 36 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	....
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea

Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	....
Mr. Auchincloss	Nay	Mr. Gimenez	....
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 11.
On: agreeing to amendment #1UU offered by Miss González-Colón
Not Agreed to: 27 yeas and 37 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	....
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Nay
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea

Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	....
Mr. Auchincloss	Nay	Mr. Gimenez	....
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 12.
On: agreeing to amendment #1XX offered by Mr. Babin
Not Agreed to: 25 yeas and 39 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	Yea
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Nay
Mr. Carbajal	Nay	Miss González-Colón	Nay
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Nay
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea

Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	....
Mr. Auchincloss	Nay	Mr. Gimenez	....
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	....		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 13.
On: agreeing to amendment #IYY offered by Mr. Graves of Louisiana
Not Agreed to: 28 yeas and 35 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Yea
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	....
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	....
Mr. Auchincloss	Nay	Mr. Gimenez	....
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	....		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 14.
On: agreeing to amendment #1BBB offered by Mr. Mast
Not Agreed to: 27 yeas and 37 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Nay	Mr. Graves of MO	Yea
Ms. Norton	Nay	Mr. Young	....
Ms. Johnson of TX	Nay	Mr. Crawford	Yea
Mr. Larsen of WA	Nay	Mr. Gibbs	Yea
Mrs. Napolitano	Nay	Mr. Webster	Yea
Mr. Cohen	Nay	Mr. Massie	Yea
Mr. Sires	Nay	Mr. Perry	Yea
Mr. Garamendi	Nay	Mr. Rodney Davis of IL	Yea
Mr. Johnson of GA	Nay	Mr. Katko	Nay
Mr. Carson	Nay	Mr. Babin	Yea
Ms. Titus	Nay	Mr. Graves of LA	Yea
Mr. Maloney of NY	Nay	Mr. Rouzer	Yea
Mr. Huffman	Nay	Mr. Bost	Yea
Ms. Brownley	Nay	Mr. Weber of TX	Yea
Ms. Wilson of FL	Nay	Mr. LaMalfa	Yea
Mr. Payne	Nay	Mr. Westerman	....
Mr. Lowenthal	Nay	Mr. Mast	Yea
Mr. DeSaulnier	Nay	Mr. Gallagher	Yea
Mr. Lynch	Nay	Mr. Fitzpatrick	Yea
Mr. Carbajal	Nay	Miss González-Colón	Yea
Mr. Brown	Nay	Mr. Balderson	Yea
Mr. Malinowski	Nay	Mr. Stauber	Yea
Mr. Stanton	Nay	Mr. Burchett	Yea
Mr. Allred	Nay	Mr. Johnson of SD	Yea
Ms. Davids of KS	Nay	Mr. Van Drew	Yea
Mr. García of IL	Nay	Mr. Guest	Yea
Mr. Delgado	Nay	Mr. Nehls	Yea
Mr. Pappas	Nay	Ms. Mace	Yea
Mr. Lamb	Nay	Ms. Malliotakis	Yea
Mr. Moulton	Nay	Ms. Van Duyne	....
Mr. Auchincloss	Nay	Mr. Gimenez	....
Ms. Bourdeaux	Nay	Mrs. Steel	Yea
Mr. Kahele	Nay		
Ms. Strickland	Nay		
Ms. Williams of GA	Nay		
Ms. Newman	Nay		
Vacancy			

Committee on Transportation and Infrastructure Roll Call Vote No 15.
On: agreeing to the Committee Print and transmitting the recommendations to the Committee on the Budget
Not Agreed to: 39 yeas and 25 nays.

Majority Members	Vote	Minority Members	Vote
Mr. DeFazio	Yea	Mr. Graves of MO	Nay
Ms. Norton	Yea	Mr. Young	....
Ms. Johnson of TX	Yea	Mr. Crawford	Nay
Mr. Larsen of WA	Yea	Mr. Gibbs	Nay
Mrs. Napolitano	Yea	Mr. Webster	Nay

Mr. Cohen	Yea	Mr. Massie	Nay
Mr. Sires	Yea	Mr. Perry	Nay
Mr. Garamendi	Yea	Mr. Rodney Davis of IL	Nay
Mr. Johnson of GA	Yea	Mr. Katko	Yea
Mr. Carson	Yea	Mr. Babin	Nay
Ms. Titus	Yea	Mr. Graves of LA	Nay
Mr. Maloney of NY	Yea	Mr. Rouzer	Nay
Mr. Huffman	Yea	Mr. Bost	Nay
Ms. Brownley	Yea	Mr. Weber of TX	Nay
Ms. Wilson of FL	Yea	Mr. LaMalfa	Nay
Mr. Payne	Yea	Mr. Westerman	......
Mr. Lowenthal	Yea	Mr. Mast	Nay
Mr. DeSaulnier	Yea	Mr. Gallagher	Nay
Mr. Lynch	Yea	Mr. Fitzpatrick	Yea
Mr. Carbajal	Yea	Miss González-Colón	Yea
Mr. Brown	Yea	Mr. Balderson	Nay
Mr. Malinowski	Yea	Mr. Stauber	Nay
Mr. Stanton	Yea	Mr. Burchett	Nay
Mr. Allred	Yea	Mr. Johnson of SD	Nay
Ms. Davids of KS	Yea	Mr. Van Drew	Nay
Mr. García of IL	Yea	Mr. Guest	Nay
Mr. Delgado	Yea	Mr. Nehls	Nay
Mr. Pappas	Yea	Ms. Mace	Nay
Mr. Lamb	Yea	Ms. Malliotakis	Nay
Mr. Moulton	Yea	Ms. Van Duyne	......
Mr. Auchincloss	Yea	Mr. Gimenez	......
Ms. Bourdeaux	Yea	Mrs. Steel	Nay
Mr. Kahele	Yea		
Ms. Strickland	Yea		
Ms. Williams of GA	Yea		
Ms. Newman	Yea		
Vacancy			

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of Rule XIII of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITYAND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for the Committee Print from the Director of the Congressional Budget Office:

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of the Committee Print is to provide relief to transportation workers and systems and to comply with the reconciliation directive contained in section 2001 of S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of the Committee Print establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with clause 9 of rule XXI of the Rules of the House of Representatives, this Committee Print, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), or 9(g) of the Rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee finds that the Committee Print does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this Committee print.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the Committee Print does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

SECTION-BY-SECTION ANALYSIS OF THE COMMITTEE PRINT

TITLE VII –COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Subtitle A – Transportation and Infrastructure

Sec. 7001. Federal Emergency Management Agency Appropriation.

This section provides the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund (DRF) with $50 billion for reimbursement to state, local, tribal, and territorial governments dealing with ongoing response and recovery activities from COVID-19 and other Presidentially-declared disasters and emergencies, available through fiscal year 2025.

Sec. 7002. Funeral Assistance.

This section directs FEMA to continue providing funeral assistance for COVID-19-related deaths and provide such assistance at 100 percent federal cost share.

Sec. 7003. Economic Adjustment Assistance.

This section provides $3 billion for the Economic Development Administration to provide economic adjustment assistance for fiscal year 2021 for the purpose of preventing, preparing for, and responding to economic injury caused by the COVID-19 pandemic. It sets aside 15 percent of the assistance for communities that have suffered economic injury as a result of job losses in travel, tourism, or outdoor recreation activities.

Sec. 7004. Great Lakes St. Lawrence Seaway Development Corporation Operations and Maintenance.

This section provides $1.5 million from the Harbor Maintenance Trust Fund to the Seaway International Bridge for operations, maintenance, and capital infrastructure activities.

Sec. 7005. Grants to the National Railroad Passenger Corporation.

This section provides $1.5 billion to keep Amtrak fully operational through fiscal year 2021. Specifically, it provides $820 million for the Northeast Corridor and $680 million for the National Network. The funding will allow Amtrak to recall and pay employees furloughed due to the COVID-19 pandemic through the end of fiscal year 2021 and restore daily long-distance service.

It also sets aside $117 million to states to help cover lost revenue in state-supported routes and avoid large increases in state payments to Amtrak; $109 million to states and commuter rail agencies to cover their Northeast Corridor commuter rail payment to Amtrak; and $101 million to cover Amtrak's debt repayments.

Sec. 7006. Federal Transit Administration Grants.

The section provides $30 billion in grants under chapter 53 of title 49, United States Code, for eligible recipients to prevent, prepare for, and respond to the ongoing threat of COVID-19. Funds provided in the Committee Print are designated as mandatory budget authority and mandatory outlays that are distinct from FTA funding provided from the Mass Transit Account of the Highway Trust under the FAST Act (P.L. 114-94) and under its extension for FY 2021, the

Continuing Appropriations Act, 2021 and Other Extensions Act (P.L. 116-159). These funds are to be primarily used for payroll expenses, operating costs to maintain service including the purchase of personal protective equipment, and paying the administrative leave of operations or contractor personnel due to reductions in service.

Specifically this section includes $26.1 billion in operating assistance formula grants for transit service in urbanized areas; $50.0 million in formula grants for the provision of transportation for seniors and persons with disabilities; $280.9 million in operating assistance formula grants for states to support rural transit agencies in areas of fewer than 50,000 people; $1.0 billion in funds to ensure the solvency of ongoing New Start, Core Capacity, and Expedited Project Delivery projects under the Capital Investment Grants program (CIG), under which FTA is directed to use the non-CIG project costs associated with 2019 and 2020 allocations when making allocations; $250.0 million in funds to ensure the solvency of ongoing Small Start CIG projects; $100.0 million for intercity bus service to support service that provides essential connections in rural areas; $25.0 million in route planning grants to help agencies improve service throughout and following the pandemic, including by improving the quality and frequency of service provided to low-income riders and disadvantaged communities; and $2.2 billion in funding to be allocated to recipients with the greatest operating assistance needs that remain unmet after relief funding provided by formula.

Sec. 7007. Relief for Airports.

This section provides $8 billion in emergency aid for primary airport, non-primary airports, and airport concessions. Of this amount $6.4 billion is distributed to primary airports for costs related to operations, personnel, debt service payments, and combating the spread of pathogens at airports. A condition of receiving federal funds is that airports are required to continue to retain 90 percent of their workforce through the end of the fiscal year. This section also provides $100 million to non-primary airports to help address costs related to the current pandemic and more than $600 million to help ensure all airports receive 100 percent federal cost share for any airport improvement grant awarded to them in fiscal year 2021. Finally, this section allocates $800 million to airport concessions at primary airports to provide relief from rent and minimum annual guarantee obligations. Eight percent of this allocation is for small businesses and minority-owned firms.

Subtitle B – Aviation Manufacturing Jobs Protection

Sec. 7101. Definitions.

This section provides definitions for this Subtitle.

Sec. 7102. Payroll Support Program.

This section establishes a $3 billion temporary payroll support program, administered by the U.S. Department of Transportation, to provide a 50 percent federal share to eligible U.S. aerospace manufacturing companies to help cover the wages, salaries, and benefits of manufacturing employees most at risk of being furloughed.

Subtitle C – Continued Assistance to Rail Workers

Sec. 7201. Additional Enhanced Benefits Under the Railroad Unemployment Insurance Act.

This section provides an additional $400 per week to unemployed railroad workers on top of their standard benefit for registration periods beginning on or before August 29, 2021.

Sec. 7202. Extended Unemployment Benefits Under the Railroad Unemployment Insurance Act.

This section provides up to 24 additional weeks of unemployment benefits, which expire after August 29, 2021.

Sec. 7203. Extension of Waiver of the 7-Day Waiting Period for Benefits Under the Railroad Unemployment Insurance Act.

This section waives the one-week delay for railroad unemployment and sickness benefits through August 29, 2021.

Sec. 7204. Railroad Retirement Board and Office of the Inspector General Funding.

This section provides the Railroad Retirement Board $6.8 million for additional hiring and overtime bonuses needed to administer the sustained high volume of unemployment and sickness benefits, and $21.175 million for improvements to the Information Technology Investment Initiatives. In addition, it provides $500,000 to the Railroad Retirement Board Office of the Inspector General for oversight activities.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, the Committee advises that compliance prior to submission to the Committee on the Budget was not possible.

MINORITY VIEWS

Committee Republicans adamantly oppose the Committee's Budget Reconciliation recommendations, as amended and ordered to be transmitted on February 10, 2021. The Democrats' recommendations, as amended, are the product of a rushed and partisan process. In accordance with budget reconciliation instructions, this raises spending under the Committee's jurisdiction by $95.62 billion with no consideration for how Americans will be forced to pay for the Majority's irresponsible spending decisions.

Democrats excluded Republicans from every part of this process. The 32 Republicans on the Committee stood ready to work across the aisle to provide relief to Americans and bolster the transportation sector in these unprecedented times; but unfortunately, that was not the path chosen by the Majority. Committee Republicans were not consulted in drafting the text, which the Majority released less than 48 hours before the business meeting. While such a partisan process is permissible under the rules, it completely prevented meaningful amendment debate as the outcome was predetermined in this utterly one-sided process.

During this time of great uncertainty for Americans, we should be providing sound budget policy targeted precisely where funds are necessary. Other COVID relief packages have come together with bipartisan development and support, and we are truly disappointed that we cannot continue working together in the same manner due to the partisan path directed by the Speaker of the House.

Republicans stood prepared to debate and negotiate budget priorities in good faith. However, in the United States House of Representatives, Speaker Pelosi decided to begin this Congress by ignoring the input of more than 200 House Members and moving forward with a hastily drafted multi-trillion-dollar spending measure. For this Committee's part, glaring omissions in the recommendations illustrate that many of our Democratic colleagues may have also been left out of this leadership-controlled process. Notably, during consideration of this measure, the Chair expressed his displeasure with the reconciliation process and yet indicated despite that he would oppose all Republican amendments, regardless of the merit. In many instances the Chair even acknowledged support for policies put forward by Committee Republicans but still refused to cross the Speaker's direction to conduct a closed, partisan process.

The process now being followed by the Majority does not adhere to the intent of the budget reconciliation process. The *Congressional Budget Act of 1974 (Budget Act)* created the optional process of reconciliation to bring revenues, spending, and the debt limit into conformity. Use of the expedited procedures under budget reconciliation is reserved for this limited purpose. Even under these accelerated procedures, the *Budget Act* yields to the committees of jurisdiction. It is up to the committees to craft legislation to meet the budget resolution directives. Moreover, it is up to the committees to use their standard practices to mark up their budget bill, and a committee cannot be compelled to act by the date set in the budget resolution, or at all. The intent of the *Budget Act* was not to hastily force through one-sided policies without input from Members. Notably, a key Senate component is the "Byrd Rule," named for the late Democratic Senator Robert Byrd from West Virginia and was intended to exclude matters extraneous to the budget. Yet now it seems apparent that the Majority will deem nothing to be "extraneous" in this process.

When only one side legislates, sensible provisions frequently get left out of the process. If bipartisan discussions occurred, Republicans would have sought to balance the funds provided to urban and rural communities, which are dramatically and unfairly lopsided in the Majority's package. For example, of the $30 billion provided in Federal Transit Administration (FTA) grants, at least $26.1 billion, or 87 percent, is directed specifically to urbanized areas.[1] The Majority summarily dismissed any amendment that attempted to more evenly distribute transit funding to rural areas, or to redirect a portion of transit funding to purposes that would benefit the entire Nation, such as highway infrastructure funds. In fact, Representative Gibbs (R-OH-7) offered an amendment that, if adopted, would have reprogrammed $10 billion of transit funds for highway and bridge projects. If this amendment was accepted, transit still would still receive $20 billion in this new relief bill, which was the requested amount of the Biden Administration.[2]

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[1] Calculations based on $26.1 billion for urbanized area formula grants divided by $30 billion for total transit.

[2] PRESIDENT BIDEN ANNOUNCES AMERICAN RESCUE PLAN, Jan. 21, 2021, *available at* https://www.whitehouse.gov/briefing-room/legislation/2021/01/20/president-biden-announces-american-rescue-plan/.

Instead, total COVID relief for transit will total $69 billion, while total COVID relief for highways and bridges remains at $10 billion.

This was not the only amendment to attempt to mitigate the Majority's failure to properly account for rural communities. In 2018, under the Airport Improvement Act (AIP), large hub airports (the 30 largest airports), received 15.9 percent of grant funding.[3] Under the Majority's proposal the largest hub airports now receive 62 percent of funding.[4] This means that the 20 largest airports will receive more money than all the other 3,000 airports combined.[5] Again, a Republican amendment offered by Representative Guest (R-MS-3) attempted to create greater parity among rural and urban airports but was rejected by the Majority.

In addition, Republicans would have put greater emphasis on accountability, transparency, and ensuring no taxpayer funds are wasted, which often happens with a rushed proceeding such as this one. For example, Republicans emphasized during debate the importance of vaccine distribution and attempted to offer an amendment that would have ensured the Disaster Relief Fund (DRF) which is being provided $50 billion in the underlying proposal would have been utilized to ensure more Americans have access to the vaccine. The Majority rejected an amendment submitted by Representative Westerman (R-AR-4) and offered and withdrawn on his behalf by Representative Bost (R-IL-12) that would have provided transparency on the $50 billion of Federal Emergency Management Agency (FEMA) funding provided in this measure, in addition to the $45 billion provided in previous relief funding. The majority also opposed another amendment offered by Representative Webster (R-FL-11) that would have increased and ensured funding was focused on vaccine distribution: one of the highest priorities for bringing the pandemic under control in our country, and therefore one of the surest ways to reduce the need for additional economic relief.

Last Congress, we worked in a bipartisan manner to combat this pandemic, and now we should seek to include mechanisms that ensure the efficient use of taxpayer dollars while strengthening our transportation sector's ability to recover. The Majority's bill fails to provide deliberative investments, focus on spending that will reduce costs in the future, and get individuals back to work and children back to school in a safe and healthy manner.

Sadly, there was no desire here to come together for the benefit of our Nation's recovery. The Majority even rejected Minority amendments with which they agreed. For instance, an amendment was offered by Representative Graves (R-LA-6) on behalf of Rep. Van Duyne (R-TX-24) to respond to recent discussions by the Biden Administration about putting in place a requirement for air travelers to provide proof of a negative COVID test before they fly domestically. This proposal has caused great concern in the air transportation and tourism industries, and at the end of this January, a coalition of 23 labor, travel, and tourism

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[3] REPORT TO CONGRESS ON THE AIRPORT IMPROVEMENT PROGRAM FOR FY 2018 – 32ND ANNUAL REPORT OF ACCOMPLISHMENTS, FEDERAL AVIATION ADMINISTRATION (FAA), Aug. 26, 2020, *available at* https://www.faa.gov/airports/aip/grant_histories/annual_reports/media/32nd-Annual-AIP-report.pdf.
[4] FAA staff e-mail to Republican Committee Staff, Feb. 8, 2021 (on file with Committee).
[5] *Id.*

associations wrote a letter to the COVID-19 Recovery Team expressing grave concerns with the proposal.[6] In addition, the Majority's own aviation witness at a hearing before the Committee on February 4, 2021, was asked about the domestic testing policy and stated that requiring tests "would be a cosmetic change that would hurt the airline business and actually make us less safe."[7] The witness added that "the furloughs that we have seen so far would be dwarfed by what would happen if this policy went into effect."[8] Despite the shared concerns and opposition to this expressed by the Majority during the markup and in other forums, the Majority still rejected an amendment to prohibit the Department of Transportation (DOT) and the FAA from using any funds provided by the Act to plan, develop, carry out, enforce, or assist in any way with such a domestic testing requirement.

Surprisingly, the Majority also unanimously rejected amendments that sought to curtail China's influence over American goods and industry. Several amendments by Republican Committee members targeting Chinese influence and control over U.S. businesses, including the steel industry, were voted down by the Majority with no Democratic support. These votes came despite the Biden Administration's efforts to join Republicans' support of the *Buy America Act* and efforts to crack down on China's harmful influence.[9] The defeat of these amendments aimed at protecting American workers and guarding taxpayer funds also represents a complete reversal from last Congress, when Democrats supported a Republican-introduced motion to H.R. 2, *the Moving Forward Act,* which was the Democrats infrastructure package, that firmly opposed Chinese state-owned entities operating in the United States. The Majority's actions send a troubling message that, given the choice between joining Republicans in supporting American workers or policies that favor Chinese state-owned industries, Democrats are open to choosing the latter. These are just some examples of the Majority's refusal to work with the Minority or allow us to participate in the drafting of this bill, even on issues where we share concerns.

