

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO \_\_\_\_\_**  
**OFFERED BY M. \_\_\_\_\_**

Strike all and insert the following:

1           **Subtitle D—Other Provisions**  
2   **CHAPTER 1—ENSURING ENVIRONMENTAL**  
3           **HEALTH AND RATEPAYER PROTEC-**  
4           **TION DURING THE PANDEMIC**

5   **SEC. 3301. FUNDING FOR POLLUTION AND DISPARATE IM-**  
6           **PACTS OF THE COVID-19 PANDEMIC.**

7           (a) IN GENERAL.—In addition to amounts otherwise  
8 available, there is appropriated to the Environmental Pro-  
9 tection Agency for fiscal year 2021, out of any money in  
10 the Treasury not otherwise appropriated, \$100,000,000,  
11 to remain available until expended, to address health out-  
12 come disparities from pollution and the COVID-19 pan-  
13 demic, of which—

14           (1) \$50,000,000, shall be for grants, contracts,  
15           and other agency activities that implement the envi-  
16           ronmental justice purposes and objectives described  
17           in Executive Order 12898 titled “Federal Actions  
18           To Address Environmental Justice in Minority Pop-  
19           ulations and Low-Income Populations” (59 Fed.

1 Reg. 7629), as amended; section 219 of Executive  
2 Order 14008 titled “Tackling the Climate Crisis at  
3 Home and Abroad” (86 Fed. Reg. 7619); and the  
4 Environmental Protection Agency’s Environmental  
5 Justice 2020 Action Agenda, published May 22,  
6 2016; and

7 (2) \$50,000,000 shall be for grants and activi-  
8 ties authorized under subsections (a) through (c) of  
9 section 103 of the Clean Air Act (42 U.S.C. 7403)  
10 and grants and activities authorized under section  
11 105 of such Act (42 U.S.C. 7405).

12 (b) ADMINISTRATION OF FUNDS.—

13 (1) Of the funds made available pursuant to  
14 subsection (a)(1), the Administrator shall reserve 2  
15 percent for administrative costs necessary to carry  
16 out activities funded pursuant to such subsection.

17 (2) Of the funds made available pursuant to  
18 subsection (a)(2), the Administrator shall reserve 5  
19 percent for activities funded pursuant to such sub-  
20 section other than grants.

21 **SEC. 3302. FUNDING FOR LIHEAP.**

22 In addition to amounts otherwise available, there is  
23 appropriated for fiscal year 2021, out of any amounts in  
24 the Treasury not otherwise appropriated, \$4,500,000,000,  
25 to remain available through September 30, 2022, for addi-

1 tional funding to provide payments under section 2602(b)  
2 of the Low-Income Home Energy Assistance Act of 1981  
3 (42 U.S.C. 8621(b)), except that—

4 (1) \$2,250,000,000 of such amounts shall be  
5 allocated as though the total appropriation for such  
6 payments for fiscal year 2021 was less than  
7 \$1,975,000,000;

8 (2) section 2607(b)(2)(B) of such Act (42  
9 U.S.C. 8626(b)(2)(B)) shall not apply to funds ap-  
10 propriated under this section for fiscal year 2021;  
11 and

12 (3) with respect to amounts appropriated under  
13 this section for fiscal year 2021, notwithstanding  
14 section 2604(d) of such Act (42 U.S.C. 8623(d)),  
15 the Secretary shall reserve under such section  
16 2604(d) amounts for Indian tribes that bear the  
17 same ratio, for each Indian tribe, that the amount  
18 reserved for the Indian tribe, from funds appro-  
19 priated for such payments for fiscal year 2021 be-  
20 fore the date of enactment of this section, bore to  
21 the amount allotted to the applicable State for such  
22 payments from any such appropriated funds.

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

24 (a) IN GENERAL.—In addition to amounts otherwise  
25 available, there is appropriated to the Secretary of Health

1 and Human Services for fiscal year 2021, out of any  
2 amounts in the Treasury not otherwise appropriated,  
3 \$500,000,000, to remain available until expended, for  
4 grants to States and Indian Tribes to assist low-income  
5 households, particularly those with the lowest incomes,  
6 that pay a high proportion of household income for drink-  
7 ing water and wastewater services, by providing funds to  
8 owners or operators of public water systems or treatment  
9 works to reduce arrearages of and rates charged to such  
10 households for such services.

11 (b) ALLOTMENT.—The Secretary shall—

12 (1) allot amounts appropriated in this section to  
13 a State or Indian Tribe based on—

14 (A) the percentage of households in the  
15 State, or under the jurisdiction of the Indian  
16 Tribe, with income equal or less than 150 per-  
17 cent of the Federal poverty line; and

18 (B) the percentage of households in the  
19 State, or under the jurisdiction of the Indian  
20 Tribe, that spend more than 30 percent of  
21 monthly income on housing; and

22 (2) reserve up to 3 percent of the amount ap-  
23 propriated in this section for Indian Tribes and trib-  
24 al organizations.