Due to the razor thin Democratic majorities in the House and Senate partisan bills will be difficult to pass. Given this, the Majority is using this limited reconciliation process to exclusively pass its priorities without having to meet the 60-vote threshold in the Senate. Budget Resolution, H. Res. 11, which provides the Committee's reconciliation instructions, does not attempt to hide the fact that it is the vehicle for the Administration's $1.9 trillion COVID relief proposal. COVID relief has been, and continues to be, important for the transportation sector and for all Americans. This measure is not a budget bill, and it should not be rushed through Congress under the procedures set aside very specifically for budget reconciliation. This point was acknowledged by both the Chair and Ranking Member during

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[6] Coalition letter to Jeffrey Zients, Coordinator, White House COVID-19 Recovery Team (January 29, 2021).
[7] *Protecting Transportation Workers and Passengers from COVID: Gaps in Safety, Lessons Learned and Next Step: Hearing Before the H. Comm. on Transportation and Infrastructure* 117th Cong. (Jan. 27, 2021) (statement of Sara Nelson, International President, Association of Flight Attendants.
[8] *Id.*
[9] President's Remarks on Signing an Executive Order on Ensuring the Future Is Made in All of America by All of America's Workers and an Exchange With Reporters, DCPC-2021100085, (Jan. 25, 2021) *available at* https://www.govinfo.gov/content/pkg/DCPD-202100084/pdf/DCPD-202100084.pdf; *see also* Jen Psaki, Press Briefing by Press Secretary, (Jan. 25, 2021), *available at* https://www.whitehouse.gov/briefing-room/press-briefings/2021/01/25/press-briefing-by-press-secretary-jen-psaki-january-25-2021/.

opening remarks in which both disagreed with the use of budget reconciliation regardless of which party is in power.

The Majority's reconciliation recommendations demonstrate the Democrats' failure to spend responsibly based on the effects of recent relief efforts, many of which are still unclear. In recent months, Congress approved $113 billion in funding for the transportation industry as well as $45 billion for FEMA and $1.5 billion for the Economic Development Administration (EDA) for relief from the COVID pandemic. However, we have not taken the time to examine how that money has been spent, where additional funding can be most effective, and which programs are working effectively. While we agree there may still be various needs, the prudent option is to thoughtfully and carefully target the funds, as we have with other COVID relief packages that have come together on a bipartisan basis. For example, certain programs meant to aid our transportation partners are still awaiting guidance in order to be eligible for the funding, such as the $2 billion provided to motorcoach and passenger vessel operators under the *Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act of 2021.*[10] It is essential to make sure this money makes the biggest impact in the areas that need it most – especially as economic projections continue to show signs of recovery.

The reconciliation recommendations fail not only because they overspend and grow the government, they also fail because of unwise investments in policies that will lead to more wasteful spending. Our parties may have different views on what the size of government should be, but we should be in agreement that – however large – government spending should not temporarily gloss over problems that will simply increase spending down the road.

This hastily written vehicle for the Majority's unchecked desire to spend taxpayers' money without first deliberately working to identify the true needs will only grow worse as it is merged with other committees' components, because bipartisanship in the House was rejected before the process began. Now the House Committee on Budget will pile on more spending to check any remaining boxes on the Majority left wing's wish list. For all of these reasons, we strongly oppose this partisan reconciliation bill compiled without any input from the Members speaking for more than 72 million voters.

Sam Graves
Ranking Member

Garrett Graves
Ranking Member
Subcommittee on Aviation

Bob Gibbs
Ranking Member
Subcommittee on Coast Guard and Maritime Transportation

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[10] P.L. 116-260.

Daniel Webster
Ranking Member
Subcommittee on Economic Development, Public Buildings and Emergency Management

Rodney Davis
Ranking Member
Subcommittee on Highways and Transit

Rick Crawford
Ranking Member
Subcommittee on Railroads, Pipelines, and Hazardous Materials

David Rouzer
Ranking Member
Subcommittee on Water Resources and Environment

Don Young
Member of Congress

Thomas Massie
Member of Congress

Scott Perry
Member of Congress

Brian Babin D.D.S
Member of Congress

Mike Bost
Member of Congress

Randy K. Weber Sr.
Member of Congress

Doug LaMalfa
Member of Congress

Bruce Westerman
Member of Congress

Brian J. Mast
Member of Congress

Mike Gallagher
Member of Congress

Jenniffer Gonzalez-Colon
Member of Congress

Troy Balderson
Member of Congress

Pete Stauber
Member of Congress

Tim Burchett
Member of Congress

Dusty Johnson
Member of Congress

Jefferson Van Drew
Member of Congress

Michael Guest
Member of Congress

Troy E. Nehls
Member of Congress

Nancy Mace
Member of Congress

Beth Van Duyne
Member of Congress

Michelle Steel
Member of Congress

Committee on Transportation and Infrastructure Summary of Major Policy Decisions

The COVID-19 pandemic has hit the transportation sector hard. The reduction in mass transit riders and air passengers has led to devastating economic consequences for local, regional, and state governments, transit agencies, and commercial airlines. Transportation workers in particular have been hard hit by the devastating health risks and significant financial repercussions of the public health crisis our nation continues to face. The following provisions are key to providing much-needed relief for transportation workers and systems.

Amtrak ridership numbers were devastated by the COVID-19 pandemic and remain at roughly 25 percent of pre-pandemic levels—the passenger railroad forecasts a total of 8.7 million trips for fiscal year 2021, compared to 32.5 million in fiscal year 2019. This proposal provides $1.5 billion to keep Amtrak fully operational through fiscal year 2021 and help the passenger rail carrier remain viable for future generations.

Railroad workers do not receive traditional state-administered unemployment benefits. This proposal creates parity for railroad workers by mirroring changes to traditional unemployment benefits, by providing an additional $400 per week to unemployed railroad workers, allowing for 24 additional weeks of benefits, and waiving the one-week delay of benefits for newly unemployed or sick workers.

Transit agencies face ongoing and significant impacts from the COVID-19 pandemic. According to an independent analysis prepared by EPB US, Inc, on behalf of the American Public Transportation Association, transit systems are facing a shortfall of $39.3 billion through the end of calendar year 2023, even when accounting for the $39 billion in relief Congress has provided to date. These shortfall estimates include $25.2 billion in 2021, $15.1 billion in 2022, and $13.0 billion in 2023.

The analysis found that the shortfall is being driven by several factors, including a 79 percent decline in transit ridership at the start of the pandemic. Severe ridership loss continued throughout 2020, averaging 65 percent below normal levels from June through December. Suppressed ridership is expected to continue at current levels through the third quarter of 2021, with lower-than-average ridership expected through calendar year 2023 due to lower employment and increased reliance on remote work. Given these conditions, this proposal includes $30 billion in funding for transit agencies to prevent, prepare for, and respond to the ongoing threat of COVID-19.

The ongoing COVID-19 pandemic, and resulting decline in air travel, continues to also devastate the U.S. aviation and aerospace industries, among other sectors. According to recent industry analysis, an estimated 100,000 aerospace manufacturing workers have already lost their jobs nationwide and 220,000 additional jobs are at risk of furlough due to the pandemic. In order to help our nation's airports address the ongoing effects of the coronavirus pandemic, this proposal provides a total of $8 billion in emergency aid for primary airports, non-primary airports, and airport concessions. The proposal also allocates $800 million to airport concessions at primary airports, with a focus on helping small businesses and minority-owned firms.

The proposal also establishes a $3 billion temporary payroll support program, administered by the U.S. Department of Transportation, to provide a 50 percent Federal share to eligible U.S. aerospace manufacturing and maintenance, repair, and overhaul companies to help cover the wages, salaries, and benefits of U.S. manufacturing employees most at risk of being furloughed and to facilitate the recall or rehire of such employees furloughed during the COVID-19 pandemic.

The proposal includes $3 billion for the Economic Development Administration (EDA) to provide economic adjustment assistance for fiscal year 2021 for the purpose of preventing, preparing for, and responding to economic injury caused by the COVID-19 pandemic. In order to provide support to communities and industries that have been disproportionately impacted by the pandemic, 15 percent of the funding is reserved for assistance for communities that have suffered economic injury as a result of job losses in travel, tourism, or outdoor recreation activities.

This proposal includes $50 billion to the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund (DRF) to provide relief to state, local, tribal, and territorial governments for COVID-19 related activities, including vaccination efforts, the continued deployment of the National Guard, providing personal protective equipment for critical public sector employees, and disinfecting activities in public facilities. FEMA is projecting a nearly $30 billion deficit in the DRF at the close of the fiscal year based only on current emergencies and major disasters.

Finally, the proposal provides a one-time transfer of $1.5 million from the Harbor Maintenance Trust Fund for operations, maintenance, and capital infrastructure activities of the Seaway International Bridge.

Congressional Budget Office
Cost Estimate

February 12, 2021

At a Glance

Reconciliation Recommendations of the House Committee on Transportation and Infrastructure

As ordered reported on February 10, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2030	2021-2031
Direct Spending (Outlays)	28,400	90,460	90,460
Revenues	*	*	*
Increase or Decrease (-) in the Deficit	28,400	90,460	90,460

		Mandate Effects	
Statutory pay-as-you-go procedures apply?	Yes	Contains intergovernmental mandate?	No
Increases on-budget deficits in any year after 2030?	No	Contains private-sector mandate?	No

CBO has not reviewed the legislation for effects on spending subject to appropriation.

* = between zero and $500,000.

The legislation would

- Appropriate $95.5 billion for a variety of transportation, economic development, and disaster relief programs
- Provide enhanced benefits to unemployed railroad workers through August 29, 2021
- Authorize additional civil and criminal penalties

Estimated budgetary effects would mainly stem from

- Spending of the funds appropriated under the legislation
- Spending of certain unobligated funds available under current law

Detailed estimate begins on the next page.

See also *CBO's Cost Estimates Explained*, www.cbo.gov/publication/54437;
How CBO Prepares Cost Estimates, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42904.

Summary

S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, instructed several committees of the House of Representatives to recommend legislative changes that would increase deficits up to a specified amount over the 2021-2030 period. As part of this reconciliation process, the House Committee on Transportation and Infrastructure approved legislation on February 10, 2021, with a number of provisions that would increase deficits.

The reconciliation recommendations of the House Committee on Transportation and Infrastructure would appropriate about $95.5 billion to assist public and private entities prevent, prepare for, and respond to the coronavirus pandemic. The legislation also would provide enhanced benefits to unemployed railroad workers through August 29, 2021, and establish additional civil and criminal penalties.

Estimated Federal Cost

The estimated budgetary effect of the legislation is shown in Table 1. The costs of the legislation fall primarily within budget functions 400 (transportation), 450 (community and regional development), and 600 (income security).

Basis of Estimate

For this estimate, CBO assumes that the reconciliation recommendations will be enacted by the end of March 2021.

CBO estimates that enacting the reconciliation recommendations would increase direct spending by roughly $90.5 billion over the 2021-2030 period and would increase revenues by an insignificant amount over the same period.

Subtitle A – Transportation and Infrastructure
To fund activities to prevent, prepare for, and respond to the pandemic, Subtitle A would appropriate:

- $50 billion for the Federal Emergency Management Agency to respond to major disasters and to cover funeral expenses related to COVID-19, the disease caused by the coronavirus, beyond December 31, 2020, when authority to cover those expenses is set to expire;
- $30 billion for the Federal Transit Administration to provide grants to transit agencies mostly for operating expenses to maintain payroll for employees and contractors;
- $8 billion for the Federal Aviation Administration to provide grants to airports for operations and debt service costs, to relieve airport concessions from rent and minimum

annual guarantees, and to increase the federal cost share to 100 percent for airport development grants awarded in 2020 or 2021;

- $3 billion for the Economic Development Administration to provide grants to economically distressed communities based on the economic injury resulting from the pandemic;
- $1.5 billion for the Federal Railroad Administration to provide additional grants to the National Railroad Passenger Corporation; and
- $1.5 million from the Harbor Maintenance Trust Fund for the Great Lakes St. Lawrence Seaway Development Corporation to conduct activities related to the Seaway International Bridge.

Based on historical spending patterns for similar activities, CBO estimates that implementing those provisions would increase direct spending by $87.4 billion over the 2021-2030 period.

Subtitle B – Aviation Manufacturing Jobs Protection
Subtitle B would appropriate $3 billion for the Department of Transportation to provide payroll support to eligible aviation manufacturers and maintenance firms for a period no longer than six months. In addition, section 7102 would authorize new civil and criminal penalties for businesses that provide false or misleading information under the program.

Based on historical spending patterns for similar activities, and using information from industry groups on employee compensation, CBO estimates that the payroll support program would increase outlays by $3 billion over the 2021-2030 period.

CBO further estimates that any increases in collections of civil and criminal penalties (which are recorded in the budget as revenues) would be insignificant under the bill. Criminal penalties are deposited in the Crime Victims Fund and are later spent without further appropriation. CBO expects that any additional revenues and associated direct spending would not be significant in any year or over the 2021-2030 period because of the relatively small number of cases likely to be affected.

Subtitle C – Continued Assistance to Rail Workers
Subtitle C would provide enhanced benefits to unemployed railroad workers through August 29, 2021. Using information provided by the Railroad Retirement Board, CBO estimates that these benefits would be funded through unobligated balances. This subtitle also would appropriate $28 million to the Railroad Retirement Board in 2021, primarily for information technology improvements and additional hiring as needed to administer the Railroad Unemployment Insurance Act. CBO estimates this subtitle would increase outlays by $108 million over the 2021-2030 period.

Pay-As-You-Go Considerations:

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays and revenues that are subject to those pay-as-you-go procedures are shown in Table 1.

Increases On-Budget Deficits in any Year after 2030: No.

Mandates: None.

Estimate Prepared By

Federal Costs:

Meredith Decker for Railroad Retirement
Aaron Krupkin for aviation-related proposals
Dan Ready for Railroad Retirement
Robert Reese for transportation programs
Jon Sperl for economic development and federal emergency management

Mandates:

Rachel Austin
Brandon Lever

Estimate Reviewed By

Sheila Dacey
Chief, Income Security and Education Cost Estimates Unit

Susan Willie
Chief, Natural and Physical Resources Cost Estimates Unit

H. Samuel Papenfuss
Deputy Director of Budget Analysis

Theresa Gullo
Director of Budget Analysis

Table 1.
Estimated Budgetary Effects of the Reconciliation Recommendations of the House Committee on Transportation and Infrastructure

	By Fiscal Year, Millions of Dollars												
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
					Increases in Direct Spending								
Subtitle A - Transportation and Infrastructure													
Sec. 7001 - FEMA Appropriation													
Budget Authority	50,000	0	0	0	0	0	0	0	0	0	0	50,000	50,000
Estimated Outlays	11,480	10,980	7,940	4,900	3,430	2,550	2,220	1,700	1,000	800	0	47,000	47,000
Sec. 7003 - Economic Adjustment Assistance													
Budget Authority	3,000	0	0	0	0	0	0	0	0	0	0	3,000	3,000
Estimated Outlays	750	1,000	500	400	150	100	100	0	0	0	0	3,000	3,000
Sec. 7004 - GLS Development Corporation Operations & Maintenance													
Budget Authority	2	0	0	0	0	0	0	0	0	0	0	2	2
Estimated Outlays	2	0	0	0	0	0	0	0	0	0	0	2	2
Sec. 7005 - Grants to the National Railroad Passenger Corporation													
Budget Authority	1,500	0	0	0	0	0	0	0	0	0	0	1,500	1,500
Estimated Outlays	1,350	150	0	0	0	0	0	0	0	0	0	1,500	1,500
Sec. 7006 - FTA Grants													
Budget Authority	30,000	0	0	0	0	0	0	0	0	0	0	30,000	30,000
Estimated Outlays	10,100	9,700	7,300	400	200	100	50	0	0	0	0	27,850	27,850
Sec. 7007 - Relief For Airports													
Budget Authority	8,000	0	0	0	0	0	0	0	0	0	0	8,000	8,000
Estimated Outlays	2,640	4,320	880	120	40	0	0	0	0	0	0	8,000	8,000
Total Subtitle A													
Budget Authority	**92,502**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**92,502**	**92,502**
Estimated Outlays	**26,322**	**26,150**	**16,620**	**5,820**	**3,820**	**2,750**	**2,370**	**1,700**	**1,000**	**800**	**0**	**87,352**	**87,352**
Subtitle B - Aviation Manufacturing Jobs Protection[a]													
Budget Authority	3,000	0	0	0	0	0	0	0	0	0	0	3,000	3,000
Estimated Outlays	2,000	1,000	0	0	0	0	0	0	0	0	0	3,000	3,000
Subtitle C - Continued Assistance to Rail Workers													
Budget Authority	28	0	0	0	0	0	0	0	0	0	0	28	28
Estimated Outlays[b]	78	11	6	5	5	3	0	0	0	0	0	108	108
Total Direct Spending													
Budget Authority	**95,530**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**95,530**	**95,530**
Estimated Outlays	**28,400**	**27,161**	**16,626**	**5,825**	**3,825**	**2,753**	**2,370**	**1,700**	**1,000**	**800**	**0**	**90,460**	**90,460**

FEMA = Federal Emergency Management Agency, FTA = Federal Transit Administration, GLS = Great Lakes St. Lawrence Seaway Development Corporation

a. Section 7102 of Subtitle B would authorize new civil and criminal penalties for businesses that provide false or misleading information under the program. Civil and criminal fines are recorded as revenues in the budget. Criminal fines are also deposited into the Crime Victims Fund and are eligible to be spent without further appropriation. CBO expects that any increases in revenues and associated direct spending would not be significant in any year or over the 2021-2030 period because of the relatively small number of cases likely to be affected.

b. Sections 7201-7203 of subtitle C authorizes the Railroad Retirement Board to use available balances already provided to administer certain provisions in this title; thus, spending of those amounts affects outlays only.

Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington DC 20515

Peter A. DeFazio
Chairman
Katherine W. Dedrick
Staff Director

Sam Graves
Ranking Member
Paul J. Sass
Republican Staff Director

Minority Dissenting Views

Committee Republicans adamantly oppose the Committee's Budget Reconciliation recommendations, as amended and ordered to be transmitted on February 10, 2021. The Democrats' recommendations, as amended, are the product of a rushed and partisan process. In accordance with budget reconciliation instructions, this raises spending under the Committee's jurisdiction by $95.62 billion with no consideration for how Americans will be forced to pay for the Majority's irresponsible spending decisions.

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Republicans stood prepared to debate and negotiate budget priorities in good faith. However, in the United States House of Representatives, Speaker Pelosi decided to begin this Congress by ignoring the input of more than 200 House Members and moving forward with a hastily drafted multi-trillion-dollar spending measure. For this Committee's part, glaring omissions in the recommendations illustrate that many of our Democratic colleagues may have also been left out of this leadership-controlled process. Notably, during consideration of this measure, the Chair expressed his displeasure with the reconciliation process and yet indicated despite that he would oppose all Republican amendments, regardless of the merit. In many instances the Chair even acknowledged support for policies put forward by Committee Republicans but still refused to cross the Speaker's direction to conduct a closed, partisan process.

The process now being followed by the Majority does not adhere to the intent of the budget reconciliation process. The *Congressional Budget Act of 1974 (Budget Act)* created the optional process of reconciliation to bring revenues, spending, and the debt limit into conformity. Use of the expedited procedures under budget reconciliation is reserved for this limited purpose. Even under these accelerated procedures, the *Budget Act* yields to the committees of jurisdiction. It is up to the committees to craft legislation to meet the budget resolution directives. Moreover, it is up to the committees to use their standard practices to mark up their budget bill, and a committee cannot be compelled to act by the date set in the budget resolution, or at all. The intent of the *Budget Act* was not to hastily force through one-sided policies without input from Members. Notably, a key Senate component is the "Byrd Rule," named for the late Democratic Senator Robert Byrd from West Virginia and was intended to exclude matters extraneous to the budget. Yet now it seems apparent that the Majority will deem nothing to be "extraneous" in this process.

When only one side legislates, sensible provisions frequently get left out of the process. If bipartisan discussions occurred, Republicans would have sought to balance the funds provided to urban and rural communities, which are dramatically and unfairly lopsided in the Majority's package. For example, of the $30 billion provided in Federal Transit Administration (FTA) grants, at least $26.1 billion, or 87 percent, is directed specifically to urbanized areas.[1] The Majority summarily dismissed any amendment that attempted to more evenly distribute transit funding to rural areas, or to redirect a portion of transit funding to purposes that would benefit the entire Nation, such as highway infrastructure funds. In fact, Representative Gibbs (R-OH-7) offered an amendment that, if adopted, would have reprogrammed $10 billion of transit funds for highway and bridge projects. If this amendment was accepted, transit still would still receive $20 billion in this new relief bill, which was the requested amount of the Biden Administration.[2] Instead, total COVID relief for transit will total $69 billion, while total COVID relief for highways and bridges remains at $10 billion.

This was not the only amendment to attempt to mitigate the Majority's failure to properly account for rural communities. In 2018, under the Airport Improvement Act (AIP), large hub airports (the 30 largest airports), received 15.9 percent of grant funding.[3] Under the Majority's proposal the largest hub airports now receive 62 percent of funding.[4] This means that the 20 largest airports will receive more money than all the other 3,000 airports combined.[5] Again, a Republican amendment offered by Representative Guest (R-MS-3) attempted to create greater parity among rural and urban airports but was rejected by the Majority.

[1] Calculations based on $26.1 billion for urbanized area formula grants divided by $30 billion for total transit.
[2] PRESIDENT BIDEN ANNOUNCES AMERICAN RESCUE PLAN, Jan. 21, 2021, *available at* https://www.whitehouse.gov/briefing-room/legislation/2021/01/20/president-biden-announces-american-rescue-plan/.
[3] REPORT TO CONGRESS ON THE AIRPORT IMPROVEMENT PROGRAM FOR FY 2018 – 32ND ANNUAL REPORT OF ACCOMPLISHMENTS, FEDERAL AVIATION ADMINISTRATION (FAA), Aug. 26, 2020, *available at* https://www.faa.gov/airports/aip/grant_histories/annual_reports/media/32nd-Annual-AIP-report.pdf.
[4] FAA staff e-mail to Republican Committee Staff, Feb. 8, 2021 (on file with Committee).
[5] *Id.*

In addition, Republicans would have put greater emphasis on accountability, transparency, and ensuring no taxpayer funds are wasted, which often happens with a rushed proceeding such as this one. For example, Republicans emphasized during debate the importance of vaccine distribution and attempted to offer an amendment that would have ensured the Disaster Relief Fund (DRF) which is being provided $50 billion in the underlying proposal would have been utilized to ensure more Americans have access to the vaccine. The Majority rejected an amendment submitted by Representative Westerman (R-AR-4) and offered and withdrawn on his behalf by Representative Bost (R-IL-12) that would have provided transparency on the $50 billion of Federal Emergency Management Agency (FEMA) funding provided in this measure, in addition to the $45 billion provided in previous relief funding. The majority also opposed another amendment offered by Representative Webster (R-FL-11) that would have increased and ensured funding was focused on vaccine distribution: one of the highest priorities for bringing the pandemic under control in our country, and therefore one of the surest ways to reduce the need for additional economic relief.

Last Congress, we worked in a bipartisan manner to combat this pandemic, and now we should seek to include mechanisms that ensure the efficient use of taxpayer dollars while strengthening our transportation sector's ability to recover. The Majority's bill fails to provide deliberative investments, focus on spending that will reduce costs in the future, and get individuals back to work and children back to school in a safe and healthy manner.

Sadly, there was no desire here to come together for the benefit of our Nation's recovery. The Majority even rejected Minority amendments with which they agreed. For instance, an amendment was offered by Representative Graves (R-LA-6) on behalf of Rep. Van Duyne (R-TX-24) to respond to recent discussions by the Biden Administration about putting in place a requirement for air travelers to provide proof of a negative COVID test before they fly domestically. This proposal has caused great concern in the air transportation and tourism industries, and at the end of this January, a coalition of 23 labor, travel, and tourism associations wrote a letter to the COVID-19 Recovery Team expressing grave concerns with the proposal.[6] In addition, the Majority's own aviation witness at a hearing before the Committee on February 4, 2021, was asked about the domestic testing policy and stated that requiring tests "would be a cosmetic change that would hurt the airline business and actually make us less safe."[7] The witness added that "the furloughs that we have seen so far would be dwarfed by what would happen if this policy went into effect."[8] Despite the shared concerns and opposition to this expressed by the Majority during the markup and in other forums, the Majority still rejected an amendment to prohibit the Department of Transportation (DOT) and the FAA from using any funds provided by the Act to plan, develop, carry out, enforce, or assist in any way with such a domestic testing requirement.

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[6] Coalition letter to Jeffrey Zients, Coordinator, White House COVID-19 Recovery Team (January 29, 2021).
[7] *Protecting Transportation Workers and Passengers from COVID: Gaps in Safety, Lessons Learned and Next Step: Hearing Before the H. Comm. on Transportation and Infrastructure* 117th Cong. (Jan. 27, 2021) (statement of Sara Nelson, International President, Association of Flight Attendants.
[8] *Id.*

Surprisingly, the Majority also unanimously rejected amendments that sought to curtail China's influence over American goods and industry. Several amendments by Republican Committee members targeting Chinese influence and control over U.S. businesses, including the steel industry, were voted down by the Majority with no Democratic support. These votes came despite the Biden Administration's efforts to join Republicans' support of the *Buy America Act* and efforts to crack down on China's harmful influence.[9] The defeat of these amendments aimed at protecting American workers and guarding taxpayer funds also represents a complete reversal from last Congress, when Democrats supported a Republican-introduced motion to H.R. 2, *the Moving Forward Act,* which was the Democrats infrastructure package, that firmly opposed Chinese state-owned entities operating in the United States. The Majority's actions send a troubling message that, given the choice between joining Republicans in supporting American workers or policies that favor Chinese state-owned industries, Democrats are open to choosing the latter. These are just some examples of the Majority's refusal to work with the Minority or allow us to participate in the drafting of this bill, even on issues where we share concerns.

Due to the razor thin Democratic majorities in the House and Senate partisan bills will be difficult to pass. Given this, the Majority is using this limited reconciliation process to exclusively pass its priorities without having to meet the 60-vote threshold in the Senate. Budget Resolution, H. Res. 11, which provides the Committee's reconciliation instructions, does not attempt to hide the fact that it is the vehicle for the Administration's $1.9 trillion COVID relief proposal. COVID relief has been, and continues to be, important for the transportation sector and for all Americans. This measure is not a budget bill, and it should not be rushed through Congress under the procedures set aside very specifically for budget reconciliation. This point was acknowledged by both the Chair and Ranking Member during opening remarks in which both disagreed with the use of budget reconciliation regardless of which party is in power.

The Majority's reconciliation recommendations demonstrate the Democrats' failure to spend responsibly based on the effects of recent relief efforts, many of which are still unclear. In recent months, Congress approved $113 billion in funding for the transportation industry as well as $45 billion for FEMA and $1.5 billion for the Economic Development Administration (EDA) for relief from the COVID pandemic. However, we have not taken the time to examine how that money has been spent, where additional funding can be most effective, and which programs are working effectively. While we agree there may still be various needs, the prudent option is to thoughtfully and carefully target the funds, as we have with other COVID relief packages that have come together on a bipartisan basis. For example, certain programs meant to aid our transportation partners are still awaiting guidance in order to be eligible for the funding, such as the $2 billion provided to motorcoach and passenger vessel operators under the *Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act of 2021.*[10] It is

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[9] President's Remarks on Signing an Executive Order on Ensuring the Future Is Made in All of America by All of America's Workers and an Exchange With Reporters, DCPC-2021100085, (Jan. 25, 2021) *available at* *https://www.govinfo.gov/content/pkg/DCPD-202100084/pdf/DCPD-202100084.pdf*; *see also* Jen Psaki, Press Briefing by Press Secretary, (Jan. 25, 2021), *available at* https://www.whitehouse.gov/briefing-room/press-briefings/2021/01/25/press-briefing-by-press-secretary-jen-psaki-january-25-2021/.

[10] P.L. 116-260.

essential to make sure this money makes the biggest impact in the areas that need it most – especially as economic projections continue to show signs of recovery.

The reconciliation recommendations fail not only because they overspend and grow the government, they also fail because of unwise investments in policies that will lead to more wasteful spending. Our parties may have different views on what the size of government should be, but we should be in agreement that – however large – government spending should not temporarily gloss over problems that will simply increase spending down the road.

This hastily written vehicle for the Majority's unchecked desire to spend taxpayers' money without first deliberately working to identify the true needs will only grow worse as it is merged with other committees' components, because bipartisanship in the House was rejected before the process began. Now the House Committee on Budget will pile on more spending to check any remaining boxes on the Majority left wing's wish list. For all of these reasons, we strongly oppose this partisan reconciliation bill compiled without any input from the Members speaking for more than 72 million voters.

Sam Graves
Ranking Member

Garret Graves
Ranking Member
Subcommittee on Aviation

Bob Gibbs
Ranking Member
Subcommittee on Coast Guard
And Maritime Transportation

Daniel Webster
Ranking Member
Subcommittee on Economic Development,
Public Buildings and Emergency Management

Rodney Davis
Ranking Member
Subcommittee on Highways
and Transit

Eric A. "Rick" Crawford
Ranking Member
Subcommittee on Railroads, Pipelines,
and Hazardous Materials

David Rouzer
Ranking Member
Subcommittee on Water Resources
and Environment

Don Young
Member of Congress

Thomas Massie
Member of Congress

Mike Gallagher
Member of Congress

Scott Perry
Member of Congress

Jenniffer González-Colón
Member of Congress

Brian Babin, D.D.S
Member of Congress

Troy Balderson
Member of Congress

Mike Bost
Member of Congress

Pete Stauber
Member of Congress

Randy K. Weber Sr.
Member of Congress

Tim Burchett
Member of Congress

Doug LaMalfa
Member of Congress

Dusty Johnson
Member of Congress

Bruce Westerman
Member of Congress

Jefferson Van Drew
Member of Congress

Brian J. Mast
Member of Congress

Michael Guest
Member of Congress

Troy E. Nehls
Member of Congress

Nancy Mace
Member of Congress

Beth Van Duyne
Member of Congress

Carlos A. Gimenez
Member of Congress

Michelle Steel
Member of Congress

CONTENTS

SECTION-BY-SECTION DESCRIPTION

Title VIII - Committee on Veterans' Affairs

Section 8001 provides $272 million for the Department of Veterans Affairs (VA) to mitigate the impacts of the pandemic on the benefits claims and appeals backlog caused by delays in claim development, which resulted from the Coronavirus disease 2019 (COVID-19)-related shutdowns. This funding will be used to increase staff overtime in fiscal year (FY) 2022, expand Veterans Benefits Administration (VBA)-funded scanning of service records from federal records facilities impacted by COVID-19, improve scheduling of hearings, and enhance contact center functions. In addition, funding will support the Board of Veterans Appeals' efforts to improve mail processing and add temporary staff, including intake specialists, attorneys, and staff to support telehearings.

Section 8002 provides nearly $13.5 billion for the Veterans Health Administration (VHA) to provide healthcare services and related support to eligible veterans. It includes funding to cover the impacts of delays in care, including the need for more expensive care because of delays in necessary care, and veterans' greater reliance on VA healthcare due to loss of other health insurance or other economic impacts from the pandemic. It also includes funding for sustainment of Coronavirus Aid, Relief, and Economic Security (CARES) Act (Pub. L. 116-136) supported staffing and service-level expansions, including in the areas of suicide prevention, women's health, VA homelessness programs, and telehealth. This section broadly allows spending to provide medical services to veterans, including medical facility improvements, research, and administrative expenses. Furthermore, it prevents VA from using more than $4 billion of the total for the Veterans Community Care Program.

Section 8003 provides $100 million in funding for investments in information technology systems to support the acceleration of VA's supply chain modernization efforts.

Section 8004 provides support to State Veterans Homes (SVH) through two mechanisms. First, it provides $500 million for VA to provide construction funds to states provided they have required matching funds for projects that will upgrade and enhance safety and operation of SVHs across the country.

It further provides $250 million in one-time emergency federal payments to support these state-operated facilities, to be allocated based on the number of beds at each home that could be occupied by eligible veteran residents. This emergency funding can be used to enhance treatment of veterans during the pandemic, including by enhancing cleaning services, procuring personal protective equipment (PPE) or other equipment, and temporarily expanding staffing levels to care for veterans.

Section 8005 provides $10 million for the VA Office of Inspector General to provide oversight of VA projects and activities carried out pursuant to the title.

Section 8006 provides nearly $400 million for up to 12 months of retraining assistance for veterans who are unemployed due to COVID-19 and do not have other veteran education benefits. This funding covers the cost of the retraining program and provides a housing allowance for veterans while they undergo this training.

Section 8007 allows VA to waive up to $2 billion worth of copays that otherwise would be charged to veterans for VA healthcare services, for the period beginning April 6, 2020 (when VA first paused medical billing, near the start of the pandemic), through September 30, 2021. This section also authorizes VA to reimburse those veterans who have recently submitted payments for care they received during this period, since VHA began issuing billing notices in January 2021.

COMMITTEE COST ESTIMATE

The Committee adopts as its own cost estimate on the Committee Print, as amended, prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of Rule XIII of the Rules of the House of Representatives, the following is the cost estimate for the Committee Print, as amended provided by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

[CBO LETTER AND ENCLOSURE ATTACHED]

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of Rule XIII and clause (2)(b)(1) of Rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to Article I, section 8 of the United States Constitution, the Committee Print, as amended is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

COMMITTEE CONSIDERATION

On February 11, 2021, in fulfillment of the reconciliation instructions included in section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021 (S. Con. Res. 5), the Committee on Veterans' Affairs ordered favorably transmitted (with a quorum being present) the Budget Reconciliation Legislative Recommendations.

COMMITTEE VOTES

Clause 3(b) of Rule XIII of the Rules of the House of Representatives requires the Committee to list the recorded votes on the motion to report the legislation and amendments thereto. The Chairman offered an Amendment in the Nature of a Substitute to the Committee Print. The results of each record vote on an amendment or motion to transmit, together with the names of those voting for and against, are printed below.

Veterans' Affairs Committee record vote No. 1
Amendment by Mr. Bost to the Chairman's Amendment in the Nature of a Substitute, providing for COVID-19 vaccines to enrolled veterans and residents of certain State Veterans Homes. Defeated: 16-11. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano...............................	Nay	Mr. Bost....................................	Aye

Ms. Brownley	Nay	Ms. Radewagen	Aye
Mr. Lamb	Nay	Mr. Bergman	Aye
Mr. Levin	Nay	Mr. Banks	Aye
Mr. Pappas	Nay	Mr. Roy	……
Ms. Luria	Nay	Mr. Murphy	Aye
Mr. Mrvan	Nay	Mr. Mann	Aye
Mr. Sablan	Nay	Mr. Moore	Aye
Ms. Underwood	Nay	Ms. Mace	……
Mr. Allred	……..	Mr. Cawthorn	Aye
Ms. Frankel	Nay	Mr. Nehls	Aye
Mr. Brown	Nay	Mr. Rosendale	Aye
Ms. Slotkin	Nay	Ms. Miller-Meeks	Aye
Mr. Trone	Nay		
Ms. Kaptur	Nay		
Mr. Ruiz	Nay		
Mr. Gallego	Nay		

Veterans' Affairs Committee record vote No. 2
Amendment by Mr. Bergman to the Chairman's Amendment in the Nature of a Substitute, providing for expansion of Vet Center services and a canine therapy pilot. Defeated: 15-13. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano	Nay	Mr. Bost	Aye
Ms. Brownley	Nay	Ms. Radewagen	Aye
Mr. Lamb	Nay	Mr. Bergman	Aye
Mr. Levin	Nay	Mr. Banks	Aye
Mr. Pappas	Nay	Mr. Roy	……
Ms. Luria	Nay	Mr. Murphy	Aye
Mr. Mrvan	Nay	Mr. Mann	Aye
Mr. Sablan	Nay	Mr. Moore	Aye
Ms. Underwood	Nay	Ms. Mace	Aye
Mr. Allred	…….	Mr. Cawthorn	Aye
Ms. Frankel	Nay	Mr. Nehls	Aye
Mr. Brown	Nay	Mr. Rosendale	Aye
Ms. Slotkin	Aye	Ms. Miller-Meeks	Aye
Mr. Trone	Nay		
Ms. Kaptur	Nay		
Mr. Ruiz	Nay		
Mr. Gallego	……		

Veterans' Affairs Committee record vote No. 3
Amendment by Mr. Banks to the Chairman's Amendment in the Nature of a Substitute, providing for VA compliance with Made in America laws. Defeated: 15-13. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano……………………….	Nay	Mr. Bost……………………………….	Aye
Ms. Brownley……………………….	Nay	Ms. Radewagen………………………	Aye
Mr. Lamb……………………………	Nay	Mr. Bergman…………………………	Aye
Mr. Levin……………………………	Nay	Mr. Banks…………………………….	Aye
Mr. Pappas…………………………..	Nay	Mr. Roy……………………………….	……
Ms. Luria……………………………	Nay	Mr. Murphy…………………………..	Aye
Mr. Mrvan…………………………....	Nay	Mr. Mann……………………………..	Aye
Mr. Sablan…………………………..	Nay	Mr. Moore……………………………	Aye
Ms. Underwood……………………..	Nay	Ms. Mace……………………………..	Aye
Mr. Allred…………………………....	Nay	Mr. Cawthorn………………………...	Aye
Ms. Frankel………………………….	Nay	Mr. Nehls……………………………..	Aye
Mr. Brown…………………………..	Nay	Mr. Rosendale………………………..	Aye
Ms. Slotkin…………………………..	Aye	Ms. Miller-Meeks…………………….	Aye
Mr. Trone…………………………….	Nay		
Ms. Kaptur…………………………..	Nay		
Mr. Ruiz……………………………..	Nay		
Mr. Gallego………………………….	……		

Veterans' Affairs Committee record vote No. 4
Amendment by Mr. Nehls to the Chairman's Amendment in the Nature of a Substitute, providing for increased training on for VA employees processing Dependency and Indemnity Compensation claims. Defeated: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano………………………….	Nay	Mr. Bost……………………………….	Aye
Ms. Brownley……………………….	Nay	Ms. Radewagen………………………	Aye
Mr. Lamb……………………………	Nay	Mr. Bergman…………………………	Aye
Mr. Levin……………………………	Nay	Mr. Banks…………………………….	Aye
Mr. Pappas…………………………..	Nay	Mr. Roy……………………………….	……
Ms. Luria……………………………	Nay	Mr. Murphy…………………………..	Aye
Mr. Mrvan…………………………....	Nay	Mr. Mann……………………………..	Aye
Mr. Sablan…………………………..	Nay	Mr. Moore……………………………	Aye
Ms. Underwood……………………..	Nay	Ms. Mace……………………………..	Aye
Mr. Allred…………………………....	Nay	Mr. Cawthorn………………………...	Aye
Ms. Frankel………………………….	Nay	Mr. Nehls……………………………..	Aye
Mr. Brown…………………………..	Nay	Mr. Rosendale………………………..	Aye
Ms. Slotkin…………………………..	Nay	Ms. Miller-Meeks…………………….	Aye
Mr. Trone…………………………….	Nay		
Ms. Kaptur…………………………..	Nay		
Mr. Ruiz……………………………..	Nay		
Mr. Gallego………………………….	Nay		

Veterans' Affairs Committee record vote No. 5

Amendment by Ms. Radewagen to the Chairman's Amendment in the Nature of a Substitute, providing for increased funding for the prevention, diagnosis, and treatment of cancer. Defeated: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano	Nay	Mr. Bost	Aye
Ms. Brownley	Nay	Ms. Radewagen	Aye
Mr. Lamb	Nay	Mr. Bergman	Aye
Mr. Levin	Nay	Mr. Banks	Aye
Mr. Pappas	Nay	Mr. Roy	……
Ms. Luria	Nay	Mr. Murphy	Aye
Mr. Mrvan	Nay	Mr. Mann	Aye
Mr. Sablan	Nay	Mr. Moore	Aye
Ms. Underwood	Nay	Ms. Mace	Aye
Mr. Allred	Nay	Mr. Cawthorn	Aye
Ms. Frankel	Nay	Mr. Nehls	Aye
Mr. Brown	Nay	Mr. Rosendale	Aye
Ms. Slotkin	Nay	Ms. Miller-Meeks	Aye
Mr. Trone	Nay		
Ms. Kaptur	Nay		
Mr. Ruiz	Nay		
Mr. Gallego	Nay		

Veterans' Affairs Committee record vote No. 6
Amendment by Mr. Bost to the Chairman's Amendment in the Nature of a Substitute, providing for enhanced supply chain resiliency for the VA to better respond to emergencies. Defeated: 16-13. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano	Nay	Mr. Bost	Aye
Ms. Brownley	Nay	Ms. Radewagen	Aye
Mr. Lamb	Nay	Mr. Bergman	Aye
Mr. Levin	Nay	Mr. Banks	Aye
Mr. Pappas	Nay	Mr. Roy	……
Ms. Luria	Nay	Mr. Murphy	Aye
Mr. Mrvan	Nay	Mr. Mann	Aye
Mr. Sablan	Nay	Mr. Moore	Aye
Ms. Underwood	Nay	Ms. Mace	Aye
Mr. Allred	Nay	Mr. Cawthorn	Aye
Ms. Frankel	Nay	Mr. Nehls	Aye
Mr. Brown	Nay	Mr. Rosendale	Aye
Ms. Slotkin	Aye	Ms. Miller-Meeks	Aye
Mr. Trone	Nay		
Ms. Kaptur	Nay		
Mr. Ruiz	Nay		
Mr. Gallego	Nay		

Veterans' Affairs Committee record vote No. 7
Amendment by Mr. Mann to the Chairman's Amendment in the Nature of a Substitute, providing for enhanced expense justifications, audits, and oversight for expenditures made under this bill. Defeated: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano..............................	Nay	Mr. Bost..................................	Aye
Ms. Brownley...........................	Nay	Ms. Radewagen..........................	Aye
Mr. Lamb................................	Nay	Mr. Bergman.............................	Aye
Mr. Levin................................	Nay	Mr. Banks................................	Aye
Mr. Pappas..............................	Nay	Mr. Roy..................................	......
Ms. Luria................................	Nay	Mr. Murphy..............................	Aye
Mr. Mrvan................................	Nay	Mr. Mann.................................	Aye
Mr. Sablan..............................	Nay	Mr. Moore...............................	Aye
Ms. Underwood.........................	Nay	Ms. Mace.................................	Aye
Mr. Allred................................	Nay	Mr. Cawthorn............................	Aye
Ms. Frankel..............................	Nay	Mr. Nehls.................................	Aye
Mr. Brown...............................	Nay	Mr. Rosendale...........................	Aye
Ms. Slotkin..............................	Nay	Ms. Miller-Meeks........................	Aye
Mr. Trone................................	Nay		
Ms. Kaptur..............................	Nay		
Mr. Ruiz..................................	Nay		
Mr. Gallego..............................	Nay		