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

4 **SEC. 3311. FUNDING FOR CONSUMER PRODUCT SAFETY**  
5 **FUND TO PROTECT CONSUMERS FROM PO-**  
6 **TENTIALLY DANGEROUS PRODUCTS RE-**  
7 **LATED TO COVID-19.**

8 (a) APPROPRIATION.—In addition to amounts other-  
9 wise available, there is appropriated to the Consumer  
10 Product Safety Commission for fiscal year 2021, out of  
11 any money in the Treasury not otherwise appropriated,  
12 \$50,000,000, to remain available until September 30,  
13 2026, for the purposes described in subsection (b).

14 (b) PURPOSES.—The funds made available in sub-  
15 section (a) shall only be used for purposes of the Con-  
16 sumer Product Safety Commission to—

17 (1) carry out the requirements in title XX of di-  
18 vision FF of the Consolidated Appropriations Act,  
19 2021 (Public Law 116–260);

20 (2) enhance targeting, surveillance, and screen-  
21 ing of consumer products, particularly COVID-19  
22 products, entering the United States at ports of  
23 entry, including ports of entry for de minimis ship-  
24 ments;

1           (3) enhance monitoring of internet websites for  
2 the offering for sale of new and used violative con-  
3 sumer products, particularly COVID–19 products,  
4 and coordination with retail and resale websites to  
5 improve identification and elimination of listings of  
6 such products;

7           (4) increase awareness and communication par-  
8 ticularly of COVID–19 product related risks and  
9 other consumer product safety information; and

10           (5) improve the Commission’s data collection  
11 and analysis system especially with a focus on con-  
12 sumer product safety risks resulting from the  
13 COVID–19 pandemic to socially disadvantaged indi-  
14 viduals and other vulnerable populations.

15 (c) DEFINITIONS.—In this section—

16           (1) the term “Commission” means the Con-  
17 sumer Product Safety Commission;

18           (2) the term “de minimis shipments” means ar-  
19 ticles containing consumer products entering the  
20 United States under the de minimis value exemption  
21 in section 321(a)(2)(C) of the Tariff Act of 1930  
22 (19 U.S.C. 1321(a)(2)(C));

23           (3) the term “violative consumer products”  
24 means consumer products in violation of an applica-  
25 ble consumer product safety standard under the

1 Consumer Product Safety Act (15 U.S.C. 2051 et  
2 seq.) or any similar rule, regulation, standard, or  
3 ban under any other Act enforced by the Commis-  
4 sion;

5 (4) the term “COVID–19 emergency period”  
6 means the period during which a public health emer-  
7 gency declared pursuant to section 319 of the Public  
8 Health Service Act (42 U.S.C. 247d) with respect to  
9 the 2019 novel coronavirus (COVID–19), including  
10 under any renewal of such declaration, is in effect;  
11 and

12 (5) the term “COVID–19 products” means  
13 products whose risks have been significantly affected  
14 by COVID–19 or whose sales have materially in-  
15 creased during the COVID–19 emergency period as  
16 a result of the COVID–19 pandemic.

17 **SEC. 3312. FUNDING FOR E-RATE SUPPORT FOR EMER-**  
18 **GENCY EDUCATIONAL CONNECTIONS AND**  
19 **DEVICES.**

20 (a) REGULATIONS REQUIRED.—Not later than 60  
21 days after the date of the enactment of this Act, the Com-  
22 mission shall promulgate regulations providing for the  
23 provision, from amounts made available from the Emer-  
24 gency Connectivity Fund, of support under paragraphs  
25 (1)(B) and (2) of section 254(h) of the Communications

1 Act of 1934 (47 U.S.C. 254(h)) to an eligible school or  
2 library, for the purchase during a COVID–19 emergency  
3 period of eligible equipment or advanced telecommuni-  
4 cations and information services (or both), for use by—

5 (1) in the case of a school, students and staff  
6 of the school at locations that include locations other  
7 than the school; and

8 (2) in the case of a library, patrons of the li-  
9 brary at locations that include locations other than  
10 the library.

11 (b) SUPPORT AMOUNT.—In providing support under  
12 the covered regulations, the Commission shall reimburse  
13 100 percent of the costs associated with the eligible equip-  
14 ment, advanced telecommunications and information serv-  
15 ices, or eligible equipment and advanced telecommuni-  
16 cations and information services, except that any reim-  
17 bursement of a school or library for the costs associated  
18 with any eligible equipment may not exceed an amount  
19 that the Commission determines, with respect to the re-  
20 quest by the school or library for the reimbursement, is  
21 reasonable.

22 (c) EMERGENCY CONNECTIVITY FUND.—

23 (1) ESTABLISHMENT.—There is established in  
24 the Treasury of the United States a fund to be  
25 known as the “Emergency Connectivity Fund”.



1           (2) APPROPRIATION.—In addition to amounts  
2 otherwise available, there is appropriated to the  
3 Emergency Connectivity Fund for fiscal year 2021,  
4 out of any money in the Treasury not otherwise ap-  
5 propriated—

6           (A) \$7,599,000,000, to remain available  
7 until September 30, 2030, for—

8           (i) the provision of support under the  
9 covered regulations; and

10           (ii) the Commission to adopt, and the  
11 Commission and the Universal Service Ad-  
12 ministrative Company to administer, the  
13 covered regulations; and

14           (B) \$1,000,000, to remain available until  
15 September 30, 2030, for the Inspector General  
16 of the Commission to conduct oversight of sup-  
17 port provided under the covered regulations.