Veterans' Affairs Committee record vote No. 8
Amendment by Mr. Bost to the Chairman's Amendment in the Nature of a Substitute, providing for an increase in the number of veterans eligible to receive retraining assistance and the amount appropriated for this purpose. Defeated: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano..............................	Nay	Mr. Bost..................................	Aye
Ms. Brownley...........................	Nay	Ms. Radewagen..........................	Aye
Mr. Lamb................................	Nay	Mr. Bergman.............................	Aye
Mr. Levin................................	Nay	Mr. Banks................................	Aye
Mr. Pappas..............................	Nay	Mr. Roy..................................	......
Ms. Luria................................	Nay	Mr. Murphy..............................	Aye
Mr. Mrvan................................	Nay	Mr. Mann.................................	Aye
Mr. Sablan..............................	Nay	Mr. Moore...............................	Aye
Ms. Underwood.........................	Nay	Ms. Mace.................................	Aye
Mr. Allred................................	Nay	Mr. Cawthorn............................	Aye
Ms. Frankel..............................	Nay	Mr. Nehls.................................	Aye
Mr. Brown...............................	Nay	Mr. Rosendale...........................	Aye
Ms. Slotkin..............................	Nay	Ms. Miller-Meeks........................	Aye
Mr. Trone................................	Nay		
Ms. Kaptur..............................	Nay		

Mr. Ruiz…………………………..	Nay
Mr. Gallego……………………….	Nay

Veterans' Affairs Committee record vote No. 9
Amendment by Ms. Miller-Meeks to the Chairman's Amendment in the Nature of a Substitute, providing for increased funding for VA High Technology pilot program. Defeated: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano……………………….	Nay	Mr. Bost……………………………	Aye
Ms. Brownley……………………	Nay	Ms. Radewagen……………………	Aye
Mr. Lamb…………………………	Nay	Mr. Bergman………………………	Aye
Mr. Levin…………………………	Nay	Mr. Banks…………………………	Aye
Mr. Pappas………………………..	Nay	Mr. Roy……………………………	……
Ms. Luria…………………………	Nay	Mr. Murphy………………………..	Aye
Mr. Mrvan………………………....	Nay	Mr. Mann…………………………..	Aye
Mr. Sablan………………………..	Nay	Mr. Moore…………………………	Aye
Ms. Underwood…………………..	Nay	Ms. Mace…………………………..	Aye
Mr. Allred………………………...	Nay	Mr. Cawthorn……………………...	Aye
Ms. Frankel………………………	Nay	Mr. Nehls…………………………..	Aye
Mr. Brown………………………..	Nay	Mr. Rosendale……………………..	Aye
Ms. Slotkin………………………..	Nay	Ms. Miller-Meeks………………….	Aye
Mr. Trone…………………………	Nay		
Ms. Kaptur………………………..	Nay		
Mr. Ruiz…………………………..	Nay		
Mr. Gallego……………………….	Nay		

Veterans' Affairs Committee record vote No. 10
Amendment by Ms. Miller-Meeks to the Chairman's Amendment in the Nature of a Substitute, providing for veterans to choose not to receive credit or reimbursement for copayments or cost-sharing during the COVID-19 pandemic. Defeated: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano……………………….	Nay	Mr. Bost……………………………	Aye
Ms. Brownley……………………	Nay	Ms. Radewagen……………………	Aye
Mr. Lamb……………………........	Nay	Mr. Bergman………………………	Aye
Mr. Levin…………………….......	Nay	Mr. Banks…………………………	Aye
Mr. Pappas………………………..	Nay	Mr. Roy……………………………	……
Ms. Luria…………………………	Nay	Mr. Murphy………………………..	Aye
Mr. Mrvan………………………....	Nay	Mr. Mann…………………………..	Aye
Mr. Sablan………………………....	Nay	Mr. Moore…………………………	Aye
Ms. Underwood…………………..	Nay	Ms. Mace…………………………..	Aye
Mr. Allred…………………….…...	Nay	Mr. Cawthorn……………………...	Aye
Ms. Frankel………………………	Nay	Mr. Nehls…………………………..	Aye
Mr. Brown………………………....	Nay	Mr. Rosendale……………………..	Aye
Ms. Slotkin………………………..	Nay	Ms. Miller-Meeks………………….	Aye

Mr. Trone……………………………	Nay
Ms. Kaptur…………………………..	Nay
Mr. Ruiz……………………………..	Nay
Mr. Gallego………………………….	Nay

Veterans' Affairs Committee record vote No. 11
Amendment by Mr. Cawthorn to the Chairman's Amendment in the Nature of a Substitute, providing for increased funding for VA Office of Inspector General to conduct oversight of activities VA carries out pursuant to this title. Defeated: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano…………………………	Nay	Mr. Bost………………………………	Aye
Ms. Brownley………………………	Nay	Ms. Radewagen………………………	Aye
Mr. Lamb……………………………	Nay	Mr. Bergman…………………………	Aye
Mr. Levin……………………………	Nay	Mr. Banks…………………………….	Aye
Mr. Pappas…………………………..	Nay	Mr. Roy………………………………	……
Ms. Luria……………………………	Nay	Mr. Murphy…………………………..	Aye
Mr. Mrvan…………………………...	Nay	Mr. Mann……………………………..	Aye
Mr. Sablan…………………………..	Nay	Mr. Moore……………………………	Aye
Ms. Underwood……………………..	Nay	Ms. Mace……………………………..	Aye
Mr. Allred…………………………...	Nay	Mr. Cawthorn………………………...	Aye
Ms. Frankel………………………….	Nay	Mr. Nehls……………………………..	Aye
Mr. Brown…………………………..	Nay	Mr. Rosendale………………………..	Aye
Ms. Slotkin…………………………..	Nay	Ms. Miller-Meeks…………………….	Aye
Mr. Trone……………………………	Nay		
Ms. Kaptur…………………………..	Nay		
Mr. Ruiz……………………………..	Nay		
Mr. Gallego………………………….	Nay		

Veterans' Affairs Committee record vote No. 12
Amendment by Mr. Moore to the Chairman's Amendment in the Nature of a Substitute, providing for expansion of Post-9/11 eligibility to members of the National Guard performing duties as part of a national emergency. Defeated: 16-13. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano…………………………	Nay	Mr. Bost………………………………	Aye
Ms. Brownley………………………	Nay	Ms. Radewagen………………………	Aye
Mr. Lamb……………………………	Nay	Mr. Bergman…………………………	Aye
Mr. Levin……………………………	Nay	Mr. Banks…………………………….	Aye
Mr. Pappas…………………………..	Nay	Mr. Roy………………………………	……
Ms. Luria……………………………	Nay	Mr. Murphy…………………………..	Aye
Mr. Mrvan…………………………...	Nay	Mr. Mann……………………………..	Aye
Mr. Sablan…………………………..	Nay	Mr. Moore……………………………	Aye
Ms. Underwood……………………..	Nay	Ms. Mace……………………………..	Aye
Mr. Allred…………………………...	Nay	Mr. Cawthorn………………………...	Aye
Ms. Frankel………………………….	Nay	Mr. Nehls……………………………..	Aye

Mr. Brown………………………….	Nay	Mr. Rosendale………………………..	Aye
Ms. Slotkin………………………….	Aye	Ms. Miller-Meeks…………………….	Aye
Mr. Trone…………………………….	Nay		
Ms. Kaptur…………………………..	Nay		
Mr. Ruiz……………………………...	Nay		
Mr. Gallego…………………………..	Nay		

Veterans' Affairs Committee record vote No. 13
Amendment by Mr. Bost to the Chairman's Amendment in the Nature of a Substitute, providing for additional funding for Supportive Services for Veterans Families program. Defeated: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano…………………………	Nay	Mr. Bost………………………………	Aye
Ms. Brownley………………………	Nay	Ms. Radewagen………………………	Aye
Mr. Lamb……………………………	Nay	Mr. Bergman…………………………	Aye
Mr. Levin……………………………	Nay	Mr. Banks…………………………….	Aye
Mr. Pappas………………………….	Nay	Mr. Roy……………………………….	……
Ms. Luria……………………………	Nay	Mr. Murphy…………………………..	Aye
Mr. Mrvan…………………………..	Nay	Mr. Mann……………………………..	Aye
Mr. Sablan…………………………..	Nay	Mr. Moore…………………………….	Aye
Ms. Underwood……………………..	Nay	Ms. Mace……………………………...	Aye
Mr. Allred…………………………..	Nay	Mr. Cawthorn………………………....	Aye
Ms. Frankel………………………….	Nay	Mr. Nehls……………………………..	Aye
Mr. Brown………………………….	Nay	Mr. Rosendale………………………..	Aye
Ms. Slotkin………………………….	Nay	Ms. Miller-Meeks…………………….	Aye
Mr. Trone…………………………….	Nay		
Ms. Kaptur…………………………..	Nay		
Mr. Ruiz……………………………...	Nay		
Mr. Gallego…………………………..	Nay		

Veterans' Affairs Committee record vote No. 14
Chairman's Amendment in the Nature of a Substitute. Adopted: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano…………………………	Aye	Mr. Bost………………………………	Nay
Ms. Brownley………………………	Aye	Ms. Radewagen………………………	Nay
Mr. Lamb……………………………	Aye	Mr. Bergman…………………………	Nay
Mr. Levin……………………………	Aye	Mr. Banks…………………………….	Nay
Mr. Pappas………………………….	Aye	Mr. Roy……………………………….	……
Ms. Luria……………………………	Aye	Mr. Murphy…………………………..	Nay
Mr. Mrvan…………………………..	Aye	Mr. Mann……………………………..	Nay
Mr. Sablan…………………………..	Aye	Mr. Moore…………………………….	Nay
Ms. Underwood……………………..	Aye	Ms. Mace……………………………...	Nay
Mr. Allred…………………………..	Aye	Mr. Cawthorn………………………....	Nay
Ms. Frankel………………………….	Aye	Mr. Nehls……………………………..	Nay

Mr. Brown..............................	Aye	Mr. Rosendale..........................	Nay
Ms. Slotkin..............................	Aye	Ms. Miller-Meeks.......................	Nay
Mr. Trone................................	Aye		
Ms. Kaptur..............................	Aye		
Mr. Ruiz.................................	Aye		
Mr. Gallego..............................	Aye		

Veterans' Affairs Committee record vote No. 15
Motion to transmit the Chairman's Amendment in the Nature of a Substitute to the House Committee on Budget to comply with the Reconciliation Directive. Adopted: 17-12. The vote was as follows:

Majority Members	Vote	Minority Members	Vote
Mr. Takano..............................	Aye	Mr. Bost..................................	Nay
Ms. Brownley...........................	Aye	Ms. Radewagen..........................	Nay
Mr. Lamb................................	Aye	Mr. Bergman.............................	Nay
Mr. Levin................................	Aye	Mr. Banks................................	Nay
Mr. Pappas..............................	Aye	Mr. Roy..................................	……
Ms. Luria................................	Aye	Mr. Murphy..............................	Nay
Mr. Mrvan...............................	Aye	Mr. Mann................................	Nay
Mr. Sablan..............................	Aye	Mr. Moore...............................	Nay
Ms. Underwood.........................	Aye	Ms. Mace................................	Nay
Mr. Allred...............................	Aye	Mr. Cawthorn............................	Nay
Ms. Frankel..............................	Aye	Mr. Nehls................................	Nay
Mr. Brown..............................	Aye	Mr. Rosendale..........................	Nay
Ms. Slotkin..............................	Aye	Ms. Miller-Meeks.......................	Nay
Mr. Trone................................	Aye		
Ms. Kaptur..............................	Aye		
Mr. Ruiz.................................	Aye		
Mr. Gallego..............................	Aye		

EARMARKS AND TAX AND TARRIF BENEFITS

Title VIII of the bill, in fulfillment of the reconciliation instructions included in section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021 (S. Con. Res. 5), as amended, does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of Rule XXI of the Rules of the House of Representatives.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by the Committee Print, as amended.

CHANGES IN EXISTING LAW MADE BY THE COMMITTEE PRINT, AS REPORTED

With respect to clause 3(e) of Rule XIII of the Rules of the House of Representatives, the Committee advises that compliance prior to submission to the Committee on the Budget was not possible

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of Rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are to provide relief to veterans and the Department of Veterans Affairs from the impacts of the COVID-19 pandemic and to comply with the reconciliation directive included in section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021, S. Con. Res. 5.

STATEMENT ON DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of Rule XIII of the Rules of the House of Representatives, the Committee finds that no provision of the Committee Print, as amended, establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office (GAO) to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

BACKGROUND AND NEED FOR RECOMMENDED MEASURES TO MEET RECONCILIATION TARGET OF THE COMMITTEE ON VETERANS' AFFAIRS

Title VIII - Committee on Veterans' Affairs

Sec. 8001. Funding for Claims and Appeals Processing

VBA has seen a drastic increase in the backlog of pending disability benefit claims due to impacts of the COVID-19 pandemic. As of January 29, 2021, there were 475,000 disability claims pending with approximately 212,000 of those claims considered backlogged (i.e. pending more than 125 days). This represents a 275% increase over the reported 77,000 pending in the backlog at the start of the pandemic, resulting in downstream delays in delivery of benefits and services. In support of VBA's objective to reduce working claims inventory, Section 8001 would provide a total of $272 million to modernize and enhance VBA virtual operations and utilize supplemental overtime. It also provides $10 million for improvements at the Board of Veterans' Appeals.

Pending federal records requests are a contributing factor to the VBA claims backlog. In 2020, the National Personnel Records Center (NPRC), which provides military service records to VA for claims development, experienced multiple closures related to the COVID-19 pandemic.

Section 8001 gives VBA authority to provide on-site assistance to NPRC for federal records digitalization and incorporation into VA's individual electronic files.

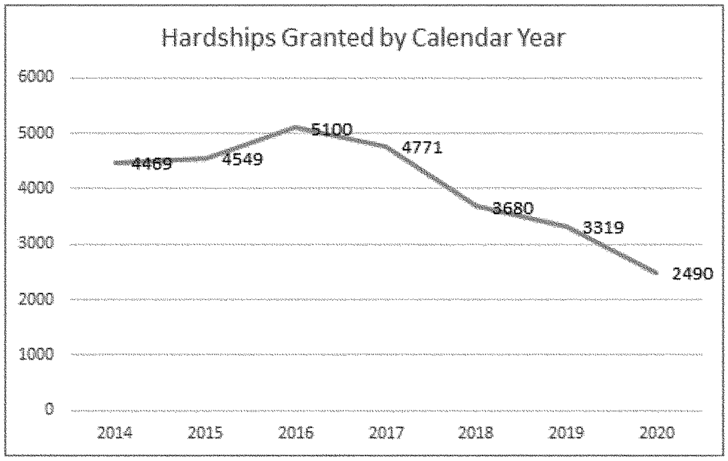
Section 8001 provides a further $100 million in supplemental overtime to increase production of claims adjudications in FY 2022. An additional $10 million is allocated to modernize VBA's hearing scheduling tool, as well as $2 million for enhancement of VBA's systems functionality for contact centers to expedite claim development and centralize operations.

The $10 million in funding for the Board of Veterans' Appeals will assist with efforts to improve mail processing and add temporary staff, including intake specialists, attorneys, and staff to support tele-hearings.

Sec. 8002. Funding Availability for Medical Care and Health Needs

In 2020, Congress appropriated $17.4 billion in CARES Act funding to help the VHA offset the unexpected costs of battling COVID-19, including increased staffing, equipment, and PPE. VA has obligated a total of $8.7 billion of CARES funding and will fully execute the remaining $10.9 billion in CARES funding through the end of FY 2021. Given the rapidly changing nature of the pandemic response, the Administration has determined through its American Rescue Plan (ARP) the need to maintain VA's COVID-19 response beyond the expiration of CARES funds. Section 8002 will provide VHA nearly $13.5 billion in funds to sustain the investments made with CARES funds and will allow the organization to continue making investments into FY 2022.

It is anticipated reliance on VHA will increase in the coming months as vaccines become more readily available. Enrolled veterans will begin returning to VHA to seek care that they delayed during the height of the pandemic and, because of deferring that care, the types of care and services needed will likely be more complex and costly. In addition, like most Americans, veterans are facing higher rates of unemployment due to COVID-19-related economic downturn. The current 5.5% unemployment rate is double the rate prior to COVID-19. As a result, veterans who previously were not enrolled in VHA may start seeking care and services at higher rates. The Committee encourages VHA to use its existing authority under 38 U.S.C. §1722 in the broadest possible manner to ensure that this cohort of veterans has access to high quality healthcare. This is a particular concern for the Committee, as VHA data shows that the granting of hardships under 38 U.S.C §1722 fell significantly during the Trump Administration as compared to the previous Administration (see graph below). Furthermore, the Committee intends these funds to also support VHA's ongoing efforts to support an estimated 37,000 homeless veterans.



Source: Department of Veterans Affairs

Given many veterans may have delayed care over the past year because of the pandemic, the Committee urges VHA to continue robust outreach to veterans encouraging them to schedule appointments for both preventative care and vaccination. Regarding the latter, the Committee would also encourage VHA to ensure its messaging around who is eligible to receive vaccines is clear and updated frequently as guidance and availability are rapidly changing. In addition, the Committee expects VHA to ensure veterans in highly rural areas, tribal areas and territories also have access to vaccines.

VHA has an aging infrastructure. The average age of facilities in the system is 60 years old. Therefore, the physical plants of many facilities have not been ideal to battle an airborne disease. The Committee intends for the increased funds to support modifications to VHA facilities to improve general pandemic readiness such as modifying patient flows for better social distancing; expanding negative pressure rooms; and updating heating, ventilation, and air conditioning systems to reduce the spread of disease.

The pandemic has also fundamentally changed how healthcare is delivered. While VHA was better positioned than most healthcare systems across America to deliver care using telehealth modalities, continued investment is needed. CARES provided $300 million to invest in telehealth expansion and sustainment. Such a robust investment has allowed VHA to increase video-to-home telehealth visits by more than 1,700% from February 2020 to January 2021. The Committee's measure will allow VHA to further expand its telehealth offerings. The Committee hopes that VHA will be more aggressive in using this funding to ensure that veterans, in underserved populations where internet connectivity remains an issue or is cost prohibitive, will receive 4G connected tablets to ensure all veterans have access to care.

The pandemic's emotional toll is still not fully understood. As a result of the Committee's ongoing focus on veteran suicide prevention and VHA's designation of suicide prevention as its top clinical priority, the Committee also intends for these funds to support the needs of the Veterans Crisis Line (VCL), such as the hiring of additional staff. Calls to, referrals from, and rescues directed by the VCL increased during the pandemic. VHA will need to ensure that a surge in usage, which is likely to be compounded by the concurrent implementation of a new three-digit crisis hotline number (forecasted to increase demand for the VCL), is met by the hiring of additional staff to ensure that wait times and call rollovers do not increase for veterans in immediate crisis. Equally, the Committee encourages VHA to make sure frontline staff have access to all the resources they need to address their own mental health needs following months of unprecedented work conditions and demands.

Finally, the Committee expects VHA to provide regular updates in the form of briefings to Committee staff regarding the expenditure of funds in this section as part of the Committee's oversight efforts.

Sec. 8003. Funding for Supply Chain Modernization

VA spends tens of billions of dollars annually for the procurement of supplies. However, VA faces major, long-standing challenges in its acquisition system resulting in inefficiencies and shortages, as has been identified by GAO and the VA Office of Inspector General (OIG) These supply chain problems have been exacerbated by the pandemic, and the need to ensure VA manages medical supplies is heightened. Central to these challenges is VA's antiquated IT systems for managing the acquisition and inventory of medical and surgical supplies. The funds will help accelerate and improve supply chain modernization efforts.

Sec. 8004. Funding for State Homes

State Veterans Homes (SVH), the largest provider of long-term, institutional care to veterans, have endured the worst of COVID-19. Like other congregate settings, SVHs have seen catastrophic loss of life among veteran residents who contracted the disease. They have had to redirect resources to cover PPE, cleaning and infection control and staff hires and retention. At the same time, many have had to deny admissions, due to resource constraints and risk of infection. This has put homes in a frustrating situation: Continue admissions to relieve families who can no longer care for veterans risk infecting other residents or overwhelming staff. Or deny admissions, forgoing the funding necessary to maintain operations in a pandemic. Dozens of homes have begun to voice concern that without help, they will not be able to maintain current operations, let alone new admissions. Section 8004 will not only provide $500 million in construction funds to address the project backlog that existed before the pandemic but also include an additional $250 million in one-time emergency federal payments to support these state-operated facilities. The Committee intends these funds to be allocated based on the number of beds at each home that could be occupied by eligible veteran residents.

Sec. 8005. Funding for the Department of Veterans Affairs Office of Inspector General

VA's OIG provides important oversight of VA programs, projects, and activities. OIG audits and investigations of VA spending often lead to substantial savings, with a stated return of thirty-four dollars for every dollar invested in its oversight activities. OIG's work also helps to prevent fraud and improve agency effectiveness. These funds would provide additional resources as the Inspector General devotes attention to the agency's pandemic response, and its impact to programs, projects, and activities.

Sec. 8006. COVID-19 Veteran Rapid Retraining Assistance Program

Section 8006 provides $386 million for up to 12 months of retraining assistance for veterans who are unemployed due to COVID-19 and do not have other veteran education benefits. This section will support the employment of 17,250 veterans by covering the cost of the retraining program and providing a housing allowance for veterans while they are undergoing this training for up to twelve months.

According to data from the Bureau of Labor Statistics (BLS), the pre-COVID (February 2020) veteran unemployment rate was approximately 3.6%, with a labor force participation rate at 49.2%. The veteran unemployment rate increased to 4.1% in March 2020 as the COVID-19 pandemic began in the United States, with a peak recorded in April 2020, when 11.7% of veterans were unemployed. Since its peak in April, the veteran unemployment rate dropped relatively consistently with few increases during 2020. As of January 2021, the veteran unemployment rate stood at approximately 5.5%. However, the BLS data shows that the number of permanent job losses in the overall work force has not changed much in the last several months, remaining above 3 million since August. The Committee is concerned that the BLS data shows that the jobs gained since April have come more from individuals returning to work after being temporarily laid off, rather than from new jobs becoming available.

Beyond permanent job losses, employment is difficult to find during the pandemic because many casual or part-time jobs used to supplement income are no longer available due to social distancing measures. The lack of available part-time or freelance employment makes it even more difficult for those who have permanently lost their jobs to make an income. Section 8006 responds to the difficulty of reentering the workforce by rapidly retraining veterans who have yet to find work. Work force retraining opportunities for veterans who have permanently lost their jobs will make work force reentry for 17,250 veterans more accessible.

Sec. 8007. Prohibition on Copayments and Cost Sharing for Veterans during Emergency Related to COVID-19.

VA should be commended for its quick decision to suspend medical debt collections in April 2020. As of November 1, 2020, 2.33 million veterans had accrued $819 million in outstanding medical debt, a figure that continues to grow. The average veteran's copay balance was approximately $330, and in instances where patients had more than $5,000 in outstanding debts, the average was nearly $8,000. Unfortunately, as the Trump Administration came to an end, VA decided to resume debt notification letters in January 2021 and intended to resume withholding amounts from veterans' benefits to pay off the debt. Given the nation is still in the grips of a public health emergency and the economy is struggling, Section 8007 will provide VA funding to continue forgiving veterans' medical debt until September 20, 2021 and will also allow VA to reimburse those veterans who may have already paid their balance off from early April 2020 when VA paused collections.

SUPPLEMENTAL, ADDITIONAL, DISSENTING, AND MINORITY VIEWS

[ATTACHED]

Minority Views

The following represent the views of the Republican Members of the Committee on Veterans' Affairs on the following issues consistent with reconciliation pursuant to S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021

February 15, 2021

We believe the inherent limitations of the budget reconciliation process, the extreme time constraints imposed on the Committee, and technical difficulties in remote voting prevented us, the majority as well as the minority, from discharging our responsibilities in this matter. This is deeply unfortunate. The Committee has not received budget reconciliation instructions in decades. In general, we hope the Committee will return to regular order for the remainder of the Congress.

Voting in Remote Markup Session

Multiple Committee members, in the majority as well as the minority, expressed frustration and confusion in conducting the markup session remotely using the Cisco WebEx software. Connectivity problems and poor audio quality have been experienced in previous remote hearings, but their consequences are more serious when the Committee must vote. Some members were audible but not visible. Other members were visible but not audible or barely audible, prompting the Chairman to have to interpret what he or she had said. Multiple members expressed confusion over which amendment was being voted on, whether their votes had been recorded, and how their votes had been recorded. In several instances, the Chairman was forced to decide whether to consider valid Committee members' votes who appeared not to be compliant with Committee rules.

We believe all future markups should be held in person. If another markup occurs before the Committee's hearing room, room 334 of the Cannon House Office Building, becomes available again, which is now expected in early spring 2021, or the Committee's temporary hearing room in the Capitol Visitor Center becomes regularly accessible again, we believe a substitute hearing room should be obtained.

Adequacy of Department of Veterans Affairs Request

As a foundational matter, we do not believe the Department of Veterans Affairs' (VA) need for additional appropriations at this time, whether \$20 billion as originally proposed by the Administration or the \$17 billion reported out of the Committee, has been established.

This markup was the Committee's first meeting in the 117th Congress and occurred immediately following formal organization. The rush to mark-up this proposal minutes following formal organization gave Committee Members, many of whom are new this Congress, no opportunity to do their due diligence on this request before being asked to vote on it. Ranking Member Bost wrote to Chairman Takano on Friday, February 5, 2021. In that letter, the Ranking Member noted the insufficient time being given to Committee members to consider the request and asked for a hearing so that Committee members could ask questions, on the record, of Administration witnesses to evaluate its merits. No response was provided to that letter.

The Committee's action on the amendment in the nature of a substitute to the Committee print would increase VA's total appropriations, available in fiscal year 2021 and beyond, to $271.2 billion. Much of the $17 billion of budget reconciliation appropriations would be available across multiple fiscal years, as are some of VA's annual appropriations. However, lacking a credible spend plan from the Department bearing any resemblance to the Committee print, it is unknown what funds will be expended when. Further, we understand that the majority was rushing to mark-up this proposal without undergoing regular order purportedly to meet an emergent need related to COVID-19. The fact that these funds are expected to be expended primarily in fiscal years 2022 and 2023 calls into question the necessity and wisdom of that rush.

The fiscal year 2021 appropriation, the CARES Act, and S. Con. Res. 5 represent three sequential increases in VA appropriations, each to the highest level ever, all in the span of less than a year. While the CARES Act was the product of consensus to act to stem the emergent COVID-19 pandemic, this budget reconciliation action, with respect to VA, was unprompted. We have no way of knowing which portions of the $17 billion truly fund one-time needs related to the COVID-19 pandemic response, expand existing activities unrelated to the pandemic, or create new, permanent programs. Similarly, it is now unclear how much of approximately $10.9 billion of CARES Act appropriations which remain unexpended would have sustained the whole of VA's pandemic response through the end of fiscal year 2021 without additional budget reconciliation appropriations. While there is a compelling argument to designate pandemic response efforts as emergency spending, we are concerned VA's basic operations and ordinary annual funding will become dependent on emergency appropriations.

The text of the amendment in the nature of a substitute to the Committee print was provided to the minority slightly less than 48 hours before the markup. This text changed three different times before the markup. It is significantly different from VA's request. VA's request was never adequately explained, and the majority's decision-making to alter it was never explained at all. The extent of the information provided to the minority was an hour-long conference call on February 5, 2021, with several VA chief financial officers and Office of Management personnel during which only a few round numbers were uttered; subsequently, two pages of narrative summary, a one-page spreadsheet (reproduced on the next page), and another page showing CARES Act funding execution were provided on February 6, 2021. The budget reconciliation process dictates that appropriations are not made to specific accounts. This means regardless of what the majority's intentions may be as to the purpose of the funding, the majority and minority alike cannot be sure how VA will ultimately use it, or what needs, if any, it will meet.

One notable difference is the majority's decision to remove information technology funding requested by VA. This concerns VA's $1.7 billion request for the Office of Information and Technology itself as well as information technology needs within the readiness, veterans contact and care, and innovation line items.

Upon receiving VA's materials on February 6, 2021, minority staff immediately requested explanatory detail on the information technology request. This was not provided until February 11, 2021, *during the Committee's markup.*

VA Request		
Health care	$	8,900,000,000
Supply chain modernization	$	150,000,000
Homelessness	$	335,000,000
Telehealth	$	100,000,000
Readiness	$	750,000,000
Legislation implementation	$	400,000,000
Veterans contact / care	$	800,000,000
Innovation	$	218,000,000
Equipment	$	750,000,000
Pandemic data tracking / collection	$	50,000,000
Non-recurring Maintenance	$	2,250,000,000
Veterans Health Administration Subtotal	**$**	**14,703,000,000**
Research	$	25,000,000
Office of Information and Technology	$	1,700,000,000
Minor construction	$	250,000,000
Major construction	$	50,000,000
Veterans Benefits Administration	$	262,000,000
Board of Veterans' Appeals	$	10,000,000
Total	**$**	**17,000,000,000**

Committee Action		
Health care	$	13,482,000,000
Supply chain modernization	$	100,000,000
Claims and appeal processing	$	272,000,000
State homes	$	750,000,000
Office of Inspector General	$	10,000,000
Rapid retraining	$	386,000,000
Copay relief	$	2,000,000,000
Total	**$**	**17,000,000,000**

We believe the majority's decision to proceed with the budget reconciliation markup before holding an oversight hearing or obtaining adequate information on VA's request will likely result in the Department expending the funds in a manner that is more wasteful and less beneficial to veterans.

Allocation of Resources

Notwithstanding the constraints imposed by the budget reconciliation process and the lack of information, we believed it was important to allocate the additional funding to VA in the most effective manner to accomplish the goals of getting veterans vaccinated, getting veterans back to work, helping veterans recover physically, mentally, and financially from the pandemic, and holding VA accountable for making sure taxpayer dollars are well spent.

To these ends, we offered 13 amendments to accomplish the following specific objectives:

- Increase the number of veterans who are able to get vaccinated by VA to include those currently enrolled but making above certain income thresholds and all those, regardless of eligibility, who are residing in State Veteran Homes with staff vaccination rates below 85 percent.
- Increase funding for vaccinating veterans in highly rural areas, tribal areas, and in the U.S. territories.

- Require VA to conduct a communications and outreach campaign to encourage veterans, especially those in underserved and minority communities, to get vaccinated.
- Require the Government Accountability Office to conduct a review of VA's vaccination efforts.
- Increase the number of veterans able to participate in VA's Rapid Retraining program to 35,000, consistent with legislation that passed the House last Congress.
- Provide additional funding to VA's Veteran Employment Through Technology Education Courses program that provides veterans training to help them succeed in the technology sector.
- Increase funding for VA's Supportive Services for Veteran Families program to help veterans stay safely housed and avoid homelessness.
- Increase funding for veteran cancer diagnosis and treatment to offset the impact of delayed care due to COVID-19.
- Require VA to conduct a communications and outreach campaign to encourage veterans to seek care they delayed due to COVID-19.
- Allow members of the National Guard deployed under federal active duty orders to be eligible for federal benefits, including the GI Bill.
- Provide more funding and training for VA employees who process Dependency and Indemnity Compensation claims to help them more quickly and accurately process those claims for survivors of veterans who died from COVID-19.
- Zero-out new funding in the Committee print for long-term VA initiatives that cannot be completed in 2021 or 2022, including the Defense Medical Logistics Standards Support system.
- Encourage VA to buy American-made medical products by setting stricter parameters around when VA can purchase foreign-made goods, consistent with Executive Order 14005, and provide additional funding to cover the increased cost.
- Strengthen VA's supply chain by including VA in the Department of Defense's Warstopper program, which pays manufacturers and suppliers to reserve access to medical supplies needed in emergencies.
- Require VA to provide Congress with a detailed plan on how COVID-relief funds will be used and weekly reports to make sure the plan is followed.
- Provide additional funding to the VA Office of Inspector General to support its oversight of VA's operations and allow for regular financial audits.
- Require the Government Accountability Office to conduct a complete review of VA's use of COVID-relief funds once they are exhausted.

We believe it is unfortunate that all amendments were defeated, but we appreciate Democratic support for four of the amendments and expressions by the Chairman and other members of the majority that many of the amendments' underlying policy ideas are meritorious and warrant consideration in the future.

MIKE BOST
Ranking Member

JACK BERGMAN

AUMUA AMATA C. RADEWAGEN

JIM BANKS

GREGORY F. MURPHY, M.D.

CHIP ROY

TRACEY MANN

BARRY MOORE

NANCY MACE

MADISON CAWTHORN

TROY NEHLS

MATT ROSENDALE

MARIANNETTE MILLER-MEEKS

Congressional Budget Office
Cost Estimate

February 12, 2021

Reconciliation Recommendations of the House Committee on Veterans' Affairs

As ordered reported on February 11, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2030	2021-2031
Direct Spending (Outlays)	10,720	16,612	16,612
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	10,720	16,612	16,612

		Mandate Effects	
Statutory pay-as-you-go procedures apply?	Yes	Contains intergovernmental mandate?	No
Increases on-budget deficits in any year after 2030?	No	Contains private-sector mandate?	No

CBO has not reviewed the legislation for effects on spending subject to appropriation.

The reconciliation recommendations of the House Committee on Veterans' Affairs would appropriate $17 billion to the Department of Veterans Affairs (VA) for health care, job training, and administrative purposes. In total, enacting the legislation would increase direct spending by $16.6 billion over the 2021-2030 period, CBO estimates.

The legislation would appropriate $13.5 billion to provide health care for veterans in VA facilities and to purchase care for veterans from other providers. In addition, section 8007 would require VA to waive copayments from veterans for medical treatment during the period between April 6, 2020, and September 30, 2021. It also would require the department to reimburse veterans who have already made copayments during that period. Under current law, VA will spend those collections from copayments to pay for some costs of providing health care; thus the budgetary effect of waiving copayments would be offset by a reduction in spending for health care. Section 8007 would provide an additional $2 billion for health care to replace some of those forgone collections. Section 8004 would provide $0.8 billion for the construction and operation of extended care facilities for veterans that are run by state governments.

Section 8006 would require VA to provide job training assistance for up to 17,250 eligible veterans who are unemployed because of the coronavirus pandemic and would provide $0.4 billion for that purpose. The legislation would also appropriate $0.4 billion for administrative purposes such as processing benefits claims, improving VA's supply chain, and conducting audits by VA's Inspector General.

See also *CBO's Cost Estimates Explained*, www.cbo.gov/publication/54437;
How CBO Prepares Cost Estimates, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42904.

The costs of the legislation, detailed in Table 1, fall within budget function 700 (veterans benefits and services).

Table 1.
Estimated Increases in Direct Spending Under Reconciliation Recommendations of the House Committee on Veterans' Affairs

	By Fiscal Year, Millions of Dollars												
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Health Care & Medical Treatment													
Budget Authority	13,482	0	0	0	0	0	0	0	0	0	0	13,482	13,482
Estimated Outlays	8,729	3,251	948	95	95	0	0	0	0	0	0	13,118	13,118
Waiver of Copays													
Budget Authority	2,000	0	0	0	0	0	0	0	0	0	0	2,000	2,000
Estimated Outlays	1,772	180	16	8	6	6	0	0	0	0	0	1,988	1,988
Extended Care Facilities													
Budget Authority	750	0	0	0	0	0	0	0	0	0	0	750	750
Estimated Outlays	113	203	225	158	23	23	0	0	0	0	0	745	745
Job Training Assistance													
Budget Authority	386	0	0	0	0	0	0	0	0	0	0	386	386
Estimated Outlays	13	307	66	0	0	0	0	0	0	0	0	386	386
Claims Processing													
Budget Authority	272	0	0	0	0	0	0	0	0	0	0	272	272
Estimated Outlays	68	109	82	8	0	0	0	0	0	0	0	267	267
Supply Chain Improvement													
Budget Authority	100	0	0	0	0	0	0	0	0	0	0	100	100
Estimated Outlays	20	70	8	0	0	0	0	0	0	0	0	98	98
Inspector General													
Budget Authority	10	0	0	0	0	0	0	0	0	0	0	10	10
Estimated Outlays	5	4	1	0	0	0	0	0	0	0	0	10	10
Total Changes													
Budget Authority	17,000	0	0	0	0	0	0	0	0	0	0	17,000	17,000
Estimated Outlays	10,720	4,124	1,346	269	124	29	0	0	0	0	0	16,612	16,612

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays that are subject to those pay-as-you-go procedures are shown in Table 1. Enacting the legislation would not affect revenues.

The CBO staff contact for this estimate is Etaf Khan. The estimate was reviewed by Leo Lex, Deputy Director of Budget Analysis.

CONGRESSIONAL BUDGET OFFICE
U.S. Congress
Washington, DC 20515

Phillip L. Swagel, Director

February 12, 2021

Honorable Mark Takano
Chairman
Committee on Veterans' Affairs
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Congressional Budget Office has prepared the enclosed cost estimate for the Reconciliation Recommendations of the House Committee on Veterans' Affairs.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Etaf Khan.

Sincerely,

Phillip L. Swagel

Enclosure

cc: Honorable Mike Bost
Ranking Member

www.cbo.gov

House Committee on Veterans' Affairs
Summary of Major Policy Decisions in the Committee's Recommendations
Pursuant to Section 2001 of the Concurrent Resolution on the Budget for Fiscal Year 2021

The House Committee on Veterans' Affairs recommendations focus on several key policy areas:

- Addressing an appeals processing backlog exacerbated by the pandemic;
- Ensuring access to healthcare and related services during the ongoing emergency;
- Continuing supply chain modernization to support healthcare delivery;
- Providing resources to support care of veterans in State Veterans Homes;
- Providing resources to the Department of Veterans Affairs (VA) Office of Inspector General (OIG) to oversee the addition funds appropriated to VA;
- Providing retraining assistance to veterans who lost employment due to the pandemic; and,
- Providing financial relief to veterans by waiving copayments during the health emergency.

Additional summaries of these provisions are below.

Title VIII - Committee on Veterans' Affairs

Sec. 8001. Funding for Claims and Appeals Processing

Section 8001 provides $272 million for VA to mitigate the impacts of the pandemic on the benefits claims and appeals backlog caused by delays in claim development, which resulted from COVID-19-related shutdowns. This funding will be used to increase staff overtime in FY 2022, expand VBA-funded scanning of service records from federal records facilities impacted by COVID-19, improve scheduling of hearings, and enhance contact center functions. In addition, funding will support the Board of Veterans Appeals' efforts to improve mail processing and add temporary staff, including intake specialists, attorneys, and staff to support telehearings.

Sec. 8002. Funding Availability for Medical Care and Health Needs

Section 8002 provides nearly $13.5 billion for VHA to provide healthcare services and related support to eligible veterans. It includes funding to cover the impacts of delays in care, including the need for more expensive care because of delays in necessary care, and veterans' greater reliance on VA healthcare due to loss of other health insurance or other economic impacts from the pandemic. It also includes funding for sustainment of CARES Act-supported staffing and service-level expansions, including in the areas of suicide prevention, women's health, VA homelessness programs, and telehealth. This section broadly allows spending to provide medical services to veterans, including medical facility improvements, research, and administrative expenses. Furthermore, it prevents VA from using more than $4 billion of the total for the Veterans Community Care Program.

Sec. 8003. Funding for Supply Chain Modernization

Section 8003 provides $100 million in funding for investments in information technology systems to support the acceleration of VA's supply chain modernization efforts.

Sec. 8004 Funding for State Homes

Section 8004 provides support to State Veterans Homes through two mechanisms. First, it provides $500 million for VA to provide construction funds to states provided they have required matching funds for projects that will upgrade and enhance safety and operation of State Veterans Homes across the country.

It further provides $250 million in one-time emergency federal payments to support these state-operated facilities, to be allocated based on the number of beds at each home that could be occupied by eligible veteran residents. This emergency funding can be used to enhance treatment of veterans during the pandemic, including by enhancing cleaning services, procuring personal protective equipment or other equipment, and temporarily expanding staffing levels to care for veterans.

Sec. 8005 – Funding for Department of Veterans Affairs Office of Inspector General

Section 8005 provides $10 million for the VA Office of Inspector General to provide oversight of VA projects and activities carried out pursuant to the title.

Sec. 8006 – COVID-19 Veteran Rapid Retraining Assistance Program

Section 8006 provides nearly $400 million for up to 12 months of retraining assistance for veterans who are unemployed due to COVID-19 and do not have other veteran education benefits. This funding covers the cost of the retraining program and provides a housing allowance for veterans while they undergo this training.

Sec. 8007 – Prohibition on Copayments and Cost Sharing for Veterans During Emergency Relating to COVID-19

Section 8007 allows VA to waive up to $2 billion worth of copays that otherwise would be charged to veterans for VA healthcare services, for the period beginning April 6, 2020 (when VA first paused medical billing, near the start of the pandemic), through September 30, 2021. This section also authorizes VA to reimburse those veterans who have recently submitted payments for care they received during this period, since VHA began issuing billing notices in January 2021.