18           (3) LIMITATION.—Not more than 2 percent of  
19 the amount made available under paragraph (2)(A)  
20 may be used for the purposes described in clause (ii)  
21 of such paragraph.

22           (4) RELATIONSHIP TO UNIVERSAL SERVICE  
23 CONTRIBUTIONS.—Support provided under the cov-  
24 ered regulations shall be provided from amounts  
25 made available from the Emergency Connectivity

1 Fund and not from contributions under section  
2 254(d) of the Communications Act of 1934 (47  
3 U.S.C. 254(d)).

4 (d) DEFINITIONS.—In this section:

5 (1) ADVANCED TELECOMMUNICATIONS AND IN-  
6 FORMATION SERVICES.—The term “advanced tele-  
7 communications and information services” means  
8 advanced telecommunications and information serv-  
9 ices, as such term is used in section 254(h) of the  
10 Communications Act of 1934 (47 U.S.C. 254(h)).

11 (2) COMMISSION.—The term “Commission”  
12 means the Federal Communications Commission.

13 (3) CONNECTED DEVICE.—The term “con-  
14 nected device” means a laptop computer, tablet com-  
15 puter, or similar end-user device that is capable of  
16 connecting to advanced telecommunications and in-  
17 formation services.

18 (4) COVERED REGULATIONS.—The term “cov-  
19 ered regulations” means the regulations promul-  
20 gated under subsection (a).

21 (5) COVID–19 EMERGENCY PERIOD.—The  
22 term “COVID–19 emergency period” means a pe-  
23 riod that—

24 (A) begins on the date of a determination  
25 by the Secretary of Health and Human Services

1           pursuant to section 319 of the Public Health  
2           Service Act (42 U.S.C. 247d) that a public  
3           health emergency exists as a result of COVID–  
4           19; and

5                   (B) ends on the June 30 that first occurs  
6           after the date that is 1 year after the date on  
7           which such determination (including any re-  
8           newal thereof) terminates.

9           (6) ELIGIBLE EQUIPMENT.—The term “eligible  
10          equipment” means the following:

11                   (A) Wi-Fi hotspots.

12                   (B) Modems.

13                   (C) Routers.

14                   (D) Devices that combine a modem and  
15          router.

16                   (E) Connected devices.

17           (7) ELIGIBLE SCHOOL OR LIBRARY.—The term  
18          “eligible school or library” means an elementary  
19          school, secondary school, or library (including a  
20          Tribal elementary school, Tribal secondary school, or  
21          Tribal library) eligible for support under paragraphs  
22          (1)(B) and (2) of section 254(h) of the Communica-  
23          tions Act of 1934 (47 U.S.C. 254(h)), except as pro-  
24          vided in paragraph (10).

1           (8) EMERGENCY CONNECTIVITY FUND.—The  
2 term “Emergency Connectivity Fund” means the  
3 fund established under subsection (c)(1).

4           (9) LIBRARY.—The term “library” includes a  
5 library consortium.

6           (10) TRIBAL LIBRARY.—The term “Tribal li-  
7 brary” means, only during a COVID–19 emergency  
8 period, a facility owned by an Indian Tribe, serving  
9 Indian Tribes, or serving American Indians, Alaskan  
10 Natives, or Native Hawaiian communities, includ-  
11 ing—

12                   (A) a library or library consortium; or

13                   (B) a government building, chapter house,  
14 longhouse, community center, or other similar  
15 public building;

16 and such facility need not comply with the portion  
17 of paragraph (4) of section 254(h) of the Commu-  
18 nications Act of 1934 (47 U.S.C. 254(h)) relating to  
19 eligibility for assistance from a State library admin-  
20 istrative agency.

21           (11) WI-FI.—The term “Wi-Fi” means a wire-  
22 less networking protocol based on Institute of Elec-  
23 trical and Electronics Engineers standard 802.11  
24 (or any successor standard).

1           (12) WI-FI HOTSPOT.—The term “Wi-Fi  
2           hotspot” means a device that is capable of—

3                   (A) receiving advanced telecommunications  
4                   and information services; and

5                   (B) sharing such services with a connected  
6                   device through the use of Wi-Fi.

7   **CHAPTER 3—OVERSIGHT OF DEPART-**  
8   **MENT OF COMMERCE PREVENTION**  
9   **AND RESPONSE TO COVID-19**

10 **SEC. 3321. FUNDING FOR DEPARTMENT OF COMMERCE IN-**  
11 **SPECTOR GENERAL.**

12       In addition to amounts otherwise available, there is  
13 appropriated to the Office of the Inspector General of the  
14 Department of Commerce for fiscal year 2021, out of any  
15 money in the Treasury not otherwise appropriated,  
16 \$3,000,000, to remain available until September 30, 2022,  
17 for oversight of activities supported with funds appro-  
18 priated to the Department of Commerce to prevent, pre-  
19 pare for, and respond to COVID-19, domestically or inter-  
20 nationally.