DEMOCRATS
MARK TAKANO, CALIFORNIA, CHAIRMAN

REPUBLICANS
MIKE BOST, ILLINOIS, RANKING MEMBER

U.S. House of Representatives
COMMITTEE ON VETERANS' AFFAIRS
ONE HUNDRED SEVENTEENTH CONGRESS
B-234 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
http://veterans.house.gov

February 16, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to section 2001 of the Concurrent Resolution on the Budget, I hereby transmit these recommendations which have been approved by vote of the Committee on Veterans' Affairs, and the appropriate accompanying material including additional, supplemental or dissenting views, to the House Committee on the Budget. This submission is in order to comply with reconciliation directives included in S. Con. Res. 5, the fiscal year 2021 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely,

Mark Takano

Mark Takano
Chairman

COMMITTEE ON WAYS AND MEANS
U.S. HOUSE OF REPRESENTATIVES

February 16, 2021

The Honorable John Yarmuth
Chairman
Committee on the Budget
204-E Cannon House Office Building
Washington, DC 20515

Dear Chairman Yarmuth:

Pursuant to section 2001 of the Concurrent Resolution on the Budget, I hereby transmit these recommendations which have been approved by vote of the committee on February 11, 2021 and the appropriate accompanying material including dissenting views to the House Committee on Budget. This submission is in order to comply with reconciliation directives included in S. Con. Res. 5, the fiscal year 2021 budget resolution, and is consistent with section 310 of the Congressional Budget and Impoundment Control Act of 1974.

Sincerely

Richard E. Neal, Chair

Enclosure: Committee Vote

CONGRESSIONAL BUDGET OFFICE
U.S. Congress
Washington, DC 20515

Phillip L. Swagel, Director

February 15, 2021

Honorable Richard Neal
Chairman
Committee on Ways and Means
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The Congressional Budget Office has prepared the enclosed cost estimate for the Reconciliation Recommendations of the Committee on Ways and Means.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Alice Burns.

Sincerely,

Phillip L. Swagel

Enclosure

cc: Honorable Kevin Brady
Ranking Member

Congressional Budget Office
Cost Estimate

February 15, 2021

At a Glance

Reconciliation Recommendations of the House Committee on Ways and Means

As ordered reported on February 10 and 11, 2021

By Fiscal Year, Millions of Dollars	2021	2021-2030	2021-2031
Direct Spending (Outlays)	654,581	877,761	878,022
Revenues	-33,809	-49,588	-45,638
Increase or Decrease (-) in the Deficit	688,390	927,349	923,660

		Mandate Effects	
Statutory pay-as-you-go procedures apply?	Yes	Contains intergovernmental mandate?	No
Increases on-budget deficits in any year after 2030?	No	Contains private-sector mandate?	Yes, Over Threshold

CBO has not reviewed the legislation for effects on spending subject to appropriation.

The legislation would

- Extend until August 29, 2021, many of the enhanced unemployment compensation benefits created under the CARES Act and the Families First Coronavirus Relief Act
- Increase and expand the subsidies for health insurance coverage through the marketplaces for calendar years 2021 and 2022, increase marketplace subsidies for people receiving unemployment benefits in 2021, and subsidize COBRA premiums at 85 percent for people through September 2021
- Provide additional recovery rebates to eligible people, expand the child tax credit, Earned Income Tax Credit, and the child and dependent care credit in 2021, and extend and modify tax credits for paid sick and family leave and for employee retention
- Provide additional assistance to some multiemployer defined benefit pension plans that are financially troubled and reduce funding requirements for single-employer pension plans
- Impose private sector mandates by requiring COBRA notifications and amending the Internal Revenue Code

Estimated budgetary effects would mainly stem from

- An increase in spending on unemployment benefits
- An increase in premium tax credits for health insurance purchased through the marketplaces and federal subsidies for COBRA premiums
- Additional recovery rebates and expanded tax credits
- Increased assistance to private pension plans

Areas of significant uncertainty include

- General economic conditions that would affect the number of people eligible for and receiving benefits like unemployment insurance and expanded tax credits

Detailed estimate begins on the next page.

See also *CBO's Cost Estimates Explained*, www.cbo.gov/publication/54437;
How CBO Prepares Cost Estimates, www.cbo.gov/publication/53519; and *Glossary*, www.cbo.gov/publication/42904.

Legislation Summary

S. Con. Res. 5, the Concurrent Resolution on the Budget for Fiscal Year 2021, instructed several committees of the House of Representatives to recommend legislative changes that would increase deficits up to a specified amount over the 2021-2030 period. As part of this reconciliation process, the House Committee on Ways and Means approved legislation on February 10 and 11, 2021, with a number of provisions that would increase deficits.

The legislation would extend unemployment benefits, establish a pandemic emergency fund, increase subsidies for health insurance, provide cash payments to eligible people, expand several tax credits, and modify rules for pensions, among other provisions designed to mitigate the impact of the COVID-19 pandemic caused by the coronavirus.

Estimated Federal Cost

CBO and the staff of the Joint Committee on Taxation (JCT) estimate that the reconciliation recommendations of the Committee on Ways and Means would increase deficits by $927 billion over the 2021-2030 period. The estimated budgetary effects of the legislation are shown in Table 1. The changes in outlays from the legislation fall within budget functions 500 (education, training, employment, and social services), 550 (health), 570 (Medicare), 600 (income security), 800 (general government), and 900 (net interest).

Basis of Estimate

For this estimate, CBO and JCT assume that the legislation will be enacted by the end of March 2021.

Subtitle A. Crisis Support for Unemployed Workers

Subtitle A would expand and extend until August 29, 2021, many of the enhanced unemployment compensation benefits created under the CARES Act and the Families First Coronavirus Relief Act (FFCRA), including pandemic unemployment assistance (PUA), pandemic emergency unemployment compensation (PEUC), and federal pandemic unemployment compensation (FPUC). In total, added support for the unemployed would increase the deficit by $246 billion.

The expansion and extension of unemployment insurance benefits could increase the unemployment rate as well as decrease labor force participation throughout the period for which those benefits would be in place. The estimated costs incorporate some behavioral changes from FPUC and the PUA but do not incorporate any behavioral effects on the unemployment or labor force participation rates primarily because CBO has not estimated those effects.

Federal Pandemic Unemployment Compensation. Under this legislation, people who receive regular or extended unemployment compensation benefits, trade readjustment allowances, short-time compensation, PUA benefits, or PEUC from March 15, 2021, through August 29, 2021, would receive their regular weekly benefits plus an additional $400 each week. Under current law, people in these programs are receiving $300 each week for weeks of unemployment from December 27, 2020, through March 14, 2021. Additionally, people who received at least $5,000 in self-employment income in the most recent tax year and receive an unemployment benefit other than PUA receive an additional $100 each week; this legislation would extend that add-on through August 29, 2021. Enacting this provision would increase direct spending by a total of $163 billion in 2021 and 2022.

Pandemic Unemployment Assistance. This legislation would extend the time in which people can apply for PUA and increase the duration of benefits from 50 to 74 weeks. PUA provides weekly cash benefits to people who are unemployed, partially unemployed, or otherwise unable to work because of the coronavirus, but who are not eligible for regular unemployment compensation, extended unemployment benefits, or the PEUC program. CBO estimates that the extension would increase direct spending by $44 billion in 2021 and 2022.

Pandemic Emergency Unemployment Compensation. The PEUC program provides additional weeks of benefits for people who have exhausted regular state unemployment compensation benefits. The legislation would extend the time period in which people can receive PEUC benefits, and increase the duration of benefits from 24 to 48 weeks. CBO estimates that PEUC benefits would increase direct spending by $35 billion in 2021 and 2022.

Regular Unemployment Compensation. The extension of FPUC and the PUA program would increase the costs of regular unemployment compensation relative to CBO's baseline. Although not every eligible person claims benefits, CBO expects that more people would apply for and receive regular unemployment compensation benefits because weekly benefit amounts would temporarily increase under FPUC. However, CBO also expects that fewer people would challenge their denial of regular unemployment benefit payments, because they could apply and receive benefits more quickly through the PUA program (a person cannot collect benefits from both programs). Some people who are initially denied regular benefits later receive those benefits after they appeal to their state workforce agency, so that decrease in appeals would decrease regular unemployment compensation relative to CBO's baseline. CBO estimates the net effect would be to increase regular unemployment insurance outlays by $0.4 billion in 2021.

Extended Unemployment Compensation. This legislation would extend the temporary full federal financing of extended unemployment benefits through August 29, 2021. States are normally required to pay half the cost of those benefits. However, because this legislation also would extend the number of weeks available under the PEUC program, CBO expects that most people who would have received extended benefits in 2021 would receive PEUC benefits instead. CBO estimates the net effect would be to decrease extended unemployment compensation outlays by $3 billion in 2021.

Other Unemployment Provisions. Subtitle A contains additional unemployment insurance provisions that would increase outlays by about $3 billion over the 2021-2030 period. These provisions would:

- Extend increased federal funding for short-time compensation programs ($0.3 billion);
- Temporarily waive the accrual of interest on federal loans to state unemployment trust funds ($0.7 billion);
- Allow the Department of Labor (DOL) to continue providing funds to states for administration of FPUC and the PUA and PEUC programs ($0.1 billion); and
- Directly appropriate funds to DOL for administrative and program integrity activities associated with unemployment compensation programs ($2 billion).

As a result of the provisions in subtitle A, CBO estimates that revenues would decrease, on net, by about $3.4 billion over the 2021-2030 period, mostly in 2021. The unemployment insurance system is a federal-and-state partnership: unemployment compensation benefits paid by states are recorded as federal outlays and the taxes levied by states to pay for certain benefits are recorded as federal revenues. CBO expects that any change in outlays would be partially offset by a change in revenues so that state unemployment insurance trust funds remained in balance. The legislation contains several provisions that would shift the funding of certain unemployment benefits from the states to the federal government. As a result, states' unemployment taxes would be lower and federal revenues would decline.

Specifically, the legislation would shift funding from the states to the federal government for a portion of the regular unemployment compensation benefits paid between March 15, 2021, and August 29, 2021, for people who worked for public-sector entities and nonprofit organizations. That provision would decrease revenues by a total of $1.8 billion in 2021 and 2022. Under the legislation, if states waive the current one-week waiting period, the federal government would fully reimburse them for the first week of regular unemployment benefits through August 29, 2021. This provision would decrease revenue by about $2.0 billion over 2021 and 2022.

CBO estimates that those decreases in federal revenues would be partially offset by a $0.3 billion increase over the 2021-2030 period as states respond to smaller balances in their unemployment trust fund accounts by increasing their future collections of unemployment taxes.

Subtitle B. Emergency Assistance to Families through Home Visiting Programs
Section 9101 would appropriate an additional $150 million through the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program and establish rules for use of that funding. To be eligible for funding, entities must meet specified criteria, including maintenance of staffing levels and coordination with local diaper banks. Entities may use the funding to serve additional families; to cover ongoing staffing, training, and administrative costs (including the costs associated with conducting virtual home visits); and to pay for emergency supplies. CBO estimates that subtitle B would increase direct spending by $149 million over the 2021-2030 period.

Subtitle C. Emergency Assistance to Children and Families
Section 9201 would appropriate $1 billion for a newly established fund, the Pandemic Emergency Fund. Through grants to states and tribes, this fund would provide nonrecurring short-term benefits, like cash and vouchers, to eligible families with low incomes. CBO expects that the fund would increase direct spending by $1 billion over the 2021-2030 period.

Subtitle D. Elder Justice and Support Guarantee
Section 9301 would provide additional funding for programs authorized by the Elder Justice Act, including long-term care ombudsman programs, elder abuse forensic centers, and grants to states for adult protective services. CBO estimates that subtitle D would increase direct spending by $276 million over the 2021-2030 period.

Subtitle E. Support to Skilled Nursing Facilities in Response to COVID-19
Section 9401 would appropriate $200 million to support COVID-19 infection control in skilled nursing facilities (SNFs). The funding would be used to develop and disseminate COVID-19 prevention protocols through contracted quality improvement organizations (QIOs). Based on historical spending patterns, CBO estimates that this section would increase direct spending by $200 million over the 2021-2030 period.

Section 9402 would appropriate funding to create strike teams in SNFs. Under this section, $250 million would be provided to states, including the District of Columbia and U.S. territories, to establish strike teams in SNFs with suspected or diagnosed cases of COVID-19. The strike teams would assist SNFs with clinical care, infection control, or staffing for the duration of the pandemic public health emergency. Based on historical spending patterns, CBO estimates that this section would increase direct spending by $250 million over the 2021-2030 period.

Subtitle F. Preserving Health Benefits for Workers

Under current law, people who lose their job or experience another qualifying event that results in a termination of their employment-based health insurance are eligible to continue health insurance coverage through the Consolidated Omnibus Budget Reconciliation Act (COBRA). If an individual chooses to enroll in COBRA coverage, he or she may be required to pay up to 102 percent of the total premium and can maintain the coverage for 18 months. Under section 9501, qualifying COBRA enrollees would be required to pay 15 percent of the total COBRA premium from the first of the month following the date of enactment through September 30, 2021. The federal government would provide a subsidy on behalf of the individual for the remainder. People would be eligible for premiums to be paid on their behalf if they are enrolled in, or are eligible to enroll in, COBRA coverage because of an involuntary termination or reduction of hours at the time of enactment. Section 9501 would permit eligible people who did not previously elect COBRA coverage and eligible people who discontinued COBRA coverage prior to enactment to enroll within 60 days of being notified about the availability of these subsidies.

CBO and JCT estimate that enacting section 9501 would increase federal deficits by $7.8 billion over the 2021-2030 period, after accounting for interactions with sections 9661 and 9663 in subtitle G. That increase in deficits would consist of a decrease in direct spending of $6.5 billion and a decrease in revenues of $14.3 billion over the period. Those effects would primarily stem from federal subsidies for COBRA premiums, partially offset by a reduction in federal subsidies for other sources of health insurance coverage.

Under current law, after adjusting for the effects of sections 9661 and 9663 (described below), CBO and JCT project that about 800,000 people would be enrolled in COBRA coverage on a full year equivalent basis (FYE), representing less than 10 percent of the eligible population. The estimated take-up of COBRA coverage is low because premiums are not typically subsidized by employers as they are when people are actively employed. The remaining estimated 12 million eligible people who do not enroll in COBRA coverage would enroll in another form of insurance coverage or be uninsured.

In response to the availability of those subsidies, CBO and JCT estimate that an additional 2.2 million people, on a FYE basis, would enroll in COBRA coverage, resulting in a total of about 3 million FYE COBRA enrollees in 2021. In total, the agencies estimate that subsidies for COBRA—for existing and new enrollees—would increase deficits by $14.8 billion over the 2021-2030 period.

CBO and JCT estimate there would be offsetting effects as people who would newly enroll in COBRA coverage would no longer enroll in other sources of health insurance coverage that are subsidized by the federal government. Of the 2.2 million FYEs that CBO and JCT estimate would newly enroll in COBRA coverage, an estimated 1.1 million would have otherwise been enrolled in Medicaid or CHIP and about 600,000 would have forgone insurance coverage and been uninsured. About 300,000 FYEs would otherwise have enrolled in subsidized nongroup coverage, and the remainder, about 200,000, would have been enrolled in employment-based coverage. CBO and JCT estimate that those changes in health insurance coverage would offset the cost of the new COBRA subsidy by $7 billion over the 2021-2030 period. On net, the COBRA provisions in the legislation would increase deficits by $7.8 billion over the 2021-2030 period.

Subtitle G. Promoting Economic Security
Subtitle G includes provisions that would modify or extend various tax rules. Those changes include the provision of an additional round of direct payments to people ("recovery rebates") and changes to the child tax credit, Earned Income Tax Credit (EITC), child and dependent care tax credit, credits for paid sick and family leave, the employee retention credit, and the premium tax credit (or marketplace subsidies).

2021 Recovery Rebates for Individuals. For tax year 2021, section 9601 would create a refundable tax credit of $1,400 ($2,800 for joint filers) plus $1,400 per dependent.[1] The credit would phase out for taxpayers with adjusted gross income (AGI) between $75,000 and $100,000 (between $150,000 and $200,000 for joint filers; between $112,500 and $150,000 for head-of-household filers).[2] A similar benefit would be available to residents of U.S. possessions. Advance payments of the credit would be made "as rapidly as possible."

Eligibility for the advance payments would be based on information reported on 2019 or 2020 (if available) tax returns. Tax year 2020 returns are due to the Internal Revenue Service (IRS) by April 15, 2021. If a 2019 or 2020 return has not been filed by the date of determination of eligibility, other information available to the Treasury could be used to determine eligibility.

Any taxpayers eligible for a larger credit based on tax year 2021 information could claim the additional amount when they file a 2021 tax return, most likely in the spring of 2022. Taxpayers who are eligible for tax year 2021 credits that are less than their advance payments would not be required to repay the difference. Dependent filers would not be eligible, and a Social Security number would be required for eligibility for filers and their

1. Refundable tax credits reduce a taxpayer's overall income tax liability; if those credits exceed other tax liabilities, the taxpayer may receive the excess in a refund. Such refunds are classified as outlays in the federal budget.
2. AGI refers to total income for the tax year that is not specifically excluded by the tax code minus certain deductions, including contributions to individual retirement accounts, alimony paid, and student loan interest.

dependents. JCT estimates that the provision would increase outlays by $413.6 billion and reduce revenues by $8.7 billion over the 2021-2022 period.[3]

Child Tax Credit. Section 9611 would expand the child tax credit for 2021 and allow taxpayers to receive the credit in advance of filing tax returns. The credit amount would increase from $2,000 to $3,000 for each qualifying child aged 6 and older (or $3,600 for each child under the age of 6), 17-year-old children would be eligible, and the credit would be fully refundable. The expanded portion of the credit would start to phase out when a taxpayer's income exceeds $150,000 for joint filers ($112,500 for head of household filers and $75,000 for other filers). The phase out reduces the expanded portion of the credit by $50 for each additional $1,000 in income. The Secretary of the Treasury would be directed, as feasible, to issue monthly advance payments of the credit based on information from 2019 or 2020 tax returns beginning in July 2021.

Section 9612 would provide for payments to U.S. territories for the cost of the expanded child tax credit, although the advance payments would not apply. For tax years after 2021, residents of Puerto Rico would be able to claim the refundable portion of the child tax credit. JCT estimates that, together, the changes to the child tax credit would increase outlays by $88 billion and reduce revenues by $21 billion over the 2021-2030 period.

Earned Income Tax Credit (EITC). Sections 9621 through 9626 would expand the EITC in several ways. Some of those changes would apply only to tax year 2021, while others would be permanent.

For tax year 2021, the amount of the credit would be increased for taxpayers with no qualifying children and eligibility for the credit would be expanded to higher-income taxpayers and to certain childless taxpayers who are younger than 25 or older than 65. Taxpayers would also be allowed to use their 2019 earned income to calculate their credit for taxable year 2021, if their earned income in 2021 is less than it was in 2019.

For tax year 2021 and all future years, taxpayers whose children fail to meet certain identification requirements could still claim the EITC for taxpayers with no qualifying children. Separated spouses would also be allowed to claim the EITC, and the amount of investment income that would disqualify a taxpayer from receiving the EITC would increase. In addition, the Secretary of the Treasury would make payments to certain U.S. territories related to the cost of each territory's respective earned income tax credit. JCT estimates that

3. Joint Committee on Taxation, Estimated Budgetary Effects of the Revenue Provisions of the Budget Reconciliation Legislative Recommendations, as Passed by the House Committee on Ways and Means on February 11, 2021, JCX-10-21 (February 15, 2021), https://www.jct.gov/publications/2021/jcx-10-21/.

those changes to the EITC would reduce revenues by $4 billion and increase outlays by $21 billion over the 2021-2030 period.

Dependent Care Assistance. Section 9631 would expand the child and dependent care tax credit available to taxpayers for tax year 2021. The legislation would make the credit refundable, increase the amount of eligible expenses that may be used to calculate the credit, increase the credit rate from 35 to 50 percent, and increase the income levels at which taxpayers' eligibility for the credit begins to phase out. The credit would also be made available to taxpayers who were previously ineligible because they reside outside of the United States, provided they maintain a principal residence in the United States.

Section 9632 would also expand the exclusion for employer-provided assistance for dependent care, increasing the maximum amount of excludable earnings from $5,000 to $10,500 for a married couple filing jointly. JCT estimates those provisions would increase outlays by $4 billion and reduce revenues by $4 billion over for the 2021-2022 period.

Credits for Paid Sick and Family Leave. The Families First Coronavirus Response Act (FFCRA) established fully refundable credits against payroll taxes to compensate employers and self-employed people for coronavirus-related paid sick leave and family and medical leave, which were extended through March 31, 2021, by the Consolidated Appropriations Act, 2021. Section 9641 would extend these credits through September 30, 2021. Sections 9642-9650 would modify the credits for sick or family leave taken after March 31, 2021, (December 31, 2020, for self-employed people) in several ways, including:

- The maximum amount of wages or self-employment income that can be used to calculate the credit would be increased.
- The maximum number of sick days for which an employer may claim the credit would be reset after March 31, 2021.
- The credit would be allowed for leave related to COVID vaccination.
- State and local governments and certain other governmental employers would be allowed to claim the credit.
- The credit would be restructured after March 31, 2021, as a credit against Hospital Insurance (HI) taxes rather than the Old-Age, Survivors, and Disability Insurance (OASDI) taxes.

JCT estimates those changes would increase outlays by $3.8 billion and reduce revenues by $1.5 billion over the 2021-2022 period.

Employee Retention Credit. The CARES Act, as subsequently modified by the Consolidated Appropriations Act, 2021, allows qualified employers to claim a refundable credit against the employment taxes due from them. Qualified employers are typically those adversely affected by the COVID-19 pandemic, and the amount of credit is equal to

70 percent of up to $10,000 in qualified wages paid to the eligible employees in any calendar quarter before July 1, 2021, in which the employers were adversely affected. Section 9651 would extend the availability of those employment retention credits by two calendar quarters through December 31, 2021. In addition, after June 30, 2021, the credit would apply against the employer's share of HI taxes rather than OASDI taxes. The credit would continue to be refundable for employers with insufficient tax liability.[4] JCT estimates those changes would increase outlays by $2 billion and reduce revenues by $7 billion over the 2021-2022 period.

Premium tax credit. Under current law, subsidies for health insurance through the marketplaces established under the Affordable Care Act are primarily provided through premium tax credits, which are available to people with modified adjusted gross income between 100 percent and 400 percent of the federal poverty level (FPL) who are lawfully present in the United States, are not eligible for public coverage (such as Medicaid or the Children's Health Insurance Program (CHIP)), and do not have an affordable offer of employment-based coverage. Eligible people can use those tax credits to lower the out-of-pocket cost of their monthly premiums. The amount of a person's premium tax credit is calculated as the difference between the benchmark premium (that is, the premium for the second-lowest-cost silver plan available in the marketplace in the area of residence) and a specified maximum contribution expressed as a percentage of income. That specified percentage of income varies according to household income.[5]

Expanding premium assistance for consumers. Section 9661 would increase premium tax credits for most currently eligible people and expand eligibility to people with incomes greater than 400 percent of the FPL through the end of 2022. For 2021, the legislation would modify the subsidy structure under current law, as detailed in Exhibit 1.

CBO and JCT estimate that section 9661 would increase federal deficits by $34.2 billion over the 2021-2030 period: an increase in direct spending of $22.0 billion and a reduction in revenues of $12.2 billion. Those effects reflect a $35.5 billion increase in premium tax credits for health insurance purchased through the marketplaces established under the Affordable Care Act, partially offset by other small effects.

Section 9661 would have a twofold effect on people with health insurance coverage through the marketplaces. First, most marketplace enrollees with subsidies under current law would gain access to enhanced subsidies, lowering their out-of-pocket premium costs. Second, marketplace enrollees who are currently ineligible for subsidies because their income is greater than 400 percent of the FPL could gain eligibility for subsidies under the enhanced

4. See pages 58-71 of JCX-3-21 https://www.jct.gov/publications/2021/jcx-3-21/ for a detailed description of the Employee Retention Credit provisions of the CARES Act, the Consolidated Appropriations Act, and the budget reconciliation recommendations of the Committee on Ways and Means.
5. A silver plan covers about 70 percent of the costs of covered benefits for most people. Cost-sharing reductions have the effect of increasing that share for people between 100 and 249 percent of the federal poverty level.

subsidy structure. In addition to reducing the costs of marketplace coverage for those currently enrolled, CBO and JCT project that the enhanced subsidies would also attract enrollees who are new to the marketplaces, particularly people who are uninsured under current law. CBO and JCT estimate that new marketplace enrollees would account for $13.0 billion of the estimated increase in premium tax credits and existing marketplace enrollees would account for the remaining $22.5 billion.

Exhibit 1. Maximum Income Contribution Percentage by Household Income for Premium Tax Credits in 2021

Income Range (Percent of FPL)	Range of Maximum Income Contribution Percent of Income)[a]	
	Under Current Law	Under Section 9661
100 – 133	2.07	0
133 – 150	3.10 – 4.14	0
150 – 200	4.14 – 6.52	0 – 2.07
200 – 250	6.52 – 8.33	2.07 – 4.14
250 – 300	8.33 – 9.83	4.14 – 6.21
300 – 400	9.83	6.21 – 8.79
400+	--	8.79

Source: Congressional Budget Office.
FPL = federal poverty level.
a. Irs.gov/pub/irs-drop/rp-20-36.pdf

In general, the enhanced tax credits under the legislation would be larger than the premium tax credits under current law. In an illustrative example, CBO and JCT estimate that a 21-year-old with income at 150 percent of the FPL in 2021 would be eligible for a premium tax credit of about $3,500 under current law; the tax credit would increase to about $4,300 under the legislation (see Exhibit 2). CBO and JCT expect that people with incomes just over 400 percent of the FPL who are older or enrolled in family policies or in insurance rating areas with especially high premiums would experience the greatest reduction in net premiums.

Exhibit 2: Illustrative Example of Premium Tax Credits under Current Law and under Section 9661 in 2021

	Benchmark Premium[a]	Premium Tax Credit[b]	Net Premium Paid
Single individual with income of **$19,300** in 2021 (150% FPL)[c]			
Current Law			
21 years old	$4,300	$3,500	$800
45 years old	$6,200	$5,400	$800
64 years old	$12,900	$12,100	$800
Under Section 9661			
21 years old	$4,300	$4,300	$0
45 years old	$6,200	$6,200	$0
64 years old	$12,900	$12,900	$0
Single individual with income of **$58,000** in 2021 (450% FPL)[c]			
Current Law			
21 years old	$4,300	$0	$4,300
45 years old	$6,200	$0	$6,200
64 years old	$12,900	$0	$12,900
Under Section 9661			
21 years old	$4,300	$0	$4,300
45 years old	$6,200	$1,100	$5,100
64 years old	$12,900	$7,800	$5,100

Sources: Congressional Budget Office; staff of the Joint Committee on Taxation.

All dollar figures have been rounded to the nearest $50; FPL = federal poverty level.

a. For this illustration, the Congressional Budget Office estimated, for a 21-year-old, national average premiums for nongroup health insurance in 2021 under current law and under section 9961. On the basis of that amount, CBO calculated premiums for a 45-year-old and a 64-year-old, assuming that the person lives in a state that uses the federal default age-rating methodology. Variation of premiums by age is limited to 3-to-1 for adults under current law and under section 9961.

b. Under current law, premium tax credits are calculated as the difference between the benchmark premium and a specified percentage of income for a person with income at a given percentage of the FPL.

c. Income level refers to modified adjusted gross income, which equals adjusted gross income plus untaxed Social Security benefits, foreign earned income that is excluded from adjusted gross income, tax-exempt interest, and income of dependent filers.

In 2022, the year for which the provision would be in effect for the entire calendar year, CBO and JCT estimate that enacting the provision would increase the number of people with coverage through the marketplaces by 1.7 million. The agencies project that roughly 40 percent of the additional marketplace enrollees would be people ineligible for premium tax credits under current law because their income exceeds 400 percent of the FPL.

The estimated increase in marketplace enrollment would consist of 1.3 million fewer uninsured people, 300,000 fewer people with nongroup coverage purchased outside of the marketplaces, and 100,000 fewer people with employment-based coverage. The estimated effect on the number of people with employment-based coverage is limited because CBO and JCT do not anticipate that many employers would change their decision to offer health insurance given the temporary nature of the enhanced subsidy.

CBO and JCT estimate that enacting section 9661 would affect health insurance coverage to a much more limited extent in 2021 and 2023. The effect on health insurance coverage in 2021 would be constrained because the enhanced subsidy structure would take effect midway through the plan year. For 2023, CBO and JCT anticipate that some of the estimated increase in enrollment would persist beyond 2022, when the enhanced subsidy structure prescribed by this legislation would expire, and would gradually return to current law levels by 2024.

Modification of limits on reconciliation of tax credits. Under current law, people are entitled to advance payments of their subsidies, which are based on income estimated from tax returns for prior years. If people's circumstances change to the extent that their advanced subsidies exceed the actual subsidies to which they are entitled, they may be required to repay some or all of the credits. Section 9662 would remove this requirement for purposes of plan year 2020.

Section 9662 also would eliminate the requirement that people must repay any overpayments of health insurance subsidies received for plan year 2020. JCT estimates that section 9662 would increase the federal deficit by $6.3 billion over the 2021-2030 period after accounting for interactions with sections 9661 and 9663 as well as section 9501 in subtitle F. This increase would come from a decrease in revenues.

Application of premium tax credit for people receiving unemployment compensation in 2021. Under current law, eligible people may receive a premium tax credit for health insurance through the marketplaces that equals the difference between the benchmark premium and a maximum contribution specified as a percentage of household income. Exhibit 1 shows the maximum income contribution percentages for 2021 under section 9661. (CBO and JCT estimated the effects of section 9663 relative to section 9661, which would increase premium tax credits for all currently eligible income levels and expand eligibility to people with incomes greater than 400 percent of the FPL through the end of 2022.)

Section 9663 would increase the amount of the premium tax credit for people receiving unemployment benefits for any length of time in 2021. People with household incomes greater than 100 percent of the FPL after excluding unemployment benefits—who are otherwise eligible for premium tax credits—would receive a premium tax credit as if their income were 133 percent of the FPL in 2021.

After accounting for the effects of section 9661, CBO and JCT estimate that section 9663 would increase federal deficits by $4.5 billion over the 2021-2030 period, which would consist of an increase in outlays of $2.4 billion and a decrease in revenues of $2.1 billion. Those effects would stem primarily from an increase in premium tax credits for health insurance purchased through the marketplaces.

In 2021, CBO and JCT estimate that about 900,000 people enrolled in subsidized coverage through the marketplaces under current law and after incorporating the effects of section 9661 would receive unemployment benefits and an increased subsidy under section 9663. The average incremental subsidy people would receive is estimated to be $1,040. An additional 500,000 people, who would otherwise obtain health insurance through COBRA or be uninsured, would newly enroll in coverage through the health insurance marketplaces and newly receive on average a premium tax credit of $7,040.

Overall, the agencies estimate a total of about 1.4 million people receiving unemployment benefits would be enrolled in subsidized coverage through the marketplaces and receive a premium tax credit. The mid-year enactment of the policy would limit the provision's effect on health insurance coverage. CBO and JCT expect that most of the people newly enrolling in coverage through the marketplaces because of the increased premium tax credit are those who would begin receiving unemployment benefits following enactment of the legislation and would have otherwise enrolled in another form of coverage, such as a spouse's employment-based insurance plan or COBRA continuation coverage. The provision would not affect the incentives of most recipients to take a new job because they would be considering job offers from employers that would not provide them with an offer of health insurance coverage that would disqualify them from receiving the subsidy in 2021. For recipients considering job offers that would disqualify them from receiving the subsidy because the job included an affordable offer of employment-based health insurance, the effect of the provision on the disincentive to take the job would depend on the extent of the subsidy for health insurance provided by the employer.

For 2022, CBO and JCT anticipate that some of the estimated increase in enrollment would persist beyond 2021, when the increase in premium tax credits in this provision would expire, and would return to current law levels by 2023.

Miscellaneous tax provisions. Section 9671 would repeal the option for taxpayers to elect to allocate interest expenses on a worldwide basis, effective for tax years beginning after December 31, 2020. Under current law, for the first taxable year beginning after December 31, 2020, U.S. corporations with worldwide operations can make a one-time, irrevocable election to treat the interest expenses of their foreign and domestic affiliates as if they were a single group, instead of being required to consider domestic and foreign affiliates separately in allocating and apportioning interest expense. For some corporations, making that election would result in increased foreign-source income, which would allow them to claim additional foreign tax credits when calculating their U.S. tax liability. Section 9671 would repeal this provision, eliminating the ability of U.S.-based corporations to elect worldwide allocation of interest expense in calculating their foreign-source income for the purposes of determining allowable foreign tax credits. JCT estimates the repeal would increase revenues by $20 billion over the 2021-2030 period.

Subtitle G also would appropriate funding to the IRS to implement provisions in the legislation. Sec 9601 would appropriate about $1.5 billion for activities related to Recovery Rebates and taxpayer assistance, and to modernize and secure IRS systems. Sec 9611 would appropriate about $0.4 billion to facilitate advance payments of child tax credits to taxpayers.

Subtitle H. Pensions

Subtitle H, the Butch Lewis Emergency Pension Plan Relief Act of 2021, would provide additional assistance to certain multiemployer defined benefit pension plans, reduce funding requirements for single-employer pension plans, with a specific provision for community newspapers, and freeze the cost-of-living indexation of the limits on contributions to pension plans.

Multiemployer pension plans. Under current law, the Pension Benefit Guaranty Corporation (PBGC) guarantees the payment of benefits for about 10 million participants in multiemployer pension plans by providing financial assistance to plans that become insolvent. As a condition of receiving assistance, those plans must reduce participants' benefits to a maximum guaranteed amount.

Multiemployer plans are categorized according to how well-funded they are and how long they are projected to remain solvent. Plans have various status categories: not in distress (green zone), endangered (yellow zone), seriously endangered (orange zone), or critical (red zone). As of 2017, more than 300 plans were classified as critical and more than 100 of those were classified as critical and declining. In addition, to avert insolvency, the Multiemployer Pension Reform Act of 2014 (MPRA) allows the most financially troubled of the critical plans—the critical and declining plans—to reduce benefits (referred to as benefit suspension) if the Department of the Treasury approves. Currently, 18 plans have been approved to suspend benefits under MPRA.

Assistance is currently paid from PBGC's multiemployer revolving fund, which is supported by premiums that the plans pay and by interest credited on the fund's balance. CBO projects that under current law the revolving fund will be exhausted in 2027. PBGC will then be required to reduce current-law assistance to amounts that can be supported with premium income; that level of funding will reduce participants' benefit payments substantially below the guaranteed amounts.

Under the legislation, PBGC would provide eligible multiemployer plans with grants, which the legislation calls "special financial assistance." Those grants would come from Treasury's general fund rather than from the existing multiemployer revolving fund. Money would be transferred from the general fund to a new fund within PBGC and then disbursed to plans.

PGBC would be required to publish requirements for the grant applications within 120 days of the date of enactment, and applications would have to be submitted by December 31, 2025. During the first two years after enactment, PBGC could give priority to plans with large expected assistance and plans expected to face insolvency within five years. To qualify for a grant, a plan would have to meet one of the following criteria:

- In any plan year beginning in 2020 through 2022, be in critical and declining status or have an approved suspension of benefits;
- In any plan year beginning in 2020 through 2022, be in critical status, be funded at less than 40 percent, based on current liability measures, and have a ratio of active to inactive participants of less than 2:3;
- Have become insolvent after December 16, 2014, but not yet be terminated; or
- Have had a suspension of benefits approved as of the date of enactment.

Plans would be eligible for a grant projected to be sufficient to pay benefits through 2051 and would not be required to repay the grants.

In general, projections would be based on assumptions used in a plan's most recent status determination filing from before January 1, 2021, unless PBGC determined that an assumption was "clearly erroneous."

A special rule applies to the assumed interest rate: Plans could use the lower of the rate used in its status determination and a measure approximately equal to 2 percentage points above the third segment rate (a rate used in determining funding requirements in the single-employer program under current law). CBO expects that rate to be about 5.5 percent, which is lower than the rate used by most plans. However, Central States, Southeast & Southwest Areas Pension Plan, the largest plan projected to be eligible for a grant, uses a lower rate. (The lower the assumed interest rate, the higher the grant amount.)

Grants would be paid in a lump sum and could be used to make benefit payments and pay plan expenses. Special financial assistance would be required to be invested separately from other plan assets, in investment grade bonds or other investments permitted by PBGC, which CBO assumed would have the same returns as investment grade bonds. However, plans could choose when to spend from the grant account and when from their traditional asset account. CBO expects that plans would spend down the grant account first. PBGC could place additional limits on plans receiving grants, including rules about benefit increases, contribution reductions, and investments. Plans would remain in critical status through 2051. Upon insolvency, current law assistance rules would apply.

The legislation also would increase premium rates for multiemployer pension. Under current law, the rate is $31 per participant for plan year 2021 and will grow with average economy-wide wages in future years; CBO projects the rate would be $44 for plan year 2031. Under the legislation, the rates would be $52 for plan year 2031 and would grow with wages thereafter.

To estimate the effects of the multiemployer provisions of the legislation, CBO used a model that simulates projections of the financial condition of multiemployer pension plans, including benefit amounts, employers' contributions, plan assets and liabilities, and financial assistance claims paid by PBGC. The model's inputs include information from public filings of IRS Forms 5500, primarily for plan year 2018. CBO generated a probability distribution of firms' potential financial outcomes by running 500 simulations in which many factors (such as returns on assets, the 30-year Treasury rate, inflation, and the liability discount rate) were varied, and CBO then used the average of those simulations to produce this estimate.

CBO projects that grants would total $86 billion; of that, $82 billion would be spent in 2022, $2 billion in 2023, and $0.6 billion in 2024. In CBO's projections, 336 plans would receive grants in at least one of the 500 simulations; on average, about 185 plans would receive grants.

CBO estimates that PBGC will make $7 billion in assistance payments under current law to multiemployer pension plans that are projected to become insolvent over the 2021-2030 period. CBO also projects that the multiemployer revolving fund will be exhausted in 2027, at which point PBGC will reduce financial assistance to amounts that can be supported with premium income. Consequently, spending under current law will not cover the full guaranty payment of benefits for retirees receiving payments from PBGC. Under the legislation, CBO estimates, fewer plans would draw from the revolving fund because the new grants would allow them to remain solvent for longer, reducing spending on current-law assistance by $2 billion over the 2021-2030 period. As a result, CBO expects that the multiemployer revolving fund would remain solvent until the mid-2040s.

Under the legislation, PBGC would issue rules for the program, review grant applications, and disburse grants. Under the legislation, such activities would be paid from the general fund. CBO estimates that those administrative costs would total $0.1 billion over the 2021-2030 period.

The multiemployer pension provisions would increase revenues because retirees would receive retirement benefits under the legislation that they would not receive under current law if the pension plans become insolvent. CBO and JCT estimate that those provisions would increase revenues by $1.7 billion over the 2021-2030 period.

Single-employer pension plans. Current law specifies minimum funding requirements for single-employer private pension plans. In general, employers must contribute an amount that is at least equal to the present value of future benefits expected to be accrued that year (called the normal cost) plus a portion of the plan's funding shortfall.[6] The funding shortfall is the difference between the plan's assets and the funding target—a measure of the present value of future benefits—which generally must be funded over a seven-year period. The funding target and the normal cost are computed using a complex discounting formula in which different interest rates—currently below 5 percent—are used for benefits that are expected to be paid out over different future periods.

The legislation includes three provisions that would affect single-employer plans.

- First, the legislation would set all previous plan funding shortfalls to zero, thereby permitting a fresh calculation of plan funding deficiencies. These newly calculated shortfalls and all future funding shortfalls would be paid off over a period of fifteen years, rather than the current-law period of seven years.
- Second, the interest rate used for calculating minimum plan funding requirements would increase. A higher interest rate reduces the present value of future liabilities, reducing the amount of current funding required. The interest rate would be based on a specified percentage of the corporate bond yields for the segment over the prior 25-year period, known as the 25-year corridor. The Bipartisan Budget Act of 2015 increased those percentages though 2021; the legislation would extend that adjustment through 2026. Additionally, the legislation would institute a 5 percent interest rate floor, so the rate used would be the higher of the formula rate or 5 percent.
- Third, the legislation would allow community newspapers to reduce the amounts they contribute to their pension plans by choosing a higher interest rate of 8 percent. The legislation also would allow plans to fund the shortfall over a period of 30 years.

6. A present value expresses a flow of future payments as a single amount at a specific time. The value depends on the rate of interest, known as the discount rate, used to translate future cash flows into current dollars

All three provisions would reduce required employer contributions, which would increase the degree to which some plans are underfunded and would over the next decade increase both federal revenue and income from PBGC premiums.

Employers can deduct their pension fund contributions from taxable income, and JCT estimates that the reduction in contributions would result in $12.6 billion in increased revenues from corporate income tax collections over the 2021-2030 period.

Most single-employer pension plans are underfunded and pay variable-rate premiums to PBGC that are based on the amount by which the plans are underfunded. For 2021, the premium rate is 4.6 percent of a plan's funding shortfall. Smaller contributions would result in greater shortfalls and higher variable-rate premiums. (Variable-rate premiums would be based on the funding shortfall computed using current-law interest rates, not the higher rates that would be used to compute minimum contributions.)

CBO estimates that receipts from variable-rate premiums would increase by $7.2 billion over the 2021-2030 period because of the increase in underfunding.

Freeze Cost-of-Living Indexation for Pension Contributions. Under current law, there are limits on the contributions that people can make to defined contribution retirement plans and on amounts paid by defined benefit pension plans, and those limits are adjusted annually for cost-of-living (COLA) increases. The legislation would stop those COLA adjustments for overall contributions to defined contribution plans and for the maximum annual benefit under a defined benefit plan, freezing those amounts, effective for calendar years beginning after December 31, 2030. The freeze also would apply to the limit on the annual compensation of an employee that may be taken into account under a qualified plan. This measure excludes individual retirement accounts (IRAs), certain deferred compensation plans maintained by state and local governments and tax-exempt organizations (457(b) plans), simplified employee pension (SEP) plans, and union plans; indexation would continue to apply to those programs. JCT estimates that the provision would reduce revenues by $29 million over the 2021-2030 period.

Subtitle I. Child Care for Workers
Section 9801 would amend title IV of the Social Security Act to permanently increase total funding for the Child Care Entitlement Program to $3.55 billion. That program, which provides assistance to low-income families who need child care because of work and work-related activities, is currently authorized through September 30, 2021, at an annualized rate of $2.92 billion. CBO's baseline projections include the assumption that the program will continue at that level of funding, consistent with the rules specified in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985. Thus, relative to CBO's

baseline, Section 9801 would increase budget authority for the program by $0.63 billion annually.

Net Effects on Health Insurance Coverage

CBO and JCT estimate that the legislation would reduce the number of people under age 65 in the United States without health insurance coverage by about 800,000 in 2021, 1.3 million in 2022, and 400,000 in 2023. Most of the effect in 2021 would stem from section 9501, as people would enroll in COBRA rather than forgoing insurance coverage. Overall, the greatest reduction in the number of uninsured people would stem from section 9661. Enacting that section, which would increase premium tax credits for all currently eligible income levels and expand eligibility to people with incomes greater than 400 percent of the FPL, would decrease the number of people without health insurance by 1.3 million in 2022.

Uncertainty

The continuing effects of COVID-19 on the labor markets, an important component of much of this estimate, are difficult to predict. In addition, the interaction between expanded unemployment benefits, the unemployment rate and labor force participation, and the consequent effects on the budget are difficult to estimate. It is also difficult to forecast eligibility for and responses to new subsidies for health insurance. With respect to Subtitle H, there is uncertainty about both the number of pension plans that would qualify for grants and about the amount that each plan would receive.

The revenue estimates provided here are uncertain because they rely on underlying projections and other estimates that are uncertain. Specifically, they are based in part on CBO's economic projections for the next decade under current law, and on estimates of changes in taxpayers' behavior in response to changes in tax rules.

Pay-As-You-Go Considerations

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays and revenues that are subject to those pay-as-you-go procedures are shown in Table 1.

Increases On-Budget Deficits in any Year after 2030

Several provisions would have budgetary effects after 2030, but CBO, in consultation with JCT, projects that on net, the legislation would not increase on-budget deficits in any year after 2030.

Mandates

CBO and JCT have determined that the legislation would impose private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). Using information from JCT, CBO estimates that the aggregate cost of the mandates imposed by the legislation would exceed the annual private-sector threshold established in UMRA ($170 million in 2021, adjusted annually for inflation).

Specifically, the tax provisions of the bill would impose two private-sector mandates by repealing worldwide interest allocation and extending the amortization period for single employer pension plans.

The nontax provisions of the legislation would impose private sector mandates by requiring group health plans to include additional information about COBRA eligibility and premium assistance in notifications made to beneficiaries. Because group health plans routinely provide information to beneficiaries, CBO estimates that the additional cost of those mandates would be small.

CBO and JCT have determined that the legislation would not impose intergovernmental mandates as defined in UMRA.

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Table 1.
Estimated Budget Effects of Reconciliation Recommendations
As Reported by the House Committee on Ways & Means on February 10 and 11, 2021

	By Fiscal Year, Millions of Dollars 2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
	Increases or Decreases (-) in Direct Spending Outlays												
Subtitle A – Crisis Support for Unemployed Workers[a]													
Federal Pandemic Unemployment Compensation													
Estimated Budget Authority	154,920	8,130	0	0	0	0	0	0	0	0	0	163,050	163,050
Estimated Outlays	154,920	8,130	0	0	0	0	0	0	0	0	0	163,050	163,050
Pandemic Unemployment Assistance													
Estimated Budget Authority	42,030	2,210	0	0	0	0	0	0	0	0	0	44,240	44,240
Estimated Outlays	42,030	2,210	0	0	0	0	0	0	0	0	0	44,240	44,240
Pandemic Emergency Unemployment Compensation													
Budget Authority	33,030	1,560	0	0	0	0	0	0	0	0	0	34,590	34,590
Estimated Outlays	33,030	1,560	0	0	0	0	0	0	0	0	0	34,590	34,590
Regular Unemployment Compensation													
Estimated Budget Authority	385	0	0	0	0	0	0	0	0	0	0	385	385
Estimated Outlays	385	0	0	0	0	0	0	0	0	0	0	385	385
Extended Unemployment Compensation													
Estimated Budget Authority	-3,030	0	0	0	0	0	0	0	0	0	0	-3,030	-3,030
Estimated Outlays	-3,030	0	0	0	0	0	0	0	0	0	0	-3,030	-3,030
Short-Time Compensation Programs													
Estimated Budget Authority	295	15	0	0	0	0	0	0	0	0	0	310	310
Estimated Outlays	295	15	0	0	0	0	0	0	0	0	0	310	310
Interest on Advances to State Unemployment Trust Funds													
Estimated Budget Authority	0	291	117	143	157	0	0	0	0	0	0	708	708
Estimated Outlays	0	291	117	143	157	0	0	0	0	0	0	708	708
Administrative Funding for States													
Estimated Budget Authority	140	0	0	0	0	0	0	0	0	0	0	140	140
Estimated Outlays	140	0	0	0	0	0	0	0	0	0	0	140	140
Administrative Funding for the Department of Labor													
Budget Authority	0	2,008	0	0	0	0	0	0	0	0	0	2,008	2,008
Estimated Outlays	0	602	1,004	201	201	0	0	0	0	0	0	2,008	2,008
Subtitle A, Total													
Estimated Budget Authority	227,770	14,214	117	143	157	0	0	0	0	0	0	242,401	242,401
Estimated Outlays	227,770	12,808	1,121	344	358	0	0	0	0	0	0	242,401	242,401
Subtitle B – Emergency Assistance to Families through Home Visiting Programs													
Sec. 9101. Home Visiting Programs													
Budget Authority	150	0	0	0	0	0	0	0	0	0	0	150	150
Estimated Outlays	5	48	60	36	0	0	0	0	0	0	0	149	149
Subtitle C – Emergency Assistance to Children and Families													
Sec. 9201. Pandemic Emergency Fund													
Budget Authority	1,000	0	0	0	0	0	0	0	0	0	0	1,000	1,000
Estimated Outlays	375	535	50	40	0	0	0	0	0	0	0	1,000	1,000
Subtitle D – Elder Justice and Support Guarantee													
Sec. 9301. Additional Funding for Aging and Disability Services Programs													
Estimated Budget Authority	88	188	0	0	0	0	0	0	0	0	0	276	276
Estimated Outlays	40	120	88	28	0	0	0	0	0	0	0	276	276
Subtitle E – Support to Skilled Nursing Facilities in Response to COVID-19													
Sec. 9401. Infection Control Support Through Quality Improvement Organizations													
Budget Authority	200	0	0	0	0	0	0	0	0	0	0	200	200
Estimated Outlays	22	128	50	0	0	0	0	0	0	0	0	200	200
Sec. 9402. Funding for Strike Teams for Resident and Employee Safety													
Budget Authority	250	0	0	0	0	0	0	0	0	0	0	250	250
Estimated Outlays	50	175	25	0	0	0	0	0	0	0	0	250	250
Subtitle E, Total													
Estimated Budget Authority	450	0	0	0	0	0	0	0	0	0	0	450	450
Estimated Outlays	72	303	75	0	0	0	0	0	0	0	0	450	450

continued

Table 1. Estimated Budget Effects of Reconciliation Recommendations by the House Committee on Ways & Means on February 10 and 11, 2021
continued

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Subtitle F – Preserving Health Benefits for Workers[a,b]													
Sec. 9501. Preserving Health Benefits for Workers													
Estimated Budget Authority	-6,018	-374	-74	0	0	0	0	0	0	0	0	-6,466	-6,466
Estimated Outlays	-6,021	-371	-74	0	0	0	0	0	0	0	0	-6,466	-6,466
Subtitle G – Promoting Economic Security													
Part 1 - 2021 Recovery Rebates to Individuals[a]													
Sec. 9601 Recovery Rebates for Individuals													
Estimated Budget Authority	404,937	8,700	0	0	0	0	0	0	0	0	0	413,637	413,637
Estimated Outlays	404,937	8,700	0	0	0	0	0	0	0	0	0	413,637	413,637
Internal Revenue Service													
Budget Authority	1,465	0	0	0	0	0	0	0	0	0	0	1,465	1,465
Estimated Outlays	483	499	483	0	0	0	0	0	0	0	0	1,465	1,465
Fiscal Service													
Budget Authority	7	0	0	0	0	0	0	0	0	0	0	7	7
Estimated Outlays	3	4	0	0	0	0	0	0	0	0	0	7	7
Treasury Inspector General for Tax Administration													
Budget Authority	8	0	0	0	0	0	0	0	0	0	0	8	8
Estimated Outlays	2	3	3	0	0	0	0	0	0	0	0	8	8
Part 2 - Child Tax Credit[a]													
Sec. 9611 Child Tax Credit Improvements for 2021[c]													
Estimated Budget Authority	18,169	66,185	710	721	725	721	307	311	316	320	323	88,485	88,808
Estimated Outlays	18,169	66,185	710	721	725	721	307	311	316	320	323	88,485	88,808
Internal Revenue Service													
Budget Authority	397	0	0	0	0	0	0	0	0	0	0	397	397
Estimated Outlays	199	198	0	0	0	0	0	0	0	0	0	397	397
Fiscal Service													
Budget Authority	16	0	0	0	0	0	0	0	0	0	0	16	16
Estimated Outlays	8	8	0	0	0	0	0	0	0	0	0	16	16
Part 3 - Earned Income Tax Credit													
Sec. 9621. Strengthen the EITC for Individuals With No Qualifying													
Estimated Budget Authority	0	9,278	0	0	0	0	0	0	0	0	0	9,278	9,278
Estimated Outlays	0	9,278	0	0	0	0	0	0	0	0	0	9,278	9,278
Sec. 9622. Eligibility With Qualifying Children Who Fail to Meet Certain Identification Requirements[a]													
Estimated Budget Authority	0	11	2	1	1	1	2	2	2	2	2	24	26
Estimated Outlays	0	11	2	1	1	1	2	2	2	2	2	24	26
Sec. 9623. Credit Allowed in Case of Certain Separated Spouses													
Estimated Budget Authority	0	18	18	19	20	21	21	22	23	24	24	186	210
Estimated Outlays	0	18	18	19	20	21	21	22	23	24	24	186	210
Sec. 9624. Modification of Disqualified Investments Income Test[a]													
Estimated Budget Authority	0	224	141	143	165	164	162	159	159	165	173	1,482	1,655
Estimated Outlays	0	224	141	143	165	164	162	159	159	165	173	1,482	1,655
Sec. 9625. Application of the EITC in													
Estimated Budget Authority	0	738	746	764	781	798	814	831	849	867	885	7,188	8,074
Estimated Outlays	0	738	746	764	781	798	814	831	849	867	885	7,188	8,074
Sec. 9626. Temporary Special Rule for Determining Earned Income for the EITC[a]													
Estimated Budget Authority	0	2,866	0	0	0	0	0	0	0	0	0	2,866	2,866
Estimated Outlays	0	2,866	0	0	0	0	0	0	0	0	0	2,866	2,866
Part 4 - Dependent Care Assistance[a]													
Estimated Budget Authority	0	3,752	0	0	0	0	0	0	0	0	0	3,752	3,752
Estimated Outlays	0	3,752	0	0	0	0	0	0	0	0	0	3,752	3,752
Part 5 - Credits for Paid Sick and Family Leave[a]													
Estimated Budget Authority	3,323	431	0	0	0	0	0	0	0	0	0	3,754	3,754
Estimated Outlays	3,323	431	0	0	0	0	0	0	0	0	0	3,754	3,754

continued

Table 1. Estimated Budget Effects of Reconciliation Recommendations by the House Committee on Ways & Means on February 10 and 11, 2021
continued

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Part 6 - Employee Retention Credit													
Estimated Budget Authority	1,090	878	0	0	0	0	0	0	0	0	0	1,968	1,968
Estimated Outlays	1,090	878	0	0	0	0	0	0	0	0	0	1,968	1,968
Part 7 - Premium Tax Credit													
Sec. 9661. Expanding Premium Assistance for Consumers[a,b]													
Estimated Budget Authority	2,731	13,945	4,942	404	0	0	0	0	0	0	0	22,022	22,022
Estimated Outlays	2,731	13,945	4,942	404	0	0	0	0	0	0	0	22,022	22,022
Sec. 9663. Application of the Premium Tax Credit for Individuals Receiving Unemployment Compensation in 2021[a]													
Estimated Budget Authority	1,351	926	149	0	0	0	0	0	0	0	0	2,426	2,426
Estimated Outlays	1,351	926	149	0	0	0	0	0	0	0	0	2,426	2,426
Subtitle G, Total													
Estimated Budget Authority	433,494	107,952	6,708	2,052	1,692	1,705	1,306	1,325	1,349	1,378	1,407	558,961	560,368
Estimated Outlays	432,296	108,664	7,194	2,052	1,692	1,705	1,306	1,325	1,349	1,378	1,407	558,961	560,368
Subtitle H - The Butch Lewis Emergency Pension Plan Relief Act of 2021													
Sec. 9704. Multiemployer Pension Plans[a,d]													
Estimated Budget Authority	13	82,468	2,496	651	25	13	0	0	0	0	0	85,666	85,666
Estimated Outlays	12	82,452	2,379	497	-341	-1,206	-839	102	91	81	75	83,229	83,304
Sec. 9705. Single-Employer Pension Plans[a,e]													
Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	-107	-144	-232	-353	-1,124	-93	-917	-1,156	-1,419	-1,643	-1,819	-7,188	-9,007
Sec. 9707. Modification of Special Rules for Minimum Funding Standards for Community Newspaper Plans[a]													
Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	-7	-7	-11	-15	-18	-21	-24	-27	-30	-32	-35	-192	-227
Subtitle H, Total													
Estimated Budget Authority	13	82,468	2,496	651	25	13	0	0	0	0	0	85,666	85,666
Estimated Outlays	-102	82,301	2,136	129	-1,483	-1,320	-1,780	-1,081	-1,358	-1,594	-1,779	75,849	74,070
Subtitle I - Childcare for Workers													
Sec. 9801. Child Care Assistance Programs													
Budget Authority	633	633	633	633	633	633	633	633	633	633	633	6,330	6,963
Estimated Outlays	146	317	456	519	570	601	633	633	633	633	633	5,141	5,774
Total Increase in Direct Spending													
Estimated Budget Authority	657,580	205,081	9,880	3,479	2,507	2,351	1,939	1,958	1,982	2,011	2,040	888,768	890,808
Estimated Outlays	654,581	204,725	11,106	3,148	1,137	986	159	877	624	417	261	877,761	878,022
Increases or Decreases (-) in Revenues													
Subtitle A – Crisis Support for Unemployed Workers[a]													
On-budget	-3,380	-349	83	83	65	31	25	4	0	0	0	-3,438	-3,438
Subtitle F – Preserving Health Benefits for Workers[a,b]													
On-budget	-10,832	-3,488	55	0	0	0	0	0	0	0	0	-14,265	-14,265
Off-budget	4	-32	-13	0	0	0	0	0	0	0	0	-41	-41
Total	-10,828	-3,520	42	0	0	0	0	0	0	0	0	-14,306	-14,306
Subtitle G – Promoting Economic Security													
Part 1 - 2021 Recovery Rebates to Individuals[a]													
Sec. 9601. Recovery Rebates for													
On-budget	0	-8,700	0	0	0	0	0	0	0	0	0	-8,700	-8,700
Part 2 - Child Tax Credit[a]													
Sec. 9611. Child Tax Credit Improvements for 2021[c]													
On-budget	-7,657	-13,063	0	0	0	0	0	0	0	0	0	-20,720	-20,720
Part 3 - Earned Income Tax Credit													
Sec. 9621. Strengthen the EITC for Individuals With No Qualifying Children[a]													
On-budget	-521	-2,083	0	0	0	0	0	0	0	0	0	-2,604	-2,604
Sec. 9622. Eligibility With Qualifying Children Who Fail to Meet Certain Identification Requirements[a]													
On-budget	*	-1	0	0	0	0	0	0	0	0	0	0	0

continued

Table 1. Estimated Budget Effects of Reconciliation Recommendations by the House Committee on Ways & Means on February 10 and 11, 2021
continued

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2021-2030	2021-2031
Sec. 9623. Credit Allowed in Case of Certain Separated Spouses[a]													
On-budget	-1	-2	-3	-3	-3	-4	-4	-5	-5	-6	-7	-36	-42
Sec. 9624. Modification of Disqualified Investments Income Test[a]													
On-budget	-24	-106	-57	-57	-60	-65	-76	-74	-72	-75	-78	-666	-744
Sec. 9626. Temporary Special Rule for Determining Earned Income for the EITC[a]													
On-budget	0	-319	0	0	0	0	0	0	0	0	0	-319	-319
Part 4 - Dependent Care Assistance[a]													
Sec. 9631. Refundability and Enhancement of the Child and Dependent Care Tax Credit													
On-budget	-2,127	-2,085	0	0	0	0	0	0	0	0	0	-4,212	-4,212
Sec. 9632. Increase in Exclusion for Employer Provided Dependent Care Assistance													
On-budget	-27	-14	0	0	0	0	0	0	0	0	0	-41	-41
Off-budget	-51	-25	0	0	0	0	0	0	0	0	0	-76	-76
Total	-78	-39	0	0	0	0	0	0	0	0	0	-117	-117
Part 5 - Credits for Paid Sick and Family Leave[a]													
On-budget	-731	-723	0	0	0	0	0	0	0	0	0	-1,454	-1,454
Part 6 - Employee Retention Credit													
On-budget	-1,701	-5,115	0	0	0	0	0	0	0	0	0	-6,816	-6,816
Part 7 - Premium Tax Credit													
Sec. 9661. Expanding Premium Assistance for Consumers[a,b]													
On-budget	-1,419	-8,004	-2,813	-97	23	0	0	0	0	0	0	-12,310	-12,310
Off-budget	7	76	52	10	0	0	0	0	0	0	0	145	145
Total	-1,412	-7,928	-2,761	-87	23	0	0	0	0	0	0	-12,165	-12,165
Sec. 9662. Modification of Limits on Reconciliation of Tax Credits													
On-budget	-4,696	-1,565	0	0	0	0	0	0	0	0	0	-6,261	-6,261
Sec. 9663. Application of the Premium Tax Credit for Individuals Receiving Unemployment Compensation in 2021[a]													
On-budget	-1,379	-841	-108	0	0	0	0	0	0	0	0	-2,328	-2,328
Off-budget	107	107	25	0	0	0	0	0	0	0	0	239	239
Total	-1,272	-734	-83	0	0	0	0	0	0	0	0	-2,089	-2,089
Part 8 - Miscellaneous Provisions													
Sec. 9671. Repeal of Election to Allocate Interest on a Worldwide Basis													
On-budget	335	1,277	2,023	2,284	2,383	2,334	2,358	2,385	2,343	2,283	2,327	20,005	22,331
Subtitle G, Total													
On-budget	-19,948	-41,344	-958	2,127	2,343	2,265	2,278	2,306	2,266	2,202	2,242	-46,463	-44,221
Off-budget	63	158	77	10	0	0	0	0	0	0	0	308	308
Total	-19,885	-41,186	-881	2,137	2,343	2,265	2,278	2,306	2,266	2,202	2,242	-46,155	-43,913
Subtitle H - The Butch Lewis Emergency Pension Plan Relief Act of 2021													
Sec. 9704. Multiemployer Pension Plans[a,d]													
On-budget	12	15	17	25	120	214	257	292	334	377	406	1,663	2,069
Sec. 9705. Single-Employer Pension Plans[a,e]													
On-budget	229	311	499	688	973	1,273	1,522	1,644	1,611	1,329	976	10,079	11,053
Off-budget	25	53	95	150	238	312	380	434	447	374	273	2,508	2,781
Total	254	364	594	838	1,211	1,585	1,902	2,078	2,058	1,703	1,249	12,587	13,834
Sec. 9707. Modification of Special Rules for Minimum Funding Standards for Community Newspaper Plans[a]													
On-budget	16	10	10	9	7	7	6	4	1	-3	-5	67	63
Off-budget	2	2	3	3	3	3	3	2	1	1	*	23	21
Total	18	12	13	12	10	10	9	6	2	-2	-5	90	85
Sec. 9708. Freeze Cost-of-Living Indexation for Pension Contributions													
On-budget	0	0	0	0	0	0	0	-2	-7	-13	38	16	16
Off-budget	0	0	0	0	0	0	0	-1	-2	-4	20	-7	13
Total	0	0	0	0	0	0	0	-3	-9	-17	58	-29	29

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